SENATE—*Tuesday, March 10, 1987*

The Senate met at 2:30 p.m. and was called to order by the Honorable PAUL SIMON, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures: he leadeth me beside the still waters. He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake. Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me. Thou preparest a table before me in the presence of mine enemies: thou annointest my head with oil; my cup runneth over. Surely goodness and mercy shall follow me all of the days of my life: and I will dwell in the house of the Lord for ever.—Psalm 23.

God of Abraham, Isaac, and Israel, an empty desk in this Chamber speaks eloquently of the loss felt by all at the death of a great statesman and beloved friend, Senator ZORINSKY. Thank You for the reality understood by King David that we are not alone in death—our shepherd, the Lord, walks with us through the valley of the shadow.

We pray, Loving Father, that Your comfort and peace will fill the hearts of Mrs. Zorinsky and the family as the awareness of their loss and ours persists. Grant special peace and confidence to his staff who loved him and served him so faithfully as they wait out the uncertainty of these days. Shalom, shalom. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STENNIS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 10, 1987.

To the Senate:

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

JOHN C. STENNIS,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

THE JOURNAL

Mr. BYRD. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

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

RESERVATION OF LEADERSHIP TIME

Mr. BYRD. Mr. President, at the moment I shall ask that my time be reserved. Following the distinguished Republican leader, if Mr. EXON is on the floor, I think he has a resolution that he will call up anent the passing of our late departed colleague. So I ask unanimous consent that I may reserve my time.

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

Does the minority leader seek recognition?

Mr. DOLE. Mr. President, I ask unanimous consent that I may reserve my time until such time as the resolution has been offered by the distinguished Senator from Nebraska [Mr. EXON].

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

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. EXON. Mr. President, I ask unanimous consent that the proceedings under the quorum call be dispensed with.

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

TRIBUTE TO THE LATE SENATOR EDWARD ZORINSKY

Mr. EXON. Mr. President, this is the toughest speech I have ever made and one I wish I had never been called upon to deliver. Last Friday night America lost a great leader, Nebraska lost a vigorous fighter and I lost a close personal friend in ED ZORINSKY.

ED's sudden passing reminds us all again how fragile is the flower of life, picked at times in its full bloom.

ED ZORINSKY had a distinguished career as a native son mayor of the city of Omaha and as a U.S. Senator. On the Agriculture Committee, he wrote a record of dedication to Nebraska's No. 1 industry, and in the Foreign Relations Committee he was stellar in his inborn common sense and judgment honed by his commonplace beginnings and Midwest upbringing that preaches common sense. ED was a quick study, and he soon became an expert on the problems facing rural America and the difficult international community discord.

Almost all stories about ED ZORINSKY mentioned the fact that he was considered a maverick. I am sure that ED considered that a compliment, for he fought for what he thought was in the best interest of the people of his State and the Nation. If it took a maverick to get that job done, ED ZORINSKY was willing to play that role.

ED ZORINSKY was considered a conservative and he generally voted that way, but he was not afraid to vote what might be considered a nonconservative position, too, because he voted what he thought was right on the individual issues that faced this body. It really did not matter to him what that vote would be considered. What mattered to ED was whether or not it made sense. The label was not important.

There were people who did not understand where ED ZORINSKY was coming from. All you have to do is know something about Nebraska and Nebraskans. Nebraskans are generally considered conservative, especially on fiscal matters; but, yet, Nebraska is the only total public power State, which may have once been considered almost a socialistic point of view. Nebraskans would reply, "Well, it works for us. Let others do their own thing."

Indeed, most Nebraskans consider themselves political conservatives; but, yet, George Norris fathered public power and the nonpartisan, one-house State legislative system called the unicameral. It is America's only such State legislative apparatus and has not been copied, but it works for Nebraska.

Nebraskans built one of the architectural wonders of the world in our State capitol. That by itself is not unusual, except that it was built during the Great Depression and it was paid in full the day it was completed. Others might say that is unusual, but

● 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

Nebraskans would say, "Doesn't everyone pay as they go?" It works for us.

Nebraskans cannot understand the Federal deficits because it is unconstitutional for the State to go into debt in Nebraska, and this was firmly embedded in my colleague, ED ZORINSKY. They simply do not understand why anything so simple can be so complex, or why anything so fundamental can be so universally ignored in Washington.

These attitudes and operating methods of Nebraska and Nebraskans were fundamentally the roots of ED ZORINSKY. ED brought these roots and this common sense approach to the U.S. Senate, and he is well known on both sides of the aisle to have been fundamentally locked into those basic views which he expressed often with not only great dedication but also with understanding to Members on both sides of the aisle.

While I know we shall all miss him, my heart is especially heavy today because I have lost a close friend and confidant. To me his chair right there is sadly vacant today.

As much as we loved ED ZORINSKY, none of us can feel the grief that his wife, Cece, and his family are feeling. I ask that each of you especially remember Cece Zorinsky and ED's family in your prayers tonight as they work their way through the dark days ahead. Let us add one more element to that prayer. Let us add a prayer of thanksgiving for the privilege of knowing and working with our friend ED ZORINSKY. Aside from everything else, we shall remember him as dedicated, compassionate and caring. ED ZORINSKY's love affair with the people of Nebraska was based on the secure knowledge that he "worked for us" tirelessly and until his sudden calling. We in the Senate and Nebraskans will do our best to carry out the principles he fostered and left behind for us to embellish.

Godspeed and Godrest to you, my friend, our colleague and Nebraska's faithful servant, ED ZORINSKY.

You will never be forgotten here in the U.S. Senate nor in the hearts and minds of the people of Nebraska whom you so faithfully served.

Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will read the resolution.

Mr. EXON. If I might, Mr. President, I wish to read this resolution and I ask unanimous consent for that in lieu of the clerk reading the resolution so that the clerk will be spared that customary task.

The resolution reads, Mr. President:

S. RES. 163

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Edward Zorinsky, late a Senator from the State of Nebraska.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

Mr. President, I send the resolution to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

There being no objection, the Senate proceeded to the consideration of the resolution.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

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Mr. EXON. I thank the Chair. I thank my colleagues. I thank the majority leader and the minority leader for giving this matter top consideration as we begin this day of activity in the U.S. Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

DEATH OF SENATOR EDWARD ZORINSKY

Mr. BYRD. Mr. President, we were saddened to learn of the sudden and untimely death on Friday night of one of our colleagues, Senator EDWARD ZORINSKY.

The 100 men and women who compose the U.S. Senate have a unique and important role in how this Nation is governed and how each and every American will live and work. Ours is a special place in American society, and when one of our Members passes away, the loss is deeply and personally felt.

With the death of Senator ZORINSKY, we mourn the passing of a great Nebraskan who, as I have previously said, brought an independent and courageous style to this Chamber.

He was the son of a Russian Jewish immigrant, a successful businessman, and a productive member of the Omaha Public Power District Board from 1968-73. From 1973 to 1977, he served as the mayor of Omaha. His effective response to a series of disasters that hit his town won him high acclaim and respect throughout the State.

As a result, in 1976, the people of his beloved State of Nebraska selected him to represent them in the U.S. Senate. In 1982, they did so again; Senator ZORINSKY won reelection with 67 percent of the vote and carried all but 8 of the State's 93 counties.

His tenure in the U.S. Senate was one of independent tenacity, dedicated work, and impassioned struggles for the causes in which he believed and the goals he pursued.

His commitments to open government and to making Government more cost effective are well known by all of his colleagues.

He was an active member of the Senate Foreign Relations Committee, on which he chaired the Western Hemisphere Subcommittee and the new Subcommittee on Terrorism, Narcotics, and International Communications.

As a true Nebraskan, Senator ZORINSKY was most concerned with the welfare of the people of his State. Thus, the well-being of the American farmer was always his top interest.

He helped push through legislation setting up a commission to study agricultural trade policy, sought the expansion of credit for financially stressed farmers, and promoted the electrification of rural America. And he was instrumental in the passage of the last two farm bills.

As the ranking Democrat on the Agriculture, Nutrition, and Forestry Committee for 2 years, he was remarkably successful in publicizing the plight of the men and women who toil and sweat to feed this great Nation and so much of the world.

While we mourn the passing of Senator ZORINSKY, we should celebrate his memory and the important work he performed while he was with us. The State of Nebraska and the United States, farmers and Americans everywhere have lost a friend.

My wife Erma and I offer our condolences to Senator ZORINSKY's wife, Cece, and their three children, Barry, Jeffrey, and Susan.

The distinguished Senator from Nebraska, Mr. EXON, has made a very moving eulogy regarding the passing of his colleague from his State, and he asked that all of us remember in our prayers ED's family, Cece and the children. We shall do so.

Mr. President, in closing, may I say to Cece and the family on behalf of my wife Erma and myself these few lines of a verse which someone composed long ago:

Let fate do her worst.
There are relics of joy,
Bright dreams of the past
That she cannot destroy.

They come in the nighttime
Of sorrow and care,
And bring back the features
That joy used to wear.

Long, long be my heart
With such memories filled,
Like the vase in which roses
Have once been distilled.

You may break, you may shatter
The vase, if you will,
But the scent of the roses
Will hang 'round it still.

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

Mr. DOLE. Mr. President, I also want to underscore the statements made by both my colleagues: my friend, Senator EXON, who was ED's closest friend; and the distinguished majority leader.

Today the Republicans, in their policy luncheon, talked about ED ZORINSKY the man, not ED ZORINSKY the Senator, the Democrat, or the maverick. It goes without saying that ED ZORINSKY was held in high esteem by everyone in this Chamber, Republican and Democrat alike.

ED always had a little twinkle in his eye. He never complained about anything that I can recall, and we spent hours and hours together working on agriculture matters.

As indicated by Senator EXON, it is hard to imagine this place without ED ZORINSKY. He was a committed public servant. As I said late last week, rural America never had a better friend than ED ZORINSKY.

He worked tirelessly on the Agriculture Committee, as pointed out by the distinguished majority leader and Senator EXON.

I do not really believe ED ZORINSKY ever voted because he thought this was the Democratic view or the Republican view. I always found ED, except in rare cases, looking at the issue from the view of his State and the people who lived in the State of Nebraska and in the Midwest. This was a great help to those of us who were neighbors to Nebraska, like Kansas.

Whether it was price supports, or exports, or farm credit, ED ZORINSKY was there.

It was not just agriculture. He had an important position on the Senate Foreign Relations Committee. He believed that foreign policy should be bipartisan. He felt that the United States must be strong, always strong, but always fair.

And, I guess, just as he did in agriculture, it was always a question of policy, not of politics, with ED ZORINSKY.

I guess most important, if you are writing contemporary profiles in courage, I would recall to my colleagues the vote we had in this Chamber on May 10, 1985, at about 2 o'clock in the morning. It was on a budget resolution. The budget resolution terminated more than a dozen programs, and one or two rather significant programs.

The budget resolution froze every cost of living adjustment there was. It was a very difficult vote. The vote was 50 to 49. It was a partisan vote in the sense the Republicans believed we had a better idea than our Democratic colleagues. And had we failed, I assume the then distinguished minority leader would have had an alternative.

One Democrat joined the 49 Republicans on that occasion. And I believe it was just another indication of the courage of ED ZORINSKY, his nonpartisanship, his concern about America. And although that budget resolution probably was not perfect, it did send a signal to the American people that there was a majority, narrow as it was, willing to stand up and be counted on a very difficult issue. And I guess that attitude typified ED's entire life in politics and out.

Today Senator STEVENS brought a letter to the policy luncheon, the last letter we received from ED ZORINSKY. We all have it on our desks and in our offices. It is a letter from ED ZORINSKY, and attached to it is an article on how to handle your cholesterol count, which was a matter of great concern to ED ZORINSKY. He had a problem. I guess he was sending the rest of us a message.

So, ED had an important impact on all of us. We certainly will miss him. On this side of the aisle, we certainly extend our sympathy and our prayers to Cece and the family. I would say to all of my colleagues and staff and others who were there on Sunday, I think it was an indication of the outpouring of love and respect for ED ZORINSKY. It was, I think, for all of us a privilege to have known ED, to have worked with ED, and to know that when he left Washington last Friday morning, I am not certain, but I would bet—he was thinking about something that would be of assistance to someone in the State of Nebraska.

(Mr. CONRAD assumed the chair.)

Mr. EXON. Mr. President, I want to thank the majority leader and minority leader for their most kind remarks and true remarks about our colleague.

If I could have the attention of the minority leader for just a moment, I happened to think back to that very fondly, and I think this was ED ZORINSKY and how strongly he felt. We were friends from the time before he was in the mayor's office and before I was Governor of Nebraska. Frequently we did not vote the same way on matters here, but that did not have anything to do with our friendship, because we voted our convictions.

And while this is probably not the greatest time for any levity, I know if ED were here he would appreciate what I am about to say. That May 10, what year was that?

Mr. DOLE. 1985.

Mr. EXON. May 10, 1985, when ED cast the vote that passed the budget resolution. And, correctly, as usual, as the minority leader said, there were 50 votes for it and there were 49 votes against it. That meant that there was one vote that was not here, and that vote was this Senator's vote. This Senator was in the hospital for an emergency operation on my gall bladder.

And while I think it is entirely appropriate for the minority leader to give ED ZORINSKY credit for being the key vote that put that over, it would also be entirely appropriate for the minority leader to salute the then junior Senator from Nebraska who was thoughtful enough to go to the hospital. Because had the junior Senator from Nebraska at that time been on the floor, the vote would have been tied 50-50 and that budget resolution would not have passed. But that is the way things are done on the floor of the U.S. Senate. And I think, at times like this when some people around the United States, maybe, do not think as highly of this institution as it should, I was reminded very vividly of that time. In fact, there were efforts at that time to get this Senator out of the hospital to come down here and cast a vote.

On that very night, if my memory serves me correctly, I think Senator WILSON from California was also at Bethesda Naval Hospital. In fact, he had an appendectomy, I believe, a day or two before the surgery I underwent, and he was able to come down on a stretcher and also cast a deciding vote. I could not. My doctor would not allow me to come, and I did not feel like coming.

In any event, that is how things are decided on the floor of the U.S. Senate, not nearly as partisan as some people tend to believe and cast us in. And since ED ZORINSKY was a swing vote on many occasions, that is why we will all miss him very much, and that is why we admired him.

So I think if ED were here he would have chuckled at that story that I just told. I was not criticizing the minority leader for not mentioning the then junior Senator from Nebraska, but I also had a key role in allowing your success that day by not being here.

I wish to say that other colleagues thought, when I told them I was coming over today, that this was the day that we were going to give our speeches for Senator ZORINSKY. I believe that there will be a day set aside when others will have time and some notice. But it is certainly appropriate for anyone who wishes to talk about our departed friend and colleague, and it would be most appropriate.

But I do think it would be appropriate if the leader indicated there would be some time set aside for comments

by other Senators at a later date; is that correct, Mr. Leader?

Mr. BYRD. Yes, Mr. President. If the Senator will yield, Senators may speak on any day this week. The Senate will be in, I would say, at least 2 more days this week and, of course, they may speak on days subsequent to this week. In the final analysis, after conferring with the distinguished Republican leader, I will ask at some point that such speeches be placed in a bound volume and be appropriately prepared for transmittal to the wife of the deceased and his family.

Mr. EXON. I thank the leader and I yield the floor.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I have discussed this with the able Republican leader and we will now claim the remainder of our time.

COMMUTER AIRLINE SAFETY

Mr. BYRD. Mr. President, the administration is now 113 days late in complying with the law—Public Law 99-591—which requires the President to appoint members to the Aviation Safety Commission. The Commission has 9 months from the date of enactment, which was October 18, 1986, to report its findings and recommendations. Less than 5 months remain for the Commission to complete its task.

Further delay is intolerable. There have already been 17 deaths this year caused by accidents involving commuter aircraft. The latest tragedy occurred on March 4, 1987, when a twin-engine Northwest Airlink commuter airliner crashed on landing at the Detroit Metropolitan Airport killing 9 people on the plane and injuring 20, including 10 on the ground.

Mr. President, at my request, the General Accounting Office began last summer to investigate the margin of commuter airline safety. The GAO's preliminary findings were reported to my staff on February 11, 1987, and, unfortunately, tended to confirm my suspicions regarding the level of safety in the commuter airline industry.

The volume of commuter traffic and the number of commuter aircraft are continuing to increase significantly. And although the commuter accident rate continues to diminish per 100,000 departures, it remains three times higher than the accident rate for large commercial airlines. Because the National Transportation Safety Board attributes pilot error as the most frequent cause of commuter accidents, I have asked the GAO to look further into the question of the level of commuter pilot experience and training and certification requirements. Among the GAO's preliminary findings with regard to pilot training and certification is that commuter airlines are not required to verify the violation history of their pilots. Although the FAA maintains such histories on computer, there is simply no requirement that the airlines check these histories.

Such histories could point to potential troublespots. The Washington Post reported on Sunday, March 8, 1987, that the pilot of the commuter plane that crashed at the Detroit Metropolitan Airport had twice been cited by the FAA for unsafe flying. In addition, the FAA had cited Fischer Bros. Aviation, which operated the twin-engine Northwest Airlink plane that crashed, six times for maintenance and safety violations and fined the company a total of $3,500 since 1979.

Mr. President, we can no longer afford to delay resolving these safety issues. We have already lost precious time. I again call on the administration to appoint members to the Aviation Safety Commission and begin the process under the law that was passed of improving the margin of aviation safety.

BICENTENNIAL MINUTE

MARCH 10, 1848: SENATE RATIFIES TREATY OF QUADALUPE-HIDALGO

Mr. DOLE. Mr. President, 139 years ago today, on March 10, 1848, the U.S. Senate ratified one of the most significant treaties in our Nation's history. The Treaty of Quadalupe-Hidalgo terminated the war with Mexico, which had begun in 1846 with a dispute over the border between Texas and Mexico, and which had ended with the American occupation of Mexico City.

Following the American victory, Mexico agreed, for the sum of $15 million, and repayment of $3 million in its debts, to cede to the United States 600,000 square miles of territory. This vast territory, comparable only to the Louisiana purchase, included all of the present-day States of California, Arizona, New Mexico, Nevada, Utah, and Colorado, as well as recognition of Texas' border at the Rio Grande River.

Despite the immense advantages of this treaty, some Senators thought it could be improved, and offered numerous amendments when the pact reached the Senate. These amendments ranged from a proposal to disavow so much annexation of new territory, to one that would move the boundary even further south into Mexico. Amendments to ban slavery from the new territories were also introduced. Most of these amendments were rejected, and two articles in the treaty were also removed, relating to the validity of Mexican land grants and the rights of the Catholic Church in the acquired territories. With these adjustments, the Senate consented to the treaty by a vote of 38 to 14.

Adoption of the treaty of Quadalupe-Hidalgo launched a whole new chapter in the history of the American West. It also confronted Congress and the Nation with the unresolved question of whether the new territory would be free or would be open to slavery. The settlement of this question would require another decade of debate and a bloody civil war.

ORDER OF PROCEDURE

Mr. BYRD. I ask unanimous consent that the special order that was under the control of Mr. HECHT be transferred to the control of Mr. WILSON.

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

Mr. BYRD. Mr. President, I yield the floor.

RECOGNITION OF SENATOR STEVENS

The PRESIDING OFFICER. Under the previous order the Senator from Alaska [Mr. STEVENS] is recognized for not to exceed 5 minutes.

Mr. STEVENS. Mr. President, let me first make a remark or two about my good friend, Senator ZORINSKY. I ask that the comments I make be printed in the appropriate place in the volume that the distinguished majority leader has mentioned when it is printed.

TRIBUTE TO THE LATE SENATOR ED ZORINSKY

Mr. STEVENS. Mr. President, ED ZORINSKY was a great personal friend of mine. The Nation has lost a very valuable public servant in this untimely death of our good friend, as our distinguished Republican leader has mentioned. At today's Republican luncheon, I remarked to our colleagues about the irony walking into my office this morning and receiving a letter from my good friend who had passed away over the weekend. Senator ZORINSKY sent us a copy of the resolution that the distinguished Democratic leader, our majority leader, had secured passage of last week declaring a week in April to be Cholesterol Week. Senator ZORINSKY wanted to call this resolution to our attention for the obvious reason that he had very serious problems with cholesterol, and of course we believe that is what caused his untimely death.

Others will remark about ED ZORINSKY in terms of his contributions to his State, both as the mayor of Omaha and as a Senator from Nebraska. I remember ED ZORINSKY as being a companion who was willing to take on the tasks assigned to him as a Senator, and he did them well.

For instance, he and I went often to meet with our Canadian colleagues in the Canadian Interparliamentary Conference. Some people may call those junkets. For ED ZORINSKY and me, they were working missions to carry

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the word of the people of our country to those who represent our neighbors in Canada. He had problems with our Canadian friends in agriculture. I had them in tourism. I would have them in fishing and he might have them in some other activity that affected his State.

But ED ZORINSKY was always able to meet toe to toe with our Canadian neighbors and tell it to them like it is. After those meetings ED would put the issues of the day aside, get together with our neighbors from Canada, share fellowship, and make good friends for our country.

And I also remember the year he was appointed to be the President's representative at the Paris Air Show. There were very few people that wanted that task because it was under attack at the time in the press as being a junket.

It really is not. We demonstrated that it was not. ED ZORINSKY and I went to meet every single small businessman that had an exhibit in the American pavilion there, a pavilion that led to an increase of about one-half billion dollars in sales of aviation parts for use throughout the world that year. And I remember—after meeting with those businessmen—the first time I saw ED ZORINSKY perform his little soft-shoe dance, as a matter of fact, with the words of "Zorinsky for President." It was a parody on himself and he loved to do it. Sadly, I am informed that the last thing he did in this life was to perform a version of that soft-shoe at the annual Press Club dinner in his city of Omaha.

Catherine and I have lost a good friend. And I am sure that we will all remember Cece and urge her to join with us in the activities of the Senate family in the future.

ED and Cece ZORINSKY were truly hard working members of this family, and I think everyone in Nebraska should realize that he earned a reputation on both sides of this aisle as a man of integrity who stood up for what he believed without regard to the consequences, either politically or in terms of personal friendship. He faced life head on—and he told it like it was. And I am saddened that I face the task on Sunday to join with my good friends, the two leaders, to go to honor our departed friend and participate in his funeral exercises.

COMMEMORATION OF THE SIGNING OF THE CONSTITUTION

Mr. STEVENS. Mr. President, last week we passed an important milestone for this body. March 4, marked the 198th anniversary of the meeting of the First Congress in New York. I made note of this because the bill which I am introducing today marks the bicentennial of an event which made that first meeting of the Congress possible. The bill would make September 17, 1987, a national holiday to commemorate the signing of the U.S. Constitution by the delegates to the Constitutional Convention.

I have been joined by Senators KENNEDY, THURMOND, DECONCINI, STENNIS, and BURDICK in introducing this bill, and I welcome further cosponsors. I hope that all Senators will join with us in calling for this day of national celebration.

Eleven years ago this country celebrated the bicentennial of the Declaration of Independence and the beginning or our existence as a nation. The Declaration of Independence was written at the beginning of a conflict which went on for several years. At the end of the Revolutionary War we were triumphant—a proud, new nation.

The Articles of Confederation, our first attempt at self-government, proved too weak a foundation. The States seemed destined to sink into a mire of conflicts. Cracks were beginning to form when the call went out for a convention to reform the Articles of Confederation.

That Convention met in Philadelphia in the summer of 1787. They recognized early in their discussions that a simple reformation would not be enough. The delegates went beyond their mandate and instead drafted the document which has made the success of the United States possible.

Without our Constitution, with its careful checks and balances, its mix of Federal and State powers, and with its amendments which preserve the rights of the individuals in our society, our Nation could not be what it is today. Without the Constitution our independence, and the promise of a great nation, would never have flowered. Independence means nothing for a nation if its citizens are not free and its government is not just.

Hundreds of constitutions of nations around the globe have been modeled upon our own. We have, in fact, been a model for freedom. These countries recognized the value of the concepts embodied in our Constitution. It is time for us to remind ourselves of the reasons why our Constitution is a success.

The bicentennial of our Constitution provides an opportunity. We have more to celebrate than 200 years of history. We should be celebrating the continuing success of our system of government, and the promise of many centuries to come.

This is more than just another day for parades: It is an opportunity to reflect on our Nation, and on the Constitution which has made us what we are today.

Mr. President, I ask unanimous consent that a letter from the American Legion in support of this holiday be included in the RECORD.

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

THE AMERICAN LEGION,
Washington, DC, February 2, 1987.

Hon. TED STEVENS,
U.S. Senate, Washington, DC.

DEAR SENATOR STEVENS: The Bicentennial of the signing of the U.S. Constitution, September 17, 1987, provides an opportunity for Americans to celebrate this historic day with patriotic ceremonies and reflection. The significance of the signing of this document, the government it created and the flexibility contained within to allow for the changing needs of American society should not be minimized.

The American Legion strongly favors legislation recognizing September 17, 1987 as a one-time national holiday to commemorate the Bicentennial of the U.S. Constitution. We commend you for your planned sponsorship of such legislation and urge the enthusiastic support of your colleague. A national holiday will serve as a focal point for the celebration in honor of the greatest government document ever written and the men who framed it. We certainly agree that the Bicentennial of the U.S. Constitution deserves special consideratin and treatment.

Senator, The American Legion appreciates your fine support of this initiative and looks forward to its successful movement through Congress.

Sincerely,

E. PHILIP RIGGIN, *Director,*
National Legislative Commission.

Mr. DECONCINI. Mr. President, I am honored to be cosponsoring this bill to designate September 17, 1987, the bicentennial of the signing of the Constitution of the United States, as "Constitution Day," and to make this day a legal public holiday. Having this one-time national holiday is only appropriate in celebration of 200 years of our constitutional Government. I believe there is no other document that has more effectively embodied democratic principles than our Constitution.

I have the privilege to serve with my distinguished colleagues, Senator THURMOND, Senator KENNEDY, and Senator STEVENS, as a member of the Commission of the Bicentennial of the U.S. Constitution. The Commission was established to celebrate the historical aspects of the Constitution, with an emphasis on education of the principles that formed the Constitution and the policies that resulted.

Under the leadership of former Chief Justice Warren Burger, the Commission has coordinated many worthwhile activities and projects to commemorate the single most important document in the history of our Nation. I encourage all Americans to become involved with these historical celebrations. It is important for each and every American to understand the concepts of peace and justice which have served as a model for other countries. The Commission has strongly endorsed this holiday, and believes it will properly symbolize the importance of this bicentennial.

Mr. President, I always have reservations in creating holidays that will cost the taxpayers money. Understanding this problem, our Government has chosen to observe, through annual national holidays, a limited number of great leaders and great events in our Nation's history. I can not think of a more justified reason for a one-time national holiday. The Constitution sets forth the foundation and structure of our Nation's laws. Because of this document, we have the most successful governmental system in the world. A legal holiday on September 17, 1987, will create an opportunity for citizens to reflect on the history of our Nation, as well as provide an incentive for local communities across the country to participate in activities to commemorate the founding of our Government. I am extremely proud of the events that have already been planned by various groups in the State of Arizona.

The Constitution is much more than just a historical treasure encased in glass in the National Archives Building. It is a living, functioning document which now as always meets the needs of a changing, dynamic society. Its magnitude and far-reaching effects touch each of us individually. Mr. President, I am hopeful that my colleagues in the Senate will join in support of this important initiative.

Mr. STEVENS. Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

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

S. 699

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

SECTION 1. CONSTITUTION DAY.

(a) FINDINGS.—The Congress finds that—

(1) the United States Constitution is the cornerstone of our system of Government under law;

(2) September 17, 1987, commemorates the bicentennial of the signing of the United States Constitution;

(3) the bicentennial of the signing of the United States Constitution serves as a reminder and a celebration of the rights, privileges, and responsibilities of citizenship;

(4) the United States Constitution signifies the importance of the rule of law and affirms our dedication to freedom and justice; and

(5) the United States Constitution provides the framework for our law, our spirit, and our beliefs as a Nation.

(b) DESIGNATION.—September 17, 1987, is designated as "Constitution Day".

(c) TREATMENT AS A LEGAL PUBLIC HOLIDAY.—September 17, 1987, shall be treated as if it were a legal public holiday under section 6103(a) of title 5, United States Code, for purposes of—

(1) any statute relating to pay or leave of employees (as defined by section 2105 of title 5, United States Code);

(2) section 2(d) of the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", approved June 22, 1942 (36 U.S.C. 174(d));

(3) section 15(a) of the Federal Contested Election Act (2 U.S.C. 394(a)); and

(4) any other law.

(d) AMENDMENT TO TITLE 5, UNITED STATES CODE, SECTION 6103.—Section 6103 of title 5, United States Code, is amended—

(1) by inserting in subsection (a) immediately after the item relating to Labor Day, the following new item:

"Constitution Day, September 17.";

(2) by striking out "For" in subsection (b) and inserting in lieu thereof "Except as provided for in subsection (d), for"; and

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

"(d) For purposes of statutes relating to pay and leave of employees, Constitution Day shall not be observed as a legal holiday in calendar years beginning after December 31, 1987.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 1986.

RURAL NEWSPAPER PRESERVATION ACT

Mr. STEVENS. Mr. President, today I am introducing the Rural Newspaper Preservation Act. Versions of this proposal passed the Senate twice in the 99th Congress, once as an amendment to the continuing appropriations resolution and once as freestanding legislation. I am hopeful and confident that we will again pass this legislation which in essence reestablishes, for adjoining counties, the old "limited circulation" or "out-of-county" newspaper mailing rate.

The intent of this legislation is to help preserve the small rural newspapers of this Nation. The concept of assisting the preservation of our rural newspapers goes back to 1851. The purpose in establishing reduced postal rates for newspapers 130 years ago was to help the rural publishing business compete in a local market increasingly dominated by regional and national media. It was also an attempt to protect rural culture from annihilation by urban institutions and values.

Mr. President, those same two basic reasons are as valued today as they were almost a century and a half ago. This legislation will not provide a windfall to small newspapers but simply would help assist them to compete with the national media while providing the local news coverage so essential to rural subscribers.

Because of the regional and national media, rural Americans have a greater ability to learn about what is going on in Western Europe or South Africa or the Middle East, for example, than they do in their own local area. Yet, a farmer or rancher 40 miles from the nearest large community needs to know, what is going on in his own area in order to maintain his livelihood and to have an influence on what affects his life day in and day out.

Rural Americans, like their urban cousins, must have a knowledge of what is taking place in their local "world" for this information has a more direct bearing on their own well-being than activities in other areas of the globe. If the limited circulation rate is not restored, rural newspapers may lose the ability to distribute their local publication through the mail at an affordable cost. Cut off from rural subscribers, a local newspaper will succumb to the urban and national media, thus leaving no one to cover purely local events and news. As the demise of small newspapers continues, local information will be left out in the cold.

The cost of this measure is small and will not be borne by any additional cost to the taxpayer. Rather, the cost will be absorbed into the amount currently appropriated for the revenue foregone category for all other preferred mail rate users.

In order to be fiscally responsible, we have looked into what changes can be made in the allocation of revenue foregone to offset some of the increased cost this legislation would have. In this regard, we have again found it hard to justify a revenue-foregone subsidy to large suburban newspapers serving the affluent. Consequently, we have included language in this bill to cap, at 20,000, the number of newspaper subscriptions within a county that can be subsidized. This would save approximately $2 million a year. Although this does not entirely pay for the cost of this new legislation, it does pay for a substantial portion.

Mr. President, I ask unanimous consent to include at the end of my remarks the complete text of the bill.

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

S. 700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3626(f) of title 39, United States Code, is amended to read as follows:

"(f) In the administration of this section, the substitute minimum charge per piece under former section 4358(g) of this title for publications mailing fewer than five thousand copies outside the county of publication shall be limited to so many of such copies as are addressed for delivery within counties adjacent to the county of publication.".

SEC. 2. Section 3626(g) of title 39, United States Code, is amended by adding at the end thereof the following:

"(3) In the administration of this section within any State or territory which has not organized itself into county (or parish) subdivisions, copies of a publication addressed for delivery within the entire State or territory of publication shall be deemed addressed for delivery within the county of publication within the meaning of former section 4358(a), (b), and (c) of this title.

"(4) No more than 20,000 copies of any issue of a publication may be mailed at rates

under former section 4358(a)-(c) of this title.".

Mr. PRYOR. Mr. President, I rise today to cosponsor important legislation which Senator STEVENS is introducing to allow rural newspapers to survive and continue providing crucial information to millions of Americans. The bill, appropriately titled the "Rural Newspaper Preservation Act," will restore a limited circulation postal rate for newspapers mailing fewer than 5,000 copies to counties adjacent to the county of publication.

The need for this bill arose in April 1986, when a provision which was in neither the House nor the Senate version of the Consolidated Omnibus Budget Act [COBRA] suddenly appeared in the conference report and totally eliminated the limited circulation rate. It is important to note this bill does not restore rates as they were prior to COBRA. It only does so for newspapers which mail fewer than 5,000 copies to adjacent counties.

As a cosponsor of a similar bill during the last session of Congress, as chairman of the Senate Governmental Affairs Subcommittee which has jurisdiction over the Postal Service, and as a former newspaper publisher, I am keenly interested and supportive of the vital role which the rural press plays in the dissemination of information to our citizens. The limited circulation rate which our bill restores would mean a great deal to the financial ability of individual newspapers across this land to remain in existence.

Mr. President, I know of a number of papers in Arkansas which publish within one county but have a significant circulation base in an adjacent county. Without our bill, these papers will continue to struggle to meet the rising costs of postage, and some may be forced out of business.

Several of the newspapers in my State have expressed an interest in this legislation and have solicited my support. Mr. President, as you might imagine, these folks found a sympathetic ear with this former newspaper publisher. I am convinced that support for this bill is support for allowing rural America to keep its identity and its voice.

I want to urge my colleagues to join with us in an effort to pass this bill promptly. I pledge my support and cooperation to see that we as Americans do all we can to foster the small rural newspaper. This bill is an important step in that direction.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent that the time under the control of Mr. HECHT be transferred to the control of Mr. WEICKER.

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

RECOGNITION OF SENATOR WILSON

The PRESIDING OFFICER. Under the previous order, the Senator from California [Mr. WILSON] is recognized for not to exceed 5 minutes.

VIOLATIONS OF UNITED STATES-JAPAN AGREEMENT ON SEMICONDUCTORS

Mr. WILSON. Mr. President, not long ago those of us concerned with the health of the American semiconductor industry greeted the news of a final agreement with great relief and some celebration. The hope was that our Japanese friends, our allies, our trading partners, would finally reform the practices that have brought about great anguish, great unhappiness, on the part of those of us concerned with the health of the American industry.

The agreement promised three things: it promised that there would be an end to Japanese dumping in the United States, an end to Japanese dumping in foreign markets, and access for American products in Japanese markets.

Mr. President, the agreement has been entered into. Unhappily, there has been sufficient experience to bring about grievous disappointment. It is not being enforced by the Japanese. It is, in fact, in need of our urgent attention.

For that reason, Mr. President, I am offering, with the cosponsorship of Senators MCCAIN, MITCHELL, DANFORTH, DOMENICI, BENTSEN, BINGAMAN, ROCKEFELLER, and WIRTH, a resolution which calls upon the President, expressing the sense of the Senate, to immediately take all appropriate and feasible action under section 301 of the Trade Act of 1984; second, to serve as an incentive for compliance; third, to compensate the United States for the harm suffered on account of noncompliance by Japan, and finally to prevent further injury to the United States.

Mr. President, the very security of our Nation is at stake, not just the commercial welfare of a single industry.

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

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

S. RES. 164

Whereas the maintenance of a healthy domestic semiconductor industry is essential to the development of the United States economy and the preservation of the national security of the United States;

Whereas the United States semiconductor industry is a world leader in semiconductor technology and has demonstrated its competitiveness in all markets to which it has had free access;

Whereas concurrent with three antidumping cases filed against Japanese companies in 64K DRAMs, EPROMs and 256K and above DRAMs, the United States Trade Representative on July 11, 1985 initiated an investigation into Japanese dumping of semiconductors in the U.S. market and lack of access for U.S. companies to the Japanese semiconductor market pursuant to Section 301(d)(2) of the Trade Act of 1974, as amended;

Whereas on September 2, 1986, the Ambassador of Japan to the United States and the United States Trade Representative signed the Agreement between the Government of Japan and the Government of the United States of America concerning Trade in Semiconductor Products which has been determined by the President to be an appropriate response to the practices of the Government of Japan with respect to trade in semiconductors, pursuant to Section 301(d)(2) of the Trade Act of 1974, as amended;

Whereas in return for Japan's pledge of increased sales in the Japanese market and avoidance of dumping in all markets, the Administration waived the imposition of dumping duties in two antidumping cases and suspended action under Section 301;

Whereas during the last six months, collection of substantial dumping penalties against Japanese companies have been foregone;

Whereas during the last six months dumping has continued and there has been no increase in access to the Japanese market;

Whereas these acts represent violations of a trade agreement negotiated pursuant to the provisions and authority of Section 301 of the Trade Act of 1974, as amended;

Whereas the President has determined that any failure by the Government of Japan to meet the commitments and objectives of the Agreement would be inconsistent with a trade agreement or an unjustifiable act that would burden or restrict U.S. commerce;

Whereas the faithful implementation of the commitments and objectives of the Agreement is the only effective means of addressing the twin problems of access for foreign semiconductor companies to the Japanese market and the prevention of dumping of semiconductors by Japanese companies; and

Whereas the Government of Japan has failed to meet the commitments that it made in the Agreement signed on September 2, 1986: Now, therefore be, it

Resolved, that it is the Sense of the Senate that—

The President should immediately take all appropriate and feasible actions under Section 301 of the Trade Act of 1974—

(A) To remedy and prevent further violation of the Agreement by Japan;

(B) To serve as an incentive for compliance;

(C) To compensate the United States for the harm suffered on account of non-compliance by Japan; and

(D) To prevent further injury to the United States;

Such actions should serve to increase, rather than restrict, international semiconductor trade and be aimed at enforcing commitments and achieving the objectives of the Agreement, both with respect to market access and the prevention of dumping in the United States and other markets;

Such actions should be focused so as to directly penalize those who have acted inconsistently with the terms of the Agreement; and

Such actions may be directed at products which contain semiconductors so as avoid any adverse effects on U.S. semiconductor users.

MAQUILA ASSEMBLY PLANT OPERATIONS OF AMERICAN FIRMS

Mr. WILSON. Mr. President, the 100th Congress will most certainly act on a major trade bill soon.

With the competitiveness debate now raging among Government, union, and business leaders, the House and Senate will undoubtedly consider the fate of the maquila industrial assembly plants in northern Mexico.

The Mexican Government launched the maquila industry over 20 years ago to provide jobs for repatriated workers after the United States ended the bracero policy of importing Mexican agricultural labor.

American firms participating in the program send duty-free materials to Mexican workers who assemble components for U.S.-manufactured goods. To reimport the components, businesses pay a tax equivalent only to the dollar value of labor that the Mexicans contributed during the assembly process.

The maquila industry now employs approximately 175,000 workers in 800 factories on the south side of the United States-Mexican border. More than 200 maquiladoras operate along the Tijuana-Tecate border alone, employing some 35,000 workers. Approximately another 30 plants are under construction in the Mesa de Otay area near the second border crossing. Several major companies, including General Motors, Zenith, and Westinghouse, take advantage of the program.

Maquila factories help the American and Mexican in several ways.

They give a wide range of United States industries the opportunity to compete with Pacific Rim and Japanese firms that enjoy lower labor and production costs. For many American companies, the alternatives to the maquila industry would be a drastically reduced market share, movement of operations overseas, or bankruptcy.

Maquilas, then, do not have the effect of substituting Mexican for American labor. The closures and relocations that would occur in the absence of the maquila factories pose the real threat to U.S. industrial employment. In addition, maquila plants help American businesses adjust to new cost reduction techniques that require the engineering of products in one nation, assembly in another, and marketing throughout the world. By taking advantage of comparatively inexpensive Mexican wages, United States firms remain price competitive against foreign products. Maquilas, therefore, also aid the effort to reduce our international trade deficit.

Furthermore, critics of the maquila industry have yet to provide any hard evidence that the Mexican plant operations cause a substantial loss of American jobs. Indeed, several manufacturing and distribution centers have opened along the U.S. side of the border in response to the need for supplying the maquila factories with industrial parts.

Finally, the maquila industry relieves the competition within our own job market. American-sponsored employment for Mexican nationals reduces the number of emigrants who would otherwise come to the United States in search of work. In addition, the close proximity of Mexico to the United States reduces the high transportation and long distance communication costs incurred by many United States producers who locate assembly plants in Far Eastern countries.

We should also not forget that the maquilas make a significant contribution to a stable Mexican economy and society.

Five years ago, the maquila industry surpassed tourism as Mexico's largest earner of foreign exchange second only to oil. The revenue created by the maquilas has helped Mexico remain one of the few Latin American nations that has not canceled or fallen drastically behind in the interest payments on its foreign debt.

Maquilas also address the problem of finding work for poverty-stricken laborers in the border communities south of the United States. Over 70 percent of all maquila employees are unskilled women with almost no experience or education. But the wages they receive, while low by American standards, allow most of them to support their families and live in adequate housing.

It is wrong to view this matter as another project of a few warm weather lawmakers because it is clear that improvement of the Mexican economy advances our national interest. The maquila program helps in stabilizing hemispheric politics, controlling the flow of immigration, and maintaining our industrial health.

I appeal to the Congress, then, to resist any initiatives that could eliminate U.S. Tariff Codes 806.20, 806.30, and 807. All three of these codes promote the use of American components in Mexican-based maquila factories established by United States firms.

And so during a time, Mr. President, when competitiveness and the trade deficit concern all of us, we cannot afford to turn our backs on the maquila industry.

I have before me the executive summary of a San Diego State University report on maquila factories. The report is entitled "Location Decisions Regarding Maquiladora/In-Bond Plants Operating in Baja California, Mexico."

Mr. President, because this report demonstrates the broad socioeconomic impact that maquila operations have in the State of California and beyond, I ask unanimous consent that the text of the executive summary be printed in the RECORD.

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

LOCATION DECISIONS REGARDING MAQUILADOR/IN-BOND PLANTS OPERATING IN BAJA CALIFORNIA, MEXICO

EXECUTIVE SUMMARY

During the period January–July of 1986, the authors carried out a research project funded by the Department of Commerce of the State of California. The study was designed to gather information which would aid decision makers in the State's private and public sectors in understanding the nature of the Mexican maquiladora, how it impacts the State's economy and how the State might best respond to this increasingly important industry. This report summarizes all important aspects of the study.

Part I describes the evolution of Mexico's maquiladora/in-bond industry from the mid-1960's to the present, and the prospects for future growth.

Part II summarizes the design, implementation, and findings of a survey of U.S. and other foreign firms with maquiladora operations in Baja California carried out as a part of this project. The survey identifies certain characteristics of these firms, their primary reasons for locating production facilities in Baja California, the major problems associated with their Mexican facilities, and many of the benefits and costs to the State of California associated with this industry.

Part III presents the authors' conclusions regarding the implications of the study for public policy in the State of California.

In general, the maquiladora/in-bond industry in Baja California represents a significant long-term opportunity for the State of California and could be an important tool for attracting new firms to the State as well as strengthening the competitive position of existing California firms. The data indicate that certain key sectors of California's economy are becoming more integrated with this industry. Therefore, it is in the best interests of the State of California to consider measures which will allow the State's public and private sectors to better understand the nature and consequences of international production sharing.

Specifically the study yielded the following findings with respect to the maquiladora industry in Mexico.

The industry's growth has been very rapid. In 1966 there were some 57 plants with approximately 4,000 workers, while today there are over 1,000 plants with some 300,000 workers.

Although the industry has always been dominated by electronics and apparel firms, it is becoming more diversified with transportation equipment, services, toys and sports equipment, and medical supplies exhibiting substantial growth in recent years. Concomitantly, the percentage of female employment is declining from around 70 percent as product mix and skill levels change.

The maquiladora/in/bond industry is not the same in all parts of Mexico. While almost 90 percent of the industry is located along the border, the maquila is very differ-

ent in Ciudad Juárez than in Tijuana—the two border cities with the largest concentration of in-bond plants. In Juárez the presence of large, well-established industrial parks and the city's strategic geographical location have attracted many large, Fortune 500 firms from the Eastern part of the U.S., while Tijuana tends to attract smaller, West Coast firms, with a smattering of Japanese giants.

The future of the industry in all parts of Mexico, depends on a complex group of driving and limiting forces including:

How well Mexico resolves the problems that have arisen with the acceleration of the growth of the industry in the last few years (i.e., high employee turnover rates, shortages of trained technical and supervisory personnel, and physical infrastructure);

Continued political stability in Mexico which in economic terms implies some measure of success with reducing inflation, increasing economic growth and employment while maintaining "realistic" wage and exchange rate policies;

Expanding markets in the U.S. without a dramatic increase in U.S. protectionism;

The application in the U.S., Japan, and Europe of the new generation of computer integrated manufacturing (CIM) technologies to the products now being processed in the Mexican maquila industry;

The development of other Latin American export processing zones (EPZ's) close to the U.S. which might receive preferential tariff treatment, such as the Caribbean Basin Initiative.

With respect to the study of maquiladora firms in Baja California which was carried out during the period February-July of 1986:

Comparison of information gathered from recent directories obtained from the Mexican government with that of the sample shows some of the important characteristics of the universe and sample set of firms.

There were 388 maquiladoras in the first quarter of 1986. Using available directories, it was possible to identify and contact 178 of those firms which were based in the U.S. 91 of those companies with maquiladoras in Baja California responded directly to the survey, while another 74 companies were represented in the survey by 12 sub-contractor and shelter firms. Thus, 165 firms (43%) out of a population of 388 were represented.

64 percent of the 388 firms in Baja California and 60 percent of our respondents have maquiladora operations in Tijuana. 26 percent of the all Baja California firms, and 25 percent of the sample are located in Mexicali.

86 percent of the companies which have maquiladoras in Baja California (78 percent of the sample) are themselves located in Southern California.

50 percent of the maquiladoras in Baja California are wholly-owned by Mexicans, according to official government data.

Nearly one-third of the maquiladoras in Baja California (63 percent of the sample) produce electronic components or electrical equipment while apparel represents 14 percent (10 percent of the sample).

The total number of Mexican workers employed by the firms responding directly to our sample (excluding subcontractors and shelter operators) was 31,092 or 69 percent of the 45,112 workers officially registered in Baja California. The average size of plants in our sample was much greater than the average for Tijuana. Thus, our data tends to come from the larger maquiladoras.

The major findings of the survey of firms with maquiladora operations are as follows:

About half of the firms responding to our survey considered countries other than Mexico as locations for off-shore production, Taiwan, Singapore, South Korea, Hong Kong and other southeast Asian countries, as well as Puerto Rico and other Caribbean countries, were frequent second and third choices.

Important position location factors in favor of Mexico relative to the other countries listed above include: lower transportation costs, better quality of life in California for expatriate managers and technicians, lower cost of labor, better availability of labor, and better opportunity for control of day-to-day operations.

Many firms considered other parts of Mexico as alternatives to Baja California, especially Ciudad Juarez, Nogales, Chihuahua City and Matamoros. Baja California's most important position location factor is the quality of life in the State of California for expatriate managers and technicians. Other slightly important positive location factors for Baja California include better opportunity for control, lower transportation costs, and the lower level of militancy of organized labor.

The median total of expenditures (in California) in 1985 in support of a Baja California maquiladora was approximately $275,000. About one-third built support facilities in California, and over three quarters have employees who reside in California but work in Mexico.

Most firms plan to expand their maquiladoras, and over one-third plan to increase California employment.

The most important problems of maquiladoras are: employee turnover, availability of suitable labor, deficient communications technology, and transportation of Mexican workers to and from the maquiladora.

Slightly less than half of the firms responding to the survey experienced a net decrease in U.S. employment as a result of using a maquiladora; the firms which cut back were generally larger than those represented in the sample as a whole.

The implications of this study for public policy in California are twofold:

That the State of California should initiate a dialogue with public and private sector organizations in California and Baja California and should establish certain mechanisms to monitor the maquiladora/in-bond industry in Mexico, and Baja California, on an on-going basis. Specifically, the State should be aware of the growth of the industry and the increasing integration of California-based firms with the maquila, as well as possible changes in Mexican regulations and policies affecting the maquila, which in turn could affect California-based firms.

That the State of California should market the Baja California maquiladora industry as an added benefit to foreign and out-of-state firms exploring California as an industrial site. Apparently, other U.S. states along the U.S.-Mexico border are already doing so in the belief that the potential benefits outweigh the costs.

THE NOT SO SECRET GENIUS OF DANNY KAYE

Mr. WILSON. Mr. President, when Danny Kaye died last week, the world lost its court jester. Perhaps no entertainer of our time exerted more universal appeal than this red-haired Pied Piper, whose antic genius was matched by his boundless curiosity. Danny Kaye was living proof that renaissance men didn't die out with the Renaissance. He achieved in real life all the things that Walter Mitty only dreamed about. He was, in no particular order, a brilliant actor, inspired comic, world-class chef, agile dancer, loyal baseball team owner, and the unstuffiest diplomat ever to don a pair of striped pants.

Danny's idea of a typical day was to start off in the morning behind the controls of a 747, fly to San Francisco to take orders in the kitchen of Trader Vic's attend a Dodgers game in the afternoon, and conduct a symphony orchestra in the evening—leading a performance of "Flight of the Bumblebee" with a flyswatter instead of a baton.

But then, what else would you expect from a man who in his youth held fans for Sally Rand, could pronounce the names of 50 Russian composers in 38 seconds, held France's top culinary award and was an honorary member of the American College of Surgeons?

Danny's versatility made him a man of many faces—and dialects—and mediums. He played everything from James Thurber's fantasy-spinning suburban commuter to Noah in a Broadway musical. He made us giggle as Captain Hook. He made us cry as a Jewish Holocaust survivor in Skokie. Bing Crosby may have sung the title tune in "White Christmas," but it was Danny Kaye who walked off with the movie. And in Hans Christian Anderson, Danny foreshadowed his not so secret life as every child's favorite adult—an elf on leave from the North Pole, a talent for nonsense and a taste for puncturing pretensions wherever they existed.

He spoke the universal language of laughter and the common tongue of music. As UNICEF's traveling ambassador and resident clown, he reached out to children on six continents. Like so many people, I find myself recalling a personal encounter with Danny. He had come to San Diego, to accept a humanitarian award from the National Conference of Christians and Jews. As you might expect, he did not respond with a conventional acceptance speech, instead he improvised a comic performance that had people in tears of laughter.

That award was but one of many showered on Danny by a nation that was both grateful and amused. He won Emmys and Oscars. In 1984, he was inducted into the select circle of artists recognized for their lifetime contributions through the Kennedy Center Honors. He won a place in our hearts long before millions of Americans invited him into their homes, via a weekly television series that was pure magic.

Each Wednesday night, Danny used to end the show by gracefully dancing his way out of the screen. It was the gesture of a modern leprechaun, an eternal child who appealed to the child in the rest of us. The screen went dark last week. But for Danny Kaye, the show will go on as long as people need to laugh, and his unique personality is preserved on film and tape to meet that need. Danny Kaye may have been many men. But there was only one Danny Kaye.

RECOGNITION OF SENATOR WEICKER

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized for not to exeed 5 minutes.

CONTRA AID

Mr. WEICKER. Mr. President, I raise the issue of Contra aid before the U.S. Senate, more particularly intending to introduce a resolution of disapproval of such aid for action by this body. I send to the desk such a resolution and ask for its appropriate referral.

The PRESIDING OFFICER. The resolution will be received and referred.

Mr. WEICKER. Mr. President, it is time we, the U.S. Senate, faced up to an issue very much a subject of discussion and debate in this country, and that is the matter of Contra aid. I say this because for months now too many persons have been engaged in a finger-pointing exercise relative to the Iran-Contra scandal. Criticism has been heaped on the President of the United States, criticism has been heaped upon those who serve the President of the United States either for their actions, as with the case of Donald Regan, or their inaction insofar as either Secretary of State Shultz or Secretary of Defense Weinberger are concerned. Personnel of the National Security staff, Oliver North and John Poindexter have all been part of speculation and villification. Special committees have been appointed to ascertain the facts. The first report we have had from such a group was that of the Tower Commission. Focusing mainly on the Iran aspect of the problem the report was highly critical of the inattention of the President. Also appointed are the Senate special committee under the chairmanship of DAN INOUYE, and Vice Chairman WARREN RUDMAN, and a House special committee under the chairmanship of LEE HAMILTON and Vice Chairman DICK CHENEY. All this to ascertain exactly what happened insofar as the Iran-Contra matter is concerned.

Now, I, as everyone else, am very much interested in what happened. But, more importantly, I am interested in what is to be done. We have before us now one-half of this equation insofar as Contra aid being before us and the question arises, What are we going to do about it? This is not a matter of which the American public is ignorant. The matter of our Contra policy has been an overt business for the American public and for the American Congress. It has been no "hole-in-the-corner" business. No one should feign ignorance as to Contra aid. It is a bizarre policy and that is probably the kindest term that describes an overthrowing of a government that we recognize. A government with an embassy here in Washington, DC. This has been legal policy for the United States of America. I would suggest that even if no other fact were known by any committee or by any commission, such a bizarre foreign policy would inevitably involve bizarre details. And so it should have come as no surprise in the matters that are before us that there were Swiss bank accounts, diverted funds, laundering of money and violations of law. What is the problem? Is it details that worry us or is it the policy that brings about concern. The matter of policy is now up for approval or disapproval by the Congress as representatives of the American people. So before anybody points further fingers at the President of the United States for what he did or did not do, each citizen of this country can ask himself and, each constitutional representative can ask himself "Are we with the President on this matter of Contra aid or do we want to see the policy ended and with it the abuses?" You cannot have it both ways. You cannot say, "What an awful mess the President has got us into, but continue the policies that have brought us to this pass."

The scandal does not go away with such fence sitting. Much of the difficulty in which we find ourselves, in which the President finds himself today has come about by virtue of the silence of the Congress and the American people.

It is fair enough to say that we did not know about the arms-for-hostages deal. Neither Congress nor the American people knew about it. But just as certainly we knew about an oddball foreign policy in Central America. And we don't wash our hands of it by saying, "Don't tell me the details".

How much different is that attitude than similar expressions by the Executive of this Nation and by his Cabinet members? No different at all. They liked the policy, but didn't want to know the details.

That is what I call the King Henry II scenario. King Henry was that monarch in Great Britain who one evening, in the presence of his lords and his knights, made the following statement when referring to Sir Thomas Becket, the Archbishop of Canterbury: "Will nobody rid me of this troublesome priest?"

Several of his knights, taking the King at his word, went out, found the archbishop at his devotions in the cathedral, did him in, and came back and told King Henry of what they had done. King Henry's response was a shocked "I didn't mean that."

Well what do we mean in Nicaragua? The time has come to spell it out. We cannot have a policy such as Contra aid without accepting the details that go along with it. And those details are not just the responsibility of the President or Oliver North or John Poindexter or any other assignee—those details are as much our responsibility as they are the responsibility of the aforementioned.

Or, conversely we can say the details will not be our responsibility as we do not accept the policy.

I get into some difficulty with Members on my side of the aisle, many of whom back the President on Nicaragua, but I have a few choice words for my friends on the other side of the aisle. Their silence—in some instances, their active voting for this policy—is as much responsible for the predicament we are in as the President's inaction or somebody else's action within the administration.

Several weeks ago, we passed—I say "we"; the Foreign Relations Committee of the U.S. Senate passed—a bill which in effect would cut off Contra aid. That has been languishing on the floor of the Senate. I understand that with respect to the matter of whether there should be a resolution of disapproval, there is debate within Democratic ranks as to what should be done, many fearful of losing on any vote. I do no know if we are going to win or lose a vote but I know there is no better time than now to have us stand up and face the heat that many are so ready to focus solely on the President.

The PRESIDING OFFICER. Will the Senator suspend? The Senator's time has elapsed.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to exceed 1 hour, with statements therein limited to 5 minutes each.

Mr. LEAHY and Mr. WEICKER addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, how much longer does the Senator from Connecticut desire?

Mr. WEICKER. I say to my distinguished colleague from Vermont that I would like 2 or 3 minutes to wind up.

Mr. LEAHY. I say to the Senator from Connecticut that I am going to ask unanimous consent to continue for about 12 or 13 minutes on a speech on the same subject that the Senator from Connecticut is discussing; but if he has only a few more minutes to go, I would be perfectly willing to let him finish.

Mr. WEICKER. I ask my distinguished colleague from Vermont if I could take 5 minutes in the morning hour, and that will be the end of my talk on this matter.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Connecticut have 5 minutes more and that then I be recognized, notwithstanding the order for time, not to exceed 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Connecticut.

CONTRA AID

Mr. WEICKER. So, Mr. President, the debate has been raging, apparently, in Democratic ranks, as to exactly how this issue should be raised before the U.S. Senate in order to ensure its greatest possible political success.

Now, look: The greatest possible success on this particular issue is going to be brought about by raising it before the U.S. Senate and the American people with a vote. Let us have a vote on this policy, which has already brought into disrepute countless individuals, countless institutions, and the reputation of this Nation. There is no slick parliamentary way to ease out of it. The time has come to vote up or down on Contra aid.

There are those who subscribe to some sort of moratorium—a moratorium on aid until we ascertain facts in committee. That is similar to the Democratic House voting for humanitarian and nonlethal aid, and then saying, "They broke the law because they used the money for military aid."

There was not one person in Washington, DC, when that money was voted for humanitarian and nonlethal aid, who did not fully understand what they were voting for. They were voting for military aid to the Contras.

Use all the fancy words you want—moratoriums, nonlethal, humanitarian. Use any term you want. The fact is that by the use of paid mercenaries, you are continuing a policy of overthrowing a government we recognize. That policy has never had the support of the American people. We know that. But, more important it is wrong from any standpoint—practical, moral, constitutional; you name it. It is wrong, and should be faced up to.

Why did we have the provision in the law requiring the President to come back to Congress? Because even at the time of passage there were reservations in the minds of Members of Congress as to the sagacity of our Nicaragua policy. So, for the last portion of aid, the President had to come back, either for no action, in which case the policy continues, or a resolution of disapproval by both Houses. Now we are trying to skirt that issue as people are trying to find out where the votes are and how they fly.

Even in his present slightly weakened political state, too many of my friends on both sides of the aisle are unwilling to stand up to the President of the United States. Seeing the havoc that this policy has wreaked on this Government, we still want to tread softly on Contra aid. Many do not know whether even now it is politically smart to actively oppose it and to vote against it.

I want to get one other thought off my chest while I have the floor.

I sat through that State of the Union speech a while back. I am now paraphrasing what was in that speech, but basically the President said: "If you're not for me and my Contra policy, you're being soft on communism in that part of the world. You either believe in these paid mercenaries, in their activities against the Government in Nicaragua, as a patriot or you're walking out on a Communist takeover.

Nuts. There are those of us who believe in a very activist role for the United States in Central America, South America, and the Caribbean, and have long advocated it. That part of the world is a textbook case insofar as the conditions that permit communism to enter are concerned.

Through Democratic and Republican regimes alike, we have totally neglected our neighbors to the south, and we are paying the price for that now. So the alternatives are not to do nothing or go in with paid mercenaries. It is to do actively the things that Central America, South America, and the Caribbean are looking for: bring a quality of life that includes education, that includes medical care, housing, all those things which have been totally lacking and which now a totalitarian philosophy promises.

The PRESIDING OFFICER. The Senator will suspend. His time has elapsed.

Mr. WEICKER. If I might have 1 minute and I ask for that.

Mr. LEAHY. I am perfectly willing to continue to yield but I was told to come over at 3:15. I have a 3:30, 3:45, and 4 o'clock meeting.

Certainly if you want another minute, I will yield.

Mr. WEICKER. I thank my good friend, PAT LEAHY. I will keep it to 1 minute.

Mr. President, I hope the discussion will now take place that has people standing up and getting counted. Let the people in this country have their Senators know how they feel. If you don't care or don't vote, then don't do a tap dance on the President.

There are those who said Shultz and Weinberger were the worst because they knew about Iran-Contra and didn't do anything about it. Well we know about it on the Senate floor and are not doing anything about it, the same with the American people. If we do not like grubby details, then say no to a grubby policy.

Mr. President, I ask unanimous consent that the following article from the New York Times be printed in the RECORD.

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

[From The New York Times, Mar. 10, 1987]

CONTRAS RAID CIVILIAN TARGETS

(By Stephen Kinzer)

ACOYAPA, NICARAGUA, MARCH 8.—When gunfire erupted Wednesday night around the Quisilala cattle cooperative, Dominga Solana, 26 years old and quick, dived for cover.

Miss Solana's arm was shattered by a rifle bullet, but she survived and is hospitalized. Her mother and three others at the cooperative, including a 15-year-old girl, were killed.

"The contras came in shooting, and we had no soldiers to defend us," Miss Solana said from her hospital bed. "They stole cattle and burned our houses."

The raid at Quisilala, near the town of La Esperanza, 225 miles east of Managua, was the most recent in a *continuing series of attacks by United States-backed rebels, known as contras, against civilian targets.* A trip through the contested zone indicated that contra units operating here have not significantly changed their tactics despite strong pressure on them to do so.

The contras' human-rights record has cost them important political support in Washington and elsewhere, and some contra leaders have vowed to take action to change patterns of abuse. Contra squad leaders recently trained in the United States were reportedly taught to avoid civilian targets and concentrate on engaging the Sandinista army

In this part of Nicaragua, the Sandinista Government is widely unpopular. Contra forces arriving here from bases in Honduras hope to build both a military and political base, according to diplomats.

Yet in many towns in and around Chontales Province, residents have vivid stories to tell of atrocities they say have been committed by contra forces in recent months.

"Naturally there are wounded soldiers too, but there is hardly ever a time when we don't have civilian victims here," said Dr. Javier Luna, director of the Camilo Ortega Saavedra Hospital in Juigalpa, where Miss Solana is a patient.

In the small farming village of El Nispero, a group of more than a dozen residents waiting for transportation near the main road Sunday told how six of their neighbors were killed in a contra raid Dec. 9.

Speaking separately, several gave nearly identical accounts of the attack. They said that a 9-month old infant was bayoneted to death and that two elderly women were shot dead after being forced to lie on the dirt floor of their home.

Also killed in the raid were two men cut down as they ran toward their homes and a pregnant woman who, villages said, was shot in the stomach.

"They took three of our people away with them, and who knows if they are alive or dead," a resident, Antonio Diaz, said. "It was something terrible."

OFFICIALS USE CAUTION

Not all victims of contra attacks in this area are civilians. Area residents said, for example, that the seven people killed in an attack on the village of Colonia Rio Rama on Feb. 16 were not civilians, as reported in the official Sandinista press, but rather armed and uniformed Sandinista soldiers.

The residents' version was confirmed by foreigners who regularly travel through the area.

Some of the civilians who have been killed by contras in this area in the last few months were Government employees. Off the main roads, officials travel with caution. Some prefer to drive unmarked vehicles.

"Contras maintain themselves here, and they have made this quite a hot area," said Marina Orozco, the Sandinista Mayor of Acoyapa.

On Jan. 7, Miss Orozco set off from Acoyapa to the village of Santa Marta accompanied by a doctor, a dentist and two officials of the Agriculture Ministry. They had asked everyone in Santa Marta with medical or dental problems to be ready for treatment that day, and they were also planning to hear demands for land made by several groups of peasants.

After arriving in Santa Marta, the officials, as planned, sent the drivers of their three jeeps back to Acoyapa to pick up a cargo of barbed wire. The caravan was ambushed, and all three drivers, one of them a Sandinista soldier, were killed.

A soldier based in Acoyapa, José Luis Gómez, confirmed the account, as did an aide to the mayor and two civilians who live in the town.

In the grazing country south of Acoyapa, in the heart of Nicaragua's beef belt, contras have managed to disrupt life on some government cooperatives. Their leaders have argued that since the cooperatives produce food for the government supply system and are normally guarded with Sandinista weapons, attacking them is a legitimate tactic.

One area southwest of Acoyapa is now inhabited only by scattered families who farm small private plots and live off the land. Members of three such families told of two attacks on cooperatives.

On Nov. 27, they and other area residents said, raiders struck the San Pancho cooperative 15 miles west of Acoyapa. According to four residents interviewed separately, the attackers burned several houses and kidnapped at least seven residents. The rest fled, and the ranch is now abandoned.

The raid on San Pancho did not scare away the 10 Hurtado López brothers who ran El Chaguite, a well-known cooperative two miles away. In interveiws where they are now living in refuge, two of the brothers said they were not suspicious when a census taker visited on Jan. 11 and learned that only four people were at the ranch.

But the next morning, they said, a band of contras attacked El Chaguite. According to their account, two brothers picked up rifles and tried to resist but both were shot, one fatally. Two women, relatives of the men, were kidnapped, but both managed to escape 24 hours later when their captors were distracted by a passing Sandinista patrol.

"We were walking the whole time and they made us carry their equipment," said one of the women, Maria Elena Suazo, 17 years old.

The Hurtado family has now abandoned El Chaguite and is gathered in Julgalpa, the capital of Chontales Province.

"If things calm down and the situation is controlled, we'd like to go back," said the wounded brother, Noel Gómez Hurtago, 21 years old, who was lying in bed with his left leg in a cast from hip to toe. "If you don't work, you don't eat."

Mr. WEICKER. I thank again my distinguished colleague from Vermont who I am sure in the course of the next several days will also be heard on these matters, but in any event for his courtesy and kindness to me I am deeply appreciative.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my colleague and very good friend from Connecticut for those kind words. I do intend to be heard on the same subject, in fact, right now.

Mr. President, the administration has asked Congress to release another $40 million of U.S. taxpayers' money to the Contras, who are fighting to overthrow the Government in Nicaragua.

President Reagan submitted a report to Congress last week that triggered the payment of the aid. Congress has only 15 days from March 6 in which to act before the funds are automatically released, and the Senator from Connecticut has now assured that there will be a vote on that issue.

We are now in the 6th year of the Contra war. Nothing has been achieved. The State Department says it has no idea how many people have died. Estimates run into the tens of thousands. Many of the dead were women, children, and peasant farmers who cared little about the ideological and military struggle being waged in their names.

Mr. President, this failed policy must end.

Let us take a look at where we are.

After 6 years of war, the Contras have failed to accomplish anything the State Department claimed possible. There had been no march on Managua, no nationwide revolution. The Sandinistas are consolidating rather than sharing their power.

What are the Contras? They remain a foreign-based, foreign-supported and, to a large extent, foreign-run insurrection without support of the Nicaraguan people. That is not what the administration promised.

To achieve so little has cost us hundreds of millions of dollars. Unknown are the millions from private sources channeled to the Contras or supportive mercenary operations during the period when Congress thought military aid was suspended. In fact, we still await revelation of administration involvement in this circumvention—if not outright violation—of the law in providing unofficial military assistance between October 1984 and October 1986.

We have congressional committees investigating the Iran and Contra scandals to uncover the truth and **expose the falsehoods of United States officials who conspired and connived to get around the law and the will of Congress and in some instances came and lied to Congress about what was going on.**

Today, after years of heavy-handed American tutelage, the fractious Contra political leadership is in disarray. Arturo Cruz, the only real democrat in that leadership, has washed his hands of the whole enterprise because of its domination by Contra military leaders. Mr. Cruz despairs at the absence of any serious democratic political component to the Contra insurgency. This is really a revealing indictment of the utter failure of the administration's goal to make the Contras a democratic movement capable of uniting an anti-Sandinista uprising throughout Nicaragua.

What twisted analogy to the Founding Fathers will the "see-no-evil" defenders of the Contra policy think of next? The good life in Miami and lectures on the Bill of Rights have not convinced most Contra leaders of the virtues of American-style democracy. Many remain determined to restore the old landowning oligarchy that kept Somoza in power so long.

The revolution of 1979 will not be turned back. Administrtation defenders of the Contras denigrate those who dare suggest that 6 years of a flawed and failed policy is enough. They say it would be immoral to abandon the Contras—and label opponents un-American. When logic and reason depart, name-calling usually begins.

Spending $100 million; or 100 times that, is not the issue if we truly enhance our national security. But what do we have here? Retired General Gorman, the former commander of U.S. military forces in Central America, recently told Congress that the Contras cannot defeat the Sandinista army—without the United States sending in our own forces. In fact, General Gorman called the Contras an irritant, not an army.

But what sits just beneath the surface of what he was saying is that if the administration wants the policy of overthrowing the Sandinista government to succeed, it is only going to be done if we send in American troops. The only way that the administration policy will be carried out is if Americans are down fighting and dying in the jungles of Nicaragua.

Is there a single Member of this body who thinks for one moment that there is a consensus in this country to

send American troops down to fight in Nicaragua? I doubt it.

The American people, as in so many other areas, are ahead of their own Government. They understand the realities of Central America. They oppose the administrations support of the Contras.

The administration defines its goal as political compromise, not military victory. Yet, Special Envoy Philip Habib tells Congress that negotiations are useless because the real conflict is between the Sandinistas and their own people, and not with us. Just another contradictory and self-serving explanation for this administration's refusal to even attempt a political settlement in Central America.

Just more proof that the administration's single option is the reliance upon military force.

Why the continued reliance upon a fatally flawed policy after years of failure and damage to U.S. interests?

We are treating a tiny country the size of North Carolina, with fewer than 3 million people—most of them impoverished farmers—as a national security menace. The Contras have been killing Nicaraguans with our support in the name of democracy. This same administration seeks better relations with the Soviet Union and China—neither bastions of democracy.

And not only that. We sell missiles to terrorists in Iran.

Do we really fear opposing a popular President and risking the label of "soft on Communism," even to stop a policy that has so clearly failed and is so tragically wrong

Giving titles to these Contras and calling them the moral equivalent of the Founding Fathers is supposed to convince us they are worth supporting. I wonder which of the Founding Fathers the "moderate" Ayatollahs in Iran resemble? This administration wanted to support them, too.

Maybe it is time to stand up like the child in the old fable and say the emperor has no clothes. This sort of foreign policy has no clothes.

The great majority of Nicaraguans who rose up against Somoza did not want or expect a Marxist government in its place. The United States has no right or duty to bring military pressure upon the Sandinistas unless a threat to our national security exists. Our policy in Central America should be to strengthen democracy, ensure social justice, and assist economic development.

Let us try to figure out how to begin now.

First, the United States must end all support for the Contra insurgency, if there is to be any hope for peace in Central America, in fact if there is going to be any credibility in our foreign policy.

Such an abrupt reversal of policy would not be the first time this administration has cut its losses in the face of a foreign policy disaster. It happened in Lebanon. It happened in the Philippines, and we all know it happened in Iran.

In his March 4, reply to the Tower Commission report, President Reagan said:

> You know, by the time you reach my age, you've made plenty of mistakes if you've lived your life properly. So you learn. You put things in perspective. You pull your energies together. You change. You go forward.

The President should learn from his mistaken policy of supporting the Contras.

If he does not, then Congress must take what we have learned, put our energies together, and go forward—without him. Did we not learn at least that much from Vietnam.

Congress should disallow any further funds for the Contras.

Two bills recently introduced by Senator DODD and Senator HARKIN would accomplish this first step. The Harkin bill would withhold disbursement of the remaining $40 million until the House and Senate special committees investigating the diversion of money from Iran arms sales to the Contras have completed their inquiries. There are millions of dollars that remain unaccounted for.

The Dodd bill goes further, by cutting off any further aid to the Contras, except to assist in their relocation, and providing $300 million in new economic aid to Nicaragua's neighbors. A third provision would bar future U.S. aid to any country that assists the Contras.

I have some reservations with the additional $300 million. The Foreign Operations Subcommittee has yet to hold hearings on foreign aid levels. Where does this extra $300 million come from. I know the democracies need support. But I need many more details about this aid and how it would be divided among the countries and how we can be sure it strengthens democratic government and doesn't wind up in the hands of the military or the pockets of the rich.

Second, Secretary of State Shultz, who recently met in Washington with Oliver Tambo, head of the African National Congress—which the administration accuses of being led by Communists should meet personally with Nicaraguan Foreign Minister D'Escoto. If we can attempt rapprochement with "moderates" in Iran, we can talk directly with the leaders of Nicaragua.

We should disallow any further funds for the Contras.

I remember, Mr. President, coming here in January 1975, when I was a brandnew 34-year-old Member of the Senate. Debate had been raging for years about Vietnam. Even though everybody was either for or against the war, not much happened in the Senate.

Finally, in April 1975, we determined here in the Senate to authorize no more money for the war in Vietnam, which we should have done years before, and the war stopped.

I recall later standing here on the floor of the Senate, I believe sometime in early 1977, saying how interesting it was that I could not find a single Member of the Senate who was a strong supporter of the war in Vietnam. Yet, certainly a majority of this body had to have voted to continue to send money to Vietnam during all those years before we got out.

I wonder if someday, a few years from now, after this policy in Nicaragua and Central America follows its inexorable course toward disaster, Senators will again stand up and say, "I always had questions about the war in Central America. I was never really a supporter of it."

Someday we will have to look back and ask ourselves who did vote to spend the money for the Contras?

After all, lieutenant colonels operating out of the White House, cannot support this war all by themselves forever. We cannot just point the finger at them and say they are the only ones at fault. We here in the Senate are also at fault if we do not stand up right now and say "no."

I believe Secretary of State Shultz should meet personally with Nicaraguan Foreign Minister D'Escoto. If the administration can attempt rapprochement with "moderates" in Iran, surely we should be able to talk directly with the leaders of Nicaragua. United States officials can go to Nicaragua without a false passport. They can go with a U.S. passport. They do not have to use an Irish passport to do it, like the American officials did when they went to deliver missiles to Iran.

Secretary Shultz should clearly define United States security concerns about Nicaragua. He should state plainly that we will react vigorously—and not through a third-rate insurgency—if Nicaragua accepts sophisticated offensive weapons, permits foreign military bases, or threatens one of her neighbors. The Sandinistas should understand that the United States will act forcefully to protect our national security, and that of our allies.

Third, we must implement a comprehensive policy of political, diplomatic, economic, and appropriate military support for democratically elected governments in the region. Democracy is the best defense against subversion and radical revolution. People whose human rights are respected, who are part of the political process, are not susceptible to communism.

For 6 years this administration has ignored these basic truths, choosing instead to force military solutions,

backed up by the U.S. taxpayers' money. Between 1980 and 1985, military aid to Central America increased 24 times, while economic development aid only doubled.

The administration sends guns and helicopters and trains soldiers in an area where illiteracy, famine, and disease are the real enemy of the people.

If democracy is going to survive in Central America, our help will be needed—not for guns but money for schools and hospitals, and training for teachers, doctors, and engineers.

The United States stands for democracy, and not the overthrow of constitutional, democratic governments.

We must give full support to the efforts of Nicaragua's neighbors to settle their differences peacefully. Today we continue to denigrate and undercut these efforts, lest some agreement be reached which would allow the Sandinista government to remain in power. The administration has never made a concerted attempt to negotiate with the the Sandinistas comparable to Camp David, or the Paris peace talks. That kind of high level, sustained diplomacy should be an integral element of our policy in Central America.

The time could not be better for such an effort. President Arias of Costa Rica has initiated his own regional peace plan. With the leaders of Nicaragua's other three neighbors—Honduras, Guatemala, and El Salvador, he invited Nicaragua to join in establishing a peaceful and democratic Central America. These are the countries most effected by the existence of the Sandinista regime. Their leaders are committed to preserving their fragile democracies. Who is better able to understand and deal with Nicaragua than its neighbors, whose history, culture, and geography are so closely entwined?

President Arias' plan should be carefully studied by every Member of Congress before the next vote on continued aid to the Contras. It contains the following points:

First, national reconciliation, beginning with amnesty for political and related offenses, monitored by a commission, and dialog with nonmilitary internal opposition groups.

Second, a cease-fire.

Third, a process which would lead to a democratic, representative government, and guaranteed civil rights.

Fourth, free and democratic elections, monitored by the Organization of American States, for membership in a newly created Central American Parliament.

Fifth, a suspension of all extra-regional military aid, overt or covert, to isurgent or irregular forces.

Sixth, an end to attempts to destabilize the governments of Central America.

Seventh, a reduction of arms.

Eighth, creation of a committee comprised of the Secretaries General of the United Nations and OAS, and the foreign ministers of the Contadora nations, to supervise and verify the execution of the peace plan.

Ninth, an evaluation of progress by the Presidents of the five Central American countries.

Tenth, economic and cultural agreements which will encourage accelerated development.

The Costa Rican plan may not succeed, but it certainly serves as a basis for further discussion. The Sandinistas have agreed to meet with their neighbors on the Arias proposal. They have important economic and political reasons to want a cessation of tensions and conflict. Their economy is a shambles. Their people are faced with daily shortages of food and other necessities. Half of their budget goes into military defense. Their foreign debt is rising. They need to change course.

Too often this administration has hastily dismissed efforts by the Central Americans to settle their differences, and accused the Sandinistas of deceit when they refused to bargain on our terms. Any sign of willingness by the Sandinistas to negotiate should be encouraged. Their own constitution is based on democratic principles, but as long as the Contras have the support of the United States the Sandinistas have an excuse to consolidate their power.

The United States should stand back and give this new peace plan a chance. This is an opportune moment.

The security of the United States is not damaged by taking a few months to determine whether peace is possible. We are not suddenly going to find our borders overrun. We are not going to find ourselves less secure as a nation by showing restraint. In fact, we may find ultimately that in peace there is far more security for the whole region.

The Congress is deeply divided over the policy of supporting the Contras. A democracy such as ours cannot engage in a war, even by proxy, without a broad consensus that there is a clear and present threat to this Nation and its allies. It is patently clear to all but the blindest ideologues that there is no consensus in Congress or among the American people to sustain this policy.

If we persist, the outcome is surely a prolonged, costly, and divisive military involvement with the inevitability of direct participation by American forces. That, of course, is the clearest analogy to Vietnam.

If we change the course and use our influence to nurture the seeds of democracy in Central America—schools, trade unions, fair judicial systems, representative local governments—this military engagement can be prevented.

Our standing in the world, and the prospects for peace in Central America, can only improve if we have the courage to change course in Nicaragua and do it now.

RECOGNITION OF SENATOR REID

The PRESIDING OFFICER (Mr. DASCHLE). The Senator from Nevada.

Mr. REID. I thank the Chair.

FAIR CAMPAIGN ENFORCEMENT

Mr. REID. Mr. President, in 1863, in the midst of a civil war upon which hung the fate of the Republic, Abraham Lincoln spoke at Gettysburg. He promised that Government of the people, by the people, and for the people would not perish from this Earth. Our Nation survived that conflict.

We survived, but I fear that the ideal of which Lincoln spoke has most grievously suffered. Government of, by, and for the people has, over the past few years, increasingly become Government elected from the rich, by the rich, and for the rich.

In great part, that perversion of the concepts of Jefferson and Madison has crept silently over us. Unfettered monetary power stalks the land, and the very entity this Congress created to curb that abuse of power trembles impotently before the onslaught.

I am speaking of the Federal Election Commission, a body of noble concept and brave ideals, which has failed in its fine promise. To some extent that failure is our own, for partly it results from the lack of a clear mandate to enforce the existing campaign laws as well as any new election laws we may pass in the future.

The people, the political parties and the political action committees all view the FEC as a political animal, of fierce demeanor, but toothless in reality and the lap dog of the interests it is supposed to control.

To the extent we in Congress have drawn those fangs, or failed to provide them, we are responsible for this tame poodle. If, as some say, a camel is a horse designed by the Congress, perhaps the FEC is our version of a bulldog.

Very soon I will introduce a bill which I believe remedies the defects in enforcement which may be laid at our doorstep. That legislation, which will expedite investigations, stiffen enforcement, and strongly discourage violations, is designed to compliment the Boren/Byrd Act which is presently in committee.

I have cosponsored Boren/Byrd, and worked with its drafters in the preparation of the law I intend to offer. I firmly believe that, taken together, the Fair Campaign Enforcement Act,

and Byrd/Boren, will dam the torrent of cash which inundates every election, and will ensure the survival of Government of, by, and for the people.

ENERGY SECURITY ACT OF 1987

Mr. BENTSEN. Mr. President, with a new year just underway, many of us have recently made resolutions for the future. And that sturdy tradition can apply to the United States as well as individuals. One purpose of that tradition would be apply a longer term time horizon to current policies—to ensure that current policies are promoting the longer term well-being of the United States.

I am convinced that the administration's energy policy does not satisfy that criterion. Last year, the Organization of Petroleum Exporting Countries or OPEC aggressively drove world oil down by over one-half. That policy was the immediate result of Saudi Arabia's efforts to expand its oil revenues. But it dramatically highlighted the instability in world oil markets. During this period, the administration has not revised its energy policy to reflect the great instability sweeping the domestic oil industry. As a result, its energy policy has permitted OPEC to dictate domestic energy prices. And OPEC's policy has been to promote demand over supply, to promote imports over domestic production, and to discourage domestic U.S. production. That instability has been magnified by price gyrations since then. Those policies expose our economy to disruption and threaten to hold our foreign policy hostage to the OPEC. And they pose a genuine threat to our national security which must be turned aside by adoption of a new energy policy.

DOMESTIC OIL PRODUCTION

Perhaps the most telling impact of current administration energy policy has been to dramatically hobble the domestic oil exploration and production industry. It has done so first by permitting OPEC to drive prices to bargain-basement levels last winter, and then by permitting OPEC to maintain a policy of price instability more recently.

The most recent data for 1987 show that domestic crude and natural gas liquid production is off nearly 1 million barrels compared to the comparable period last year. U.S. production is now running below 1981's production rate—a giant step backward.

Exploration activity fell much more dramatically last year than production. That is perhaps reflected most eloquently in industry employment which fell by 144,000 last year to 582,000, the lowest level since 1977. Spending by U.S. firms on exploration and production dropped below $23 billion last year compared to nearly $30 billion in 1985. The Hughes rotary rig count plunged to average barely 900 in 1986 from nearly 2,000 a year earlier. And overall drilling activity dropped off a cliff, falling an enormous 60 percent in 1986. As a result, it is an even bet that U.S. oil reserves will show a decline for 1986 when the final data becomes available later this year—reversing the recent national trend toward reserve additions. And that decline will accelerate in future years because changes in exploration activity take 4 or 5 years to be fully reflected in reserve data. Indeed, a recent Library of Congress study projected that current price instability will cause domestic production to fall at least 17 percent before the turn of the century.

RISING DOMESTIC DEMAND

Despite the 4-percent decline in production last year, consumers reacted strongly to lower prices. Domestic demand jumped 3.3 percent, or more than 500,000 barrels per day. And like production, this unfortunate trend accelerated during 1986. For example, demand in the last several months of the year was over 900,000 barrels higher than the comparable period in 1985. Compounding this bad news was the administration's decisions to rollback auto fuel efficiency standards and weaken standards for energy conservation in Federal buildings. I might add, Mr. President, that the administration's new fiscal year 1988 budget continues this misguided policy. It promotes energy consumption in calling for a 45-percent reduction in the Federal budget for solar energy R&D and for energy conservation.

RISING IMPORT DEPENDENCE

Rising demand and falling production last year created an energy gap which could only be filled with foreign oil. Oil imports jumped in 1986 by one-third to 5.9 million barrels per day from 3.9 barrels per day in 1985. And by the end of 1986, oil imports were flooding in at 6.3 million barrels per day. As a result, our dependence on foreign oil last year rose to nearly 40 percent, far above the 27-percent level in 1985. More importantly, our dependence is now considerably above the 33-percent vulnerability level which precipitated the 1973 OPEC oil crisis in this country.

U.S. dependence on foreign oil will surely continue rising in the years ahead as OPEC's strategy of price instability is pursued, further weakening the U.S. oil industry. The Library of Congress has predicted that foreign oil imports will jump past the dangerous 50-percent level by 1990. Chase Econometrics is projecting a 20-percent decline in the number of large U.S. oil wells in operation by 1989. Chase is forecasting that 30 percent of stripper wells will be shut in by then, as well. And Dr. William Fisher of the University of Texas has noted that the giant Prudhoe Bay field will begin declining in 1988 by as much as 200,000 barrels per day. Alaskan production boosted overall U.S. production in the eighties, but it will soon begin to exacerbate the production decline. Others have reached those same conclusions. And even Deputy Secretary of Energy Danny Boggs testified last March that our oil dependence will exceed 50 percent by 1990 or 1991.

Even more alarming, most of the rise in oil imports in 1986 and in the future will come from OPEC nations. Other oil sources in nations like Canada or the North Sea are peaking, and OPEC is the only ready source to meet our ballooning appetite for oil. In June 1985, for example, we imported a bare 26,000 barrels of oil from Saudi Arabia. But imports from Saudi Arabia jumped to 664,000 in January 1986. and OPEC nations now account for 43 percent of U.S. imports compared to 36 percent in 1985. At present trends, OPEC will be supplying 50 percent of U.S. imports by next year. And more broadly, the National Petroleum Council on October 9, 1986 noted that the entire non-Communist world's dependence on Middle East OPEC oil could rise by 50 percent as early as 1990.

Rising dependence has alarmed some in the administration. Former Energy Secretary and current Interior Secretary Hodel has said that, "people will be sitting in gas lines anytime within the next 2 to 5 years, with OPEC back in the driver's seat." Moreover, he has noted that an energy crisis like 1973 is, "almost a certainty," without a recovery in domestic oil production. These fears are warranted. Higher oil prices in the seventies and early eighties reduced world-wide oil demand by 7 million barrels per day while increasing non-OPEC production by 6 million barrels per day. Awash in oil, world prices declined. OPEC's stranglehold on world oil markets was loosened, with its own production ebbing to 16 million barrels in 1985 from 31 million barrels in 1973. But that stranglehold will reemerge in the future as price volatility continues to shrink non-OPEC output. OPEC is the only major source of oil to offset these production declines and meet rising oil demands. Indeed, OPEC's production expanded a sharp 16 percent to 18.6 million barrels last year. And the combination of rising demand and falling production will increase U.S. imports alone by 4 million barrels at the end of this decade. Similar trends elsewhere will cause OPEC production to soar in the years immediately ahead, dramatically increasing the probability of oil price shocks and embargoes.

A NEW ENERGY POLICY TO PROMOTE NATIONAL SECURITY

The United States faces a perilous energy future under current policies.

Demand will continue rising and production will continue ebbing as a result of OPEC-manipulated price instability. That will push our oil dependence to excess. and experts have no doubt that an oil import disruption will inevitably occur because of that excessive dependence.

Drs. Broadman and Hogan of the Harvard University Energy and Environmental Policy Center have put a great deal of thought into our energy future. and they concluded in a report released in November that current oil prices do not reflect the true cost of dependence on insecure oil sources. We are enjoying cheap oil now but are risking supply disruptions in the future as import dependence increases. A number of experts, including George Keller, chairman of the American Petroleum Institute, have urged adoption of a survival price for the domestic industry—a price enabling it to plan production and exploration with some degree of assurance about future prices.

I agree that price stability is needed to prevent further deterioration in U.S. oil dependence. Indeed, last year, I proposed that domestic price stability be achieved with an oil import fee. The purpose of that proposal was to prevent oil dependence exceeding the danger level of 50 percent.

The question is how to focus the full administration's attention on the national security dangers posed by rising oil dependence. The administration's energy policy and absence of a major attention to energy in the new budget are strong indicators that the administration does not fully appreciate these national security dangers. I believe the most effective way to focus the administration's attention on this crisis is for Congress to adopt an energy policy which requires a careful monitoring of our energy dependence and action by the President if that dependence rises above 50 percent.

EXPLANATION OF LEGISLATION

I introduced legislation to establish such an energy policy in the last Congress, entitled the Energy Policy and Security Act. And I am reintroducing that legislation today under the title, "The Energy Security Act of 1987." The bill is straightforward.

First, it establishes a national energy security policy designed to limit U.S. oil dependence to 50 percent of domestic demand.

Second, it requires the President to annually submit projections to Congress detailing anticipated domestic oil production, demand and imports for a 3-year period. He is also obligated to certify if foreign oil imports are expected to exceed the 50-percent ceiling during that 3-year period.

Third, the Congress has 10 session days to review these projections and modify the Presidential certification if appropriate.

Fourth, if imports are projected to exceed 50 percent, the President is obligated to submit an energy plan to Congress within 90 days containing steps adequate to prevent exceeding that ceiling. My legislation notes a number of steps which the President can include in his plan, including energy conservation and import fees. The legislation requires him to act, but it does not mandate any specific course of action.

Fifth, Congress may modify the President's energy plan within 90 days, and it must be approved by joint resolution.

Mr. President, I ask unanimous consent that the text of the "Energy Security Act of 1987" be printed in the RECORD.

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

S. 694

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 "Energy Security Act of 1987".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the United States is the leader of the free world and has world wide responsibilities to promote economic and political security;

(2) the exercise of traditional responsibilities here and abroad in foreign policy requires that the United States be free of the risk of energy blackmail in times of shortages;

(3) the level of the United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas;

(4) a national energy policy should be developed which ensure that adequate supplies of oil shall be available at all times free of the threat of embrago or other foreign hostile acts; and

(5) the ability of the United States to exercise it's free will and to carry out it's responsibilities as leader of the free world could be jeopardized by an excessive dependence on foreign oil imports.

(b) PURPOSE.—The purpose of this Act is to establish a national energy security policy designed to limit United States dependence on foreign oil supplies.

SEC. 3. DUTIES OF THE PRESIDENT.

(a) ESTABLISHMENT OF CEILING.—The President shall establish a National Oil Import Ceiling (referred to in this Act as the "ceiling level") which shall represent a ceiling level beyond which foreign crude and oil product imports as a share of United States oil consumption shall not rise.

(b) LEVEL OF CEILING.—The ceiling level established under subsection (a) shall not exceed 50 percent of United States crude and oil product consumption for any annual period.

(c) REPORT.—(1) The President shall prepare and submit an annual report to Congress containing a national oil security projection (in this Act referred to as the "projection"), which shall contain a forecast of domestic oil and NGL demand and production, and imports of crude and oil product for the subsequent three years. The projection shall contain appropriate adjustments for expected price and production changes.

(2) The projection prepared pursuant to paragraph (1) shall be presented to Congress with the Budget. The President shall certify whether foreign crude and oil product imports will exceed the ceiling level for any year during the next three years.

SEC. 4. CONGRESSIONAL REVIEW.

The Congress shall have 10 continuous session days after submission of each projection to review the projection and make a determination whether the ceiling level will be violated within three years. Unless disapproved or modified by joint resolution, the Presidential certification shall be binding 10 session days after submitted to Congress.

SEC. 5. ENERGY PRODUCTION AND OIL SECURITY ACTIONS.

(a) ENERGY PRODUCTION AND OIL SECURITY POLICY.—(1) Upon certification that the ceiling level will be exceeded, the President is required within 90 days to submit an Energy Production and Oil Security Policy (in this Act referred to as the "policy") to Congress. The policy shall prevent crude and product imports exceeding the National Oil Import Ceiling. Unless disapproved or modified by joint resolution, the policy shall be effective 90 session days after submitted to Congress.

(2) The Energy Production and Oil Security Policy may include—

(A) oil import fee;

(B) energy conservation actions including improved fuel efficiency for automobiles;

(C) expansion of the Strategic Petroleum Reserves to maintain a 90-day cushion against projected oil import blockages; and

(D) production incentives for domestic oil and gas including tax and other incentives for stripper well production, offshore, frontier, and other oil produced with tertiary recovery techniques.

Mr. BENTSEN. I yield back the balance of my time to my distinguished friend from the State of Louisiana, Senator BREAUX.

Mr. BREAUX. Mr. President, I join with our colleagues in supporting the statement made by the distinguished Senator from the State of Texas, also chairman of the Senate Finance Committee.

I say to our colleagues that the bells have already rung in telling us that America simply does not have an adequate energy policy. The energy policy that is governing our country at this time is not an energy policy that is being made in the Halls of the Congress. Our energy policy now is not being made by the Congress of the United States, and it is not being made in America. America's energy policy today is simply being made by foreign countries when they meet in fancy hotels in Geneva. It is not being made by Americans. It is being made by members of OPEC when they sit down once every 3 months to decide what the price of oil is going to be in this country.

If we attempted to do what they do every 3 years here in this country, people would go to the penitentiary because what they do is criminal under the laws of the United States. Yet there are those in this administra-

tion who would argue that the type of policy being made in far-off countries by people who do not have the best interests of this country at heart represents the free market.

I would ask what Senator could stand on the floor of this esteemed body and argue that OPEC represents a free market. OPEC is a cartel. OPEC was formed for one purpose, and that is to fix the price of oil in the world. Yet we have people in Texas, in Louisiana, in Oklahoma, in Alaska, and other oil-producing States that must wake up each morning, rush to read the paper, and see what the price of energy is going to be in our country on that particular day.

What an insane policy that happens to be. It is not an American policy. It is not a policy in the interests of America. It is time that America's energy policy be made in America. It is time that America's energy policy be made by Americans.

Senator BENTSEN's effort in this regard is one that I am very pleased to join in. It says that at least we are going to watch the statistics. And when oil imports reach 50 percent, action is going to have to be taken. We have made progress. We have conserved. We have tried to explore the different sources. But with the collapse of the world's oil market we have seen our ability to produce collapse with the price of oil in the world oil market.

The effects on my State are devastating. We have the highest unemployment in the Nation. But I would say that is insignificant in comparison to what it does to this country because just as B-1 bombers are in partnership with the security of this Nation, so is the production of energy to run the machinery of our country in partnership with the security of our Nation.

Oil prices have fallen and some say how pleased they are that they can pay less at the station. But while the prices have fallen, the demand has dramatically increased. While America's own production fell by 4 percent last year, our domestic consumption jumped by almost 500,000 barrels a day. For this January alone imports rose by 300,000 barrels of oil per day over last December. Overall, the amount of oil that we import climbed almost one-third—to 4.7 million barrels per day of oil. While the dollar value of our oil imports has fallen with the cost of oil, our overall importation of oil has increased in the last 5 years. Last December we imported almost $3 billion worth of oil.

Do we remember the energy crisis of 1973? Of course we do. At that time we depended on foreign source for only 33 percent of our imported oil. That dependence will continue to grow to a projected level of 50 percent by the year 1990 or 1991. OPEC now accounts for over 43 percent of our imported supplies of oil, and OPEC will be supplying almost 50 percent of our oil by next year.

OPEC was able to raise the price of oil in the midseventies by simply turning off the faucet, creating long lines of people having to wait to be able to buy a gallon of gas to run their car in States like Lousiana, Texas, and others. They were accounting for less of the oil for America than they do today. My fear—and I think others in this esteemed body should fear—is that they also have the potential of turning the faucet, turning it down, and reducing the amount that they send to us and the amount that they produce thereby raising the price of oil from $18 a barrel to $50, to $75, or to whatever price they want—merely by turning off the faucet.

That is not a good policy for this country. That is not an American energy policy.

So I say to all of those who are consumers, and we are all consumers, that one thing I would rather be able to guarantee to my constituents is a dependable supply of oil at a rational and a reasonable price, rather than continuing each day to have to read the foreign press to determine what OPEC says will be America's energy policy for that particular day.

I commend Senator BENTSEN for his effort. I am very pleased to join with him in sponsoring this legislation and I commend it to my colleagues in the Senate.

Mr. PRYOR. Mr. President, I am very pleased to be included as an original cosponsor of the bill being offered by my distinguished colleague from Texas, Senator BENTSEN.

Entitled the "Energy Security Act of 1987," the bill is designed to do exactly what its name implies, establish a national energy security policy that will limit our dependence on foreign oil imports.

That our country is again becoming overly dependent on foreign oil is irrefutable. According to figures released by the American Petroleum Institute, domestic crude oil production is dropping 7.5 percent per year while our oil imports are increasing 30.6 percent on a year to year basis. In addition, the National Petroleum Council, in a recently released report requested by Secretary of Energy John Herrington, stated that "we will be vulnerable to another oil crisis sometime between the yearly 1990's and the year 2000, depending on the path oil prices take." The report goes on to say that "reliance on OPEC for oil supplies will grow quickly enough in the next 15 years to approach the same levels as those experienced in the 1970's." This situation then would "create the potential for either another oil price shock or the achievement of long-term cartel pricing of oil by OPEC."

So, Mr. President, it appears we are headed down the same path we traveled in the past when OPEC dangled the carrot of low oil prices in front of us until we became reliant upon them for the majority of our energy requirements.

Well, Mr. President, in my opinion it is time we began to practice and implement a little foresight by putting into place legislation that will save us from repeating our previous oil policy mistakes. You know, more often than not, this body fails to act with any foresight. It is our style to wait until a problem is upon us and then react to it. This style of legislating, a management by crisis way of doing things, certainly leaves a lot to be desired and in the case of our energy policy, can be thought of as downright dangerous.

That is why I strongly believe that the bill being offered by my good friend from Texas, Senator BENTSEN, is urgently needed. It provides for an energy security policy that limits U.S. oil dependence to 50 percent of domestic demand. This triggering device would put into place a safeguard against a possible oil supply/price shock as was experience during the 1970's.

To date, the administration has chosen to let the supposed free market forces work rather than take steps to assure a steady and reliable source of energy for our country.

Indeed, in a speech delivered January 28, to the Petroleum Marketers Association of America, Secretary of Energy John Herrington reiterated the administration's views on energy policy when he said, "the President and this administration remain committed to an energy policy centered on reduced Government regulation, fewer controls, lower tax rates, and on free and fair international trade in energy." I agree with much of Secretary Herrington's comments, but I hardly think the predatory pricing practices of OPEC, designed to dry up our own domestic production, reflects a free and fair international trade in energy.

In the absence of any policy by the administration to promote our energy independence, I believe it incumbent upon Congress to take the initiative.

I congratulate Senator BENTSEN for moving aggressively to forestall an energy emergency that looms on the horizon and I urge my colleagues to support this much needed legislation.

Mr. BINGAMAN. Mr. President, I am pleased to join the distinguished senior Senator from Texas in introducing the Energy Security Act of 1987. I congratulate him for his continued efforts to establish a national energy security policy.

Without a viable energy policy, we clearly risk our future and that of our children. The Nation and our domestic

oil and gas industry face an uncertain future—uncertain because of lower prices, oversupply, and increased competition from low-priced imports of crude and petroleum products. The industry has been forced to cut back its activity—signaling a loss of employment and a weakening of the industry's infrastructure. Capital expenditure programs have dropped by 50 percent since 1981. Drilling activity reached a 46-year low in August. High-cost U.S. producers and stripper wells are being squeezed out of the market by the lower oil prices. And new supplies of petroleum are no longer being discovered, either in the lower 48 or Alaska, at a rate consistent with current consumption levels.

Deputy Secretary of Energy William Martin testified before the Senate Energy and Natural Resources Committee in September that of the 8 to 10 million barrels per day of surplus capacity available in the free world, only 5 percent comes from non-OPEC nations. More disturbing was a statement by former National Security Director John Poindexter that by the early 1990's we are likely to see imports rise to over 50 percent of domestic consumption. This is clearly a scenario none of us want to face.

IMPACT IN NEW MEXICO

The impact of current conditions on the industry has been devastating. Consider what has happened in my home State. New Mexico is the fifth largest oil and gas-producing State in the Nation in terms of total quantity and has suffered from the decline of oil and gas prices. Revenues generated by the industry showed a 25-percent drop in 1986. The total value of New Mexico's oil and gas activity has dropped 46 percent in the past year. Employment by the industry dropped from a low of 13,200 in 1985 to 9,000 in October 1986. The number of drilling rigs are down to an average of 29 compared with 71 last year. And of the States' bankruptcies, estimated to be 2,500 for 1986, one-fourth occurred in those counties where most of the State's oil and gas is produced. Current statistics do not begin to address the impact of this decline on the infrastructure of the industry, local communities and businesses that depend on the continued viability of the oil and gas industry.

CORRECTIVE ACTION

How do we correct the decline of a strategic domestic industry? First, we must take immediate and effective action in the Congress, action that this administration has been unwilling to take. The Reagan administration seems blind to the emerging crisis that confronts us. In 6 years, this administration has embraced no comprehensive energy policy other than, as former Secretary of Energy Jim Schlessinger said in his testimony before the Energy Committee last month, "a de facto energy policy which can be called growing energy dependence."

The responsibility for action now rests with the Congress. We must act quickly. Senator BENTSEN has taken a major step in meeting that responsibility.

I hope the attention found in this and previous energy legislation introduced this session will begin to educate the American public and this administration of the serious implications for the economic well-being and national security of the Nation if the current crisis in our domestic oil and gas industry is allowed to continue. My view is that a strong, profitable domestic oil and gas industry is vital to this Nation. The strategic interests of our country are clearly at risk.

We must build a consensus for an effective and comprehensive national energy strategy or policy—a policy that is good for the entire coutnry, not just oil-producing States.

I urge my colleagues to give careful consideration to this legislation.

ENERGY SECURITY ACT OF 1987

Mr. DOLE. Mr. President, today I am joining a number of my colleagues in cosponsoring the Energy Security Act of 1987.

The bill is a statement of purpose, an attempt to bring some order to the current aimless drifting that has beset this country with respect to energy.

The Congress has established an unfortunate reputation for not acting on problems facing the country until it is too late. And often, in attempting to correct a problem at a late date, the solution only compounds the recovery.

I hope that the introduction of this measure, and subsequent hearings by the committee, will focus our attention on a disaster waiting to happen.

Like it or not, our economy, national security, health and safety are dependent upon oil and natural gas. Bring back the gas lines and the good humor of our citizens will be dependent upon oil and gas, too.

Yet, we are now steering our energy policy on a collision course with another oil crisis, very possibly a crisis far surpassing the disruption of the past.

The bill begins to establish a national energy policy through a mandate that we will not allow oil imports to rise above 50 percent of total consumption without requiring some action—whether it be conservation, an import fee, or something else—to bring imports back down below 50 percent.

HISTORICAL IMPORT LEVELS

Quite frankly, if we ever do reach a 50-percent dependency on imported crude oil and petroleum products, we will have already reached the point of no return.

The all time record import level was 45.7 percent, at the time of our last oil crisis in 1978 and 1979. The 1973 crisis was brought about at a time when we were only 35 percent dependent on foreign suppliers.

Now, in just a little over 2 years, we have increased our dependency on foreign oil from 27 percent to our current 38 percent, a level above that preceding the 1973 OPEC embargo.

ECONOMIC IMPACT

The two oil crises of the 1970's were more than just temporary inconveniences. The National Petroleum Council ran simulations of macroeconomic models on the U.S. economy to determine what effect, if any, the last two oil disruptions had on the economy.

In the 3 years following the 1973 crisis, the Council determined that GNP was reduced by approximately 2.5 percent. And, the 1979 shortages were responsible for a 3.5-percent reduction in the 3 subsequent years.

PRODUCTION LEVEL

As we continue to witness dramatic increases in our demands for imported energy, domestic production continues to slide. In fact, we are now producing about 833,000 barrels of oil per day less than we were last year. That represents about 10 percent of our total production, and the decline will continue if left unchecked.

Actually, the loss of domestic production from the continental United States is even more dramatic. These recent figures fail to point out that production from the Alaska North Slope has increased as domestic producers search for avenues to halt if not reverse the dangerous decline in domestic production. A.N.S. deliveries have actually increased by 200,000 barrels per day during the past year. Without this surge from Alaska, our loss of production would be well over 1 million barrels per day.

SUMMARY

Congress must focus its early attention on our national problem of oil and gas before we hit the next crisis, not after. We did have the opportunity to review options and make intelligent choices, if we act soon. This window of opportunity will not last long, however.

Reviewing the history of past efforts to address oil supply disruptions shows that Congress waited and acted too late, and that the efforts that were imposed only frustrated our recovery.

This time, we have the opportunity to act before the crisis and in a productive manner. Let us act to preserve this vital source of energy.

Mr. WALLOP. Mr. President, today I am proud to join my friend and colleague, Senator BENTSEN, in reintroducing a bill that is intended to establish an energy policy for America.

The most important aspect of this legislation is that it requires action from our Government when foreign oil and petroleum imports exceed 50 percent of consumption. It also inter-

jects an element of forecasting by requiring the President to annually submit projections to Congress on anticipated U.S. oil production, demand and imports of crude and product for the subsequent 3 years upon submission of the budget to Congress. For any year that petroleum imports are projected to exceed 50 percent, the President must submit an energy plan to Congress containing steps to reduce that level. Those steps may include an oil import fee, production incentives for domestic oil and gas including tax and other incentives for stripper wells, offshore, frontier and other oil produced with tertiary recovery techniques, and other measures.

When Senator BENTSEN and I first introduced this initiative on July 23, 1986, our domestic oil and gas industry was still doubled over from the cheap oil punch OPEC threw to its midsection. Unfortunately, Mr. President, while the industry may have temporarily caught its breath, it is far from standing squarely in its feet after this shattering blow.

Wyoming is just one energy producing State that is still gasping for economic air. A recent report from the Western Governors Association stated flatly that:

> The economies of many western states were severely weakened in 1986 by the dramatic drop in the price of natural commodities . . . and the First Interstate Bancorp has projected that only two western states will experience negative employment growth this year (Alaska and Wyoming as opposed to four last year.

While the State's rig count may be up slightly from 20 to 22 from the last week in February to the first week in March, Wyoming has twice as many rigs pumping during the height of the price plunge a year ago. At a 22 count, we are just now inching our way closer to one of the previous lows of 25 working rigs during 1971 when the price of oil was $5.60 a barrel. The present count takes on a more tragic perspective when compared to the 188 operating rig count during the peak of the energy boom period of 1981.

Right now, Mr. President, while the price of oil may not be $5 or $6, one factor remains constant, and that is OPEC continues to control world oil price and production levels. In the short run, oil prices closer to $20 and higher will be something to get excited about for the sake of our domestic industry. But, in the long haul, expecially in the context of our efforts to maintain an energy secure America, it is something we should ultimately fear, not applaud.

The fear comes by the simple fact that OPEC can still pull world oil strings by casting the slightest bit of doubt about whether or not its members will or will not abide by previous pricing and production accords. The immediate result of any such OPEC innuendo is, and we have seen before, a swing up or down in the price of oil depending on the direction of the statement and a resulting instability in prices.

Once again, I would strongly encourage my colleagues to read an article that appeared in the November 11, 1985, edition of the Wall Street Journal by Mohammed Akacem, an economist at the Saudi Fund for Development in Riyadh. The article clearly outlines the strategy OPEC is using and will use to keep control over oil price and production levels.

What is most frightening, Mr. President, is that we are once again blindly accepting OPEC oil imports back into our Nation's energy consumption patterns. Obviously, the oil crises of the 1970's are no longer fresh in our minds because OPEC nations are now accounting for 45 percent of America's imports, compared to 35 percent in 1985.

For the sake of cheap oil, we are bartering away both our energy independence and our energy security. Mr. President, it is time that as a nation we say "Never Again!" to OPEC. I believe this legislation provides us with the means and the muster to do just that.

EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BYRD. Mr. President, has morning business expired?

The PRESIDING OFFICER. Morning business has not yet expired.

Is there further morning business? If not, morning business is now closed.

Mr. BYRD. Mr. President, I ask unanimous consent that there may be a further period for the transaction of routine morning business, with Senators permitted to speak therein for not to exceed 10 minutes each, and that the period not extend beyond the hour of 5 p.m. today.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

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

CASE FOR CONTRA AID GETS STRONGER AND STRONGER

CLOCK TICKING ON CONTRA AID

Mr. DOLE. Mr. President, I had reserved the leader's time and I will make one brief statement on the Contra aid issue, since, as I understand, there now has been a resolution of disapproval introduced so we can join that issue. I am not certain when the majority leader would want us to vote on that, but in any event the clock is ticking and there is a process laid out if the Congress wants to proceed, and apparently that will now be the format we will follow, without any delays.

We can block the final $40 million in Contra aid voted by the 99th Congress. If this Congress wants to block the aid, the procedure is there, laid out clearly: There can be no filibusters, or parliamentary delays, by those of us who support the aid. The opponents have put the resolution of disapproval on the table, and we will vote on it, fair and square, up or down.

They said they wanted a fair chance to block the aid. Well, they have that fair chance. An up-down vote on a resolution of disapproval is a lot fairer and clearer than trying to kill the aid through a phony moratorium. It will require each of us to stand up and be counted on how we really feel about this aid.

We will certainly be debating the Contra aid issue, both this week next week and throughout this Congress. And we ought to. It's a critical issue to our national security; and a controversial issue, on which people hold strong, and sincerely held, views.

POST ARTICLE PINPOINTS NEW SANDINISTA REPRESSION

I would like to put in the RECORD today two items which I hope we will keep in mind as we consider this issue. The first is an article from yesterday's Washington Post. It is just the latest chapter in an old and sad story—the story of Sandinista repression of the rights of the people of Nicaragua.

The headline of the article is: "3 In Managua's Opposition Arrested for Demonstrating." The article begins:

> Police arrested two opposition leaders and a pregnant woman outside a church today and stopped about 200 noisy demonstrators from holding an anti-Sandinista march. The incident came two weeks after the Sandinista-controlled national assembly voted to extend a 5-year-old state of emergency, keeping suspended for another year many of the rights guaranteed in a new constitution.

The article requires no real comment—it speaks for itself. And speaks volumes about the value of Sandinista guarantees. I hope we'll keep that in mind, particularly, should we get around to evaluating Sandinista guarantees of their compliance with any peace agreement.

AMERICAN CHAMBERS IN REGION SUPPORT CONTRA AID

The second item is a letter which I received from the "Association of American Chambers of Commerce in Latin America". As we all know, the association is one of the major umbrella groups encompassing the American

private sector presence in Latin America.

The letter contains the text of a resolution adopted by the Chambers of Central America, during their February 9 regional meeting. The resolution states, in part:

We, who live and work in the region, again call upon the Sandinista government to . . . honor its 1979 commitment to the "Organization of American States" [OAS] to establish a free and democratic society. . . . We reaffirm our support for President Reagan's Central American policy, which includes . . . assistance to all democratic groups seeking to establish democracy in Nicaragua.

The bottom line on the resolution is this: Those private Americans who live and work in the region, and who see America's interests directly on the line, support the policy of aid to the Contras. They see it, as I do, as the only viable way to keep pressure on the Sandinistas to do what we expect of every other government in the region—leave its neighbors in peace, and permit its own people to enjoy their God-given freedoms.

Mr. President, I urge all of my colleagues to read, and to keep in mind, these two items, as we pursue the Contra issue in the days ahead.

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

[From the Washington Post, Mar. 9, 1987]

3 IN MANAGUA'S OPPOSITION ARRESTED FOR DEMONSTRATING

MANAGUA, NICARAGUA, March 8—Police arrested two opposition leaders and a pregnant woman outside a church today and stopped about 200 noisy demonstrators from holding an anti-Sandinista march.

It was the first time, after two months of apparent tolerance, that the leftist government has moved to break up a peaceful gathering of the internal political opposition.

The incident came two weeks after the Sandinista-controlled National Assembly voted to extend a 5-year-old state of emergency, keeping suspended for another year many of the rights guaranteed in a new constitution.

Opposition leaders said that the assembly's action, which the Sandinistas called essentially to public security in the face of a military offensive by U.S.-backed rebels, apparently signaled a new crackdown on dissent.

Demonstrators must be apply for a permit. The protesters said they were defying this requirement to test its legality.

Those arrested were Gilberto Cuadra, vice president of the Superior Council of Private Businessmen; Julio Ramon Garcia Wilches, vice president of the Social Christian Party, and Maria Membreno, 24, a Conservative Party activist.

Tan-shirted policemen who had surrounded the demonstration forced the three into the back of a police jeep, which had to be started with a jumper cable to take them to jail. Cuadra was cut on the cheek in a scuffle with several officers.

The protesters, led by the Conservative, Social Christian and Christian Democratic parties, had attended a Roman Catholic Mass in an upper-middle-class neighborhood of Managua. Outside the church afterward, they shouted denunciations of the military draft, food shortages and long prison terms for dissent.

The trouble started when the crowd insulted the name of Interior Minister Tomas Borge, who is in charge of public security, and chanted a slogan denouncing his police as terrorists.

A plainclothed Interior Ministry agent, who had been standing across the street with three jeeploads of uniformed police, approached Garcia Wilches and warned him: "You have no right to be here calling us terrorists. You are inciting the counterrevolutionaries. This is an illegal act."

ASSOCATION OF AMERICAN CHAMBERS OF COMMERCE IN LATIN AMERICA,

Washington, DC, March 4, 1987.

DEAR SENATOR: I would like to share with you the resolution adopted by the American Chambers of Commerce (AmChams) of Central America during their February 9 regional meeting in Tela, Honduras:

"The American Chambers of Commerce (AmChams) of Costa Rica, El Salvador, Guatemala, Honduras and Panama which represent over 1,200 U.S. and domestic companies reaffirm our standing resolution of support for the establishment of democracy in Nicaragua and peace and stability in Central America.

We, who live and work in the region, again call upon the Sandinista government to abandon its Marxist policies and to honor its 1979 commitment to the Organization of American States (OAS) to establish a free and democratic society.

We reaffirm our support for President Reagan's Central American policy which includes diplomatic, economic, humanitarian and military assistance to all democratic groups seeking to establish democracy in Nicaragua."

I hope that you will consider our views during future deliberations.

Sincerely,

IAN BOYLE.

STATEMENT BY CHAIRMAN AND CEO WILLIAM WALL ON HOSTILE TAKEOVERS

Mr. PROXMIRE. Mr. President, on Wednesday March 4, the Senate Banking Committee heard the testimony of several of the chairmen of the boards and the chief executive officers of some of the largest corporations in this country. They testified on the merger mania. The testimony was strong. It was eloquent. It was an appeal to the Congress to act. These leaders of American business argued that we need congressional legislation. We need it now. Hostile takeover attempts are sharply reducing this Nation's competitiveness. It is hurting our economic productivity. It is loading up our corporations with debt. That debt makes our corporations far more vulnerable to recessions.

One of the most eloquent and appealing presentations was delivered by William Wall. Mr. Wall is chairman of the board and chief executive officer of the Kansas Power and Light Co. It is a statement that Members of the Congress should read and ponder. I ask unanimous consent that it be printed in the RECORD.

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

TESTIMONY BY WILLIAM E. WALL, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER, KANSAS POWER AND LIGHT CO.

Something's been happening to American business lately, something that's never happened before, something I believe has hurt and continues to hurt our entire economy. Just how much we won't know with certainty until the next inevitable economic downturn.

I'm talking about the current take-over craze—deal mania—corporate raids—the leveraged buy-outs—the frenzied finance that has filled the business pages lately, and made some corporate raiders into household names, and others notorious.

Let me begin, if I may, by establishing my ground. I support and have personally engaged in corporate restructuring and reorganization. Indeed, I work for a company that is the product of dozens of past mergers and consolidations, one of which I directed. That, after all, is the natural evolution of business in America, creating new organizational forms to meet the competitive demands of the market. This has meant mergers, consolidations, the creating of new subsidiaries and the liquidation of old ones.

Yet the point of such efforts, that is until recently, has been to create better and stronger companies, enterprises with the muscle to develop new markets, to expand facilities, to create new jobs; in short, businesses that would add wealth and stability to the economy of the region and the Nation.

Implicit in such efforts was a compact between investor, manager and worker that today's short-term profits were not all that mattered, that long-term goals had to be served as well; and that what the business was engaged in was important, with responsibilities to the larger society.

Because in the absence of these values, Corporate America would have no ethical call on the time and talents of the Nation's best and brightest. Without them, great universities could not justify the application of their scholarship to the study of business. But perhaps above all, without some higher purpose to commerce and industry, those of us engaged in its pursuit would have no more to show for our working lives than money grubbing.

Yet today I fear that idea has become outmoded, and in some quarters even laughable.

Today, a new doctrine is being preached. It holds that every publicly held American company is up for auction. That no business is worth more than its break-up value. If a company is worth more dead than alive, then it should be killed, and its assets distributed as a liquidation dividend to its shareholders.

A corollary of this new creed is that if a company can carry more debt, then it has a duty to borrow to the maximum. Not to use money to build a new plant, to create new jobs, to develop a new product, but to leverage up the company, to trade on the equity, to get the price of the company's stock as high as possible. In short, to "Enhance Shareholder Values."

This sea-change in American business thinking coincides precisely with the advent of the "Corporate Raider," the take-over

artist. For the "Raider" has taught American business a new approach to the management of assets, one unhappily being learned too well.

The corporate raider's strategy is simple enough. Find a company whose assets the stock market at some moment in time has undervalued, then unlock those hidden values by applying leverage.

The message to Corporate America is clear. If the stock market isn't putting the highest possible price on your company's stock today, you are vulnerable to the corporate raider.

The raider follows a predictable course in stalking a company. After taking a small position in the company's stock, he begins a campaign of abuse and insult aimed at the target company's management, portraying it as unresponsive and uncaring about the stockholder's interest; as selfish little men concerned only with their own salaries and bonuses; arrogant men who don't recognize their highest duty as managers is to enhance shareholder values. This billingsgate aimed at the corporate suites is, of course, sure-fire grist for the journalistic mills, because most of us love to see the mighty humbled, to see the stuffed shirts get theirs. The raider knows this and uses it with great skill. He appears on TV and public platforms as often as possible to undermine investor confidence in the management of American enterprise, and he has been successful.

So successful, that he has been able to excuse piously his greenmail payoff, or the breakup and sale of a once great and going concern, by simply saying, "The stockholders made money on the deal."

That's it. That's all he has had to say in explanation and justification. Forget the people who worked for and built the company; forget the communities who depended upon it; forget the management who had the courage to reinvest today's earnings to provide for tomorrow's growth, who put the very values into the company the raider has now exploited. None of that matters. What matters is that the stockholders one day were offered more for their stock than it was quoted for on the New York Stock Exchange a month or so earlier.

The fact that as much as half the stock of a company a raider puts into play when he begins his raid rushes into the hands of the Ivan Boesky-like arbitrageurs, and a good part of the rest is owned by the raider and speculators who feed on raids, is passed off as just so much sour grapes.

Well, every management knows there is no great secret about how to enhance shareholder value and keep the raider from the door.

The way to cater to short-term greed is to trade on the equity, to leverage up the company. This means to borrow, to see to it that most of the money invested in the enterprise is owed instead of having someone's savings actually committed to it in a risk-taking ownership role. And Corporate America has made impressive moves in this direction. Just since 1984 over $220 billion of equity has been retired from company balance sheets and replaced by debt.

Some of this has been done by the compaines Allen Sinai, economist for Shearson Lehman, had in mind when he asked the question, "Is the manufacturing sector of our economy slowly liquidating itself?"

These are the companies who have forgotten—or chosen not to recognize—that the miracle of leveraging—that is, replacing equity with debt—can work for profit and loss statements in good times, can cause mayhem in bad times as the effect of the business cycle is exaggerated.

These are the companies The Institutional Investor had in mind in its November, 1986 issue—when it said, "Many companies, particularly some of the more hyperleveraged megabuyouts, are undoubtedly teetering on the cliff's edge."

And these are the companies Edward Yardeni, economist for Prudential Bache, was talking about when he said "American management mentality has changed from operations to the business of financial manipulation because of the short-term view of stockholders. Companies are managing their books rather than their companies."

But debt is seductively attractive because not only does it provide in the short run a higher return on equity, not only is the interest paid deductible for tax purposes, but just as important, it foils the raider. For when the management of the target company has already used up the company's credit—its borrowing power—there's nothing left for the raider to buy the company with.

And that, of course, is how the raider works. His target must have assets and debt-carrying strength to buy itself for him. Ted Turner had the gall to try to take over CBS not with his own money, but with paper promises, promises he proposed to redeem in part by selling off pieces of CBS. The rest he would repay by borrowing to the hilt on what wasn't sold. In other words, CBS was to buy itself for Ted Turner. And why not? He had seen the same tactics work before, many times. And if it failed, he had seen other raiders in their very failure make a fortune in greenmail.

Now if all of this was just some businessman's game, something the rest of us could watch with bemusement from insulated safety, it would hardly be worth commenting on. But this whole sordid business is now casting its sinister shadow over the entire economy. For in addition to a mountain of corporate debt, the raider has brought us something else: the well named junk bond.

Junk bonds, as you know, look like real bonds, but they pay high rates of interest and have little or nothing behind them. A real bond is a promise to pay interest and principal secured by some worthy asset. The better quality the security and the more times the company can earn the interest on the bond, the higher the bond is rated by Standard & Poor's, Moody and Fitch.

Ten years ago, 60 companies in this country had bonds outstanding that were rated "Triple A." Today, only 26 can claim that rating.

Junk bonds, of course, can't stand the scrutiny of the rating agencies. They are unrated. Even those who flinch from the term call them "below investment grade." They are, that is, junk, offering a high interest rate to those who need the money today, and are willing to let tomorrow look after itself. And they represent the chief weapon in the raider's arsenal.

John Kenneth Galbraith, in a recent chilling article in the The Atlantic Monthly titled "The 1929 Parallel," in which he details how leveraging hastened "The Great Crash," placed the amount of junk bonds outstanding today at $100 billion. That may be low, when just one firm, Drexel Burnham, has done $16 billion in junk bond financing for 64 leverage deals since 1982, and another $10 billion for other purposes since 1983. In just the two months after the Ivan Boesky scandal broke in November, Drexel financed an additional $4 billion more in junk bonds. And that's just one investment banking firm! Please note not a dime for this money went to build a plant, produce a product, make a new job, or improve the Nation's competitive posture. Small wonder the humorist, Mark Russell, has said investment banking was to productive business what mud wrestling is to the performing arts.

Who owns these junk bonds? They are now everywhere. It's reliably estimated that some $6 billion are in weak savings and loan institutions that need the high interest rates to create the illusion of good performance. So, too, can billions of dollars more in junk bonds be found behind the promises some insurance companies have made to those who have innocently purchased their annuities. They are, in short, nothing less than a credit time bomb, adding immeasurably to the danger already created for the economy by the mountain of corporate debt voluntarily assumed to fend off raiders.

The time of testing of the rediscovered wonders of leverage and the junk bond is still ahead of us. Their popularity has coincided with an improving economy and lowering interest rates. But as the night follows the day, both will turn around, and the piper will be paid.

I think it's about time we called these raiders out and took a good look at them in the daylight, the Irwin Jacobs, Saul Steinberg(s), Carl Icahn(s), James Goldsmith(s), Ron Perelman(s), T. Boone Pickens. What great enterprises have they ever managed to success? What have they ever built except their own wealth? What have they ever achieved except financial manipulation? And the same may be asked of their investment banker acolytes.

Who are these superior beings, who as part of their take-over schemes vilify and insult the managements that built the very corporate strengths these raiders intend to sell off, or bury in debt?

For make no mistake, it isn't the poorly-managed, stumbling companies they're after. Quite the opposite. It's companies of the strips of Phillips Petroleum, Owens Corning, Goodyear, Gulf Oil, ITT. When Chrysler was at the brink, in its darkest hour, its management was safe from the raider's insults.

Bringing it closer to home, my part of the country knows something about the oil business. In 1980 there were 16 major integrated oil companies in the U.S. Thanks to the raiders, 3 have disappeared completely, and 6 others are so heavy with debt they have not room for aggressive research, exploration or development. And what is there to show for the raider's great riches?

This is what Fred Hartley, chairman and president of Unocal Corporation had to say . . . "These stock raids and hostile takeovers have not added a barrel of new oil reserves. They have merely shifted them around. They have not inspired one new technology or innovation; they have simply drained off investment capital. They have not strengthened companies, they have weakened them, loading surviving firms with onerous new debt." And what he says about the oil business is true of every other industry that has felt the raider's stained touch.

But it seems, at last, this selling off America with rivers of junk bonds for the private profit of a few is finally beginning to attract the attention of Congress.

And none to soon. Our own Senator Kassebaum has reacted now that a foreign raider, James Goldsmith, chose Goodyear, the most important private employer in Topeka, as his target. Goldsmith failed in his take-over bid, but still made $90 million and recovered all his expenses. T. Boone Pickens reportedly made over $400 million in his failure to acquire Gulf Oil. Small wonder the raiders want no change in the law, it rewards their failures so well.

But the Ivan Boesky affair has opened some eyes, with the exposure of the link between investment banker, raider and arbitrageur, the vast riches taken not as the reward for producing a product or creating new jobs, but through illegal use of information, has taken some of the bloom off the rose.

Yet as long as money in such huge and usually riskless ways can be made, the game goes on. Management of target companies will continue to be publicly abused, and insulted, and the junk bonds will pour fourth.

And to make sure all this keeps going, Mr. Pickens has organized a national group, ostensibly to protect shareholders' rights, but actually to keep the decks clear for free-booting among the America's most successful enterprises.

Now it's true, many American businesses are poorly run, and there are incompetent, entrenched managements that need replacing. And it's also true stockholder rights need better protection. There are profound reforms in both areas I would press for and support. But to accept the raiders's claim would press for and support. But to accept the raider's claim that his cause is noble, that he is only engaged in what one famous economist in another context called "creative destruction," is to add gullibility to victimization.

Perhaps Peter Drucker posed the question best in a recent article in The Wall Street Journal he titled, "The Crisis of Capitalism."

"Can a modern democratic society tolerate the subordination of all other goals and priorities in a major institution, such as the publicly owned corporation, to short-term gain? And can it subordinate all other stateholders to one constituency—the shareholder."

I don't believe American enterprise faces the Hobson's choice of poor management or the raider's scourge. I don't believe we have to surrender to those who, as was said of the Bourbons, know the price of everything but the value of nothing. I don't believe America's great corporations have no past or future, only a present worth to be monetized by financial manipulations.

We need to remember that our separate businesses are parts of a larger economy, and how that economy works is everybody's business. Just as war is too important to be left to generals, so, too, the great enterprises of our Nation can't be left to the raider's caprice. We in management are privileged to engage in commerce, but we do so in trust and under law. We had better be more attentive to that trust, and we had all better support wise laws, before it's too late.

A TRILLION-DOLLAR ANNUAL INTEREST BILL ON THE NATIONAL DEBT?

Mr. PROXMIRE. Mr. President, the time has come for this body to consider the most rapidly rising cost of Government and what we can do about it. What is the most rapidly rising cost of Government? It is interest on the national debt. We have endlessly discussed the evils of the soaring deficits. We have enacted legislation aimed to reduce the deficits. But the deficits go on. They go on rising right through one of the longest recoveries in recent economic history. They go on rising in spite of the Gramm-Rudman Deficit Reduction Act. Will mega-deficits disappear in 5 years—or 10 as Gramm-Rudman requires by law? Whom are we trying to kid? We now know that act has failed. We know that as the business cycle moves—as it certainly will—into the next recession, the annual deficit will climb to $300 billion or $400 billion. On the basis of the recent record of the Congress it is logical to expect that the debt is far more likely to go to $4 trillion by the middle of the coming decade than it is to expect it to decline. It is also logical to expect that with this tremendous demand for credit by the Federal Government, with consumer debt rising with equal rapidity and with corporate debt leading the pack—that the overall demand for credit will continue to soar.

Now what happens as the demand on all fronts for credit climbs? Answer: The price of credit also explodes. And what is the price of credit? The price of credit is the interest rate. So with debt at all levels climbing rapidly in the next decade, isn't it evident that interest rates will very likely climb in tandem? It is, indeed. But wait a minute. If this is so, why have interest rates actually dropped and substantially dropped in the past couple of years at precisely the same time that debt—and the demand for credit was zooming into the stratosphere? Answer: The Federal Reserve Board met the rising demand for credit with an even greater supply of credit. Mr. President, you can look long and hard in American economic history for a time when the Federal Reserve has ever increased the supply of money as rapidly as it has since the beginning of 1986. The Fed has increased the money supply at a rate of more than 15 percent at a time when the nominal gross national product was increasing at less than 4 percent. Result: falling—in fact, sharply falling interest rates.

So why can't the Fed continue this policy? Reason: the continuation of this policy will surely bring on inflation. It will bring on a super inflation. This policy has been tried in country after country throughout history. The result is always the same: booming, zooming inflation as too much money chases too few goods. And then what happens to interest rates? When prices rise, interest rates necessarily rise and right in tandem. No lender will lend funds that will come back to him with repayments of less value.

So what all this adds up to is an interest rate burden that will be the product of a $4 trillion national debt and an interest cost to repay that debt that could soon very easily reach, let us say 25 percent or more. And what does that mean? That means that with a 25-percent interest on the national debt, the cost of paying interest on that debt will be $1 trillion. That is $1,000 billion, each and every year. That will be a $1 trillion expenditures for which the taxpayers get nothing. They do not get the education of a single child. They don't get one rifle or even one bullet to defend our country. They get no help for the disabled or the ill. They get literally nothing. It is waste at its worst all caused by the gross irresponsibility of this Government.

So how should the Congress meet such a horrendous burden? One obvious alternative would be to simply repudiate the debt—all of it. Many countries have done exactly this in the past. Another is to swiftly inflate our way out of debt. The Congress and the Federal Reserve will be well on its way to doing just this if the Federal Government continues to run these enormous deficits and continues to pay for them with huge infusions of money from the Federal Reserve Board. A third alternative is to pursue the recommendations of a former distinguished chairman of the House Banking Committee. He proposed that the Congress direct the Federal Reserve Board to go into the open market and buy up the entire public debt.

Each of these alternatives would carry an infinitely cruel and costly price for our country. Repudiation of the debt would deny the country any credit in the future. An inflation sudden enough and big enough to pay off the $4 trillion debt would drive interest rates up to 100 percent or more. It would paralyze our great economy for many years. A policy of a Federal Reserve buyup of the entire debt would pump such a vast amount of liquidity into the economy that inflation and interest rates would explode out of sight.

So what is left? We could continue on our hapless path. That means kidding ourselves into believing that we are making progress in reducing the deficit, even as it continues to hover close to $200 billion a year—and this is in recovery years. That policy simply prolongs and stretches out the agony and raises the price we pay. We can start right now—this year, and refuse to permit the Government to borrow any more money—cold turkey. What would that require? The simplest kind of action by only one House of the Congress. We could achieve this by voting down any increase in the debt limit. This would force the Government at once on a pay as you go basis. What price would this extort from the economy? It would virtually force a

massive tax increase, as well as a savage cut in all Federal spending. This would decisively slow economic activity. It would impose great agony on millions of Americans who cannot take care of themselves. It would sharply increase unemployment in the myriad of industries that depend on the Federal Government for their sales.

The economy might not survive such a terrific economic jolt. The people in this democracy would not permit it, unless they were first to taste for several years the painful punishment of runaway inflation. Unfortunately, only at that point—after realizing the devastating price of massive deficits and debt would Americans accept this remedy. But what else is there?

MARCH GOLDEN FLEECE AWARD: TO THE AIR FORCE

Mr. PROXMIRE. Mr. President, I am awarding my Golden Fleece of the Month Award for March to the Department of the Air Force for decking taxpayers about $59,000 over the last 6 years for the cost of playing cards that were given away as souvenirs to visitors aboard Air Force Two. Technically, the Air Force gets the Fleece because they spent the money, but the blame should be shared by the Executive Office of the President, which usually makes these requests.

In this day and time of outrageous Federal spending, we certainly do not need to have taxpayers subsidizing poker and gin rummy for guests who fly on the official Vice Presidential plane.

It looks like the taxpayers have been dealt another bad hand. This is a classic case. We've got a Joker of a Federal budget deficit that needs to be Aced soon, or we'll all go busted. But here we are throwing away tens of thousands of dollars in hard-earned tax money to buy playing cards for the Vice Presidential aircraft. It makes no sense. I think the Executive Office has drawn a bum card on this one.

The Air Force explains this fanciful flight into financial frenzy by saying that these playing cards are for official use. Only the Vice President and his staff are authorized to distribute them. And these are not just any old playing cards. They are inscribed with the Vice Presidential seal and all sorts of other trim. These cards may make nice memorabilia, but their importance in terms of the national interest escapes me. The taxpayer may question who is playing with a full deck on this one.

What's really ridiculous is that this has been going on for some time. According to the Air Force, taxpayer-financed playing cards for the Vice Presidential aircraft have been purchased for over 20 years. Because Air Force contract records only go back to 1981, we only know for certain the amount that taxpayers have been billed since then—$59,000. Since these fancy souvenir cards were bought with tax dollars, I wonder if somebody would consider setting up a high stakes poker game for the taxpayers? At least the public could realize some benefits from this misdeal.

For now, this year's version of the "Zap the Taxpayers" card game appears to be on hold. The contract solicitation was suddenly canceled. According to the Air Force, the solicitation was pulled upon discovery that only one company was able to fulfill a special requirement to bronze the Vice Presidential seal. Now the more expensive bronzing requirement has been dropped, and the Air force says another deal for the specially made decks may still be in the cards. They just don't know when to hold them and when to fold them.

When you take a look at the description the Air Force's Washington Area Contracting Center gave in seeking bids on this most unusual project, you'll know this was no ordinary set of playing cards:

> Cards, playing, single deck, bronzed with current Vice Presidential seal, "black on gold" on back of all cards . . . with "Welcome Aboard Air Force Two" printed in gold on back of all cards. Jokers to include image of capitol building on face, deck in light blue velour case * * * Vice Presidential seal in gold * * *

Without the earlier records, it's no telling how many of our tax dollars have been sunk into souvenirs and playing cards for Air Force Two. But at the rate of $10,000 a year since 1981 just for playing cards, we may well be looking at a wasteful project totaling more than $200,000 since the mid-1960's, not to mention what we may have spent on Air Force One. It is easy to see why we have been buried under huge deficits, with spending way out of control, and taxpayers hurting in the pocketbook.

I have seen a lot of card tricks, but this one beats them all. This is one case where somebody needs to play a trump card for the taxpayers.

REINTERPRETING ABM TREATY

Mr. KERRY. Mr. President, it was Francis Bacon who recalled the legendary seven wise men of Greece as saying that laws were like cobwebs—the small flies get caught—but the great break through.

I am reminded of Bacon's comments in looking at the Reagan administration's attempt to reinterpret the ABM Treaty.

Prevented by the treaty's own terms from moving ahead with the Star Wars Program, the administration sought first to avoid getting stuck by its limitations. Faced with the web of restrictions devised by the U.S. lawyers who negotiated and drafted the treaty, the administration ultimately decided that instead of complying by it, it would try to just break through.

Because there is no court of law which can enforce this treaty, no judge to judge the arguments made by the administration, no ultimate authority to force the administration to live by the terms of the treaty, we in the Senate must decide whether the web of law created by the ABM Treaty is one which we wish to see remain whole, or are content to have tattered by the SDI Program.

Mr. President, the Constitution gives the Senate the responsibility to provide advice and consent over treaties, which are the supreme law of the land, made not merely by the President alone, but with our advice and consent.

While the President may be able to terminate a treaty alone, the State Department has as recently as this February, in the context of the Threshold Nuclear Test Ban Treaties, made it clear that it believes the President cannot modify or alter a treaty obligation without the consent of the Senate.

Today, the Reagan administration marches toward a reinterpretation of the ABM Treaty which is utterly at odds with what that treaty had always been understood to mean—by the United States, by the Soviets, by the persons who negotiated it, by the Senate which approved it.

The ABM Treaty is a solemn engagement between the United States and the Soviet Union. It is binding at international law. It cannot be altered by either the United States or the Soviet Union without the consent of the other.

It is also a solemn engagement between the branches of the Government itself. If the Senate's advise-and-consent role is to be meaningful and not an empty formality, an administration may not change the meaning of a treaty after it has been approved by the Senate. A serious constitutional question is posed by a treaty interpretation by the executive branch fundamentally at odds with that understood by the Senate at the time it was approved. Because such a reinterpretation would cast doubt on the approval of the Senate, constitutional scholars contend that the President is absolutely bound by what the consenting Senate's understanding of a treaty was at the time it gave its consent to ratification, and cannot adopt a contrary interpretation.

Despite these serious legal impediments to changing a fundamental interpretation of a treaty, the Reagan administration has recklessly put forward an interpretation of the treaty that radically transforms it from a treaty designed to stop the development and testing of star wars systems,

along with all other forms of nationwide ballistic missile defense, to a treaty which deals only with technologies already in place. Instead of a centerpiece of arms control and national security, the ABM Treaty would be, as reread by the Reagan administration, an agreement of slender reach, already overrun by both history and new technologies.

And so the Reagan administration has chosen to alter the interpretation of the ABM Treaty, and therefore the protections that the treaty once offered both us and the Soviets, contrary to the interpretation of the treaty as it had always been understood by the Soviets, by our allies, by the Senate, and by the administration itself in numerous official statements prior to October 1985.

Illogical as all of this is, it is a logical outcome of the President's decision to move forward with star wars. From the first day that President Reagan surprised the world with his announcement on March 23, 1983, that the United States would begin a program of research into space-based strategic defenses, he was implicitly challenging the premise of the ABM Treaty—that strategic defenses were dangerous—that they would inevitably create an offensive-defensive arms race spiral, resulting in the proliferation of both types of systems and an end to any limits on nuclear weaponry.

Today, less than 4 years later, we are seeing the fruits of that ill-considered decision by the President, made without consultation of Congress, our allies, recognized experts on nuclear strategy, and even key persons in the Department of Defense. The consequences of SDI have already included the failed summit at Reykjavik, where deep reductions in nuclear weapons were sacrificed before the altar of star wars. Future consequences if we do not act will be the destruction of the ABM Treaty itself, and with it the collapse of bilateral arms negotiations between the United States and the Soviet Union, tieing the hands of any future President by making it impossible for him to negotiate any new arms control treaty.

The Reagan administration's decision to reinterpret the treaty, and its announced intention to reconsider its policy of living within the traditional interpretation of the treaty can only be understood as the immediate consequence of its fervent belief that the United States should deploy the strategic defenses which were renounced when the ABM Treaty was ratified. The President's Star Wars Program is absolutely incompatible with the continuation of the ABM Treaty. Under the terms of the ABM Treaty, the President has the right to have the United States withdraw from it 6 months after notifying the Soviets. Because the Reagan administration finds it politically unwise to renounce that treaty, they have instead chosen the less honest, and four more constitutionally dangerous, approach of fraudulently reinterpreting it.

SDI's fundamental premise, that strategic defenses can make nuclear weapons obsolete, is a goal prohibited by the treaty's own language, which prevents each party from undertaking "to deploy ABM systems for a defense of the territory of its country," and prohibits each party from providing "a base for such a defense."

In order to provide teeth to this agreement not to deploy strategic defenses, or to provide such a base, the ABM Treaty bans the testing, development, and deployment of all ABM systems other than fixed land-based systems. The treaty goes on to say that neither party may test, develop, or deploy any ABM component or system which are "sea-based, air-based, space-based or mobile land-based."

The intent of that prohibition is unequivocal. It is easy to understand what the United States and Soviet Union meant in negotiating it. While both sides would maintain limited capabilities for testing, development, and deployment of traditional, land-based ABM components, as the Soviets have down around Moscow, and as the United States was permitted to do around either Washington, DC, or a designated missile range, testing and development of new ABM technologies was strictly limited to land-based ABM's, and the testing and development of the kind of technologies which are at the core of the SDI Program were prohibited.

It is false to state, as the administration has, that there are two interpretations of the treaty, and that understandings prior to October 1985 about what the treaty meant were based on an incomplete or inaccurate understanding of the treaty.

To the contrary, it is absolutely clear that the treaty cannot fairly be read in the way that the Reagan administration has urged it be read. Any fair reading of the legislative and negotiating histories of the treaty make it unambiguously clear that it absolutely bars the development, testing, and deployment of all nonfixed land-based ABM systems and components.

The United States has followed that interpretation of the treaty since the day it was signed by President Nixon. It was that interpretation of the treaty that was presented to the Senate Foreign Relations and Armed Services Committees by the Government of the United States.

It was that interpretation of the treaty that was relied on by the U.S. Senate when it ratified the ABM Treaty by a vote of 88 to 2.

That interpretation of the treaty remains the only interpretation accepted by NATO allies, and they remain firmly opposed to any other interpretation of the treaty.

The Soviet Union has unambiguously stated that it recognizes that the treaty prohibits the development and testing of nonfixed land-based ABM systems of all kinds.

The chief negotiator of the SALT I Treaty, Gerard Smith, has stated that any other interpretation of the treaty is erroneous, and called the administration's interpretation as amounting to "a breach of contract." Other U.S. officials directly involved in negotiating and drafting the treaty, including John D. Rhinelander, former counsel to the ABM Treaty negotiation, Prof. Albert Carnesale of Harvard, who was a member of the ABM working group that drafted the language of the treaty, and retired Lt. Gen. Royal B. Allison, the senior U.S. military official on the ABM negotiating delegation, have agreed that they had no doubt that the United States and the Soviet Union gave up the right to testing and developing of all nonfixed land based ABM systems, including those based on new physical concepts other than those used by existing systems.

In the words of former Defense Secretary Harold Brown, who was a member of the American team that negotiated the treaty, the administration's interpretation is "off the wall."

Even the Reagan administration has issued numerous statements agreeing with this interpretation of the treaty.

The following is from the 1982 Arms Control Impact Statement of ACDA:

> The ABM Treaty bans the development, testing and deployment of all ABM stystems and components that are sea-based, air-based, space-based, or mobile land-based. In addition, although the treaty allows the development and testing of fixed, land-based ABM systems, and components based on other physical principles (such as lasers or particle beams) and including such fixed, land-based components capable of substituting for ABM intercept missiles, ABM launchers, or ABM radars, the Treaty prohibits the deployment of such fixed, land-based systems, and components unless the Parties consult and amend the Treaty.

As ACDA recognized in 1982,

> Unless otherwise amended, the ABM Treaty prohibition applies to directed energy technology (or any other technology) used for this purpose. Thus, when such DE programs enter the field testing phase they become constrained by these ABM Treaty obligations.

This statement was reiterated by ACDA in its 1983 Arms Control Impact Statement and its 1984 Arms Control Impact Statement.

It is understandable that ACDA has interpreted the Treaty this way. Gen. Bruce Palmer, Acting Army Chief of Staff told the Senate Armed Services Committee in 1972 that the treaty "did not prohibit the development (of new technologies) in the fixed, land-based ABM systems. We can look at

futuristic systems as long as they are fixed and land based."

As General Palmer recognized, the ABM Treaty permitted further developments in fixed, land-based development and testing by both sides, short of deployment, but explicitly banned such developments in nonfixed land-based systems and components in article V, section 1, which contains the prohibition.

As Secretary of State Rogers told the House Foreign Affairs Committee in its hearings on the treaty in 1972,

> We and the Soviet Union have agreed not to develop, test or deploy:
>
> "1. ABM systems or components that are sea based, air based, space based, or mobile land based;
>
> "2. Automatic or semiautomatic or other similar systems for rapid reloading or ABM launchers;
>
> "3. An interceptor missile with more than one independently guided warhead; and
>
> "4. An ABM launcher capable of launching more than one interceptor missile at a time from each launcher, or to modify launchers to give them such a capability."

"Such undertakings are important," Secretary Rogers told the committee.

> It may be of ever greater importance that both sides have agreed that future types of ABM systems based on different physical principles, for example, systems depending on such devices as lasers, that do not consist of ABM interceptor missiles, launchers, and radars, cannot be deployed even in permitted areas. So there is a limitation on what may be employed in the ABM systems now in operation and it prohibits the deployment of new esoteric systems in these areas.

Precisely because the Senate was told by the administration that the ABM Treaty prohibited development and testing of futuristic ABM systems, Senator James Buckley became one of two Senators to vote against approving the treaty. As Senator Buckley told his colleagues in this body on August 3, 1972;

> The Agreement goes so far as to prohibit the development, test or deployment of sea, air or space based ballistic missile defense systems. This clause, in article V of the ABM Treaty, would have the effect, for example, of prohibiting the development and testing of a laser type system based in space.

According to Senator Buckley, who favored the development and testing of such systems, "The technological possibility has been formally excluded by this agreement."

So I think it is pretty clear, based on the statements of Ambassador Smith, ACDA, Secretary Rogers, Senator Buckley and so many others intimately involved with the process of negotiating and ratifying SALT I that the treaty did in fact ban development and testing, as well as deployment, of nonfixed based systems regardless of the nature of the technology involved.

It is important this body declare itself firmly opposed to those in the Reagan administration who have advanced the proposition that the United States should suddenly adopt a different interpretation—contrary to the negotiating history and contrary to the common understanding through five administrations, including this one prior to the month of October 1985.

What would be the results if the new reinterpretation sought by some members of the administration were to be adopted by the United States?

First, the treaty's ban on a nationwide ABM defense, a base for such defense, and a regional ABM defense would remain for traditional ABM technologies, but would be eliminated for exotic technologies. This is because some members of the administration have interpreted that article V(1) and other articles in the treaty do not apply to exotic systems, and that only agreed statement D blocks their deployment. But agreed statement D only requires the United States to discuss exotic systems. Hence, if one concluded that agreed statement D was the only part of the treaty covering exotic systems, one logically has to decide that the United States and the Soviet Union have the right under the treaty to go ahead and deploy exotic systems any time they want to, so long as they "discuss it" first.

Second, the language "currently consisting of" in article II(1), to describe what ABM systems and components are covered by the treaty, would have to be ignored as surplusage, words with no meaning, since the treaty had now been read to refer only to those types of ABM systems that existed at the time it was signed.

Third, the United States could test mobile or space based exotic systems at its will, without any restrictions, since the restrictions on ABM testing which limit those tests to the designated test sites—for the United States, the Kwajalein site—only would apply to fixed, land-based ABM launchers, missiles, and radars.

Fourth, the United States could transfer exotic ABM technologies to other states, such as our NATO allies, and deploy them in Europe, since the prohibitions in article IX of the ABM Treaty against transferring such systems to other states would apply only to traditional technology and not to exotic systems.

This is a dramatic shift from what had always been understood by both the United States and the Soviet Union as what was permissible under the ABM Treaty. This demonstrates great creativity on the part of those in the Reagan administration who have no use for the ABM Treaty, and is evidence of their recognition that the SDI testing program as currently constituted and the ABM Treaty are fundamentally incompatible.

The new interpretation of the treaty has grave implications not merely for the U.S. compliance with the ABM Treaty, but for arms control itself.

As Professors Abram and Antonia Chayes of Harvard have written in the Harvard Law Review,

> The interpretation of solemn obligations affecting the security of the United States and the world demands more than playing word games with the text to see what meanings it can be made to bear. The fundamental reason why the reinterpretation of the treaty is unacceptable is because it reflects no intelligible policy or purpose.

The ABM Treaty was intended by both sides to provide assurance to each side that the other was not going forward with the development and testing of new ABM systems. The treaty was designed to protect both sides against breakout by either side, as article I specifies in making it unlawful to provide a base for a nationwide ABM defense. Ironically, this first and central prohibition of the treaty would appear to be exactly the opposite of the purpose of the SDI—which is to do enough research and testing and development of strategic defenses to provide a base for a nationwide ABM defense. Indeed, one of the central features of this year's SDI budget is hundreds of millions of dollars for a national test bed site to centralize command, communications, and control for a nationwide ABM defense, first in research and development, and later, if all goes according to their plan, for deployment.

The fixed interpretation of the treaty adopted by President Nixon, and retained under Presidents Ford, Carter, and over the first term of President Reagan remain the national policy of the United States, and the only interpretation of the treaty that has ever been accepted and approved by the Senate.

We must insist that the interpretation of the treaty presented to the Senate at the time it approved the treaty remain the national policy of the United States. The alternative would be not only to make this treaty a nullity, but the very process of advise and consent by the Senate. To permit the reinterpretation to go forward would be to abdicate our constitutional responsibilities over treaties, and to give to the President alone—Republican or Democrat, wise or not—the sole right to refashion any and all treaties solemnly entered into by past Presidents and approved by past Senates—to his liking, regardless of what those treaties had historically been understood to mean.

If we fail to insist that the Senate's understanding of these treaties remain the law of the land, we undermine not only the ABM Treaty, the process of arms control and our national security, but the balances set forth in our Constitution itself.

In the process, we will be both abdicating our responsibilities, and mortgaging the ability of future Presidents to repair the damage already done by

the Reagan administration to arms control. It is ludicrous to believe that the Soviet Union will sign another treaty with the United States to limit offensive weapons while we retain the right to go ahead with unlimited testing and development of star wars components in the air, on the sea, and in space. It is also dangerous to assume that our vital relationships with our NATO allies will also be unaffected.

We have all read the reports about the devastating reaction in Europe to the proposed reinterpretation of the treaty. Our allies recognize the value of the ABM Treaty—they have profound fears about the effect of the deployment of star wars systems on their own security—and I fear deeply for the strain on the alliance if we continue to go forward full-speed ahead with this program regardless of the limitations contained on the face of the ABM Treaty. While ACDA Director Kenneth Adelman may say, as he did in early February, that the Allies have no "qualifications" to interpret the ABM Treaty, their national security is profoundly affected by whether we continue to abide by it under the terms originally understood. As Elizabeth Pond wrote recently in the Christian Science Monitor, British, French, and West German diplomats and West German officers have made it clear that they view the unilateral American reinterpretation of the treaty and SDI testing in breach of the traditional interpretation as likely to "scotch arms control for the rest of this century and trigger a dangerous all-out arms race."

Indeed, the British Government has made it clear that its support for the SDI is conditioned upon continued compliance by the United States with the original understanding of the treaty.

For all of these reasons, we should act to affirm that the ABM Treaty means what we have always understood it to mean—and means what we understood it to mean when this body ratified it.

The United States and the Soviet Union undertook to stop the development, testing, and deployment of ABM systems, except under the very limited conditions set forth in the treaty. That treaty has served us well over the past 13 years, and done much to promote nuclear stability. This year, I hope the Senate will take legislative action as necessary to protect it.

Tomorrow, the Senate Foreign Relations and Judiciary Committees are holding a joint hearing on the ABM Treaty to review this issue in a first step to hold the administration's interpretation up to scrutiny. We will hear testimony from the men who negotiated the ABM Treaty, and from constitutional scholars on the legal effect of the Senate's approval of treaty as it was understood at the time of approval.

Following that hearing, it is my understanding that the Senate Foreign Relations Committee will continue hearings on these issues, and it is my hope that the Senate as a whole will adopt language to protect the treaty as it was originally understood, according to its own terms.

As President Kennedy said before the U.N. General Assembly a few weeks before his untimely death,

> The science of weapons and war has made us all * * * one world and one human race, with one common destiny. * * * The conventions of peace must pull abreast and then ahead of the inventions of war.

President Kennedy told the United Nations that the first United States-Soviet arms treaty, the Limited Test Ban Treaty, which he had just signed, could not alone put an end to war, remove basic conflicts, or secure freedom for all. But it could do something almost as important. "It can be a lever," President Kennedy said. "And Archimedes, in explaining the principles of the lever, was said to have declared to his friends: "Give me a place where I can stand—and I shall move the world.' "

The ABM Treaty has been a tool to halt the arms race—perhaps an imperfect one—and we have not always had a place to stand. But as we look for such a place, we should not be hasty in throwing away this tool because some believe they have found a better, newer, technologically perfect though as yet untested tool, which may yet prove to be neither perfect nor necessarily a tool of peace at all, but of something else indeed.

TRIBUTE TO SENATOR JENNINGS RANDOLPH

Mr. ROCKEFELLER. Mr. President, this week marks the 85th birthday and 54th anniversary of the beginning of the long and distinguished congressional career of former Senator Jennings Randolph. When Jennings Randolph was first sworn in as a Member of the House of Representatives in 1933, FDR was President and this country was in midst of the Great Depression.

From the day on, Senator Jennings Randolph dedicated his life to serving West Virginia and his country. Those of you who had the pleasure and privilege of serving with Senator Randolph know of his concern and compassion for individuals, of long hours and hard work on the Senate Environment and Public Works Committee, and his lifelong commitment to promote peace.

The many contributions and accomplishments of this West Virginia statesman are too numerous to recount, but I would like to remind my colleagues of just a few: his pioneering work in the field of commercial aviation; his original sponsorship of legislation giving 18-year-olds the right to vote; the creation of the Air and Space Museum; passage of the Randolph-Sheppard Act; and the establishment of the Peace Academy.

I consider it a special honor to follow in the footsteps of such a distinguished statesman and dear friend.

THE DEATH OF SENATOR EDWARD ZORINSKY

Mr. GLENN. Mr. President, it is with great sadness that I note the death of my good friend and distinguished colleague from Nebraska, Senator EDWARD ZORINSKY. I have had the opportunity to serve with Senator ZORINSKY in this body for more than 10 years, and for 8 of those years, we served together on the Foreign Relations Committee.

Perhaps Senator ZORINSKY's most memorable quality was his forceful independence. He never put great stock in party affiliation, preferring to value his patriotic affiliation.

EDWARD ZORINSKY began his service to our Nation as a member of the Army Reserve, serving from 1950-66. He won election to several political posts in Omaha, NE, rising to become mayor from 1973-77.

Elected to the Senate in 1976, Senator ZORINSKY has served on the Agriculture, Nutrition, and Forestry Committee and the Foreign Relations Committee. On Agriculture, he was a tireless advocate for his State's farmers, opposing the Carter administration's grain embargo and advocating higher price supports for wheat. On Foreign Relations, he has contributed to the development of a Democratic position, toward Latin America, helping to highlight the dangers of the current administration's policies in the region.

Senator ZORINSKY attracted particular attention by his style. While most politicians spend a lot of money to gain attention, Senator ZORINSKY managed to do just the opposite. He has given back thousands of dollars in unused salary funds to the U.S. Treasury. He also removed his office door to make visitors feel more welcome, and rejected an automatic signature machine, preferring to sign letters personally.

As we continue to debate the issues in which he was involved, the U.S. Senate will surely miss the notable contributions of the senior Senator from Nebraska, EDWARD ZORINSKY.

THE LATE SENIOR SENATOR FROM NEBRASKA, EDWARD ZORINSKY

Mr. SIMON. Mr. President, last Friday night, America and this Senate lost a champion of rural America. I

rise today to pay tribute to that man, the late senior Senator from Nebraska, EDWARD ZORINSKY.

ED was one of the Senate's chief authorities on rural America. The agricultural depression ravaging our heartland is one of our most intractable problems. ED tackled it every day. During the 99th Congress, he served as ranking member of the Senate Committee on Agriculture. His diligent work on the 1985 farm bill resulted in many improvements to that law.

ED also distinguished himself on the Senate Foreign Relations Committee. He was most active in the Western Hemisphere Subcommittee where he showed his political courage and overriding concern for keeping Government spending under control. Well before it was fashionable, ED was demanding to know how our Contra aid was being spent and how much the Contra leaders were being paid. Taking such a politically unpopular stand against this administration's policies in Central America inspired us all.

ED was elected to the Senate in a style that would become his hallmark. Passed over by the political bosses for the Republican senatorial nomination, ED switched parties and took the seat anyway. He was a populist candidate who prided himself on cutting wasteful Government spending.

This independent manner stayed with him throughout his Senate career. ED cared little for partisan affairs, declaring that we needed a few more U.S. Senators and a few less Democratic or Republican Senators. He was a "man of the people" with accessibility that was legend. He even removed the door to his office so that nothing would be between his desk and his constituents.

Mr. President, ED and I differed on many issues. However, his warmth and willingness to work together never ceased. The Senate is a better place for having counted him among its Members, and I am the richer for having served with him. Jean and I extend our heartfelt sympathy to Cece and the children. They shall be in our thoughts and prayers.

TRIBUTE TO THE LATE SENATOR FROM NEBRASKA, EDWARD ZORINSKY

Mr. THURMOND. Mr. President, the death of Senator EDWARD ZORINSKY has saddened each of us and left a great personal and professional void in the U.S. Senate. During the 10 years he served in this body, we grew to respect and admire him. To his lovely wife, Cece, and his three children, Barry, Jeffrey, and Susan, Nancy and I extend our deepest sympathy.

He was born in Omaha, NE, in 1928, the son of a Russian Jewish immigrant. In 1949, he earned a bachelor of science degree in chemistry and zoology from the University of Nebraska. He also attended the University of Minnesota and Creighton University and did postgraduate work at Harvard.

For a number of years, he worked in his family's wholesale tobacco and candy business. His first taste of politics came when he was elected to the public utilities board, and in that role he was credited with saving the Omaha Public Power District $15 million in cost overruns. A few years later, in 1973, he was elected mayor of Omaha and became one of the most popular executives that city has ever had.

Senator ZORINSKY switched parties and successfully ran for the U.S. Senate as a Democrat in 1976. He came to the Senate as a maverick, determined to serve the people in an open, honest manner, and to do his share in bringing a new fiscal conservatism to the Government. To demonstrate his open door policy with his constituents, he took the door to his office off its hinges, making himself available to press and to public alike. During his first year in office, he began his well-known practice of returning to the U.S. Treasury each year thousands of dollars in unused office expenses.

This same thriftiness marked many of his positions on Federal programs. He ordered an audit of the Federal Farm Insurance Corporation that eventually trimmed that agency's budget and consistently opposed wasteful spending on foreign aid. He was awarded the 1983 "Taxpayer's Best Friend" award from the National Taxpayers Union and has twice received the "Golden Bulldog" of the National Associated Businessmen. In addition, he was a four-time recipient of the National Federation of Independent Business "Guardian of Small Business" award.

As ranking Democrat on the Agricultural Committee, ZORINSKY pushed for programs to expand credit for hard-pressed farmers and speed up the electrification of rural areas. He sponsored the 1980 Farm Credit Act Amendments, which broadened the Farm Credit System's loan authority, and a 1981 amendment to maintain the Rural Electrification Administration's 2-percent loan program in the face of proposed budget cuts.

As member of the Foreign Affairs Committee, Senator ZORINSKY carried his concern for domestic farmers to the international arena. He led the fight against President Carter's embargo on grain sales to the Soviet Union and, in recent years, has worked to boost agricultural exports and improve conditions for farmers facing their worst economic crisis in 50 years.

Mr. President, while I did not always see the issues eye to eye with Senator ZORINSKY, he was a man who, early in his Senate career, won my deepest admiration. He was an independent thinker, who chose not to confine his voting habits to partisan politics. He was a man of courage and capacity, character, and integrity.

A public servant in the truest sense of the word, he opened his eyes to the concerns of farmers, taxpayers, and crime victims. His open door policy reflected his sincere desire to serve the people of his State and Nation. He cared about the little people and fought the bureaucratic giant for the things he thought would serve them best. Mr. President, I have seen many come and go in this powerful and prestigious Chamber, and I have found that those who leave their mark on history are those who remember the place from which they have come—the public who has given them its trust. Senator ZORINSKY was such a man, and he will be sorely missed and long remembered in this body.

Mr. President, I ask my colleagues to join me now in paying final tribute to this great American patriot, outstanding leader, true man of vision, and treasured friend to us all.

COSPONSORSHIP OF S. 592, THE ADMINSTRATION'S CATASTROPHIC HEALTH LEGISLATION

Mr. HATCH. Mr. President, today I am joining Senator DOLE and many other Members of Congress in cosponsoring President's Reagan's legislative initiative to expand Medicare to provide protection for elderly and disabled Americans who suffer from a catastrophic illness. This legislation, entitled the Medicare Catastrophic Illness Coverage Act, culminates several years of studying ways to reduce the devastating economic impact a catastrophic illness can cause. This initiative is an excellent basis on which to begin discussion, and I am proud to honor President Reagan's request for support. But it by no means satisfactorily answers all of the issues we are confronting. I hope my colleagues will agree that before we become too preoccupied with the details of this proposal, we first must resolve whether the best solution to the cost of catastrophic illness lies in Government or private sector financing. We also need to address the question of who will or should be covered.

Examples of financial ruin caused by catastrophic health care costs are not hard to find. We have all heard the story about an elderly family member who had a lingering illness. She was forced to sell her home to pay off her mounting hospital, physician, and prescription drug debt that was not covered by Medicare. Or the story of the family who lacked basic health insurance coverage and gave birth to a pre-

mature child. The costs exceeded $100,000 and forced the family into bankruptcy. These are common problems some Americans face.

In President Reagan's 1986 State of the Union Address, he called on the Secretary of the Department of Health and Human Services, Dr. Otis Bowen, to study how "the private sector and the Government can work together to address the problems of catastrophic health care." Dr. Bowen accepted this challenge. In fact Dr. Bowen's final proposal contains many valuable ways of encouraging both the Government and the private sector to provide better coverage for catastrophic illness.

The legislation introduced today is only a part of Dr. Bowen's plan. It expands the Medicare Program to cover up to 365 days of inpatient hospital care and caps out-of-pocket costs at $2,000. It addresses one aspect of the catastrophic health care issue—elderly Americans who face hospitals bills which are not covered under Medicare. Yet there are many other Americans who suffer an economic toll because of catastrophic health expenses.

Over the last 6 years, I have had the privilege to be chairman of the Senate Labor and Human Resources Committee. Much of my time was spent looking for ways to ensure that there is quality and affordable health care for all Americans. In addition, I have cosponsored several catastrophic health care initiatives, including S. 1590 from the 96th Congress which was similar to this legislation presented today. One thing I have learned from my tenure is that legislation benefits from public scrutiny and debate and from the consideration of substantive criticism.

One criticism launched against this legislation is that the Government will replace current private sector insurance programs commonly referred to as Medigap policies. If this is true, I suggest to my fellow colleagues that we begin our inquiry by adopting one principle: Government certainly has a role in health care—and that role should be limited to providing a framework to stimulate, not replace, efficient private sector solutions.

We must develop a broad program that urges the private sector to reduce the financial woes that result when a catastrophic illness hits a family. We must foster our commitment to ensure the financial viability of the Medicare Program. It is the cornerstone in providing elderly citizens with health care. We must support the States role in formulating health care policy for their low-income citizens through the Medicaid Program.

And we also must provide Americans with an alternative to institutionalization for those who can be cared for in their own homes. We must and can create a cost-effective solution to the escalating costs of catastrophic treatment other than simply having the Government cover all expenses. I, for one, would like to explore options that minimizes costs instead of focusing just on how to spend more money.

I urge every Member of Congress to join the debate and review this legislation and all other proposals concerning catastrophic health care. We should be mindful that the private sector and the Government must join in a partnership. While the problems of catastrophic health care are complex, we must build a strong bipartisan coalition to craft a workable solution that continues our families and our neighbors' access to the most advanced, beneficial health care system in the world found in America.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on March 9, 1987, during the adjournment of the Senate, received a message from the President of the United States transmitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on March 9, 1987, are printed at the end of the Senate proceedings.)

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on March 10, 1987, during the adjournment of the Senate, received a message from the President of the United States submitting a nomination, which was referred to the Committee on Small Business.

(The nomination received today, March 10, 1987, during adjournment, is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:23 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 65. Joint resolution to designate the week of April 5, 1987, through April 11, 1987, as "National Know Your Cholesterol Week".

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 558. An act to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children.

The message also announced that the House has agreed to the following resolution:

H. Res. 115. A resolution relative to the death of the Honorable EDWARD ZORINSKY, a Senator from the State of Nebraska.

MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 558. An act to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on March 6, 1987, he had presented to the President of the United States the following enrolled bill and joint resolution:

S. 83. An act to amend the Energy Policy and Conservation Act with respect to energy conservation standards for appliances; and

S.J. Res. 20. Joint resolution to designate the month of March 1987, as "Women's History Month".

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-631. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for two years; to the Committee on Agriculture, Nutrition, and Forestry.

EC-632. A communication from the Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a listing of contract award dates for the period March 1 to April 30, 1987; to the Committee on Armed Services.

EC-633. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, the annual report on the Panama Canal Treaties of 1977 for fiscal year 1986; to the Committee on Armed Services.

EC-634. A communication from the Principal Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of the public works functions at the Naval Station, Roosevelt Island, Puerto Rico, to performance by contract; to the Committee on Armed Services.

EC-635. A communication from the Executive Director of the Neighborhood Investment Corporation, transmitting a draft of proposed legislation to extend the authorization of appropriations for the Neighborhood Reinvestment Corporation.

EC-636. A communication from the Administrator of Veterans' Affairs, transmitting, pursuant to law, a report on the technology transfer functions of the Veterans'

Administration; to the Committee on Commerce, Science, and Transportation.

EC-637. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act to authorize appropriations for fiscal years 1988 and 1989, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-638. A communication from the Secretary of Commerce, transmitting a draft of proposed legislation to amend title II of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, to authorize appropriations for fiscal years 1988 and 1989; to the Committee on Commerce, Science, and Transportation.

EC-639. A communication from the Secretary of Transportation, transmitting, pursuant to law, the lease of the Metropolitan Washington Airports to the Metropolitan Washington Airports Authority; to the Committee on Commerce, Science, and Transporation.

EC-640. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974; to the Committee on Commerce, Science, and Transportation.

EC-641. A communication from the Commandant of the United States Coast Guard, transmitting, pursuant to law, a list of activities under consideration for performance by contract; to the Committee on Commerce, Science, and Transportation.

EC-642. A communication from the Secretary of Energy, transmitting, pursuant to law, notice of a delay in the submission of a report on domestic crude oil production and petroleum refining capacity and the effects of imports thereon; to the Committee on Energy and Natural Resources.

EC-643. A communication from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Land and Water Conservation Fund Act of 1965, as amended, to permit the use of park entrance, admission, and recreation use fees for the operation of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

EC-644. A communication from the Acting Assistant Secretary of the Interior (Water and Science), transmitting, pursuant to law, notice of a deferment of a loan payment due from the West Bend Irrigation District, Dillon, Montana, under the Small Reclamation Projects Act; to the Committee on Energy and Natural Resources.

EC-645. A communication from the Assistant Secretary of Energy (Conservation and Renewable Energy), transmitting, pursuant to law, a report on expected delays in the submission of annual revisions to the Comprehensive Program Management Plans for the Wind and Ocean Energy Programs; to the Committee on Energy and Natural Resources.

EC-646. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain excess royalty payments; to the Committee on Energy and Natural Resources.

EC-647. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain excess royalty payments; to the Committee on Energy and Natural Resources.

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EC-649. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain excess royalty payments; to the Committee on Energy and Natural Resources.

EC-650. A communication from the Administrator of General Services, transmitting, pursuant to law, a report of Building Project Survey for Stamford, Connecticut; to the Committee on Environment and Public Works.

EC-651. A communication from the Interagency Task Force of the National Acid Precipitation Program, transmitting, pursuant to law, the annual report of the Program for 1985; to the Committee on Environment and Public Works.

EC-652. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to authorize appropriations for environmental research, development, and demonstration for fiscal years 1988 and 1989; to the Committee on Environment and Public Works.

EC-653. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend the Toxic Substances Control Act, as amended, for two years; to the Committee on Environment and Public Works.

EC-654. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend Title I of the Marine Protection, Research, and Sanctuaries Act, as amended, for two years; to the Committee on Environment and Public Works.

EC-655. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to extend the Solid Waste Disposal Act; to the Committee on Environment and Public Works.

EC-656. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to amend and extend the Clean Air Act, as amended, for two years; to the Committee on Environment and Public Works.

EC-657. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation to provide for the deposit and retention of certain fees and charges collected by the U.S. Environmental Protection Agency; to the Committee on Environment and Public Works.

EC-658. A communication from the United States Trade Representative, transmitting a draft of proposed legislation to provide authorization for the Office of the United States Trade Representative for fiscal years 1988 and 1989; to the Committee on Finance.

EC-659. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the sixty day period prior to February 25, 1987; to the Committee on Foreign Relations.

EC-660. A communication from the Secretary of Agriculture, transmitting, pursuant to law, notice of the revision of five systems of records, deletion of a system, and a new system of records under the Privacy Act; to the Committee on Governmental Affairs.

EC-661. A communication from the Secretary of the Railroad Retirement Board, transmitting, pursuant to law, the annual report of the Board under the Government in the Sunshine Act for calendar year 1986; to the Committee on Governmental Affairs.

EC-662. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, the annual report on competition advocacy for calendar year 1986; to the Committee on Governmental Affairs.

EC-663. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, the annual report on the number of appeals submitted, the number processed to completion, and the number not completed by the originally announced date for fiscal year 1986; to the Committee on Governmental Affairs.

EC-664. A communication from the Managing Director of the Interstate Commerce Commission, transmitting, pursuant to law, the annual report on competition advocacy for calendar year 1986; to the Committee on Governmental Affairs.

EC-665. A communication from the Vice President of the Chesapeake and Potomac Telephone Company, transmitting, pursuant to law, a statement of receipts and expenditures of the Company for calendar year 1986; to the Committee on Governmental Affairs.

EC-666. A communication from the Deputy Director of the Central Intelligence Agency (Administration), transmitting, pursuant to law, a report on an amendment to a Privacy Act system of records; to the Committee on Governmental Affairs.

EC-667. A communication from the Freedom of Information/Privacy Officer of the Interstate Commerce Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-668. A communication from the Acting Administrator of the Panama Canal Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-669. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-670. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-671. A communication from the Chairman of the Federal Labor Relations Authority, transmitting, pursuant to law, the annual report of the Authority under the

Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-672. A communication from the Chief Justice of the United States, transmitting, pursuant to law, various amendments to the Federal Rules of Evidence adopted by the Supreme Court; to the Committee on the Judiciary.

EC-673. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-674. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the annual report of the Corporation under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-675. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the annual report of the Board under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-676. A communication from the Secretary of Labor, transmitting, pursuant to law, the annual report of the Department under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-677. A communication from the Assistant Vice President of the National Railroad Passenger Corporation (Government and Public Affairs), transmitting, pursuant to law, the annual report of the Corporation under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-678. A communication from the Special Counsel of the Merit Systems Protection Board, transmitting, pursuant to law, the annual report of the Office of Special Counsel under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-679. A communication from the Executive Director of the National Mediation Board, transmitting, pursuant to law, the annual report of the Board under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-680. A communication from the Attorney General, transmitting, pursuant to law, recommendations of the Coordinating Council on Juvenile Justice and Delinquency Prevention; to the Committee on the Judiciary.

EC-681. A communication from the Marshal of the United States Supreme Court, transmitting, pursuant to law, a report on the cost of the protective function provided by the Supreme Court Police to Justices, official guests, and employees of the Supreme Court; to the Committee on the Judiciary.

EC-682. A communication from the Secretary to the Railroad Retirement Board, transmitting, pursuant to law, the annual report of the Board under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-683. A communication from the General Counsel, Office of Administration, Executive Office of the President, transmitting, pursuant to law, the annual report of the Office of Administration under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-684. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, the annual report of the Department under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-685. A communication from the Director of the Office of Legislative and Public Affairs, National Science Foundation, transmitting, pursuant to law, the annual report of the Foundation under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-686. A communication from the Deputy Federal Inspector of the Alaska Natural Gas Transportation System, transmitting, pursuant to law, the annual report of the System under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-687. A communication from the Assistant Secretary of the Treasury (Management), transmitting, pursuant to law, the annual report of the Department under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-688. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the annual report of NASA under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-689. A communication from the Acting Director of the Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the annual report of the Committee under the Feedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-690. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-691. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report of the Department under the Freedom of Information Act of calendar year 1986; to the Committee on the Judiciary.

EC-692. A communication from the Chief Immigration Judge, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, a report on the suspension of deportation of certain aliens under section 244(a)(1) and 244(a)(2) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-693. A communication from the Assistant Secretary of Defense (Public Affairs), transmitting, pursuant to law, the annual report of the Department under the Freedom of Information Act for calendar year 1986; to the Committee on the Judiciary.

EC-694. A communication from the Secretary of Labor, transmitting, pursuant to law, the annual report on the administration of the Employee Retirement Income Security Act for 1985; to the Committee on Labor and Human Rescources.

EC-695. A communication from the Secretary of Education, transmitting a draft of proposed legislation to terminate the perpetual trust fund for the American Printing House for the Blind, and for other purposes; to the Committee on Labor and Human Resources.

EC-696. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for Postsecondary Education Programs for Handicapped Persons; to the Committee on Labor and Human Resources.

EC-697. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations for Secondary Education and Transitional Services for Handicapped Youth Program; to the Committee on Labor and Human Resources.

EC-698. A communication from the Executive Secretary to the Secretary of Defense, transmitting, pursuant to law, the annual report on Department of Defense procurement from small and other business firms for fiscal year 1986; to the Committee on Small Business.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-40. A joint resolution adopted by the Legislature of the State of California; to the Committee on Appropriations.

"ASSEMBLY JOINT RESOLUTION NO. 2

"Whereas, The Africanized bee quickly supplanted European stock, expanding their range 200 to 300 miles a year from the original epicenter in Brazil (1957), and have now reached Guatemala and are soon to cross over into Mexico if this has not already occurred; and

"Whereas, Leading scientific experts have indicated that, if the Africanized bee continues to advance as predicted, it will be in the United States by 1990; and

"Whereas, Studies in Venezuela, Colombia, and Central America found that the bee has retained virtually all of its African characteristics as it has spread; and

"Whereas, The Africanized bee has the potential to have a devastating impact on California's agricultural industry and to threaten public health and safety; and

"Whereas, Africanized bees are a potentially serious threat to the pollination of many agricultural crops in California because their colonies are not manageable as commercial pollination units under California conditions, with the vast acreages of crops interspersed with roads, livestock, and people, and especially with the need to frequently transport hives from area to area; and

"Whereas, In California, more than 600,000 commercially managed beehives pollinate approximately 40 crops, valued at $4 billion annually; and

"Whereas, California ranks high in the nation in honey production; and

"Whereas, Assuming pure European stock can still be produced in California after Africanized bees become established, research has shown that the European bees may be unable to compete with a potentially high density of wild Africanized bees foraging on the limited pollen and nectar sources; and

"Whereas, Africanized bees could have a serious effect on the commercial beekeeping industry for queen and package bee production as well as honey production; and

"Whereas, A substantial number of cases have been reported in which animals and people have been severely or fatally stung because of the abundance and special behavioral characteristics of the Africanized bee; and

"Whereas, The public could encounter Africanized bees in the form of wild colonies and swarms in urban and suburban areas as well as rural areas where increased incidences of stinging could occur; and

"Whereas, Public awareness programs, as well as continuous permanent programs to control wild colonies of Africanized bees would need to be established by public agencies at a great expense to the taxpayer; and

"Whereas, To date, the Africanized bee has not been eradicated from any area in which it has become established; and

"Whereas, The United States Department of Agriculture's Agriculture Research Service and Animal and Plant Health Inspection Service have developed the Africanized Bee Barrier Proposal not as the ultimate solution, but as a way to provide our scientists with the time needed for research to be completed to provide a long-term genetic solution; and

"Whereas, Recent sightings indicate that the Africanized bee has migrated up to the barrier point proposed by the United States Department of Agriculture which may make any delay in implementing the barrier proposal more hazardous; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to give their full support to the speedy implementation of the United States Department of Agriculture's Africanized Bee Barrier Proposal by appropriating the funds necessary from the department's current 1986-87 budget; and be it further

"*Resolved,* That the Legislature respectfully memorializes the legislatures of the States of Alabama, Arizona, Florida, Illinois, Kansas, Louisiana, North Carolina, Ohio, South Carolina, and Texas to act expeditiously in memorializing the President and the Congress of the United States to give their full support to the speedy implementation of the United States Department of Agriculture's Africanized Bee Barrier Proposal; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the respective leaders of the legislatures of the States of Alabama, Arizona, Florida, Illinois, Kansas, Louisiana, North Carolina, Ohio, South Carolina, and Texas."

POM-41. A resolution adopted by the Senate of the State of Alaska; to the Committee on Banking, Housing, and Urban Affairs:

"SENATE RESOLVE NO. 4

"*Be it resolved by the Senate:*

"Whereas the U.S. Congress, in December 1985, extended the Export Administration Act, which prohibits the export of Alaska North Slope oil; and

"Whereas an amendment proposed by Senator Murkowski to the extension required a federal interagency task force to reexamine the economic implications of the ban; and

"Whereas the task force report strongly demonstrated that

"(1) the circumstances that led to the original enactment of the ban in 1973—oil scarcity, high prices, and overdependence on foreign oil sources—no longer existed in 1986;

"(2) continuation of the ban in the absence of these circumstances depresses prices and revenue for Alaska and West Coast oil, and threatens existing and future supply and production of oil in the state, on the West Coast, and in Canada; and

"(3) under these circumstances neither the affected states', the federal government's, nor the nation's future economic and international security is served by continuing the ban; and

"Whereas in addition to the federal task force analysis, a recent private economic analysis of the oil export ban is strongly critical of the ban, terming it "North America's greatest remaining anomaly," and concludes that continuation of the ban at current depressed oil prices exposes serious "economic wastes and inefficiencies" that are becoming increasingly "intolerable" to the nation; and

"Whereas this private analysis projects that world oil prices will remain depressed at least into the 1990's and concludes that lifting the ban will result in significant and widespread economic benefits for the state, the nation, and international trade generally; and

"Whereas both the federal and private analyses concur that lifting the ban will increase the wellhead prices of West Coast and Alaska oil and generate large amounts of new revenue to the state, the federal government, and the producers of the state's West Coast oil; and

"Whereas the private analysis describes how lifting the ban will extend the production life of Alaska's existing oil wells, and encourage new development and exploration; and

"Whereas these effects will tend to stabilize the supply of crude oil and help avert a future oil crisis; and

"Whereas lifting the ban will enable the State of Alaska, the U.S. government and the Alaska petroleum industry to obtain fair market value for a finite resource that will begin to decline in production in 1987; and

"Whereas additional economic projections indicate that the greatest potential for United States economic growth through the end of this century lies in increasing its exports to Pacific Rim nations; and

"Whereas lifing the ban would reduce the nation's largest international trade deficit, which is with Pacific Rim nations, and would enable the state to become a more effective U.S. member of the Pacific Rim, economic community: Be it

"***Resolved,* That the Senate respectfully requests the United States Congress to lift the ban on the export of Alaska oil."**

POM-42. A joint resolution adopted by the Legislature of the Commonwealth of Virginia; to the Committee on Commerce, Science, and Transportation:

"SENATE JOINT RESOLUTION NO. 168

"Whereas, a balanced, safe, and efficient system of airports and aviation services is essential to the commercial vitality and economic development of Virginia; and

"Whereas, prudent management of the Commonwealth's existing aviation resources and sound planning for their future development require the ability not only to forecast needs but also the ability to anticipate the resources likely to be available to meet those needs; and

"Whereas, like her other transportation programs, Virginia's aviation program relies to a significant measure, but not exclusively, on federal financing; and

"Whereas, collectively, the states have sought and supported the development and preservation of a balanced system of airports and other aviation services that can be responsive to the diverse needs of the many geographic regions and economic sectors of the entire country; and

"Whereas, the General Assembly of Virginia believes that it is the mutual responsibility of federal, state, and local governments to continue to support balanced, planned, predictable airport growth and development; and

"Whereas, the primary role of the federal government in this endeavor has been and should remain the establishment and maintenance of uniform standards in the area of airport and aviation operations safety; and

"Whereas, the primary responsibility of the states, in these matters, should remain the promotion and development of airport systems based on plans that are integrated and coordinated with other transportation systems, modes, and plans; and

"Whereas, local governments, too, play a vital role in the evolution of a well-considered national aviation system by identifying local airport and aviation needs and seeking ways of matching these needs with resources available from state, federal, and nongovernmental resources; and

"Whereas, airport development strategies based on a synthesis of local, state, regional, and federal plans and programs, make use of pooled technical expertise and financial and other resources; and

"Whereas, through close cooperation of local, state, and federal governments, a clearly defined National Plan of Integrated Airport Systems (NPIAS) has to be produced, based primarily on approved state, regional and metropolitan airport systems plans, updated continuously as new information becomes available; and

"Whereas, there needs to be a continuing federal airport planning and development program to help finance that portion of the airport and airway system which has been identified in the NPIAS as being of national importance; and

"Whereas, implementation of the NPIAS is most appropriately financed by aviation system user taxes and by federal fund appropriations in consideration of the benefits derived by the general public from the total air transportation system; and

"Whereas, as long as the need for further airport and aviation service improvements can be demonstrated, federal legislative authorization for the Airport Improvement Program needs to be renewed, and appropriations to the Aviation Trust Fund urgently need to be maintained at annual levels which will permit disbursement of at least the minimum amounts required for continued full funding of airport improvements; and

"Whereas, the current federal airport development enabling statute, the Airport Improvement Program, will expire on September 30, 1987, and with its expiration, the vast bulk of federal aviation funds will vanish: Now, therefore, be it

"*Resolved by the Senate of Virginia, the House of Delegates concurring,* That the Congress of the United States is hereby memorialized to continue the Airport Improvement Program scheduled to expire on September 30, 1987; and, be it

"*Resolved further,* That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the Senate of the United States, and the mem-

bers of the Virginia delegation to the United States Congress, that they may be apprised of the sense of the General Assembly in this matter."

POM-42. A joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works:

ASSEMBLY JOINT RESOLUTION No. 13

"Whereas, The 55 mile-per-hour (mph) speed limit was originally enacted by Congress as a temporary fuel conservation measure; and

"Whereas, States are subject to sanctions in the form of withholding of highway funds when measured compliance by motorists with the 55 mph speed limit falls below 50 percent; and

"Whereas, The United States Department of Transportation recently withheld $510,000 in federal highway funds from Arizona because more than 50 percent of the motorists exceeded the 55 mph speed limit; and

"Whereas, California could face a loss of over $30 million annually in federal highway funds paid by Californians into the federal treasury if sanctions are imposed; and

"Whereas, Despite active enforcement of the 55 mph speed limit by the California Highway Patrol and the resulting issuance of approximately 1,000,000 citations annually, motorists continue to exceed the speed limit in record numbers; and

"Whereas, Allowable speeds on controlled-access freeways in rural areas could be increased to 65 mph, while urban freeways and two-lane highways could retain the 55 mph speed limit; and

"Whereas, Large trucks, autos with trailers, and other combination vehicles should continue to be limited to a maximum speed of 55 mph as was the case in California prior to the reduction of auto speed limits in 1974; and

"Whereas, Overall safety benefits to the motoring public may well be enhanced if some law enforcement resources are redeployed from rural freeway speed enforcement to other highway safety priorities, including the apprehension of drunk drivers; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and the Congress of the United States to enact legislation to allow the states the option of increasing the maximum speed limit on rural, controlled-access freeways to 65 mph; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairman of the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Transportation."

POM-44. A joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Environment and Public Works:

"HOUSE JOINT MEMORIAL No. 1

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas, the 1982 Surface Transportation Assistance Act established record funding levels in recognition of the Nation's highway and transit needs; and

"Whereas, failure of the recent 99th Congress to pass highway/transit legislation to continue the momentum of the 1982 act is creating very serious adverse effects at the local, state and national levels; and

"Whereas, further protracted delay in funding for the Federal-Aid Highway Program could result in the loss of an entire calendar construction year, with attendant safety, traffic, unemployment and other social and economic problems; and

"Whereas, it is extremely inappropriate that the American people are denied an effective Federal-Aid Highway Program even as highway user funds accrue to the Highway Trust Fund at the rate of one billion dollars per month: Now, therefore, be it

"Resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, That the Idaho Legislature petition the 100th Congress to quickly pass a five-year reauthorization highway bill: Be it further

"Resolved, That the user fees accruing to the Highway Trust Fund be extended and current highway programs be continued at least at present levels of funding under existing formulas as nearly as possible: Be it further

"Resolved, That the Secretary of Transportation be authorized to approve the participation of federal aid in any normally eligible project costs incurred by the states from October 1, 1986 until reauthorization of work normally funded under Title 23, U.S. Code: Be it further

"Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to President Ronald Reagan, Secretary of Transportation Elizabeth Hanford Dole, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States."

POM-45. A joint resolution adopted by the Legislature of the State of Alaska; to the Committee on Environment and Public Works:

"LEGISLATIVE RESOLVE No. 1

"Be it resolved by the Legislature of the State of Alaska:

"Whereas the 99th Congress adjourned without reauthorizing the Surface Transportation Assistance Act; and

"Whereas the failure to reauthorize the Surface Transportation Assistance Act results in suspension of funding for federal-aid highway construction, rehabilitation, and safety projects throughout the nation; and

"Whereas over $150,000,000 in new highway planning, engineering, and construction projects are planned in Alaska for 1987 and these projects are necessary to improve the highway transportation system to foster future economic development and to prevent hardship to those employed in the transportation construction industry and related fields; and

"Whereas the construction season in Alaska is limited to seven months a year and further delays in reauthorization of the Surface Transportation Assistance Act prevent construction of needed projects during 1987; and

"Whereas Alaska, because of its size and unique environment, is dependent upon federal-aid highway funds for the development of a viable transportation system; and

"Whereas the present formulas for allocation of federal-aid highway funds take into consideration the vast area of Alaska that must be served by highway transportation and equitably distribute the available funds among the states; and

"Whereas Alaska is experiencing a severe economic recession and high unemployment and further delays in the highway construction program for 1987 will aggravate the present economic situation. Be it

Resolved, That the Alaska State Legislature respectfully requests the Congress to expeditiously enact legislation reauthorizing the Surface Transportation Assistance Act and to maintain the present formulas for allocation of federal-aid highway funds among the states."

POM-46. A resolution adopted by the City Council of Boyton Beach, Florida relative to elimination of disparity in certain social security benefits; to the Committee on Finance.

POM-47. A resolution adopted by the Council of the Borough of South River, New Jersey relative to a method for financing aid for catastrophic illness treatment; to the Committee on Finance.

POM-48. A resolution adopted by the Commission of the City of Miami, Florida relative to the procurement of goods and services for companies doing business in South Africa; to the Committee on Foreign Relations.

POM-49. A resolution adopted by the Commission of the City of Miami, Florida, favoring legislation to establish a national center to provide and coordinate information on organ transplant patients and availability of donor organs; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations, without amendment:

S. Res. 98. Resolution expressing the sense of the Senate that the Government of the Soviet Union should allow Igor V. Ogurtsov to be released from exile and allowed to emigrate to the West without renouncing his views, and for other purposes.

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

S.J. Res. 80. Original joint resolution designating April 3, 1987, as "Interstate Commerce Commission Day."

By Mr. PELL, from the Committee on Foreign Relations, with amendment:

S. Con. Res 24. Concurrent resolution supporting the initiative Central American heads of state, meeting in San Jose, Costa Rica, in formulating a regional proposal for bringing about an end to the armed conflict in Central America, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of March 6, 1987, the following executive reports of commit-

tees were submitted on March 9, 1987, during the adjournment of the Senate:

By Mr. PELL, from the Committee on Foreign Relations:

Arnold Lewis Raphel, of New Jersey, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States to the Islamic Republic of Pakistan (with additional views) (Exec. Rept. No. 100-2).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation:

The following officers of the U.S. Coast Guard for promotion to the grade of rear admiral (lower half):

Capt. Paul A. Welling, USCG.

Capt. Walter T. Leland, USCG.

Capt. Robert E. Kramek, USCG.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. HOLLINGS. Mr. President, for the Committee on Commerce, Science, and Transportation, I also report favorably sundry nomination lists in the Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, ask that these nominations lie at the Secretary's desk for the information of Senators.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD of January 12 and January 16, 1987, at the end of the Senate proceedings.)

By Mr. PELL, from the Committee on Foreign Relations:

Everett E. Bierman, of Virginia, now Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea and to Solomons Islands, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Joseph Carlton Petrone, of Iowa, to be the Representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Joseph Carlton Petrone.

Post U.S. Representative to European Office of the U.N. in Geneva.

Contributions, amount, date, and donee:

1. Self and spouse: 1986 (1 Jan.-26 Aug.):

Joseph Carlton Petrone, self: $50, 31 Jan., Lukens Campaign Committee; $15, 16 Feb., Black PAC; $50, 16 Feb., National Congressional Club; $25, 16 Feb., D'Amato for Senate; $25, 16 Feb., Friends of Jim Abdnor; $25, 16 Feb., Steve Syms for Senate Committee; $25, 25 Mar., Republican Presidential Task Force; $25, 27 Mar., 1986 GOP Victory Fund; $25, 27 Mar., Republican National Committee; $25, 27 Mar., Fred Grandy for Congress Committee; $75, 7 May, Fred Gandy for Congress Committee; $50, 7 May, Lockard for Congress; $250, 5 Jul., Lockard for Congress; $250, 7 May, The Humphrey Team; $250, 10 May, John McIntee for Congress; $30, 30 May, John McIntee for Congress; $100, 10 Jun., Hensen Moore Election Committee; $100, 8 Apr., Congressional Majority Committee; $200, 1 Mar., People for Congressman Lightfoot; $250, 27 Jun., People for Congressman Lightfoot; $50, 6 May, People for Congressman Lightfoot; $15, 4 Mar., Citizens for Reagan; $15, 20 Jul., Citizens for Reagan; $200, 5 Mar., Conservative Leadership PAC; $100, 2 Jul., Friends of Siljander; $5,000, 1 Jan., Citizens for the Republic; $100, 14 Apr., Kindness for Senate; $900, 4 May, Kindness for Senate; $1,000, 1 Mar., State Republican Party (Iowa); $1,000, 3 May, Fund for America's Future; $2,000, 27 Jun., Iowa Committee; $1,000, 2 Jul., Majority Leader's Joint Trust.

Spouse: $100, 28 Jul., Denton for Senate; $50, 24 Mar., National Federation of Republican Women; $25, 27 Mar., Republican National Committee.

1985:

Joseph Carlton Petrone, self: $75, 19 Jun., The Ronald Reagan Trust (RNC); $15, 11 Feb., College Republican National Committee; $15, 1 Sep., College Republican National Committee; $15, 11 Feb., Republican National Committee; $25, 11 Feb., GOP Victory Fund; $15, 11 Feb., GOPAC; $50, 22 Jul., 1985 GOP Victory Fund; $25, 29 Apr., Young Republican National Federation; $15, 11 Feb., Fund for a Conservative Majority; $15, 22 Jul., Fund for a Conservative Majority; $25, 28 Apr., Fund for a Conservative Majority; $101, 11 Feb., National Conservative PAC; $25, 29 Apr., National Conservative PAC; $25, 27 Apr., Mid-America Conservative PAC; $50, 28 Apr., Jesse Helms Senatorial Club; $50, 1 Sep., Jesse Helms Senatorial Club; $25, 28 Apr., East for Senate Committee; $100, 22 Aug., American Citizens for Political Action; $15, 1 Sep., Crane for Congress Committee; $15, 1 Sep., Symms for Senator Committee; $15, 1 Sep., Conservative Victory Fund; $25, 11 Sep., National Congressional Club; $25, 29 Apr., National Congressional Club; $25, 1 Sep., Henson Moore Election Committee; $25, 12 Oct., Kemp Salute Dinner; $50, 25 Dec., Draft Sellers for Congress Committee; $120, 11 Feb., Republican Presidential Task Force; $15, 25 Dec., Citizens for Reagan; $15, 3 Mar., Citizens for Reagan; $15, 2 Jul., Citizens for Reagan; $15, 16 Jun., Citizens for Reagan; $15, 12 Dec., Citizens for Reagan; $1,000, 13 Jan., Republican Party of Iowa; $750, 28 Sep., Grassley '86 Club; 1,000, 28 Feb., Jeremiah Denton for Senate Committee; $1,000, 14 Oct., Majority '86; $1,000, 14 Oct., Governor Branstad Committee; $10,000, 26 Oct., Republican National Committee; $1,000, 22 Oct., Kasten for Senate; $1,000, 16 Nov., Governor Branstad Committee.

Spouse: $2,000, 13 Feb., Senatorial Inner Circle; $500, 25 Nov., Grassley '86 Committee; $5,000, 18 Dec., Citizens for the Republic; $25, 18 Jun., The Ronald Reagan Trust (RNC); $25, 13 May, Republican National Committee; $10, 27 Apr., Republican National Committee; $50, 27 Apr., 1985 GOP Victory Fund; $35, 3 Jan., National Federation of Republican Women; $25, 11 Feb., National Federation of Republican Women; $25, 13 May, Committee to Re-Elect Duncan Hunter; $25, 3 Sep., National Congressional Club; $50, 3 Sep., Helms Campaign Debt; $150, 4 Nov., Governor Branstad Committee; $150, 28 Feb., Jeremiah Denton Committee.

1984:

Joseph Carlton Petrone, self: $750, 24 Feb., Reagan/Bush 84; $25, 8 Mar., Fund for a Conservative Majority; $15, 28 May, Fund for a Conservative Majority; $25, 8 Mar., National Conservative PAC; $25, 8 Aug., National Conservative PAC; $25, 8 Mar., Citizens for Reagan; $10, 21 Jun., Citizens for Reagan; $10, 21 Jun., Citizens for Reagan; $25, 8 Mar., Americans for Reagan; $30, 9 Mar., National Federation of GOP Women; $100, 4 Aug., National Federation Of GOP Women; $25, 9 Mar., The National Congressional Club; $25, 10 Mar., Helms for Senate; $25, 31 Oct., Helms for Senate; $25, 9 Aug., Helms for Senate; $25, 10 Mar., Campaign for Prosperity; $25, 10 Mar., Conservative Victory Fund; $40, 10 Mar., Comm. to Re-Elect a Responsible Senator; $15, 13 Mar., College Republican Nat. Committee; $15, 28 May, College Republican Nat. Committee; $25, 13 Mar., Young Republicans; $50, 13 Mar., 1984 Victory Fund; $15, 28 May, Cavnar for US Congress Comm; $15, 12 Jun., GOPAC; $15, 21 Jun., Christians for Reagan; $50, 7 Aug., Cong. Cooper Evans Committee; $250, 10 Mar., Cong. Cooper Evans Committee; $50, 7 Aug., US Conservative PAC; $25, 16 Sep., Grassley Committee; $50, 24 Sep., Peggy Cavnar Campaign Committee; $25, 31 Oct., Peggy Cavnar Campaign Committee; $25, 31 Oct., Edwards in 84 Committee; $15, 10 Mar., Edwards in 84 Committee; $100, 31 Oct., The Humphrey Team; $10, 31 Oct., Voters for Reagan; $25, 31 Oct., Re-Elect Thurmond Committee; $25, 31 Oct., Crane for Congress Committee; $25, 31 Oct., Ray Shamie for US Senate; $25, 31 Oct., Warner '84; $25, 31 Oct., Dornan in 84 Committee; $15, 7 Aug., Dornan in 84 Committee; $25, 31 Oct., Lockard for Congress; $100, 8 Jun., Lockard for Congress; $50, 22 Oct., Lockard for Congress; $100, 22 Oct., People for Lightfoot Committee; $25, 21 Jul., Richard Vander Mey Campaign; $50, 28 Sep., Victory '84 Fund; $100, 19 Oct., Victory '84 Fund; $75, 29 Sep., Victory '84 Fund; $1,000, 7 Jan., Republican Party of Iowa; $2,000, 10 Mar., Republican Senatorial Committee; $10,000, 20 Dec., Republican National Committee; $5,000, 1 Sep., Citizens for the Republic; $1,000, 21 Sep., Jepsen for Senate; $1,500, 10 Oct., Victory '84 Fund; $600, 18 Jun., Larry Campbell (State).

Spouse: $25, 28 May, National Conservative PAC; $2,000, 23 Jun., Republican National Committee (Lunch, Dallas); $1,000, 21 Sep., Jepsen for Senate; $200, 7 May, The Humphrey Team; $100, 8 Jun., Lockard for Congress; $35, 8 Sep., National Federation of Republican Women; $30, 31 Oct., National Federation of Republican Women; $25, 24 Sep., Cooper Evans Committee; $50, 6 Oct., Lockard for Congress; $400, 18 Jan., Larry Campbell (State).

Joseph Carlton Petrone (self): $25, 14 Feb., Americans for Constitutional Action; $25, 14 Feb., The National Congressional Club; $50, 14 Feb., National Conservative PAC; $50, 13 Jun., National Conservative PAC; $15, 20 Jul., National Conservative PAC; $25, 14 Feb., Citizens for Reagan; $10, 20 Jul., Citizens for Reagan; $15, 14 Feb., Campaign for Congress; $25, 14 Feb., Americans for the Reagan Agenda; $25, 13 Jun., Americans for the Reagan Agenda; $10, 10 Sep., Americans for the Reagan Agenda; $15, 14 Feb., College Republican National Fund; $1,000, 17 Feb., Republican Party of Iowa; $1,000, 22 Jan., Republican

Senatorial Inner Circle; $1,000, 22 Mar., Republican Senatorial Inner Circle; $100, 27 Jun., Mid America Conservative PAC; $100, 27 May National Republican Congressional Committee $50, 14 Jun., GOP Victory Fund; $25, 14 Jun., Republican Senatorial Committee (National); $50, 27 May 1984 Presidential Trust; $50, 14 Jun., 1984 Presidential Trust; $15, 13 Jun., GOPAC; $15, 13 Jun., Republican Majority Fund; $15, 13 Jun., College Republican National Committee; $50, 13 Jun., Young Republican National Federation; $25, 11 Oct., Reagan 84 Campaign; $10, 10 Sep., Reagan 84 Campaign; $15, 11 Oct., Dornan for Senate Committee; $15, 11 Oct., Crane for Congress; $25, 11 Oct., Re-Elect Thurmond Committee; $25, 11 Oct., Helms for Senate; $25, 22 Oct., Citizens for Reagan; $100, 28 Jul., Cooper Evans Campaign; $10, 16 Aug., Committee to Re-Elect a Responsible Senator $50, 14 Jun., National GOP Senatorial Committee; $250, 19 Oct., Reagan/Bush 84; $25, 24 Dec., GOP Victory Plan; $15, 24 Dec., Friends of Bob Dornan; $5,000, 20 Dec., Citizens for the Republic (Federal); $250, 27 Apr., Citizens for the Republic (State); $350, 14 Feb., Citizens for the Republic (State); $10,000, 20 Dec., Republican National Committee; $50, 27 May Republican National Committee; $50, 14 Jun., Republican National Committee.

Spouse: $15, 26 Jun., Campaign for Congress; $33, 20 Jul., National Republican Senatorial Committee; $50, 24 Sep., Republican Majority Fund Candidate; $10, 6 Sep., Citizens for Reagan; $10, 20 Jul., Citizens for Reagan; $15, 24 Jun. Christians to Re-Elect President Reagan; $100, 20 Jul., Campaign for Prosperity; $100, 20 Jul., Larry Brady for US Senate; $25, 29 Mar., National Federation of Republican Women; $250, 19 Oct. Reagan/Bush 84; $500, 15 Oct. Grassley Dinner Committee; $750, 23 Feb., Reagan/Bush 84; $10, 24 Dec., National Federation of Republican Women.

1982:

Joseph Carlton Petrone, self: $25, 22 Jan., National Conservative Political Action Committee; $50, 20 Aug., Bremer Campaign; $15, 8 May Mid-America Conservative PAC; $25, 12 Jun., Congressman Cooper Evans Committee; $600, 10 Jul., Cooper Evans for Congress; $50, 8 Sep., Cooper Evans for Congress; $100, 16 Dec., Cooper Evans for Congress; $25, 22 Jul., National Republican Congressional Committee; $100, 8 Sep., National Republican Congressional Committee; $65 22 Jul., Republican National Committee; $50, 22 Jul., National Republican Senatorial Committee; $100, 22 Jul., Citizens for the Republic; $15, 22 Jul., College Republican National Fund; $15, 22 Jul., Young Republican National Federation; $15, 30 Aug., Conservative Victory Fund., $15, 3 Sep., Americans for Constitutional Action; $2,000, 16 Apr., Republican Party of Iowa; $1,000, 11 Jan., Lt. Governor Branstad Committee; $150, 7 Jul., Mid-America Conservative PAC.

Spouse: $15, 7 Jun., National Conservative Action Committee; $100, 20 Jul., National Conservative Political Action Committee; $15, 22 Mar., Sam Cavnar for U.S. Senate; $10, 22 Mar., Hansen for Congress Committee; $10, 9 Apr, Bell for Senate Committee; $25, 25 Apr., National Congressional Club; $25, 20 Jul., National Congressional Club; $20, 1 May Dornan for U.S. Senate; $50, 1 May Bremer Campaign; $400, 10 Jul., Cooper Evans for Congress; $100, 25 Oct., Cooper Evans for Congress; $15, 7 Jun., Campaigne for Congress; $15, 7 Jun., Fund for a Conservative Majority; $25, 22 Jul., National Federation of Republican Women; $25, 22 Jul., National Republican Congressional Committee; $25, 22 Jul., Republican National Committee; $100, 22 Jul., Danker for Congress; $25, 22 Apr., National Federation of Republican Women; $15, 14 Dec., National Federation of Republican Women; $1,000, 16 Apr., Republican Party of Iowa.

2. Children and spouses names: No children.

3. Parents names: Joseph G. Petrone (deceased 1964); Ada E. Petrone (deceased 1976).

4. Grandparents names: George Washington Young (deceased c. 1897) Rocco Petrone (d./c1900); Anna Young (deceased 1953) Theresa Petrone (dec'd circa 1943).

5. Brothers and spouses names: One brother; no spouse; William R. Petrone (no contributions during this period).

6. Sisters and spouses names: No sisters.

Arthur G. Linkletter, of California, for the rank of Ambassador during the tenure of his service as Commissioner General of the United States Exhibition for the International Exposition, Brisbane, Australia, 1988.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Arthur G. Linkletter.

Post: Ambassador to Australia.

Contributions, amount, date, and donee.

1. Self: Arthur G. Linkletter, $100, 1980, Goldwater-Linkletter.

2. Spouse: Lois F. Linkletter, $2,000, 1984, Reagan campaign.

3. Children and spouses names: Sharon and Gordon Melcher, none; Jack and Barbara Linkletter, none; Dawn and Michael Anderson, none.

4. Parents names: deceased.

5. Grandparents names: deceased.

6. Brothers and spouses names: none.

7. Sisters and spouses names: none.

Jack F. Matlock, Jr., of Florida, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Jack F. Matlock.

Post: Ambassador to U.S.S.R.

Contributions, amount, date, and donee.

1. Self: none.

2. Spouse: none.

3. Children and spouses names: James, David, and Joseph Matlock, Nell and Hu Benton, none; Hugh Matlock—$10 May 27, 1984, Harris Miller (VA.) none

4. Parents names: Mother—Nellie Matlock Burrum; Father—Jack F. Matlock, Sr.—deceased.

5. Grandparents names: Samuel B. and Elizabeth Matlock—deceased; James E. and Margaret McSwain—deceased.

6. Brothers and spouses names: Brother—Frank E. M. Matlock, none.

7. Sisters and spouses names: none.

Alton G. Keel, Jr., of Virginia, to be the United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Alton G. Keel, Jr.

Post: U.S. Representative to North Atlantic Treaty Organization.

Nominated: (Announced by The President on December 18, 1986).

Contributions, amount, date, and donee:

1. Self: Alton G. Keel, Jr., $50, November 1985, Fred Upton Congressional Campaign; part-time volunteer, 1980, Reagan Presidential Campaign; $1/yr., 1976-85, Designation on tax form for Presidential Campaign.

2. Spouse: Franmarie Kennedy-Keel, $1/yr., 1979-85, Designation on tax form for Presidential Campaign.

3. Children and spouses: name: Kristen Ann Keel (no spouse), none.

4. Parents: Alton Gold Keel (Father-deceased), none; Ella Clair Kennedy (Mother-deceased), none.

5. Grandparents names: Willie Lee Keel (Grandfather-deceased), none; Mrs. Carrie Phillips Keel (Grandmother), none; Alfred Kennedy (Grandfather-deceased), none; Ora Mae Whichard Kennedy (Grandmother-deceased), none.

6. Brothers and spouses names: Brother: John Edward Keel; spouse: Karen Kennedy Keel, none.

7. Sisters and spouses names: Sister: Peggy Jean (Keel) Oliver, spouse: James Oliver, none; Sister: Rebecca Ann (Keel) Woolard, spouse: Franklin Woolard, none.

Joseph Lane Kirkland, of the District of Columbia, to be a Member of the Board for International Broadcasting for a term expiring April 28, 1987;

Robert E. Lamb, of Virginia, to be Assistant Secretary of State for Diplomatic Security; and

The following-named Career Member of the Senior Foreign Service, Class of Career Minister, for the personal rank of Career Ambassador in recognition of especially distinguished service over a sustained period:

Deane Roesch Hinton, of Illinois.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. PELL. Mr. President, for the Committee on Foreign Relations, I also report favorably sundry nomination lists in the Foreign Service which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, ask that these nominations lie on the Secretary's desk for the information of Senators.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD of January 21 and February 3, 1987, at the end of the Senate proceedings.)

By Mr. NUNN, from the Committee on Armed Services:

Robert B. Costello, of Michigan, to be an Assistant Secretary of Defense.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to

appear and testify before any duly constituted committee of the Senate.)

Mr. NUNN. Mr. President, from the Committee on Armed Services, I report favorably the attached listing of nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary's desk for the information of any Senator since these names have already appeared in the CONGRESSIONAL RECORD and to save the expense of printing again.

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

*In the Air Force there are 30 appointments to the grade of Major General (list begins with Joseph W. Ashy) (Ref. 13).

*In the Air Force Reserve there are 14 appointments to the grade Major General and below (list begins with John A. Almquist, Jr.) (Ref. 14).

*Lieutenant General *James M. Rockwell*, U.S. Army, to be placed on the retired list in the grade of Lieutenant General and Major General *Robert J. Donahue*, U.S. Army, to be Lieutenant General (Ref. 15).

*Lieutenant General *Colin L. Powell*, U.S. Army, to be reassigned, and Major General *John W. Woodmansee*, U.S. Army, to be Lieutenant General (Ref. 16).

*Vice Admiral *Albert J. Baciocco, Jr.*, U.S. Navy, to be placed on the retired list in the grade of Vice Admiral (Ref. 17).

*Vice Admiral *Robert F. Schoultz*, U.S. Navy, to be placed on the retired list in the grade of Vice Admiral (Ref. 18).

*Major General *Stephen G. Olmstead*, U.S. Marine Corps, to be Lieutenant General (Ref. 20).

**Richard L. Hughes, for appointment as Permanent Professor, U.S. Air Force Academy (Ref. 23).

**In the Air National Guard there are 45 appointments in the Air Force Reserve to the grade of colonel (list begins with Wiley R. Ashley, Jr.) (Ref. 24).

**In the U.S. Air Force there are 23 appointments to the grade of colonel and below (list begins with Douglas W. Marshall) (Ref. 25).

**In the Air Force there are 2 promotions to the grade of colonel and below (list begins with Kenneth A. Bienvenu) (Ref. 26).

**In the Air Force Reserve there are 191 promotions to the grade of colonel (list begins with Daniel F. Alves, Jr.) (Ref. 27).

**In the Air National Guard there are 21 promotions in the Air Force Reserve to the grade of lieutenant colonel (list begins with Major Ramon D. Ardizzone) (Ref. 28).

**In the Air Force there are 3 promotions to the grade of lieutenant colonel and below (list begins with Arthur F. Fowler) (Ref. 29).

**In the Air National Guard there are 35 promotions in the Air Force Reserve to the grade of Lieutenant Colonel (list begins with Major Verne P. Burque) (Ref. 30).

**In the Air Force there are 5 appointments to a grade no higher than lieutenant colonel (list begins with Ralph J. McLain, Jr.) (Ref. 31).

**In the Air Force there are 2,151 promotions to the grade of Lieutenant Colonel (list begins with Howard C. Abner) (Ref. 32).

**In the Army there are 3 promotions to the grade of colonel and below (list begins with Charles G. Cavanaugh) (Ref. 33).

**In the Army there are 3 promotions to the grade of colonel and below (list begins with David T. Baumann) (Ref. 34).

**In the Army National Guard there are 52 promotions in the Army Reserve to the grade of colonel and below (list begins with Joseph P. Beans) (Ref. 35).

**In the Army National Guard there are 97 appointments for promotion in the Army Reserve to the grade of colonel and below (list begins with James M. Burgess) (Ref. 36).

**In the Army Reserve there are 48 appointments to the grade of colonel and below (list begins with Jose Beitia) (Ref. 37).

**In the Army there are 3 promotions to the grade of lieutenant colonel and below (list begins with Dennis C. Bradshaw) (Ref. 38).

**In the Army there are 2 promotions to the grade of Major (list begins with Steven W. Hatcher) (Ref. 39).

**In the Army there are 2 promotions to the grade of major (list begins with Kenneth R. Phillips) (Ref. 40).

**In the Army Reserve there are 1,189 promotions to the grade of colonel and below (list begins with Alan L. Beeler) (Ref. 41).

**In the Marine Corps there are 6 appointments to the grade of second lieutenant (list begins with Brian P. Cyr) (Ref. 42).

**In the Marine Corps there are 2 appointments to the grade of second lieutenant (list begins with Mark E. Tinsley) (Ref. 43).

**Doctor Robert Duane Ballard, U.S. Naval Reserve, to be commander (Ref. 44).

**Lieutenant Commander Joseph F. Satrapa, U.S. Navy (Retired) to be commander (Ref. 45).

**In the Navy there are 41 appointments to the grade of captain and below (list begins with Kenneth R. Schroeder) (Ref. 46).

**In the Navy there are 152 appointments to the grade of ensign (list begins with John M. Adrian) (Ref. 47).

**In the Navy there are 2,280 appointments to the grade of ensign (list begins with Glenn F. Abad) (Ref. 48).

**In the Navy there are 47 appointments to the grade of commander and below (list begins with Paul D. Beckwith) (Ref. 49).

**General *Charles L. Donnelly, Jr.* to be placed on the retired list in the grade of general, U.S. Air Force (ref. 62).

**Vice Admiral *Donald S. Jones*, U.S. Navy, to be placed on the retired list in the grade vice admiral (Ref. 64).

**Rear Admiral *Walter T. Piotti, Jr.*, U.S. Navy, to be vice admiral (Ref. 65).

**In the Air Force Reserve there are 14 appointments to the grade of lieutenant colonel (list begins with Francisco M. Granda) (Ref. 68).

**In the Air Force Reserve there are 29 promotions to the grade of lieutenant colonel (list begins with Craig G. Anderson) (Ref. 69).

**In the Army there are 3 promotions to the grade lieutenant colonel and below (list begins with Michael G. Healey) (Ref. 70).

*Lieutenant General *Thomas D. Ayers*, U.S. Army, to be placed on retired list in the grade of lieutenant general (Ref. 82).

*In the Air Force there are 51 appointments to the grade of brigadier general (list begins with Billy A. Barrett) (Ref. 92).

*Rear Admiral Clyde R. Bell, U.S. Navy, to be Vice Admiral (Ref. 93).

*In the Air Force Reserve there are 19 appointments to the grade major general and below (list begins with Clyde F. Autio) (Ref. 108).

*General *Richard H. Thompson*, to be placed on the retired list in the grade of general and Lieutenant General *Louis C. Wagner, Jr.*, U.S. Army, to be general (Ref. 109).

*Lieutenant General *Lawrence F. Skibbie*, to be placed on the retired list in grade of lieutenant general and Major General *Jerry M. Bunyard*, U.S. Army, to be lieutenant general (Ref. 110).

*Brigadier General *Donald Burdick* for appointment as Reserve Commissioned Officer in the grade of brigadier general, U.S. Army (Ref. 111).

**In the Air Force there are 336 appointments to a grade no higher than major (list begins with Christopher N. Arant) (Ref. 112).

**In the Air Force there are 2,843 promotions to the grade of major (list begins with Darwin W. Abbott) (Ref. 113).

**In the Marine Corps there are 397 appointments to the grade of second lieutenant (list begins with John A. Abitabilo) (Ref. 114).

*Lieutenant General William L. Kirk, U.S. Air Force, to be general (Ref. 125).

**Major General Charles A. Horner, U.S. Air Force, to be lieutenant general (Ref. 126).

**In the Air Force there are 58 appointments to the grade of colonel and below (list begins with Leon P. Bloodworth) (Ref. 127).

**In the Navy there are 6 promotions to the grade of commander and below (list begins with Henry John Wnuk) (Ref. 128).

*In the Army National Guard there are 17 appointments to the grade of brigadier general (list begins with Martin E. Lind, Jr.) (Ref. 131).

**In the Army Reserve there are 1,737 promotions to the grade lieutenant colonel (list begins with Felipe Acevedo) (Ref. 132).

**In the Air Force there are 14 promotions to the grade lieutenant colonel and below (list begins with Robert D. Beland) (Ref. 139).

**In the Air Force, there are 2 promotions to the grade of lieutenant colonel (list begins with Gerald J. Brentnall, Jr.) (Ref. 140).

**In the Air Force Reserve there are 22 promotions to the grade lieutenant colonel (list begins with Robert A. Balslev) (Ref. 141).

**In the Air Force Reserve there are 6 appointments to the grade lieutenant colonel (list begins with Wyeth H. Worley) (Ref. 142).

**In the Air Force there is 1 appointment to the grade of captain (Paula J. Loomis) (Ref. 143).

**In the Navy there are 31 appointments to the grade ensign (list begins with John S. Norton) (Ref. 144).

*General *William J. Livsey*, U.S. Army, to be placed on the retired list in grade of general and lieutenant general *Louis C. Menetrey*, U.S. Army, to be general (Ref. 150).

*Admiral *James B. Busey*, U.S. Navy, to be reassigned (Ref. 151).

*Vice Admiral *Huntington Hardistry*, U.S. Navy, to be Vice Chief of Naval Operations (Ref. 152).

*Rear Admiral *Jerry O. Tuttle*, U.S. Navy, to be Vice Admiral (Ref. 153).

*Major General *Anthony Lukeman*, U.S. Marine Corps, to be lieutenant general (Ref. 154).

*Lieutenant General *Marc C. Reynolds*, U.S. Air Force, to be placed on the retired list in grade of lieutenant general (Ref. 156).

*Major General *Charles McCausland*, U.S. Air Force, to be lieutenant general (Ref. 157).

Total: 12,063.

NOTE

On Friday, March 9, 1987, Mr. EXON addressed the Senate (CONGRESSIONAL RECORD page S 2812) concerning the Rural Electrification Administration and asked to have printed in the RECORD for information purposes only, and not for formal introduction, legislation to allow rural electric and telephone borrowers to prepay and refinance their long-term high-interest loans held by the Federal Financing Bank with private capital at 100 cents on the dollar.

Although it was Mr. EXON's intent to have the text of the proposed legislation printed in the RECORD "for information purposes" only, through clerical inadvertence the proposed legislation was assigned bill number S. 681 and referred to the Committee on Agriculture, Nutrition, and Forestry.

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. KERRY (for himself, Mr. CHAFEE, Mr. SIMON, Mr. HATFIELD, Mr. PROXMIRE, Mr. MATSUNAGA, Mr. KENNEDY, Mr. LEAHY, Mr. CRANSTON, Mr. RIEGLE, Mr. BUMPERS, Mr. DODD, Mr. HARKIN, Mr. BINGAMAN, Mr. METZENBAUM, Mr. BURDICK, Mr. MITCHELL, Mr. STAFFORD, and Mr. JOHNSTON):

S. 691. A bill to limit the testing of antisatellite weapons; to the Committee on Armed Services.

By Mr. BENTSEN:

S. 692. A bill to provide full federal funding for the construction, maintenance, and operation of the recreation facilities at an Army Corps of Engineers flood control project at Cooper Lake and Channels, Texas; to the Committee on Environment and Public Works.

By Mr. SASSER (for himself, Mr. GORE and Mr. SANFORD):

S. 693. A bill to designate certain lands in the Great Smoky Mountains National Park as wilderness; to provide for settlement of all claims of Swain County, North Carolina, against the United States under the agreement dated July 30, 1943, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENTSEN (for himself, Mr. WALLOP, Mr. BOREN, Mr. PRYOR, Mr. DOMENICI, Mr. BREAUX, Mr. MELCHER, Mr. SIMPSON, Mr. BUMPERS, Mr. BURDICK, Mr. STENNIS, Mr. BAUCUS, Mr. BINGAMAN, Mr. MURKOWSKI, Mr. DOLE, Mr. NICKLES, Mr. WIRTH, Mr. MCCAIN, Mr. GARN, Mr. SIMON, Mr. DIXON, Mr. CONRAD, Mrs. KASSEBAUM, Mr. COCHRAN, and Mr. MATSUNAGA):

S. 694. A bill to provide a comprehensive national oil security policy; to the Committee on Finance.

By Mr. HELMS:

S. 695. A bill to designate certain land in the Great Smoky Mountains National Park as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN:

S. 696. A bill to provide that full-time magistrates and bankruptcy judges receive a salary equal to 92 percent of the salary paid to judges of the district courts of the United States; to the Committee on the Judiciary.

By Mr. DANFORTH (for himself and Mr. BOND):

S. 697. A bill to amend the Agricultural Act of 1949 to suspend the application of minimum planting requirements to agricultural producers whose acreage is subject to flooding in the 1987 crop year as a result of damage to levees from flooding that occurred in 1986; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THURMOND (for himself, Mr. JOHNSTON and Mr. GRAMM):

S. 698. A bill to amend title 17, United States Code, to prohibit the conveyance of the right to perform publicly syndicated television programs without conveying the right to perform accompanying music; to the Committee on the Judiciary.

By Mr. STEVENS (for himself, Mr. BYRD, Mr. KENNEDY, Mr. THURMOND, Mr. DECONCINI, Mr. BURDICK, and Mr. STENNIS):

S. 699. A bill to designate September 17, 1987, the bicentennial of the signing of the Constitution of the United States, as "Constitution Day", and to make such day a legal public holiday; to the Committee on the Judiciary.

By Mr. STEVENS (for himself, Mr. ROTH, Mr. GRASSLEY, Mr. MURKOWSKI, Mr. BURDICK, Mr. DANFORTH, and Mr. PRYOR):

S. 700. A bill to restore limited circulation second-class rates of postage for copies of a publication mailed to counties adjacent to the county of publication, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SIMON (for himself, Mrs. KASSEBAUM, Mr. PELL, Mr. KENNEDY, Mr. KASTEN, Mr. DANFORTH, Mr. KERRY, Mr. DODD, Mr. BIDEN, Mr. D'AMATO, and Mr. SIMPSON):

S. 701. A bill to amend the Foreign Assistance Act of 1961 to establish a separate authorization for assistance for famine recovery and long-term development in sub-Saharan Africa, and for other purposes; to the Committee on Foreign Relations.

By Mr. SIMON:

S. 702. A bill to provide for the collection of data about crimes motivated by racial, religious, or ethnic hatred; to the Committee on the Judiciary.

By Mr. SPECTER:

S. 703. A bill to amend title 18, United States Code, including the Child Protection Act, to create remedies for children and other victims of pornography, and for other purposes; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 704. A bill for the relief of Ibrahim Al-Assaad; to the Committee on the Judiciary.

By Mr. BRADLEY (for himself, Mr. INOUYE, Mr. PELL, and Mr. EVANS):

S. 705. A bill to reaffirm the boundaries of the Great Sioux Reservation to convey federally held lands in the Black Hills to the Sioux Nation; to provide for the economic development, resource protection and self-determination of the Sioux Nation; to remove barriers to the free exercise of traditional Indian religion in the Black Hills; to preserve the sacred Black Hills from desecration; to establish a wildlife sanctuary; and for other purposes; to the Select Committee on Indian Affairs.

By Mr. HEINZ (for himself and Mr. DODD):

S. 706. A bill to amend the Bank Holding Act and the National Bank Act to clarify limitations on insurance activities of banks; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HEINZ (for himself and Mr. SPECTER):

S. 707. A bill to amend the Department of the Interior and Related Agencies Appropriations Act, 1987 to assure the maintenance of learning opportunities at urban parks on a cost-free basis; to the Committee on Energy and Natural Resources.

By Mr. PROXMIRE:

S. 708. A bill to require annual appropriations of funds to support timber management and resource conservation on the Tongass National Forest; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. HARKIN):

S. 709. A bill to impose additional sanctions against Chile unless certain conditions are met; to the Committee on Foreign Relations.

By Mr. DECONCINI:

S.J. Res. 79. Joint resolution proposing a Constitutional amendment to limit congressional terms; to the Committee on the Judiciary.

By Mr. HOLLINGS from the Committee on Commerce, Science and Transportation:

S.J. Res. 80. An original joint resolution designating April 3, 1987, as "Interstate Commerce Commission Day"; placed on the calendar.

By Mr. WEICKER:

S.J. Res. 81. Joint resolution disapproving the provision of additional assistance to the Nicaraguan democratic resistance pursuant to title II of the Military Construction Appropriations Act of 1987; to the Committee on Appropriations.

By Mr. GLENN (for himself, Mr. METZENBAUM, Mr. BOSCHWITZ, Mr. SIMON, Mr. DURENBERGER, Mr. PROXMIRE, and Mr. LUGAR):

S.J. Res. 82. A bill to authorize the President to issue a proclamation calling upon the people of the United States to observe the bicentennial of the Northwest Ordinance of 1787; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. EXON:

S. Res. 163. Resolution relative to the death of the Honorable Edward Zorinsky, a Senator from the State of Nebraska; considered and agreed to.

By Mr. WILSON (for himself, Mr. MCCAIN, Mr. MITCHELL, Mr. DANFORTH, Mr. DOMENICI, Mr. BENTSEN, Mr. BINGAMAN, Mr. WIRTH, Mr. ROCKEFELLER, and Mr. BAUCUS):

S. Res. 164. Resolution calling on the President to respond to the violations by Japan of the U.S.—Japan agreement on

semiconducters; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. CHAFEE, Mr. SIMON, Mr. HATFIELD, Mr. PROXMIRE, Mr. MATSUNAGA, Mr. KENNEDY, Mr. LEAHY, Mr. CRANSTON, Mr. RIEGLE, Mr. BUMPERS, Mr. DODD, Mr. HARKIN, Mr. BINGAMAN, Mr. METZENBAUM, Mr. BURDICK, Mr. MITCHELL, Mr. STAFFORD, Mr. PELL, and Mr. JOHNSTON):

S. 691. A bill to limit the testing of antisatellite weapons; to the Committee on Armed Services.

LIMITATION OF ANTISATELLITE WEAPONS

Mr. KERRY. Mr. President, today, on behalf of myself, Senator CHAFEE, Senator SIMON, Senator HATFIELD, Senator STAFFORD, Senator LEAHY, Senator CRANSTON, Senator MITCHELL, Senator PROXMIRE, Senator METZENBAUM, Senator RIEGLE, Senator KENNEDY, Senator BINGAMAN, Senator BUMPERS, Senator DODD, Senator BURDICK, Senator HARKIN, Senator JOHNSTON, Senator MATSUNAGA, and Senator PELL, I am filing legislation to continue the current moratorium by the United States on the testing of our antisatellite weapon against an object in space through fiscal year 1988, so long as the Soviet Union does not conduct such a test.

This legislation is a straightforward attempt to preserve the status quo on Asat's. For the past 2 years, the Congress has imposed such a moratorium, which remains in place today, halting United States Asat testing through the end of this fiscal year so long as the Soviets do not test.

Following the initial legislation proposed by my predecessor in this Senate seat, Senator Tsongas, this issue has been thoroughly debated in past Congresses. This body is well aware by now of the strong arms-control arguments against the Asat tests.

The history of the arms race has demonstrated the futility of either the United States or the Soviet Union seeking unilateral advantage over the other. Whenever one side moves forward with a technology, the other is sure to follow.

The only alternative to the arms race that has had any success is the process of arms control. The Limited Test Ban Treaty, the Outer Space Treaty, SALT I, the ABM Treaty, SALT II—these treaties have stopped or limited weapons deployment. However, for these treaties to have efficacy, they must be verifiable. To keep them verifiable, we need to halt the development of antisatellite weapons, and we need to join these treaties with an Asat treaty.

Because of the march of technology, verification will become a larger problem in the future than it has been in the recent past. Development of antisatellite systems fundamentally erodes the assumption that our satellites—our early-warning eyes and ears—have a sanctuary in space. The existence of weapons capable of destroying our satellites would erode our key functions of intelligence, warning, attack assessment, command and control, damage reporting, and prehostilities crisis management.

The United States has a lot to lose if effective antisatellite weapons are developed and deployed by the Soviet Union in an all-out competition on these technologies.

We rely on our satellites for vital information to our national defense, from command and control of our military to early warning of nuclear attack.

Our military forces are far-flung. Not only do we have bases around the world, but the preponderance of our nuclear weapons is located beyond our shores. When our satellites are made vulnerable, we risk decapitation of our nuclear and conventional forces. We place at risk this ability of the United States to maintain a credible response to sneak attack.

Loss of our satellites is such a serious long-term strategic problem that the long-term disadvantage we would face from the further development of Asat technologies profoundly outweighs any short-term theoretical advantage we might possibly claim from going ahead with the testing of our current Asat.

Should the United States continue to test its F-15 plane with the miniature homing vehicle that constitutes our Asat against objects in space, the current moratorium by the Soviets inevitably will give way. The Soviet Union inevitably will push forward without restraint. It will develop new Asat technologies, and the result, 5 to 10 years from now, will be a higher threat to our satellities and to other space-based assets, such as our space shuttle and space stations.

It is far easier to protect our satellites against the current Soviet threat than it would be against subsequent generations of Soviet Asat's. The later we take action, the more systems will be deployed, the more complicated the technology will become, and the more difficult compliance with any treaty will be to verify.

As the Office of Technology Assessment, in its report on Asat's and arms control pointed out, the United States is more dependent on satellites to perform important military functions than is the Soviet Union. If we are more dependent on our satellites, it would seem that a halt in Asat development by both sides would favor the United States.

Proponents of developing the U.S. antisatellite weapon systems have argued that the Asat is essential to destroy Soviet satellites that can locate and target United States military forces, to counter the Soviet's operational Asat system and for leverage in arms control talks.

But it is clear that the U.S. Asat cannot accomplish any of these goals.

First, wholly apart from any arms control considerations, the United States Asat is a lemon, just as the current Soviet Asat is a lemon. Today, neither system has much military capability at all.

Its profound limitations are made very clear by the unclassified sections of a recent GAO report on the U.S. Asat, Mr. President, let alone by the classified sections, which I suggest that every Member of this body read. The classified GAO report is explicit, Mr. President, on a number of reasons why we should not move forward with the Asat.

Without revealing the classified sections, let me quote from an unclassified portion:

> During future consideration of DOD's budget requests for the ASAT program, the Congress should consider the information in this report on the system's limited projected operational capability, as well as its schedule delays, increased costs, and limited test program.

The GAO has explicitly invited us to consider the Asat's limited capabilities under the best of circumstances; its schedule delays, which have existed apart from congressional restrictions; its increased costs, which are there for anyone to read in the report; and an inadequate testing regime, which I believe cannot be solved because of the very serious problem of Asat tests creating orbital debris threatening all satellites—ours and the Soviets' alike.

As the GAO states in an unclassified section of this report:

> Technical problems in developing the system hardware have caused test delays, production stretch-outs and increased costs. . . . The program has encountered technical difficulties throughout the past 8 years, mostly with the miniature vehicle.

The truth is, Mr. President, that the U.S. Asat provides us with relatively little military benefit, even as it endangers arms control for the reasons I have already stated.

As to the second claim, that the United States Asat is needed to counter Soviet Asat's, we know that the current Soviet Asat has minimal military capabilities.

We know that the Soviet Union hasn't tested it in more than 4 years. We know from numerous nonclassified published reports and testimony that in all it has been tested 20 times. We know that it has failed to intercept its target 11 times, for an overall success rate of just 45 percent. We know the that Soviet Asat is not exactly a modern, state-of-the-art weapon—it

was introduced in 1968. We know that it is lifted into orbit atop a modified SS-9 booster rocket, a large liquid-fueled intercontinental ballistic missile, weighs more than 2,000 kilograms and is about 6 meters long. We know that in each test it has been launched from Tyuratum in Kazakhstan into orbits within a narrow range of inclinations—between 62 and 65 degrees with respect to the Equator. We know that to test it the Soviets have launched target satellites into orbits within the same narrow range of inclinations. We know that it takes the Soviet Asat one to two trips around the Earth before its orbit crosses that of the target and interception occurs.

And yet, somehow, the administration claims that the Soviet Asat system poses insurmountable verification problems—despite the fact that we have verified every Soviet test of the system to date.

The limited orbital inclination and the fact that there are so few United States satellites at these inclinations have led some to speculate that the Soviet Asat may be intended for attacking Chinese satellites rather than United States satellites. Whatever the intent of the Soviet Asat program, it clearly does not today threaten most United States satellites. The administration states that the Soviet Asat can reach 5,000 kilometers or 3,100 miles. But it has never been tested above 2,400 kilometers. That might enable the Soviet Asat to threaten some few United States weather satellites and some military spy and communication satellites—on a two-shot basis. It does not enable the Soviets to threaten United States early warning satellites, which are vital to our national security. Nor does it enable the Soviets to threaten most other United States military satellites.

Moreover, since interception takes some 3 hours, the Soviet system is susceptible to countermeasures, such as jamming or deceiving the radar homing device or evasive maneuvering on detection of the launch.

There are some basic conceptual flaws in the Soviet Asat system. First, a satellite can be attacked only when its ground track runs close to the launch site of the Asat, a condition that is satisfied only for satellite orbits with inclinations higher than the latitude of the antisatellite weapon's launch site. This condition happens only twice a day so one must wait an average of 6 hours to attack a given satellite.

Second, the heavy antisatellite weapon itself requires a massive booster rocket, which can be launched only from a very limited number of facilities in the U.S.S.R.

Third, it is difficult to fire massive liquid-fueled boosters in rapid succession from a single launch site.

When you put all these facts together, it is inescapable that we would have long responded one way or another to a first attack on our satellites, and it is impossible—repeat, impossible—for the Soviets today to threaten our most important satellites. It would take Soviet Asat's a week or more to destroy low-level United States weather and reconnaissance satellites.

This is the current state of Soviet Asat capability.

Both the United States and the Soviet Union have developed Asat's that have very, very limited capability to threaten satellites. Our national security would appear to be much more protected by keeping in place these limitations on the Soviet Asat. We cannot do this if both sides continue to push forward with the testing and development of Asat's.

This point brings me to the third argument advanced by proponents of Asat testing, Mr. President: that development of the U.S. Asat is the interest of arms control. It isn't that we need the Asat—it's just another bargaining chip.

Mr. President, the sorry history of bargaining chips should be familiar to us all by now. The idea that our Asat in particular is a bargaining chip cannot be reconciled with what the Reagan administration has said about this system.

In September 1985, before conducting a single test on the U.S. F-15 Asat, the Reagan administration stated that the United States has been "unable to identify a specific Asat proposal" that would be in U.S. security interests and that "no arrangements or agreements beyond those already governing military activities in outer space have been found to date that are judged to be in the overall interest of the United States and its allies."

It is clear as day that the administration at no time has sought to negotiate an Asat treaty. The Asat is not a bargaining chip. The administration has no intention of bargaining about it.

Mr. President, these facts have been generally accepted by the Congress, and this is precisely why past Congresses required the President to endeavor to negotiate with the Soviets the strictest possible Asat limitations consistent with national security prior to testing the United States Asat against an object in space. This is an intent that we put into law.

Why is this status quo in the interests of the United States?

First, as OTA has stated, the development of antisatellite weapons poses a significant threat to the military satellites of both the United States and the Soviet Union. Since current Soviet Asat capability is distinctly limited, further testing of the Asat by the United States against an object in space not only is unnecessary from the point of view of national security but injures it.

It was for this reason that Congress, prior to the current moratorium, insisted that no such test take place if it would gravely impair prospects for negotiations on antisatellite weapons.

The U.S. Asat is tiny and can be launched from any F-15 designed to handle it. Once it is operational, once it has been tested sufficiently, it will be practically impossible for the Soviets to verify an agreement by the United States to destroy its Asat's following a treaty limiting this technology.

So, as with MIRV's, as with cruise missiles, once we go ahead with the test of an Asat, once we have an operational system, we are jeopardizing the chances for ever limiting the development of this new and strategically dangerous technology by an agreement to protect our satellites.

Our satellites are not endangered today—they will be endangered tomorrow should the moratorium end. Today we are at a stage in which only our low-altitude satellites might be vulnerable. We face the future alternative of subjecting our entire in-orbit force structure to prompt destruction. We will see directed-energy Asat weapons with long ranges and near-instantaneous reaction times ready to act as space mines to satellites. If space mines are widely deployed, most or all of our important satellites—including our early warning satellites and command, communication, and control satellites—will be subject to almost instantaneous destruction.

Of course, this is exactly where our Star Wars Program is heading, and one of the reasons I oppose moving ahead with the development and deployment of star wars systems.

But regardless of where we are heading with star wars, Mr. President, Asat's are a clear and present danger to U.S. national security on another front. Apart from every arms control issue counseling restraint, apart from every technical problem associated with the development of the U.S. Asat, the testing of the U.S. Asat threatens U.S. satellites.

In the past few years, antisatellite tests have been a major contributor to the growing hazard of collisions in space. Each Asat test in which the interceptor explodes or collides with its target produces about 100 large fragments of orbiting debris. The single U.S. Asat test last September was responsible for a 63-percent increase in radar-tracked objects in orbit during the last 6 months of 1985.

It is easy to understand that when the amount of orbiting debris increases, the likelihood of debris colliding with a functioning satellite increases. NASA studies published in 1978 indicated that the proposed U.S.

space station would require more shielding from this manmade debris hazard than from the natural hazard of collision with meteors.

One major problem with this orbiting debris is its long life. Of the 98 radar-trackable fragments produced by the first Soviet Asat test almost 18 years ago, 61 were still in orbit as of March 31, 1986.

The U.S. Asat test last September put 199 new trackable objects in orbit. Together, United States and Soviet Asat tests are responsible for 915 Asat fragments still in orbit, about 5.5 percent of the total objects in orbit since the beginning of the space age.

When there are only a few fragments in orbit, chances of collision are small. But, Mr. President, as we increase the number of objects in orbit, we increase collision frequency; and once catastrophic collisions begin, each satellite disruption contributes new fragments to the orbiting debris, causing, in turn, more collisions.

Carried to an extreme, this process could cause the number of objects in orbit to increase exponentially with time once a critical satellite density is reached. As several physicists who have studied the problem have concluded, continued testing of Asat's poses a real and increasing threat of accidental destruction of our satellites because the current major contributor to space debris is explosive antisatellite tests.

On November 13, a European Ariane booster exploded in space under circumstances which some scientists said indicated a collision with debris of the kind produced by an Asat test. Besides the Ariane, scientists believe space debris may have destroyed at least one United States satellite, the NOAA-8 polar orbiting satellite lost in early January 1986, as well Soviet Cosmos 954 and Cosmos 1275 satellites in earlier years. In addition, a number of other satellites, including the space shuttle, have been hit and damaged by smaller orbiting debris.

Continued Asat testing at this time by the United States thus creates a direct threat to our own satellites regardless of Soviet actions. By contrast, a moratorium by both sides—as required by this bill—would protect our satellites both from a further Asat race and from the consequences of the space debris caused by Asat testing.

If we really need to rely on our satellites—if our satellites really are as important to our national security as I believe—the last thing we should be doing is creating a substantial risk of destroying them by space debris from a U.S. Asat test.

If we are concerned about protecting ourselves from the military missions of Soviet satellites, we have other approaches than testing and deploying a United States Asat. United States and Soviet satellites use UHF, and sometimes SHF and EHF, frequencies. As MIT Prof. Ashton Carter has stated, to stop an enemy satellite from tracking U.S. ships or engaging in other hostile activity during war, these satellites are susceptible to uplink jamming in varying degrees and may be blinded through ground-based directed-energy weapons or high-power radio frequency transmissions.

As an alternative, we could continue the process of improving the survivability features on U.S. satellites. As Dr. Carter has explained, the unclassified Navstar global positioning system displays the kind of features, available at reasonable cost, that can make attack much more difficult, time-consuming, and conspicuous.

In the meantime, we could begin to negotiate seriously with the Soviets about antisatellite weapons treaty to supplement the ABM Treaty and the Outer Space Treaty we have already negotiated. Possibly this new treaty could ban all tests of Asat's against objects in space. Possibly it could be limited to the development of Asat's capable of attacking higher Earth orbits because of verification problems of stopping lower Earth orbit Asat's.

In either case, continuation of the mutual moratorium will offer negotiators on both sides the breathing room to see if an Asat treaty is obtainable in Geneva. As an alternative, the moratorium constitutes a form of arms control through parallel conduct and mutual restraint. We have seen too little of that in the 40 years since the dawn of the nuclear era, and it seems to me this Congress ought to be cheered by the success we have had in restraining Asat competition over the past few years.

I look forward to hearings on continuing an Asat moratorium in the appropriate committees in hopes that such hearings will enable us to reach agreement over continuing this moratorium at the committee level prior to a vote on this proposal on the floor.

By Mr. BENTSEN:

S. 692. A bill to provide full Federal funding for the construction, maintenance, and operation of the recreation facilities at an Army Corps of Engineers flood control project at Cooper Lake and Channels, TX; to the Committee on Environment and Public Works.

CORPS OF ENGINEERS PROJECT AT COOPER LAKE AND CHANNEL, TEXAS

Mr. BENTSEN. Mr. President, I am introducing legislation that will clarify once and for all the Federal responsibility for the construction, maintenance, and operation of the recreational facilities at an Army Corps of Engineers flood control project at Cooper Lake and Channels, TX. Thirty-two years ago the Cooper Lake project was authorized by Congress. Related work began on the project as early as 1958. Water storage contracts were signed by the Secretary of the Army and project sponsors as far back as 1968. The contracts denote that the recreational facilities were to be a Federal responsibility. The environmental impact statement and other documents also provided for full Federal funding. Later, the Cooper Lake project was entangled in litigation on an issue completely unrelated to funding. The litigation was resolved in 1984. The project could continue.

Yet, the Secretary of the Army insists that since the project was not completed prior to our cost-sharing legislation back in 1983, the local community would have to come up with a 50 percent match of Federal funds to complete the recreational facilities. The authorization for Cooper Lake clearly predates any Federal cost-sharing requirements. Even the Corps of Engineers has recognized the unfairness of the decision not to fund this project fully. The decision not to fund the project is not fair. This legislation is meant to remedy that. It is not costly and fulfills a promise to the people of Texas.

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

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

S. 692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, . . . That notwithstanding any other provision of law, the Secretary of the Army is directed to construct and operate and maintain at full Federal expense fully developed recreation facilities at the Doctors Creek and South Sulphur Parks and facilities to permit full access to the lake through the five other public use areas identified in the General Public Use Development Plan for Cooper Lake and Channels, Texas, authorized by the Act of August 3, 1955, 69 Stat. 449, at a total first cost of $13,900,000.

By Mr. SASSER (for himself, Mr. GORE, and Mr. SANFORD):

S. 693. A bill to designate certain lands in the Great Smoky Mountains National Park as wilderness; to provide for settlement of all claims of Swain County, NC, against the United States under the agreement dated July 30, 1943, and for other purposes; to the Committee on Energy and Natural Resources.

GREAT SMOKY MOUNTAINS WILDERNESS ACT

● Mr. SASSER. Mr. President, I am pleased today to introduce legislation, along with Senators GORE and SANFORD which would increase the amount of wilderness acreage in the Great Smoky Mountains National Park. The Great Smoky Mountain Wilderness Act, S. 693, designates 467,000 acres of the Great Smoky Mountains National Park as wilderness. It also provides a settlement process for a longstanding

dispute between the Federal Government and Swain County, NC over access to this area and other issues.

Mr. President, the Great Smoky Mountains are one of our true national treasures. Millions of Americans enjoy the scenic wonders of the Smokies. Indeed, the Great Smoky Mountains National Park is the Nation's most visited national park. There were over 9,800,000 visits to the Smokies last year. They also enjoy the wide variety of plants and wildlife found in the Smokies. For example, the Smokies park has more different types of trees than occur in all of Europe: 130 species. The park also has 50 species of mammals, and 1,200 different kinds of plants. There are more than 200 species of birds, including rare, endangered species such as that American icon, the bald eagle, as well as the red-cockaded woodpecker and the peregrin falcon.

While we welcome the continue flow of travelers to and through the Smokies, we must make sure that the scenic wonder is preserved for generations to come. For truly, the Great Smoky Mountains National Park is a place of awesome beauty that is entitled to the utmost protection that our laws can provide.

Our legislation does this for a 467,000-acre section in the southeast corner of the park. Our bill provides that the National Park Service will manage this section of the park as a wilderness area. This guarantees that the matchless grandeur of this unique and irreplaceable natural resource as well as its unparalleled biological diversity will be maintained.

In addition, our bill establishes a settlement process between the Federal Government and Swain County, NC, for a problem that has lingered for more than 40 years. This process would quiet longstanding claims Swain County has had against the Federal Government. In addition, we move to resolve another troublesome issue: access to cemeteries in the Hazel Creek area, which will be a part of the wilderness area.

Mr. President, I have worked for many years to guarantee that the Great Smoky Mountains National Park will be preserved for the enjoyment of our grandchildren, and their grandchildren. We have worked to accommodate the concerns of local residents while protecting this section of the park with a wilderness designation. We have had thoughtful and productive conversations on both sides of this debate and I believe we see a workable compromise in this bill.

I urge my colleagues to join with Senators GORE, SANFORD, and me, in this effort to preserve a natural wonder of unparalleled beauty.

Mr. President, I ask unanimous consent that the text of the bill appear in the RECORD immediately following my remarks.

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

S. 693

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 "Great Smoky Mountains Wilderness Act".

SEC. 2. DESIGNATION AND ADMINISTRATION.

(a) DESIGNATION.—(1) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands in Great Smoky Mountains National Park, North Carolina and Tennessee, which—

(A) comprise approximately 467,000 acres, including—

(i) the lands formerly owned by the Cities Service Company, and

(ii) the tract of land formerly owned by the Tennessee Valley Authority, comprising approximately 44,000 acres, as described in the agreement of July 30, 1943 (referred to in section 4), and

(B) are depicted on the map entitled "Proposed Management Zoning, Great Smoky Mountains National Park, North Carolina and Tennessee", and dated March 15, 1981,

are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System. Such lands shall be known as the Great Smoky Mountains Wilderness.

(2) The lands referred to in paragraph (1) are those lands classified in the January 1982, General Management Plan for Great Smoky Mountains National Park as Natural Environment Type I Subzone (including the tracts formerly owned by Cities Service Company but not including any amendment to such plan).

(b) ADMINISTRATION.—(1) Subject to valid existing rights, the wilderness area designated under this section shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by such Act as wilderness, except that reference to the Secretary of Agriculture shall be deemed, where appropriate, to be a reference to the Secretary of the Interior.

(2) The Secretary of the Interior shall provide for permanent special access (as defined in appendix D of the General Management Plan referred to in subsection (a)(2)) to any cemetery located within the Hazel Creek Area of Great Smoky Mountains National Park on the date of enactment of this Act.

(c) MAP AND DESCRIPTION.—As soon as practicable after the effective date of this Act, the Secretary of the Interior shall file a map and a legal description of the wilderness area designated under this section with the Energy and Natural Resources Committee of the United States Senate and with the Interior and Insular Affairs Committee of the United States House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the map and legal description may be made. Such map and legal description shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the superintendent of Great Smoky Mountains National Park.

SEC. 3. RIGHTS AND EASEMENTS RETAINED BY THE TENNESSEE VALLEY AUTHORITY.

The Secretary of the Interior and the Tennessee Valley Authority are directed to negotiate the transfer of certain legal rights and easements retained by the Authority over the area designated as wilderness under section 2, where such legal rights and easements are—

(1) inconsistent with the provisions of the Wilderness Act; or

(2) not necessary for the operation and maintenance of Fontana Reservoir and Dam.

SEC. 4. SETTLEMENT WITH RESPECT TO A ROAD ALONG THE NORTH SHORE OF THE FONTANA RESERVOIR.

(a) FINDINGS.—The Congress finds that Swain County, North Carolina, claims certain rights acquired pursuant to an agreement dated July 30, 1943 (hereafter in this section referred to as the "agreement of July 30, 1943"), between the Secretary of the Interior of the United States, the State of North Carolina, the Tennessee Valley Authority, and Swain County, North Carolina, which provided, on certain conditions, that the Department of the Interior would construct a road along the north shore of Fontana Reservoir to replace a road flooded by the construction of Fontana Dam and the filling of the reservoir, which road has not been completed.

(b) SETTLEMENT PROVISIONS.—In order to settle and quiet all claims arising out of the agreement of July 30, 1943, the following provisions are made:

(1)(A) The Secretary of the Treasury shall be authorized to pay to Swain County, North Carolina, the sum of $9,500,000.

(B) Such sum shall be deposited in an account in accordance with the rules and regulations established by the North Carolina Local Government Commission.

(C) The principal of such sum may only be expended by Swain County under a resolution approved by an affirmative vote of two-thirds of the registered voters of Swain County.

(D) Interest earned on the unexpended principal of such sum may only be expended by a majority vote of the duly elected governing commission of Swain County.

(2) Swain County, North Carolina, is relieved of any liability to make payments of principal and interest which became due after the effective date of this Act with respect to the loan (Case Numbered 3887000271600, Code Numbered 9704) obtained on October 12, 1976, from the Farmers Home Administration.

(3) The payment and relief from liability provided for in this section shall constitute full and complete settlement of all claims of Swain County, North Carolina, against the United States of America, the Department of the Interior, and the Tennessee Valley Authority arising out of the agreement of July 30, 1943, and the United States of America, its departments and agencies, including the Department of the Interior, the National Park Service, and the Tennessee Valley Authority, hereafter shall be deemed to have performed the agreement of July 30, 1943, in every particular.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 6. EFFECTIVE DATE.

Beginning on the date of enactment of this Act, the lands described in section 2(a) shall be managed in accordance with the

provisions of the General Management Plan for Great Smoky Mountains National Park, adopted in January 1982 (but not including any amendment of or revision to such plan).●

By Mr. HELMS:

S. 695. A bill to designate certain lands in the Great Smoky Mountains National Park as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

GREAT SMOKY MOUNTAIN WILDERNESS ACT

● Mr. HELMS. Mr. President, I am introducing today the Great Smoky Mountains Wilderness Act of 1987. This bill is identical to bills I introduced during the 98th and 99th Congresses. The bill seeks to accomplish two things: First, it would resolve a 44-year-old dispute between Swain County, NC, and the Federal Government; second, it would preserve approximately 400,000 acres of forest in North Carolina and Tennessee by designating this land as wilderness.

Mr. President, Senators may not be familiar with the dispute between Swain County and the Federal Government. Therefore, while not wishing to take up too much of the Senate's time, I will review the facts as briefly as possible.

Mr. President, in 1943, the U.S. Department of the Interior, the Tennessee Valley Authority, the State of North Carolina, and Swain County entered into an agreement concerning land north of what is now Fontana Lake. In return for the right to flood thousands of acres and key roadways in the creation of the lake, the Department of the Interior pledged in 1943 to assist Swain County and the State of North Carolina in constructing a road along the north shore of the lake so that families with gravesites and former homesteads in the area would have unimpeded access to these areas.

Mr. President, a generation has passed and there is still no road—or at least not a complete one. Although the State of North Carolina made good on its part of the bargain by building part of the road, the Federal Government reneged on its 44-year-old commitment and never completed its portion. Families needing access continue to depend on the National Park Service to shuttle them across the lake by ferry and then by offroad vehicle to the cemeteries.

To say the least, settlement of the so-called North Shore Road dispute is long overdue. It is high time the Government made good on its commitment to the fine people of western North Carolina.

My bill would resolve this dispute by incorporating into law the terms of a tentative agreement reached by county officials and the Federal Government. My bill would also expand the terms of the settlement to take into account those persons needing access to their heritage. It authorizes the expenditure of a small amount of money for construction of a primitive, logging-style route to the cemeteries. I genuinely believe equity demands at least some meager access to the area.

Mr. President, as previously mentioned, my bill would also designate as wilderness approximately 400,000 acres of the Great Smoky Mountains National Park. This land, in my opinion, is ideally suited for wilderness designation. In large areas of the park, there are no roads and motorized vehicles are not allowed. There are no chainsaws and no vacation homes or cabins. Indeed, preservation of the scenic and natural values is the very essence of wilderness management.

My proposal establishes a core wilderness area within the park by excluding about 60,000 acres that are not used for other purposes.

This bill parallels recommendations made by the National Park Service in 1981. A general management plan prepared by the Park Service established long-range strategies for resource management, visitors use, and development of an integrated park in the Smokies. After painstaking study of the area, the Park Service recommended that some 400,000 acres be classified as wilderness. Like my bill, it excluded about 60,000 acres and suggested they be studied for possible addition to the wilderness later.

Mr. President, I genuinely believe the Park Service has sound reasons for deleting that acreage. A 44,000-acre tract north of Fontana Lake encompasses the cemeteries and homesteads I have already mentioned. For all practical purposes, wilderness designation of that area would preclude even a primitive route for those needing access to the area.

The Tennessee Valley Authority, which supplies electric power to large portions of North Carolina and Tennessee, also has an interest in those 44,000 acres. The TVA holds recorded easements north of the lake for purposes of maintaining its power lines and monitoring other equipment.

The Cherokee Indians also have an interest in maintaining the current management status of that acreage. I am told they use a small tract north of the Cherokee Indian Nation relative to their traditions and heritage. In my judgment, Congress should not preclude these current uses of the park through wilderness designation.

Mr. President, my proposal authorizes the Secretary of the Interior to fight forest fires and insect infestation which could threaten destruction of the park and surrounding areas. It also authorizes the Secretary to facilitate improved access to wilderness areas for handicapped Americans so that they, too, can enjoy the grandeur of the Great Smoky Mountains.

Mr. President, I offer this bill to assure justice to the people who entered into an agreement with their government in 1943, and to redeem the honor and integrity of the Federal Government. The failure of the Federal Government to live up to its pledge has obvious implications. I urge Senators to join with me in seeking swift approval of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Great Smoky Mountain Wilderness Act of 1987".

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890), certain lands in the Great Smoky Mountains National Park, North Carolina and Tennessee, which comprise approximately four hundred thousand acres and which are depicted on the map entitled "Great Smoky Mountains Wilderness, Proposed", and dated October 1983, are hereby designated as wilderness, and are made a part of the National Wilderness Preservation System. The wilderness designated by this Act, shall be known as the "Great Smoky Mountains Wilderness". It shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by such Act as wilderness areas, except that any reference to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and reference to the Secretary of Agriculture shall be deemed, where appropriate, as a reference to the Secretary of the Interior.

(b) As soon as practicable after the date of the enactment of this Act, a map of the wilderness area and a description of its boundaries shall be filed with the Committee on Energy and Natural Resources of the United States Senate and with the Committee on Interior and Insular Affairs of the United States House of Representatives. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the map and legal description may be made.

SEC. 3. (a) The Secretary of the Interior is directed to review all policies, practices, and regulations of the Department of the Interior regarding disease or insect outbreaks, forest fires, and the use of modern suppression methods and equipment in such wilderness area to insure that—

(1) such policies, practices, and regulations fully conform with and implement the intent of Congress regarding forest fire, disease and insect control, as such intent is expressed in the Wilderness Act and this Act; and

(2) policies, practices, and regulations are developed that will allow timely, and efficient fire, insect, and disease control, to provide, to the extent reasonably practicable, adequate protection of adjacent Federal, State, and private nonwilderness lands from forest fires and disease or insect infestations.

(b) Congress does not intend that designation of the wilderness area lead to the creation of protective perimeters of buffer

zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(c) The Secretary is authorized to provide the handicapped with special access to such wilderness area in a manner consistent with the Wilderness Act.

SEC. 4. The Secretary of the Interior is authorized to allocate funds and personnel necessary to place a suitable historical marker at or near the approach to the Cherokee Qualls Reservation, at Soco Gap, in recognition of the historical importance of Soco Gap and the contribution of the Cherokee Nation.

SEC. 5. (a)(1) Swain County, North Carolina claims certain rights acquired pursuant to an Agreement dated July 30, 1943, between the Secretary of the Interior, the State of North Carolina, the Tennessee Valley Authority, and Swain County, North Carolina, which provided, on certain conditions, that the Department of the Interior would construct a road along the north shore of Fontana Reservoir to replace a road flooded by the construction of Fontana Dam and the filling of the reservoir, which road has not been completed. In order to settle and quiet all claims arising out of said Agreement, the following provisions are made:

(A) The Secretary of the Treasury shall be authorized to pay to Swain County, North Carolina, the sum of $9,500,000.

(B) The sum of $9,500,000 shall be deposited in an account in accordance with the rules and regulations established by the North Carolina Local Government Commission.

The principal of such sum may only be expended by Swain County under a resolution approved by an affirmative vote of two-thirds of the registered voters of such country. Interest earned on the unexpended principal of such sum may only be expended by a majority vote of the duly elected governing commission of such county.

(2) Swain County, North Carolina, is relieved of any liability to make payments of principal and interest which become due after the date of enactment of this Act with respect to the loan (case numbered 3887000271600, Code numbered 9704) obtained on October 12, 1976, from the Farmers Home Administration.

(3) No money appropriated pursuant to this subsection shall be paid to or received by an agent or attorney on account of services rendered in connection with the claim settled by this subsection.

(b)(1) Notwithstanding any other provision of law and not later than eighteen months after the date of the appropriation under the authority of paragraph (4) of this subsection, the National Park Service shall provide limited motor vehicle access to the family cemeteries in existence on the date of the enactment of this Act in the Hazel Creek area of the Great Smoky Mountains National Park behind Fontana Dam. This access shall be provided from the western terminus of the North Shore Road to the site of the former village of Proctor by means of connecting, upgrading, and rehabilitating portions of back country roads as necessary to provide a ten-foot wide, nonpaved, primitive route.

(2) The Secretary may establish, by regulation, such reasonable conditions as may be necessary to assure that access provided under this subsection is consistent with the operation of the park. In prescribing such regulations, the Secretary shall consult with the Hazel Creek Cemetery Association.

(3)(A) Special access as provided for the north shore of Fontana Lake in Appendix D of the General Management Plan shall continue until construction of the limited access required by this subsection is complete.

(B) After limited access has been provided, the Department of the Interior shall be responsible for maintenance of such access.

(4) There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this subsection, but not more than an aggregate amount of $950,000. All sums appropriated pursuant to this paragraph shall be used for the sole purpose of building a limited motor vehicle access.

SEC. 6. (a) The designation of the Great Smoky Mountains Wilderness Area made by this Act shall be effective when the construction of the access required by section 5 is completed.

(b) Except as provided in section 5, there is authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.●

By Mr. COCHRAN:

S. 696. A bill to provide that full-time magistrates and bankruptcy judges receive a salary equal to 92 percent of the salary paid to judges of the district courts of the United States; to the Committee on the Judiciary.

SALARIES OF FULL TIME MAGISTRATES AND BANKRUPTCY JUDGES

● Mr. COCHRAN. Mr. President, today I am introducing a bill to correct a disparity in compensation for certain members of the Judiciary that resulted when the President's recommended pay increases took effect.

For a number of years the salary levels for bankruptcy judges and magistrates have been scaled at approximately 90 percent of the salary level for U.S. district judges. The Quadrennial Pay Commission in its recommendations to the President proposed a level of pay for bankruptcy judges and magistrates that was in keeping with that scale. In fact, the Commission's proposal would have provided a level of pay that would equate to 92.3 percent of the rate proposed for U.S. district judges.

However, the recommendations submitted to the Congress by the President provided salary increases in excess of 10 percent for district judges, but provided only a 2.9-percent increase for bankruptcy judges and magistrates. When the President's pay recommendations took effect on February 5, the parity level of approximately 90 percent was reduced to approximately 81 percent.

The bill I am introducing today will correct this disparity by providing that bankruptcy judges shall receive a salary equivalent to 92 percent of the salary of a U.S. district judge. This scale is in line with the salary levels proposed by the Quadrennial Commission. My bill will also allow for the adjustment of the salaries of full-time U.S. magistrates by the Judicial Conference of the United States to a level not to exceed 92 percent of the salary of a U.S. district judge.

Mr. President, this salary disparity needs to be corrected as soon as possible if we hope to retain qualified bankruptcy judges and magistrates, and I urge my colleagues to support this legislation.●

By Mr. DANFORTH (for himself and Mr. BOND):

S. 697. A bill to amend the Agricultural Act of 1949 to suspend the application of minimum planting requirements to agricultural producers whose acreage is subject to flooding in the 1987 crop year; to the Committee on Agriculture, Nutrition and Forestry.

AGRICULTURAL ACT AMENDMENT

● Mr. DANFORTH. Mr. President, on behalf of myself and my colleague from Missouri, Senator BOND, I am today introducing legislation that would help farmers in my State recover from disastrous flooding last fall. This commonsense legislation would help farmers while cutting the cost of Government farm programs, reconciling two goals that so often seem to be unreconcilable.

Last October, extensive flooding throughout Missouri devastated crops and damaged more than 350 private levees. Ninety of Missouri's one hundred fourteen counties have been designated as disaster counties by the Secretary of Agriculture, and assistance is being provided by USDA. However, winter weather and new cost-sharing requirements imposed by the Corps of Engineers last summer have delayed repair of many agricultural levees. Despite the best efforts of officials and levee owners, some levees will not provide protection this spring; as a result, farmers along the Missouri and Mississippi Rivers face the probability of flooding during the 1987 crop year.

Under the "50/92" provision of the Food Security Act, producers are allowed to plant just half of their permitted acreage, while being credited with planting 92 percent of their land for the purposes of Federal commodity programs. This program was designed to reduce incentives for producing surplus crops, yet, looked at from the other side, the 50/92 Program requires producers to plant half of their base acreage to safeguard Federal benefits in the current and future crop years. Therefore, many Missouri farmers will plant fields that lie behind broken levees, even though they expect flooding to follow. Ironically, Federal farm programs will actually compel farmers to plant surplus crops where they would otherwise let fields lie idle.

Our legislation would provide a solution to this problem: offering farmers whose land is threatened as a result of

unrepaired levee damage a "0/92" Program on 1987 crops. Under this bill, producers would receive at least 92 percent of the maximum deficiency payment whether or not they plant this year. They would also be protected against a sharp reduction in their program acreage, or "base," so that they will not lose commodity program benefits in future years. Eligibility would be limited to declared agricultural disaster counties for the 1986 crop year and to those farmers with at least 50 percent of their acreage in a flood plain exposed to flooding as a result of levee damage incurred in the 1986 disaster.

Under this limited program, planting costs and flood losses would be averted. Assuming that farmers will otherwise plant at least 50 percent of their acreage, Federal costs would actually be lowered as a result of our bill, due to local supply reduction. But most of all, passage of this measure would allow farmers in my State to avoid a second flood on the heels of last fall's disaster. In some cases, this bill could make the difference between keeping and losing the farm.

As drafted, our bill would assist producers of wheat, feed grains, cotton, and rice, who receive Federal deficiency payments. Since soybean growers are not eligible for these payments, they would not receive the benefits of a 0/92 Program, and assistance would have to come in the form of new compensation. I recognize that fiscal constraints will make it difficult to provide aid to soybean growers who are threatened with new flooding, yet I believe that it is essential that Congress pass some legislation quickly. So that enactment of a measure to assist wheat, feed grain, cotton, and rice farmers will not be delayed, I have not included soybean provisions in this bill. However, I will work to see that the plight of these soybean growers is recognized, and that all potential means of assistance are considered.

Mr. President, it makes no sense that the Federal Government should effectively force farmers to suffer flood losses, but that is what may happen in Missouri this spring. The legislation that Senator BOND and I are introducing today will address this unusual situation in a responsible, narrowly targeted way. I can see no reason why our bill would be controversial, and I look forward to its adoption by the Senate.

Mr. President, I ask that the text of the bill appear in the RECORD.

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

S. 697

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

SECTION 1. MINIMUM PLANTING REQUIREMENT FOR PRODUCERS AFFECTED BY LEVEE DAMAGE.

(a) WHEAT.—Effective only for the 1987 crop of wheat, section 107DC(c)(1)(C)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1445b-3(c)(1)(C)(ii)) is amended by striking out the period and inserting in lieu thereof the following: ", except that this clause shall not apply to the 1987 crop of wheat in the case of producers who—

"(I) operate a farm that is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as the result of drought, excessive heat, floods, hail, or excessive moisture that occurred in 1986; and

"(II) are, during the normal planting season, subject to flooding on at least 50 percent of the permitted wheat acreage of the farm as the result of damage to a levee from flooding that occurred in 1986.".

(b) FEED GRAINS.—Effective only for the 1987 crop of feed grains, section 105C(c)(1)(B)(ii) of such Act (7 U.S.C. 1444e(c)(1)(B)(ii)) is amended by striking out the period and inserting in lieu thereof the following: ", except that this clause shall not apply to the 1987 crop of feed grains in the case of producers who—

"(I) operate a farm that is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as the result of drought, excessive heat, floods, hail, or excessive moisture that occurrred in 1986; and

"(II) are, during the normal planting season, subject to flooding on at least 50 percent of the permitted feed grain acreage of the farm as the result of damage to a levee from flooding that occurred in 1986.".

(c) COTTON.—Effective only for the 1987 crop of upland cotton, section 103AC(c)(1)(B)(ii) of such Act (7 U.S.C. 1444-1(c)(1)(B)(ii)) is amended by striking out the period and inserting in lieu thereof the following: ", except that this clause shall not apply to the 1987 crop of upland cotton in the case of producers who—

"(I) operate a farm that is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as the result of drought, exessive heat, floods, hail, or excessive moisture that occurred in 1986; and

"(II) are, during the normal planting season, subject to flooding on at least 50 percent of the permitted upland cotton acreage of the farm as the result of damage to a levee from flooding that occurred in 1986.".

(d) RICE.—Effective only for the 1987 crop of rice, section 101A(c)(1)(B)(ii) of such Act (7 U.S.C. 1441(c)(1)(B)(ii)) is amended by striking out the period and inserting in lieu thereof the following: ", except that this clause shall not apply to the 1987 crop of rice in the case of producers who—

"(I) operate a farm that is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Develpment Act (7 U.S.C. 1961) as the result of drought, excessive heat, floods, hail, or excessive moisture that occurred in 1986; and

"(II) are, during the normal planting season, subject to flooding on at least 50 percent of the permitted rice acreage of the farm as the result of damage to a levee from flooding that occurred in 1986.".●

By Mr. THURMOND (for himself, Mr. JOHNSTON, and Mr. GRAMM):

S. 698. A bill to amend title 17, United States Code, to prohibit the conveyance of the right to perform **publicly syndicated television programs without conveying the right to perform accompanying music; to the Committee on the Judiciary.**

SYNDICATED TELEVISION MUSIC COPYRIGHT REFORM ACT

● Mr. THURMOND. Mr. President, today I am introducing a bill similar to one that I introduced last session (S. 1980), which will provide fair and equitable reform to the process of licensing performance rights in the copyrighted music which accompanies nonnetwork programs broadcast on television. This legislation will remedy a problem of continued concern to hundreds of local television stations throughout the United States. I am pleased to be joined in introducing this legislation by my distinguished colleagues, Senator JOHNSTON and Senator GRAMM.

Congress is specifically entrusted by the Constitution to ensure a balance of rights in copyright law between the creators and users of intellectual property. As Members of Congress, it is our responsibility to enact copyright law which will protect the public interest and encourage proliferation of the arts. Congress would be neglecting its duty if we do not ensure that the copyright law provides a balance in music broadcasting by television stations with regard to syndicated programs.

Specifically, Mr. President, this measure would prohibit the conveyance of a copyrighted audiovisual work to nonnetwork television stations without simultaneously conveying the right to perform in synchronization any copyrighted music which accompanies such audiovisual work. In other words, when a syndicated program is sold all of the broadcast rights, including the rights to broadcast the music, must be sold at the same time.

The problem addressed by this bill can be best explained by a brief discussion on how the current system works for licensing performance rights in television music.

Under current practice, when a local television station buys the right to broadcast a syndicated program, all of the performance rights for copyrighted works embodied in that program are included in the purchase price except for one—the right to broadcast the music on the soundtrack. The local television station must separately buy permission to broadcast the music even though the music is already embodied on the soundtrack of the syndicated program.

In order to obtain the rights to the music, the local station must go to one

of two performing rights societies, ASCAP or BMI, to buy a blanket license to broadcast the music on the soundtrack. These two societies currently issue over 95 percent of all blanket licenses. I use the term "blanket license" for a good reason. The local station is required to buy the "blanket" right to use all 3 million of the compositions controlled by ASCAP or all 1 million of the works controlled by BMI, even though the actual soundtrack of the program involved may contain no more than one or two copyrighted songs. Further, the price for this blanket license is based on a percentage of the station's gross revenue, with adjustments, not just the revenue derived from the syndicated programming.

Mr. President, the issue that is presented here is one of fairness. Local television stations have almost no bargaining power as they seek to purchase the right to broadcast the music on a prerecorded soundtrack. They cannot deal with ASCAP and BMI in an arms-length transaction as that term is ordinarily understood in the marketplace. The local broadcasters have no other alternative but to confront these two giants which control over 95 percent of all blanket licenses. The stations have already purchased broadcast rights in a program, but those rights are virtually worthless without the accompanying right to broadcast its music.

One illustration of the current unfair practice is a recent case in Atlanta, GA with WAGA television station. WAGA negotiated a music package with suppliers, independent of ASCAP and BMI, to broadcast music for its locally produced programming, that is, its local news and public affairs programs. This music package cost WAGA $740 per month and covers programming which accounts for 60 percent of WAGA's nonnetwork revenue. By contrast WAGA has to pay ASCAP $30,000 per month for a blanket license to cover their syndicated programming which generates only 40 percent of the station's nonnetwork revenue. This is a figure ASCAP is now proposing to raise to $52,000 per month. WAGA has no choice but to pay ASCAP this fee because the music is an essential part of every syndicated program.

Under the bill that I am proposing, local broadcasters would be able to go directly to the source—the producer/copyright owner—and negotiate for the broadcast rights for the music at the same time they are negotiating for the music. This system known as source licensing would replace the current blanket license for syndicated programming.

In considering this legislation, several points about the operation of the current system are worth mentioning.

First, the blanket licensing system is not appropriate for syndicated programming. This blanket system gained prominence with regard to television in an era when most television programs were broadcast live. The early television broadcasters had no way of knowing what was going to be played during these live shows, making it impossible to clear the rights to the music in advance. Therefore, the blanket licensing system served as a way to clear in advance the music that might be played on the program. Today, most programs are taped in advance. Therefore, all parties know in advance what music is contained on the soundtrack. This makes it both possible and practical to negotiate for those rights along with all of the other rights to the program.

Second, it is important here to note that the large corporations who make television programs are the primary beneficiaries of this system. For the most part, composers are hired by the television studios that produce the programming to compose music for a particular program. As a result, the rights to the music are owned by the studio which in turn conveys these rights to a music publishing company which is often owned by the television studio. When ASCAP and BMI collect the money from the local station, the money is paid to the music publishing company which gives a portion to the composers. Today, out of every dollar that is paid to music publishing companies, 40 cents goes to the company, 40 cents to the composer and 20 cents goes to ASCAP and BMI.

The result is that studios get paid twice. They are paid by the television station to broadcast the program and in addition receive payment as members of ASCAP and BMI.

Third, in this area of music licensing, local television stations are treated differently from movie theaters. The rental fee paid by theaters to the studios which produce the films covers all of the rights to the studio in the movie, including the copyrights to the music. This is the result of a 1948 decision in which the court held that the then-used, more restrictive blanket license violated the antitrust laws and ordered source licensing of music performing rights for movie theaters. This same rule should apply to syndicated programs shown on local television.

Finally, the blanket license system discourages local broadcasters from hiring local composers to write music for programming that is produced locally. It is easier to choose a selection from the ASCAP or BMI repertoire than go to the additional expense of hiring local creative talent. Source licensing would provide an incentive for broadcasters to hire local composers.

Local television stations are willing to negotiate directly with ASCAP and BMI for broadcast rights in music to accompany programs which they produce locally. But with syndicated programs, television stations have no bargaining position to negotiate for the music used by the corporations which produce syndicated films and serials. Their only choice is to take it or leave it.

Under this bill, the syndicators who license programs to TV stations would be required to simultaneously convey the rights to use copyrighted music on the soundtrack of their programs. Additionally, in response to concern voiced by the composers when this bill was considered by the Judiciary Committee in the last Congress, I have included a provision which would mandate that when the broadcast rights to syndicated programming are sold, the composer would have a right to receive compensation. The exact amount of such compensation would be negotiated at the time the program is sold. I believe that this provision addresses the concerns of the composers.

It is also important to note that this bill would affect only a small number of composers who actually receive compensation for syndicated programming. Currently, this amounts to about 15 percent of the combined membership of ASCAP and BMI. Further this bill would in no way affect the current blanket license system as it applies to the use of music in radio, restaurants, concert halls, and network programming.

It is only logical for the local stations to negotiate one price for the entire package. It is virtually worthless for local stations to have broadcast rights for a syndicated program but not for the music which accompanies it. Indeed, who would enjoy watching that great classic, "The Sound of Music," without hearing the very talented Julie Andrews sing the beautiful songs in that movie.

Congress has a responsibility to ensure a balance between the rights of copyright owners and users. This legislation will restore fairness and balance to this area of the copyright system.

This is a very important issue to the 900 local television stations throughout the United States. I strongly urge each one of my colleagues to study this measure carefully.

I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

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

S. 698

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

SECTION 1. The Act shall be known as The Syndicated Television Music Copyright Reform Act of 1987.

SEC. 2. Title 17, United States Code, is amended by redesignating sections 113

through 118 as sections 114 through 119, respectively, and by inserting after section 112 the following new section:

"§ 113. LIMITATIONS ON EXCLUSIVE RIGHTS: USE OF MUSICAL WORKS IN SYNDICATED TELEVISION PROGRAMS

"(a) Notwithstanding the provisions of section 106, no owner, assignee, or licensee of a copyrighted audiovisual work may convey the right to perform publicly such work by non-network commercial television broadcast without simultaneously conveying the right to perform in synchronization any copyrighted music which accompanies such audiovisual work.

(b) Notwithstanding section 101 of this title, for purposes of this section, the term 'audiovisual work" means any motion picture, prerecorded television program, or commercial advertisement."

(c) Subsection (a) does not apply to works prepared by, for or under the direction of organizations that are exempt from federal income tax under section 501(a) of the Internal Revenue Code of 1954 by reason of section 501(c)(3) of such Code."

SEC. 3. Section 106 of title 17, United States Code, is amended by striking out "118" and inserting in lieu thereof "119".

SEC. 4. Section 201 of Title 17, United States Code, is amended by adding the following new subsections:

"(f) Whenever the right to perform by broadcast any motion picture or other audiovisual work containing a synchronous musical work as provided in section 113, is conveyed to any commercial broadcast station, the author or authors of such musical work (or in the case of a work made for hire the employer or employees who prepared the work) shall be entitled to an interest in any compensation paid to the owner of the copyright in such motion picture or other audiovisual work. The amount of such interest shall be determined by agreement between the owner of the copyright in the motion picture or other audiovisual work and the author(s) or employee(s) who prepared the work.

(g) In any case in which a musical work, which constitutes a work made for hire under subsection (b), is synchronized with a motion picture or other audiovisual work, the person who prepared such work shall be considered an employee, for purposes of laws relating to collective bargaining, of the owner of the copyright in such motion picture or other audiovisual work."

SEC. 5. The amendments made by this Act shall take effect on the date of enactment of this Act, except that the amendment made by section 1 shall not affect a public performance occurring during the one-year period beginning on the date of enactment of this Act pursuant to a contract executed before such date of enactment.●

By Mr. SIMON (for himself, Mrs. KASSEBAUM, Mr. PELL, Mr. KENNEDY, Mr. KASTEN, Mr. DANFORTH, Mr. KERRY, Mr. DODD, Mr. BIDEN, Mr. D'AMATO, and Mr. SIMPSON):

S. 701. A bill to amend the Foreign Assistance Act of 1961 to establish a separate authorization for assistance for famine recovery and long-term development in sub-Saharan Africa, and for other purposes; to the Committee on Foreign Relations.

AFRICAN FAMINE RECOVERY AND DEVELOPMENT ACT

● Mr. SIMON. Mr. President, I am happy to be here to introduce the African Famine Recovery and Development Act. No other region of the world finds itself in such a steep and steady economic decline and no other region of the world can benefit more dramatically from a well-thought-out and well-directed aid program as this bill envisions.

There is a broad consensus emerging on the possible solutions to Africa's development crisis, one that was reflected in the U.N. General Assembly's Program for African Economic Recovery and Development adopted last May. The bill I am introducing today contains a new, more cost effective and efficient approach to support the Africans' own efforts to achieve economic growth. It does so in a way that emphasizes equitable, environmentally sound programs that stress self-reliance and participation by Africans themselves.

This bill is a good investment for America. It represents a careful bipartisan approach to the challenge of future development in Africa, and it has been worked out in close consultation with many of my colleagues in the Senate. I am happy to be able to introduce it with such a distinguished list of Democratic and Republican cosponsors.

The challenge today is to help Africa recover from the ravages of famine and drought and make it self-sufficient in food production. This bill will help us move from emergency food aid programs which, although commendable, are expensive and treat only the results of famine, and permit us to address the underlying causes of famine. This bill places a new emphasis on certain building blocks for long-term development in sub-Saharan Africa such as policy reform, privatization of capital markets, agricultural research, and rural health and family planning.

The bill emphasizes areas of African development that have long been neglected. It provides for close consultation with the poor majority in Africa; American support for appropriate policy reforms; a greater role for private voluntary organizations and women; help with debt and budget issues for poor African countries; a 30-percent earmark for health, environment, and population; and strengthened management of developmental assistance. It also increases resources for Africa by earmarking $600 million for fiscal year 1988.

No bill is perfect, and it may be that during the course of hearings some provisions of this bill may have to be changed or modified. I intend to consult closely with my colleagues and with the administration, and I will take their views into account.

The American people showed a generosity of spirit and humanity when they responded to the famine in Africa. Those efforts saved millions of lives. We need to continue that commitment. The challenge is great, but the opportunities to do good are also great. I believe that this bill is a step in the right direction.●

● Mr. KENNEDY. Mr. President, I am delighted to join Senator SIMON and a bipartisan coalition of Senators in introducing today a bill similar to legislation that Senator KASTEN and I sponsored 2 years ago to establish within the Foreign Assistance Act a permanent long-term fund for "African Famine Recovery and Development." It is patterned along the lines of legislation I offered in 1974, with the late Senator Hubert Humphrey, when we created the Sahel drought fund. That fund has, and continues to do much to assist those west African countries.

But over the past several years drought and famine conditions have spread to much of sub-Saharan Africa, and we need to broaden and strengthen the authorities in our law to assist them in a more effective and sustained way.

Following our legislative effort in the last Congress, Senator KASTEN and I have worked closely with our colleagues, both in the Senate and in the House. And, most importantly, we have consulted with the voluntary agencies, with their umbrella coalition at InterAction, and with many other experts in the field. The hope was to learn from the past and to strengthen the existing authorities in the Foreign Assistance Act, while also broadening them to include new initiatives dealing with famine recovery and development in Africa. This bill accomplishes that goal.

Mr. President, I believe all Americans can be proud of what our country has done over the past decade to help the starving peoples of Africa. U.S. aid—contributions from the church agencies, and private donations—have saved millions of lives. But we cannot afford to relax now. We must begin to prepare for the longer term.

The central challenge today is whether the nations now suffering recurrent drought and famine in Africa can ever feed themselves again. Two decades ago, the same question was posed—and answered affirmatively—in Asia. In the 1960's the United States acted to avert repeated famine in India, but today India feeds itself, thanks to international assistance and agricultural reforms.

That is the purpose of the bill we are offering today. As in the Sahel a decade ago, this bill will help us move from an emergency relief effort to programs for rehabilitation and recovery, and finally to longer term agricultural

development. As in the Sahel, we need a longer term authority in our foreign assistance program to launch this longer term effort to help the African nations recover from drought and famine, to achieve agricultural development and, hopefully, to become self-sufficient in food production.

This bill simply establishes a permanent fund for "African Famine Recovery and Development" to allow the President to seek appropriations for long-term agricultural development programs, particularly for support of policy reforms and for agricultural support and research for small farmers. These goals of the fund are specified because all agree today that they are central to Africa's effort to achieve self-sufficiency in food.

The key to avoiding famines, and to minimize the effect of droughts when they do occur, is to pursue broad agricultural reforms. Ultimately, the African nations themselves must take a commitment to reform. However, they can do so only if they obtain help from other countries. The United States should make clear that it is ready to respond generously to nations that pursue policy reforms, and to reward them with additional assistance when they do.

Unfortunately, many governments in Africa still maintain economic and agricultural policies that favor urban consumers to the detriment of rural farmers. Prices paid to farmers are kept artificially low. Currencies are inflated, and with loans from abroad, urban citizens are able to purchase inexpensive foods and goods from overseas at the expense of their own farmers. Sometimes cash crops have been prompted to support food imports at the expense of domestic crops. It will take political courage for any of these nations to reverse their policies, but we should be prepared to help those that begin the effort.

Second, the bill's authorizing language emphasizes agricultural research and support for small farmers. There is widespread agreement that the best method to increase food production in Africa is to strengthen rural farmers, who are frequently neglected or ignored in current government programs and agricultural extension services.

Third, the bill emphasizes that the crisis in Africa requires a global initiative, and stresses the important role of international organizations and multilateral institutions, as well as the voluntary and church agencies. It recognizes that international organizations are particularly suited to undertake programs in maternal and child health, primary health care, refugee self-sufficiency and strengthening of host country social infrastructure, donor coordination, women's roles in African food systems, food strategy planning, replenishment of natural resources, population planning, and research related to increasing African food production. These organizations include the U.N. Development Program, UNICEF, the U.N. High Commissioner for Refugees, World Health Organization, Food and Agricultural Organization, and the International Fund for Agricultural Development. The work of all these organizations in Africa can be supported by this fund.

Fourth, the bill recognizes the importance of achieving better coordination of development efforts in Africa. Again, building on the Sahel experience, it mandates that an international coordinating mechanism be established for Africa and be strongly supported by our Government.

Fifth, the bill recognizes the importance of trade policies and the role of the multilateral lending institutions, such as the World Bank's special facility for Africa, in supporting policy reform and agricultural rehabilitation in Africa.

Like my colleagues, I consider this to be a working bill—a starting point—in a bipartisan effort to establish a more flexible funding authority to support long-term recovery and development in Africa. Because the lesson of past experience is that a self-sustaining future for nations dealing with drought and famine is possible only through long-term agricultural reform.

In recent years, per capita food production has been rising steadily in Asia and Latin America, but it is sharply down in Africa. Unless this basic trend is reversed, there will be no long term progress. There is hope for the people of Africa if the United States and the West are willing to help them—not just today, but tomorrow too. That is the goal of the special fund we are establishing by this bill, and I am confident the Senate will support it.●

● Mr. D'AMATO. Mr. President, I rise today to cosponsor the Africa Famine Recovery and Development Fund Act, introduced by my good friends and colleagues, the junior Senator from Illinois and the junior Senator from Wisconsin. This bill responds to the urgent need for long-term relief, recovery and development of sub-Saharan Africa.

The United States of America can be proud of responding generously to the need to help the starving people of Africa in times of emergency. However, emergency-relief efforts are not enough. We need a long-term funding program for African famine relief that will help eliminate the root causes of Africa's plight by creating a situation of self-sufficiency and sustained future growth. This bill is a step toward achieving this goal.

It is often hard to determine precisely the most pressing needs of each sub-Sahara African nation because their problems are so massive and widespread. This difficulty can sometimes be the cause of waste and inefficient allocation of resources. However, I am confident that the objectives of the long-term development assistance of this bill have been well examined and thought out, thanks to many recent studies on this pressing issue. In setting the objectives of this bill, the knowledge of many organizations with thorough understanding of African developmental needs have been taken into careful consideration.

The United States has to prove that it is willing to support those nations willing—even eager—to change their economic infrastructures to improve agriculture output, health, education, and to solve other serious problems. Our efforts have to be well-structured and well-coordinated with other international aid programs. The Africa Famine Recovery and Development Fund Act is a solid first step in addressing the long-term ailments of sub-Sahara Africa that have been ignored for too long.

Mr. President, I strongly support this legislation and urge my colleagues to join me as cosponsors.●

By Mr. SIMON:

S. 702. A bill to provide for the collection of data about crimes motivated by racial, religious, or ethnic hatred; to the Committee on the Judiciary.

HATE CRIME STATISTICS ACT

● Mr. SIMON. Mr. President, today I am introducing the Hate Crimes Statistics Act, a modest proposal that would direct the Attorney General to acquire data about serious crimes which manifest racial, ethnic, or religious prejudice.

Newspaper headlines have told us of several recent incidents of racial violence—the deadly terrorizing of a black man in Howard Beach, NY, the fatal beating of a Chinese-American in a suburb of Detroit. But there are other hate crimes virtually unknown outside the communities in which they take place—the burning of a cross at the home of a black family, the desecration of a synagogue with Nazi symbols, the stoning of Southeast Asian refugees.

As the Nation looks on in horror, a debate has ensued: Are these isolated incidents or evidence of growing racism? Are these crimes organized or spontaneous? What is the actual amount, location, and type of crime motiviated by racial or religious hatred? As important as these questions are, we have no clear answers, only anecdotes. Statistical information is not available on a national scale. And of 50 local law enforcement agencies recently contacted by the Civil Rights Commission, only 2 maintained such statistics. This information is

vital if we are to identify problems, determine trends, and target solutions.

The bill I introduce today is identical to one (H.R. 2455) passed by the other body in the 99th Congress, and reintroduced this Congress (H.R. 993). It is the result of deliberations and compromises with the Department of Justice, and has the support of the NAACP Legal Defense and Education Fund, Anti-Defamation League of B'nai B'rith, Anti-Klan Network, and others.

This bill will not erase the blight of racial or religious violence from our Nation. But it will help law enforcement officials to identify and combat hate crime; it will help policymakers develop effective strategies to prevent it; and it will demonstrate the Nation's concern and commitment to eradicating crimes of bigotry.●

By Mr. SPECTER:

S. 703. A bill to amend title 18, United States Code, including the Child Protection Act, to create remedies for children and other victims of pornography, and for other purposes; to the Committee on the Judiciary.

PORNOGRAPHY VICTIMS PROTECTION ACT

Mr. SPECTER. Mr. President, I am introducing today the Pornography Victims Protection Act of 1987. This bill is the successor of two bills which I previously introduced—S. 3063 in the 98th Congress and S. 1187 in the 99th Congress. I am reintroducing this bill because it is a sound legislative proposal which has and is gaining additional support.

This legislation would allow victims of child pornography and adults who are coerced, intimidated, or fraudulently induced into posing or performing in pornography to institute Federal civil actions against producers and distributors. If plaintiffs prevail, such child or adult victims would recover treble damages and their costs of suit. In addition, victims could seek injunctions to prevent further production and distribution of the pornography. This bill also authorizes the Attorney General to seek $100,000 in civil penalties from any person violating Federal child or adult pornography statutes.

The Pornography Victims Protection Act would impose new criminal sanctions against coerced adult pornography. Criminal prohibitions on production and interstate distribution of such pornography would be incorporated into existing pornography statutes. Any person who forces another to perform in pornography to be distributed interstate would be subject to 10 years imprisonment and $100,000 in criminal fines.

This legislation is based on a series of hearings I conducted to explore new approaches to combating pornography. Witnesses included victims of sexual exploitation, experts on the harm caused by involvement in pornography and the connection between violent pornography and sexual aggression, and the American Civil Liberties Union. The testimony provided substantial evidence that many individuals are forced to perform sexual acts suggested by pornographic materials, and suffer serious harm as a result.

People are coerced into performing in pornography largely because a huge national market exists for such materials. Consumers have spent hundreds of millions of dollars to see these magazines, films, and video tapes. Given the enormous profit potential of such productions, elimination of this type of coercion will require Government action. The Pornography Victims Protection Act of 1987, therefore, criminalizes the production of sexually explicit materials through coercion, intimidation, or fraudulent inducement, if the defendant knows that the materials will be shipped interstate. The bill also prohibits the interstate distribution of such materials if a defendant knows they were produced against the will of the person depicted.

As a supplement to the criminal sanctions, the legislation provides eligible victims a direct civil action against pornographers and against those who knowingly distribute child or coerced adult pornography. Such civil actions will help ensure that pornography victims will be compensated by their exploiters. Under the bill, victims would receive three times their actual damages, and the costs of bringing suit. In addition, victims could seek injunctions to prevent further distribution of material produced against their will.

The factual and legal issues surrounding pornography clearly are difficult and complex. Legislation in this area must be crafted carefully in light of the Constitution's protection of free speech. It is important to note that injunctions provided by this legislation do not constitute a prior restraint of speech. The bill makes clear that no injunction may be issued prior to a full adversary proceeding and a final judicial determination that the material constitutes child or coerced adult pornography.

In addition to providing monetary damages and injunctive relief to victims, direct civil actions will facilitate enforcement of related criminal statutes. Current enforcement of these laws is seriously inadequate. This is due, in part, to the difficulties prosecutors face in discovering those who produce child and coerced adult pornography. Investigations of these cases generally are difficult, expensive and time consuming, and victims frequently cannot be identified. Furthermore, prosecutors simply have not given child pornography cases high priority, often on the grossly mistaken assumption that this is a victimless crime. Such attitudes seem to be changing, but there remains an urgent need for alternative protective mechanisms.

Civil causes of action represent a valuable new tool for enforcing Federal prohibitions on child and coerced adult pornography. Since the burden of proof is far less stringent in civil proceedings, legal attacks on pornographers would be greatly facilitated. In addition, evidence obtained in the course of a civil proceeding often would be available for later use in criminal prosecutions.

The Pornography Victims Protection Act provides one further mechanism for deterring sexual exploitation and compensating victims. Under the bill, the Attorney General is authorized to seek $100,000 in civil penalties from child and coerced adult pornographers. If the Government prevails, it is authorized to distribute the penalty money among all of the identified victims in the case. Like a direct action for victims, a Government action for civil penalties will be subject to a lower burden of proof than in a criminal prosecution, and this should facilitate action against pornographers. Unlike direct actions, however, victims would not be required to come forward publicly. This is an especially valuable benefit in child pornography cases, since many child victims are unwilling or unable to endure the severe traumas of courtroom testimony.

The Pornography Victims Protection Act is endorsed by many women's and children's organizations, including local chapters of the National Organization for Women, Feminists Fighting Pornography, and Covenant House of New York. The New York-based feminists Fighting Pornography has collected signatures of thousands of concerned individuals supporting passage of this bill. During the 99th Congress, S. 1187's House companion bill, H.R. 5509 introduced by Representative BILL GREEN, received strong bipartisan support.

I believe the Pornography Victims Protection Act represents a major step forward in combating the sexual exploitation of children and women.

I ask unanimous consent that the bill and a list of organizations endorsing passage of this legislation be printed in the RECORD.

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

S. 703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pornography Victims Protection Act of 1987".

SEC. 2. Section 2251 of title 18, United States Code, is amended—

(1) in subsection (a), by striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" and by inserting before the

period at the end thereof the following: "or if such person knows or has reason to know that the minor was transported in interstate or foreign commerce for the purpose of producing any such visual depiction of such conduct";

(2) in subsection (b), by striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" and by inserting before the period at the end thereof the following: "or if such person knows or has reason to know that the minor was transported in interstate or foreign commerce for the purpose of producing any such visual depiction of such conduct";

(3) by inserting immediately after subsection (b) the following:

"(c)(1) Any person who coerces, intimidates, or fraudulently induces an individual 18 years or older to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct shall be punished as provided under subsection (d), if such person knows or has reason to know that such visual depiction will be transported in interstate or foreign commerce or mailed, if such visual depiction has actually been transported in interstate or foreign commerce or mailed, or if such person knows or has reason to know that the individual 18 years or older was transported in interstate or foreign commerce for the purpose of producing any such visual depiction of such conduct.

"(2) Proof of one or more of the following facts or conditions shall not, without more, negate a finding of coercion under this subsection:

"(A) that the person is or has been a prostitute;

"(B) that the person is connected by blood or marriage to anyone involved in or related to the making of the pornography;

"(C) that the person has previously had, or been thought to have had, sexual relations with anyone, including anyone involved in or related to the making of the pornography;

"(D) that the person has previously posed for sexually explicit pictures for or with anyone, including anyone involved in or related to the making of the pornography at issue;

"(E) that anyone else, including a spouse or other relative, has given permission on the person's behalf;

"(F) that the person actually consented to a use of the performance that is changed into pornography;

"(G) that the person knew that the purpose of the acts or events in question was to make pornography;

"(H) that the person signed a contract to produce pornography; or

"(I) that the person was paid or otherwise compensated.";

(4) in subsection (c), by striking out "(c)" and inserting in lieu thereof "(d)"; and

(5) by amending the heading to read as follows:

"§ 2251. Sexual exploitation".

SEC. 3. (a) Section 2252(a)(1) of title 18, United States Code, is amended by adding at the end thereof the following:

"(C) the producing of such visual depiction involved the use of an adult who was coerced, intimidated, or fraudulently induced to engage in sexually explicit conduct and the person knows or has reason to know that the adult was coerced, intimidated, or fraudulently induced; and

"(D) such visual depiction depicts such conduct; or".

(b) Section 2252(a)(2) is amended by—

(1) striking out "and" and the semicolon in clause (A) and inserting in lieu thereof "or the production of visual depiction involved the use of an adult who was coerced, intimidated, or fraudulently induced to engage in sexually explicit conduct and the person knows or has reason to know that the adult was coerced, intimidated, or fraudulently induced; and".

(c) The heading for section 2252 is amended to read as follows:

"§ 2252. Certain activities relating to material involving sexual exploitation".

SEC. 4. (a) Chapter 110 of part I of title 18, United States Code, is amended by redesignating section 2255 as section 2261.

Chapter 110 of part J of title 18, United States Code, is amended by inserting after section 2254 the following:

"§ 2255. Civil remedies.

(a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of section 2251 or 2252 by issuing appropriate orders, including—

"(1) ordering any person to divest himself or any interest, direct or indirect, in any legal or business entity;

"(2) imposing reasonable restrictions on the future activities or investments of any person including prohibiting such person from engaging in the same type of legal or business endeavor; or

"(3) ordering dissolution or reorganization of any legal or business entity after making due provision for the rights of innocent persons.

"(b) The Attorney General or any person threatened with loss of damage by reason of a violation of section 2251 or 2252 may institute proceedings under section (a) and, in the event that the party bringing suit prevails, such party shall recover the cost of the suit, including a reasonable attorney's fee. Pending final determination, the court may at any time enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall deem proper. For purposes of this section, a violation of section 2251 or 2252 shall be determined by a preponderance of the evidence.

"(c) Any victim of a violation of section 2251 or 2252 who suffers physical injury, emotional distress, or property damage as a result of such violation may sue to recover damages in any appropriate United States district court and shall recover threefold the damages such person sustains as a result of such violation and the cost of the suit, including a reasonable attorney's fee. For purposes of this section, a violation of section 2251 or 2252 shall be determined by a preponderance of the evidence.

"(d) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this chapter shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding.

"(e) Nothing in this section shall be construed to authorize any order restraining the exhibition, distribution or dissemination of any visual material without a full adversary proceeding and a final judicial determination that such material contains a visual depiction of sexually explicit conduct, as defined by section 2261 of this chapter, engaged in by a minor or by a person who was coerced, intimidated, or fraudulently induced to engage in such sexually explicit conduct.

"§ 2256. Civil penalties.

"(a) Any person found to violate section 2251 or 2252 by preponderance of the evidence shall be liable to the United States Government for a civil penalty of $100,000 and the forfeiture of any interest in property described in section 2254. The Attorney General may bring an action for recovery of any such civil penalty or forfeiture against any such person. If the Attorney General prevails he may also recover the cost of the suit, including a reasonable attorney's fee.

"(b) If the identity of any victim of an offense provided in section 2251 or 2252 is established prior to an award of a civil penalty made to the United States under this section, the victim shall be entitled to the award. If there is more than one victim, the court shall apportion the award among the victims on an equitable basis after considering the harm suffered by each such victim.

"§ 2257. Venue and process.

"(a) Any civil action or proceeding brought under this chapter may be instituted in the district court of the United States for any district in which the defendant resides, is found, has an agent, or transacts his affairs.

"(b) In any action under section 2255 or 2256 of this chapter in any district court of the United States in which it is shown that the ends of justice require that other parties residing in any other district be brought before the court, the court may cause such parties to be summoned, and process for that purpose may be served in any judicial district of the United States by the marshal of such judicial district.

"(c) In any civil or criminal action or proceeding under this chapter in the district court of the United States for any judicial district, a subpoena issued by such court to compel the attendance of witnesses may be served in any other judicial district except that no subpoena shall be issued for service upon any individual who resides in another district at a place more than one hundred miles from the place at which such court is held without approval given by a judge of such court upon a showing of good cause.

"(d) All other process in any action or proceeding under this chapter may be served on any person in any judicial district in which such person resides, is found, has an agent, or transacts his affairs.

"§ 2258. Expedition of actions.

"In any civil action instituted under this chapter by the United States in any district court of the United States, the Attorney General may file with the clerk of such court a certificate stating that in his opinion the case is of general public importance. A copy of that certificate shall be furnished immediately by such clerk to the chief judge or in his absence to the presiding district judge of the district in which such action is pending. Upon receipt of such copy, such judge shall designate immediately a judge of that district to hear and determine the action. The judge designated to hear and determine the action shall assign the action for hearing as soon as practicable and hold hearings and make a determination as expeditiously as possible.

"§ 2259. Evidence.

"In any proceeding ancillary to or in any civil action instituted under this chapter the proceedings may be opened or closed to the public at the discretion of the court after consideration of the rights of affected persons.

"§ 2260. Limitations.

"A civil action under section 2255 or 2256 of this chapter must be brought within six years from the date the violation is committed. In any such action brought by or on behalf of a person who was a minor at the date the violation was committed, the running of such six-year period shall be deemed to have been tolled during the period of such person's minority.".

SEC. 5. (a) The section analysis for chapter 110 of part I of title 18, United States Code, is amended to read as follows:

"CHAPTER 110—SEXUAL EXPLOITATION

"Sec.
"2251. Sexual exploitation.
"2252. Certain activities relating to material involving sexual exploitation.
"2253. Criminal forfeiture.
"2254. Civil forfeiture.
"2255. Civil remedies.
"2256. Civil penalties.
"2257. Venue and process.
"2258. Expedition of actions.
"2259. Evidence.
"2260. Limitations.
"2261. Definitions for chapter.
"2262. Severability.".

(b) The chapter analysis for part I of title 18, United States Code, is amended by striking the item relating to chapter 110 and inserting in lieu thereof the following:

"110. Sexual Exploitation ..... 2251".

SEC. 6. Chapter 110 of title 18, United States Code, is amended by inserting after section 2261 the following:

"§ 2262. Severability.

"If the provisions of any part of this Act or the amendments made by this Act, or the application thereof, to any person or circumstances is held invalid, the provisions of the other parts of this Act or the amendments made by this Act and their application to other persons or circumstances shall not be affected.".

FEMINISTS FIGHTING PORNOGRAPHY

ORGANIZATIONS SUPPORTING PASSAGE OF THE PORNOGRAPHY VICTIMS PROTECTION ACT

N.O.W., National Organization for Women, NY, NY Chapter.

Women's Institute for Freedom of the Press, Wash., D.C.

National Coalition Against Television Violence, Champaign, Ill.

V.O.I.C.E.S. Inc. (Nat'l. Incest Survivors Network), Chicago, Ill.

TOPP, Task Force on Prostitution & Pornography, Madison, WI.

Alaska Network on Domestic Violence & Sexual Assault, Juneau, Alaska.

Covenant House, NY, NY.

PRIDE (Family Services), Minn., MN.

N.A.P.C.R.O., Nat'l. Anti-Pornography Civil Rights Organization, Minn., MN.

Genesis House, Chicago, Ill.

Women in Crisis, Fairbanks, Alaska.

IUFA, Independent Union of Flight Attendants, NY, NY.

Women's Alliance Against Pornography, Cambridge, Mass.

Pornography Awareness, Inc., Chapel Hill, NC.

S.A.V.E., Sisters Against Violence & Exploitation, LaJolla, CA.

Pornography Resource Center, Minn., MN.

N.O.W., San Jose, CA Chapter.

By Mr. BRADLEY (for himself, Mr. INOUYE, Mr. PELL, and Mr. EVANS):

S. 705. A bill to reaffirm the boundaries of the Great Sioux Reservation to convey federally held lands in the Black Hills to the Sioux Nation; to provide for the economic development, resource protection and self-determination of the Sioux Nation; to remove barriers to the free exercise of traditional Indian religion in the Black Hills; to preserve the sacred Black Hills from desecration; to establish a wildlife sanctuary; and for other purposes; to the Select Committee on Indian Affairs.

SIOUX NATION BLACK HILLS ACT

● Mr. BRADLEY. Mr. President, I rise today to reintroduce the Sioux Nation Black Hills Act. I am pleased to have as cosponsors, Senator INOUYE, the Chairman of the Select Committee on Indian Affairs; Senator PELL of Rhode Island; and Senator EVANS of Washington. This legislation would right a wrong committed by the United States more than 100 years ago. The bill would restore to the Sioux Tribe a portion of the lands awarded to them by an 1868 treaty and subsequently illegally taken from them.

That the U.S. Government was guilty of an illegal taking is not at issue: the Supreme Court affirmed this conclusion in 1980. What is at issue is the responsibility of our Government to live up to its agreements and ideals. History and other nations judge us by our deeds. If we are concerned about that judgment, we should recognize that the history of our Government's dealings with the Sioux is not adorned with honor. It is a history rich with familiar names and places—Grant, Sherman, Custer, Red Cloud, Sitting Bull, Crazy Horse, Little Big Horn, Fort Laramie, Wounded Knee, and the Black Hills of South Dakota. But the story is one of broken commitments and bad faith. The bill I introduce today is an attempt to rewrite a more honorable final chapter to this history.

It has always astonished me, given America's history of breaking its Indian treaties, that the Sioux Nation has continued to persevere in its efforts to have its treaty rights upheld. There is something honorable, deep-seated, and tenacious about a people who would persevere for over 119 years in an effort to have their treaty rights honored.

Indeed, there is something very extraordinary in our modern day of fast moving events that a treaty first signed in 1868 is still very much an issue. Yet, at the same time, as I think the native American can only understand, there is nothing extraordinary at all about the situation in which the Sioux Nation finds itself with regard to the Fort Laramie Treaty. Things are as they always have been. The native American is still trying to have his treaty rights upheld.

Today, we make another attempt to right this longstanding injustice. I first introduced the Sioux Nation Black Hills bill 2 years ago. It is significant today that I am joined by the chairman of the Select Committee on Indian Affairs, my colleague Senator INOUYE.

I am honored by his presence and his willingness to support this important issue. Native Americans have in Senator INOUYE a leader who is energetic and compassionate; who will give Indian issues the serious attention they deserve. The work in this Congress, I am sure, will rectify those past times in our history when the Senate of the United States has not fulfilled its treaty obligations to "advise and consent" with justice.

Too often, unfortunately, the Senate of the United States has allowed native American issues to become local issues. This was never intended by the framers of the Constitution nor is it appropriate. Injustice is never a local issue. In the simplest terms, the Black Hills legislation grew from injustice and a need to make amends.

When the Supreme Court ruled favorably on the Sioux claims in 1980, the Court concluded, "a more ripe and rank case of dishonorable dealing will never, in all probability, be found in our history." These are strong words for a Court not known for its rhetorical excess. They are words that give meaning and vindication to the generations of Sioux who have persevered in their efforts to uphold their rights.

The Black Hills bill is more than the settlement of a longstanding property dispute. It is a bill, like so much of native American culture, that is about respect for the land, a spiritual culture, and what happens to any people when a great violence is done to their very identity.

After all the discussions about politics, the irreducible moral minimum that each of you must decide is what you owe another human being. By this, I don't mean what you owe yourself, or your family, or even some of your friends, but rather what you owe a stranger simply because he or she is a human being.

In thinking about that obligation, it helps to understand where we are today in America and where we've come from.

For example, Western thought since the 18th century has liberated us from superstition at the same time it had denied us the moral certainty of another age. And in so doing, it has assaulted the sense of harmony and balance that underlies traditional native American culture. Science has unlocked the forces of nature and improved the physical condition of our lives and has also given us the power not just to shape the natural birth/death cycle of nature, but to utterly and completely destroy Mother Earth. The personal liberty of our big cities,

while invigorating, cries out for a new form of community, a new sense of belonging, that goes beyond class, to deeper personal meaning.

In such a search, I think the Lakota Nation has something to say to the rest of America.

At a time in America when the scale and speed of our lives have increased dramatically, when documents fly magically from one computer to another thousands of miles away in a second, and news travels instantaneously from Moscow to Los Angeles, at a time when our economy is global and interdependent, when life becomes more cluttered with the unnecessary, when acid rain continues to fall on forests, when farms become fewer, bigger, and less personalized, it is time for us to refresh ourselves and renew ourselves by relocating our place within nature and in relation to the land.

Mr. President, America is losing its sense of the land. And for a continental power, that is an ominous development.

America needs to know why the Lakota call the Black Hills the "heart of everything that is."

America needs to know why for the Lakota "good fences don't make good neighbors." Why fences cannot contain the spirit of man or the lure of the horizon.

America needs to know Red Cloud and Standing Bear as well as Andrew Jackson and Herbert Hoover. America needs to understand the Sun dance and the other rites of Lakota culture.

America needs to find new self-respect and dignity in the Lakota belief that the children of the Earth are two-legged, four-legged, winged, and all things growing and moving. And, they all have a right to live.

It is for those reasons, as well as trying to right the injustice that has been done, that I have introduced the Black Hills bill, and it is for those reasons that I believe it will ultimately pass. When it does, you must be ready not only to help your brother but also be prepared to show the world the wonder of this land. And in so doing, show respect for the wonder of every land.

One October day, 2 years ago, as I was driving through New Jersey with leaves turning red, brown, yellow, I thought about changes, about how each year brings new life that passes, and yet the trees remain year after year. Our challenge here in America is to find that same continuity in the midst of change.

The clue to the continuity can be felt by just driving through the Black Hills or from Rapid City to Pine Ridge. There is a stillness that goes beyond the wind whispering through the pines or prairie grass. There is a strength that goes beyond the granite spires about Sylvan Lake. There is a sense of possibility that reaches up to the big sky. There, amidst the stillness and strength, is a changelessness, a continuity, that says nature can still be our guide and inspiration. Man is still behind, fighting, imitating, but never quite equaling, the majesty and balance of the land.

America needs to hear this message. America needs to know the Lakota story—the native American story.

I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

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

S. 705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Sioux Nation Black Hills Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Black Hills are the sacred center of aboriginal territory of the Sioux Nation and as such hold deep religious significance for the Sioux Nation, and

(2) such lands are Sioux treaty territory, as affirmed by the Treaties of September 15, 1851 (11 Stat. 749) and April 29, 1868 (15 Stat. 635);

(3) the Sioux Nation views the Black Hills as inalienable and have never voluntarily surrendered or ceded the Black Hills, and have resolved not to accept money in exchange for extinguishment of title to such lands or of the right to practice traditional religion in the Black Hills area;

(4) the United States Supreme Court affirmed the findings of the Court of Claims, citing its conclusion that "[a] more ripe and rank case of dishonorable dealing will never, in all probability, be found in our history" and further noting the Court of Claims' language regarding the duplicity of President Grant "in breaching the Government's treaty obligations to keep trespassers out of the Black Hills, and the pattern of duress practiced by the Government on the starving Sioux to get them to agree to the sale of the Black Hills";

(5) the Sioux Nation has never been accorded a forum within which to seek the return of the lands and, while the United States Supreme Court upheld the ruling of the Court of Claims that the Act of February 28, 1877 (19 Stat. 254), was unconstitutional for failure to pay "just compensation", the constitutionality of the Black Hills taking has not been fully adjudicated because Congress has not provided a Court with the jurisdiction to provide for the return of land as a remedy for an "unconstitutional taking", nor has the question of whether the Black Hills taking was for a "public purpose" had a forum within which to be addressed;

(6) the lawsuit brought by the Oglala Band of the Sioux Nation against the United States to quiet title to Federal lands in the Black Hills, and for damages, was dismissed for want of jurisdiction, Oglala Sioux Tribe of the Pine Ridge Indian Reservation v. United States, 650 F.2d 140 (8th Cir. 1981), cert. denied, 455 U.S. 907;

(7) other bands of the Sioux Nation sued the United States in the Indian Claims Commission, under the Act of March 13, 1978 (92 Stat. 153), and obtained a judgment of $17.1 million for the value of the land taken by the Act of February 28, 1877 (19 Stat. 254), $3,484 for rights of way, $450,000 for damages resulting from gold removed prior to the Act, plus 5 percent simple interest but not on the value of the gold, totaling $105,994,430.52 which was appropriated on July 18, 1980;

(8) neither the Act of March 13, 1978 (92 Stat. 153) nor such judgment provide for the return of land in the Black Hills;

(9) the Sioux Nation has resolved to reject the monetary award and will not accept money in exchange for extinguishment of title to such lands;

(10) the Black Hills have deep religious significance to the Sioux people and the Sioux people refuse to also accept monetary compensation in exchange for the First Amendment rights to freely practice their religion in the Black Hills;

(11) the different bands of the Sioux Nation have pressed its claim to the Black Hills vigorously and continuously for more than 100 years;

(12) notwithstanding the value of $17.1 million established by the Court of Claims as the value of the Black Hills at the time of taking, the loss to the Sioux must be measured in terms of the adjusted value of the resources extracted from the Black Hills which exceeds $18 billion for the 36 million ounces of gold extracted by the Homestake Mine alone through 1980;

(13) the executive branch of the United States has established a record of negotiation with the Sioux Nation to effect a resolution of the Sioux Nation's consistent efforts to recover land in the Black Hills;

(14) the Congress has in the recent past resolved complex American Indian land title and religious issues by conveying title, as well as other forms of compensation, without restricting such resolution to monetary damages; and

(15) it will further the interests of the United States to enter into a just and honorable Sioux Nation Black Hills lands settlement, recognizing and reaffirming its domestic and international commitments to Sioux Nation self-determination, economic security, religious freedom, and acknowledging the traditional and historical belief of the Sioux in the sacred character of the Earth and in the Black Hills in particular, as well as their rights to freely exercise such beliefs.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) The term "Federal lands" means lands held in fee simple by the United States that are not held in trust or for the benefit of any other. Such term includes National Forest, National Parks, Bureau of Land Management, and other lands administered by the Department of Agriculture and the Department of the Interior.

(2) The term "lands", whether Federal or private, includes water rights appurtenant to land, as well as sub-surface mineral rights, mineral patents, and mining claims.

(3) The term "private lands" means lands held in fee simple by the State of South Dakota, its political subdivisions and municipalities, or by any person other than the United States and its instrumentalities.

(4) The term "Secretary" means the Secretary of the Interior.

(5) The term "Sioux" or "Sioux Nation" means those sovereign and independent bands of the Sioux Nation who separately entered into the multilateral Treaty of

April 29, 1868 (15 Stat. 635) with their chiefs and headmen acting as ministers, and shall further mean the Lakota, Dakota, and Nakota bands who were members of the alliance referred to as the Seven Council Fires.

(6) The term "Tribes" means the federally recognized or organized tribes who are successors in interest to the sovereign bands of the Great Sioux Nation, to wit: Cheyenne River Sioux Tribe, Crow Creek Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Standing Rock Sioux Tribe, Santee Sioux Tribe of Nebraska, and Sioux Tribe of the Fort Peck Reservation.

(7) The term "sub-surface mineral estates" means the sub-surface mineral rights retained by the United States on those lands in which surface rights have been conveyed to private parties by United States patent.

(8) The term "re-established area" means the land declared to be a reservation for the Sioux Nation under section 4.

(9) The term "Secretaries" means the Secretary of the Interior and the Secretary of Agriculture.

SEC. 4. RE-ESTABLISHED AREA.

Except to the extent otherwise provided in this Act the land within the following described boundaries which was a portion of the Great Sioux Reservation bounded and confirmed by the Treaty of April 29, 1868 (15 Stat. 635), and which was subsequently excluded from such reservation by the Act of February 28, 1877, is hereby declared to be a reservation for the Sioux Nation:

The western boundary of the land commences at the intersection of the northern boundary of the State of Nebraska with the western boundary of the State of South Dakota; thence north on the western boundary of the State of South Dakota to a point where it intercepts the southern boundary of the State of North Dakota; thence east along said boundary to a point where the one hundred third degree of longitude west from Greenwich intercepts the same; thence due south on the said meridian to its intersection with the east bank of the North Fork of the Cheyenne River; thence down the east bank of said stream to its junction with the South Fork of said Cheyene River; thence up the east bank of the South Fork of said Cheyenne River to its intersection with the said one hundred and third meridian; thence due south along said meridian to the intersection with the northern boundary of the State of Nebraska; thence west on such northern boundary of the State of Nebraska to the place of beginning.

SEC. 5. RE-CONVEYANCE OF LANDS.

(a)(1) The Secretary of the Interior shall identify and inventory—

(A) all private lands within the re-established area,

(B) any Federal lands within the re-established area that are in current use by the United States for military purposes, courthouses, office buildings, post offices, hospitals, warehouses, or cemetaries,

(C) all other Federal lands within the re-established area,

(D) all Federal sub-surface mineral estates within the re-establishment area,

(E) all Federal reserved water rights, and water rights acquired by the Federal Government under South Dakota State law, that are appurtenant to lands within the re-established area, and

(F) all valid rights, reservations, easements, leases, permits, agreements, contracts (including water supply contracts), and memoranda of understanding affecting the lands and water rights described in subparagraphs (D) and (E). The inventory of federally owned water rights shall indicate the location, amount, and priority date of all such rights.

(2) By no later than the date that is 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register the inventory compiled under paragraph (1).

(3) During the 60-day period beginning on the date on which the inventory is published under paragraph (2), the Secretary shall accept comments on such inventory from the Sioux Nation and any other interested party. The Secretary shall investigate any allegation of error or omission in such inventory.

(4) By no later than the date that is 150 days after the date on which the inventory is published under paragraph (2), the Secretary shall publish any changes in the initial inventory which are necessary to correct errors and omissions or a revised inventory which is free of errors or omissions.

(b)(1) Except to the extent otherwise provided in this Act, the head of each Federal agency having jurisdiction over any Federal land within the re-established area, any water rights appurtenant to such Federal land, or any subsurface mineral estate within the re-established area shall, by no later than the day that is 210 days after the date on which the inventory is published under subsection (a)(2), convey all of such Federal lands, mineral estates, and water rights to the Sioux Nation in fee simple, without warranties of any kind.

(2) In any conveyance made under paragraph (1), the head of the Federal agency may reserve to the United States an easement which allows the United States to use any land which is identified under subsection (a)(1)(B) for any purpose described in subsection (a)(1)(B) for so long as such use is continuous from the date of such conveyance.

(3) No conveyance made under paragraph (1) shall affect any rights, reservations, easements, leases, permits, agreements, and contracts that exist under the public land laws on the day before such conveyance so long as they remain valid in accordance with the terms of such public land laws.

(4)(A) The Mount Rushmore National Memorial shall not be conveyed under paragraph (1).

(B) The Sioux Nation shall be given first preference in bidding for the operation of the concessions at the Mount Rushmore National Memorial.

SEC. 6. WATER RIGHTS.

(a) All waters—

(1) which are—

(A) within,

(B) flowing through, or

(C) arising on,

the re-established area,

(2) to which there is no valid, outstanding appropriation under South Dakota State law,

(3) which would be deemed abandoned pursuant to South Dakota law, on the day before the date of enactment of this Act, and

(4) which are not reserved by the United States under section 5(b)(2),

shall, on the date that is 210 days after the date on which the inventory is published under section 5(a)(2), become the property of the Sioux Nation and the Sioux Nation shall determine the use and allocation of such waters.

(b) Any water rights transferred to the Sioux Nation under section 5(b)(1)—

(1) shall retain the same quantity and date of priority that such rights would have if the Federal Government continued to own such rights,

(2) shall not be limited to the uses for which they were reserved by the Federal Government, and

(3) may be used or allocated to any purpose within or without the boundaries of the re-established area as the Sioux Nation may choose.

(c) All water rights (other than water rights acquired from the Federal Government) which may be transferred to or acquired by the Sioux Nation pursuant to this Act—

(1) shall be in the same quantities and with the same dates of priority as such rights would have if such private party continued to own such rights,

(2) shall not be subject to abandonment pursuant to South Dakota State law,

(3) shall be treated as permanent present perfected rights under Federal law, and

(4) shall be subject to such use and allocation as the Sioux Nation may determine.

(d) All waters within, flowing through, or arising on the re-established area shall be subject to the sole and exclusive jurisdiction of the Sioux Nation to regulate the use and allocation of such waters.

SEC. 7. EXEMPTION FROM TAXATION AND CONDEMNATION.

All lands within the re-established area shall be exempt from taxation by the United States or any State or subdivision of a State, and from acquisition for public purposes without the consent of the Sioux Nation.

SEC. 8. STATUS OF PRIVATE LANDS.

(a) Privately held lands within the re-established area shall not be disturbed, and may be held and used or occupied for the same purposes as prior to this Act, subject however, to Sections 10, 11, 12, 13, and 14 of this Act; provided however, that the Sioux Nation may purchase such lands and may also receive title to such lands by devise, gift, exchange, or other transfer. Any private lands purchased or otherwise acquired by the Sioux Nation within the re-established area shall be held and used by the Sioux Nation in the same manner and status as federal lands conveyed under section 5(b).

(b) The Sioux Nation shall have a right of first refusal to purchase privately held lands within the area described in section 11 (b) and (c).

SEC. 9. EXCHANGE OF LANDS.

(a) For the purpose of consolidating the land holdings of the Sioux Nation within the re-established area, the Secretaries are hereby authorized and directed to acquire, by purchase or exchange, all state school lands held by any State within the re-established area, and all interests therein, including improvements, mineral rights whether or not they have been separated from the surface estate, and water rights.

(b) The Secretaries shall immediately and diligently undertake to acquire, by exchange, those lands held by the State of South Dakota at Bear Butte.

(c) In exercising the authority to acquire the above described lands by exchange, the Secretaries are authorized to utilize unappropriated public domain lands outside of the re-established area, but within the respective affected states. The property so exchanged shall be of approximately equal

value, except the Secretaries may pay cash to the affected state to equalize the values of the properties exchanged.

(d) Any lands so acquired by exchange shall be immediately conveyed to the Sioux Nation to be held in the same manner and status of federal lands conveyed under section 5(b) of this Act.

SEC. 10. COMPENSATION.

(a) Funds appropriated on July 18, 1980, in accordance with the Act of March 13, 1978 (92 Stat. 153), and the interest earned from such funds through the date of enactment of this Act shall be paid to the Sioux Nation in compensation for the loss of the use of its lands from 1877 to the effective date of this Act and not for extinguishment of title of such lands. These funds shall constitute the principal of a fund to be known as the "Permanent Investment Fund" which shall be managed by the Sioux Nation and invested in interest bearing accounts at financial institutions of the Sioux Nation's choice for the benefit of the Sioux Nation and future generations of its people. The principal of the Permanent Investment Fund may never be distributed. Interest and income derived from the Permanent Investment Fund shall be distributed annually as follows:

(1) 10 percent of such interest and income shall be invested in a separate fund to be known as the "Permanent Compounding Fund" from which—

(A) during the 25-year period beginning on the date of enactment of this Act, no distributions may be made, and

(B) after the close of such 25-year period, distributions shall be made to the Permanent Investment Fund from time to time in order to offset any reduction in the value of the Permanent Investment Fund caused by inflation;

(2) 10 percent of such interest and income shall be paid to the Sioux National Council to be used for governmental and public purposes;

(3) 10 percent of such interest and income shall be invested in a separate fund to be known as the "Business Development and Investment Fund" from which distributions of income and interest derived from the Business Development Investment Fund shall be made from time to time to the Permanent Investment Fund in order to insure the growth of the Permanent Investment Fund or to offset any reduction in the value of the Permanent Investment Fund caused by inflation; and

(4) the remaining 70 percent of such interest and income shall be distributed to the different tribes of the Sioux Nation based on those percentages of ownership established by the Secretary of the Interior in the "Results of Research Report in Docket 74B" (Black Hills Claim).

(b) To further compensate the Sioux Nation for the loss of the use of its lands, and for the conveyance of some lands to private persons, the United States shall convey to the Sioux Nation, by Quit Claim deed in the same manner and status as federal lands conveyed under section 5(b), an additional fifty thousand acres of federal lands plus an additional fifty thousand of federal sub-surface mineral estates lying outside the 1877 taking area of the Great Sioux Reservation but within the area described in Articles 11 and 16 of the Treaty of April 29, 1868 (15 Stat. 635). The Sioux Nation shall select these lands and identify them to the Secretaries within five years of the effective date of this Act.

(c) Subsection (b) may include National Forests, National Parks, and National Monuments, but shall exclude military facilities, court houses, office buildings, post offices, warehouses, cemeteries, and state highways.

(d) To further compensate the Sioux Nation and in order to insure that the Sioux Park and the Black Hills Sioux Forest remain accessible to the general public, the United States shall provide annually appropriated funds to the Sioux Nation for the operation and maintenance of such lands which shall not be less than 95 percent of the total amount of funds that were appropriated for the administration, operation, and maintenance of the Federal lands conveyed by this Act to the Sioux Nation for the fiscal year preceding the fiscal year in which this Act is enacted.

SEC. 11. SIOUX PARK.

(a) All lands in the re-established area except as provided in section 6 which were held under the jurisdiction of the United States Park Service prior to the promulgation of this Act and such other lands in the re-established area as are identified by agreement of the Secretaries and the Sioux Nation within five years of the effective date of this Act, and their legal description published in the Federal Register shall thereafter be known as the Sioux Park, and shall remain equally accessible to all persons, both Sioux and non-Sioux, under such rules and regulations as the Sioux may from time to time establish and publish.

(b) Notwithstanding the foregoing, such lands within the Sioux Park which are traditional religious or ceremonial sites shall be identified by the Sioux and shall be excluded from public access to the extent necessary to preserve their primary religious uses and integrity. Such sites, which have their individual names, shall be designated by the generic name "Tatanka TaCante"/"The Heart of the Buffalo".

(c) Notwithstanding the foregoing, any lands within the Sioux Park that are designated by the Sioux as a wildlife and wilderness sanctuary for living things which have a special sacred relationship to the Sioux may be excluded from public access to the extent necessary to provide such sanctuary. Such sanctuaries shall be designated by their traditional names and shall be designated by the generic name "Wamaka Og'naka Onakizin"/"The Sanctuary of Everything That Is".

(d) Religious sites and ceremonial sites outside of the re-established area acquired under sections 8, 9, 10(b), 11, or 12, including Devil's Tower, and the Inyan Kara Mountain area, shall be included in the Sioux Park.

(e) Notwithstanding the foregoing, such lands that were held under the jurisdiction of the Forest Service Prior to Promulgation of this Act and were designated as the Norbeck Wildlife Preserve, the Black Elk Wilderness Area, the Pine Creek Natural Area, and other such restricted use lands shall become a part of the Sioux Park.

(f) All lands in the Sioux Park shall remain in the state of use or development to which these lands were committed on the effective date of this Act.

(g) For a transition of five years, the National Park Service and the Sioux Nation will jointly manage the Sioux Park subject to such rules and regulations as the Sioux Nation may from time to time establish and subject to a Management Agreement to be negotiated between the National Park Service and the Sioux Nation.

(h) Notwithstanding any other law, the Sioux Nation shall qualify as an Indian tribe for purposes of the provisions of Section 105 of the Act of January 4, 1975, (88 Stat. 2209).

SEC. 12. BLACK HILLS SIOUX FOREST.

(a) Lands acquired by the Sioux Nation under this Act which are not included in the Sioux National Park and were under the jurisdiction of the United States Forest Service prior to the effective date of this Act shall be designated as the Black Hills Sioux Forest. Such lands may be used by the Sioux Nation in accordance with the traditional principle of "respect for the earth" except that for a transition period of five years the Forest Service and the Sioux Nation will jointly manage the Black Hills Sioux Forest subject to such rules and regulations as the Sioux Nation may from time to time establish and subject to a Management Agreement to be negotiated between the Forest Service and the Sioux Nation. Any authorizations or regulations for land use within the area designated as the Black Hills Sioux Forest which are in conflict with the principle of "respect for the earth" shall be identified within one year of the effective date of this Act by the Sioux Nation and notice of withdrawal of such authorizations and regulations shall be published for a period of thirty days, after which any such use shall cease, except for those uses as provided in section 5(b)(3), i.e., "all existing valid rights, reservations, easements, leases, permits, agreements, and contracts under the public law shall continue in full force and effect so long as they remain valid in accordance with the terms thereof".

(b) Notwithstanding any other law, the Sioux Nation shall qualify as an Indian tribe for purposes of the provisions of section 105 of the Act of January 4, 1975, (88 Stat. 2209).

(c) Rents, royalties, fees, and any income realized from the use of lands in the Black Hills Sioux Forest, including taxes, shall be applied exclusively to the administration, governance, up-keep and improvement of the Forest and Park and the welfare of its residents and users, and shall include the administration of the Sioux Nation Council and its governmental functions. Notwithstanding the above, any income above the funds necessary for the administration and governance of the re-established area shall be equitably distributed among the different tribes of the Sioux Nation through their respective governments and such revenue shall be spent solely for public purposes, such as public administration and the health, education and general welfare of their members.

(d) Lands acquired by the Sioux Nation under this Act which were held by the Bureau of Land Management, or were designated as National Grasslands and were managed by the Forest Service, shall be treated in the same manner as described above in section 12(a), (b), and (c).

SEC. 13. THE SIOUX NATIONAL COUNCIL.

(a) For the purpose of managing and governing the re-established area, there is hereby recognized and acknowledged a Sioux National Council ("National Council"). The National Council shall be composed of such members, selected in such manner and shall exercise such powers of governance and land management as may be delegated to it in a constitution approved by at least three-quarters of the adult members of the respective tribes of the Sioux Nation. The constitution shall be presented to the

members for approval within three years of the enactment of this Act. The constitution of the National Council shall absolutely prohibit the sale or disposal of any lands or water rights acquired under this Act and such lands shall not be sold or disposed of except in accordance with Article 12 of the Treaty of April 29, 1868.

(b) There is hereby recognized and acknowledged such court or courts as the Constitution of the National Council may provide, which shall have original and exclusive jurisdiction to review the lawfulness of actions taken by the National Council.

SEC. 14. INTERIM MANAGEMENT BOARD.

For the purpose of managing and governing the re-established area until such time as the National Council is selected in accordance with the provisions of such Constitution, as set forth in section 13(a), each Tribe shall appoint two representatives to an Interim Management Board, one of which shall be appointed by the respective tribal government, the second of which may be appointed by such Treaty Council as is designated by the respective tribal government.

SEC. 15. JOINT POWERS AGREEMENTS.

(a) Nothing in this Act shall prevent the Sioux Nation from entering into contracts and agreements with any state, political sub-division of any state, or private person, corporation or foundation to fulfill any purpose of this Act or obligation of the Sioux Nation arising under this Act.

SEC. 16. EXISTING ACCESS; MINERAL LEASES; GRAZING PERMITS; TIMBER LEASES, PERMITS, CONTRACTS.

(a) Nothing in this Act shall deprive any person or government of any valid existing right of use or possession, or any contract right, which that person or government may have in any of the lands conveyed to the Sioux Nation, or of any existing right of access over and across such lands in accordance with the provisions of such contracts or the terms of such existing right.

(b) All existing mineral leases involving lands reconveyed under this Act, including oil and gas leases, which were issued or approved pursuant to federal law prior to the enactment of this Act, shall remain in full force and effect in accordance with the provisions thereof. Notwithstanding any other provisions of law, applications for mineral leases under federal law involving such lands, including oil and gas leases, pending on the date of enactment of this Act shall be rejected and advanced rental payments returned to the applicants.

(c) Persons holding grazing permits from an agency of the United States as of the date of this Act involving lands reconveyed hereunder shall continue exercising such grazing rights, subject to all otherwise applicable terms, except that no grazing fees shall be payable by the existing permittee for a term not to exceed two years or the balance of such existing permit, whichever is less. Such grazing permits shall be administered by the Sioux National Council in accordance with all otherwise applicable federal rules and regulations. Such grazing rights may be cancelled by the National Council in accordance with such regulations for failure to meet the terms and conditions of the existing permits, or failure to abide by applicable rules and regulations. Such grazing rights shall be non-transferable, except that they may be relinquished by the permittee to the Sioux Nation at any time. Thereinafter all grazing permits shall be issued under the laws of the Sioux Nation.

(d) Persons holding timber leases, permits or contracts from an agency of the United States as of the date of this Act involving lands reconveyed hereunder, shall have the right to continue exercising such rights as may be granted pursuant to such leases, permits or contracts, subject to all otherwise applicable terms, conditions and federal rules and regulations governing such timber rights, until such rights would normally expire; provided that the Sioux National Council may obtain the relinquishment of any such leases, permits or contracts from the lessees or permittees under such terms and conditions as may be mutually agreeable. Such timber rights shall be administered by the Sioux National Council in accordance with all otherwise applicable federal rules and regulations. Such timber rights may be cancelled by the Sioux National Council in accordance with such applicable regulations for failure to meet the terms and conditions of the existing leases, permits or contracts, or failure to abide by applicable rules and regulations. Such existing timber rights shall be non-transferable, except that they may be relinquished by the permittee or acquired by the Sioux Nation at any time.

(e) From the date of enactment of this Act, 75 percent of all fees derived from timber permits, leases, permits, or contracts affected by this section shall be paid as provided by section 12(c) of this Act. Twenty-five percent of all fees from timber permits, leases or contracts affected by this section shall be paid to the state county governments within which the lands from which the fees are derived are located for a period of five years from the date of enactment of this Act without restriction. Thereafter, 25 percent of such fees shall continue to be paid to such counties for such public expenditures as the Sioux Nation and county may agree pursuant to joint powers agreements entered into for periods not exceeding ten years.

SEC. 17. HUNTING AND FISHING.

The Sioux Nation shall have exclusive jurisdiction to regulate hunting and fishing on all lands, lakes and streams conveyed to it within the re-established area.

SEC. 18. INDIVIDUAL SETTLEMENT IN THE RE-ESTABLISHED AREA.

Members of the tribes constituting the Sioux Nation shall be eligible to receive twenty-five year family use permits to an area not to exceed two and one-half acres per head of household and shall be allowed to settle and construct homes and other improvements on Sioux Nation lands within the re-established area in accordance with a comprehensive land use plan developed by the Sioux National Council covering all lands within the re-established area. Such plan shall insure the proper management and use of lands reconveyed pursuant to this Act consistent with the Lakota principle of "respect for the earth", resource conservation and accepted resource management practices.

SEC. 19. EFFECT ON SUBSISTING TREATIES.

All treaties formerly entered into between the United States and the Sioux Nation, to the extent not inconsistent with the Act, are continued in full force and effect, and any other claims which the Sioux Nation or its bands may have against the United States are neither extinguished nor prejudiced. All rights and exemptions, both political or territorial, which are not expressly delegated to the federal or state governments by this Act or any prior treaty or agreement is hereby reserved to the Sioux Nation and any bands thereof.

SEC. 20. INCONSISTENT LAWS.

The provisions of the Sioux Nation Black Hills Act supercede all laws of the United States which are inconsistent with the Act, including laws generally applicable to "Indians".

SEC. 21. JURISDICTION.

(a) Article 1 of the Treaty of April 29, 1868, shall continue in full force and effect, to the extent that the Sioux Nation, upon sufficient proof made by the United States Attorney to a justice of the appropriate Sioux Nation Court at a hearing convened for that purpose, shall deliver to the United States for trial and punishment any non-Indian who commits a crime under 18 U.S.C. 1153.

(b) Notwithstanding the foregoing, the Sioux Nation may reassume unrestricted criminal jurisdiction over non-Indians at such time as the Sioux Nation and Congress may agree.

(c) All persons within the jurisdiction of the Sioux Nation may bring an action in the tribal courts of the Sioux Nation and all persons residing within the re-established area shall have the right to petition and address the National Council.

SEC. 22. EXTINGUISHMENT OF CLAIMS.

(a) All claims of the Sioux Nation and of any successor-in-interest of the parties to the Treaty of April 29, 1868 (15 Stat. 635) which arise from the taking pursuant to the Act of February 28, 1877 (19 Stat. 254), of the lands described in section 4 shall be extinguished on the date on which all the transfers of property required under section 5(b) are completed.

(b) All transfers of any interest in the lands described in section 4 that would be valid under the laws of South Dakota but for the unconstitutional taking of such lands pursuant to the Act of February 28, 1877 (19 Stat. 254) are hereby declared to be valid and in accordance with the laws of the United States.●

● Mr. INOUYE. Mr. President, today I am pleased to join with my colleagues, Senator BILL BRADLEY and Senator CLAIBORNE PELL in cosponsoring the Sioux Nation Black Hills Act.

A hearing was held before the Select Committee on Indian Affairs on July 16, 1986 regarding a very similar proposal that Senator BRADLEY had introduced in the 99th Congress. During that hearing, the committee was presented with historical evidence regarding the taking of the Black Hills by the United States under circumstances which could only be called dishonorable.

Pursuing the only legal remedy which Congress has made available to them up until now, the Sioux Nation succeeded in securing monetary damages in the Court of Claims in 1980. Since that time, they have steadfastly refused to agree to a distribution of these funds, taking the position that they will never accept money in lieu of their right to significant areas of religious and cultural importance in the Black Hills.

This Congress has an opportunity to respond to the aspirations of the Sioux Nation to see that justice is

done in this matter and in a way which does not infringe on the rights of other private parties or the public interest as it relates to the Black Hills. My agreement to cosponsor this legislation is not intended to represent unqualified support for every provision of this bill. Rather, my agreement to support this bill is intended to convey my intention as Chairman of the Select Committee on Indian Affairs to make the resources of the committee available to achieve a resolution of this matter. The Sioux Nation has waited long enough and this country has ignored this injustice for long enough. Now is the time to act.

I realize that my colleagues from the State of South Dakota have understandably taken a neutral position regarding the Sioux Nation Black Hills Act and that some individuals have characterized this bill as ambitious and unrealistic. However, I do not need to remind my colleagues in the Senate that it is the nature of the legislative process to seek a middle ground as a means of accommodating conflicting interests and views. We intend to work closely with the South Dakota delegation, in particular with Senator TOM DASCHLE who is a member of the Select Committee on Indian Affairs.

The introduction of this bill in the 100th Congress is a historic occasion and a sign of a new day in terms of this country's responsiveness to its commitments to the Indian people.●

● Mr. EVANS. Mr. President, I commend my colleagues Senator BRADLEY, Senator INOUYE and Senator PELL for their introduction of the Sioux Nation Black Hills Act. The bill they are introducing today is an attempt to correct the terrible injustices rendered upon the Sioux Nation so eloquently and compassionately described by my colleagues and by representatives of the Sioux tribes at last fall's hearing before the Senate Select Committee on Indian Affairs.

For over 100 years now the people of the Sioux Nation have continuously sought the return of their land. The validity of the Sioux claim is certain. But the remedy they desire, the return of at least some of their land, had eluded them. That this land was wrongfully taken from them is not the issue. In fact, as recently as 1980, the U.S. Supreme Court affirmed a decision of the Court of Claims that a wrongful taking had occurred. Rather, the issue is how best to correct the injustices of the past, consistent with the long-settled expectations of the non-Indian citizens of the State of South Dakota.

Mr. President, I do not believe that this legislation as currently written is the perfect solution to this most difficult problem, and may not even be the best solution. In fact, as currently written, I have grave concerns about several of its provisions. I do believe, however, that this bill has a useful purpose; namely, to serve as an appropriate vehicle to raise the issues which must be considered before final resolution.

I believe that the issue of an appropriate remedy should be re-examined by Congress. I commend the timeless efforts of many, including Senator BRADLEY, who have kept the dream of a Great Sioux Nation alive. Their cause is just, and their motives honorable. At the very least, the Congress of the United States owes the Sioux its most serious consideration of their claim.●

By Mr. HEINZ (for himself and Mr. DODD):

S. 706. A bill to amend the Bank Holding Company Act and the National Bank Act to clarify limitations on insurance activities of banks; to the Committee on Banking, Housing, and Urban Affairs.

BANK HOLDING COMPANY AND NATIONAL BANK AMENDMENT ACT

● Mr. HEINZ. Mr. President, on behalf of my colleagues, Mr. DODD and Mr. SHELBY, and myself, today I am introducing the Bank Holding Company and National Bank Amendments Act of 1987. This legislation is intended to ratify the spirit of these acts with respect to insurance activities of banks and to ensure the continued safety and soundness of our Nation's banking system.

I. THE SOUTH DAKOTA LOOPHOLE

In 1982, Congress reaffirmed the fundamental national purpose behind the separation of banking and insurance when it clarified section 4(c)(8) of the Bank Holding Company Act by enacting title VI of the Garn-St Germain Act. In doing so, it made it explicit that, except in strictly limited circumstances, bank holding companies are not permitted to engage in the insurance business.

Citicorp and the State of South Dakota, however, developed a plan—the now infamous "South Dakota Loophole"—to circumvent the plain language and intent of the Bank Holding Company Act. In 1983, South Dakota decided to allow out-of-State bank holding companies to buy South Dakota-chartered banks that would be empowered to sell and underwrite insurance everywhere in the United States—except in South Dakota.

The so-called South Dakota loophole exists because of an ambiguity or inconsistency stemming from this country's dual banking system. This system permits each State to regulate State-chartered banks, while Federal law regulates nationally chartered banks and bank holding companies. Some bank holding companies have argued that it is unclear whether the insurance limitations contained in the Bank Holding Company Act, specifically those in section 4(c)(8) pertaining to insurance, apply to State banks that are part of a bank holding company system.

Fortunately, the Federal Reserve protected the integrity of the Bank Holding Company Act by rejecting Citicorp's application to buy its South Dakota bank. The Fed did not, however, explicitly base its ruling upon its clear power to regulate State-chartered banks that are part of a bank holding company system; rather, its ruling was premised on the fact that South Dakota's attempt to attract jobs and money to South Dakota by allowing Citicorp to engage in the insurance business everywhere except South Dakota was designed to evade the purpose of the bank holding company and thus, was illegal.

Mr. President, although the so-called South Dakota loophole has been shut by the Fed's decision, the Fed's holding in that case was limited. More importantly, it begs the broader question of whether State-chartered banks and their subsidiaries that belong to bank holding company systems can engage in activities that violate the Bank Holding Company Act. This has become imperative in light of the Board's subsequent failure to apply the South Dakota decision to other instances in which bank holding companies have sought to acquire State banks which sell general insurance.

Mr. President, this legislation would assure that the intent of the 1982 amendments to section 4(c)(8) is fully carried out. It clarifies that bank and nonbank subsidiaries of bank holding companies can only engage in those activities permitted under the Bank Holding Company Act. It is intended to guarantee that bank holding companies cannot avoid the strictures of section 4(c)(8) under the auspices of State laws which permit the banking subsidiaries of bank holding companies to engage in nonbanking activities which cannot lawfully be conducted by nonbank subsidiaries of the same bank holding companies.

Mr. President, this amendment does not, as its critics allege, nullify the dual banking system; nor does it limit State sovereignty in governing the activities of State-chartered banking institutions. It limits only the activities of bank holding companies and their subsidiaries, bank and nonbank alike, as originally contemplated by the Bank Holding Company Act. It does not affect a State-chartered bank that is not in the holding company form from exercising any power granted by its home State. It does not inhibit State autonomy in determining what innovation, in terms of banking activities, is best for their own people, their businesses, and their industries.

This leads to my second point, Mr. President, which is either overlooked or ignored by the critics in this debate. Bank holding companies are creatures of Federal law—they were created by Congress—and their activities continue to be prescribed by the Bank Holding Company Act. Such entities are permitted to enter only those lines of business which are expressly permitted by that statute. Nowhere in the legislative history of the Bank Holding Company Act is it stated—or intimated—that the 50 States could depart from this carefully constructed regulatory system and permit subsidiaries of bank holding companies to engage in nonbanking activities.

It also follows from this principle, Mr. President, that because bank holding companies are Federal entities, Congress—and not the individual States—is the final arbiter of policy regarding their activities. It is not only bad policy but also not in the interest of a safe and sound banking system to have a patchwork quilt of laws which permit different holding companies to engage in different activities, based solely on where the bank is located.

Hence, State-chartered banks have a choice, which they are free to make: They may enjoy the benefits and restrictions of State legislation, or they may enjoy the benefits and restrictions of the Bank Holding Company Act. They cannot have it both ways.

Finally, Mr. President, I would also note that this language is a slight modification of the language, referred to as the Dodd amendment, which the full Senate passed on September 13, 1984, as part of S. 2851 by a vote of 89 to 5. Full Senate action on the Dodd amendment came after the Senate Banking Committee has passed the Dodd amendment by a vote of 10 to 8 on June 27, 1984. In the same year, the House Banking Committee approved the language in conjunction with a nonbank bank loophole closer. The House legislation never reached the House floor.

II. THE "TOWN OF 5,000" EXCEPTION TO THE BANK HOLDING COMPANY ACT

Mr. President, as I previously mentioned, in 1982, Congress laid down six narrow exceptions to the strict statutory prohibitions on the range of insurance activities permissible for bank holding companies. One of these exceptions permitted bank holding companies and their nonbank subsidiaries to continue to engage in general insurance agency activities in a place or town having a population of 5,000 or less.

It is very important to note that the legislative history on this exception specifically stated that this language was "intended to conform" to the Federal Reserve Board's then existing policy permitting bank holding companies "to offer insurance in towns of less than 5,000 so long as the principal place of the holding company's bank business is also located in a town of 5,000 or less."

The purpose of the Board's policy and the 1982 act's statutory affirmation was to ensure that consumers in small towns would have access to insurance services. I might add, Mr. President, that this purpose was clearly reflected in the Board's subsequent revision of its regulations governing the conditions under which bank holding companies are permitted to sell insurance in small towns.

Unfortunately, in recent months, the Board has taken it upon itself to liberalize its regulation—and the statutory constraint—governing the small town exception. In its recent regulation, the Board failed to include the requirement that bank holding companies offering insurance services in small towns also maintain their principal places of banking business in towns of 5,000 or less. As a result, a bank holding company may now sell insurance anywhere in the country so long as any part of its business is located in a town with 5,000 or fewer residents.

Mr. President, as a member of the Banking Committee in 1982 when this legislation was enacted, as well as one who is very familiar with these provisions, I can assure the present Senate that this new interpretation was not what Congress contemplated when it enacted this legislation. It makes a mockery of clear congressional intent and permits bank holding companies to circumvent the explicit language of the law governing their insurance activities.

This legislation clarifies and reaffirms the original intent of the law by including language similar to that which was deleted from the Board's former regulation. In so doing, it ratifies the clear will of Congress in assuring that the scope of the exception is explicitly limited.

III. "TOWNS UNDER 5,000" EXCEPTION TO THE NATIONAL BANK ACT

The National Bank Act of 1916 prohibits a national bank from engaging in any activity that is not expressly authorized by law or that is "not incidental" to one or more of the authorized activities. The act does, however, permit national banking associations "located and doing business" in towns with fewer than 5,000 residents to engage in certain insurance activities.

It is important to bear in mind that in 1916, national banking associations were not permitted to have branches; in fact, it was not until 1933 that national banks were accorded full parity to branch to the extent permitted to their State-chartered counterparts.

Since that time, however, national banks have expanded their geographic locations through branch networks. With the advent of national bank branches in towns of 5,000 or less where the principal bank is located in a larger community, national banks are afforded the opportunity to locate insurance agency operations in smalltown branches and market insurance products more broadly, in contravention of congressional intent.

Unfortunately, Mr. President, this expansion has already occurred with the blessing of the Federal regulators. In August 1986, the Comptroller of the Currency gave permission to a national bank in Oregon to sell insurance to consumers located anywhere in the United States merely because it had a branch in a town of under 5,000 people. As a result of this approval, national banking associations are not permitted to sell insurance in places and through means that are not authorized by the National Bank Act. More importantly, the Comptroller has transformed the "small town" exemption—designed to permit general insurance agency activities by banks in towns of 5,000 or less—into a vehicle for banks to engage in general insurance agency activities on a nationwide basis in violation of the insurance restrictions of the National Bank Act.

Mr. President, this legislation will clarify the longstanding congressional intent envisioned in the National Bank Act: national banks' insurance activities are limited to the smalltown locations where the bank is headquartered and not where its branches are located.

Mr. President, I would conclude by saying that everyone recognizes the Nation's financial system is a dynamic entity and is undergoing changes never before envisioned. There are also widely divergent views within various sectors of the industry as to what changes should be made regarding national banking policy. While this may be the case, I would make one observation: it is the Congress—and neither the States nor the regulators—that should establish the proper framework governing financial intermediaries. If those laws need to be revised or repealed, then let's do so in a comprehensive manner. They should not, in any case, be revised, repealed or circumvented by State or regulatory fiat. This legislation revises the Bank Holding Company and National Bank Acts to ensure their effectiveness. For these reasons, I would urge my colleagues to cosponsor the legislation.●

By Mr. HEINZ (for himself and Mr. SPECTER):

S. 707. A bill to amend the Department of the Interior and Related Agencies Appropriations Act, 1987 to assure the maintenance of learning opportunities at urban parks on a cost-free basis; to the Committee on Energy and Natural Resources.

AGENCIES APPROPRIATIONS ACT AMENDMENTS

● Mr. HEINZ. Mr. President, we all believe that urban youth need all the educational opportunities we can give them. We certainly know that there are too few opportunities for Americans to gain an understanding of their Nation's heritage. In this year of the Constitution's bicentennial, we should do far more to provide Americans with a thorough understanding of our national experience.

I am very sorry to report that we are not doing so. In fact, Mr. President, the National Park Service is now reducing the opportunities for learning and understanding America's past, because they have put a fee on our history.

Entrance fees at national parks are going into effect all over the country. These strike particularly hard at urban areas, where there is great need, but few opportunities, for learning experiences that come without a price tag.

One of the great ironies of the entrance fee issue is that a fee is now in effect at Independence Historic Park and Valley Forge. In this bicentennial year, you must shell out to see Philadelphia's historic treasures. Those who visit the Philadelphia session of Congress this summer will not have free access to the surrounding parks.

In last year's continuing resolution, with few exceptions, we gave the Park Service virtual carte blanche to charge for visiting a national park. Many had reservations about this policy, particularly the distinguished Senator from New Jersey, Senator BRADLEY. In introducing the administration's proposed fee schedule last year, my friend from Idaho, Senator MCCLURE, expressed some concern about the latitude the Park Service would be allowed. Clearly, those concerns were justified.

Urban parks have very special meaning to our crowded cities. They maintain the history and the culture of the city, and provide a respite from traffic and crowds. To limit admission to these parks, through a fee, is unconscionable.

For these reasons, Mr. President, I am introducing legislation which would bar the imposition of a fee at any urban park which serves significant cultural, educational, or recreational purposes.

In meeting with the Park Service, I had hoped to persuade them of the injustice of charging for Independence Historic Park, but reason has not prevailed. I hope my colleagues will join me in this sensible response to a truly senseless policy of restricting access to our Nation's heritage.●

By Mr. PROXMIRE:

S. 708. A bill to require annual appropriations of funds to support timber management and resource conservation on the Tongass National Forest; to the Committee on Energy and Natural Resources.

TONGASS TIMBER REFORM ACT

Mr. PROXMIRE. Mr. President, today I am introducing a bill that simultaneously reduces the Federal deficit and protects the environment.

The Tongass Timber Reform Act of 1987 returns fiscal sanity and responsibility management to our Nation's largest national forest by repealing sections 705(a) and 705(d) of the Alaska National Interest Lands Conservation Act of 1980 [ANILCA].

These reforms save the American taxpayers billions of dollars and protect one of the last rain forests in the world's temperate latitudes, the Tongass National Forest in southeast Alaska.

The U.S. Forest Service wastes tens of millions of taxpayer dollars each year on the Tongass timber sales program. But until now Congress could not restrain this recklessness because funds for the Tongass were permanently appropriated. This bill corrects that mistake.

Mr. President, taxpayer losses in southeast Alaska aren't new. In fact, during the years of strongest timber demand, prior to the passage of ANILCA, the Forest Service still lost millions of dollars trying to sell timber from the Tongass. Since then, market conditions have deteriorated while Forest Service spending has increased.

Mr. President, the Tongass program's net receipts and expenditures for 1977 through 1986 all show losses. The total deficiency for the decade exceeds $360 million. In fact, annual net receipts show losses even when ignoring capital costs, such as roads, bridges, and facilities.

In 1983 and 1984, the taxpayers lost $57 million and $54 million respectively on Federal timber sales from the Tongass. Stated differently, the Tongass timber program lost 91 cents on every taxpayer dollar spent in 1983 and 93 cents in 1984. In 1985 and 1986, these losses climbed to more than 99 cents on the dollar.

Even worse, according to the Forest Service's own reports to Congress, the annual dollar amount of these losses will grow ever higher over time.

Mr. President, why can't we stop these losses? Because of section 705 of ANILCA. Included as part of a broad amendment package prior to Senate passage of the act, this law contains two provisions that are environmentally and economically unsound.

First, section 705 sets a goal of supplying 4.5 billion board feet of timber per decade from the Tongass to dependent industry. Second, the section provides an open-ended and permanent appropriation of "at least $40,000,000 annually or as much as the Secretary of Agriculture finds is necessary" to enable the Forest Service to meet the timber supply goal. In other words, section 705 gives the Forest Service a blank check.

These funds are not subject to deferral or rescission by the administration. Nor are they subject to the annual appropriations process in Congress.

Congress made section 705 an exception to usual Forest Service practices, ratifying a series of unproven economic assumptions aimed at preserving the regional timber industry. The existing pulp and sawmills in southeast Alaska were built as a direct result of Forest Service efforts to create a major timber industry in the region. The current law attempts to sustain the timber economy by relying on Federal subsidies.

Mr. President, Congress can subsidize Tongass timber buyers forever, but we cannot create buyers for an uneconomic product that no one wants. We must change the law to reflect reality.

In spite of increasing Federal subsidies, regional timber industry employment has fallen sharply, from more than 3,000 full-time equivalent jobs in 1980 to fewer than 1,800 today.

Worse still, subsidized timber competes with unsubsidized timber grown in the same area. Native corporations established under the 1971 Alaska Native Claims Settlement Act are wholly owned by Alaska Natives and operate without benefit of Federal subsidies. Through careful land selections, the Native corporations now own some of the best timber lands in southeast Alaska. Their share of the regional timber harvest climbed from 13 percent in 1980 to 58 percent in the first two quarters of 1986.

Sadly, Forest Service sales under two exclusive 50-year contracts compete with the Native's pulp-grade logs. As a result, up to 50 million board feet of pulp-grade material is left on the ground on Native Corporation clearcuts each year because pulp mills can obtain subsidized Federal timber from the Tongass.

Finally, the Federal timber program endangers a large number of jobs in southeast Alaska that depend on the preservation of the Tongass. The fishing and tourism sectors of the economy combined provide more than twice as many jobs as timber but depend on renewable natural resources. The Tongass timber industry, on the other hand, depends on the one-time harvest of high volume, old growth timber that, for practical purposes, is nonrenewable. Thus, the taxpayer spends $36,000 per year subsidizing timber jobs at the expense of Alaska's future.

Mr. President, the Forest Service must limit Tongass timber sales to volumes likely to attract buyers. It must stop building roads to nowhere. It must stop wasting taxpayer dollars.

Unfortunately, Congress must cancel the blank check before we make any reforms. We must repeal the offending provisions of ANICLA and require that the Forest Service justify its spending. The savings for such a change will be significant.

For example, Congress could limit newly prepared timber sales on the Tongass to meet demand, and restrict road construction to areas where there is a current demonstrated market demand for timber. As a result, the Forest Service would need substantially fewer funds for its Tongass operations. For fiscal year 1988, these savings are about $28.2 million less than the President's budget. Over the next 50 years, those savings will equal $2 to $5 billion, according to the Forest Service's own figures.

Mr. President, Congress must assert its authority over the Tongass National Forest. Requiring annual appropriations for the Tongass timber program is the place to start.

I hope my colleagues in the Senate will join me in this effort to stop the waste and require the Tongass budget to reflect national fiscal needs and resources.

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

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

S. 708

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 "Tongass Timber Reform Act."

SEC. 2. ANNUAL APPROPRIATIONS FOR TIMBER MANAGEMENT AND RESOURCE CONSERVATION ON THE TONGASS NATIONAL FOREST.

Section 705(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(a)) is hereby repealed, effective October 1, 1987.

SEC. 3. IDENTIFICATION OF LANDS UNSUITABLE FOR TIMBER PRODUCTION.

Section 705(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(d)) is hereby repealed.

SEC. 4. REPORT ON ADEQUACY OF TIMBER SUPPLY.

The second sentence of section 706(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539e(a)) is hereby repealed.

SEC. 5. STATUS OF TONGASS NATIONAL FOREST.

Section 706(b) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539e(b)) is amended—

(1) by striking out "and (4)" and inserting in lieu thereof "(4)"; and

(2) by striking out the period at the end of such section and inserting in lieu thereof ", and (5) the impact of timber management on subsistence resources, wildlife, and fisheries habitats.".

By Mr. KENNEDY (for himself and Mr. HARKIN):

S. 709. A bill to impose additional sanctions against Chile unless certain conditions are met; to the Committee on Foreign Relations.

DEMOCRACY IN CHILE ACT

Mr. KENNEDY. Today, we are proposing a significant new step in the effort to promote human rights and democracy in Chile. Along with Senator HARKIN, Congressman BRUCE MORRISON and Congressman ED FEIGHAN, I am introducing legislation calling for economic sanctions against Chile which will put the United States unequivocally on the side of justice in that land.

We are especially honored to have with us the families of the two most well-known victims of General Pinochet's brutal policies—Orlando Letelier and Ronni Moffitt. I am also pleased to be here with two attorneys who have contributed so much to the struggle for democracy in Chile—Larry Barcella, the prosecutor in the Letelier case who obtained the first convictions, and Sam Buffone, who represents the families of the victims in their quest for justice.

For 13 years, General Pinochet has sought to crush all opponents of his murderous rule. He has tortured those who dare to speak out against repression, and silenced those who advocate an end to military rule and a return to the democratic tradition that Chile once knew so well.

For over a decade, the criminals who masterminded the terrorist murder of Orlando Letelier and Ronni Moffitt on the streets of Washington have gone free; justice has been thwarted by the cruel, protective web of General Pinochet. But now, the testimony of Fernandez Larios has revealed additional evidence that Pinochet himself may have ordered the Letelier/Moffitt murder and orchestrated the subsequent cover up.

But that murder is only one example in a long history of outrage and injustice. Just last month, the last remaining member of the security forces held in the death-by-fire of Rodrigo Rojas was set free on $25 bail.

For 6 years, the Reagan administration has paid lip service to antiterrorism, human rights, and democracy in Chile—while approving billions of dollars in loans, guarantees, and preferential trade assistance to prop up the Pinochet regime.

I have enormous respect for the efforts of Ambassador Harry Barnes to encourage democracy in Chile—but his effective work has been systematically undermined by an Administration that, while supporting democracy in word, votes against it in deed, at the United Nations and World Bank. In our view, the time for economic sanctions has arrived, as the only realistic means for Congress to ensure that America truly stands for democracy in Chile.

Our legislation contains four principal provisions:

First, these sanctions will require the United States to vote "no" on assistance to Chile in international financial institutions. Current law requires the United States to oppose loans to violators of human rights, but this administration has never voted against a single loan to Chile on the basis of human rights. On the contrary, the administration has supported $2.2 billion in loans to Chile over the past 6 years.

Second, the Government of Chile continues to deny its workers the right of free assembly, collective bargaining, and other internationally accepted guarantees. The administration ignores the law requiring adherence to these international standards as a condition for benefits under the Generalized System of Preferences and the Overseas Private Investment Corporation. The United States currently imports, at reduced tariff rates under GSP, about $40 million a year in Chilean goods—at the expense of American taxpayers and workers. Rather than denying GSP to Chile, President Reagan decided "to study" the situation—in direct conflict with the law. Chile is also OPIC's largest customer in the world. In 1986 OPIC guaranteed over $290 million in United States investments and loans to Chile. It is time to put our actions in accord with our laws, and abolish GSP and OPIC benefits to Pinochet.

Third, this legislation would cut off landing rights in the United States for Chile's national airline, LAN-Chile. Explosives used in the bombing assassination of Letelier and Moffitt were personally carried into the United States by LAN-Chile pilots. State airlines that are accomplices of state-sponsored terrorism on American streets must not be permitted to land at any American airport.

Fourth, this legislation would prohibit the import of Chilean copper into the United States. The state-owned industry in Chile is one of the government's principal taxpayers. Its export earnings cover the interest Chile pays annually on its national debt. Copper is our largest import from Chile—totaling $250 million last year. The American people are paying Chile's bills—at heavy cost to our own domestic industry, and it is time for these subsidies to be ended.

These sanctions will take effect 30 days after enactment of this legislation, and can be lifted only after a Presidential certification is approved by Congress in a joint resolution, stating that there have been substantial improvements in human, civil, political and labor rights, irreversible steps toward democracy, and concrete progress in bringing to justice those responsible for the Rojas and the Letelier and Moffitt murders.

This legislation will make clear to the Government of Chile that there can be no business as usual between our two nations so long as murderers go free, oppression reigns, and democracy is denied in Chile.

We intend to give this legislation high priority in this session of Congress. I urge the Senate to approve it, and I hope that it will have the support of the President. The Reagan administration is attempting to restore the credibility of its policy against terrorism, and Chile is a good place to start. America's trade with terrorists must end.

I ask unanimous consent that the bill and a summary of the bill be printed in the RECORD.

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

S. 709

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 referred to as the "Democracy in Chile Act of 1987".

SEC. 2. FINDINGS.

The Congress finds that—

(1) since the 1973 military coup in Chile, the regime of General Augusto Pinochet has consistently and flagrantly violated internationally recognized human rights through torture, denial of political freedoms, arbitrary detention, political imprisonment, and killings;

(2) Amnesty International, Americas Watch, the United Nations General Assembly, the Organization of American States Commission on Human Rights, and internationally respected Chilean human rights organizations have stated that gross violations of internationally recognized human rights have continued in Chile in recent years;

(3) the Government of Chile has consistently violated international standards of labor rights, including the right of association and the right to organize and bargain collectively;

(4) on August 25, 1985, Cardinal Juan Francisco Fresno brought together 11 parties spanning the political spectrum to sign a National Accord for the Transition to Full Democracy in Chile, which repudiated violence as a method of political action;

(5) these parties, together with labor unions, professional organizations, and other groups who support the Accord, reflect the overwhelming support of the Chilean people for an early and peaceful return to civilian democratic rule;

(6) despite the Chilean people's desire for a return to democracy and their widespread hope this would occur no later than 1989, President Pinochet has systematically blocked the return of full democracy to Chile and has clearly expressed his desire to remain in power at least until 1997;

(7) the Government of Chile has failed to take adequate steps to bring to justice those members of the government security forces who beat and set on fire Carmen Gloria Quintana and Rodrigo Rojas de Negri, resulting in serious injury to Quintana and the death of Rojas;

(8) the testimony of Armando Fernandez Larios implicates General Pinochet directly in the 1976 assassination of former Chilean Ambassador Orlando Letelier and American citizen Ronni Moffitt, and the Government of Chile continues to prevent the prosecution or extradition of those Chilean officers responsible for those murders;

(9) the United States, in recognition of the continuing pattern of human rights abuse by the Government of Chile, drafted, sponsored, and voted for a resolution on March 14, 1986, before the United Nations Commission on Human Rights condemning the Government of Chile for the continuing pattern of human rights abuse in that country;

(10) the United States diplomatic mission in Chile has actively supported a democratic transition through meetings with opposition leaders, public defense of human rights, urging a specific and reasonable timetable for a transition to democracy, and making clear to government authorities the abhorrence with which the United States Government and people look upon the continued suppression of human rights and democracy in Chile;

(11) despite the requirements of section 231A of the Foreign Assistance Act of 1961 and section 502(b)(8) of the Trade Act of 1974, which instruct the United States to deny investment and trade benefits to any country which denies its citizens internationally recognized worker rights, the United States continues to provide benefits to Chile under the Generalized System of Preferences and through the Overseas Private Investment Corporation; and

(12) despite section 701 of the International Financial Institutions Act, which instructs United States Executive Directors in multilateral financial institutions to use their voice and vote to oppose loans to countries engaged in gross violations of human rights, since 1981 the United States not only has never voted no on a multilateral development bank loan to Chile on the basis of its human rights violations, but has supported more than $2.2 billion in loans to Chile.

SEC. 3. DECLARATION OF UNITED STATES POLICY.

It is the policy of the United States to—

(1) encourage the peaceful return to democracy in Chile, including a restoration of basic civil, political, worker, and human rights;

(2) condemn continued acts of brutality and repression by the Government of Chile as well as the September 1986 assassination attempt against General Augusto Pinochet;

(3) call for the adoption of a precise and reasonable timetable for the transition to full democracy and civilian rule; and

(4) support efforts through dialogue to establish a framework for the orderly and peaceful transition to full democracy in Chile and to express the view that the National Accord for a Transition to Democracy is an important step toward that goal.

SEC. 4. CONDITIONS ON CONTINUATION FOR CHILE OF CERTAIN UNITED STATES SUPPORT.

(a)(1) Except as provided in subsection (b), beginning 30 days after the date of enactment of this Act—

(A) the United States Executive Director of each relevant multilateral development bank shall vote no on any loan or other financial or technical assistance for Chile which is not directed specifically to programs which serve the basic human needs of the citizens of that country and shall use its best efforts to persuade other members of each such bank to vote no on loans to Chile;

(B) Chile shall not be eligible for designation as a beneficiary developing country under title V of the Trade Act of 1974; and no product of Chile that is entered, or withdrawn from warehouse for consumption, in the customs territory of the United States may be extended duty-free treatment under that title;

(C) the Overseas Private Investment Corporations shall not issue any guarantee of loans or other investments with respect to Chile;

(D) no—

(i) unwrought, black copper, blister copper, or anode copper provided for in item 612.03 of the Tariff Schedules of the United States, and

(ii) unwrought, nonalloyed copper provided for in item 612.06 of such schedules,

that is produced (in whole or in part) in Chile may be imported into the customs territory of the United States; and

(E) the air transportation sanctions described in paragraph (2) shall be imposed against Chile.

(2)(A) The Secretary of State shall terminate the existing air transportation agreement between the United States and Chile.

(B) Upon termination of such agreement, the Secretary of Transportation shall prohibit any aircraft of a foreign air carrier owned, directly or indirectly, by the Government of Chile or by Chilean nationals from engaging in air transportation with respect to the United States.

(C) The Secretary of Transportation may provide for such exceptions from the prohibition contained in this paragraph as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers is threatened.

(D) For purposes of this section, the terms "aircraft", "air transportation", and "foreign air carrier" have the meanings given those terms in section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301).

(b) The sanctions described in subsection (a) shall not apply if—

(1) the President certifies to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate that the Government of Chile—

(A) has made significant progress—

(i) in complying with internationally recognized human rights, including respect for the right to life, an end to all forms of physical and psychological torture, abductions, arbitrary arrests, detention in secret locations, and an end to political murders; and

(ii) in restoring labor rights, including freedom to organize and bargain collectively, and the right to strike,

(B) has made demonstrated and significant progress in establishing a multi-party electoral process which is free, competitive, and open to all citizens, including—

(i) whether a precise and reasonable timetable has been established for a transition to full democracy, and

(ii) whether progress has been made in implementing political reforms which are essential to the development of democracy, such as the legalization of political parties, the enactment of election laws guaranteeing free and fair procedures for competitive elections, the establishment of freedom of speech, the press, and assembly, and the lifting of the states of legal exception;

(C) has ended the practice of forced exile and restrictions on the right of Chilean nationals to enter and leave their country; and

(D) has taken appropriate steps—

(i) to conduct an independent and thorough investigation and prosecution of those responsible for the burning of Carmen

Gloria Quintana and the death of Rodrigo Rojas;

(ii) to cooperate to bring to justice by all legal means available in the United States or Chile those indicted by a United States grand jury in connection with the murders of Orlando Letelier and Ronni Moffitt; and

(iii) to make appropriate compensation to the members of the Letelier and Moffitt families; and

(2) the Congress, within 30 calendar days after receiving a certification described in paragraph (1), enacts, in accordance with section 5, a joint resolution approving such certification.

(c) Each certification made under this section shall discuss fully and completely the basis for making such certification.

SEC. 5. CONGRESSIONAL REVIEW AND ACTION.

(a) A joint resolution referred to in section 4(b)(2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(b) For the purpose of expediting the consideration and enactment of a joint resolution under this Act, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

SUMMARY OF KENNEDY-HARKIN SANCTIONS AGAINST CHILE

Senators KENNEDY and HARKIN introduced the Democracy in Chile Act of 1987 on March 10, 1987, in the Senate. Congressmen MORRISON and FEIGHAN introduced comparison legislation in the House. The bill states that it is U.S. policy to encourage the peaceful return to democracy in Chile, including a restoration of basic civil, political, worker labor and human rights. to advance these goals, the bill imposes the following conditions and requirements on U.S. policy in Chile.

SANCTIONS

1. No vote on loans—Mandates a U.S. no vote on multilateral development bank loans to Chile. Section 701 of the International Financial Institutions Act requires the United States to oppose loans to gross violators of human rights. Despite this requirement, the Reagan administration has never voted against a single loan to Chile on human rights grounds and has supported over $2.2 billion in loans to the Pinochet regime.

2. Deny GSP and OPIC benefits—Eliminates duty-free and preferential treatment for Chilean exports to the United States under the Generalized System of Preferences. The Trade Act of 1974 instructs the United States to revoke GSP status to countries that violate international worker rights. Despite continued labor repression in Chile, the United States permits roughly $40 million worth of Chilean imports into the United States under GSP.

3. Revoke landing rights—Revokes the landing rights of the Chilean national airlines, LAN-Chile. The explosives used to kill Orlando Letelier and Ronni Moffitt were transported to this country aboard LAN-Chile and smuggled into this country by the airlines' pilots.

4. Halt copper imports—Prohibits the importation of Chilean copper into the United States. Copper is Chile's largest export to the United States, totaling $250 million in 1986. A state-owned industry, copper provides the government roughly half its export earnings—a level equal to Chile's annual debt payments.

5. The legislation also—Prohibits the Overseas Private Investment Corporation from guaranteeing any U.S. loan or investment in Chile. The Foreign Assistance Act of 1961, prohibits the extension of such credits to governments engaged in labor rights violations, yet the United States continues to provide over $290 million in such credits to U.S. corporations in Chile.

REMOVAL OF SANCTIONS

Sanctions can only be lifted if the President certifies and the Congress approves the certification that the Government of Chile has:

1. restored human and labor rights;

2. made significant progress toward establishing a free and competitive electoral process;

3. ended the practice of forced exile;

4. brought to justice those responsible for the deaths of Rodrigo Rojas, Orlando Letelier and Ronnie Moffitt.

● Mr. HARKIN. Mr. President, on February 4, U.S. attorney Joseph DiGenova announced that the U.S. Government "will not rest" until those individuals responsible for the 1976 assassination of Chilean Orlando Letelier and American citizen Ronni Karpin Moffit were "brought to the bar of justice."

We now know from testimony of Armando Fernandez Larios, a Chilean intelligence officer, that Chilean President General Augusto Pinochet himself was not just involved in the covering up but in ordering the assassination of Orlando Letelier and Ronni Moffit.

Today, by introducing legislation proposing economic sanctions for Chile, Senator KENNEDY and I echo the Justice Department's pledge that the U.S. Congress will not rest until General Pinochet is brought to justice.

We offer this legislation for the families of Orlando and Ronni;

We offer this legislation for Veronica DiNegri, whose son, Rodrigo Rojas, was beaten and burned to death in the streets of Santiago by members of Pinochet's security forces last July.

We offer this legislation for the Chilean people, who for 14 years have suffered the repression and horror of Pinochet's terrorist regime.

For the sake of the Chilean people, and the families of Rodrigo Rojas, Orlando Letelier and Ronni Moffit, the first step in this crusade for freedom and justice is to remove General Pinochet, the man responsible for an act of state terrorism in the streets of Washington, DC, from power.

From the day he seized power on September 11, 1973, Pinochet has ruled with terror and violence. Thousands of suspected opponents have been jailed and tortured.

Political parties have been outlawed, and the press censored.

In short, Pinochet has set out to destroy the Chilean left, divide the democratic center, and eliminate from the memory of the Chilean people their country's 150-year history of democratic rule.

Under Pinochet, Chile has become a repressive state, where legalism fronts for official violence and where violence gives laws their legitimacy.

Pinochet has been just as relentless in his efforts to suppress democracy in Chile as he has been in violating the human rights of the Chilean people.

The National Accord, formed last year by 13 opposition parties to promote a peaceful transition, has been stonewalled by Pinochet.

And last July, in a direct affront to the democratic opposition, General Pinochet announced he would run unopposed for the presidency in 1989, and plans to remain in power for another decade.

What has become clear—even to the Reagan administration—is that Pinochet himself is at the root of Chile's problems.

Thirteen years ago, he promised to wipe out Marxism and terrorism. Yet he has only driven a Communist Party which did not originally believe in violence to become a vast network for armed resistance and terrorism.

He has transformed a country with the longest democratic tradition in Latin America into a place where the young learn violence every day—in the streets that are patrolled by marauding soldiers, in the schools where they are expelled and beaten up, and in the lack of employment and abundance of hunger.

The cycle of violence that now grips Chile will continue so long as Pinochet remains in power for more state-sponsored terrorism will only provoke more leftist violence and terrorism.

Pinochet's absolute refusal to accept a democratic transition has forced the Reagan administration to distance itself from General Pinochet in the past year. Ambassador Harry Barnes, who replaced a Pinochet apologist in November 1985, has condemned the military junta for its human rights record, spoken out for a democratic transition, and attended the funeral of Rodrigo Rojas.

Last March, the United States—for the first time since 1981—not only endorsed, but initiated a United Nations resolution condemning human rights violations in Chile and urging a more rapid return to democratic rule.

And on July 30, Assistant Secretary of State Elliott Abrams announced that if the vote on multilateral loans to Chile were held that day, he would vote against them.

Mixed signals are still being sent by Washington and the White House, signals which in Santiago, where Pinochet controls the press with an iron grip, are twisted to his advantage.

Despite Abrams' testimony, the administration ultimately abstained on, rather than voted against, a $250 million loan for Chile when it came before the World Bank in November.

Although Ambassador Barnes has publicly supported a return to democracy, the Senate has yet to pass a resolution supporting the National Accord.

Although we now rebuke Pinochet for his refusal to accept democracy, the Reagan administration voted against a resolution in the United Nations which criticized Chile's human rights record. Since coming to office, has supported over $2 billion in multilateral loans to that country.

If the administration had its way, these mixed signals would continue. In fact, in his testimony of July 30, Secretary Abrams called for greater "flexibility" in U.S. policy toward Chile.

What is needed at this time is not flexibility but resolve.

In the next year, the United States has an important opportunity to back its rhetoric with its vote in the World Bank and Inter-American Development Bank.

As was mentioned earlier today, the economy traditionally has been the "achilles heal" of Chile. More than 13 years ago, the Nixon administration used economic leverage, made the Chilean economy scream, and ushered the way for the coup that brought Pinochet to power.

Today, Pinochet's Chile is vitally dependent on the infusion of foreign capital—through multilateral institutions—for its economic stability. Chile, with the world's largest per capita foreign debt, desperately needs World Bank and IDB money to roll over that debt.

The United States must use that leverage to isolate Pinochet from his few remaining allies—the business community and the military—and to create that opening essential for the democratic opposition in Chile.

We must send a strong signal to the Chilean community that so long as Pinochet remains in power Chile will suffer further economic deterioration. But to send that signal the United States must not only vote against the loans, but actively lobby against them.

As a first step, the Reagan administration must commit itself to voting no on all subsequent loans requests.

The United States, pursuant to current law, should deny Chile economic benefits, under the Generalized System of Preferences and the Overseas Private Investment Corp.

We must make clear to the Chilean government and the Chilean people that we will continue this policy until steps are taken to restore democracy in Chile, until those responsible for the Rojas killing and the Letelier-Moffit assassinations are brought to justice, and until human rights abuses are eliminated.

We must send the signal that until democracy returns to Chile, it will no longer be business as usual for U.S.-Chilean relations.

Under the Reagan doctrine, the United States is now spending millions of dollars to support so-called freedom fighters in Nicaragua, Cambodia, and Angola.

The question for U.S. policy toward Chile is not whether we support the forces of freedom but whether we will cease funding the forces of oppression.

The restoration of democracy in Chile may be months or even years away, but the opposition is now building toward that day. The United States should unambiguously support these efforts.

The longer General Pinochet remains in power, the greater will be the suffering of the Chilean people and the likelihood of polarization and bloodshed. Being soft on Pinochet is not only morally indefensible, it is shortsighted politics.

Mr. President, I ask unanimous consent that an article by Chilean novelist Ariel Dorfman be printed in the RECORD.

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

[The New York Times, March 9, 1987]

PRY LETELIER'S KILLERS OUT OF CHILE

(By Ariel Dorfman)

DURHAM, N.C.—If Ronald Reagan still is seeking a chance to prove to a justifiably skeptical world that his promise of "swift and effective retribution" against terrorism is more than empty words, he has a golden opportunity. The Administration should attempt to extradite a couple of cold-blooded killers in my country, Chile, and bring them to trial for murder in the United States.

The killers are Gen. Juan Manuel Contreras Sepulveda, former head of the secret police, and Col. Pedro Espinoza, who directed the secret police's special operations division.

On Sept. 21, 1976, they assassinated Orlando Letelier in Washington; he had been a minister in the Cabinet of President Salvador Allende Gossens, deposed and killed in a bloody coup three years earlier. When Mr. Letelier's car exploded, a professional associate of his, Ronni Moffitt, a United States citizen, was also blown up.

Though the evidence implicating the Chilean secret police that the Justice Department and Federal Bureau of Investigation amassed was overwhelming, a subservient and nominally autonomous Chilean Supreme Court denied extradition requests in 1978. As a pretext for their refusal, the justices said they considered the proof of participation by Chilean officers the crime insufficient.

They cannot hide behind that pretext any longer. Recently, Maj. Armando Fernández Larios, who had been indicated along with General Contreras and Colonel Espinoza for the murder voluntarily returned to the United States and in Federal District Court in Washington confessed his part in the bombing. He implicated his secret police superiors and said he understood that Gen. Augusto Pinochet, the strongman who has misruled Chile for more than 13 years, might have been involved in the crime.

Will the United States seek extradition? The State Department told me last week: "We are in contact with the Chilean authorities in seeking their cooperation in bringing the culpable men to justice. We will determine the particular procedures or measures to be adopted at the appropriate time." I asked what measures and timing the department had in mind. The spokesman declined to be more explicit.

It would not be easy for the Administration to obtain the extradition of the officers. In the past, it has weakly and hesitantly tried to persuade the Chilean dictator to cease his violation of human rights and to schedule an orderly transition to democracy—with no visible results.

Washington has to get tough. Will it vote and actively lobby against loans for multilateral development institutions that have been keeping General Pinochet's ailing economy afloat? Will it continue to allow the Overseas Private Investment Corporation to guarantee private investments in Chile? Will it warn the general that unless he cooperates in an extradition, Chile will be denied important benefits given to developing countries?

What is at stake is not merely a test of the Administration's resolve to combat terrorism when carried out by a friendly dictator. Chile's future is also at stake. If these officers dared perpetrate this bloodbath on the streets of the capital of the nation they considered their greatest ally, imagine what they and their colleagues have been visiting day after day on defenseless citizens in unknown cellars and unseen slums.

Though hundreds of cases involving abductions, torture, disappearances, burnings and murder have been presented to the Chilean judiciary by courageous lawyers—themselves often jailed and exiled as a result of their actions—there has yet to be one conviction of a military officer for human rights abuses.

If the officers who ordered the murder of Mr. Letelier were brought to trial outside Chile, it would be the first time since democracy was strangled that we Chileans would see some of the men who have so ferociously wielded the power of life and death answer for their crimes.

If Washington does not seek the extradition of General Contreras and Colonel Espinoza, many Chileans will conclude that the Administration's words about standing tall against terrorism are mere rhetoric.

In Chile, despite the fear, a few voices demanding extradition are being heard. We have no illusions that the extradition and punishment of two of the many killers in the regime would signal the beginning of the end of General Pinochet's reign. But it would offer hope, because finally the idea of accountability for crimes would be established.●

By Mr. DECONCINI:

S.J. Res. 79. Joint resolution proposing a constitutional amendment to limit congressional terms; to the Committee on the Judiciary.

PROPOSED CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS

● Mr. DECONCINI. Mr. President, I rise today to introduce once again a joint resolution proposing a constitutional amendment to limit congressional terms. In every Congress since the 95th, I have introduced such an amendment. I have been pursuing this amendment because I believe that it would reaffirm our faith in the repre-

sentative nature of our political institutions.

Whether or not Members of Congress should be limited in their number of terms has been pondered throughout the history of the U.S. Congress. The question was posed as early as 1777. Although the framers of the Constitution placed no limitation on the number of terms Members of Congress could serve, I believe that the structure of Congress has developed in such a way that a limit is now desirable.

As you are well aware, Mr. President, the seniority system evolved over the years as an organizational mechanism for the two Chambers. Under this rule, responsibilities within the committee structure are allocated on the basis of tenure in office. Undoubtedly, this system has facilitated Congress in many respects. However, it has in turn diminished equal representation of individuals and States. Under it, Mr. President, we do not stand as equals. Therefore, the States and the people we represent do not stand as equals.

Every Member of this body clearly understands that to be chairman, for example, of a standing committee confers immense benefits. Not only does it bring personal power and prestige, it enables the chairman to insure that the people he or she represents will receive benefits that may be out of proportion to a purely rational allocation of Federal resources. It puts at the disposal of the chairman vast staff resources that give him great advantages in passing legislation of interest to him and his constituents.

Each of us, at one time or another, has witnessed or been involved in an election in which seniority was a central issue. Incumbents have appealed for votes on the grounds that their seniority insured that more Federal dollars would be spent in their State or district than would otherwise be true. Incumbents have claimed that seniority would allow them to pass legislation that a new Member could not conceivably be expected to shepherd through the complex legislative process. In most instances, these are not idle boasts. The nature of the seniority system makes them true. The question at issue is whether it should be thus; whether longevity of tenure in office should be the criterion for legislative success and constituent service; and whether this is the best a democracy can offer.

Limiting terms will open congressional seats to more people, especially the young and old who might undertake a career in public service prior to or after another career. I believe we have a responsibility to encourage others to serve our Nation. By breaking down the barriers that have limited participation, we move in the direction of democracy and away from the "professionalized" legislature.

As I have stated in the past, my intentions with this bill are not to cast aspersions on my colleagues. I believe that the men and women who have served as chairpersons of our legislative committees have served well. They have often provided us with a diverse source of national leadership. In most cases, they have exercised their power with moderation, and in pursuit of national, not personal interests. But being political representatives, they respond to political pressures, especially those emanating from their home States. States with a preponderance of junior Members in one or both Houses are at a distinct disadvantage when competing for either congressional action or Federal dollars.

For myself, Mr. President, this whole issue has proved to be very troubling. During my initial campaign for the Senate, I told the people of Arizona that I would limit my own stay in this body to two terms. I hoped that I could pass an amendment which would be submitted to the States for ratification and eventually become part of our Constitution. I wish I had succeeded but such ideas often take a long time. The struggle to restore fiscal responsibility in our Government through a balanced budget constitutional amendment, an issue I have pressed since entering Congress, is a fine example of this.

As I mentioned, I have introduced this amendment in every Congress since I arrived in 1977. But as committed as I am to this cause, it seems the very seniority system with which I disagree has, in fact, contributed to my decision to retract my two-term commitment.

As you know, Mr. President, my distinguished colleague from Arizona, Senator GOLDWATER, retired in January after an impressive career in this body. It is interesting to note that he was a cosponsor of my amendment in the 95th and 96th Congresses. If I chose to limit my tenure in office to two terms, forgoing a reelection campaign in 1988, Arizona would be left with a total of 2 years senatorial seniority. Arizona's growth and prosperity have recently begun to accelerate. If I step down, it will have a detrimental effect on the legislative needs of Arizona for a decade. My health is good, I am 50 years old and feel that I can continue to help Arizona. Quite frankly, I enjoy this work and I am humbled by the fact that the people of Arizona have chosen me to represent them.

It is unfortunate that under the present political system a Member most likely denies his constituency the most powerful possible voice in government if he or she does not seek reelection as many times as possible. The present rules of the game would place my State is a disadvantage if I do not seek reelection. However, what this amendment does for the restoration of democratic principles goes far beyond the question of my running for a third term. By amending the Constitution to maximize political participation, we are perfecting the fundamental law that governs us. We will have reaffirmed our commitment to the principle that the laws which govern this great land should be democratic and without prejudice toward any State or region.

I ask unanimous consent that a copy of the joint resolution be printed in the RECORD.

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

S.J. RES. 79

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein) That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after its submission for ratification:

"ARTICLE —

"SECTION 1. No person shall be elected to the Senate for more than two full terms. No person shall be elected to the House of Representatives for more than seven full terms.

"SEC. 2. Notwithstanding the provisions of section 1 of this article, any person may serve not more than fourteen years as a Senator or not more than fifteen years as a Representative.

"SEC. 3. For purposes of determining eligibility for election under section 1 of this article, no election occurring before the date this article is ratified shall be taken into account. For purposes of determining years of service under section 2 of this article, no service of any part of a term of office by a Senator or Representative elected to such term before the date this article is ratified shall be taken into account."●

By Mr. GLENN (for himself, Mr. METZENBAUM, Mr. BOSCHWITZ, Mr. SIMON, Mr. DURENBERGER, Mr. PROXMIRE, and Mr. LUGAR):

S.J. Res. 82. Joint resolution to authorize and request the President to issue a proclamation calling upon the people of the United States to observe the bicentennial of the Northwest Ordinance of 1787; to the Committee on the Judiciary.

NORTHWEST ORDINANCE BICENTENNIAL

● Mr. GLENN. Mr. President, today I rise to introduce a concurrent resolution commemorating the bicentennial of the Northwest Ordinance.

The Northwest Ordinance, enacted on July 13, 1787, is of major historical importance to our Nation; it preceded the Bill of Rights and the Constitution in establishing such fundamental principles of the American Republic as freedom of religion, equality of race and individual rights, and public edu-

cation. Under the provisions of the Ordinance, 31 States, one Commonwealth, and one Republic came into the Union.

A bicentennial celebration of the Ordinance will provide a valuable opportunity for educational programs and other commemorative activities. By reaquainting the public with the ideals embodied in the Ordinance that gave birth to American federalism, we shall gain a greater public understanding of, and appreciation for, the Constitution.

Mr. President, a companion measure is being introduced in the House of Representatives by the Honorable CLARENCE E. MILLER of Ohio. I urge my colleagues to give full and favorable consideration this resolution. I ask unanimous consent that the text of the resolution be printed in the RECORD.

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

S.J. RES. 82

Whereas on July 13, 1787, the Congress of the United States, as established by the Articles of Confederation, enacted a law entitled "An Ordinance for the government of the territory of the United States northwest of the river Ohio";

Whereas such law, known as the Northwest Ordinance of 1787, provided for the settlement and civil governance of the Northwest Territory from which all or part of the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota were subsequently formed;

Whereas the Northwest Ordinance of 1787 provided that States formed in the Northwest Territory would be admitted into the Union on an equal footing with the original States and admission into the Union on this basis was subsequently applied to States formed in other territories of the United States;

Whereas the Northwest Ordinance of 1787 led to the orderly development of the Northwest Territory;

Whereas the Northwest Ordinance of 1787 recognized the dignity of the individual without regard to race, religion, or national origin and provided for the equality of civil rights for all people by prohibiting slavery and involuntary servitude in the Territory, thereby preceding the Bill of Rights; and

Whereas the Northwest Ordinance of 1787 encouraged public education by providing for free public education within the local community: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That insomuch as the Northwest Ordinance of 1787 is one of the fundamental legal documents of the United States, providing an early example of the commitment of the people of the United States to democratic principles, religious freedom, and individual rights, the President is authorized and requested to issue a proclamation, as soon as practicable after the date of enactment of this joint resolution, calling upon the people of the United States to observe the bicentennial of the Northwest Ordinance of 1787 with appropriate programs, ceremonies, and activities.●

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. HATCH, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of S. 51, a bill to prohibit smoking in public conveyances.

S. 58

At the request of Mr. DANFORTH, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 58, a bill to amend the Internal Revenue Code of 1986 to make the credit for increasing research activities permanent and to increase the amount of such credit.

S. 169

At the request of Mr. RIEGLE, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 169, a bill to provide Federal grants to States for programs to identify and aid individuals who have been exposed to the drug diethylstilbestrol [DES].

S. 212

At the request of Mr. HELMS, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 212, a bill to help prevent rape and other sexual violence by prohibiting dial-a-porn operations.

S. 324

At the request of Mr. DOLE, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 324, a bill to revise the basis for computation of emergency compensation under the 1986 feed grains programs.

S. 402

At the request of Mr. EVANS, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 402, a bill to provide that during a 2-year period each item of any joint resolution making continuing appropriations that is agreed to by both Houses of the Congress in the same form shall be enrolled as a separate joint resolution for presentation to the President.

S. 491

At the request of Mr. D'AMATO, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 491, a bill to repeal the provision of the Tax Reform Act of 1986 which disallowed the treatment of certain technical personnel as self-employed individuals.

S. 561

At the request of Mr. THURMOND, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 561, a bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction to farmers who donate agricultural products to assist victims of natural disasters.

S. 607

At the request of Mr. CRANSTON, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of S. 607, a bill to amend the National Housing Act to limit the fees that may be charged by the Government National Mortgage Association for the guaranty of mortgage-backed securities.

S. 613

At the request of Mr. WILSON, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 613, a bill to require the Secretary of Health and Human Services to make grants for the development, establishment, and operation of a congressional advisory panel on acquired immune deficiency syndrome.

S. 661

At the request of Mr. HEINZ, the names of the Senator from Ohio [Mr. GLENN], the Senator from Maine [Mr. MITCHELL], the Senator from Minnesota [Mr. DURENBERGER], the Senator from New Jersey [Mr. BRADLEY], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Montana [Mr. MELCHER] were added as cosponsors of S. 661, a bill to amend titles XI, XVIII, and XIX of the Social Security Act to protect beneficiaries under the health care programs of that act from unfit health care practitioners, and otherwise to improve the antifraud provisions relating to those programs.

SENATE JOINT RESOLUTION 5

At the request of Mr. D'AMATO, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of Senate Joint Resolution 5, joint resolution designating June 14, 1987, as "Baltic Freedom Day."

SENATE JOINT RESOLUTION 14

At the request of Mr. HELMS, the names of the Senator from Idaho [Mr. MCCLURE] and the Senator from Washington [Mr. ADAMS] were added as cosponsors of Senate Joint Resolution 14, joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week."

SENATE JOINT RESOLUTION 16

At the request of Mr. RIEGLE, the names of the Senator from Minnesota [Mr. DURENBERGER] and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Joint Resolution 16, joint resolution to designate the period commencing on April 5, 1987, and ending on April 11, 1987, as "World Health Week," and to designate April 7, 1987, as "World Health Day."

SENATE JOINT RESOLUTION 19

At the request of Mr. WARNER, the names of the Senator from New York [Mr. MOYNIHAN] and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of Senate Joint Resolution

19, joint resolution to designate March 20, 1987 as "National Energy Education Day."

SENATE JOINT RESOLUTION 26

At the request of Mr. PELL, the names of the Senator from Utah [Mr. HATCH] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Joint Resolution 26, joint resolution to authorize and request the President to call a White House Conference on Library and Information Services to be held not later than 1989, and for other purposes.

SENATE JOINT RESOLUTION 28

At the request of Mr. DOLE, the name of the Senator from Rhode Island [Mr. PELL], was added as a cosponsor of Senate Joint Resolution 28, a joint resolution designating "American Physiologists Week."

SENATE JOINT RESOLUTION 36

At the request of Mr. HATCH, the name of the Senator from Louisiana [Mr. JOHNSTON], was added as a cosponsor of Senate Joint Resolution 36, a joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

SENATE JOINT RESOLUTION 39

At the request of Mr. SIMON, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of Senate Joint Resolution 39, a joint resolution to provide for the designation of the 69th anniversary of the renewal of Lithuanian independence, February 16, 1987, as "Lithuanian Independence Day."

SENATE JOINT RESOLUTION 48

At the request of Mr. HATCH, the names of the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. HECHT], the Senator from Hawaii [Mr. INOUYE], the Senator from Vermont [Mr. LEAHY], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Idaho [Mr. MCCLURE], the Senator from Ohio [Mr. METZENBAUM], the Senator from Vermont [Mr. STAFFORD], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of Senate Joint Resolution 48, a joint resolution designating the week of September 14, 1987, through September 20, 1987, as "Benign Essential Blepharospasm Week."

SENATE JOINT RESOLUTION 49

At the request of Mr. DOLE, the names of the Senator from Missouri [Mr. BOND] and the Senator from Tennessee [Mr. GORE] were added as cosponsors of Senate Joint Resolution 49, a joint resolution to designate September 18, 1987, as "National POW/MIA Recognition Day."

At the request of Mr. D'AMATO, his name was added as a cosponsor of Senate Joint Resolution 49, supra.

SENATE JOINT RESOLUTION 52

At the request of Mr. HATCH, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Maine [Mr. COHEN], the Senator from Utah [Mr. GARN], the Senator from Ohio [Mr. GLENN], the Senator from North Carolina [Mr. HELMS], the Senator from Indiana [Mr. LUGAR], the Senator from Maine [Mr. MITCHELL], the Senator from Virginia [Mr. TRIBLE], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Joint Resolution 52, a joint resolution designating the week of May 10, 1987, through May 16, 1987, as "National Fetal Alcohol Syndrome Awareness Week."

SENATE JOINT RESOLUTION 64

At the request of Mr. CHILES, the names of the Senator from Michigan [Mr. RIEGLE] and the Senator from Texas [Mr. BENTSEN] were added as cosponsors of Senate Joint Resolution 64, a joint resolution to designate May, 1987, as "Older Americans Month."

SENATE JOINT RESOLUTION 69

At the request of Mr. SIMON, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Alabama [Mr. HEFLIN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from New York [Mr. MOYNIHAN], the Senator from North Carolina [Mr. SANFORD], the Senator from Hawaii [Mr. INOUYE], the Senator from Arkansas [Mr. BUMPERS], the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Connecticut [Mr. DODD], the Senator from Colorado [Mr. WIRTH], the Senator from Washington [Mr. ADAMS], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of Senate Joint Resolution 69, a joint resolution to designate the week beginning April 20, 1987, as "World Population Awareness Week."

SENATE JOINT RESOLUTION 74

At the request of Mr. KENNEDY, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of Senate Joint Resolution 74, a joint resolution to designate the month of May, 1987 as "National Cancer Institute Month."

SENATE JOINT RESOLUTION 75

At the request of Mr. THURMOND, the names of the Senator from Tennessee [Mr. GORE], the Senator from North Dakota [Mr. BURDICK], the Senator from Ohio [Mr. METZENBAUM], the Senator from Oklahoma [Mr. BOREN], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Alabama [Mr. SHELBY], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Utah [Mr. HATCH] were added as cosponsors of Senate Joint Resolution 75, a joint resolution to designate the week of August 2, 1987, through August 8, 1987, as "National Podiatric Medicine Week."

SENATE CONCURRENT RESOLUTION 9

At the request of Mr. DOLE, the names of the Senator from South Dakota [Mr. PRESSLER], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Oklahoma [Mr. BOREN], the Senator from New Mexico [Mr. BINGAMAN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Utah [Mr. HATCH], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Concurrent Resolution 9, a concurrent resolution to provide for the display of the National League of Families POW/MIA flag in the Capitol rotunda.

SENATE CONCURRENT RESOLUTION 19

At the request of Mr. WIRTH, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from Michigan [Mr. RIEGLE], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of Senate Concurrent Resolution 19, a concurrent resolution urging the President to take immediate action to reduce the depletion of the ozone layer attributable to worldwide emissions of chloroflourocarbons.

SENATE CONCURRENT RESOLUTION 20

At the request of Mr. GORE, the names of the Senator from Montana [Mr. MELCHER], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Concurrent Resolution 20, a concurrent resolution to express the sense of Congress that funding for the vocational education program should not be eliminated.

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. DANFORTH, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from North Dakota [Mr. BURDICK], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of Congress in opposition to the proposal by the European Community for the establishment of a tax on vegetable and marine fats and oils and urging the President to take strong and immediate countermeasures should such a tax be implemented to the detriment of United States exports of oilseeds and products and inconsistently with the European Community's obligations under the General Agreement on Tariffs and Trade.

SENATE CONCURRENT RESOLUTION 24

At the request of Mr. SANFORD, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Hawaii [Mr. INOUYE], the Senator from Nebraska [Mr. EXON], the Senator from Washington [Mr. ADAMS], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Maine [Mr. MITCHELL], the Senator from Mary-

land [Ms. MIKULSKI], the Senator from Vermont [Mr. LEAHY], the Senator from Maryland [Mr. SARBANES], the Senator from North Carolina [Mr. HELMS], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Kentucky [Mr. MCCONNELL], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of Senate Concurrent Resolution 24, a concurrent resolution supporting the initiative Central American heads of state, meeting in San Jose, Costa Rica, in formulating a regional proposal for bringing about an end to the armed conflict in Central America, and for other purposes.

SENATE RESOLUTION 163—RELATIVE TO THE DEATH OF THE HONORABLE EDWARD ZORINSKY, LATE A SENATOR FROM THE STATE OF NEBRASKA

Mr. EXON submitted the following resolution; which was considered and agreed to:

S. RES. 163

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Edward Zorinsky, late a Senator from the State of Nebraska.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

SENATE RESOLUTION 164—CALLING ON THE PRESIDENT TO RESPOND TO THE VIOLATIONS BY JAPAN OF THE UNITED STATES-JAPAN AGREEMENT ON SEMICONDUCTORS

Mr. WILSON (for himself, Mr. MCCAIN, Mr. MITCHELL, Mr. DANFORTH, Mr. DOMENICI, Mr. BENTSEN, Mr. BINGAMAN, Mr. WIRTH, Mr. ROCKEFELLER), and Mr. BAUCUS) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 164

Whereas the maintenance of a healthy domestic semiconductor industry is essential to the development of the United States economy and the preservation of the national security of the United States;

Whereas the United States semiconductor industry is a world leader in semiconductor technology and has demonstrated its competitiveness in all markets to which it has free access;

Whereas concurrent with three antidumping cases filed against Japanese companies in 64K DRAMs, EPROMs and 256K and above DRAMs, the United States Trade Representative on July 11, 1985 initiated an investigation into Japanese dumping of semiconductors in the U.S. market and lack of access for U.S. companies to the Japanese semiconductor market pursuant to Section 301(d)(2) of the Trade Act of 1974, as amended;

Whereas on September 2, 1986, the Ambassador of Japan to the United States and the United States Trade Representative signed the Agreement between the Government of Japan and the Government of the United States of America concerning Trade in Semiconductor Products which has been determined by the President to be an appropriate response to the practices of the Government of Japan with respect to trade in semiconductors, pursuant to Section 301(d)(2) of the Trade Act of 1974, as amended;

Whereas in return for a Japan's pledge of increased sales in the Japanese market and avoidance of dumping in all markets, the Administration waived the imposition of dumping duties in two antidumping cases and suspended action under Section 301;

Whereas during the last six months, collection of substantial dumping penalties against Japanese companies have been foregone;

Whereas during the last six months dumping has continued and there has been no increase in access to the Japanese market;

Whereas these acts represent violations of a trade agreement negotiated pursuant to the provisions and authority of Section 301 of the Trade Act of 1974, as amended;

Whereas the President has determined that any failure by the Government of Japan to meet the commitments and objectives of the Agreement would be inconsistent with a trade agreement or an unjustifiable act that would burden or restrict U.S. commerce;

Whereas the faithful implementation of the commitments and objectives of the Agreement is the only effective means of addressing the twin problems of access for foreign semiconductor companies to the Japanese market and the prevention of dumping of semiconductors by Japanese companies; and

Whereas the Government of Japan has failed to meet the commitments that it made in the Agreement signed on September 2, 1986: Now therefore be it

Resolved, That it is the Sense of the Senate that—

The President should immediately take all appropriate and feasible actions under Section 301 of the Trade Act of 1974—

(A) to remedy and prevent further violation of the Agreement by Japan;

(B) to serve as an incentive for compliance;

(C) to compensate the United States for the harm suffered on account of non-compliance by Japan; and

(D) to prevent further injury to the United States;

Such actions should serve to increase, rather than restrict, international semiconductor trade and be aimed at enforcing commitments and achieving the objectives of the Agreement, both with respect to market access and the prevention of dumping in the United States and other markets;

Such actions should be focused so as to directly penalize those who have acted inconsistently with the terms of the Agreement; and

Such actions may be directed at products which contain semiconductors so as to avoid any adverse effects on U.S. semiconductor users.

AMENDMENTS SUBMITTED

SPENDING LIMITS AND PUBLIC FINANCING OF SENATE ELECTIONS

PELL AMENDMENT NO. 36

(Ordered referred to the Committee on Rules and Administration)

Mr. PELL submitted an amendment intended to be proposed by him to the bill (S. 2) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate general election campaigns, to limit contributions by multicandidate political committees, and for other purposes; as follows:

On page 31, between lines 11 and 12, insert the following:

INFORMED ELECTORATE

SEC. 10. (a) This section may be cited as the "Informed Electorate Act of 1987".

(b) The Federal Election Campaign Act of 1971 is further amended by adding after title V, as added by this Act, the following new title:

"TITLE VI—DISSEMINATION OF POLITICAL INFORMATION

"DEFINITIONS

"SEC. 601. For the purposes of this title—

"(1) the definitions set forth in section 301 apply to this title;

"(2) the term 'major party' means, in an election for the office of Senator, or Representative in, Resident Commissioner, or Delegate to the Congress, any party whose candidate for Senator in the State involved placed first or second in the number of popular votes received in either of the two most recent general elections;

"(3) the term 'minor party' means, in an election for the office of Senator, or Representative in, Resident Commissioner, or Delegate to the Congress, any party, other than a major party—

"(A) whose candidate for Senator in the State involved received more than 5 percent of the popular vote in the most recent general election;

"(B) in the case of an election for the office of Senator, which files with the Federal Election Commission, not later than ninety days before the election involved, a number of signatures of registered voters validated by the Federal Election Commission which is equal to 5 percent of the popular vote for the office of Senator in the State involved in the most recent general election; or

"(C) in the case of an election for the office of Representative in, Resident Commissioner, or Delegate to the Congress, which files with the Federal Election Commission, not later than ninety days before the election involved, a number of signatures of registered voters validated by the Federal Election Commission which is equal to 5 percent of the popular vote for the office of Representative in, Resident Commissioner, or Delegate to the Congress, in the congressional district involved, in the most recent general election;

"(4) the term 'free broadcast time' means time provided by television stations during a

prime time access period, pursuant to the provisions of this title;

"(5) the term 'party committee' means the national party committees, the Senatorial and Congressional Campaign Committees, or a party or committee qualifying under subparagraph (B) or (C) of paragraph (3) of this section; and

"(6) the term 'prime time access period' means the period from 7:30 p.m. to 8 p.m., local time, of each weekday evening.

"FREE POLITICAL BROADCASTS

"SEC. 602. (a) Each television station licensed under the Communications Act of 1934 shall provide free broadcast time during the prime time access period, to the party committees who shall allocate time to eligible candidates in any general or special election for the office of Senator or Representative in, Resident Commissioner or Delegate to the Congress. Such allocation may be made to such candidates exclusively through the Senatorial and Congressional Campaign Committees in the case of the major parties, and in the case of minor parties, to the party organization or committee qualified under subparagraph (B) or (C) of section 601(3).

"(b) Free broadcast time shall be made available to the party committees in accordance with the provisions of this title.

"(c) No television station providing free broadcast time during prime time access periods, pursuant to the provisions of this title, shall make or collect any charge, in any form or manner, for providing such time.

"ALLOTMENT

"SEC. 603. (a) Any party committee receiving free broadcast time during a prime time access period under the provisions of this title—

"(1) shall use such time in a manner which promotes a rational discussion and debate of issues with respect to the election involved;

"(2) shall participate in programs in which not more than 25 percent of the time of each broadcast shall be taken up with presentations other than a candidate's own remarks;

"(3) shall not use less than one minute of free broadcast time in any one program;

"(4) shall not use more than fifteen minutes of free broadcast time in any twenty-four-hour period; and

"(5) shall not use an aggregate of more than three hours of free broadcast time on any one television station during the sixty-day period specified in subsection (b).

"(b) Each television station providing free broadcast time under this title shall make free broadcast time available during the prime time access periods beginning on the day sixty days before the date of the general or special election involved and ending at the close of the day before the day of such election.

"ELIGIBILITY

"SEC. 604. (a) A party committee shall be eligible, upon certification by the Commission under subsection (b), to receive free broadcast time in accordance with section 602 and section 603.

"(b)(1) A party committee may establish eligibility by filing an application with the Commission for an allotment of free broadcast time during prime time access periods, under section 603.

"(2) Such application shall be in such form and filed in a manner specified by the Commission but shall include a certification by the party committee—

"(A) that any candidates receiving such time from such committee is a candidate for Federal office in a general election involving at least one other candidate for such office who has qualified for the same election ballot under the law of the State in which the election is to be held;

"(B) that such committee will keep and furnish to the Commission any books, records, or other information it may request;

"(C) that such committee will cooperate in any audit by the Commission; and

"(D) that such committee will delegate the allocation of free time to an identified Senatorial or Congressional Campaign Committee.

"(3) The Commission shall, not later than seven days after receiving an application under paragraph (1), determine whether to certify the party committee making such application.

"(c) Any party committee aggrieved by any determination under subsection (b) may petition the Commission for a hearing with respect to such determination. Such hearing shall be held in accordance with section 554 of title 5, United States Code.

"NEWS PROGRAM AND PUBLIC SERVICE PROGRAM APPEARANCES

"SEC. 605. Any appearance by a candidate on a news program or on a public service program at the invitation of the television station or organization presenting such program, shall not be considered attributable to the free broadcast time allotment of such candidate under section 603.

"EXEMPTION

"SEC. 606. Section 315 of the Communications Act of 1934 shall not apply in the case of the use of television facilities for free broadcast time during prime time access periods under this title.

"RULES AND REGULATIONS

"SEC. 607. The Commission may prescribe such rules, regulations, and forms as are necessary to carry out the provisions of this title.

"AUDITS

"SEC. 608. (a) The Commission is authorized to conduct examinations, audits, and investigations, and to require the keeping of books, records, and other information necessary to carry out the functions and duties imposed on such Commission by this title.

"(b) The Commission shall consult from time to time with the Secretary of the Senate, the Clerk of the House of Representatives, the Federal Communications Commission, and other Federal officers charged with the administration of laws relating to Federal elections, in order to develop as much consistency and coordination in the administration of such laws as the provisions of this title permit. The Commission shall use the same or comparable data as that used in the administration of such other election laws whenever possible.

"REPORTS TO THE CONGRESS

"SEC. 609. The Commission shall submit, not later than June 1 of each year immediately following a year in which any Federal election is held, a full report to each House of the United States Congress setting forth the amount of free time certified to each party committee under section 604.

"PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS

"SEC. 610. (a) The Commission is authorized to appear in and defend against any action filed under section 611, either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and title III of chapter 53 of such title.

"(b) The Commission is authorized to petition the courts of the United States for declaratory or injunctive relief concerning any civil matter arising under this title, through attorneys and counsel described in subsection (a). Upon application of the Commission, an action brought pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal from the determination of such court shall lie to the Supreme Court of the United States. Judges designated to hear the case shall assign the case for hearing at the earliest practicable date, participate in the hearing and determination thereof, and cause the case to be in every way expedited.

"(c) The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court of the United States for certiorari to review judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

"JUDICIAL REVIEW

"SEC. 611. (a) Any certification, determination, or other action by the Commission made or taken pursuant to the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court by any interested person. Any petition filed pursuant to this section shall be filed within thirty days after such certification, determination, or other action by the Commission.

"(b)(1) The Commission, any party committee, or any individual eligible to vote in a Federal election in the United States is authorized to institute an action under this section, including an action for declaratory judgment or injunctive relief, as may be appropriate to implement or construe any provision of this title.

"(2) The district courts of the United States shall have jurisdiction over proceedings instituted pursuant to this subsection and shall exercise such jurisdiction without regard to whether a person asserting rights under the provisions of this subsection has exhausted all administrative or other remedies provided by law. Such proceedings shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal shall lie to the Supreme Court of the United States.

"PENALTY FOR VIOLATIONS

"SEC. 612. A violation of any provision of this title is punishable by a fine of not more than $10,000, or imprisonment for not more than five years, or both.".

(c) The Federal Election Commission shall study and monitor the efficacy of the programs resulting from amendments made by this section. The Commission shall begin such study ninety days before the date of the first election in which the amendments made by this section apply and shall report to Congress no later than June 1 of the year following the date of such election.

(d) There are authorized to be appropriated to the Federal Election Commission such additional sums as may be necessary to carry out the provisions of this section.

On page 31, line 13, strike out "10" and insert in lieu thereof "11".

On page 31, line 21, strike out "11" and insert in lieu thereof "12".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the full committee to consider the reauthorization and extension of the Price-Anderson Act.

The hearing will take place on Wednesday, March 18, 1987, at 9:30 p.m. in room SD-366 in the Senate Dirksen Office Building in Washington, DC.

Those wishing to submit written testimony should address it to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information, please contact Mary Louise Wagner at (202) 224-7569.

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Senate Small Business Committee will hold a full committee hearing on Thursday, March 12, 1987, at 10 a.m., anticipating the receipt of the President's nomination of James Abdnor to be Administrator of the Small Business Administration [SBA] later today and also the nomination of Charles Gillum to be inspector general of the SBA. The hearing will be held in room 428A of the Russell Senate Office Building. For further information, please call John Ball, staff director of the committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, March 10, 1987, at 2:45 p.m. to consider proposed legislation relating to Federal Savings and Loan Insurance Corporation recapitalization, emergency bank acquisitions, nonbank banks, securities powers for bank holding companies, and bank check holds, and the nominations of James G. Stearns, of Nevada, to be a member of the Board of Directors of the Securities Investor Protection Corporation, J. Michael Dorsey, of Missouri, to be general counsel of the Department of Housing and Urban Development, Judith Y. Brachman, of Ohio, to be an Assistant Secretary of Housing and Urban Development, and Lawrence J. White, of New York, to be a member of the Federal Home Loan Bank Board.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence, be authorized to meet during the session of the Senate on Tuesday, March 10, 1987, at 2 p.m. to hold closed hearings on proposed legislation authorizing funds for fiscal year 1988 for the intelligence community.

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

SUBCOMMITTEE ON STRATEGIC FORCES AND NUCLEAR DETERRENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces and Nuclear Deterrence, of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 10, 1987, to hold closed/open hearings on proposed legislation authorizing funds for fiscal year 1988 and 1989 for the Department of Defense, focusing on strategic policy and arms control.

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

SUBCOMMITTEE ON AGRICULTURAL RESEARCH, CONSERVATION, FORESTRY AND GENERAL LEGISLATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Research, Conservation, Forestry and General Legislation, of the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Tuesday, March 10, 1987, to hold hearings on S. 659, to establish agricultural aid and trade missions to assist foreign countries to participate in U.S. agricultural aid and trade programs.

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

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, March 10, 1987, to resume hearings on the President's proposed budget request for fiscal year 1988 for the Department of Justice, focusing on the Civil Rights Division.

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

ADDITIONAL STATEMENTS

TENTH ANNIVERSARY OF THE GOVERNMENT IN THE SUNSHINE ACT

● Mr. CHILES. Mr. President, Justice Brandeis once wrote: "Publicity is justly commended as a remedy for social and industrial disease. Sunlight is said to be the best disinfectant and electric light the most efficient policeman."

Today is a very important day. It marks 10 years of Government in the sunshine. And, despite all the initial predictions that Government would be unable to function, we have survived. And, I think for the better.

The democratic ideal relies upon public participation. However, it can hardly be achieved if the public is not informed. The Sunshine Act allows the interested public and the press to have a firsthand view of the process. Through this experience people are able to gain a better understanding of the thought process behind Government actions and to ensure that their concerns have been considered.

The original purpose of the act is, and continues to be, simple and basic: People have a perfect right to observe the conduct of public business.

With a few limited exceptions for national defense information, plans for criminal prosecutions or material which would constitute an invasion of privacy there is no common sense reason why citizens shouldn't be able to watch how Government spends their money and reaches decisions affecting their businesses, their communities and their future. Citizens cannot hold Government officials accountable if they don't know what those officials are doing.

Prior to enactment of the Sunshine Act, the health of the Federal Government was in doubtful state. Secrecy was the order of the day. There was a prevalent attitude in Washington that Government could conduct the people's business more efficiently if the people were not a part of the process. Consequently most of Government's business was done behind closed doors. Public knowledge of Government activities, particularly in the executive branch, depended largely upon selected information officially announced by an agency or the willingness of employees to leak information.

This attitude of secrecy contributed to the crisis of confidence that resulted from Watergate. By 1972 almost two-thirds of the American people felt that most public officials acted out of self-interest rather than out of concern for what was best for the country.

There have been and there will continue to be attempts by the agencies covered to disregard the act. It is our responsibility to see that this does not happen. The difficulties that are raised in criticizing the act, such as a loss of spontaneity or a restraint of frank conversation, really miss the point. Congress, in enacting this legislation or legislation such as the Freedom of Information Act, were not acting to serve the interest of Federal agencies but rather the interest of the public.

Secrecy breeds rumors, distrust, and suspicion. It insulates those who

govern and alienates those who are governed. Sunshine, however, promotes free flow of information, builds the credibility of those who govern and earns confidence from those governed.

As author of the sunshine legislation, those were my goals and will continue to be in the face of any efforts to weaken or circumvent the sunshine law. I am proud that we have a policy giving high regard to the public's right to know. We must never give it up. It would be a sad day indeed if we were to see Government meetings once behind closed doors and the public kept in the dark.●

AFGHANISTAN: LETTERS FROM THE STATE OF OHIO

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a United Nations report as: "A Situation Approaching Genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Ohio.

The letters follow:

DEAR SIR, I wish to raise my voice in concern about the plight of the Afghanistan people.

Their treatment at the hands of the Soviets is inhuman, unbelievable, ungodly and should not be tolerated by the rest of the world.

We are wasting our time trying to bargain with the Soviets.

What can be done?

Sincerely,

MARY M. SHAFFER
Lancaster, OH.

DEAR SIR, I am deeply disturbed after reading Agony in Afghanistan in the March issue of Reader's Digest. This tale of grim facts of inhumane activity by the Soviet Government must be stopped! I urge you, Sir, to use all of your power and influence in the Government to insist that these atrocities be stopped. I encourage strong sanctions against the Soviets! Even a breaking of all relations and ousting all of their people from our country until there is real proof that the Afghan people are once again free.

I urge you to influence the President of the United States to use all power at his disposal to see that this is brought to an immediate halt.

Sincerely,

DUANE D. COMFORT,
Mt. Gilead, OH●

BUDGET SCOREKEEPING REPORT

● Mr. CHILES. Mr. President, I hereby submit to the Senate the budget scorekeeping report for this week, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended. This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $14.3 billion in budget authority, but over in outlays by $13.4 billion. The report does not include the Surface Transportation Act because the bill has not been enacted by Congress yet. When the bill is enacted, only $4.2 billion in budget authority will remain.

I ask that the report be printed in the RECORD.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 9, 1987.

Hon. LAWTON CHILES,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of congressional action on the budget for fiscal year 1987. The estimated totals of budget authority, outlays, and revenues are compared to the appropriate or recommended levels contained in the most recent budget resolution, Senate Concurrent Resolution 120. This report meets the requirements for Senate scorekeeping of Section 5 of Senate Concurrent Resolution 32 and is current through March 6, 1987. The report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended. At your request this report incorporates the CBO economic and technical estimating assumptions issued on January 2, 1987.

No changes have occurred since the last CBO report.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 100TH CONGRESS, 1ST SESSION AS OF MARCH 6, 1987

[Fiscal Year 1987—in billions of dollars]

	Current level [1]	Budget resolution S. Con. Res. 120	Current level +/− resolution
Budget authority	1,079.0	1,093.4	−14.3
Outlays	1,008.4	995.0	13.4
Revenues	833.9	852.4	−18.5
Debt subject to limit	2,243.8	[2] 2,322.8	−79.0
Direct loan obligations	42.5	34.6	8.0
Guaranteed loan commitments	140.5	100.8	39.8

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval. In addition, estimates are included of the direct spending effects for all entitlement or other programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] The current statutory debt limit is $2,300 billion Public Law 99-509).

FISCAL YEAR 1987 SUPPORTING DETAIL FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 100TH CONGRESS, 1ST SESSION AS OF MAR. 6, 1987

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			833,855
Permanent appropriations and trust funds	720,451	638,771	
Other appropriations	542,890	554,239	
Offsetting receipts	−185,071	−185,071	
Total enacted in previous sessions	1,078,269	1,007,938	833,855
II. Enacted this session:			
Water Quality Act of 1987 (Public Law 100-4)	−4	−4	
Emergency Supplemental for the Homeless (Public Law 100-6)	−7	−1	
Total enacted this session	−11	−5	
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses:			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Special milk	6	3	
Veterans compensation	173		
Readjustment benefits	9		
Federal unemployment benefits and allowances	33	33	
Advances to the unemployment trust fund [2]	(3)	(3)	
Payments to health care trust funds [2]	(224)	(224)	
Family social services	110		
Medical facilities guarantee and loan fund	5	4	
Payment to civil service retirement and disability fund [2]	(33)	(33)	
Coast Guard retired pay	3	3	
Civilian agency pay raises	358	373	
Replenishment of disaster relief funds [1]	57	50	
Total entitlements	754	467	
Total current level as of Mar. 6, 1987	1,079,012	1,008,400	833,855
1987 budget resolution (S. Con. Res. 120)	1,093,350	995,000	852,400
Amount remaining:			
Over budget resolution		13,400	
Under budget resolution	14,338		18,545

[1] Included at request of Senate Budget Committee.

[2] Interfund transactions do not add to budget totals.

Note.—Numbers may not add due to rounding.●

RETURN MORALITY TO U.S. FOREIGN POLICY

● Mr. PELL Mr. President, for these past years, I have been critical of the administration's policy in support of the Contras in Nicaragua for very substantial reasons. Foremost among them is the fact that the policy violates the moral precepts upon which our Nation was founded and which have guided our path as a respected leader in the world community of nations. In the zealous application of a misguided policy, the United States have violated international law by implementing state-sponsored terrorism through the mining of Nicaraguan harbors, the preparation of a manual for terrorism, and through military

and other support to our terrorists. The improprieties of the Iran/Contra scandal is merely the latest development in this immoral policy.

Dwight Dickinson, a retired Foreign Service officer with wide experience, wrote an article published in the Christian Science Monitor on January 15, 1987, which serves as an appeal for the return of morality of our foreign policy. I recommend Mr. Dickinson's article to my colleagues.

Mr. President, I ask that the article be printed in the RECORD.

The article follows:

A PLACE FOR MORALITY IN FOREIGN POLICY

(By Dwight Dickinson)

There is something terribly wrong in our reaction to the revelation that the administration in Washington has hypocritically tried to trade arms to Iran for hostages and that, in contravention of United States law, has apparently diverted some of the profits of such sales to the US-sponsored contras in Nicaragua.

President Reagan has said that he knew there were risks in the arms shipments. Risks of what? Failure? Getting caught? That is all that Richard Nixon has ever apologized for to the American people. Neither man, nor, for that matter, any of their recent predecessors, seem ever to have questioned the validity, much less the morality, of the concept of covert political and military operations as instruments of foreign policy.

Henry Kissinger has criticized Mr. Reagan and Mr. Nixon, not for employing covert or illegal methods, but for the ineptness of them and tardiness in admitting improprieties once uncovered. Even such a respected career diplomat as Mr. Reagan's new national-security adviser, Frank Carlucci, publicly supports covert operations, as long as they are directed and carried out by the proper agency—the Central Intelligence Agency—under adequate congressional oversight.

We have gone so far down the covert road that we have apparently attempted political assassinations. Whether successful or not is not the question. There is enough substance to the charge that we have attempted assassinations that it has been deemed necessary to establish as a matter of policy that we shall not employ this particular form of covert action.

We routinely subvert the political processes of other countries, where we deem it in our national interest. We have been caught spreading disinformation, which is then picked up in our press and given credence by United States diplomats and the public alike, a false basis on which to form opinions. The CIA has secretly mined Nicaraguan harbors, in contravention of international law, and it has printed a manual for use by contra rebels for terrorizing regions of Nicaragua by murdering prominent citizens and public officals.

What is wrong with these covert actions? That they were embarrassingly revealed by out free press? Or that they were morally wrong and in violation of that quality of decency that once made us the most trusted of the great powers? Why, for that matter, is it embarrassing when they are revealed? If they were properly in our national interest they would be praised by the American people when brough to light.

They are not so praised, because the American people consider them, as the world considers them, what they are often called, "dirty tricks." They violate our sense of what is and is not permissible in the conduct of our personal social relations.

But few in high places in the US, especially in the field of foreign affairs, believe that morality has any place in the conduct of these affairs. They argue that the world in which we must live and operate is such that we must occasionally, if not routinely, eschew morality—however regretfully—in pursuing our national interest.

I have long believed, and this belief was developed over a long period of foreign-affairs experience, that these people are wrong, that the truth is just the opposite, that we must base our policy on moral principles. Even if we wished to do so, these people say, how would we identify what is moral and what is not? I reply that that is easy. What we would consider improper in our domestic and private conduct, we should avoid in our international conduct. We are big enough and strong enough as a country to be able to afford to conduct our foreign affairs in this manner.

If we should do so, it would, over time, restore our tarnished image in the world, differentiate us form our principal adversary, and result in a far more effective foreign policy than we now possess.

From every indication, it appears that we shall not do this, that we shall merely try to control and oversee our covert operations, eliminate the influence of the romantic adventurers who prepare and carry out so many of them, and improve the security of their clandestineness. We are thus sadly doomed to more of the same, to the inevitable embarrassment of disclosure, and to the equally inevitable corruption of those high officials who condone and approve such measures.●

REQUEST FOR DEPORTATION OF KARL LINNAS

● Mr. CHILES. Mr. President, by now we are all familiar with the case of Karl Linnas, a native of Estonia—part of the Soviet Union—and former United States citizen, who was stripped of his citizenship when a Federal court ruled that Mr. Linnas had entered the country fraudulently and had concealed his role in a death camp in Nazi-occupied Estonia. Numerous Federal courts have confirmed that Karl Linnas supervised and participated in atrocities committed against human life as a guard and later as a commander at the Tartu concentration camp in Nazi-occupied Estonia. A deportation order requiring Mr. Linnas to return to the Soviet Union has been upheld by the United States Court of Appeals for the Second Circuit. However, Attorney General Edwin Meese has shown a lack of committment to carry out the order of deportation.

I have joined my distinguished colleague from Florida, Congressman LEHMAN, as well as Senator DANFORTH and Congressman GREEN in initiating a letter to Attorney General Edwin Meese. This letter requests the immediate deportation of Mr. Linnas to the Soviet Union where he has been tried and convicted of these atrocities in absentia. I encourage my colleagues to join me in urging Attorney General Meese to deport Mr. Linnas. Congress has made it clear that this country will not serve as a sanctuary for Nazi war criminals. The administration should act expeditiously to carry out both the letter and the spirit of the law.

Mr. President, I ask that a copy of the letter to Attorney General Meese be printed in the RECORD.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC.

Hon. EDWIN MEESE III,
U.S. Attorney General,
U.S. Department of Justice,
Washington, DC.

DEAR MR. ATTORNEY GENERAL: We are writing to you on a matter of grave concern to the Congress and the American people—the effort of our government to investigate, prosecute, and deport suspected Nazi war criminals from the United States. Specifically, we are deeply distressed by the Department's failure to deport immediately to the Soviet Union Karl Linnas, who, according to overwhelming evidence presented in federal court, was directly involved in the most heinous atrocities during World War II.

The Office of Special Investigations (OSI) at the Justice Department originally filed a denaturalization action against Linnas in 1979, and he was ordered to be stripped of his citizenship by a federal court in 1981. This decision was affirmed by the United States Court of Appeals for the Second Circuit in 1982 and certiorari was subsequently denied by the Supreme Court. OSI then brought a deportation action against Linnas, and, after two further hearings, he was ordered deported to the Soviet Union in 1985.

Linnas then appealed his ordered deportation to the Soviet Union to the Second Circuit Court of Appeals. His appeal was opposed by the Department of Justice, and the government's case was personally argued by United States Attorney (and former Associate Attorney General) Rudolph Giuliani. On May 8, 1986, in a unanimous opinion written by Judge Altimari, the court rejected Linnas' argument that his deportation to the Soviet Union would violate the due process and equal protection clauses of the Constitution. The appeals court emphasized that "Linnas' duties as a concentration camp chief were such as to offend the decency of any civilized society." The court concluded:

"The foundation of Linnas' due process argument is an appeal to the court's sense of decency and compassion. Noble words such as "decency" and "compassion" ring hollow when spoken by a man who ordered the extermination of innocent men, women and children kneeling at the edge of a mass grave. Karl Linnas' appeal to humanity, a humanity which he has grossly, callously and monstrously offended, truly offends this court's sense of decency."

On December 1, 1986, the Supreme Court denied Linnas' petition for certiorari, clearing the way for his deportation. Although Linnas sought rehearing, the Supreme Court denied his request on January 27, 1987.

The Linnas case has been heard by a federal district judge, twice by the Second Circuit, twice by an immigration judge, and twice by the Board of Immigration Appeals,

and three separate times the U.S. Supreme Court has refused to review it. The evidence in the case has been exhaustively documented and Linnas has availed himself of every due process guarantee under the American system of justice. The result has been the same at every step: no American judge has questioned the evidence or failed to conclude that Linnas participated in war crimes.

The Congress has repeatedly made clear that those who were involved in the Holocaust shall not be allowed to find safe haven in the United States. To that end, Congress insisted on the creation of OSI and has carefully monitored its efforts. The remarkable record of that office must not now be undermined by indecision and delay.

We urge you in the strongest possible terms to act today to reaffirm our nation's commitment to justice.

Sincerely.●

A TRIBUTE TO ELIE WIESEL

● Mr. SIMON. Mr. President, there are few men whose fight for peace and human rights have made so great an impact upon this world's peoples as Elie Wiesel, winner of the 1986 Nobel Peace Prize. Mr. Wiesel is a great educator who has made it his goal to keep the memory of sufferers, past and present, alive in the minds of each of us. His work toward global peace and equality should be a role model for us all. It is with great pleasure and pride that I enter the acceptance speech made by Mr. Wiesel at the 1986 ceremony to receive the Nobel Peace Prize. I ask that the speech be printed in the RECORD.

The speech follows:

[From the New York Times, Dec. 11, 1986]

WIESEL'S SPEECH AT NOBEL CEREMONY

It is with a profound sense of humility that I accept the honor you have chosen to bestow upon me. I know: your choice transends me. This both frightens and pleases me.

If frightens me because I wonder: do I have the right to represent the multitudes who have perished? Do I have the right to accept this great honor on their behalf? I do not. That would be presumptuous. No one may speak for the dead, no one may interpret their mutilated dreams and visions.

It pleases me because I may say that this honor belongs to all the survivors and their children, and through us, to the Jewish people with whose destiny I have always identified.

I remember: it happened yesterday or eternities ago. A young Jewish boy discovered the kingdom of night. I remember his bewilderment, I remember his anguish. It all happened so fast. The ghetto. The deportation. The sealed cattle car. The fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed.

"CAN THIS BE TRUE"

I remember: he asked his father: "Can this be true? This is the 20th century, not the Middle Ages. Who would allow such crimes to be committed? How could the world remain silent?"

And now the boy is turning to me: "Tell me," he asks. "What have you done with my future? What have you done with your life?"

And I tell him that I have tried. That I have tried to keep memory alive, that I have tried to fight those who would forget. Because if we forget, we are guilty, we are accomplices.

And then I explained to him how naive we were, that the world did know and remain silent. And that is why I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never for tormented.

"SOMETIMES WE MUST INTERFERE"

Sometimes we must interfere when human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men or women are persecuted because of their race, religion or political views, that place must—at that moment—become the center of the universe.

Of course, since I am a Jew profoundly rooted in my people's memory and tradition my first response is to Jewish fears, Jewish needs, Jewish crises. For I belong to a traumatized generation, one that experienced the abandonment and solitude of our people. It would be unnatural for me not to make Jewish priorities my own: Israel, Soviet Jewry, Jews in Arab lands.

But there are others as important to me. Apartheid is, in my view, as abhorrent as anti-Semitism. To me, Andrei Sakharov's isolation is as much of a disgrace as Iosif Begun's imprisonment. As is the denial of Solidarity and its leader Lech Walesa's right to dissent. And Nelson Mandela's interminable imprisonment.

There is so much injustice and suffering crying out for our attention: Victims of hunger, or racism and political persecution, or racism and political persecution, writers and poets, prisoners in so many lands governed by the left and by the right. Human rights are being violated on every continent. More people are oppressed than free.

PALESTINIANS AND ISRAELS

And then, too there are the Palestinians to whose plight I am sensitive but whose methods I deplore. Violence and terrorism are not the answer. Something must be done about their suffering, and soon. I trust Israel, for I have faith in the Jewish people. Let Israel be given a chance, let hatred and danger be removed from her horizons, and there will be peace in and around the Holy Land.

Yes, I have faith. Faith in God and even in His creation. Without it no action would be possible. And action is the only remedy to indifference: the most insidious danger of all. Isn't this the meaning of Alfred Nobel's legacy? Wasn't his fear of war a shield against war?

There is much to be done, there is much that can be done. One person—a Raoul Wallenberg, an Albert Schweitzer, one person of integrity, can make a difference, a difference of life and death. As long as one dissident is in prison, our freedom will not be true. As long as one child is hungry, our lives will be filled with anguish and shame.

What all these victims need above all is to know that they are not alone; that we are not forgetting them, that when voices are stifled we shall lend them ours, that while their freedom depends on ours, the quality of our freedom depends on theirs.

"EVERY HOUR AN OFFERING"

This is what I say to the young Jewish boy wondering what I have done with his years. It is in his name that I speak to you and that I express to you my deepest gratitude. No one is as capable of gratitude as one who has emerged from the kingdom of night.

We know that every moment is a moment of grace, every hour an offering; not to share them would mean to betray them. Our lives no longer belong to us alone; they belong to all those who need us desperately.

Thank you Chairman Aarvik. Thank you, members of the Nobel Committee. Thank you, people of Norway, for declaring on this singular occasion that our survival has meaning for mankind.●

THE DEFICIT

● Mr. SIMON. Mr. President, Mortimer Zuckerman, the editor-in-chief of U.S. News & World Report, had a column recently about the deficit that is right on target.

He says that Congress and the administration and the two political parties may duck on the question of the deficit rather than face it.

It is too early to make that final judgment and I hope we can prove him wrong.

But the common sense of his column which appeared in the opinion page—the last page—of U.S. News & World Report is well worth reading by all of my colleagues.

I ask that the article be printed in the RECORD.

The article follows:

WHEN DOES THE PARTY END?

(By Mortimer B. Zuckerman)

The average American has a dim view of the average banana republic where the generals spend money on guns and keep the economy going and the peasants quiet by borrowing from abroad. Ask the same citizen how President Reagan is doing with our economy and the answer is likely to be more kindly. It shouldn't be. The President is practicing banana-republic economics and getting away with it. Yes, interest rates are down, unemployment is down, inflation is down, the Dow has broken 2,000, but it's all done on borrowed money. We do not have sustainable prosperity. And what we have is not so hot: For the last 15 years, there has been virtually zero growth in the real family income in our country. We are a long way from the promise that we would double the real income of the workers every generation.

The President's new budget, soaring to a record $1 trillion, has an estimated deficit of $108 billion. The estimate is false, even deceitful. The real deficit will be much larger; a significant part will have to be financed, as before, through foreign debts, which now exceed $250 billion.

It would be one thing if we were using these foreign borrowings, represented by our trade gap, for investment. We are not. The money is going to pay for bigger defense and consumption. Instead of a high-saving, high-investment, supply-side economy, we have a high-borrowing, consumption-oriented, demand-side economy. This can go on only for a limited time. If each year your family spent more than it took in and borrowed the rest, at some point your banker would stop bailing you out. Expect no less from world bankers. Foreign investors don't have to pull their money out. All

they have to do is stop pouring additional money in. When that happens, Reagan faces the Federal Reserve with a dilemma. If it prints money to pay for the deficit, it will finance inflation; and if it allows interest rates to rise, it will produce a recession.

We will have to improve our trade balance. Some Democrats have a trade balance. Some Democrats have a solution that is as bad as the disease—protectionism. Their policy of slapping tariffs or quotas on imports is a political payoff to special interests and voting blocs. All it does is raise prices so that sheltered high-cost companies can make money at the expense of every consumer. There would be retaliation, damaging our export industries. And the debt-ridden developing countries, without the means of earning dollars, would be an even bigger threat to our own banks that have lent them money.

To reduce our dependence on the foreign funds that keep up our artificial living standard, we have to produce more and consume less. This means reducing the deficit by raising taxes or reducing middle-class entitlements and defense spending. Such basic common sense has been ruled politically out of bounds—thanks to President Reagan's demagoguery on taxes and to both parties' demagoguery on Social Security and farm supports.

The President rails against big spenders and big deficits. But he is the biggest deficit spender of all time. His rhetoric is hollow. First, the President told us there weren't going to be any budget deficits. Then, we were told that if we had them we could grow out of them. Now, we are being told that if we don't grow out of them, they don't really matter. Well, they may not matter to the President. More than doubling the national debt in the last six years will matter to every government and every generation that succeed him. Short-term political benefits have been bought at the long-term cost of choking our government.

In all likelihood, both the administration and congressional leaders will continue to sidestep the problem. Each will try to place the blame in the other's camp. From a short-term political viewpoint, each side may be right, but when thinking of the nation's well-being, both sides are horribly wrong. To deal with this will take a combination of cuts in spending and increases in revenue, neither of which is popular. And politicians tend to avoid taking unpopular actions. The only political remedy is for the President to work with the Democratic Congress so that both sides can take the poltical heat and the political gain. If he wants to restore fiscal credibility to his Presidency, the President must stop accumulating debt as if there were no tomorrow.●

SIGNIFICANT CONTRIBUTIONS OF DR. GORDON E. PRUETT AND DR. KYLE D. PRUETT

● Mr. LUGAR. Mr. President, two brothers from Indiana have published two significant books within the last month. Dr. Gordon E. Pruett, Ph.D., associate professor of religion and philosophy at Northeastern University, Boston, has written "The Beginning and End of Suffering: Freud and The Buddhist Tradition." This is the first book of its kind comparing Sigmund Freud and the Buddhists. It is a significant contribution to the study of suffering from the viewpoint of the East and West. American University Press has published this book. Dr. G. Pruett holds degrees from Yale University, Oxford University, England, and a Ph.D. from Princeton University.

Dr. Kyle D. Pruett, M.D., is clinical professor of the Psychiatric Child Study Center, Yale University. He has made significant contributions to family life in America through his research over the past 5 years of 17 families in which the mother works and the father stays home to rear the children. The research has shown that the father and the child are more complete people when the father joins the mother in sharing the child from before birth to 5 years of age.

Warner Communications has published "Nurturing Fathers," a book detailing Dr. K. Pruett's research. He has an A.B. from Yale University and an M.D. from Tufts Medical School in Boston. Both Dr. G. Pruett and Dr. K. Pruett are products of the Indianapolis, IN public school system. They are both graduates of Shortridge High School which I attended in Indianapolis.●

NATIONAL POW/MIA RECOGNITION DAY

● Mr. D'AMATO. Mr. President, the distinguished Senator from Mississippi, Senator STENNIS, had introduced legislation in the 98th Congress to honor our POW's and MIA's. During the 99th Congress, our respected Republican leader, Senator DOLE, had the privilege of hosting a congressional obervance for this same purpose. This year, Senator DOLE has introduced legislation to continue this tradition, to honor our POW's and MIA's and to renew our promise to their families and loved ones that this Nation will never rest until we resolve the POW/MIA issue.

The uncertainty surrounding the POW/MIA issue continues. Though many years have passed since American service personnel were recalled from Vietnam, we do not have a full accounting of all those who have not return home. For more than 20 years, the United States has been pressing the Indochinese governments for assistance and information about those still listed as missing and unaccounted for. Thus far, we have made negligible progress, but this must only add to our determination. We must continue our search for answers, and we must not allow time or frustration to weaken our will to resolve this painful issue.

It is appropriate, therefore, that we set aside a day to honor American POW's and MIA's to renew our promise to their families and loved ones. Many of my colleagues have already given their support to this initiative by supporting Senator DOLE's legislation, Senate Joint Resolution 49. I lend it my full support, and I urge the rest of my colleagues to do the same.

We must encourage nationwide participation in elevating awareness of the POW/MIA issue. We must work together until we account for all of these special Americans. They must never be forgotten.

Thank you, Mr. President.●

CLARENCE HODGES ON THE COMMUNIST THREAT

● Mr. LUGAR. Mr. President, Clarence Hodges, Deputy Assistant Secretary of State, recently spoke at Bethune-Cookman College on the Communist threat. His comments are informative and insightful, and I would like to insert for the RECORD a copy of his remarks for my colleagues perusal.

The material follows:

THE COMMUNIST THREAT: REAL OR RHETORIC

The debate regarding the reality of the Communist Threat rages from East to West, from the non-aligned to the aligned, and from academia to Capitol Hill. And while I could certainly generate more support and applause by thundering against the non-debatable evils and the unnecessary human suffering that engulf the globe, I have chosen this highly intellectual setting to challenge the youth of America to leave the cheering squads on the side lines and to engage as active participants in the struggle to preserve freedom and to resist the hegemonious designs of those who would deny same. I hope many of you aspire to become career diplomats. Even should you choose not to be a professional diplomat, you should seek to be an informed citizen on the major international issues.

My statement this evening is just that, my statement should not be considered the official position of the State Department. I shall later welcome your comments, suggestions, or questions on any subject.

Is the Communist threat real? That question is frequently asked. I would suggest that question is real and not rhetorical. The threat by Soviet Premier Khrushchev to "bury" the West was considered less rhetorical on October 28, 1962, at the height of the Cuban-missile crisis when they not only acknowledged the presence of Russian missiles just ninety miles from the U.S. but dismantled and removed same when President Kennedy invoked the Monroe Doctrine. The invasion of Afghanistan by over 100,000 Soviet troops and the continued occupation by same of that independent country has nothing to do with rhetoric. It is a violation of international law which has forced five million Afghans to leave their country as refugees in the face of massive destruction of towns and farms by the Soviet military. We see there not only threats of destruction, subjugation, and control but the implementation of these measures.

In November 1981, the Marxist-Leninist Sandinistas of Nicaragua referred to their opposition as a few hundred cattle rustlers. The U.S. was not assisting these counter-revolutionaries at that time but the Sandinistas had increased their army from 3,000 to 40,000 and had become the major Central American mililtary power with Soviet-made tanks, artillery, and armored personnel carriers. This initial and continued military build-up financed by the Soviet Union have

given more military assistance to Nicaragua in the last five years than all the military and non-military assistance given by the United States in that same period to all Central America. There must be a reason and the reason is not rhetorical. The tragedy of Korean Airlines flight 007 was real when just three years ago, the Soviets gunned down this civilian aircraft loaded with innocent men, women and children.

Communist countries consistently deny basic human rights to their citizens. Churches are denied, as a minimum, the right to operate schools for children under eighteen years of age and to proselytize or witness according to their convictions. In North Korea, not a single church has been built in more than thirty years. In the Soviet Union and their satellites most churches cannot own church buildings. The state owns the building. In Romania, Bibles have been destroyed or the pages recycled for other use. And yet, some Americans are not aware of a significant difference between Democracy and Communism.

There has been much debate about the United States' Strategic Defense Initiative but very little said about the Soviet Strategic Defense Program. This existing program of the Soviets already includes:

1. The world's only Anti-Ballistic Missile System which is being expanded and upgraded;

2. A ballistic missile detection and tracking radar system that violates the 1972 ABM Treaty;

3. Extensive research into advanced technologies for defense against ballistic missiles including laser weapons, particle beam weapons, and kinetic energy weapons;

4. The world's only operational anti-satellite (ASAT) system;

5. And other modernization efforts designed to intimidate weak nations and to tip the present balance of power in the Soviet's favor.

The U.S. international interests are centered in a strong commitment to world peace and improvement of the quality of life of all citizens. This is in the interest of ending unnecessary human suffering and maximizing the world's benefits for all on what we recognize as a planet of interdependency and cooperation.

We have five basic elements undergirding our foreign policy and involvement beyond our borders.

1. Peace—World peace is in the interest of all the world's citizens. Innocent by-stander nations can suffer much as a result of wreckless and inhuman acts of other nations.

2. Democracy—The greatest insurance against revolt and bloodshed is democracy. It allows for rights and freedoms that enhance the economies of the world and the quality of life for all.

3. Economic Development—This is essential for a strong democracy and for ending the problems of hunger, starvation and oppression. And we strongly oppose oppression everywhere—from South Africa to Cambodia to the Soviet Union.

4. Diplomacy—We prefer dialog to the use of military force.

5. Defense—As long as there are those who wish to expand their reach at the expense of and against the will of others, the ability to defend freedom and democracy must be maintained.

These elements have proven not only to be supportable by international law but effective when applied with consistency. In Latin America alone, since 1981, we have seen several countries move from military control or dictatorships to free elections and democracies. Prime examples include Argentina, El Salvador, Guatemala, Bolivia, Ecuador, Honduras, Panama, and Peru. In 1979, approximately 70 percent of our neighbors in South America, Central America, and the Caribbean lived under dictatorships or military dominated governments. Today 90 percent have governments dedicated to freedom and democratic elections.

Why have the masses of every economic stratum chosen freedom and democracy when given a choice and why have the Communist leaders from Cuba to China, from Afghanistan to Angola, from Nicaragua to North Korea, and from South Yemen to the Soviet Union refused to give their citizens the opportunity to choose? Why have they erected iron curtains and locked their citizens within their countries with prison walls and barbed wire fences? These questions are not rhetorical and the single answer to them is real: The quality of life produced by a democratically free society is superior to that produced by a communistically controlled society.

I travelled behind the Iron Curtain in 1986 and looked for cultural differences, people differences, and those factors that affect the quality of life. I discovered why, during my visits to every region of the world, I have never seen a demand for Russian built automobiles or any other Soviet Union products other than Vodka or military hardware. And the Israelis have repeatedly proven that Soviet military hardware is second rate. Everyone works for the government as the government owns all manufacturing and service industries. There is no competition and only one brand of each product. If Brand X has no competition, it has no reason to improve. That's why Soviet breakfast cereals are quickly soggy, laundry detergents require scrubbing to remove stains, toilet tissue is hard and tough, management allows needed housing repairs such as elevators and plumbing to wait for weeks, and urban transportation is largely by foot though there are some automobiles, very wide boulevards, and a fairly inexpensive and reliable bus/trolley system.

Those selected for higher education appear to get quality at beautiful Moscow University. But Patrice Lumumba University for Black African students is a dilapidated old building fit only for demolition. The Soviets boast about their 100 percent employment rate. This is achieved by (1) assigning individuals to available jobs. Careers, training opportunities, and jobs are assigned to individuals by government. (One cannot choose to wait for a better opportunity.) (2) With a military that has 200 percent more manpower than ours, (3) police forces that are 100 percent larger, and (4) a prison population including forced labor camps that are 1,100 percent greater than our prison population.

There are chronic shortages of consumer goods. People join long sale lines not knowing what is for sale but assuming whatever it is, they will need it. There is a criminal black market of goods and services, a type of "free enterprise". In the Soviet Union housing there are two persons for every room. In the U.S., there are two rooms for every person. At least 20 percent of all Soviet urban families must share bathrooms and kitchens with other families.

During a visit to Warsaw, Poland, after I spoke to a group of students there, they wanted to know most, "why are there homeless people in New York." (Their government had sent some sleeping bags for New York's homeless in response to us sending food to non-governmental agencies there after the Chernobyl nuclear accident polluted some of their farms.) The reason those students could not understand homelessness is because Poland has such a severe housing shortage that newly wed couples in Warsaw must wait for at least fifteen years before they can get an apartment or house to themselves, yet they are not homeless because they are not allowed that choice. They must live with relatives or friends for those 15 years.

The comparisons favorable to democracy, free enterprise, and capitalism continue. In no area can the Communists convince their citizens of such an advantage that they could allow a choice with free elections. They must therefore use military muscle, a controlled press, suppression and distortion of facts, secret police, and the denial of opportunities to visit lands of freedom.

For what reason, then, will the Communists cease to invade and occupy other countries, stop financing military operations in countries where the people are dying from a lack of bread and an excess of bullets, or bring an end to their exportation or armed Marxist revolution. That is a rhetorical question and I call upon you to research this and other international issues, rise above emotionalism, and join the debate with facts. You must stand against distorted, deceptive, demagogic rhetoric and find the answers to the question, "The Communist threat, is it real or just rhetoric?"●

RECOGNITION OF CONGRESSMAN JIM BUNNING

● Mr. McCONNELL. Mr. President, it is rare that a person reaches the highest level of accomplishment in one chosen field of endeavor. It is even more unusual for a person to reach that level in two distinct careers in one lifetime.

One such exceptional person is Kentucky's Fourth District Congressman, JIM BUNNING.

JIM BUNNING began his career as a major league pitcher for the Detroit Tigers in 1955. During his years with the Tigers, JIM BUNNING became most famous for his 1958 no-hitter against the Boston Red Sox. In 1963, JIM was traded to the Philadelphia Phillies where, on June 24, 1964, he pitched the major league's first regular season perfect game. JIM BUNNING went on to play for the Pittsburgh Pirates and the L.A. Dodgers before returning to the Philadelphia Phillies in the fall of 1969.

By the time JIM decided to retire from the game and return to the great Commonwealth of Kentucky in 1971, he held the second highest number of strike-outs in the major leagues. JIM BUNNING also accumulated 100 wins in each of the American and National Baseball Leagues. These two extraordinary athletic accomplishments earned JIM BUNNING the reputation of one of the most accomplished pitchers in baseball history by his fans and peers alike.

Once back in Kentucky, JIM BUNNING became a successful stockbroker but politics beckoned for his attention. By 1976 he was elected to the Ft. Thomas City Council. His next success was challenging and defeating a 16-year incumbent for a State senate seat. By 1983 he was elected minority leader of the State senate. Then last November, JIM BUNNING crowned his public service career by winning Kentucky's Fourth District seat in the House of Representatives.

JIM BUNNING is indeed an exceptional person. He is an exceptional athlete and a dedicated and effective elected official. He is a devoted husband to Mary Bunning, his wife of 35 years, and the proud father of nine wonderful children.

Mr. President, I would now like to request that the attached Sports Illustrated feature on JIM BUNNING be submitted into the CONGRESSIONAL RECORD for the information and review of my fellow colleagues.

The material follows:

JIM BUNNING (R., KY.)

(By Steve Wulf)

Close your eyes—Whap!—and you can hear—whap!—batting practice—whap!—in Connie Mack Stadium. Open them, though, and you're not in Philadelphia in 1964, but in Washington, D.C., the House of Representatives, in 1987, and the sound you hear is the sergeant at arms banging his mace, trying to restore order to the first session of the 100th Congress of the United States of America.

It is a little like the first day of spring training, as children scurry about while the players greet each other heartily after the off-season. The clerk is taking a roll-call vote for the election of the speaker of the House, and when he calls out, "Bunning," the distinguished gentleman sitting on the Republican side of the House says, "Michel," just loud enough to be heard above the din. Let the record show that Mr. Bunning, renowned in his pitching days for a follow-through that sent him lunging off the mound, does not fall off his seat after casting his vote.

The roll call goes on and on—past Connie Mack III (R., Fla.), a grandson of the original—and nearly half an hour later it is completed. In a foregone conclusion, the choice of the majority-party Democrats, the Honorable Jim Wright of Texas, is elected speaker by a 254-173 margin over his Republican opponent, the Honorable Robert Michel of Illinois. After speeches by both Representative Michel and Representative Wright, the members of the 100th Congress rise to take the oath of office.

Raising the right hand that won 224 major league games, that pitched a no-hitter in one league and a perfect game in the other, that once made him the No. 2 strikeout pitcher of all time, the Honorable Jim Bunning of Kentucky solemnly swears that he will well and faithfully discharge the duties of the office he is about to assume. "So help me God," he says.

Then Bunning embraces fellow freshman Rebublican Jay Rhodes of Arizona, and now, all of a sudden, Gus Triandos is going out to the mound to put his arm around Bunning on that day in 1964. While Bunning is getting lost in the congressional camaraderie down on the floor, you get lost in the memories of that perfect game on Father's Day, of the ill-fated ending to that year, of all the 19-win seasons and the 1-0 losses, and—talk about prolific winners—of those nine children of his. You see him plunging off the side of the mound, putting everything he had into every pitch, falling, falling . . . and somehow landing in the House of Representatives.

He was elected last November as a conservative Republican from the overwhelmingly Democratic Fourth District in Kentucky, and he won rather easily. How Jim Bunning, pitcher, came to be Jim Bunning, congressman, is a pretty good story, with episodes of grit and family and betrayal and luck. "An accident, really," says Bunning. "I never set out to be a politician." His wife and childhood sweetheart, Mary, calls it "God's little plan for Jim." But mostly, his is a story of a man determined to do something very difficult: change

Bunning has always been smart, diligent and tremendously competitive, but his warmth was felt only by his family and friends at home in Fort Thomas, Ky. Asked if she ever thought her father would become a politician, Barbara, 34, the eldest child, says, "No, not really. He was always shy around people." Bunning himself says, "Boy, was I a hard guy."

That coolness toward outsiders may well have cost him the 21 additional votes he needed to make the Baseball Hall of Fame last month. Given the current entrance requirements, Bunning deserves to be in Cooperstown. Catfish Hunter had the same number of victories (224) and virtually the same ERA (3.26 for Hunter, 3.27 for Bunning), and he made it rather easily. Had Bunning won just four more games, the ones that would have turned his four 19-win seasons into 20-win seasons, or had he been as nice to reporters as Hunter was, he probably would have won that election, too.

But what the heck, he's in a different sanctum now, the one the late speaker of the House Sam Rayburn, called, "the highest theater anyone plays in upon this Earth today." There are 198 men in the Hall of Fame, but only one other major leaguer, pitcher Wilmer (Vinegar Bend) Mizell, has ever had a vote under the Capitol Dome. The man to whom Bunning once stood second on the strikeout list, Walter Johnson, couldn't get into the House, though he tried. (Shortly after he announced his intention to run in 1940, Johnson, a Republican pig farmer, was asked his thoughts on the major issues. "I plan to study up on them things," said the Big Train.)

This year Bunning and rookie congressman Tom McMillen, the Maryland Democrat who played 11 years in the NBA, joined representatives Jack Kemp (Buffalo Bills) and Mo Udall (the old ABL Denver Nuggets) and Senator Bill Bradley (New York Knicks) in the Jock Caucus, as Udall has come to call the collective of five former pro athletes now serving in Congress. "I like having jocks on the Hill, no matter their political persuasion," says Kemp. "We tend to be problem solvers, and we don't moan or groan about defeats." Mizell, who now works in the Office of Governmental and Public Affairs for the Department of Agriculture, says, "I used to look at it like this: After I was elected to Congress, I thought of my consitituency in the same way I thought of the fans in St. Louis and Pittsburgh who watched me pitch. They expected, and I tried to give them, my best. There's another similarity between Congress and sports. The cloakroom is quite a bit like the clubhouse."

Bunning always held the respect of his peers in the clubhouse. He was the representative in both Detroit and Philadelphia, and he was one of the founding fathers, as it were, of the players' revolution in the early '70s that resulted in the hiring of Marvin Miller as president of an increasingly militant players union. He has already demonstrated his standing in the cloakroom. During orientation last December, Bunning's fellow Republican freshmen elected him to an important post on the executive committee of the Committee on Committees. That sounds almost Kafkaesque, but the executive committee decides on committee assignments. and Bunning was chosen to look after the interests of the freshmen. For himself, Bunning saved assignments to the banking committee—finance is his area of expertise—and to the Merchant Marines and Fisheries Committee, which tackles issues that are important to his district.

Bunning is a staunch supporter of the President, and, in fact, the careers of Ronald Reagan and Bunning have several parallels. Both had Democratic upbringings, both made big names for themselves outside politics, both were strong members of their professional unions, and both entered politics at the urging of influential friends.

The product of a Democratic household, Bunning registered as a Republican in college and was at one time a conservative ideologue. "Everything was black and white to me, but as time goes on, things are getting a little grayer," he says. "I think I understand the other side more. I'm more willing to compromise. Still, I guess you can say I come down right of center."

He does wear his partisanship on his sleeve. He took obvious glee, for example, in what might be described as a Republican "quick pitch" during that first session of Congress. Republican whip Trent Lott of Mississippi introduced a motion, tacked on to a routine rules package, that the 100th Congress commit itself to no further tax increases. The motion was easily defeated, but Bunning says with a cackle, "We got the Democrats on record as favoring a tax increase."

Although Bunning has taken the floor in Congress just once—he spoke in opposition to a raise for congressmen—he is not afraid of speaking his mind. At a congressional briefing on Nicaragua with Assistant Secretary of State Elliot Abrams. Bunning pointed out that the Administration had not delivered as good a public relations pitch in behalf of aid to the Contras as their opponents had.

Bunning delivered his first pitch in 1955 with the Tigers. He had signed with Detroit in 1950, but only on the proviso that he be allowed to skip spring training until he finished college. He got his degree in business administration from Xavier in Cincinnati in 3½ years.

In the meantime, Jim and Mary began adding to the census. Barbara was born in 1952, and after the 1954 season, a set of twins, Joan and Jim Jr., arrived. Seeing that their family was progressing faster than Jim's pitching career, the Bunnings began thinking of an alternative. The Tigers called him up in '55, but he was back in the minors in '56, and Mary was pregnant with Cathy. "We were going to give baseball one more year," says Mary.

But in 1957, Bunning won 20 games and pitched three perfect innings as the All-Star

Game starter. And on July 20, 1958, against the Red Sox in Fenway Park, he pitched what was then called "the gabbiest no-hitter of all time"—he talked about the possibility as early as the sixth inning. The last batter he faced was Ted Williams. His first pitch to the Splinter tells you all you need to know about Bunning as a competitor. With a no-hitter within reach and a legend at bat, Bunning *brushed him back.* On the next pitch, Williams lifted a fly to Al Kaline for the final out. Mary, who was home in Kentucky with five kids—William was born in March—listened to the game on the car radio. She got so excited that she nearly drove into a tree.

From 1959 to 1962, Bunning gave the Tigers some pretty good years. Mary also gave him two more kids, Bridget and Mark, raising the total to seven. Following a mediocre '63 season, the Tigers traded him to the Phillies. On June 21, 1964, in New York, he pitched the first National League perfect game since John Montgomery Ward had one in 1880. That Bunning, a father of seven, did it on Father's Day, gave the feat an added shine.

But heartbreak awaited Bunning and the Phillies at the end of the '64 season, when they blew a 6½-game lead with 10 games to play. Still, Bunning had four brilliant years in Philadelphia, going 74-46 (including five one-run losses in '67) with a 2.8 ERA. He also had a burgeoning second career as a stockbroker, and in July '66 he became the father of another set of twins, Amy and David. That's all, folks.

During this time, Bunning became more involved in the Major League Baseball Players Association. He was instrumental in setting up the pension plan, and even today he says. "I am as proud of that as anything I did on the field."

In his curtain-call year, 1971, Bunning started and won the first game in Veterans Stadium, and later moved ahead of Cy Young into second place on the alltime strikeout list. On Sept. 28, the Phillies held Jim Bunning Day and gave him a Volkswagen bus, out of which popped all nine children. Nowadays, of course, Bunning buys American, and you wouldn't dare give him an import.

Although Mary had a feeling it wouldn't work out, Bunning decided to try managing and he started with the Phillies' Double A team in Reading in 1972. He wasn't so much a manager as he was an unstinting taskmaster. Dane Iorg, who would go on to a 10-year major league career and heroics in two World Series, played for Bunning that first season. "I didn't like him at first, and a lot of the guys plain hated him," recalls Iorg. "He had this tape recorder with him, and every time you did something wrong, you'd see him talking into the microphone. We were so worried we'd be on that thing, we couldn't play."

During the next four years. Bunning grew more comfortable with the job and with his players. For example, he developed a close relationship with Lonnie Smith, who came to the minor leagues distrustful of whites, and to this day, Bunning remains Smith's agent. Smith even campaigned for Bunning when he ran unsuccessfully for governor of Kentucky in 1983.

"I had him his last year as manager, and he was great," says Iorg. "But he could still scare people, and I think that's why he didn't get a chance. He intimidated the Phillies.

Had it not been for Bunning's inability to play politics in baseball, he might never have become a politician. His baseball career came to an end in Oklahoma City in 1975, when the Phillies let him go after repeated assurances that his job was safe. The decision was made by assistant general manager Dallas Green, Bunning's closest friend. "I just didn't think he was cut out to be a major league manager," says Green. "He could have stayed in baseball, and he very well could have gotten a major league job, and maybe I was wrong. Anyway, the country is much better off with him in Congress."

According to Bunning, "I just said, 'Baseball, you've been my life, but now it's time to say goodbye.'" He is sitting in his congresssional office in Fort Wright, signing all the Jim Bunning pictures in the *Topps Baseball Cards* book, no small task considering he has 27 separate cards. He's doing it for the son of a constituent, but he allows that he has yet to find the perfect balance between his baseball life and his political life. "I loved baseball, and I'm grateful for the name recognition it gave me," he says. "But I don't want to be autographing balls on my way to a vote in the House."

In June '76, when Bunning was concentrating on his new business as a player agent, friends talked him into getting on a slate of candidates, the People's Ticket, for the Fort Thomas city council. He wrote "We need your help" on 6,000 postcards, signed them and sent them out. He was easily elected. "I enjoyed it," he says, "and Mary and I decided we might like a life in public service."

Next he challenged Campbell County's Democratic state senator, Donald Johnson, a 16-year incumbent. Bunning knocked on enough doors to defeat Johnson by a scant 400 votes. In the process, he was getting over the shyness he hid behind during his playing days. "You spend so much time guarding your privacy in baseball that I found it hard to go up to people and ask for their votes," says Bunning. He had another major political asset besides his name. Mary more than made up for Jim's seeming lack of warmth.

Once in the state senate, where the Republicans were outnumbered 29-9, Bunning came to be known as Dr. No for his contentious opposition to Democratic programs. But he did his homework, and the Republican senators made him the minority leader in January '83. After trying to talk other prominent Republicans into running for governor in '83, Bunning decided to run himself. His opponent, Democratic Lieutenant Governor Martha Layne Collins, was a heavy favorite. Collins spent a great deal more money ($5.4 million to $1.3 million), but Bunning, who had been behind in the polls by as much as 32%, wound up losing by a less lopsided 9%.

Still, the state's press found him rather stiff and forbidding. "He could be arrogant, short and nasty at times," says Bill Straub, Frankfort bureau chief for *The Kentucky Post.* "Covering him was something of a chore." On the other hand, here was Bunning, trying to convince people he was a serious candidate, while newspapers ran headlines like "Gop Gets in Ballgame and Exmajor League Pitcher Goes After Big Win."

Bunning had a decision to make: Run for governor again in '87 or for Congress from the Fourth District, his home field, in '86. M. Gene Snyder, the Republican incumbent, was retiring after 11 terms, and Bunning was a natural for the district, which runs along the Ohio River from the suburbs of Cincinnati to the suburbs of Louisville and encompasses 12 counties. His Democratic opponent, Terry Mann, carried eight counties, but Bunning soundly defeated him in the two counties where more than two-thirds of the voters lived, and won by a 56%-44% margin. Although he tends to credit his staff for the victory, he was simply a much better campaigner this time around. "He underwent an interesting transformation between 1983 and this past election," says Straub. "He was charming throughout the campaign. He really loosened up. It was almost as if he went to candidate school."

So, Mr. Bunning went to Washington.

After his swearing-in, Bunning hurries back to his office, Room 1123 in the Longworth House Office Building, where a reception is being held for his staff and family and supporters. "Sitting there, listening to those speeches, I kept thinking of all the people who were waiting for me back here," he says. "But when the time came, I felt the chills. I remember Jay Rhodes telling us in orientation the story of how he took the oath of office when he was eight years old, standing beside his father, John Rhodes [then a Republican congressman from Arizona]. And today, there was Jay's own five-year-old son, standing in the aisle, taking the oath."

Off to one side, Mary is explaining to a hometown newspaperman the difference between this day and that Fathers' Day in 1964. "Maybe I got more excited at the perfect game," she says. "But this thrill was somehow deeper, more emotional. I really had tears in my eyes when he hugged Jay Rhodes."

Just then the voting bells go off, and Bunning excuses himself, saying, "My first real vote." Bunning goes jogging off across Constitution Avenue over to the Capitol. He's 20 years older, several pounds heavier and dressed in a gray business suit, but the old athletic stride is still there. He's trotting out to the mound now, to pitch against the Democrats.●

PRODUCT LIABILITY REFORM LEGISLATION

● Mr. McCAIN. Mr. President, last week a number of bills were introduced in the Senate to reform the current product liability system. Another one will be introduced today as part of the administration's trade legislation. I rise today to associate myself with those who advocate reform of the product liability laws.

The current product liability system has had a disastrous impact on U.S. commerce. The manufacture of many worthwhile products is being hindered or halted entirely. The cost of insurance, when available, is astronomical. Moreover, the morass of State laws does very little to encourage manufacturers to produce safer products. Whatever the benefits of the current system—and I suspect they are overestimated—the burdens the system imposes on businesses are far too massive.

I am told that product liability bills have been introduced in the Senate in each of the last three Congresses. But despite strong support both within and outside of the Senate, the full

Senate has yet to approve a comprehensive product liability reform bill. Unfortunately, the problems that lead to introduction of product liability bills in earlier Congresses have not abated. Insurance rates are still too high. Compensation and legal fees continue to rise faster than the Consumer Price Index. The costs of litigating claims continues to equal or exceed the amount of compensation paid to injured consumers.

With the introduction of new product liability legislation the Senate will again have an opportunity to act. Perhaps none of these recently introduced bills embodies the exact solution to the problems of the product liability system. However, in order to move forward we must initiate the process and invite input from affected parties, including the legal community. Further delay benefits no one—not businesses—not consumers. I urge my colleagues to join with me in supporting expeditious Senate action regarding product liability reform.●

INTERNATIONAL DISASTER ASSISTANCE

● Mr. SPECTER. Mr. President, in March 1986, a most interesting conference was held in San Jose, Costa Rica, on international disaster assistance; 16 member governments of the Pan American Health Organization attended the conference along with representatives of nongovernmental organizations.

The findings of that conference, in which the United States was a participant, have now been published in a booklet entitled "International Health Relief Assistance."

The message of the booklet is explicit. Donor governments and private agencies should work more closely with recipient governments and private agencies if the results of international assistance are to be maximized. In the past, unneeded clothing, medicines, and other inappropriate supplies have been forwarded by donors only to clog the supply pipeline and cause chaos at airports and other depots. Relief supplies are so often unneeded or delayed in receipt that many disaster experts urge that overseas donors concentrate on helping out on the long-range recovery phase, rather than attempting to respond immediately after the disaster.

Individuals interested in reviewing these findings can secure a copy of the booklet by calling or writing to the National Association of the Partners of the Americas, in Washington, DC.

Clearly, Americans are extraordinarily generous when disasters such as the Mexico City earthquake occur in other countries. It is important, however, that the assistance we provide be timely and appropriate. This booklet provides helpful guidelines.●

OUR ECONOMIC FUTURE

● Mr. BRADLEY. Mr. President, when the Senate opened hearings on international trade before the Senate Finance Committee, Senator ROCKEFELLER made a particularly compelling statement about our country's economic future. I believe his comments deserve broader exposure. I would like to bring his testimony to the attention of my colleagues and ask that it be printed in the RECORD.

The statement follows:

STATEMENT OF SENATOR JOHN D. ROCKEFELLLER IV

I sought membership on the Finance Committee because I believe that adjusting to, and competing in, the world economy is the fundamental challenge facing our country's economic future. I anticipate learning a great deal from Ambassador Strauss, the other distinguished witnesses in this set of hearings and the whole process of trying to fashion a meaningful trade legislation. Like the rest of us, however, I come to the process with certain strongly-held views.

My starting point is that our country can't go on the way it has. We are not on the road to a bright economic future; in fact, our present path is a dangerous prescription for economic decline. We urgently need to take stock and change course.

I recognize that this is not self-evident. The stock market, after all, has just broken 2000. President Reagan points with pride to the long-running economic recovery, nine million new job created, and the scourge of inflation apparently broken. Administration spokesmen like to speak of our trade deficit as if it were a minor cloud in an otherwise bright, blue sky.

It doesn't work that way. In a world economy, a nation's trade picture is probably the fairest measure of its economic condition—not some peripheral concern. We have changed drastically from a creditor nation to the world's largest debtor in just five short years. The trade problems facing steel and textiles have now infected all of our high-technology sectors. For the past few months, the world's greatest agricultural power has imported more food than it exported.

Our "prosperity"—such as it is—is kept afloat by massive debt at all levels: consumer debt; corporate debt; the federal budget deficits; and the trade deficit. The bottom line in this recovery is that we buy imported goods, and borrow the money from abroad to pay for them. It is an inescapable fact that a nation cannot buy $3 billion more from abroad every week than it sells—and hope to remain a prosperous nation.

My second starting point is that our trade deficit is the measure of problems that go far beyond trade, and we should not blame other countries for things that are basically within our control. If we could eliminate every trade barrier, and deal with every unfair trade practice, we would still have an enormous trade deficit—and face an enormous competitiveness challenge.

It is not the fault of the Japanese that we have massive budget deficits and a microscopic savings rate. It is not the fault of the Koreans if our kids watch "Miami Vice" instead of studying math. It is not the fault of the Taiwanese that we don't have a national commitment to retraining our workers. And it's not the fault of the Brazilians if we turn out investment bankers and lawyers, rather than teachers and scientists and engineers.

But if trade is not the whole problem, it is a serious problem. There is a stunning lack of balance in our trade relations with other countries, particularly Japan.

We negotiate painstakingly, inch by inch, year after year in an effort to open up the Japanese market to our beef, citrus, telecommunications equipment and pharmaceuticals—sectors where we have a comparative advantage. Occasionally, we seemingly make a breakthrough on market access, only to find that sales don't follow anyway. As one of our trade negotiators once described it, we push through one door only to find another door.

At the same time, Japan has unfettered access to the world's most lucrative market for VCRs, cameras, stereos, and a guaranteed share of 20 percent of our automobile market. No question that the products are superb and that our consumers want them. No question that the barriers in their system are often cultural, rather than legal. But the trading relationship remains essentially one-sided, and the imbalance has serious consequences for our economy.

Obviously, many factors contribute to this situation. We have a traditonal tendency to subordinate trade and economic concerns to political and strategic ones. We continue to act as if our prosperity gives us a lot of leeway in dealing with other countries. We believe, in some respects, that the national interest equates with the consumer interest in getting the widest range of products at the best possible price. We certainly feel a particular, historic obligation to stand for the principles of free trade and open markets—if not us, then who? And we believe, for the most part, that government should set the rules for international trade, and not take an interest in the outcomes or results.

Some of the considerations are valid, some partially valid, some totally obsolete. But surely it is fundamentally naive, and very dangerous, to behave as if other countries approach trade and industrial questions as we do. The truth is that other governments are intensely involved and interested in trade policy, and doing everything they can to maximize exports, minimize imports, develop industries and protect jobs. They are intersted in outcomes, and not just process, and they take responsibility for those results. We may not like that different approach, but it is disastrous to pretend it doesn't exist—as the Reagan Administration often seems to.

Like every other member of this committee, I will work with the Reagan Administration if they are ready to write a meaningful trade bill and take other needed steps to address our competitive problems. I welcome every indication that they are beginning to face the real problems of our country: from Secretary Baker's effort to realign the dollar-yen relationship, to their request for more money for Trade Adjustment Assistance, to their proposal for a larger budget for the National Science Foundation.

But this Administration has a lot to answer for in the areas of trade and competitiveness. Passing the irresponsible and inequitable 1981 tax cut, which left us with staggering budget deficits . . . Praising the "strong dollar" in 1983 and 84 while our manufacturers were moving overseas because they couldn't afford to do business here . . . Standing by while half the country's steel jobs disappeared in just five years. Putting the Young Commission

report on the shelf to gather dust, because the Commission said it wasn't "morning in America" . . . Abandoning our efforts to build a national energy policy . . . Refusing to use Section 301 to deal with our trade problems . . . Overturning the ITC when beleaguered industries played by the rules and sought trade relief under section 201.

And if I sound bitter, it comes from having been Governor of West Virginia during the Reagan recession: when workers lost their jobs, for reasons far beyond their control, the Administration slashed unemployment benefits, opposed trade adjustment assistance, and told them if they didn't like it, they could "vote with their feet."

The truth is that the Reagan Administration has presided over a precipitous decline in our country's competitive position in the world. Where our nation's competitiveness has been concerned, to put it most generously: these have been wasted years.

Wasted—because it was the right time to have done so much. Americans grasp the competitiveness challenge, almost intuitively. States are working to improve their schools and level of technological innovation; corporations are radically restructuring; labor and management are increasingly inclined to work together to improve productivity. But it is difficult to mobilize a nation of 240 million without government leadership, and it is impossible to compete in the world without government policies that give our businesses and workers the support they need.

I think we can write a trade bill that can make a difference to our country, although the Administration could have done a far better job than it has with the tools already at hand. Whatever trade bill we enact, however, must be part of a wide-ranging effort to enhance our nation's competitiveness. Paula Stern, outgoing Chair of the ITC, put it well in a speech last year: Trade is important, but competitiveness is the key. We should always oppose unfair trade practices, but we should worry less about the level of the playing field and more about the quality of the American team. And we cannot continue to drift, while other nations chart a strong course.●

DEATH OF DR. DEBENEDETTI

● Mr. GLENN. Mr. President, the University of Toledo and the Nation has suffered a great loss with the recent death of Dr. Charles DeBenedetti. Dr. DeBenedetti made a significant contribution as professor of history at the University of Toledo for 18 years, as a nationally known author and authority on the American peace movement, and as a former Rockefeller Foundation fellow.

Dr. DeBenedetti authored three books and numerous articles on American diplomatic history and the American peace movement. He received a major Rockefeller Foundation Humanities Fellowship in 1979 for his research on the antiwar movement in America from 1961-75, and completed his essay on "The Anti-Vietnam War Movement and Modern America" at the foundation's Bellagio Study and Conference Center in Italy. In 1982, his book, "The Peace Reform in American History," was selected by the American Library Association's magazine as one of the outstanding academic books published in the 1980-81 year. It traced American peaceseekers struggling against war from colonial times through the 1970's.

In 1983, Dr. DeBenedetti was invited to discuss the Vietnam peace movement at the U.S. Military Academy at West Point. He also served as a leader in several national and international historical organizations. Dr. DeBenedetti's latest recognition came last August when he was awarded a $70,000 grant from the Social Science Research Council to complete an oral history on dissent and United States foreign policymaking, using Vietnam as a case study. Before his death, he made arrangements for the work to be completed.

Mr. President, the University of Toledo community has lost a great teacher and friend. Dr. James McComas, president of the University of Toledo, said,

> Charles DeBenedetti was one of the giants of university scholarship and a leader in our academic enterprise. His dedication to his work and his stand on beliefs toward international peace earned him national and international repute. Our sense of his loss as a teacher and friend is deep.

I know my colleagues in the Senate join me in offering our deepest condolences to the family and friends of Charles DeBenedetti.●

THE TARGETED JOBS TAX CREDIT PROGRAM

● Mr. DOMENICI. Mr. President, I am pleased to cosponsor Senator HEINZ's legislation which would create a permanent jobs tax credit. I have been a cosponsor and active supporter of the jobs tax credit each time it has been considered for authorization.

The job tax credit is known officially as the Targeted Jobs Tax Credit Program [TJTC]. When it was created, it was set up temporarily. It has been extended in 1981, 1982, and 1984. The current credit, extended last year in the Tax Reform Act, is due to expire at the end of next year.

I have long been an enthusiastic supporter of this job placement program. But these temporary renewals have placed a very successful, cost-efficient program in periodic danger of extinction, reducing its effectiveness.

Now is the time to make this program permanent.

The Targeted Jobs Tax Credit Program was initiated in 1978 as a way to encourage employment opportunities for groups in need of special incentives, groups with unemployment rates traditionally above the national average.

The jobs tax credits identified nine targeted groups:

Vocational rehabilitation referrals;

Economically disadvantaged youths, aged 18 through 24;

Economically disadvantaged Vietnam-era veterans;

Social Security recipients;

General assistance recipients;

Economically disadvantaged cooperative education students, aged 16 through 19;

Economically disadvantaged former convicts;

Recipients of aid to families with dependent children [AFDC] and the Work Incentive Program [WIN] registrants;

Economically disadvantaged summer youth employees, aged 16 or 17.

An employer who hires a person certified as a member of one of these groups receives a tax credit equal to 40 percent of the first $6,000 of first-year wages, or a maximum credit of $2,400. With respect to economically disadvantaged summer youth employees, however, the credit is equal to 85 percent of up to $3,000 earned between May 1 and September 15. No wages paid to a targeted-group members are to be taken into account for credit purposes unless the individual is employed by the employer for at least 90 days—14 days in the case of qualified summer youth employees—or has completed at least 120 hours of work performed for the employer—20 hours in the case qualified summer youth employees.

How has it worked? In 1985, New Mexico placed 4,121 of its citizens in jobs through this jobs tax credit. Our success number a year earlier was 3,766. An unofficial poll taken recently shows over 5,000 requests for certification were made last year, even when the status of the program was uncertain.

The largest percentage of these placements and requests have been in the categories of disadvantaged youth enrolled in cooperative education programs, disadvantaged youth age 18 to 24, AFDC recipients and ex-convicts. In addition, the TJTC has been particularly effective in providing summer employment for disadvantaged youth.

The targeted jobs tax credit program is simple. It's effective. It is a private enterprise stimulus that works to reduce structural unemployment.

The program is cost effective, reducing sharply welfare costs and unemployment compensaton for the groups targeted. Since people are leaving welfare rolls to join the tax rolls, the targeted jobs program benefits society without increasing Government spending.

Employers under the program have demonstrated they will take a chance on the target groups, regardless of higher training costs and employment risks. Thus, this is a program that operates effectively to create jobs for those needing them most. Small businesses have used TJTC because of its

simplicity. State employment agencies in almost every State support TJTC.

We need to reassure employers that this effective program will not disappear. We need to make this tax credit permanent.

Mr. President, I commend Senator HEINZ, and urge the Senate to take early action of this legislation.●

NAUM MEIMAN

● Mr. SIMON. Mr. President, for over a year I have informed my colleagues of the plight of Soviet refusenik, Naum Meiman. It is time to end Naum's suffering. Naum recently lost his dear wife, Inna, without an opportunity to be with her during her final days. Now he has one simple wish—to emigrate from the Soviet Union.

The Soviets claim that their government is undergoing reforms. Gorbachev has promoted the new glasnost policy. If the Soviet Government sincerely wants to improve relations, I suggest that they permit Naum Meiman and other refuseniks to emigrate to pursue happiness in the West.●

NATIONAL HOUSING ACT AMENDMENTS

Mr. BYRD. Mr. President, I believe the following request has been cleared on the other side. The distinguished Republican leader is here.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 23, with the understanding that there be no amendments thereto.

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

The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1056) to amend the National Housing Act to limit the fees that may be charged by the Government National Mortgage Association for the guarantee of mortgage backed securities.

The Senate proceeded to consider the bill.

Mr. CRANSTON. Mr. President, this bill deserves prompt action. It is needed to preserve the clearly established policy of Congress to provide affordable mortgage finance to American homebuyers.

In recent years, the administration has repeatedly tried to reduce or eliminate our national system of support for home finance. Administration budgets have regularly proposed excise taxes on homeownership in the guise of "user fees." OMB has consistently tried to hamper Federal support for home mortgage finance.

Congress has resoundingly rejected the administration's proposals. These proposals were rejected in the budget process. They were rejected by the authorizing committees. They were rejected in appropriations. They were rejected on a broad, bipartisan basis in both Houses of Congress. They were rejected because Members of Congress from all regions of the country and with differing philosophies saw these proposals for what they are: Proposals to impose unjustified taxes on homeownership.

Despite that, the Government National Mortgage Association [Ginnie Mae] recently decided to defy the will of Congress and impose new fees by administrative fiat on securities backed by single family mortgages. Ginnie Mae announced that it unilaterally would increase its guarantee fee by 66 percent—from 6 to 10 basis points. The move was taken, I understand, under pressure from OMB.

That particular fee increase was specifically rejected in last year's housing bill, which was favorably reported in the Senate and passed the House on several occasions.

Mr. President, we have here a defiant show of bureaucratic arrogance that requires a firm response by Congress.

Ginnie Mae late last week rescinded the fee increase in a last-minute effort to prevent congressional action. I welcome that repeal. But it should not deter the Senate from expressing its will on this issue clearly.

The congressional support for Ginnie Mae is well founded. Ginnie Mae was created to help Americans become homeowners. Its programs support an effective working partnership among private lenders, private investors and the Federal Government. At this time, about 95 percent of all FHA and VA guaranteed single-family mortgages are financed with Ginnie Mae guarantees.

Because Ginnie Mae guarantees are on pools of mortgages already insured by FHA or guaranteed by the VA, they do not involve significant additional risk to the Federal Government. Ginnie Mae helps create a large, efficient market by assuring investors that bureaucratic delays at FHA and VA will not interfere with investors' timely receipt of principal and interest.

Ginnie Mae enables homebuyers—primarily moderate-income families and veterans—to obtain mortgage funds in the private capital markets where homebuyers would otherwise be overwhelmed by powerful government and corporate borrowers.

Mr. President, there are many reasons why the proposed fee increase should be prohibited:

First, there is no valid reason for it. From its inception in 1968 until now, Ginnie Mae has imposed an annual guaranty fee of six basis points on pools backed by FHA and VA single-family mortgages. That six basis point fee has proven to be more than sufficient. Since Ginnie Mae was initiated, it has collected guaranty fees of $817.4 million. In addition, as of September 30, 1986, it has collected other fees and has earned investment income which totalled $1.35 billion. During 1986 alone, about $292 million were added to reserves, while the program losses were only about $200,000 or 0.06 percent.

The revenue from the increased fee would not be used for program costs. In its 17-year history GNMA has never had to draw any amounts from its reserve at the Treasury, having paid all claims from current year's income. In fact, the proposed Federal budget for fiscal year 1988 indicates that Ginnie Mae expects to transfer $485 million back to the Treasury, after payment of all operating expenses and losses.

These facts show that the increased fee is completely unnecessary for the actuarial soundness of the program.

Second, the increased fee would make it harder for families, particularly those with modest incomes, to purchase a home. The administration's budget is clear that the intent of the increase is to raise the cost of mortgage borrowing. This is absolutely contrary to the reason Ginnie Mae was created.

This fee increase would decrease the availability of FHA and VA loans. It would increase home mortgage costs by $187 per loan. Costs on the average FHA loan would increase by $160. VA loans would increase by $180.

Some might claim that is an insignificant increase in costs. It is not insignificant, particularly for thousands of families with modest incomes, who already are having the hardest struggle to own a home.

That fee increases could postpone or adversely affect 100,000 to 150,000 home sales in the first year alone—that's 10 to 20 percent of all sales.

But much larger increases are in store if OMB is permitted finally to establish the precedent that such fees can be increased administratively in the face of congressional opposition.

Home ownership rates are already declining, so this is the wrong time to put additional pressure on Americans who are trying to buy a home. We must pass this legislation to keep open the door of home ownership opportunity for those families.

Mr. President, I believe there is no good reason for the proposed increases in Ginnie Mae fees. I feel even more strongly that such action should not be taken without congressional approval.

Mr. President, I am proud to be joined today by Senator D'AMATO and 31 cosponsors in support of this legislation. The passage of this legislation would allow for the continued success of Ginnie Mae programs in helping Americans become homebuyers.

On February 25, 1987; our colleagues in the House of Representatives passed this very bill. I urge my colleagues in the Senate to do the same today.

Mr. President, as chief sponsor of this legislation, I want to enter into a colloquy with the Senator from Utah to make sure that congressional intent is clear.

Mr. GARN. I thank the Senator. It is my understanding that this bill caps at not more than 6 basis points the guarantee fee that GNMA may charge lenders with regard to the guarantee of timely payment of principal and interest of securities or notes backed by single family FHA-insured or VA-guaranteed mortgages. Is that correct?

Mr. CRANSTON. Yes.

Mr. GARN. I would like to discuss our intention here. What is the Senator attempting to achieve?

Mr. CRANSTON. My intention throughout the bill is to make certain that the executive branch does not have the power to raise unilaterally GNMA fees without first certifying that the increase is reasonably related to the Associations's cost of administering, the program or to the cost of providing a service. Further, the Congress does not intend for GNMA to set fees as a way of manipulating Federal credit policy; or to set fees based solely on those charged by private firms for similar services or guarantees, or to shrink the role of GNMA, and thereby FHA and VA in the Nation's housing market. In the case of the guarantee fee for securities or notes backed by single family FHA-insured or VA-guaranteed mortgages, the bill establishes a maximum fee of 6 basis points.

Mr. GARN. Yes, we agree on these points. The language in paragraph B requires the Association to set the guarantee fees for other securities or notes backed by other FHA-insured and VA-guaranteed mortgages not covered in paragraph A at a level to meet anticipated claims based upon actuarial analyses, and for no other purpose. Are not acturial analyses just a base or starting point with additional factors intended to be taken into account in deriving a figure for anticipated claims? I ask this question because GNMA tells me that merely looking at raw claims experience—which actuarial analyses would tend to do—is not necessarily predictive of future claims and losses.

Mr. CRANSTON. I understand the Senator's concern. However, thorough actuarial analyses similar to those conducted by other firms in the housing industry would evaluate the potential for claims based on actual experience but also on factors such as economic and demographic conditions that directly impact on their programs. So, to this extent, other factors could be considered as part of thorough actuarial analyses. Again, the intent of this bill is not to hamstring GNMA's prudent business judgment. Rather, it is to require the Association to consider and document thoroughly the need for increases that are reasonably related to the costs of the program. It is also to require the Association to notify Congress 90 days before acting on any conclusions that may be derived from their analyses.

Mr. GARN. As the Senator knows, GNMA contracts regularly with both public and private entities to handle monitoring of issues, custodial and securities transfer functions and for other purposes.

Mr. CRANSTON. Yes, and the language of the bill should not complicate GNMA's business relationships with outside vendors in providing these services. At the same time, this bill does ensure that the fees and charges levied by GNMA are reasonably related to the costs of the services, whether the services are provided by GNMA or an outside vendor working for or with the Association in the administration of the program. GNMA will not use private vendors to impose fees or charges not reasonably related to the cost of the services rendered.

Mr. GARN. I thank the Senator. I understand that GNMA may levy added charges in the event of nonconforming behavior by issuers—for example, in the event an issuer defaults on his payment obligation to security holders or misses deadlines in submitting required documents.

Mr. CRANSTON. Yes, and it is my understanding that GNMA has adequate authority to pursue remedies and impose charges in the event its rules and regulations are not adhered to. However, paragraph C is not intended to restrict GNMA from imposing charges in particular instances to encourage compliance and orderly and, efficient behavior by its issuers, so long as all of the fees and charges as a whole are related to program costs.

Mr. GARN. Yes, I understand that. I have one more point. I am wondering about the restrictions on miscellaneous fees and charges covered in paragraph C with respect to new programs GNMA may wish to implement.

Mr. CRANSTON. Well, if GNMA were to offer a new mortgage-backed security or other program, this legislation would restrict it from establishing fees greater than those charged for existing programs unless the cost basis for such increased fees were set forth and reasonably related to program costs. In any event, the guarantee fee for new programs would be bound by the restrictions contained in paragraphs A and B.

Mr. GARN. In other words, we do not mean to inhibit GNMA's fundamental business management ability, so long as fees imposed are reasonably related to the costs of administering the program and for no other purpose.

Mr. CRANSTON. Yes.

Mr. GARN. I thank the Senator.

Mr. D'AMATO. Mr. President, I rise today to support H.R. 1056, which will amend the National Housing Act to limit the fees that may be charged by the Government National Mortgage Association, or better known as Ginnie Mae, for its guarantee of the mortgage-backed securities program. This legislation is similar to S. 607, which my colleague, Senator CRANSTON, chairman of the Housing Subcommittee of the Committee on Banking and Housing, and I introduced on February 26, 1987. I commend the chairman for his insight in this area and for his concern about and commitment to homeowners in this Nation. The legislation we are considering today protects the already overburdened middle class from an unjustified tax on house ownership.

Mr. President, earlier this year, Ginnie Mae moved to increase by two-thirds its guarantee fee from 6 to 10 basis points effective March 1, 1987. H.R. 1056 prohibits raising the guarantee fees with respect to the mortgage-backed securities program above the current 6 basis points for securities backed by 1- to 4-family dwellings insured by the Federal Housing Administration [FHA], the Veterans' Administration [VA] or Farmers Home Administration home mortgage loans. In addition, fees for securities backed by other types of mortgages, such as multifamily project mortgages, may not be set higher than needed to provide for an actuarial sound reserve. Any proposed increases in fees must be reported to the Congress at least 90 days prior to taking effect and such notice must certify the actuarial purpose for the increase.

The proposed fee increase contradicts explicit congressional policy. Congress repeatedly has opposed the imposition of fees above those necessary to support program costs. Two pieces of legislation S. 2507, a bill reported out of the Senate Banking Committee last year, and H.R. 1, a bill which passed last year in the House of Representatives, specifically prohibit any increase in the Ginnie Mae guarantee fee.

The fee increase has no justification. Under the mortgage-backed securities program, reasonable fees may be charged to pay for the cost of the program and to establish reasonable reserves necessary to support it. At the end of last year, the reserve fund balance was at $1.4 billion. The proposed increase, therefore, is in excess of the amount necessary to compensate Ginnie Mae for the cost, expense, and risk of maintaining the mortgage-backed securites program.

Mr. President, for whatever reason the GNMA is implementing this fee increase on March 1, 1987, this action is viewed as unjustifiable without congressional approval. The legislation we are proposing would prohibit this unjustified fee increase. Our bill is designed to insure that no fee in excess of six basis points can be imposed on Ginnie Mae's mortgage-backed securities program for 1- to 4-family dwellings. For the other mortgage-backed securities programs, Ginnie Mae will have to demonstrate that the increase is due to program costs and the actuarial soundness of the mortgage-backed securities reserves.

An increase in the GNMA guarantee fee would result in an undue hardship on homeowners and those interested in purchasing a home. The increase will raise the closing costs for prospective home buyers. In an era of declining home ownership, especially among low- and moderate-income families, young families and first-time home buyers, a fee increase could destroy the dream of home ownership for many americans.

For example, Mr. President, young families between 25 and 29 years old who own homes declined from 43 percent in 1975 to 34 percent in 1985. For households in the 30-34 age group, the home ownership rate fell from 62 percent to 54 percent during the same period. These are disturbing trends for a nation that as always prided itself on being the best house Nation of Earth. We must insure our commitment to home ownership in this country. This legislation reassures these individuals that the dream of home ownership continues to be a feasible option to housing in our country.

Again, I commend Mr. CRANSTON for his leadership and insight in this matter and I trust my colleagues will pass this vital piece of legislation.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

URGENT RELIEF FOR THE HOMELESS ACT

Mr. BYRD. Mr. President, with respect to H.R. 558, which has come over from the other body, and which deals with assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children, I am told by the distinguished Republican leader that if I should make a unanimous-consent request that that measure go on the calendar, he would be constrained to have to object on behalf of another Senator. Therefore, I will not make that request.

I ask for first reading of H.R. 558.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children.

Mr. BYRD. Mr. President, I ask for a second reading of H.R. 558.

The PRESIDING OFFICER. Is there objection to the request?

Mr. DOLE. Mr. President, I indicate, as the distinguished majority leader has, that I have no personal objection to placing the bill on the calendar; but there has been a request for an objection on this side, so I do object.

The PRESIDING OFFICER. Objection is heard.

The bill will remain at the desk, pending its second reading on the next legislative day.

Mr. BYRD. I thank the distinguished Republican leader.

ORDER FOR ADJOURNMENT

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 o'clock noon tomorrow.

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

ORDERS FOR WEDNESDAY

ORDER FOR RECOGNITION OF CERTAIN SENATORS

Mr. BYRD. Mr. President, I ask unanimous consent that after the two leaders or their designees have been recognized under the standing order on tomorrow, the following Senators be recognized, each for not to exceed 5 minutes: Messrs. PROXMIRE, ARMSTRONG, LEAHY, MURKOWSKI, HEINZ, GRASSLEY, and WILSON.

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

Mr. BYRD. Mr. President, I ask unanimous consent that upon the conclusion of the orders for recognition of Senators on tomorrow, Senators may speak out of order for not to exceed 30 minutes each.

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

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD. Mr. President, I ask unanimous consent that the call of the calendar under rule VIII be waived on tomorrow and that no resolutions over under the rule come over on tomorrow.

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

ADJOURNMENT

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, and in accordance with the provisions of Senate Resolution 163, that the Senate, out of respect to the memory of our late, departed colleague, Mr. ZORINSKY, adjourn over until 12 o'clock noon on tomorrow.

The motion was agreed to; and at 4:48 p.m. the Senate adjourned until tomorrow, Wednesday, March 11, 1987, at 12 noon.

NOMINATIONS

Executive nominations received by the Secretary of the Senate March 9, 1987, under authority of the order of the Senate of February 3, 1987:

DEPARTMENT OF STATE

James Keough Bishop, of New York, 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 Liberia.

John Cameron Monjo, 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 Malaysia.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Fay S. Howell, of Georgia, to be a member of the National Museum Services Board for a term expiring December 6, 1991, reappointment.

IN THE COAST GUARD

The following Reserve officers of the U.S. Coast Guard to be permanent commissioned officers in the grades indicated:

To be lieutenant commander

Winston S. Jones

To be lieutenant

Jorge N. Arroyo
David J. Belliveau
Theodore A. Bull
Richard S. Collins
Michael L. Edwards
Billy E. Erickson
Richard J. Ferraro
Jonathan W. Flanner
James R. Hasselman
Robert W. Kelly
Anthony J. Kovac
Theodore C. Le Feuvre
William D. Lee
Timothy F. Mann
Bradley R. Mozee
William J. Peterson, Jr.
Barry P. Smith
Michael L. Tagg

To be lieutenant (junior grade)

Gary M. Alexander
Clarke T. Baldwin III
David L. Balthazor
Glenn M. Bingham
Tamara L. Bingham
Bruce D. Blackman
Gary Blokland
Robert F. Boyle
Steven J. Boyle
Gregory B. Breithaupt
Craig R. Britton
Christian Broxterman
Robert D. Castle, Jr.
Norman L. Custard, Jr.
William H. Daughdrill
Robert D. Engiles
John W. Farthing
John R. Fulton
Kristopher G. Furtney
Jeffrey N. Garden
Daniel G. Good
David M. Gunderson
Gregory R. Haack

Virginia E. Hrach-Felicetti
Walter T. Hunnings
Timothy G. Jobe
Frederick J. Kenney, Jr.
Kevin F., Kenworthy
Siegfried W. Kirchner
David W. Ledford
David L. Lersch
Mark E. Lickers
Theodore C. Mejia
Peter V. Neffenger
Mark P. O'Malley
Robert M. Palatka
Scott M. Pollock
Kevin G. Quigley
Thomas K. Richey
Kurt L. Slaughter, Jr.
Marlin C. Smith
Curtis A. Springer
Randy B. Strobridge
James E. Tunstall
Douglas L. Turk
Jeffrey R. Vail
Richard W. Weigand
William W. Whitson, Jr.
Robert M. Wilkins
Scott G. Woolman
Michael A. Zustra

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Clarence E. McKnight, Jr., [redacted], U.S. Army.

Executive nomination received by the Senate after the adjournment of the Senate on March 10, 1987, under authority of the order of the Senate of February 3, 1987:

SMALL BUSINESS ADMINISTRATION

James Abdnor, of South Dakota, to be Administrator of the Small Business Administration, vice James C. Sanders, resigned.

HOUSE OF REPRESENTATIVES—*Tuesday, March 10, 1987*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Instill in us, O God, a sense of awe and the wonder of the life You have given. May not our learned discoveries of the nature of our world dim our appreciation of the magnitude of the glory of creation all around us. May we be good stewards, O God, of the bounty of this life and ever seek to honor and praise You for Your marvelous gifts. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE EDWARD ZORINSKY, A SENATOR FROM THE STATE OF NEBRASKA

Mrs. SMITH of Nebraska. Mr. Speaker, I offer a privileged resolution (H. Res. 115) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 115

Resolved, That the House has heard with profound sorrow of the death of the Honorable Edward Zorinsky, a Senator from the State of Nebraska.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The SPEAKER. The gentlewoman from Nebraska [Mrs. SMITH] is recognized for 1 hour.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our entire delegation has just returned from Omaha, where we shared our sorrow with 1,100 other sad Nebraskans at the Bethel Synagogue as we laid Senator ZORINSKY to rest.

Senator ZORINSKY was spoken of as a man gentle but tough, as a man frugal but generous, as a man loved by everyone who knew him, as an outstanding son, husband, and father, and as a great, courageous, devoted servant of the American people.

Part of his life he spent as a Democrat politically, part of his life he spent as a Republican. He was once asked in his heart was he a Democrat or a Republican, and he said, "Well, I've always been trying to figure that out."

He certainly was a broadly loved citizen and an outstanding public servant in every way, and we in Nebraska mourn his passing, as I am sure every Member of this House does.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. SMITH of Nebraska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentlewoman from Nebraska?

There was no objection.

CONTRA AID

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, this week we will be considering a proposal to postpone $40 million in Contra aid until a full accounting is made of the funds that they have received in the past.

There is little doubt that there is disagreement on the policy that we ought to follow in Central America.

There is no doubt, however, and I would venture to say no dispute, that this Congress ought not to allocate money to unknown sources, for unknown purposes, for unknown results.

Mr. Speaker, it is reported that some $80 million has been raised through various sources, including $17 million of the $27 million in humanitarian aid appropriated by Congress. That $80 million cannot be accounted for.

The moratorium that we consider tomorrow will simply say what the American people clearly expect and demand: Let's know where the money is going. Is it for democracy for the many, or profit for the few?

Will it advance the cause of freedom, or fatten the bank accounts of arms dealers and profiteers?

Surely the Congress, Mr. Speaker, should demand answers before pursuing further this blind trust that may be bankrupt.

INTRODUCTION OF AIRCRAFT COLLISION AVOIDANCE ACT OF 1987

(Mr. PACKARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PACKARD. Mr. Speaker, today I am introducing a bill called the Aircraft Collision Avoidance Act of 1987. It will go far toward ensuring the safety of this Nation's air travelers. The bill has the potential to substantially reduce the kinds of collisions such as the one that occurred over the skies of Cerritos, CA, last year which not only claimed 82 lives, but also destroyed a neighborhood.

OPPOSITION TO REAGAN'S CENTRAL AMERICAN POLICY

(Mr. BRENNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENNAN. Mr. Speaker, last Saturday, I held town meetings where strong opposition was expressed to our military actions in Central America.

Maine citizens were very concerned about the use of the National Guard in Honduras.

Citizen after citizen urged me to work for a peaceful resolution of the conflict—questioning what we were doing, again involved in a war in another country—a war that does not have the support of the American people.

There was clear, and indeed emotional, opposition by these Maine citizens to using their tax dollars to provide the bombs and bullets to make war in Nicaragua.

The questions being asked were: Who assigned to the United States the right to try to overthrow any government which we disagree with? What are our moral underpinnings for the proxy war that we are conducting against the Nicaraguan Government?

The message at these meetings was clear and strong—the time has come to stop supporting the military overthrow of the Nicaraguan Government.

The time has come to work for a peaceful resolution of the war in Central America.

The time has come to respect the sovereignty and the dignity of little countries in Central America.

INTRODUCTION OF LEGISLATION GRANTING CITIZENSHIP TO DAN IUGA

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, I rise today to bring to your attention a piece of legislation which I am introducing which would allow Dan Iuga, the coach of the U.S. Olympic pistol team, to remain in the United States with his wife and two daughters.

Mr. Iuga is a resident alien who defected from Romania to West Germany and then immigrated legally to the United States in 1983. For the past 3 years he has traveled the world with our Olympic team. Unfortunately, as we move toward the Olympics, there are more and more of these competitions which are held behind the Iron Curtain, and there is a danger that Mr. Iuga may be retained there and not allowed to return to the United States.

He has satisfied all requirements for citizenship, except that he has only been here 3 years. What this bill does is ask that we waive those final 2 years so that he can go ahead and complete the citizenship.

I believe that it is time to show a commitment to our Olympic team by making it possible for Iuga to become an American citizen, and so making it possible for him to travel with the team with the assurance that he will be allowed to return.

This particular private bill is of interest to me because the Olympic Training Center is in my district. But it is also I think unique in terms of private bills in that it is important to the Nation as a whole. We are interested in bringing home the gold. It gives us a true sense of patriotism and national pride. I ask Members to join with me in assisting our Olympic dreams.

SUPPORT A MORATORIUM ON FURTHER AID TO CONTRAS

(Mr. LEVINE of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVINE of California. Mr. Speaker, tomorrow we have a chance to cast a vote for fiscal and foreign policy responsibility by imposing a moratorium on continued funding of the Contras.

The Contra aid program has become a fiscal black hole into which tens of millions of dollars of taxpayers' money has disappeared.

□ 1210

The case for a moratorium is compelling. The Contras received money diverted from the profits of the administration's arms sales to Iran; over half of the so-called humanitarian aid approved by Congress remains unaccounted for, and White House officials were actively involved in procuring funding for the Contras during a period when direct or indirect Government assistance was forbidden by law.

It would be irresponsible for Congress to approve any additional funding for the Contras until we know where the money we have approved went, where other moneys came from, and the extent of the illegal actions of some in this administration.

I urge my colleagues on both sides of the aisle to join tomorrow in supporting a moratorium on any further aid to the Contras.

IT'S TIME TO LIFT THE HOMEWORK BAN

(Mr. LIGHTFOOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIGHTFOOT. Mr. Speaker, I rise today to urge my colleagues to join me in supporting a person's right to work at home if he or she so chooses. Under current Department of Labor regulations, a person can be employed at home as a computer operator or as a seamstress for men's apparel, but that same person cannot sew women's apparel or work in five other restricted industries. These regulations are rooted 40 years in the past, but it's time we examined these concerns in the context of the present and the future.

Legislation that I introduced last week would lift the prohibitions on home labor while preserving the labor protections under the Fair Labor Standards Act, such as minimum wage and overtime wage requirements. It would give workers the freedom to choose where they wanted to work—either at home or in an office or factory.

In rural areas, such as the district I represent, workers would greatly benefit from this legislation. Since the downturn in the farm economy, jobs in rural America have been scarce. Successful cottage industries have been established in rural Iowa, and many of them would like to expand to employ homeworkers. However, they are prohibited because of the current ban on homework. This ban is limiting job opportunities for rural workers. It is also denying workers the option of earning a living at home without having to finance work-related costs, such as transportation, clothing, and child care.

I commend the Department of Labor for seeking to lift the restrictions on homework through the regulatory process. However, I firmly believe that legislation is needed in order to make sure that workers are given the freedom to work in their homes. Therefore, I hope my colleagues will join me in supporting this legislation.

WHERE DID ALL THE MONEY GO?

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, anyone who questions whether this House should put a moratorium on aid to the Contras should take a look at appendix C of the Tower Commission report. In a mere 14 pages, the commission presents, in graphic detail, the history of the illegalities and abuses in this program.

The report describes outright lies to the Congress about NSC involvement in Contra aid fundraising. It establishes that North and others engaged in deliberate coverups of their covert activities. It reveals that NSC staff threatened heads of state, to advance their cause. It illustrates the vast network of paper corporations and secret bank accounts which were used to funnel money to the Contras.

This resolution would impose a moratorium on aid until we know where the money has gone. If we add together the $27 million in humanitarian aid, the arms deal money and the funds from the Sultan of Brunei and the Saudi royal family and others, there is more than $100 million which is unaccounted for.

Just as we would with any domestic program with this kind of mismanagement and abuse, we must find out what has been going on before we throw good money after bad.

To paraphrase one of the participants in this scandal—now that the bank president knows that the bank teller has been stealing, he ought to take a good look at the books. That, Mr. Speaker, is all that this resolution asks for.

NUCLEAR WASTE REPOSITORY

(Mrs. VUCANOVICH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. VUCANOVICH. Mr. Speaker, since Secretary Herrington announced the Department of Energy's intention to proceed with the second nuclear waste repository program, there has been a flurry of activity by eastern legislators insisting that no repository ever be located in the East.

Being a representative whose district has been named as one of the three finalist sites to house the first high

level nuclear waste repository, I know how disheartening the news can be. I am not at all pleased knowing that Yucca Mountain may be filled with high level nuclear waste.

However, I am pleased with DOE's announcement. The Nuclear Waste Policy Act is very explicit about the fact that there should be two repositories—one in the East and one in the West. Over 80 percent of the waste produced is done so in the East and I believe there should be some responsibility for storage borne by the Eastern States.

My main concern with the nuclear waste program is that safety be the dominant factor when developing the criteria to determine the best location. I believe we, as legislators, have a responsibility to the people of this country to insist that any high level nuclear waste repository be located in the safest place.

I know there are those of you out there who feel that since Yucca Mountain is near the Nevada test site, has vast expanses of land, and is not near extremely populated areas, that it should automatically be the site of the repository. That reasoning is based on visual observations, and not on sound technical criteria.

I urge this body to be more responsible during consideration of the nuclear waste program. This may be one of the most important decisions we will make as legislators.

MORATORIUM ON CONTRA AID

(Mr. BUSTAMANTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUSTAMANTE. Mr. Speaker, we have a vote coming up tomorrow on the release of the remaining $40 million in aid for the Contras. I know that there will be emotional debate on the issue—and I would imagine that some Members may frame the issue in a partisan light. We should avoid that.

As one Member who supported the appropriation of $100 million last year, I will this time support a moratorium on the portion which has yet to be sent. How in good conscience can we blindly send these funds when we have no accountability for what has already been spent?

There are so many free agents involved in the execution of this policy, so many covert actors wandering around Central America with cash in their pockets and weapons for cargo, that we have completely lost sight of our objectives. I would only add that no policy is going to work in Central America if we do not reappropriate the $300 million in economic assistance that we failed to deliver at the end of the last fiscal year.

Six months from now, after we have found out where the money went and who received it, I may again support some form of military assistance. But I certainly cannot do so now. I urge Members to support the moratorium and to fence these funds.

KEEPING HISTORY ALIVE: THE NORTHWEST ORDINANCE ANNIVERSARY

(Mr. MILLER of Ohio asked and was given permission to address the House for 1 minute.)

Mr. MILLER of Ohio. Mr. Speaker, it is with a great deal of personal pride and particular pleasure that I introduce a resolution today providing appropriate recognition for one of the most important documents ever approved by Congress: the Northwest Ordinance of 1787.

While my measure is not nearly as significant as the ordinance itself, it nevertheless draws fitting congressional attention to a document that was praised by Daniel Webster and was referred to by Abraham Lincoln as the guide by which territories were settled into States during the growth of this great Nation. The Northwest Ordinance led to the establishment of the States of Ohio, Illinois, Indiana, Michigan, Wisconsin, and the eastern portion of Minnesota.

On this occasion, and with this resolution which commemorates the 200th anniversary of the ordinance, I am gratified to have the support of more than 130 House Members who are original cosponsors of this measure. To them, I extend my personal appreciation for joining me in keeping history alive. To those who have not yet signed on, permit me to encourage you to become a pioneer in this bicentennial year and make certain that the history made by Congress in 1787 is well remembered in 1987.

MORATORIUM ON CONTRA AID

(Mr. MINETA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MINETA. Mr. Speaker, I urge our colleagues to support a moratorium on continued aid to the Nicaraguan counterrevolutionaries. Aid to the Contras has never made sense. Now more than ever, the Congress has a responsibility to bring some sanity to this crazy scheme.

Just about the only thing we know for sure in the entire Iran/Contra scandal is that no one knows who got our Contra aid in the past or for what it was used. The funds we appropriated just drained down paths we cannot follow or identify.

It takes no great intelligence to understand that if you have already lost $60 million on an ill-conceived project, throwing an extra $40 million in a vaguely southern direction will not help.

Let's halt the flow of funds down this murky rathole. Let's bring sanity to this Contra madness, now before it is too late.

□ 1220

IT IS EASY TO HAVE MORE TRADE BENEFITS

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, Alice was offered more tea by the March Hare at his mad tea party. "I have had no tea yet", Alice replied in an offended tone, "So I can't have more." The March Hare objected: "You mean you can't have less. It is very easy to have more than nothing, you know."

The finance ministers and central bankers of the world's six leading trading nations pontificated in Paris recently that the dollar has fallen "just about the right amount." They conveniently ignored the fact that the imbalance of world trade is worse today than it was in 1985, when they put the dollar on skid row.

Instead of congratulating themselves for accomplishing nothing, these gentlemen should fill the gaps in their education while reading the book "The Theory of Money and Credit" by Ludwig von Mises, where it is observed:

> The so-called beneficial effects on trade of a depreciating currency lasts so long as depreciation has not affected all commodities and services. Once the adjustment is completed, the so-called beneficial effects disappear. If it is desired to maintain them permanently, continual resort must be had to fresh debasement. Only progressive depreciation of the value of money could permanently achieve the aims which the currency debasers have in view.

As the March Hare pointed out to Alice in Wonderland, it is very easy to have more trade benefits from a depreciating currency.

TIME TO RECONSIDER U.S. SUPPORT FOR THE CONTRAS

(Mr. KOLTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLTER. Mr. Speaker, yesterday, one of the leading representatives of the Contras, Mr. Arturo Cruz who was the director of the United Nicaragua Opposition, known as UNO, resigned from the leadership of the Contras. He cited the fact, that these so-called democratic resistance leaders, were unwilling to submit to civilian direction, and were more interested in a more purely, military, organization, without civilian democratic control.

This development is enough to convince even those of my colleagues who support U.S. aid to the Contras, that they should reconsider whether or not, this particular Contra organization is worthy of that support.

The statements of Mr. Cruz seem to indicate that even if the Contras were successful in defeating the Sandinistas, they might not institute the type of democratic reforms, that would bring a lasting stability to Nicaragua, and prevent any further deterioration, of American interests, in that region.

I recall that many of these Contras were once also Sandinistas. I also recall that this country once supported a Latin American rebel leader, who later turned out to be an anti-American and a Communist, Fidel Castro. It seems quite possible that we could be jumping from the frying pan into the fire, if we continue to aid a movement, whose own leaders, believe, is not democratic.

Whether you agree with the President's policy or not, is seems clear, that its implementation, in this case, is fatally flawed.

ABANDONING THE FREEDOM FIGHTERS: A PRO-SOVIET POLICY

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, is there no length to which this House will not go to break the law, to evade the law, to ignore the law, and to make a mockery of the law?

We are supposed to be a body of lawmakers. We have become a body of lawbreakers. Last week, the majority in this House specifically voted that laws may be broken in the pursuit of goals established by this House. This week, tomorrow in fact, we will consider a rule that negates provisions of law. We are used to this House consistently waiving our own rules, waiving the Budget Act; but now it is going to be other laws as well.

Let us understand why we are trampling the law this time. This time, it is in pursuit of what is in effect a pro-Soviet policy, a resolution to abandon the democratic resistance, the freedom fighters in Nicaragua. Those freedom fighters are the people struggling against that nation's Communist government.

In so doing, we in this House will move a big step toward helping the Soviets to establish a new base of operations in this hemisphere. Let us understand that the resolution we are taking up tomorrow, this resolution, says nothing about Americans who are going down and helping the Communist government down there; it says nothing about the funds that they are expending; it says nothing about the Members of this body who are lending aid and comfort to the Communist Sandinista government; it says nothing about looking into them: It says only that we go after the people who are the democratic resistance, fighting the Communist government in that country.

Mr. Speaker, we are not only pushing the rule of law aside, now we are doing so in ways that threaten our own security.

TIME TO THINK OF AMERICANS FIRST

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today LTV retirees are in Washington, DC, to lobby the Members of Congress. They are asking for legislation to protect once and for all their health, medical, and life insurance benefits; and also their $400 supplemental income.

Included in this group is a woman from my district, Mrs. Lipka, whose husband committed suicide over the loss of these payments. What a sad day, very sad day, when this Congress last year could send $17 billion overseas and we failed to protect our seniors. When tomorrow we will consider $340 million going to Central America and our seniors are going door to door, asking us to protect benefits that they worked for their whole lives.

We can send money to Contras, and we turn our backs on our own people. It is a very sad day, and we should be ashamed of ourselves.

Finally, I think it is time that we stop worrying about all the nooks and crannies in the world and everybody's little problems and start taking care of America first. Maybe we should start with these retirees; they shouldn't be going door to door asking for something they earned by working all their lives. Think about that.

THE LATE SENATOR ED ZORINSKY

(Mr. DAUB asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and include extraneous matter.)

Mr. DAUB. Mr. Speaker, last Friday night, the passing of the distinguished senior Senator from Nebraska, EDWARD ZORINSKY occurred. Most people have heard by now, just after performing a characteristic humorous skit for our press club ball, ED ZORINSKY was struck by a heart attack and slipped away.

It is instructive of his life that ED ZORINSKY's passing came after an entertainment skit. Anybody familiar with ED ZORINSKY knew that he was always eager to please, always eager to entertain, and to make people laugh. His wit and good humor were widely known and he was always ready to turn a phrase, often at his own expense.

The outpouring of grief and sympathy last weekend said much about this man. It seemed that nearly everyone I spoke to had an antidote or a personal experience about the Senator to relate to.

Mr. Speaker, ED ZORINSKY was an easy-going, good-humored personality. He was frugal, he was fiercely independent, and he seemed forever optimistic, with a strong faith in our future. I think these attributes are the reasons why folks in my State had so much affection for this man.

He embodied what is in the hearts and minds of Nebraskans. Shakespeare once wrote, and I quote: "Tis strange that death should sing." I think that he meant that the phrase, a passing away of a person is a time for reflection on his life; and the life of ED ZORINSKY sings clear and melodic about his love of people and the joy he found in service to them.

I join with my colleagues from Nebraska in paying tribute to the man and extending our sympathies to his wife and family at this time.

EXPRESSING SORROW AT THE PASSING OF SENATOR ZORINSKY

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, my wife and I join my colleagues and their families and all Nebraskans in expressing our sorrow at the passing of the senior Senator from the State of Nebraska, EDWARD ZORINSKY, and we offer our sincere condolences to Mrs. Zorinsky and their family.

ED ZORINSKY was a very ingenious and a very conscientious public servant for our State. He served in a very able manner as mayor of the city of Omaha, and here for the Nation in the U.S. Senate. He served Omaha, NE, and the Nation very well.

In the more than 8 years that I knew our senior Senator, ED ZORINSKY, I never heard an unpleasant word from him, and I respected him very, very greatly as a person. We have every reason to take pride in ED's many contributions to our State and to the Nation and for his very devoted and effective service.

□ 1230

We offer our sincere condolences to Mrs. Zorinsky and the family and express that on behalf of our entire State.

LET US GIVE THE MORATORIUM A CHANCE TO WORK

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, the Contra aid moratorium has three positive purposes. First, it sends a signal to the President that we need a new policy in Central America. The deck of cards is about to fall apart and the American people do not support our present policy. Second, it buys time for the peace process to work. President Arias of Costa Rica has a peace plan that is as tough on the Sandinistas as it is on the Contras. It is tough on the United States and it is tough on Cuba and the Soviet Union. Let us give it a chance to work.

Third, it allows us to find out where millions of Contra aid funds have gone, diverted, appropriated, or whatever. The American taxpayer has been ripped off and we need to find out where that money went. The departure of Arturo Cruz as a Contra leader finally should answer the question as to whether the Contras are able to get their act together. The answer is "no."

The last ounce of political credibility is now gone. The Contras lack a concerted political message that will appeal to disaffected Nicaraguans. They have no effective military strategy and they have shown little progress in that area.

Support the Contra aid moratorium; it will buy time for peace.

MORATORIUM BILL IS LEGISLATIVE TRAVESTY

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, this morning the Rules Committee met to decide a rule for House Joint Resolution 175.

That bill is known as a moratorium bill, denying already pledged funds to the democratic resistance of Nicaragua until certain conditions are met.

The only moratorium the bill reflects is a moratorium in respect for the procedures of the House and for the laws we pass here.

The joint resolution was just printed last night. There will be no committee hearings, no report to accompany this proposal, no opportunity for minority views, and the minimum 3-day layover requirement is also to be ignored.

This process cannot be condoned. It is nothing more than a cynical effort to deny the House the right guaranteed by law, to vote up or down on the question of the release of the final $40 million.

This legislative travesty is no substitute for policy. The policy that underlines this subversion of law is as thin as the report to accompany this measure.

Those favoring the moratorium talk about accountability. But they dare not talk about responsibility because they are acting irresponsibly.

History will record that when Nicaragua cried out for freedom, the Democratic leadership in the House offered them bookkeeping techniques.

History keeps its own accounts. And those who will take away from Nicaraguans the funds they need to fight for their country's freedom will face an accounting some day—and it may come sooner than you think.

CONTRA ATROCITIES CONTINUE

(Mr. BONIOR of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BONIOR of Michigan. Mr. Speaker, in December in the small Nicaraguan farming village of El Nispero, six civilians were killed in a Contra attack. In separate interviews, observers gave nearly identical accounts of what happened—a 9-month-old infant was bayoneted to death—two elderly women were executed lying on the bare dirt floor of their home—a pregnant woman was shot in the stomach.

The atrocities of war are at times inconceivable, innocent victims often face senseless, painful death.

But these deaths weigh particularly heavy on the American people. Why? Because they were financed by U.S. tax dollars.

The Contras continue their brutal human rights abuses. As a result, they lack the support of the Nicaraguan people.

The Contras refuse to reform their internal decisionmaking structure. As a result, Arturo Cruz has quit.

The Contras remain a corrupt fighting force with no hope of success. As a result, their U.S. support will end.

"GLASNOST": LET'S WAIT AND SEE

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, last week I visited the Soviet Embassy to make humanitarian appeals regarding several Soviet political prisoners. In complete contrast to my last allowed visit 3 years ago, I was received courteously, listened to and responded to on a civil and relevant level and promised that my appeals would be directed to the proper authorities.

Symbolically, even the Embassy gate unlocked as I approached it without the usual harsh questioning by intercom.

If this is "Glasnost," I'm encouraged. Recognizing the enormous hardline forces in the Soviet Union, we must applaud Mr. Gorbachev for his new policy.

But before we become too ecstatic, let's see if the policy is more than just words and public relations.

Natan Shcharansky, Andre Sakharov, Joseph Begun, and others recently released are refusenik and prisoner-of-conscience celebrities and thus, good media bites for the Soviets. Though thankful, we must remain skeptical.

Let's watch the overall emigration level. Let's watch the treatment of minorities within the Soviet Union. Let's watch what actions are taken regarding our humanitarian and human rights appeals.

Let's wait and see and pray, Mr. Speaker.

THE MORATORIUM WILL INSURE THE INTEGRITY OF HOW WE MAKE LAWS

(Mr. STOKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STOKES. Mr. Speaker, I rise in strong support of a Contra aid moratorium.

I oppose the administration's policy toward Nicaragua, but a more fundamental issue is at stake. If the Congress cannot credit the testimony of executive branch officials on which it normally makes its judgments concerning issues such as Contra aid, then it cannot exercise its constitutional responsibilities.

Today, we are faced with a suggestion that executive branch officials, knowing full well that the Contras were receiving substantial amounts of assistance during the years in which Congress denied U.S. assistance, nonetheless, made, or condoned the making of, factual statements to this House and its committees that the Contras were broke and facing dissolution.

As a matter of fact, they remained a viable military force. They were receiving significant amounts of arms and other assistance. As much as $50 million may have been provided in one form or another. Further, all of this was being directed from the White House.

Mr. Speaker, in my view, a moratorium is as much an attempt to ensure the integrity of how we make laws as it is a vote on further Contra aid.

PAINTERS LOCAL NO. 1, INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES, AFL-CIO, TO CELEBRATE 100TH ANNIVERSARY IN BALTIMORE, MD

(Mrs. BENTLEY asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, 100 years ago, on March 15, 1887, 15 painters local unions from around the country met in Baltimore, MD, to found the Brotherhood of Painters, Decorators & Paperhangers of America.

Under the leadership of John T. Elliot, a Baltimore union leader, the newly formed brotherhood issued charters to the 15 local unions represented and Painters Local No. 1 in Baltimore received its charter the same day the brotherhood was founded.

As a Marylander, I am proud to report that the 100th anniversary of this historic day for the American labor movement—both nationally and in my own State of Maryland—will be celebrated this March 15, 1987, in Maryland exactly 100 years after the original event occurred there.

Although this union's total organization consisted of only 15 local painters unions when the brotherhood was founded at the Baltimore meeting a century ago, the organization grew rapidly. Just 1 year later the number of local unions had climbed to 111, and the membership roster had swelled to 7,000 when the fledgling brotherhood held its first general convention—and once again, the city of Baltimore was the host city.

Today, the brotherhood has 180,000 members and 749 local unions, and represents such a variety of work jurisdictions that at the 1969 convention, the brotherhood appropriately changed its name to the International Brotherhood of Painters & Allied Trades, AFL-CIO. It is governed by a general executive board, composed of general president William A. Duval, general secretary-treasurer A.L. "Mike" Monroe and eight district general vice presidents. General conventions for the election of officers are held every 5 years.

The seven apprenticeable crafts within the brotherhood include painting, paperhanging, drywall finishing, architectural coating finisher, glazing, carpet and linoleum laying, and sign painting with 10,000 apprentices enrolled in these craft programs. The brotherhood is affiliated with the AFL-CIO, the Canadian Federation of Labor, the AFL-CIO's Building and Construction Trades Department, Maritime Trades Department, Metal Trades Department, Union Label Service Trades Department, and the Public Employee Department.

The city of Baltimore is honored to have been selected as the host city for the 100th anniversary celebration of this historic chartering of Painters Local Union No. 1 of the Brotherhood of Painters, Decorators & Paperhangers of America.

I look forward to joining the members of Painters Local No. 1—as well as all the national officers of the International Brotherhood of Painters & Allied Trades, AFL-CIO—when they meet in Maryland March 15 to celebrate their 100th anniversary.

It is fitting and appropriate that this anniversary celebration be held in Baltimore, because that is where it all started.

WE ARE VOTING TO RESTORE ACCOUNTABILITY AND CREDIBILITY OF OUR GOVERNMENT

(Mr. CARDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, tomorrow this House will have the opportunity to vote to delay the payment of the last $40 million of aid to the Nicaraguan Contras. Regardless of whether the payment is ultimately made or not, the message of tomorrow's vote must be loud and clear: We are voting on more than the U.S. policy in Central America.

In voting for the resolution we are voting to restore accountability and credibility to America's foreign policy and to our Government.

The people of my district demand to know how their money is being spent. They want to know how much money has been made available to the Contras, how it has been spent and where we will be sending the rest of these funds; certainly not to Mr. Colero and certainly not to Mr. Cruz.

Mr. Speaker, we do not know to whom we will be sending our checks. The so-called civilian leadership of the Contras, the umbrella group which was critical to Congress' approval of the Contra aid, is no longer present in Nicaragua. The umbrella is leaking and we should not be pouring any more funds over that umbrella.

A vote to defer any further aid to the Contras is a vote to keep faith with our people.

□ 1240

MORATORIUM ON FURTHER AID TO THE CONTRAS

(Mr. BRYANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRYANT. Mr. Speaker, if there is any aspect of our national policy toward Nicaragua with which all Americans agree, it is that we should not be sending millions of dollars to Nicaragua or to any country without knowing where it goes, who gets it, and how it is used.

The Reagan administration cannot give us this information about the millions we have already sent to the Nicaraguan Contras and it is, therefore, inconceivable that this same administration could ask Congress to permit the remaining $40 million to be sent to the Contras now.

I challenge Members to argue that the American people would approve of sending their tax dollars abroad without even a pretense of accountability. Clearly, they would not.

I would point out in response to the statements made by the leadership of the other side a moment ago, that without accountability, there is no responsibility and the administration that is responsible in this case is unable to be accountable.

I strongly urge the passage of the proposed moratorium on the delivery of the remaining $40 million to the Nicaraguan Contras.

GREAT SMOKY MOUNTAINS WILDERNESS ACT OF 1987

(Mr. CLARKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE. Mr. Speaker, with several colleagues I am introducing today the Great Smoky Mountains Wilderness Act of 1987. This bill designates 467,000 acres of the Great Smoky Mountains National Park as wilderness, providing increased protection for one of the treasures in our National Park System. It also fulfills the Federal Government's financial obligation to Swain County, NC.

The Great Smoky Mountains National Park is recognized as an irreplaceable preserve because of the wide variety of plants and animals it contains. It is the most visited of all our national parks.

The bill will settle a longstanding dispute between Swain County and the Department of the Interior. In a 1943 agreement between the Federal Government, the TVA, the State of North Carolina, and Swain County, the Department of the Interior was to construct a 34-mile road through the park to replace one flooded by a TVA lake. Only a small part of the road was ever built.

To resolve this controversy, the National Park Service and the Swain County commissioners negotiated a compromise in 1980. My bill provides Swain County the $9.5 million settlement agreed to in the compromise. It also waives the indebtedness of the county to the Farmers' Home Administration for the construction of Swain High School.

This legislation guarantees continued transportation to cemeteries located in the park. Many families depend on this to visit the graves of their ancestors.

I urge support for this legislation which will ensure the protection of the Great Smoky Mountains National Park and satisfy the legitimate claims

of Swain County against the Federal Government.

MORATORIUM ON FURTHER AID TO THE CONTRAS

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, the simple truth, that a band of ex-Somoza officers could not bring democracy to Nicaragua, has finally come home, even to Arturo Cruz, the head of the civilian directorate of the Contras, until he resigned yesterday.

He found that he could not influence their terroristic behavior.

Just about everyone has gotten that message by now, except President Reagan. He has just asked for $40 million as the final payment of the $100 million voted by Congress last year for the Contras. But it is certain that Congress would not have voted that, or perhaps any amount, if it had been known that as much as $50 million or more may have been illegally diverted to the Contras.

Diverted. That is a nice word for stolen. By voting for the moratorium tomorrow, this House will send the clear message. No more money, legal or illegal, for Contra terror.

THE CONTRA OBSESSION HAS DISGRACED OUR NATION

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, the Reagan administration's obsession with overthrowing the Sandinista government of Nicaragua by military force has driven it to shameful and illegal excesses.

The administration speaks solemnly of its commitment to international justice in Nicaragua while it pursues a covert war, which has been condemned as illegal by the World Court. The administration declares allegiance to democracy in Central America, but we have seen democratic principles and the rule of law violated by pro-Contras in our own White House.

Despite impassioned rhetoric about accountability, budget balancing and the ending of waste, this administration refuses to provide the American people with any accurate accounting of the millions of U.S. tax dollars we have thrown at the Contra rebels.

This President, and his budget officers, hold our schoolchildren, elderly and poor, to the highest standards of accountability, while we send walking money to the Contra chieftains with no strings attached.

This administration and the well-fed revolutionaries who encourage it, have allowed this Contra obsession to disgrace our Nation. The only way to close this shameful chapter in our Nation's history is to bring the excesses and abuses of the Contras to the full view of the American people.

CONGRESS SHOULD JUST SAY NO TO THE CONTRAS

(Mrs. BOXER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOXER. Mr. Speaker, every time I have stood in the well of this House to state my opposition to Contra aid, I have felt that democracy was at work, that the law was the law. Well, the Tower report shows us that we wasted our breath because there was a secret government all along, overturning the laws of our land.

The President has told us, in a very emotional address, that he wants to be held accountable. Here is his chance. He can join us in this moratorium. We still know nothing about the diversion of funds to the Contras.

As the gentleman from New York [Mr. WEISS] has pointed out, we have a nice way of saying things around here. Diversion of funds; a nice way to say stealing. Diversion of funds; a nice way to say fiscal chaos. Diversion of funds could even mean corruption.

This Congress should just say no and invite the President to join with us.

POLYGRAPH REFORM ACT OF 1987

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, I rise today with the gentleman from Florida [Mr. YOUNG] to introduce and support the Polygraph Reform Act of 1987. This measure offers protection for consumers and employees through rigorous, but fair regulation of polygraph use in the private sector.

Legislation is needed that will curb the potential for polygraph abuse. But we also have heard testimony from employers and others in the private sector who have presented equally convincing evidence of their need to continue to use the polygraph. These employers have public responsibilities to protect lives and property that are entrusted to them, and the polygraph has been demonstrated to be effective in helping them guard that trust.

I hope to work with my colleagues to develop a reasoned and fair legislative solution, one that recognizes the legitimate needs of the private sector to continue to use the polygraph while setting strict guidelines to assure that the polygraph is used responsibly. The Polygraph Reform Act of 1987 accomplishes both goals, and I urge its passage.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1272

Mr. WHITTAKER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1272.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from Kansas?

There was no objection.

LET US END WASTE, FRAUD, ABUSE, AND DECEPTION ON CONTRA AID

(Mr. MOODY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOODY. Mr. Speaker, the administration's secret Contra aid network is a gross example of waste, fraud, and abuse by Government. Taxpayers' money has been wasted, the American public has been deliberately misled, and our democratic principles have been abused. Near the Oval Office, the NSC staff has been running roughshod over American trust and law and order.

Congress has the duty and the ability to get things back on course and to put a hold on further Contra aid until we have a full accounting of the money already released. Let us consider all the funds the administration cannot account for. First, there is the $27 million in humanitarian assistance which was approved in 1985. Second, there is the money diverted from the Iranian arms sales. Then there is the money solicited from private individuals and governments. Yet the Reagan administration is asking us to funnel another $40 million of American money into this financial and immoral black hole. I think it is time that we "just say no," to use the President's own phrase.

The American people want honest and accountable government in foreign policy, and they deserve it. Let us start restoring their confidence by taking the time to get the facts straight. After we do that, I am confident that we will vote "no" on further waste, fraud, and abuse of taxpayers' money in Central America.

MORE AID MEANS MORE ACCOUNTING

(Mr. WISE asked and was given permission to address the House for 1 minute.)

Mr. WISE. Mr. Speaker, in these days of giving away $59,000 in playing cards on the Vice-Presidential jet, it probably is asking too much for a simple accounting of the millions of dollars that this Government and

others have sent to the Contras. After all, why should the taxpayers be concerned?

Simply because one-half of the $27 million appropriated in 1985 is still unaccounted for? Or that $20 million that came from Iran has never been accounted for even though United States law requires that all profits from arms sales, even those that violate existing United States policy in trading with terrorists, belong to the United States Government.

Now this administration seeks another $40 million before accounting for the previous millions. American nonprofit groups account for their funds, shouldn't it be the same for one of the greatest fundraising drives of all times; involving the United States taxpayer, illegal arms sales, the Sultan of Brunei, the Saudi Arabian royal family, Israel and a complicated web of American donors. The only thing we haven't seen is a Contra telethon.

It's time for a simple accounting, Mr. Speaker. Until it happens, Congress shouldn't open the taxpayers' check book until the administration opens its Contra ledger books.

CONTRA FUNDS MORATORIUM

(Mr. DYMALLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DYMALLY. Mr. Speaker, I rise to voice my support of the proposed moratorium on the remaining $40 million to the Contras and to reiterate my opposition to this ill-conceived policy.

A moratorium is perhaps the most practical approach our country should undertake at this point. As is the case in any process, when unanswered questions arise that represent serious implications for that process, it is wisest to proceed with extreme caution while attempting to find the answers to these questions. We cannot escape the fact the diversion allegations have placed serious questions on the current policy. If we are to be honest in our decisions and to our constituents, we need to "get to the bottom of this." Toward that end, it is wisest to place a moratorium on the balance of the appropriated aid while the investigating panels attempt to unravel this mess, and provide us with proper guidance in our decisionmaking relative to the Contra forces.

Mr. Speaker, the moratorium will also be a wise approach for it gives time to the Contadora process and the Costa Rican plan. These efforts are clear indications that the governments of the Central American region sincerely wish for a peaceful settlement which excludes an arms intervention from external forces. Let me also add that the Sandinista government has indicated her willingness to consider the Costa Rican plan.

Finally, Mr. Speaker, I would like to go home for Easter and explain to my constituents that we in Congress are serious about finding the truth behind this embarrassing scandal. I have received large volumes of mail urging me to push for a reassessing of our entire Central America policy. A moratorium, it seems to me, is a perfect compromise. It will allow us to take a good look at the policy, and use the findings of the various investigations to our advantage. I would hate to go home and have to answer questions on the wisdom of sending more money to the Contras while we have not been able to answer questions that have embarrassed our constituents.

IN SUPPORT OF A MORATORIUM ON CONTINUED CONTRA AID

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, I am strongly in favor of a moratorium on the remaining $40 million to the Contras until this administration provides Congress with an itemized expenditure of how the original $60 million in aid has already been spent.

Contras brutality is on the rise according to Americas Watch, a human rights organization. Civilians continue to be victims of random attacks and are increasingly subjected to kidnaping attempts. The methods of these so-called freedom fighters clearly violate basic human rights. If this is true, then the United States cannot in good conscience support such efforts.

This administration has violated U.S. foreign policy by covertly continuing to work against efforts to bring peace to the region in spite of congressional bans on direct or indirect military assistance. The Tower report revealed that the administration/Reagan officials continued its covert method of fundraising and continued to provide supplies to the Contras.

There are two questions that need to be answered. First, will this administration persistently violate the law by continuing to provide assistance to the Contras? Second, does providing arms to the Contras help us to establish a judicious and foresighted foundation for foreign policy in Central America?

It is my belief that there must be alternatives, other than military assistance, for the United States to help the people of Nicaragua establish an acceptable form of government. I am aware of the need for a stable/secure Western Hemisphere, free of oppression, but at what expense to human rights should we try to achieve this? Why should we continue to send funds to an organization that refuses to give an accounting of how the funds are being spent; and for all we know are being used to cause human misery and suffering? I hope that the administration will apply the same fervor when addressing our problems of drugs, crime, poverty, and housing.

OPPOSITION VOICED TO FURTHER U.S. AID TO CONTRAS

(Mr. RAHALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAHALL. Mr. Speaker, I speak today in strong opposition to any further United States aid to the Nicaraguan Contras. This administration's policy of intervention in Nicaragua has been sorely misguided and misdirected. I am appalled at the continuing disclosures in regard to the administration's illegal, ill-advised, and illusive actions in the Iran/Contra arms deal. Yes, let's follow the money trail. Where did the money go that we sent last year? Until we find out the whereabouts of all funds diverted from the arms sales to Iran and the $27 million in "humanitarian aid" diverted from the American taxpayer via appropriations in fiscal year 1986, it would be ludicrous to supply more money to the Contras. I am also gravely concerned about any additional Contra aid, either direct or indirect, that may have been solicited by the United States through third parties or other governments. This is another issue that must be clarified before we in Congress allow the additional $40 million to be released. For these reasons, I strongly support the moratorium on the final Contra aid installment and urge the support of my colleagues.

THE SHOREHAM TRUTH WITNESSES

(Mr. HOCHBRUECKNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOCHBRUECKNER. Mr. Speaker, at this moment, a group of citizens who represent the opinion of 80 percent of the people of New York's First Congressional District are gathered in a hearing room on Long Island to shine the lantern of truth on the proceedings of a Nuclear Regulatory Commission [NRC] hearing. They call themselves the Shoreham Truth Witnesses. Their purpose is to spotlight the fact that it would be impossible to evacuate Long Island in the event of a nuclear catastrophe at the Shoreham nuclear powerplant.

The fact that a densely populated, geographically restricted area such as Long Island could not be evacuated in an emergency is not some unsubstantiated opinion. This determination was reached after exhaustive study by a battery of experts in consultation with Suffolk County. Their judgment was

confirmed by officials of the State of New York.

Despite determinations by State and local authorities as to the impossibility of undertaking such an emergency evacuation, the NRC has proceeded to consider a proposed evacuation plan submitted by the utility company responsible for constructing the plant—a company which stands to generate considerable profits, but only if the plant is activated. In essence, the NRC is seriously considering the absurd notion that a utility can singlehandedly accomplish what State and local governments have judged is impossible.

The NRC has already demonstrated a willingness to change its own safety regulations when those regulations do not satisfy the financial interests of the nuclear industries. The citizens to whom I referred are serving as witnesses to the truth of this question—that changing the rules and "hiding your head in the sand" does nothing to make a nuclear powerplant safer.

The Shoreham Truth Witnesses seek to appeal to the conscience of the NRC staff. A lighted lantern will be held during every moment of the hearings by one of the witnesses.

Mr. Speaker, today the glow of that lantern extends its symbolic light to the floor of this House. Let us hope it will eventually serve to illuminate even the members of the Nuclear Regulatory Commission.

EXPRESSION OF SUPPORT FOR CONTRA AID MORATORIUM

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, today I am joining with my colleagues in rising in opposition to Contra aid and in favor of the moratorium on funds to the Contras.

Mr. Speaker, last week the President addressed us on national television to express his support for the findings of the Tower Commission, and I think that many people feel they would like to put the Iran-Contra issue behind us. I would, too. However, Mr. Speaker, we cannot put behind us that which is not in front of us, that which we do not know. We cannot put things behind us that have not been brought to the light of understanding.

The fact is that a successful moratoria proposal will bring to the light and understanding many of the ramifications and issues and questions that should be answered. We cannot go blindly forward in terms of supporting $40 million or business as usual in terms of support for the Contras.

Many Members have a difficult decision before them because they voted for this in the past year. I hope that this moratoria proposal will help them arrive at a decision that is both fair and equitable.

Finally, Mr. Speaker, I think the President's recommendation disregards the good efforts of Oscar Arrias, the new President of Costa Rica, and the peace initiative he has put forward. On that basis alone, Mr. Speaker, I think the administration's finding is faulted and mocks the facts in certifying that there is no prospect for negotiation. So I would hope that we will take the time and apply the wisdom to judge this matter properly in this Congress on this important issue by successfully voting into law a moratorium for 6 months while we properly learn the facts.

□ 1300

NATIONAL KNOW YOUR CHOLESTEROL WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 65) to designate the week of April 5, 1987, through April 11, 1987, as "National Know Your Cholesterol Week," and ask for its immediate consideration in the House.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from California?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Nebraska [Mr. DAUB].

Mr. DAUB. I thank the gentlewoman for yielding to me.

Mr. Speaker, I want to take this time and thank the gentlewoman from Maryland for her efforts and for my good friend and colleague, the gentleman from California [Mr. DYMALLY] for bringing this resolution to the floor.

I understand that it was at the request of the leader of the other body that the bill was brought in an expeditious manner, because the originator of this legislation was the senior Senator from Nebraska whom we now all know did pass away in an untimely death last Friday. The Senator originated this legislation and had over 60 cosponsors in the other body.

It was an idea that he had based upon his leadership on this issue of cholesterol and how it affects our lives from a man by the name of Phil Sokolof in Omaha, NE, who had a serious heart condition and was interested in the subject and called it to the Senator's attention and in turn bringing it to that body's attention, passing it and sending it here.

I do appreciate the House's consideration. I hope and trust that it will pass unanimously. I do want to say that, as the former chairman of the Heart Association in my particular area and someone who is also concerned with the farm and agricultural issues of our country, that as a member of the Health Subcommittee on Long-Term Care and now the Health Subcommittee of Ways and Means, the resolution may not be clear enough with respect to what it says or what it may infer about reasonable amounts of red meat in the daily and/or weekly diet. So I do want to indicate for the RECORD that the link between consumption of red meat and high blood levels of cholesterol is not yet established and that is something I think the resolution speaks to in terms of asking us to be aware and asking that the matter be further considered.

So indeed it is a fitting tribute to the Senator from Nebraska whose leadership we appreciated and whose memory we will cherish. It is a fitting subject for this House in that regard as well to think of his concern for cholesterol and how it affected our blood pressure and our consumption of food in our diet.

I hope that the House will expeditiously pass this matter.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I yield to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, because of the importance of this Senate joint resolution, I would like to request that the Clerk read the resolution in full.

The SPEAKER pro tempore. The Clerk will read the Senate joint resoltution.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 65

Whereas heart attacks struck as estimated one million five hundred and seventy-six thousand Americans in 1986, a third of whom died immediately;

Whereas scientific data indicates that effective measures to lower serum cholesterol may be capable of decreasing occurrences of heart disease;

Whereas only 8 per centum of Americans know their cholesterol level; and

Whereas an estimated two hundred and fifty thousand lives could be saved each year if Americans were tested for and took action to reduce high levels of cholesterol: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 5, 1987, through April 11, 1987, is designated as "National Know Your Cholesterol Week"; and the President is authorized and requested to issue a proclamation calling upon the American public to observe such week with appropriate programs and activities.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate is concluded on all motions to suspend the rules.

CONVEYANCE OF CERTAIN PUBLIC LANDS IN ALABAMA

Mr. UDALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 626) to provide for the conveyance of certain public lands in Cherokee, De Kalb, and Etowah Counties, AL, and for other purposes, as amended.

The Clerk read as follows:

H.R. 626

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior is authorized and directed to convey, without consideration, all right, title, and interest of the United States in those public lands originally granted and conveyed to the State of Alabama by the United States pursuant to the Act of June 3, 1856 (11 Stat. 17), in aid of the Coosa and Chattooga Railroad and subsequently forfeited to the United States pursuant to the Act of September 29, 1890 (26 Stat. 496), to any trustee qualified under the laws of the State of Alabama to do business as a trustee and approved by the Secretary of the Interior. Such trustee shall convey said right, title, and interest in those lands, in such manner as he determines appropriate, to those persons whom he determines to be current owners of record of the balance of the interests in such lands. No costs incurred by the trustee in implementing his responsibilities under this Act shall be borne by the United States.

SEC. 2. All minerals shall be reserved to the United States together with the right to prospect for, mine and remove the same.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Arizona [Mr. UDALL] will be recognized for 20 minutes and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 626, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring to the floor today H.R. 626, a bill introduced by my friend and colleague Mr. BEVILL to resolve a serious land problem which exists in his district.

A recent ruling by a Federal district court has brought to light a partial interest of the United States in about 16,000 acres of land in Alabama. Although this interest dates back to 1890, most of the claimants to this land are unaware of any title problems and believe they own their land free of any other interest. Yet as a result of this Federal court ruling title companies will no longer guarantee title insurance policies on this land.

Mr. BEVILL has worked with the Department of the Interior to devise the simplest, fairest, and most cost-effective solution to this problem. H.R. 626 would direct the Secretary of the Interior to convey, without consideration, the U.S. interest in the affected lands to a trustee, reserving the mineral rights to the United States. The trustee would then convey that interest to the current owners of record, at no cost to the United States. I commend the gentleman from Alabama for his prompt action to solve this serious problem.

Mr. Speaker, I urge my colleagues to support H.R. 626.

Mr. Speaker, I reserve the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 626, as reported by the Interior Committee. The bill is highly meritorious and I know of no opposition to it.

The bill, introduced by the gentleman from Alabama [Mr. BEVILL], conveys, without compensation, any and all interest held by the United States in approximately 16,000 acres to a trustee approved by the Secretary of the Interior. The trustee would then be required to convey this interest to the persons deemed to be the current owners of record.

The land is part of an old, unused, railroad conveyance which should have reverted back to Federal ownership when plans to build the railroad were dropped over 100 years ago. Instead, the State of Alabama in 1882 erroneously conveyed the land to the railroad company which subsequently sold it to third parties. A lawsuit in 1986 brought this situation to public attention and has resulted in a cloud being placed on all titles to the land. We have been told that over 500 people are affected. They are unable to sell the land, or borrow money to build on it or make other improvements until the cloud is lifted. Needless to say, they immediately came to their able Congressman for help.

A common question and a logical one, or course, is to ask whether or not administrative remedies are available. BLM advised the gentleman from Alabama and the committee that there are remedies but given the large number of people, processing each claim would be very time consuming and costly to all parties, including the Federal Government. Therefore, we are told, BLM helped draft legislation to avoid the delay and cost by simply conveying the land. The bill requires that ownership of the mineral rights will remain with the Federal Government which is normally done in such conveyances.

The committee went one step further and amended the bill to make it clear that no costs incurred in the conveyances would be borne by the Federal Government.

I believe the Department and the gentleman from Alabama have come to a fair and equitable solution which comes to the aid of the landowners as expeditiously as possible and protects the interest of the United States. I support the bill and urge my colleagues to support it.

Mr. UDALL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAY of Illinois). The question is on the motion offered by the gentleman from Arizona [Mr. UDALL] that the House suspend the rules and pass the bill, H.R. 626, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN PUBLIC LANDS IN WISCONSIN

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 242) to provide for the conveyance of certain public lands in Oconto and Marinette Counties, WI.

The Clerk read as follows:

H.R. 242

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

SECTION 1. AUTHORIZATION OF CONVEYANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") may convey any portion of the land described in subsection (b) to any citizen of the United States who claims and demonstrates possession of such portion of land.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of parcels of public lands constituting a survey hiatus in township 29 north, range 21½ east, fourth principal meridian, Oconto and Marinette Counties, Wisconsin, which contain approximately 200 acres.

(c) PRELIMINARY DETERMINATIONS.—No conveyance may be made under authority of this Act until the Secretary determines that—

(1) such conveyance—

(A) is in the public interest, and

(B) will serve objectives which outweigh public objectives and values which would be served by retaining such lands in Federal ownership; and

(2) no other statutory authority exists whereby the Secretary may afford the appropriate relief.

SEC. 2. PROCEDURE FOR CONVEYANCE.

(a) DETERMINATION OF PRICE.—In determining the price for which land may be conveyed, the Secretary—

(1) shall appraise the land on the basis of its fair market value at the time of appraisal;

(2) shall deduct the value of improvements or development made by the person claiming possession or his predecessors in interest; and

(3) may further discount the price according to equitable considerations that exist with respect to each conveyance, including but not limited to—

(A) the amount originally paid for a parcel by the person claiming possession of such parcel, and

(B) any taxes that have been paid with respect to a parcel by the person claiming possession of such parcel.

(b) DESCRIPTION OF LAND CONVEYED AND CONVEYANCE THROUGH TRUSTEE.—(1) Land conveyed under this Act shall be described according to the rectangular system of survey, as reflected on the Federal plat of survey.

(2) In the event that an individual tract of land does not conform to such survey—

(A) the Secretary may convey such tract to a trustee acting on behalf of more than one claimant for purposes of conforming the legal description to such plat, and

(B) such trustee shall thereafter convey the appropriate interests to the respective claimants.

SEC. 3. TIME LIMIT FOR INITIATION OF IMPLEMENTATION.

The Secretary shall initiate action to implement this Act within 120 days of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 242 is a bill by the gentleman from Wisconsin [Mr. ROTH], dealing with lands in his district.

This bill is identical to one which the House passed in the last Congress, but on which no action was taken by the Senate. In brief, it would establish a mechanism for dealing with problems in land titles that have arisen because of surveying errors when the affected lands were transferred out of Federal ownership back in the last century.

The result of the errors was to leave a so-called hiatus in the official surveys—that is, an area which officially was not covered by the various transfers out of Federal ownership, but which nonetheless has been considered and treated as having been transferred. The situation means that various private parties who have held the lands and paid taxes on them for many years have a serious cloud on their titles.

The bill authorizes the Secretary of the Interior to convey the approximately 200 acres involved to citizens of the United States claiming and demonstrating actual possession of them. The Secretary would appraise the lands on fair-market basis, but would deduct from the selling price the value of improvements made by the claimant or the claimant's predecessors. The Secretary would also discount from the price to reflect the original purchase price paid for the lands and also the taxes that have been paid.

I know of no controversy or disputes about this bill, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 24, a bill by my friend and colleague from Wisconsin, Mr. ROTH, to authorize the Secretary of the Interior to convey approximately 200 acres of land to any citizen who claims and demonstrates possession thereof.

The lands are located in the gentleman's district. The acres involved were inadvertently omitted from conveyances or other transfers of land out of Federal ownership because of surveying errors in the 19th century. All other public land in the area was patented during the late 1800's. This unpatented sliver of land of hiatus, as it is called, is occupied and mostly farmed by the adjoining landowners.

The bill requires payment of fair market value. However, the payment may be reduced to reflect improvements or development made by the landholder and with any further deduction the Secretary determines to be equitable. For example, the amount of taxes which have been paid over the years would be deducted from the cost.

The BLM supports the legislation. A similar bill passed the House unanimously last Congress, but the Senate failed to act on it.

I urge my colleagues to support the bill.

Mr. ROTH. Mr. Speaker, will the gentlewoman yield?

Mrs. VUCANOVICH. I yield to the gentleman from Wisconsin.

Mr. ROTH. I thank the gentlewoman for yielding.

Mr. Speaker, I thank the gentlewoman from Nevada [Mrs. VUCANOVICH] for her statement and her work on this legislation, and I especially want to thank the chairman, the gentleman from Minnesota [Mr. VENTO] for expediting this legislation.

As has already been stated, we passed this legislation last session, but the Senate failed to act on it. I hope that the Senate this year will act on this legislation so that we can correct this problem that has existed since 1870, and that is well over 100 years. I think that the people there have waited long enough.

I appreciate the subcommittee's and full committee's working so diligently on this and expediting it so that we can once and for all resolve this.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 242.

The question was taken.

Mr. BONIOR of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announce-

ment, further proceedings on this motion will be postponed.

CONVEYANCE OF A CERTAIN PARCEL OF LAND LOCATED NEAR OCOTILLO, CA

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 990) to direct the Secretary of the Interior to convey a certain parcel of land located near Ocotillo, CA.

The Clerk read as follows:

H.R. 990

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall convey, without consideration, to Imperial Valley College Barker Museum of El Centro, California, all right, title, and interest of the United States in and to the parcel of real property located near Ocotillo, California, and described in subsection (b). It is intended that such parcel be used for the purpose of constructing and maintaining a public museum.

(b) Lands to be conveyed pursuant to this Act are the lands generally depicted on the map entitled "Transfer to Imperial Valley College Barker Museum," dated August 1986 and available for inspection in the office of the California State Director, Bureau of Land Management.

(c) The lands conveyed under this Act shall continue to be reserved, maintained, and utilized for public park (including museum) and recreational purposes. If any of such lands is used for any other purpose, the title to such land, together with all improvements thereon, shall revert to the United States.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 990 is a bill by the gentleman from California [Mr. HUNTER], dealing with transfer of a parcel of Federal lands near the town of Ocotillo.

This, too, is a bill identical to one which the House passed in the last Congress but which died in the Senate.

The bill would provide for transfer of about 23 acres to the Imperial Valley Community College for purposes of establishing a public museum. The land in question is not public domain land, but was at one time acquired by the BLM. Thus the usual authorities for enabling the college to obtain it for museum purposes are not applicable. The bill provides that the lands can only be used for public recreational and educational purposes, including museum purposes.

At a hearing on the bill last year, the administration testified that they had no objection to the bill, and it passed the House on the Consent Calendar. I am unaware of any controversy or questions concerning the bill, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 990, a bill by the gentleman from California [Mr. HUNTER] to convey approximately 23 acres of public land to the Imperial Valley College Barker Museum. A public museum will be constructed and maintained on the site.

I commend my colleague from California for introducing this legislation. If it were not for the fact that the land was acquired as opposed to being original public domain land, existing laws would allow for its conveyance to the college through an administrative transfer. But, because of this technicality legislation is needed. The gentleman from California recognized this need and introduced the legislation.

We have been told that the BLM had planned to build a museum and visitor center on the site, but due to tight budgets had dropped the idea. Seeing the need for such a facility, the college has stepped in and assumed the responsibility and burden of planning and building the facility. They are to be commended for their initiative.

Similar legislation passed the House unanimously last Congress, but unfortunately the Senate did not have time to consider it. I hope that it can be acted on promptly this year.

Again, I know of no opposition to this meritorious bill. There is no cost to the Federal Government, and a great public benefit to be gained. I urge its passage.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 990, the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 990.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1320

DESIGNATING CERTAIN RIVER SEGMENTS IN NEW JERSEY AS STUDY RIVERS UNDER THE NATIONAL WILD AND SCENIC RIVERS ACT

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14) to designate certain river segments in New Jersey as study rivers for potential inclusion in the national wild and scenic river system.

The Clerk read as follows:

H.R. 14

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

SECTION 1. DESIGNATION AS STUDY RIVERS

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end thereof the following:

"(96) MAURICE, NEW JERSEY.—The segment from Shell Pile to the point three miles north of Laurel Lake.

"(97) MANUMUSKIN, NEW JERSEY.—The segment from its confluence with the Maurice River to the crossing of State Route 49.

"(98) MENANTICO CREEK, NEW JERSEY.—The segment from its confluence with the Maurice River to its source.".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of conducting the studies of the rivers named in section 1 there are authorized to be appropriated such sums as necessary.

The SPEAKER pro tempore. (Mr. GRAY of Illinois). Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVED

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 14 which was introduced by our colleague, BILL HUGHES, would authorize a study of the Maurice and Manumuskin Rivers and Menantico Creek in New Jersey for possible designation as components of the National Wild and Scenic Rivers System.

The Maurice River and its tributaries the Manumuskin River and Menantico Creek are important for their scenic, natural, cultural, fish, wildlife, botanic, and recreational values. These rivers are located in a sparsely developed portion of southern New Jersey and flow into the Delaware Bay.

The undeveloped portions of the river area have a diversity of plants and animals. Two threatened and endangered plant species of the Pinelands have been documented in the Lower Maurice River area as well as 23 important species of reptiles and amphibians. Threatened and endangered animals include the tiger salamander, corn, and pine snakes.

The values of the Manumuskin River and Menantico Creek are also diverse. They encompass freshwater wetlands, swamp forest, and upland forest. The river area is one of the most lovely canoeing areas in southern New Jersey.

H.R. 14 is identical to the bill that passed the House near the end of the 99th Congress. A study of these rivers will promote policies for the proper care and management of these river segments and assist the Congress in making a determination with regard to the need and desirability of national wild and scenic designation.

Mr. Speaker, I urge adoption of this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 14 to require a study of segments of the Maurice, Manumuskin, and Menantico Rivers in New Jersey for potential addition to the National Wild and Scenic Rivers System. The study would encompass a 14-mile stretch of the Maurice River, a 3½-mile segment of the Manumuskin River, and 7 miles of the Menantico River. The study would be conducted by the National Park Service and should be completed within 1 year.

Identical legislation—H.R. 5343—was passed by the House last October, but due to a lack of time, was not acted on by the other body prior to the end of the 99th Congress. The Maurice, Manumuskin, and Menantico Rivers, are important for their scenic, natural, cultural, fish, wildlife, and recreational values. Their corridors are primarily undeveloped and support a wide variety of plants and animals, including several threatened and endangered species. In addition, portions of two of the rivers form the western boundary of the Pinelands National Reserve, an affiliated area of the National Park System. The Maurice and Manumuskin Rivers were both listed on the nationwide rivers inventory in 1981, indicating their eligibility for further study as potential wild and scenic rivers.

Although testimony at last year's hearing indicated that State designation of these rivers may be more appropriate, particularly due to the private land involved, I have no objection to allowing a study of these rivers to go forward at this time. The study recommendations will certainly assist Congress in making a determination regarding wild and scenic designation for these rivers should such designation be requested in the future.

Therefore, I support H.R. 14 and urge its passage by this body.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield such time as he might consume to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I rise in very strong support of H.R. 14, and urge my colleagues to support this legislation which provides for the Department of the Interior to study the Maurice, Manumuskin, and Menantico Rivers in southern New Jersey for inclusion in the National Wild and Scenic Rivers System.

As you may know, the Maurice, Manumuskin, and Menantico Rivers form an integral part of New Jersey's Pinelands environment. The area through which these rivers meander, and the adjacent Pinelands National Reserve, has received worldwide recognition due to its unique habitat and natural resource values.

The three rivers are home to a diverse group of plants and animals, including 23 important species of reptiles and amphibians. Their waters support valuable recreational and commercial species of fish, including alewives, herring, shad, and striped bass. The adjacent wetlands provide critical habitat to many endangered and threatened animals, including bald and golden eagles, ospreys and least terns, wild turkeys, pine and corn snakes, tiger salamanders, southern gray treefrogs, and snapping turtles.

The area is also well known for its unique vegetation. Ninety percent of the world's remaining population of the endangered joint vetch lives along the Manumuskin River. The largest single strand of wild rice in New Jersey, which attracts thousands of migrating water fowl, rail birds, and bobolink in the fall, lies within the Menantico and Manumuskin watersheds.

The region also has a rich cultural history. In the early 1800's, the rivers served as an important transportation corridor for Delaware Bay schooners carrying bog ore and iron ore between the Cumberland Furnace and nearby ports. A number of archeological finds, including pottery and stone artifacts, and abandoned revolutionary war era glassworks, can be found along the rivers. The area was once the center of a thriving oyster harvesting and processing industry and contains numerous buildings and physical remnants which chronicle the rich history of this important Delaware Bay fishery.

The environments through which these rivers flow are diverse, encompassing freshwater wetlands, swamp forests, upland pines and oaks, and a unique coastal landscape along the tidal reaches of the Delaware Bay. Wildflowers and mushrooms line rambling trails that run near the water. The rivers are breathtakingly beautiful and are among the loveliest canoeing areas as my colleague from Minnesota said in the country.

The scenic, natural, cultural, wildlife, and recreational values of the Maurice, and Manumuskin Rivers and Menantico Creek are a tremendous resource to the people of New Jersey and the Nation. These important resource values are critical to maintaining the essential character and integrity of the pinelands environment which is being threatened by development pressure from all sides. There is little doubt that the three rivers, and their watersheds, possess outstanding and remarkable resource values which make them eligible for further study.

Mr. Speaker, H.R. 14 provides a unique opportunity for a cooperative planning effort utilizing local, State, and Federal resources to help to mitigate impacts from future development. Enactment of the legislation will ensure comprehensive and rational decision making in a diverse region encompassing both the Pinelands and the State's coastal zone.

Senators BRADLEY and LAUTENBERG have introduced companion legislation providing for a study of these three rivers. I urge my colleagues to join with us in support of the citizens of south Jersey who are asking that these rivers be studied for inclusion in the wild and scenic rivers system. They are truly scenic and environmental treasures worthy of preservation.

Mr. Speaker, I would say to my colleagues that the Atlantic City area is experiencing tremendous growth and we are experiencing tremendous pressure.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. HUGHES. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I just want to commend the gentleman in the well for bringing this forward in the last session where we worked very hard in the remaining days but the other body was unable to take these up. But the gentleman has really done exemplary work in terms of reviewing the issue for the committee today in terms of pointing out the aspects of these rivers that deserve study. And, of course, his point about the urbanization that is taking place in his area really means these are going to be critical areas in terms of understanding

their attributes, and perhaps, if it merits, designating them as part of the wild and scenic rivers.

I think the gentleman is really doing an exemplary job in terms of dealing with these natural resources in his area. So often we find in these urban areas that we work at cross patterns with private ownership and government groups. In this instance we had the local county and the local communities coming to us, coming to Congress asking us to, under the aegis of the Wild and Scenic Rivers Act, put together a program for study, for possible designation. It is very refreshing to me and I am sure to the members of the committee where so often we seem at odds with some of the local governments when we begin to talk about land use and some of the aspects of these designations to have that type of support from your local community. I think this is due in goodly part thanks to the gentleman's advocacy and to the work he has done in working closely with these local governments so that today we have, I think, what would be almost a model, at least in terms of concept, with regards to study and perhaps designation of these three waterways that are in the gentleman's district.

So I commend the gentleman.

Mr. HUGHES. I thank the distinguished gentleman from Minnesota, the chairman of our subcommittee of the Committee on Interior and Insular Affairs. Since the gentleman from Minnesota came to Congress he has been very sensitive to the need to protect particularly areas that are undergoing transformation as we see in southern New Jersey. I want to thank the gentleman for the expeditious manner in which this particular legislation has been handled, as well as the gentleman from California [Mr. LAGOMARSINO] who worked very hard in the last Congress I know and this Congress in bringing this to reality.

I am just amazed that the gentleman have moved this along as rapidly as they have. It is a testament to the good work they do on the subcommittee, and I thank them very much.

This is an important bill. It really is a beautiful area of southern New Jersey. People think of New Jersey as wall-to-wall concrete, they think of it in terms of what they see from the turnpike. Come on down and see a beautiful part of New Jersey. The best kept secret in New Jersey is the area I am talking about.

So I thank the gentlemen for their work on this particular legislation. It is a good bill, and I urge my colleagues to support it.

□ 1330

Mr. VENTO. Mr. Speaker, I would like to also commend the gentleman from California [Mr. LAGOMARSINO].

Today we have a series of legislative measures that we hammered out in the last session that we are taking up, and clearly they are matters that have bipartisan support and recognition of the importance to individual Members, such as the gentleman from New Jersey [Mr. HUGHES], that would not be possible to move these as quickly in this session as we are without the type of help that I have had from the gentleman from California [Mr. LAGOMARSINO], the ranking member on the Public Lands Subcommittee.

Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 14.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE ESTABLISHMENT OF A PEACE GARDEN

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 191) to authorize the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior.

The Clerk read as follows:

H.R. 191

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

SECTION 1. ESTABLISHMENT OF PEACE GARDEN.

The Secretary of the Interior, acting through the Director of the National Park Service is authorized to enter into an agreement with the Peace Garden Project, Incorporated (a nonprofit corporation organized under the laws of the State of California) pursuant to which the Peace Garden Project, Incorporated may construct a garden to be known as the "Peace Garden" on a site on Federal land in the District of Columbia to honor the commitment of the people of the United States to world peace. The site for the Peace Garden shall be selected by the Secretary of the Interior, subject to the approval of the Commission of Fine Arts an the National Capital Planning Commission.

SEC. 2. PROCEDURES AND DOCUMENTATION.

(a) PROCEDURES.—The site selection, design and construction of the Peace Garden shall comply with all procedures, rules, policies, and provisions of law applicable to the establishment of commemorative works on Federal land in the District of Columbia.

(b) DOCUMENTATION.—The agreement under section 1 shall require that the Peace Garden Project, Incorporated provide complete documentation of the design and construction of the Peace Garden to the Director of the National Park Service. Such documentation shall be permanently maintained.

SEC. 3. PREPARATION AND APPROVAL OF DESIGN PLANS.

The agreement under section 1 shall require the Peace Garden Project, Incorporated to be responsible for the preparation of the design plans for the Peace Garden. Such plans shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission.

SEC. 4. APPROVAL FOR COMMENCEMENT OF CONSTRUCTION.

The Peace Garden Project, Incorporated may not commence construction of the Peace Garden until both of the following conditions have been met:

(1) The Secretary of the Interior has determined that the full amount of funds estimated to be necessary for the completion of such construction in accordance with the design plans approved under section 3 are available from non-Federal sources.

(2) An additional amount equal to 10 percent of the estimated construction cost has been made available from non-Federal sources to the Secretary of the Interior to provide for maintenance of the Peace Garden.

SEC. 5. MAINTENANCE.

The Secretary of the Interior shall, upon the completion of the construction of the Peace Garden, maintain the garden. Notwithstanding any other provision of law, the Secretary may retain and use for such purpose the monies made available under paragraph (2) of section 4.

SEC. 6. PAYMENT OF EXPENSES.

The United States may not pay any expense of the construction of the Peace Garden except that technical advice may be provided by the Secretary of the Interior as he deems necessary.

SEC. 7. EXPIRATION OF AUTHORITY.

The authority to establish the Peace Garden under this Act shall expire at the end of the 5-year period beginning on the date of the enactment of this Act, unless construction of such garden begins during such period.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 191, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 191, a bill by Mr. MILLER of California, authorizes the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior. H.R. 191 is identical to the one passed in the last Congress by

the House, but on which no action was taken by the Senate.

The Peace Garden is envisioned as a contemplative setting dedicated to the ideal of peace. Such a garden would be nonsectarian, and simply oriented to the goal we all share. H.R. 191 has been supported by the administration. It authorizes the Secretary of the Interior acting through the National Park Service, to enter into an agreement with the Peace Garden project to raise funds, run a design competition and construct the Peace Garden. The bill specifies that the Secretary of the Interior shall select the site for the Peace Garden subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission. Design plans are subject to the same approvals. After completion of the Peace Garden the National Park Service would then assume maintenance responsibilities. H.R. 191 is compatible with the generic legislation on commemorative works passed last year. I know of no controversy or disputes about the bill. The creation of such a garden can enhance our Nation's Capital and help all of us remember we are a nation dedicated to the pursuit of peace.

Mr. Speaker, I reserve the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 191 to authorize the establishment of a Peace Garden in our Nation's Capital to honor the commitment of the United States to world peace.

This legislation authorizes the Secretary of the Interior to select a site on Federal land in the District of Columbia for the location of the Peace Garden. In keeping with the intent of legislation passed by the 99th Congress developing standards for the establishment of commemorative works within the National Capital Region of the National Park System. It is assumed the Peace Garden will be located outside of the National Mall or West Potomac Park boundaries.

Under the provisions of H.R. 191, the Peace Garden Project, Inc., a nonprofit organization, is authorized to develop and construct the garden subject to the approval of the design plans and site by the Secretary of the Interior, the Commission of Fine Arts and the National Capital Planning Commission. In addition, the organization may not construct the garden until: First, the Secretary of the Interior determines that sufficient non-Federal funds are available to complete the construction of the garden; and second, 10 percent of the estimated construction costs are provided to the Secretary to establish a trust for future maintenance costs.

Mr. Speaker, I believe that a Peace Garden would enhance the beauty of our Nation's Capital and serve as an important reminder of the U.S. commitment to world peace. In addition, no Federal funds would be expended for this project.

Therefore, I support H.R. 191 and urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I have no further requests for time.

Mr. Speaker, the gentleman from California [Mr. MILLER], who has done a good job in terms of putting together a coalition for support of this important measure; I think it symbolizes his service and concern in Congress that he has championed this proposal for the last session, and now has met with some success early in this session.

I also would point out that I have under the general leave submitted the statement of Congresswoman OAKAR concerning the memorial which I would call to my colleagues attention, to state her concerns with regard to and in support for this particular measure.

Mr. DELLUMS. Mr. Speaker, I rise in support of H.R. 191, of which I am a cosponsor. As you know, the issue of peace has been a dominant concern of mine throughout my legislative career. Of all the monuments in our Nation's Capital, not one is specifically dedicated to peace. Washington is full of monuments representing our participation in war, but none symbolic of our commitment, our continuous search for world peace. The Peace Garden will be one which all Americans can identify and take pride in. It will be a place where all citizens, of our country and the world, can come to and reflect upon the efforts by many to make this world a better place, a safer place, a more humane place. A monument with the international theme of peace will be a strong symbol in the most powerful capital in the world.

No use of public funds and, thus, no burden on our already overstretched budget, is anticipated. A massive fundraising effort has been undertaken to construct the garden. Our action today in approving H.R. 191 will ratify the widespread national support already received.

In the midst of our many decisions which perpetrate war, let us make one which will symbolize peace.

Mr. HOYER. Mr. Speaker, I enthusiastically commend our colleague, Congressman GEORGE MILLER of California, for his proposal to authorize the establishment of a "Peace Garden" in Washington, DC, on a site to be selected by the Secretary of the Interior. No one or nation can ever doubt the commitment of the American people to protecting our freedoms when threatened by foreign aggressors. Our Nation's Capital rightfully honors our heroic defenders of freedom—Americans who served their country courageously, gallantly, and at great risk to their lives.

Our citizens have also exhibited an equal commitment for world peace and international law and justice. The creation of a Peace Garden is an appropriate symbol of our efforts to continuing to seek peaceful resolution of world conflict and the institution of the rule of law.

Certainly, this century has been one of bloodiest and most violent in man's history. We have seen countless battles, wars, rebellions, massacres, and civil and international strife of all kinds—continuing examples of man's inhumanity toward his fellow man.

At the same time, against this terrible backdrop, there have been encouraging strides toward world peace. As we honor those who have made sacrifices in war, through monuments, so, too, should we honor them by striving to ensure that the world they have left us will be a peaceful one. A garden would be a living monument to our efforts.

Ms. OAKAR. Mr. Speaker, I would like to take this time to commend my friend and colleague, Congressman GEORGE MILLER, for introducing H.R. 191, legislation to authorize the establishment of a Peace Garden.

I would also like to commend the distinguished gentleman from Minnesota [Mr. VENTO] for the splendid work he has done on legislation relating to memorials and monuments in the District of Columbia and its environs. In the past I have had the pleasure of working with Mr. VENTO and his able staff of the Subcommittee on National Parks and Public Lands. His assistance and cooperation is always appreciated and warrants high praise from myself and my fellow colleagues on House Administration.

Mr. Speaker, so many of our monuments and memorials in the Nation's Capital symbolize the involvement of this country in past wars and conflicts. We are here today to support H.R. 191, legislation which will provide the people of this country with a serene garden to contemplate world peace.

The interest in world peace is an international concern and the people of this Nation should have a place where they can go to reflect on their own personal philosophies regarding future concerns of humankind.

Mr. Speaker, as an appointed delegate of the National Alliance Treaty Organization, I have been personally involved with the concerns for peace of many nations. I have journeyed to Russia, Luxembourg, and Turkey, just to name a few. Everywhere I have visited, I have discovered a mutual concern for world peace. I hope that not only the citizens of this country, but visitors from abroad as well, will be able to share the benefits that a Peace Garden would bring.

As the distinguished chairman, Mr. VENTO, is aware, that while the Committee on Interior and Insular Affairs has jurisdiction over lands, administered by the Secretary of the Interior, the Committee on House Administration through its Subcommittee on Libraries and Memorials has authorizing jurisdiction over legislation pertaining to the placement of commemorative works on Federal land in the District of Columbia and its environs.

As stated in section 3(a) of Public Law 99-652, an act to provide standards for placement of commemorative works on certain

Federal land in the District of Columbia and it environs, "No commemorative work may be established in the District of Columbia and its environs unless specifically authorized by act of Congress."

A commemorative work is clearly defined in Public Law 99-652, as "any statue, monument, sculpture, memorial, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of a person, group, event, or other significant element of history."

In considering legislation authorizing commemorative works within the District of Columbia and its environs, it is stated in section 3(b) of Public Law 99-562 "* * * the Committee of House Administration of the House of Representatives and the Energy and Natural Resources Committee of the Senate shall solicit the views of the National Capital Memorial Commission," for the authorization of commemorative works. The Committee on House Administration does not wish, at this time, to exercise its jurisdiction of this legislation, but does desire consistent application of Federal policy in the area of commemorative works.

Mr. Speaker, a beautiful garden, dedicated to peace, hope, and affirmation would be a great gift to leave for future generations. As one of the original cosponsors of H.R. 191, I want to urge my colleagues to unanimously support this bill. I do, however, ask that passage of this legislation not be construed as precedent for relinquishing jurisdiction of the Committee on House Administration over this and any future related matters.

Mr. DORGAN of North Dakota. Mr. Speaker, I rise today in support of H.R. 191, which authorizes a Peace Garden in the Nation's Capital. This memorial fittingly honors the strong commitment of the American people to work with other nations in establishing global peace and security.

This bill reflects a partnership between a private group, the Peace Garden project and the Federal Government. While the project assumes responsibility for raising all of the funds for the construction and maintenance costs of the Peace Garden, the National Park Service will operate and maintain the memorial. Hence, without cost to the taxpayer, the Nation will gain a symbolic memorial enshrining its dedication to building world peace.

As we approve this timely project, I would also call to the attention of my colleagues another Peace Garden. The International Peace Garden straddles the border of the United States and Canada, of North Dakota and Manitoba. Established over 50 years ago, this beautiful park and conference center has served as working center for building international understanding and cooperation.

Last summer alone, some 160,000 visitors from all over the world enjoyed a park in two nations with no border checkpoints, international music festivals and band camps, and tranquil retreat of the International Peace Chapel. For good reason, North Dakota calls itself the "Peace Garden State."

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 191.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 175, TO IMPOSE A MORATORIUM ON UNITED STATES ASSISTANCE FOR THE NICARAGUAN DEMOCRATIC RESISTANCE

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 100-21) on the resolution (H. Res. 116) providing for the consideration of a joint resolution (H.J. Res. 175) to impose a moratorium on U.S. assistance for the Nicaraguan democratic resistance until there has been a full and adequate accounting for previous assistance, which was referred to the House Calendar and ordered to be printed.

DESIGNATING THE SANTA FE TRAIL AS A NATIONAL HISTORIC TRAIL

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 240) to amend the National Trails System Act to designate the Santa Fe Trail as a National Historic Trail.

The Clerk read as follows:

H.R. 240

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

SECTION 1. DESIGNATION.

(a) DESIGNATION.—Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding the following new paragraph at the end thereof:

"(15) The Santa Fe National Historic Trail, a trail of approximately 950 miles from a point near Old Franklin, Missouri, through Kansas, Oklahoma, and Colorado to Santa Fe, New Mexico, as generally depicted on a map entitled "The Santa Fe Trail' contained in the Final Report of the Secretary of the Interior pursuant to subsection (b) of this section, dated July 1976. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Santa Fe Trail except with the consent of the owner thereof. Before acquiring any easement or entering into any cooperative agreement with a private landowner with respect to the trail, the Secretary shall notify the landowner of the potential liability, if any, for injury to the public resulting from physical conditions which may be on the landowner's land. The United States shall not be held liable by reason of such notice or failure to provide such notice to the landowner. So that significant route segments and sites recognized as associated with the Santa Fe Trail may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donation of suitable markers for placement at appropriate locations.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(c)(2) of such Act (16 U.S.C. 1249(c)(2)) is amended by inserting "and (15)" after "(13)".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 240, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 240 would amend the National Trails System Act to designate the Santa Fe Trail as a National Historic Trail. The legislation also includes several provisions relating to the administration of the trail. The bill was introduced by our colleague BILL RICHARDSON and a bipartisan contingent of House Members. It is nearly identical to legislation that passed the House last year.

The designation of the Santa Fe Trail as a National Historic Trail is worthy of our support. From 1822 to 1880, the trail, extending some 950 miles from Missouri to Santa Fe, NM, was one of America's most important commerical routes, established to expedite trade with the Spanish of the Southwest. It also served as a major military and governmental link with the newly acquired territories of the Southwestern United States.

Many historic sites associated with the old West are found along the Santa Fe Trail, with five of these sites now units of the National Park System. Today because of development and the weathering process, much of the actual trail is obliterated, with only small scattered segments remaining where the original trail ruts can be seen. Nevertheless, the Santa Fe Trail provides significant historical and interpretative value to present and future generations.

The legislation before the House today will further a cooperative effort at the Federal, State, and local levels to provide for the interpretation, use, and management of the Santa Fe

Trail. In keeping with this cooperative spirit, the legislation directs that no land or interests in land outside of a federally administered area may be acquired without the consent of the landowner. This is likely to be a moot point since no land acquisition program is contemplated by the Department of the Interior for the Santa Fe Trail. The bill further contains language authorizing the acceptance from public-spirited individuals and organizations of suitable markers for placement along the trail.

To address the concern with possible liability associated with public access to private land along the trail, H.R. 240 directs the Secretary prior to entering into a cooperative agreement or acquiring interests in land, to provide the affected landowner with a one-time notice of the potential libaility, if any, associated with public access to the land in question. The provision is not intended to imply a Federal indemnification and the legislation stipulates that the United States shall not be held liable by reason of such notice or the lack thereof.

Mr. Speaker, when the settling of the old West is recalled, the Santa Fe Trail and the role it played in that history come prominently to mind. The Santa Fe Trail has already been immortalized in song, word, and film. Passage by the House today of this measure conferring National Historic Trail status will be a fitting act in preserving this piece of American history.

I urge adoption of H.R. 240.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico [Mr. RICHARDSON], the sponsor of this measure.

Mr. RICHARDSON. Mr. Speaker, I want to thank the chairman of the subcommittee and the gentleman from California [Mr. LAGOMARSINO] for their leadership on this bill.

We started the process in the last session of Congress, got it passed in the House, resolved the difficult problem relating to condemnation of land, and now the bill is near reality.

Mr. Speaker, the bipartisan effort behind H.R. 240, signals a spirit of cooperation toward an effort that will give the Senta Fe Trail its proper place in history and promote tourism for the States that are involved. Extensive work was done on identical legislation in the 99th Congress, when the bill passed the House. Unfortunately time ran out in the session before the Senate could act.

There is great public interest and involvement in this legislaltion from: Several cosponsors, States, local communities near the trail, historians, chambers of commerce, other national trail associations, and the ranching community has no objections. Even the National Park Service has good things to say about the legislation. Senator NANCY KASSEBAUM from the great State of Kansas has introduced a companion bill over on the Senate side, where the legislation has garnered a wide base of support.

Mr. Speaker, the opening of the Santa Fe Trail in 1821 marked the first of America's great trans-Mississippi pathways to the West. The trail starts at a point near Old Franklin, MO, runs through Kansas, Oklahoma, and Colorado and concludes in Santa Fe, NM—approximately 950 miles. The Santa Fe Trail is unique and differed from the Oregon and California trails in that it was a trail of commerce. The Santa Fe Trail was used to transport goods across the southern prairies to eager customers in what was then the Republic of Mexico's far north. Within a short time, the Santa Fe trade ballooned into a million-dollar-a-year business, pouring money and raw products into the State of Missouri—creating a minor economic boom in what had been a depressed area on the American frontier.

So far, 19 sites along the Santa Fe Trail have been selected for inclusion in the National Historic Landmark Program—8 of those sites are in New Mexico. Marc Simmons, a constituent of mine, and the author of the book entitled, "Following the Santa Fe Trail", describes the kind of vacation experience that one might enjoy along the trail: "If you are open, receptive, and courteous you will have a splendid opportunity to become acquainted with America at its grassroots."

The designation of the Santa Fe Trail as a national historic trail and the study that will be conducted by the National Park Service will go a long way toward providing the public with transportation routes to be able to get to the already identified historic sites. Last year alone, over 13,000 people visited the isolated Fort Union National Monument in my home State of New Mexico. According to the New Mexico Tourism Department, these visitors generated over a half a million dollars in gross receipts for the New Mexico travel industry. The State projects that through a national historic designation, these Fort Union visitors would extend their travel—visiting one on more of the Santa Fe Trail locations. Those increased visitations—with better trail sign posting—would generate more in the way of tourist dollars spent, providing a boost for local communities in northern New Mexico. I am sure that a scenario occurs in the four other States that are a part of the trail.

Mr. Speaker, as the chairman of the Subcommittee on National Parks and Public Lands, BRUCE VENTO, and subcommittee minority leader BOB LAGOMARSINO well know, this legislation recognizes and respects the varied and diverse land uses along the trail. After discussions with ranchers in the States involved, the legislation was amended during the 99th Congress to ensure that no lands or interests can be added to the trail without the consent of the owner of the private property involved. In addition, a provision was added to ensure that there will be notification to the landowner of any potential liability concerns if easement rights or cooperative agreements are entered into with private landowners. We even changed the starting point of the trail to Old Franklin, MO, after I received a letter from a gentleman from Howard County, MO, who wanted to ensure that Old Franklin was not left out of the designation process.

Mr. Speaker, the Santa Fe national historic trail bill will go a long way in developing the concept of tourism as economic development. I want to take this opportunity to thank my distinguished chairman of the Subcommittee on National Parks and Public Lands, the Honorable BRUCE VENTO for his interest and outstanding leadership role in the development of the bill. I would also like to thank the ranking minority member of the subcommittee, the Honorable BOB LAGOMARSINO and my colleague from the great State of Colorado, the Honorable HANK BROWN for their active roles. I hope that my colleagues who share a spirit of adventure will support this bipartisan effort to make the Santa Fe national historic trail bill part of the list of accomplishments of the 100th Congress for the enjoyment of all Americans.

□ 1340

Mr. VENTO. Mr. Speaker, I reserve the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 240 to designate the 950-mile Santa Fe Trail as a national historic trail. This bill is nearly identical to legislation—H.R. 4794—passed by the House in the last Congress, which unfortunately did not receive action by the other body prior to congressional adjournment due to a lack of time. Therefore, I am pleased that we are expeditiously moving forward with it in this Congress.

The Santa Fe Trail originates in Missouri and crosses the States of Kansas, Oklahoma, and Colorado before terminating in Santa Fe, NM. It was an important commercial route in our Nation's history and also provided a critical military and governmental link between the Eastern United States and the New Territories in the Southwest. Unfortunately, only a few small segments remain where the original trail ruts can be seen. Howev-

er, the trail does pass through several national park units, including national historic sites and national monuments.

The Santa Fe Trail definitely meets the criteria for national historic trails established under the National Trails System Act. In addition, H.R. 240 contains several amendments that improved the bill in the last Congress. These include a prohibition on condemnation of private lands or interests outside federally administered areas, and a requirement that, prior to entering into a cooperative agreement or acquiring an interest for the trail, the Secretary of the Interior provide the affected landowner with a notice of the potential liability associated with public access to his land. This notice is not a Federal indemnity, but rather, a means to inform the landowner of potential liability problems so that he may, if he desires, seek appropriate legal counsel on the matter. These are important provisions in this bill which make it acceptable to all involved parties.

I would like to commend the sponsors of this legislation, particularly the gentlemen from Colorado and New Mexico, Mr. BROWN, and Mr. RICHARDSON, as well as the gentleman from New Mexico, Mr. LUJAN, for their interest in the Santa Fe Trail and their efforts to resolve the previous differences on this bill and move it forward. I would also like to commend the subcommittee chairman, Mr. VENTO, for acting promptly on this legislation and for his cooperation in working out important amendments.

Mr. Speaker, this is an excellent bipartisan bill which I am pleased to note is also supported by the administration. I strongly support its passage and urge my colleagues to move it forward.

Mr. BROWN of Colorado. Mr. Speaker, I appreciate the opportunity to speak in support of designating the historic Santa Fe Trail as a component of the National Trail System.

The Santa Fe Trail, which began in 1821, was the route traveled by American traders transporting goods to Mexico, their neighbors to the south. Beginning in Old Franklin, MO, the 950-mile trail continued through the States of Kansas, Colorado, and Oklahoma, to Santa Fe, NM.

The trail was first mentioned by Capt. Zebulon M. Pike in the year 1810. The captain envisioned commercial opportunities in trading with the Spanish settlers on the Rio Grande. It was Mexico's split with Spain in 1821 which opened these trade opportunties to American merchants.

In 1822, William Becknell, "The Father of the Trail," hitched his mule team to his wagon and transported the first merchandise from Old Franklin, MO, to Santa Fe, NM.

The Santa Fe Trail continued to prosper for the next 25 years. During that time, many other merchants followed Becknells' path across the southern prairies. The trail became a very lucrative trade route, spurring an economic boom to the depressed economy of Missouri. Many points of historic significance occurred during this period, including Indian fights, military patrols, and negotiations with Mexico.

In 1846, the first year of the Mexican War, Capt. Stephen W. Kearny led his troops from Bent's Fort, over Raton Pass, to the town of Las Vegas, NM, where the captain expected to face the Mexican Army. However, no enemy materialized. Thus, the U.S. Army captured its first foreign capitial and the Mexican province became American Territory. Fort Marcy was built in Santa Fe to symbolize this American conquest.

With the full trail now in American Territory, the route became more frequently traveled and forts were added to protect the new lands. Military supplies became a new source of commerce along the trail.

During the late 1840's, a cholera epidemic spread through the Indian tribes. In 1849, to protect the health of military personnel, stationed at Bent's Fort, the fort was set ablaze. A new fort was built on the Arkansas River at Big Timbers about 40 miles down from the old fort. An additional fort, Fort Wise, was added about 1 mile from new Bent's Fort. Fort Wise, later renamed Fort Lyon, served as an important supply depot and stage stop along the Santa Fe Trail.

The route continued as a main source of trade. By the year 1858, over 1,800 wagons followed the route annually. However, technology advanced. On February 9, 1880, the first steam engine rolled into Santa Fe. The following day, Santa Fe headlines read, "Santa Fe Trail Passes Into Oblivion."

It has been over 100 years since the steam engine brought the Santa Fe Trail to an end. Fortunately, many sites of historic significance remain today. The designation of the Santa Fe Trail as an historic trail would help to retain that history and would aid modern travelers in locating areas of historic significance.

While attempting to retain the historic value of the trail, it is equally important that we respect the rights of landowners currently living along the trail. The bill before us today is a fine example of legislation which takes into account the diverse interests affected by a historic trail designation.

Landowners along the trail had initially feared that the Federal Government would condemn their property for public use of the trail. To alleviate those concerns, H.R. 240 contains language which would protect current landowners. It specifically states that lands outside of Federal boundaries will not be taken without the consent of the owner. Should a historic site or artifact remain on privately held property, the landowner does have the opportunity to enter a voluntary agreement with the Government to preserve that important feature on his or her property.

Another concern expressed by landowners resolves around a problem all too common today—the issue of liability. Because the landowner may unknowingly expose himself to lawsuits by allowing sightseers onto his property, it is important that landowners are informed prior to entering into a voluntary agreement. H.R. 240 directs the Government to notify landowners prior to entering into an agreement that there may be a potential liability issue. The landowner may then investigate what problems may arise and make an informed decision as to whether he or she will allow public access onto the property.

Mr. Speaker, the Santa Fe Trail is the story of America and her commerce. Thanks to the fine efforts by the gentleman from New Mexico [Mr. RICHARDSON], the gentleman from California [Mr. LAGOMARSINO], and Chairman VENTO, we have a bill before us which would preserve this important element of American history, while protecting the rights of those people who continue to earn their living along the trail. It is a delicate balance, but one that is achieved through this legislation. I urge my colleagues to support its passage.

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAY of Illinois). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 240.

The question was taken.

Mr. HALL of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

BOUNDARY WATERS CANOE ACT AMENDMENTS

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 389) to amend the Boundary Waters Canoe Area Wilderness law to management review and grants.

The Clerk read as follows:

H.R. 389

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

SECTION 1. AUTHORIZATIONS.

Section 6(d) of the Act entitled "An Act to designate the Boundary Waters Canoe Area Wilderness, to establish the Boundary Waters Canoe Area Mining Protection Area, and for other purposes", approved October 21, 1978 (92 Stat. 1653), is amended—

(1) in paragraph (1) by striking out "$8,000,000" and inserting in lieu thereof "$6,000,000"; and

(2) in paragraph (2) by striking out "$3,000,000" and inserting in lieu thereof "$5,000,000".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect October 1, 1987.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVED

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 389 would authorize a revenue neutral shift of $2 million in authorization from the Federal forestry intensification provision of the Boundary Waters Canoe Area Wilderness Act of 1978 (Public Law 95-495) to the State and private forestry provisions of that same law. It is identical to legislation we considered and passed in the House last year.

The Boundary Waters Canoe Area Wilderness Act of 1978 (Public Law 95-495) was enacted to address many of the management issues such as logging, mining, and motorized use, which had been sources of controversy for over 50 years and which had been left unresolved by the 1964 Wilderness Act.

Section 6(d) of Public Law 95-495 authorized a 10-year Forestry Intensification Program on Federal, State, county, and private timberlands adjacent to the Boundary Waters Canoe Area. H.R. 389 would amend that provision effective October 1987 by decreasing the authorization for the Federal Forestry Intensification Program from $8 million to $6 million, and by increasing the State, county, and private Forestry Intensification Program from $3 to $5 million. This small shift in authorization will help better reflect the reality of development that has occurred since the 1978 act and maximize the benefits of the program.

The change in authorization will not impact on the historical pattern of forestry spending on Federal lands outside the BWCA but will better allocate resources for the efforts being put forth under the Cooperative Forestry Program, which, incidentally, is done on a cost-sharing basis (80-20).

Further, this change in authorization is of limited nature since the program is scheduled to expire under the law in 1990. Mr. Speaker, I believe the legislation before us will foster a continuation of the commitment that has made possible the successful implementation of the historic BWCA Wilderness Act. I urge adoption of the bill.

Mr. Speaker, I would like to commend my colleague, Mr. OBERSTAR, who crafted this measure, who has been working with the local governments in the area that he represents adjacent to the Boundary Waters Canoe Area and who has successfully worked with the cooperative program.

Mr. Speaker, this is a good example of an area that was controversial in terms of softwood production, but indeed has turned out to be a major beneficiary of the legislation so that today softwood production is possible. Plus we have, of course, engaged the county and State activities in a cooperative program.

I commend this legislation to my colleagues and urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to comment on H.R. 389, introduced by the gentleman from Minnesota [Mr. OBERSTAR]. This bill would change the authorizations of appropriations for resource management review and grants under the boundary waters canoe area wilderness [BWCA] law. Identical legislation (H.R. 4348) was passed by the House during the last Congress but did not become public law.

H.R. 389 provides authorization for shifting $2 million a year in appropriations for Federal forestry intensification activities to State, county, and private forestry intensification efforts. The testimony at last year's hearing confirmed that the counties in northern Minnesota have been excellent managers of their forest land, probably due in large part to the annual Federal assistance provided under the 1978 BWCA Act. However, I do have some reservations about revising a formula which was developed as a compromise when the BWCA was created by Congress. In addition, I am hopeful that this change will not, in any way, deprive other U.S. Forest Service cooperative forestry programs of necessary funding. Furthermore, under the BWCA law, this grants program would expire in 1990 at which time I believe the State, local, and private concerns should assume the responsibility, including funding, for forestry intensification activities.

Having expressed these concerns, I certainly recognize the gentleman from Minnesota's [Mr. OBERSTAR] purpose in proposing H.R. 389. Therefore, I have no objection to its passage.

□ 1350

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield such time as he might consume to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, H.R. 389 would amend the Boundary Waters Canoe Area Wilderness Act—Public Law 95-395—to reduce, from $8 million to $6 million annually, the authorization for appropriations to carry out section 6(c)(1). Under the act, funds are authorized to expedite the intensification of resource management including emphasis on softwood timber production and hardwood utilization on the national forest lands in Minnesota outside the Boundary Waters Wilderness. This is intended to offset, to the extent feasible, the reduction in the programmed allowable timber harvest resulting from the classification of certain forestlands as wilderness in the Boundary Waters Act. The bill also would increase, from $3 million to $5 million annually, the authorization for appropriations to carry out section 6(c)(2) of the act. Funds so appropriated are provided to the Secretary of Agriculture to implement a program of grants to develop renewable resources and enhance timber production on State, county, and private lands.

H.R. 389 would affect the State and private forestry programs of the Secretary of Agriculture and forest reserves other than those created from the public domain. These are matters within the jurisdiction of the Committee on Agriculture under House rule X(1)(a)(13). In fact, H.R. 389 is similar to a bill that was considered by the House in the 99th Congress, H.R. 4348, which was sequentially referred to the Committee on Agriculture. I note that the House bill that became the Boundary Waters Canoe Area Wilderness Act, H.R. 12250 of the 95th Congress, was also sequentially referred to the Committee on Agriculture.

Because the jurisdictional interests of the Committee on Agriculture have been protected by the previous precedents, I do not object to consideration of the bill by the House today. However, I take this action without endorsing the subject matter of the bill and without in any respect waiving jurisdiction with regard to the substantive issues addressed in this or similar bills. If the provisions of this bill relating to matters within the jurisdiction of the Committee on Agriculture should become an issue with the Senate, I understand that Chairman DE LA GARZA intends to request that the committee be represented in any conference that may be held.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAY of Illinois). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 389.

The question was taken; and (two-thirds having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING DONATION OF CERTAIN LANDS FOR THE GETTYSBURG NATIONAL MILITARY PARK

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 797) to authorize the donation of certain non-Federal lands to Gettysburg National Military Park and to require a study and report on the final development of the park.

The Clerk read as follows:

H.R. 797

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

SECTION 1. DONATION OF NON-FEDERAL LANDS.

The Secretary of the Interior shall accept on behalf of the United States, the donation of approximately 31 acres of land known as the "Taney Farm" for administration as part of the Gettysburg National Military Park in Pennsylvania if such land is offered to be conveyed to the United States without cost to the United States by the Gettysburg Battlefield Preservation Association. Upon acceptance of title thereto by the United States, such property shall be subject to all laws and regulations applicable to the park.

SEC. 2. ACQUISITION OF ADDITIONAL LANDS FOR GETTYSBURG NATIONAL MILITARY PARK; STUDY AND REPORT.

(a) ACQUISITION OF ADDITIONAL LANDS.—Except as provided in section 1 of this Act, until Congress receives the study under subsection (b), the Secretary of the Interior may not acquire by purchase, donation, exchange, or any other means any additional land for the Gettysburg National Military Park which is not within the boundaries of the 3,874 acre area depicted on the map dated July 25, 1974, numbered 305-92,004 and entitled "Gettysburg National Military Park".

(b) STUDY BY NATIONAL PARK SERVICE.—The Secretary of the Interior through the National Park Service shall conduct a boundary study and shall submit a report to Congress within one year of the date of enactment of this Act, with recommendations with respect to the final development of the Gettysburg National Military Park. In conducting the study, the Secretary shall consult with the people of the community and their elected representatives at all levels as well as with other interested individuals and groups.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 797, introduced by our colleague PETER KOSTMAYER along with our colleague BILL GOODLING, would authorize the donation by the Gettysburg Battlefield Preservation Association of the 31-acre Taney Farm for inclusion within Gettysburg National Military Park. Additionally, the legislation authorizes a report and study on the final development of the park.

Gettysburg National Military Park is one of several national park units with no statutory boundary. The enabling legislation establishing the park in 1895 only noted that land for the park may not exceed in area the parcels shown on the map prepared by Maj. Gen. Daniel E. Sickles, and such other adjacent lands as may be necessary to preserve the important topographical features of the battlefield. The present boundary of the park represents the administrative plan for the park that was developed in 1974.

The Taney Farm is adjacent to the existing administrative park boundary. The committee has received testimony from the administration and the public as to the significant historical value of the farm. It was occupied by Confederate troops during the fighting of July 3, 1863, and was later used as a field hospital. A 1978 report of the Advisory Council on Historic Preservation identified the Taney Farm as a "critical area."

The other significant provision of H.R. 797 is the requirement of the Secretary of the Interior through the National Park Service, to prepare and submit to the Congress within 1 year of the date of enactment of this act, a boundary study and report with recommendations with respect to the final development of the Gettysburg National Military Park. Further, it directs that in conducting the study, the Secretary shall consult with members of the community and their elected representatives, as well as other interested individuals and groups. An accurate restoration of the historic setting of the Gettysburg Battlefield is important to visitor understanding and appreciation of the battle's significance. The study by the National Park Service of the historically important lands associated with the Battle of Gettysburg will help clear up ambiguities relating to the existing administrative boundary and contribute to the proper utilization and management of the historic scene.

Mr. Speaker, H.R. 797 represents the consensus worked out by the interested parties that lead to eventual passage by the House of similar legislation last year by a vote of 408 to 1. The administration supports this addition to the park and I know of no controversy with this particular legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 797 introduced by my colleagues from Pennsylvania, Mr. KOSTMAYER and Mr. GOODLING. This legislation would authorize the donation of a 31-acre land parcel to the National Park Service for administration as part of the Gettysburg National Military Park in Pennsylvania.

H.R. 797 is very similar to legislation (H.R. 4259) passed by this body last year; however, I do feel the bill has been improved. Mr. GOODLING, who represents the area involved, had expressed concerns with the legislation last year that it could set a dangerous precedent for this area. Unfortunately, Congress has never established a permanent boundary for Gettysburg Park. Although an administrative boundary was negotiated in 1974, it was never established by Congress. The land parcel included in this bill is adjacent to, but not within, the 1974 administrative boundary. Consequently, Mr. GOODLING's concerns, which were certainly well-founded, stemmed from the fact that as additional land is added to the park, the local tax base is adversely affected.

In response to these concerns, H.R. 797 requires a study and a report by the National Park Service on the final development of the park. The bill requires the Secretary of the Interior, in conducting the study, to closely consult with all elected officials of the Gettysburg areas as well as other interested individuals and groups. I believe these provisions will go a long way to alleviate the concerns previously expressed regarding this issue. In addition, I am hopeful the study will lead to congressional establishment of a final boundary for Gettysburg National Military Park.

Finally, I would like to commend Representatives KOSTMAYER and GOODLING for resolving the earlier problems with this issue and Chairman VENTO for expeditiously moving this bill. I am pleased to support this bipartisan bill and urge all of my colleagues to do so.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this issue was the topic of controversy. We had a full hearing on it last year, in which the Park Service, of course, came forward.

We had a detailed description, Mr. Speaker, of the elements at this location that are important in terms of this Taney Farm and the various bat-

tles that were considered back and forth.

The fact is that this year, earlier, Mr. Speaker, I had the opportunity to visit the Gettysburg National Park in Pennsylvania, and to view this site, as well as to visit some of the many museums that are located there.

It struck me the significant number of personnel that the Park Service has employed in terms of doing interpretative work and the large number of buildings, the tremendous investment that we have in this area and the number of visitors that are utilizing this particular resource. As I had the opportunity to look at some of the unique facilities and construction of structures there, it struck me that it is only appropriate with all of the artifacts and tremendous investment, the number of personnel, that we, when we have an opportunity to pick up a parcel like this, should move forward to do so.

This park, or course, is very important. We had a lot of concern expressed in the county about the amount of public land that is reverting to the park. Those concerns are legitimate, but I think, Mr. Speaker, that they do not reflect the importance of tourism and the tremendous boost that this provides for the economy.

I think that Gettysburg, clearly, with the number of Park Service personnel, the number of visitors that go there, I mean, literally, as you drive up and down the freeway that runs adjacent to this particular facility, you find that almost every sign in the road is referring to the park that is within the district.

Gettysburg really is on the map because of its historic significance, and the economy is greatly dependent upon the success of this particular national historic park.

The gentleman from Pennsylvania [Mr. KOSTMAYER], who is the prime sponsor of this and who has worked so diligently to bring it to fruition today, is here. I hope this bill, a small bill, but a significant one in terms of Gettysburg, will receive positive consideration in the other body.

Mr. Speaker, I yield such time as he might consume to the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am chairing a subcommittee hearing which is about to commence, so I can only join this debate very briefly. But I want to thank most especially the gentleman from Minnesota [Mr. VENTO], who chairs the subcommittee, for his extraordinary patience with this measure which came before the full House twice in the last Congress.

The first time, it was defeated, not receiving the necessary two-thirds vote; and the second time, it was adopted, receiving only a single negative vote. Thus, now for the third time, the House, in two Congresses, will consider this measure, which I think is a worthwhile one because it enlarges and expands one of the most important and, I think, crucial places in the history of our country, Gettysburg National Battlefield Park.

So I thank the gentleman for his hard work and thank him for his patience.

This, in my own judgment, and I speak for myself alone, is a part of our Commonwealth and a part of our country that has been ruthlessly exploited by commercial developers. I think much of it has been lost and damaged very badly. So it is especially crucial, I think, that we add this modest area to the park and enlarge it in this sense.

I am delighted that this legislation now has the support of my colleague, the gentleman from Pennsylvania [Mr. GOODLING], in whose congressional district this area is located.

I finally, once again, thank the gentleman from Minnesota [Mr. VENTO] for his help and his support, and I look forward again, for the second time in two Congresses, to the overwhelming passage of this legislation.

Mr. VENTO. Mr. Speaker, I know that this is an important parcel and I know that the gentleman has worked very hard on this. He came to me last year; there was some disagreement. I am pleased that there is not that disagreement, but I just want to point out that this is not an indiscriminate addition to the Gettysburg National Park.

Rather, it involves land that is important, as I said, historically and geographically to the park. The Subcommittee on National Parks and Recreation received the testimony from the National Park Service and others underscoring the strategic importance of the farm during the latter part of the Battle of Gettysburg on July 2 and 3 of 1863.

Additionally, a 1978 report of the Advisory Council, on Historic Preservation, identified Taney Farm as a critical area.

Mr. Speaker, the legitimate and appropriate inclusion of the Taney Farm within Gettysburg National Military Park has become sometimes involved in too much controversy, I think, with regard to boundaries.

As I said in my initial statement, in 1974, the Park Service developed an administrative plan for the park's boundaries. That was a modification of the 1895 boundary map.

This plan has served as an unofficial guide for the park's boundary for the last 12 years. It is important to note that the 1974 administrative plan for the park's boundary was never enacted by Congress, nor do we intend to do so by our action here today.

As such, the boundary provisions of this 1895 act, which include the Taney Farm, remain in force. The National Park Service, which supports H.R. 797, has the authority to accept the Taney Farm under donation under existing law, but is hesitant to do so because of continuing questions regarding the overall boundary of the park.

We find ourselves in this dilemma passing legislation which, in my judgment, may or may not be necessary. Because of these concerns, we have given this measure full hearings in the past and have tried to clear up any misunderstandings.

We may, from time to time, consider other additions to this park, but we hope to do so, as we have done in this instance, with the understanding and with hearings so that everyone can be clear as to what direction we are going to move.

I wanted to point out, Mr. Speaker, that the committee is concerned about this and concerned about the number of personnel and the importance of this in terms of the overall park experience at this important site.

I think there is a great deal that needs to be done with regard to this park, because as I looked at the traffic flow in my personal visits, I found that the parking lots were separated too often by streets. It is a case, I think, of where we are going to have to look very closely at trying to reframe or remodel some of the interpretative centers and the other facilities that are located in the heart of that park, the gravesites and so forth, that so much mean a part to the experience of the Gettysburg National Military Park.

It is an amazing site and I think that the Members would be surprised if they looked at the visitor numbers at this site. The property, of course, is maintained, I think, in a good manner. But nevertheless, we ought to recognize that there are certain activities in this older historic park that need to be addressed.

The addition of this 31 acres certainly is a step in the right direction, but it is not the last step. It is not the final step in terms of dealing with the problems that exist surrounding this park or the community.

We have some work to do. I would hope that through the general management plan, Mr. Speaker, in the future that, indeed, we could bring about a greater degree of public participation so that we would not have the misunderstandings that have sometimes occurred.

I know the gentleman from Pennsylvania [Mr. GOODLING] was very concerned in this instance about those concerns.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GOODLING] concerning that matter of miscommunication.

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Mr. GOODLING. Mr. Speaker, last year, of course, my opposition was not to the 31 acres, even though, unfortunately, it did not appear in what the Park Service said they needed just a few years before.

My objection was that we were piece-mealing, and the public had no imput, and furthermore, they had no idea what the plans were. I thought that we should have an orderly fashion and some plan or program that we would stick by and some program that the local government officials would have an opportunity to participate in.

I am happy to see that it has gone back and come back again and is now in such a manner that I think will do justice to the whole Park Service program.

Mr. VENTO. Mr. Speaker, I thank the gentleman for his support and cooperation. Of course this is not, as I said, the last act that we will take with regard to this park, this 31 acres, but we recognize that.

I visited the park on a personal visit last year and was concerned about the character and the way that this park has moved forward. This is one of the parks that was initially under military control in its earliest origins and then was passed on and became part of the National Park System.

It is a wonderful resource, but I think too often it looks, from my vantage point, as though it is a resource that has not had the continued thought of careful planning. The separation, for instance, of traffic from the park so that we would not have these situations where people are standing on either side of the roads as cars are going by between the museums.

There is a tremendous amount of dollars that have been spent in terms of physical structures and building in this park, but unfortunately, I think that the experience is not what I felt it should be for what we had invested in terms of physical resources and in terms of personnel.

I think we need some cooperation. I know the gentleman agrees that this is such an integral part of the total economy of that particular community. As I drove down the freeway, so many signs indicate the attractions around the park and, of course, the site itself.

I hope that in the years ahead, we can work to improve that. I think that a major undertaking is necessary.

Mr. GOODLING. Mr. Speaker, will the gentleman yield further to me?

Mr. VENTO. I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I agree wholeheartedly that the emphasis, I think, has to be put on planning. They have done so many things that have caused unrest in the area simply such as when, a few years ago, they decided as a matter of fact that maybe they should have the visitor center at another place.

□ 1410

So they went out and purchased a very, very expensive piece of property. Nothing was ever done; they decided, no, I guess that is not the right place after all. So there is a beautiful piece of property that big money was paid for and nothing is being done.

Long-range planning I think is very, very important if it is going to be the kind of park that it should be.

Mr. VENTO. I just wanted to say that the gentleman's concerns have been heeded by the chairman. My visit has, I think, reaffirmed some of those concerns. Obviously, this boiled over in terms of the expansion of the park. I think that the root of it goes, as the gentleman points out, to the planning process. Certainly in the first instance we would like to see that occur. I think maybe we have got to give that a little bit of a boost.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Massachusetts.

Mr. FRANK. I thank the gentleman.

Mr. Speaker, I rise in support of this legislation and I congratulate the subcommittee for bringing it forward. I just wanted to ask the chairman a couple of questions about what I hope might be a broader implication. I was interested to see his reference and hear his reference to the economic impact of the park.

We have spent a lot of time in this body talking about the environmental appeal of these parks, and there has often been an argument that somehow there was a conflict. In some cases there may be a conflict between the environmental role of the national parks and the economic interests of people in the immediate area. I think the gentleman from Minnesota made a point that really ought to be underlined that more and more we are finding that those two go together. That preserving the environment in an attractive preserving, in this case, the history, in other cases particular geographic features that are interesting, that that can in fact be a very important economic tool including one that may have some impact on the balance of payments. Recent articles have talked about in the West, for instance, the extent to which people are moving.

I am wondering if we might not want to draw out the implications of this and whether also there might not be some favorable signs here that the administration——

Mr. VENTO. I am happy the gentleman raised that point because I think that it does flow from a lot of places. Certainly we are not prepared to begin designating any conservation units on the basis of economic development solely.

I want to underline that because I think that there is concern. Potential conservation units have to have various types of physical features, various types of natural, historic, cultural, archaeological characteristics in order to qualify for the types of conservation unit designation that we are discussing.

Mr. FRANK. If the gentleman will yield, it would not work economically if those were not there. People are not going to come as tourists just to see an open piece of land with no special features.

Mr. VENTO. That is essential. But there is a recognition today of the very tremendous impact, that designation as a park or some of the other conservation units that the Congress designates does have.

The fact, is, we find, as an example, that the lands surrounding the designated areas dramatically increase in value, that is because of the desirability of being close to that resource. Very often that presents a problem for my colleagues that represents that area, Mr. GOODLING, in the sense that the land values have increased to the point where it appears that the Government may be paying too much. Nevertheless, on court case after court case, and I can cite a few that have occurred with regard to the Voyagers National Park in northern Minnesota and land in the Redwoods National Park in western California where the cost of this, when it goes to court, has been a very great concern. I think that we may want to look at that and make sure we get the best people in the Justice Department to be defending the interests of the National Government. The increased value even of the land surrounding a conservation unit, the jobs that are produced, the number of park personnel that are working in some places like Gettysburg or in some of these other areas, once we put a national designation on something, in one of these regions such as Gettysburg or the Redwoods or whatever the unit, all of a sudden it stands out on the map, and it is an attraction. It is an endorsement to the general public as to the quality and the characteristics of this particular conservation unit. The National Park Service, as an example, just with regard to Gettysburg, estimates that the park generates $40 million in revenue for the area. Considering the size and population of that community, that is a very significant part of the economy. I note the gentleman referred to changing attitudes in terms of the West. I myself represent sort of the Midwest, and the gentleman representing an Eastern area, and I am sure others in the West can speak to this issue as well, and they are probably not in

unanimous opinion with regards to it, but the fact is there is a changing attitude as you recognize some of the other types of activities, forestry and mining activities that today, from an economic standpoint have been very cyclical, we find time and again they are turning to tourism; turning to this type of designation to help in terms of trying to stimulate a business or an economic-type of activity.

Primarily, and I would say again, the resource characteristics have to be there. We have to be very careful as we move forward in terms of these designations, but I do not think we should be blind to the attributes and the positive qualities that occur.

Mr. FRANK. If the gentleman will yield, I wonder if the gentleman might join with me in speculating, because I gather the administration is in favor of this and I think a lot of people are happy because there have been some signs they were not for expansions.

Recently we had a commission appointed, I believe, by the President, addressing this area of National Parks and recreation, and my understanding is that this administration has still embargoed that report. Apparently it is a matter of national security, if they knew where our parks were; they might be attacking the Caribou. I wonder whether the gentleman might care to speculate whether there is a hidden report and any of this has managed to filter through.

Mr. VENTO. Reclaiming my time, I just want to point out that with respect to this that there is a lawsuit. The President's Commission on American Outdoors is a Presidentially appointed commission in which Members of this body, Chairman UDALL and Congresswoman VUCANOVICH, as well as Members of the other body, the gentleman from Louisiana, Senator JOHNSTON and Senator WALLOP, served on that Commission and the work product of that report has been subject to a lawsuit. As a consequence, the Department of the Interior initially took the posture that they could not even release the summary. They relented when it was pointed out that the plaintiff in that lawsuit did not object to the release of the summary. So I was pleased to see that that was coming forth. So we now have a nice glossy summary of good intentions.

Just to conclude, the fact is that today the report is sequestered someplace in the Department of the Interior and I would suggest that they are sitting on it based on this lawsuit. But I would say that they are not sitting on it very uncomfortably.

Mr. FRANK. If the gentleman will yield, let me say also that it is my understanding that the plaintiffs in this particular lawsuit, they have sought injunctive relief against this being an official, adopted report. But my understanding is that they do not claim that they want the report itself sequestered. So that this is a defendant, the Government, giving the plaintiff a form of relief which the plaintiff has not even asked for. It seems to me somewhat unusual.

I think it probably reflects the fact, as the gentleman has very well documented and others, we are talking here about how a conservation-oriented goal is good for the economy and we now have the administration I think somewhat afraid of the implications of that. I know that there is some impatience in the length of this debate on the part of some of the Members here; I would just point out to them that elsewhere in this building there are people who have an interest in the debate continuing for other purposes, so I would not advise them to get their hopes up too early.

□ 1420

Mr. VENTO. I would advise the gentleman that I think that my time is about to expire, and I just want to say with regard to the President's Commission on American Outdoors that this was completely Presidentially appointed, and it is ironic to say the least that we find this lack of enthusiasm at the highest levels for this report being made public and presented to the Congress and the public.

Mr. FRANK. If the gentleman will yield further, maybe the President forgot that he appointed the Commission. That might be part of the problem.

Mr. VENTO. I do not want to speculate on that, but I would say, Mr. Speaker, that I hope that the report will be released, and that when it is released we will be looking at those provisions and trying to incorporate them into the process of consideration of measures before our committee, as well as the other committees of this House.

Mr. Speaker, I thank the Members for their participation in this discussion, and I urge positive action on this meritorious proposal that we have before us with regard to the 31-acre expansion of the Gettysburg National Historical Military Park.

Mr. KOSTMAYER. Mr. Speaker, I rise today in support of H.R. 797, legislation introduced by myself and my colleague, Mr. GOODLING, to provide for the donation of 31 acres of land to the Gettysburg National Military Park.

Mr. Speaker, this parcel of land which consists essentially of the Taney farm has been off the tax rolls for several years, contains no permanent structures which will require significant care and will thus result in no significant expenditures on the part of the Federal Government.

The Taney farm, as many Civil War buffs may recall, was the staging area for the struggle for Culps Hill, a critical turning point for the Confederacy at the Battle of Gettysburg. It later served as a field hospital.

Mr. Speaker, there is hardly a reference point more dramatic in American history than the Civil War. For this reason there is no period for which we must struggle more vigorously to preserve its physical record.

Mr. Speaker, it is important to point out at this time that funds to purchase this land were acquired solely by donation to the Gettysburg Battlefield Preservation Association. Local citizens purchased this land so that they might contribute in some small, yet significant way to the preservation of our American heritage.

Passage of this bill does more than simply remember our honored dead, it pays tribute to the vitality and strength of the American spirit, a spirit which we must protect and preserve not only for today but for the future as well.

Mr. Speaker, although this legislation was overwhelmingly approved by the House last year, the Senate, unfortunately, was not afforded the opportunity to consider a companion bill before the Congress adjourned.

Supported by the National Park Service and the Department of the Interior, this legislation was recently approved by the Subcommittee on National Parks and Public Lands and subsequently approved unanimously by the full Interior Committee.

At this time, I want to thank Mr. VENTO and Mr. UDALL for moving this legislation so expeditiously; Mr. GOODLING, for his leadership in helping to craft a fair and equitable proposal; Mr. William Penn Mott, Director of the National Park Service for his support on behalf of the administration, Mr. Ed Bearss, Historian for the National Park Service; Ms. Laura Beatty, of the National Parks and Conservation Association; Mr. John Earnst, Superintendent of the Gettysburg National Military Park; Dr. Walter C. Powell, President of the Gettysburg Battlefield Preservation Association; Mr. Ed Root of the Civil War Roundtable; and Mr. Dan C. Gregor, Mr. James Fleet, and Mr. Loring Schultz, citizens of Gettysburg who helped to bring attention to this very worthwhile issue.

Mr. Speaker, I urge my colleagues to support this legislation. It is both fitting and proper that this legislation be approved in a timely manner so that the Taney farm may become a permanent part of the Gettysburg National Military Park.

Thank you.

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 797.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRAY of Illinois). Debate has been concluded on all motions to suspend the rules. Pursuant to the provisions

of clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 242, by the yeas and nays; and

H.R. 240, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

CONVEYANCE OF CERTAIN PUBLIC LANDS IN WISCONSIN

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 242.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 242, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:

[Roll No. 25]

YEAS—407

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Barnard
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Livingston
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McEwen
McGrath
McHugh
McKinney
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Towns
Traficant
Traxler
Udall
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yatron

NOT VOTING—26

Akaka
Ballenger
Boner (TN)
Bosco
Conte
Conyers
Crockett
Dingell
Dixon
Donnelly
Flippo
Gephardt
Gray (PA)
Lantos
Lipinski
Lloyd
McDade
Ortiz
Roemer
Smith, Denny (OR)
Tauzin
Torres
Torricelli
Yates
Young (AK)
Young (FL)

□ 1440

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

DESIGNATING THE SANTA FE TRAIL AS A NATIONAL HISTORIC TRAIL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 240.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 240, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 3, not voting 27, as follows:

[Roll No. 26]

YEAS—403

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Barnard
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Cooper
Coughlin
Courter
Coyne
Craig
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Gallegly
Gallo

Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Livingston
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
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McHugh
McKinney
McMillan (NC)
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Miller (CA)
Miller (OH)
Miller (WA)
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Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
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Owens (NY)
Owens (UT)
Packard
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Pashayan
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Price (IL)
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Pursell
Quillen
Rahall
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Sawyer
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Scheuer
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Schroeder
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Schumer
Sensenbrenner
Sharp
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Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
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Spratt
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Stokes
Stratton
Studds
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Sundquist
Sweeney
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Swindall
Synar
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Taylor
Thomas (CA)
Thomas (GA)
Torricelli
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Traficant
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Udall
Upton
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Vander Jagt
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Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
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Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
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Yatron

NAYS—3

Archer
Burton
Crane

NOT VOTING—27

Akaka
Ballenger
Boner (TN)
Bosco
Conte
Conyers
Crockett
Dingell
Dixon
Donnelly
Flippo
Gephardt
Gray (PA)
Lantos
Lipinski
Lloyd
Manton
McDade
Ortiz
Oxley
Roemer
Smith, Denny (OR)
Tauzin
Torres
Yates
Young (AK)
Young (FL)

□ 1450

Mr. BURTON of Indiana changed his vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as recorded.

A motion to reconsider was laid on the table.

WELCOME BACK, MR. CHAIRMAN

(Mr. GAYDOS asked and was given permission to address the House for 1 minute.)

Mr. GAYDOS. Mr. Speaker, I believe that all of our colleagues are fully cognizant of the fact that our chairman of the House Committee on House Administration, FRANK ANNUNZIO, has been indisposed for several weeks, but I want to assure the gentlemen that during that time there has been very close contact with the House Administration Committee. He has given us good effective instructions. He has worked with us very closely. All of our standing committees and all of our select committees can now feel very good that their funding has been already decided. We are going to bring the bill up very shortly.

In that light and under those conditions, I consider it a personal privilege on behalf of the Illinois delegation to welcome our House Administration chairman, FRANK ANNUNZIO, back here among us. FRANK is over here on the right.

PERSONAL EXPLANATION

(Mr. OBERSTAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. OBERSTAR. Mr. Speaker, I am including in the RECORD at this point remarks that would have been delivered on H.R. 389 had I been able to participate in the debate. Regrettably, I was detained in the Committee on the Budget at the time the legislation was being considered, and I was unable to be here to address a matter which is of great importance to the people of my congressional district.

Mr. OBERSTAR. Mr. Speaker, I want to express my strong appreciation for the speed with which the subcommittee, under the able leadership of the gentleman from Minnesota [Mr. VENTO] has brought this legislation to the floor. Identical legislation which passed the 99th Congress received similar treatment by the subcommittee, but, unfortunately was not acted on by the Senate before adjournment. The subcommittee's continued support for this bill indicates a strong sensitivity and concern for the reforestation program in the Boundary Waters Canoe Area Wilderness located in northeastern Minnesota.

The piece of legislation which tightened earlier restrictions on use of the boundary waters, Public Law 95-495, significantly changed the way of life for thousands of Minnesotans living in St. Louis, Lake, Cook and Koochiching Counties. Loggers and resorts were forced to accept Federal regulations which impacted their livelihoods and sources of recreational enjoyment.

In 1978 amendments to that act imposed additional restrictions on local residents. These provisions included:

First, termination of logging within one year following enactment, but with no further logging of virgin forest during that time;

Second, ameliorative measures including land and cover restoration in timber sale areas;

Third, development of timber resources on State, county, and private lands with $3 million annually through 1990, with the Federal share not to exceed 80 percent, and;

Fourth, timber intensification practices on national forest lands outside the BWCA, funded with $8 million annually through 1990.

By approving a timber plan through 1990, Congress recognized the hardship the wilderness legislation would have on local residents. However, timber harvesting practices and the needs of the wood fiber industry in Minnesota have changed significantly since 1978. The industry is now using more aspen for its requirements than soft woods, and the aspen is found in greater concentration on lands outside the Superior National Forest and outside the Chippewa National Forest. Those lands are largely in county and State ownership.

It makes sense to turn the focus of increased harvesting of the lesser-used soft woods away from the Federal forestry lands and onto these under utilized State and country lands where a greater yield can be offered and the needs of the wood fiber industry satisfied. The authorization level provided in section 6(d)(1) of Public Law 95-495 has never been fully used nor is that authorization any longer needed for the purpose originally intended.

The purpose of H.R. 389 is to authorize a revenue-neutral shift of $2 million in authorization from the Federal forestry provision of the Boundary Waters Canoe Area Wilderness Act of 1978 to the State and private forestry provision of that same law through fiscal year 1990. The legislation is limited to those lands affected by Public Law 95-495 because of the serious economic hardship these regions have experienced in recent years, and because the original provisions of the act are no longer applicable to 1987 production needs.

The timber intensification programs have constituted the major portion of the BWCA ap-

propriation every year since enactment. This Federal appropriation, together with State matching funds has funded three program areas, the national forest program on the Superior and Chippewa National Forests, the grant to the State of Minnesota for forest intensification programs on State, county and private lands, and the third program for funding research projects and studies.

The U.S. Forest Service has utilized the funding principally for two activities, reforestation and timber stand improvement, and for road forest work. Accomplishments of this program in the Superior National Forest, for the period fiscal years 1980–86, include the reforestation of 19,238 acres, timber stand improvement of 10,470 acres, construction of 150.6 miles and the resurfacing of 169.9 miles of timber harvest access roads.

Similar success can be found in the Chippewa National Forest, where 2,333 acres have been reforested since 1980; timber stand improvements have been made to 4,019 acres; 79.8 miles have been constructed and 108 miles have been resurfaced.

The BWCAW Act authorizes a total of $11 million annually for intensification of forest management practices outside the Wilderness Area through 1990. The authorization level for intensified U.S. forestry activities in the 1.8 million acres of the Superior National Forest was set at $8 million. However, the Forest Service has never requested more than $6 million to develop additional wood fiber under this authority. The largest amount ever appropriated under section 6(d)(1) was $5.1 million, authorized in fiscal year 1981.

An additional $3 million was authorized for intensification of forest management practices on the 7 million acres of State and local government forests in the region. State and county governments have responded to this Federal assistance by instituting programs to plant more acres, improve existing plantations, and invest in the region's forest road network. In each year that full amount has been utilized.

State and county efforts are in fact stifled by the $3 million cap on forest funds. Local leaders have very limited options available as they work to diversify distressed economies.

Until 1981, our area, St. Louis County specifically, flourished from the presence and prosperity of the mining of iron ore and taconite. We are inherently a mining region. We produce iron ore and make it into taconite pellets which are then shipped to lower lakeports to be made into steel. Until 1980, our mines flourished—people were confident about themselves and about the future.

But foreign penetration of the domestic market, along with an absence of a cognizant American trade policy cost northeastern Minnesota its mining industry and major source of revenues.

We are now in the process of rebuilding—of searching for new ways to utilize our abundant natural resources and human skills. An important factor in that recovery is the development of the wood fiber industry. Counties across the region are looking to the wood products sector to provide employment opportunities for the unemployed.

H.R. 389 will play an important role in boosting these efforts. It is a practical piece of legislation that realistically addresses the need to adhere to budgetary guidelines. The effect of enacting this legislation will be a positive sign for northeastern Minnesota that Congress intends to follow through on its promise to make amends for inconveniences caused by the Wilderness Act. At the same time, H.R. 389 will encourage economic growth and development in those areas where such growth is needed most.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1001

Mr. BORSKI. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R. 1001.

The SPEAKER pro tempore (Mr. GRAY of Illinois). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1001

Mr. KOLTER. Mr. Speaker, I ask unanimous consent that my name be deleted as a cosponsor of the bill, H.R. 1001.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HOUR OF MEETING ON TOMORROW

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on tomorrow, Wednesday, March 11, 1987.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

□ 1500

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1001

Mr. THOMAS A. LUKEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1001.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

UNCARING MEDICARE

(Mr. ROWLAND of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROWLAND of Georgia. Mr. Speaker, in yesterday's New York Times, there was an article entitled "Uncaring Medicare" by Charlotte T. North, a patient who had apparently experienced some of the adverse relationship that has been created by DRGs between physicians, hospitals and patients.

I warned on March 9, 1983, when we were debating the Social Security Reform Act, that we did not know enough about the prospective payment system. We did not know enough about DRG's to implement it at that time.

In fact, not only has this apparent adverse relationship been created, but the costs have not been held down as anticipated.

□ 1250

Referring to the Health Care Financial Review, the fall of 1986 issue, we find this statement: "Despite implementation of the prospective payment system, Medicare expenditures for hospital services rose 60 percent faster than the growth in all nonremaining hospital revenues."

Now we are talking about bringing hospital-based physicians under DRG's—radiologists, anesthesiologists, and pathologists. When will we ever learn? We should look at the past and know what to expect in the future.

Mr. Speaker, the article which appeared in yesterday's New York Times and to which I referred earlier is as follows:

UNCARING MEDICARE

(By Charlotte T. North)

One of the many terrible consequences brought on by the Reagan Administration's efforts to reduce health care costs is the new Medicare patient care policies.

The Medicare program substitutes so-called diagnosis related groups, or categories of illnesses, for the judgment of doctors, who are professionally trained to decide how to treat their patient's illnesses. These rigid groupings dictate how long a patient with a certain illness can stay in the hospital, and they set reimbursement levels for the hospital and the doctor. Doctors are forced to categorize their Medicare patients into one of these groups, which do not take into consideration complications resulting from individual circumstances.

Most patients undoubtedly suffer in silence, but perhaps we can begin to change the policies by speaking out. My case is a good example of how the new policies fail.

Nine years after having had a double mastectomy, I was dismayed to have another malignant tumor appear on my chest last fall. The surgeon who examined the two-inch tumor said that the operation would be performed quickly and that I would be out of the hospital the same day.

On the morning of the operation, I was wheeled to the "holding" room where several patients lay in a semi-conscious state, hitched up to a variety of tubes. A young nurse wheeled me into the operating room, and I asked, "Where is the anesthetist?" "You're not having one," she replied. "Just a local anesthetic."

When the surgeon began the operation, I turned my head away from the scalpel and tried to concentrate on the big clock on the wall, which slowly ticked off half an hour. The surgeon did a remarkable job—probing deeply into my chest to make sure he got the whole tumor, but the deeper he probed

the more I could feel. The nurse held my hand firmly to give me courage.

After the operation, I was wheeled to the nurses' station, where my sister was waiting, and I was still shaking from the operation. Since I was not an inpatient, the nurses told me I was not eligible for a wheelchair, and I was forced to walk in my weakened condition to the elevator and around a labyrinth of corridors through the basement until I got to the emergency exit, where my sister picked me up to drive me home.

Once home, I sank into the sofa in our living room only to be stricken with piercing pains in my chest. The pain was so severe it was almost impossible to move or to get up from the sofa. My sister pulled me up and helped me upstairs.

We discovered that the wound was bleeding and had soaked the bandage. My sister hastily added more bandages on top of the original dressing. During the night, the wound bled more and my sister continued to add bandages. I had to wait until the next day before the doctor could change the dressing.

A few days later, I complained to my chemotherapy oncologist of a low-grade fever. He was surprised and said that none of his other patients had similar complaints. I decided I probably was overly sensitive and had worked myself into a fever from anxiety.

Later that week, I returned to the surgeon who checked the incision. I mentioned the fever and he told me the wound had become infected.

This whole miserable episode was unnecessary. If I had been allowed to stay in the hospital overnight, I would have been able to properly rest from the ordeal in a hospital bed. I would have been under the care of a professional nurse, who would be responsible for taking care of the wound, and I would have been given something to alleviate the excruciating pain.

But the diagnosis grouping for this procedure did not permit payment for an overnight stay at the hospital. The groupings do not take into consideration individual circumstances that may require an extended stay. As a result, people are shunted in and out of hopsitals regardless of their condition.

Many patients suffer needless hardships under the present system, which perhaps threatens their health more than helps it. It's time the Administration faced the fact that categorizing illnesses into rigid diagnosis related groups regardless of individual circumstances is a serious mistake.

THE CONGRESSIONAL PAY FOR PERFORMANCE ACT

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from California [Mr. LUNGREN] is recognized for 5 minutes.

Mr. LUNGREN. Mr. Speaker, in recent weeks, members of the majority party in both Chambers have inflated their rhetoric about budget issues. The chairmen of the House and Senate Budget Committee believe we must retract the deficit reduction commitments we made to the American people when we passed the Gramm-Rudman law in 1985. Congressman WEISS has declared in the New York Times that we must repeal Gramm-Rudman entirely and then raise taxes on the American people. And on last Tuesday, the Speaker of the House called for new taxes on stock market transactions. Apparently unaware of the devastating effect such a tax would have on economic vitality and on the pension funds upon which tens of million of Americans rely, the Speaker argued that we have no other way of reducing the deficit.

Unfortunately, these proposals presume that Congress has already undertaken a responsible evaluation of our fiscal priorities. We not only have no basis for such a presumption, but we must recognize that such claims only exacerbate the ongoing crisis in congressional accountability.

According to my colleague CLAUDINE SCHNEIDER, the 99th Congress found time to approve some 700 commemoratives. But last year, the House and Senate did not manage to complete action on appropriations for fiscal year 1987 until 2 weeks after the fiscal year had begun. In other words, Congress experienced no difficulty in approving legislation like National Bowhunters Week, but found it rough sledding when it came to relieving the concerns of seniors and veterans anxious about the funding of programs on which they depend.

Ultimately, the House and Senate leadership concocted a massive legislative package that, in the words of my colleague DICK ARMEY, contained "more pork than a Jimmy Dean farm." It contained almost all of the appropriations measures for fiscal year 1987. By sending the President an omnibus spending bill, Congress made him an offer he couldn't refuse: sign the legislation or shut down the U.S. Government. It should be clear to everyone that omnibus bills not only damage the constitutional system of checks and balances through a vitiation of the veto power, but thereby end the accountability of the legislative branch to the Chief Executive.

Unfortunately Congress demonstrated further contempt for our budget process in 1986 by passing a reconciliation package that in many ways faked compliance with the Gramm-Rudman mandate. The architects of that measure claimed that it slashed $11.7 billion from the deficit. In reality, they obtained $680 million of that supposed reduction by placing the amount of spending in the fiscal year 1986 accounts instead of the fiscal year 1987 budget they were considering. Magically, these calculations produced a saving in the 1986 budget.

The congressional leadership generated additional questionable savings through $6.4 billion worth of loan asset sales. I find it remarkable that many of those who now denounce loan asset sales as "gimmickry" supported those sales in the construction of the 1986 reconciliation bill. If they find such tactics so outrageous, where were they last year when the Congress approved a bill with $7 billion worth of illusory cutbacks? Some might even argue that the fostering of that illusion approaches taxation without representation. How can we claim to represent our constituents well when we use sleight of hand to confuse them about what we are doing with their money?

In sum, Congress has not only performed poorly in its stewardship of taxpayer funds, but it has gone to great lengths to avoid being held accountable by anyone—whether the White House or the public—for its actions.

As President Reagan pointed out last week the power of Government officers evolves directly from the trust the American people place in them. It is therefore imperative that we move to restore accountability to the Congress. To accomplish that objective, I have introduced the Congressional Pay for Performance Act. Few Americans realize that back in 1982, Members of Congress approved a permanent appropriation for congressional salaries. Under the terms of that legislation, Senators and Representatives receive their pay automatically, without any votes. Even if Congress never passed another bill, Members could continue to receive their monthly stipends thanks to the unknowing generosity of U.S. taxpayers.

My bill would provide that if all the appropriation bills for a given fiscal year are not approved by the start of that year, the permanent appropriation for congressional salary would be waived for that year. In addition, before the appropriation measure for the legislative branch could be considered, all of the other appropriation bills would have to be approved and sent to the President. My legislation would therefore mandate that Congress complete this elementary task before we receive our salaries. It is high time that we were as conscientious about the piece of mind of senior citizens and veterans as we are about our own well-being.

Mr. Speaker, many of us often wonder why it is that voter turnout declines every year, and why so many of our constituents expressed outrage over a pay raise, I do not believe they were so concerted about the dollars involved. Rather, I would submit that many Americans do not believe that they get their money's worth from the Representatives whose salaries they subsidize. The recent announcements that congressional leaders cannot summon the willpower to adhere to the Gramm-Rudman defict reduction targets without a hefty tax increase only confirms this judgment. It is clear to me that for the sake of public confidence in our democracy, the congressional salary and the congressional

work product must be reconnected in the minds of Senators and Representatives. Pay for performance will accomplish precisely this objective.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. PEASE] is recognized for 5 minutes.

[Mr. PEASE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

CONTRA FUNDING MORATORIUM DESCRIBED AS A LEGISLATIVE TRAVESTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 5 minutes.

Mr. GINGRICH. Mr. Speaker, any observer of the new House Democratic leadership team would understand why they are comfortable with a 1-party dictatorship in Nicaragua. After all, Lyndon Johnson's protege is now busy establishing a one-party dictatorship in the U.S. House of Representatives.

Representative BOB MICHELL, the Republican leader, and a normally mild-mannered practitioner of legislative comity, sent a letter to the Rules Committee chairman which indicates just how rapidly the new House Democratic leadership is moving toward a one-party dictatorship.

Mr. MICHEL wrote, and I quote, as follows:

DEAR MR. CHAIRMAN: I have decided not to testify before your committee today as an expression of my total condemnation of the procedures and tactics being employed with respect to the release of the last installment of the monies to the freedom fighters in Nicaragua which the United States enacted as law just five short months ago.

It is my understanding that it is your intention to report a resolution which would negate the law and the procedures established for Congress to respond to Presidential reports and determinations regarding this policy. I believe that any effort to subvert this law is in effect subverting the integrity of the legislative process and undermining respect for the law.

I believe it is irresponsible for your committee to waive the provisions of law as well as those rules of the House which are designed to give the membership and the public a full and complete understanding of the proposal to be acted upon. The joint resolution was just printed last night. There will be no committee hearings, no report to accompany this proposal, no opportunity for minority views, and the minimum three-day layover requirement is also to be ignored.

This process cannot be condoned as it is nothing more than an apparent effort to deny the House the right, a right that had been guaranteed by law, to vote up or down on the question of the release of the final $40 million.

This legislative travesty is no substitute for policy. The policy that underlines this subversion of law is as thin as the report to accompany this measure.

Sincerely,

ROBERT H. MICHEL,
Republican Leader.

BOB MICHEL's anger is justified, but speed is essential to the House Democrats. This leftwing Democratic unilateral surrender in Central America represents a great victory for communism and the Russian empire.

If the Democrats cared about auditing, they would audit aid to communist dictatorships like pro-Soviet Ethiopia and not just audit America's friends who love freedom and oppose communism.

The last liberal Democratic leader from Texas led America to defeat in Southeast Asia. This liberal Democrat leader from Texas seems determined to insure America's defeat in Central America.

If you think I exaggerate, I challenge the Democratic leadership to find one item in their moratorium which the Russian empire would object to. The Democratic leadership is proposing the unilateral disarming of America's friends while the Russians and Cubans keep pouring money into their communist colony. This unilateral surrender by the House Democrats was accurately defined by the Wall Street Journal in an editorial today, and I quote from that editorial, as follows:

When it comes to hamstringing the contras, House Democrats never seem to sleep. After nearly five years of staying up late, thinking of new ways to block U.S. support for the democratic resistance fighting the Sandinistas, they are now trying to turn the fate of the Nicaraguan people over to accountants.

Tomorrow the House will vote on a Democratic proposal to place a six-month moratorium on $40 million in contra aid—aid Congress voted for last year but that hasn't yet been delivered * * * the delay would effectively disarm the contras and cement into place the first Soviet-client state on the American mainland.

Maybe the reasons the House Democrats won't let the contras stand and fight for what they believe in is because the Democrats themselves no longer stand and fight for their beliefs. The House's liberals want to pull the plug on the rebels but, lacking the courage to hold a straight up or down vote on that policy and expose its consequences to the U.S. electorate, they have to disguise their intentions as a funding "moratorium."

What the House Democrats seem to share in common, however, is the apparent belief that if they close their eyes and wish hard enough, somebody—the Contadora countries or unarmed Costa Rica or maybe the U.S. special prosecutor—will make all that unfortunate military nastiness in Central America go away.

It won't of course. If the Sandinistas remain in power, they will surely carry out their promise to spread revolution throughout Central America. The U.S. will have no choice but to invoke the Monroe Doctrine and spend more of its defense budget securing its southern flank by blockading or finally invading communist Nicaragua.

The House Democrats know this, and we suspect that even the ambassador from Sweden knows this. But when the day of reckoning comes, they no doubt also assume that someone else, possibly even a Democratic U.S. president, will bear full, personal responsibility for cleaning up their mess.

□ 1510

Let me say in closing, Mr. Speaker, when you look at the unilateral surrender in Central America being pushed by leftwing Democrats, it is little wonder you are trying to rush this through. If the country understood what you are doing, it would stand up in outrage.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

[Mr. ANNUNZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

A BILL FOR THE RELIEF OF MEALS ON WHEELS OF THE MONTEREY PENINSULA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I am reintroducing a private bill today which I first introduced in a different form in the 98th Congress. During that Congress, it was passed by the House but not considered by the Senate.

I also introduced the bill last year. It was passed by the House after being amended to the form in which I introduce it today. The Senate again did not consider the bill in the last Congress.

In its present form, this legislation would relieve Meals on Wheels of the Monterey Peninsula of the interest and penalties it owes on the Social Security tax it did not pay from 1976 to 1982 on behalf of its employees.

In its original form, the bill would have relieved Meals on Wheels of the burden of paying the tax itself. However, in the interest of compromise, I offered the amendment to eliminate this relief from the bill. Thus, even if this bill is enacted into law, Meals on Wheels will still owe over $33,000 in back taxes. Only the interest and penalties, which now amount to some $40,000 will no longer be owed. Frankly, I am still concerned about the impact that payment of the interest and penalties would have on this vital organization. However, this amendment was necessary to gain passage of the bill in the last Congress, and, I believe, this Congress as well.

The new version of the bill also provides a 90-day grace period which would give the orgaization at least 3 months after the enactment of the bill to raise the funds needed to pay this debt. The IRS has been very lenient with Meals on Wheels, and I would hope that the inclusion of this grace period would be seen as an endorsement of continuing patience by the IRS.

Meals on Wheels of the Monterey Peninsula provides about 100,000 home-delivered meals

annually to shut-ins and elderly residents of the Monterey Peninsula. It has been in operation for 12 years. There is a rising demand for its services, and even now, there is actually a waiting list of people who need the help of Meals on Wheels. Without substantial relief from this tax bill, Meals on Wheels is not going to be able to help these senior citizens.

Meals on Wheels, in addition to at-home delivery, has developed a group meal program to permit the elderly to leave their homes and enjoy social contact. Unlike many Meals on Wheels organizations, it also has a comprehensive health, nutritional, and social service approach which provides broad assistance to hundreds of elderly citizens.

The problem this bill addresses was caused by incorrect advice provided by a volunteer who was an accountant. In 1975, this individual, who has since moved from the Monterey area, incorrectly advised the organization that, as a nonprofit organization, it was not required to pay the FICA tax on behalf of its employees and that the employees also were not required to pay the tax. In 1972, Meals on Wheels had begun to pay the FICA tax on behalf of some employees, although only one employee had actually wanted coverage. Under the law at that time, this obligated the organization to continue paying the tax. But the accountant, misinterpreting a confusing statute, mistakenly advised that there was no obligation and suggested that Meals on Wheels simply stop paying the tax. Regrettably, the organization took that advice, beginning in 1976.

The IRS has assessed Meals on Wheels on unpaid FICA tax from 1976 through 1982, along with interest and penalties. Since 1983, Meals on Wheels has been paying the FICA tax on behalf of its employees, as the law requires.

This bill also includes a provision which ensures that individual employees are not harmed by this legislation. The bill provides that any work performed for Meals on Wheels during this period is credited to the Social Security accounts of the individual workers. The bill avoids bureaucratic problems by requiring that records of that employment be provided to the Secretary of Health and Human Services within a year of enactment of the bill. I have been informed by the Social Security Administration that coverage probably exists regardless of whether Meals on Wheels makes these payments, but this provision ensures such coverage. In addition, I have been assured by a representative of the Meals on Wheels organization that it can and will provide the appropriate employment records to SSA.

I do not generally believe that those who receive incorrect tax advice should not be obligated to pay for mistakes based on that advice. However, this is a unique case. Meals on Wheels is known and respected nationwide. It is an important part of our Nation's efforts to provide the elderly with a means of remaining in their homes instead of being institutionalized. It not only adds incalculably to the quality of their daily lives but also reduces cost for the recipients and government at all levels. For many recipients, the daily visit of a Meals on Wheels volunteer is the only contact they will have with the outside world. Without Meals on Wheels, it is certain that many of these elderly citizens would end up in costly nursing homes or other institutions.

Mr. Speaker, enactment of this legislation could be the difference between a strong, thriving Meals on Wheels in the Monterey area and a weak organization that does not truly meet the needs of our citizens. I certainly hope my colleagues will join me in support of this legislation.

H.R.—

A bill for the relief of Meals on Wheels of the Monterey Peninsula, Incorporated

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as provided in section 2, Meals on Wheels of the Monterey Peninsula, Incorporated (hereinafter referred to as "Meals on Wheels"), and any individual who performed service in its employ after 1975 and before 1983 are relieved of all liability to the United States for the payment of any interest or penalty assessed or accrued on unpaid taxes imposed by chapter 21 of the Internal Revenue Code of 1986 with respect to service performed in the employ of Meals on Wheels during such period.

SEC. 2. The Secretary of the Treasury shall take no action before the end of the 90-day period beginning on the date of the enactment of this Act with respect to the collection of any unpaid taxes imposed by chapter 21 of the Internal Revenue Code of 1986 for which Meals on Wheels and any individual who performed service in its employ after 1975 and before 1983 are liable with respect to service performed in the employ of Meals on Wheels during such period. Section 1 shall not apply for purposes of relieving Meals on Wheels of any liability arising after the end of such 90-day period for the payment of any interest or penalty on any amount of such taxes which remain unpaid after the end of such 90-day period.

SEC. 3. For purposes of title II of the Social Security Act, service performed in the employ of Meals on Wheels of Monterey Peninsula, Incorporated, after 1975 and before 1983 shall be treated (for purposes of benefits for months beginning after the month in which this Act is enacted) as employment, if and to the extend that a detailed record of such service is transmitted to the Secretary of Health and Human Services within twelve months after the date of enactment of this Act.

THE TRADE AND DEVELOPMENT PROGRAM ENHANCEMENT ACT OF 1987

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. BONKER] is recognized for 5 minutes.

Mr. BONKER. Mr. Speaker, the bill I am introducing today, the Trade and Development Program Enhancement Act of 1987, would consolidate the export promotion activities scattered throughout the foreign assistance bureaucracy in the State Department and A.I.D. within a single, independent agency, the Trade and Development Program. The purpose is to enhance the visibility of the exports generated by certain foreign aid funds as well as to assure that our foreign assistance funds are properly and adequately leveraged so as to maximize their export potential for Americans goods and services.

Without creating any new agencies or programs and without adding to the budget deficit, we will accomplish with this bill something our trade competitors learned long ago: that an integrated trade and aid program, such as that carried out by the Trade and Development Program, can both boost exports and stretch our scarce foreign aid dollars.

The Trade and Development Program, created by the Congress 7 years ago, has chalked up an impressive record of leveraging foreign aid to promote American exports. The program has obligated some $75 million total since 1980, and has produced actual and estimated future exports of an identifiable $13.9 billion, of which $605 million have occured to date. On a pro-rated basis, TDP's, average annual expenditure since 1980 of $10 million has produced an average annual return of $86 million in U.S. exports. How has TDP accomplished this remarkable record?

TDP provides small amounts of money for feasibility studies and planning services on development projects in Third World nations. By helping out firms get in on the ground floor to design these big-ticket development projects, TDP can assure that the foreign country will turn to American firms for follow-on work to engineer, construct and manage these projects. Good planning is critical to development and trade, and the country which performs the initial planning is in a superb position to win major follow-on contracts.

In addition to encouraging TDP to continue its successful program, the bill would transfer from AID to TDP responsibility to administer the foreign aid portion of the U.S. mixed credits program, in conjunction with the Export-Import Bank. Since the creation of the mixed credits program in AID in 1983, the Agency has been reluctant to help our exporters facing predatory financing from OECD nations, fearing that such assistance might detract from its developmental mandate. The transfer of this program will assure that our exporters are dealing with an agency well-known as an advocate for enhancing the trade opportunities available through our aid program, and will help stem the billions of dollars lost each year because of a reluctant AID bureaucracy.

It is my hope that this bill will be a centerpiece of the export promotion portions of the Speaker's omnibus trade bill, and that it will receive the widespread support of my colleagues.

COAL PIPELINE ACT OF 1987

The Speaker pro tempore. Under a previous order of the House, the gentleman from Arizona, Mr. UDALL is recognized for 5 minutes.

Mr. UDALL. Mr. Speaker, today I am introducing the Coal Pipeline Act of 1987—infor-

mally known as the coal slurry bill. This bill would allow interstate coal pipelines, which have obtained State authority for water use and are determined to be in the national interest, to exercise the Federal right of eminent domain.

Eminent domain authority has historically been available to other interstate energy and transportation systems—including railroads—and I believe that it is necessary and appropriate to extend such authority to coal pipelines. Without Federal eminent domain authority, coal pipelines will not be built. In order to ensure the security of our future energy supply, we must develop this efficient and environmentally sound transportation system for American coal. I think it unconscionable that over the years we have permitted the railroad industry to block the construction of coal pipelines.

For example, in August 1984, the sponsors of the Energy Transportation Systems, Inc. [ETSI] pipeline project, a proposed coal pipeline from Wyoming to the gulf coast, announced that the project had been terminated. The ETSI pipeline company invested more than $130 million and spent over 10 years trying to obtain rights-of-way for their proposed pipeline. The railroads forced ETSI to litigate easements over railroad rights-of-way 67 times in 6 years. Each time ETSI prevailed on the merits, but the continuous expense of court actions and delays finally took their toll and ETSI was forced to cry uncle to the railroads.

Mr. Speaker, we hear an awful lot of talk about competitiveness lately. Well, competitiveness is not new to those of us who have supported coal pipeline legislation in the past. For years we have been urging passage of this legislation because coal pipelines would mean cheaper and more competitive American coal in the United States and in the world marketplace.

A number of Florida utilities and one Texas utility recently purchased significant amounts of coal—not from coal mines in Appalachia or the Powder River Basin, but from Colombia, South America, and from Australia. It was cheaper for these utilities to buy and transport coal from abroad than to pay for delivered American coal. By protecting railroads from healthy competition we are losing our domestic coal markets to foreign imports and have caused export coal sales to fall from 110 million tons in 1982 to approximately 85 million tons in 1986. By failing to enact coal pipeline legislation when we deregulated the railroads under the Staggers Act, we have allowed the railroads to operate in a monopoly situation resulting in 85 percent of coal hauled by railroad to be captive to a single rail line.

Without coal pipelines to compete with railroads for the coal transportation market, railroads can charge unreasonably high rates, increasing the delivered price of coal dramatically. It is no wonder that some railroads oppose the coal slurry bill. As a consequence of deregulation and the absence of effective competition in the coal transportation market, the railroads are now in a position to force utilities and industrial coal users to pay exorbitant prices for hauling coal. The coal pipeline industry will interject competition into the coal transportation business, deprive the railroads of their excessive transportation charges and decrease the price of delivered coal.

The bill I am introducing today would only allow construction of coal pipelines that first obtain water rights under appropriate State law. The bill would increase existing State authority to control water use for coal pipelines and specifies that pipelines would be subject to State and Federal environmental protection laws. Finally, this legislation would only grant Federal eminent domain authority to those pipelines that the Secretary of the Interior determines to be in the national interest.

Mr. Speaker, the Coal Pipeline Act of 1987 will save ratepayers millions of dollars. The Energy Information Administration has concluded that coal pipelines could reduce coal haulage costs by one third to one half over estimated rail rates for the projected year 1995. This legislation has the potential of creating 375,000 new jobs in construction, manufacturing, and service related industries, and will enable the steel industry to compete for the production of the millions of tons of steel pipe necessary to build coal pipelines in the United States. Finally, the Coal Pipelines Act of 1987 will allow the free market to operate, increasing the competitiveness of American coal in the United States and world marketplace. I urge your support for this important legislation.

ORDER OF BUSINESS

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that Mr. MICHEL and I be permitted to switch order in special orders tonight.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE LAST AMERICAN BICYCLE TIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GAYDOS] is recognized for 60 minutes.

Mr. GAYDOS. Mr. Speaker, before I commence my special order, I yield to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. I thank the gentleman for yielding to me.

Mr. Speaker, I would like to just, in reference to our colleague from Georgia's statement about procedures, I would just like to point out to this body that specific in the rules on Contra procedures, I am going to read section No. 2, which deals with, " . . . and of the right of the Committee on Rules of the House of Representatives to report a resolution for the consideration of any measure."

What I am stating is that I believe the gentleman from Georgia is in error. The House specifically has these procedures where the Rules Committee can supersede the process. In other words, we have a resolution that can supersede the process, and that is exactly what has happened. I just wanted to point that out to my colleagues.

The gentleman from Georgia is incorrect and I have copies of the law right in front of me. I again thank my colleague from Pennsylvania for yielding.

Mr. GAYDOS. Mr. Speaker, on February 27, the last American-made bicycle tire rolled off of the production line at the Carlisle Tire & Rubber Co. in Carlisle, PA. Carlisle is the last of a long line of American companies that have dropped out of the bicycle business.

Since Carlisle started making bicycle tires in 1948, they have produced 117 million tires and 130 million inner tubes. At their peak of production in 1979, they were the largest bicycle tire producers in the world, and workers on three shifts produced 100,000 tires and tubes every day. Since then, about 350 jobs have been lost due to cutbacks in the bicycle tire operation.

According to Carlisle's figures, bicycle tire imports increased from 4 million in 1975 to 22 million in 1985—an astounding increase of 550 percent. As the volume of imports has grown, the number of American bike tire manufacturers has shrunk, until only Carlisle Tire remained—and now even they are shutting down their bike tire operation.

In Carlisle's effort to save their company, they have spent millions of dollars on new equipment and advertising. Jack Hollis, the president of Carlisle Tire & Rubber Co., recently said:

> We are the most modern tire manufacturer in the world, but we've experienced some unfair competition. Taiwan and Indonesia, where labor costs can be as low as 25 cents an hour, can market their bicycle tires and tubes at half the price of the American-made products. Its led us to the point where we're forced out of business. This is the end of an era.

But it is not just the bicycle tire manufacturing industry that is suffering. The whole American tire industry is in trouble. In 1980, tires from France, Japan, Korea, and other nations captured 10.8 percent of our automobile tire market. Last year, these countries took 23.7 percent of this $13.4 billion replacement tire market—a 6-year increase of more than 100 percent.

And, by 1990, industry analysts predict that foreign tires could grab as much as 27 percent of the U.S. tire market—a 10-year increase of 150 percent.

Thus, the American car tire industry is being subjected to the same competitive pressures from foreign firms that forced the bicycle tire industry out of business.

On March 3, Firestone Tire & Rubber Co. announced that it is going to close three of its remaining five tire plants in the United States. The closings will cost at least 3,200 jobs, lower-

ing the number of North American Firestone tiremaking workers to 6,000. These remaining 6,000 workers are divided between two plants in the United States and two in Canada.

Mr. Speaker, I am getting tired of reading newspaper articles about suffering American businesses. Almost everytime I look at the business section, it is filled with stories about companies that are either going bankrupt or are having serious financial problems.

I remember in the late 1970's and early 1980's when computer technology was the wave of the future. Producing semiconductors, personal computers, and computerized gadgets was going to revitalize American industry; computers sales and fabrication were going to reverse the downward trend of job loss in heavy manufacturing.

Computer manufacturing was expected to solve all of our economic problems created by plant closings and layoffs in such basic American industries as the manufacture of steel, gloves, automobiles, machine tools, television sets, textiles, apparel, and consumer electronics.

Well, we are losing our edge in the computer market. Cheap Indochinese copies of our best computers are surging into our market at prices far below those we can afford to offer. They may not be as well made, but they do the job at a fraction of the cost of a comparable American model. So, computers fizzled out as the savior of America's manufacturing sector.

The latest theory is that we really do not need to be bothered by our problems with manufacturing competitiveness. The New York Stock Exchange recently wrote: "A strong manufacturing sector is not a requisite for a prosperous economy." Their theory maintains that we should not be concerned that last year our Nation posted a dismaying $170 billion trade deficit.

It also proclaims that we should concentrate on the fact that we have a healthy service sector economy. Forbes magazine has said that:

> The United States should be concentrating its efforts on strengthening its services, instead of following the Pied Piper of re-industrialization.

The idea that our whole manufacturing capacity can be gutted without crippling our Nation neglects the fact that many service jobs are directly tied to manufacturing. If you lose manufacturing jobs, you will lose—not develop—high-paying service jobs.

Manufacturers use the services of banks, computer companies, lawyers, accountants, shipping and trucking companies, stock brokers, financial consultants, insurance companies, and many other services. If we allow our manufacturing capability to fail, the economic impact will be utterly devastating.

I believe that Mr. Robert Anderson, chairman of the Hannah Mining Co., is in a good position to understand the problems of manufacturers and the problems with the present focus on a service-sector economy. He was certainly correct when he said:

> When the steel and iron ore industries seek enforcement of domestic trade laws, they are accused of being "protectionists." Yet, let a rumor spread about the failure of a major money-center bank and the government is on the scene within hours offering billions in financial guarantees. Why, I ask, has the Government not offered similar help to the U.S. steelmakers?

This help has not been offered to our steelmakers and it was not offered to our bike tire manufacturers. According to Mr. Hollis, Carlisle first went to the Federal Trade Commission in 1978 to file an unfair trading case. The FTC ruled in their favor, but the administration at that time failed to act to help the industry. Carlisle's court battle against their competitors has cost the company about $500,000. Finally in 1985 the Federal Government ruled that Korean and Taiwanese companies had been dumping their products in our market, but by then it was too late.

Mr. Speaker, perhaps the main reason that the Government does not seem to care about the decline in our manufacturing capability is that we never look at the real reasons why foreign companies can sell their goods in America cheaper than we can. Basically there are two sets of advantages which some foreign producers have over American businesses. First of all, some foreign manufacturers enjoy any number of the following fair advantages:

First, lower production costs;

Second, better product research and development;

Third, cheaper raw materials;

Fourth, better management techniques;

Fifth, higher worker productivity;

Sixth, lower wages based on a lower cost of living;

Seventh, more efficient manufacturing techniques;

Eighth, cheaper transportation of products and raw materials;

Ninth, less government regulation; and

Tenth, lower taxes.

All of the preceding advantages are perfectly fair and within the rules of fair play in business. If foreign nations can produce goods more cheaply, then more power to them. What is completely unfair is when foreign nations are allowed to break and bend the rules to lower the prices of the products which they export to the United States. There are many ways in which our foreign competitors do this, including the following unfair advantages:

First, government subsidized product research and development;

Second, government tax breaks and tax incentives to private exporting companies;

Third, pricing exports below their production cost;

Fourth, wages below subsistence level;

Fifth, the use of child labor;

Sixth, unhealthy or dangerous working conditions;

Seventh, government loans and subsidies for private manufacturers;

Eighth, tariff barriers on American goods;

Ninth, lack of trading reciprocity; and

Tenth, abnormally long working hours.

Mr. Speaker, these unfair trading practices have killed the American bicycle tire industry, they have almost killed the car tire industry, they have undermined the American steel industry, and they are about to put a whammy on our computer industry.

More importantly, when are we going to stop it? When are we in Congress going to realize that we are not playing on a level field in international trade? Sanctions, excise taxes, voluntary restraint agreements, trade treaties of dozens of different varieties—What have they gotten us?

They have gotten us the biggest trade deficit in the history of the world—$170 billion last year—and nobody expects any miraculous improvement this year!

The time has come for us to look seriously and intelligently at American's trading posture. We need to decide where to concentrate our energies and most importantly we need to develop a comprehensive strategy for international trade.

I support some of the present trade bills which my colleagues have offered, but we need to go beyond short-term solutions to our trade problems. I believe that what we need is a cabinet-level agency in the executive branch which would consolidate Government functions relating to international trade and investment. To reach this goal, I have introduced H.R. 646, a bill to establish a Department of Trade.

The Department of Trade would assume the responsibilities of the U.S. Trade Representative, the International Trade Administration, the Bureau of Economic Analysis, the Export-Import Bank, and several other offices and agencies. This authority would enable the Secretary of Trade to develop and coordinate U.S. international trade policies with respect to industrial and agricultural products, investment, services, and raw materials.

Mr. Speaker, I am convinced that a Department of Trade could help reduce our current $170 billion trade deficit. A centralized Federal agency to negotiate and enforce trade agree-

ments and to help develop America's exporting capacity would certainly improve our international trade.

This Department could monitor all of the various facets of the manufacturing of foreign goods. It could accurately and easily determine if unfair trading practices existed, and adjust our treatment of these exporters accordingly. We could thus efficiently and effectively reduce dumping, countervailing, and subsidization, which have all been common practice with some of our trading partners.

The new Department of Trade would also monitor our industries which export and we would be able to identify problems before they reach crisis proportions. If the Department of Trade had been established before now, we might have avoided the tragedies I have outlined in the bike and car tire industries.

Passage of H.R. 646 would signal our commitment to American industry, both now and in the future. It would streamline the Government's trade-related agencies and it would help us develop and implement a far-reaching trade policy.

I believe that a Department of Trade would reduce our overwhelming trade deficit and that it would benefit businesses and all of the American people. I urge all of my colleagues to cosponsor and strongly support H.R. 646.

GENERAL LEAVE

Mr. GAYDOS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. (Mr. GRAY of Illinois). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE ENERGY INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. ARCHER] is recognized for 60 minutes.

Mr. ARCHER. Mr. Speaker, I appreciate this opportunity to help call attention to the urgent need for the Congress of the United States to address the serious national security concerns caused by the depressed state of our domestic energy industry.

Just a few short years ago, dependency on foreign oil imports was considered to be one of the greatest threats facing our Nation. "The Energy Crisis," as it was called then, and the need to achieve energy independence was the issue before the Congress.

A special Ad Hoc Energy Committee was formed to develop a comprehensive legislative solution to the problem. A new Cabinet-level Department of Energy was created. A series of new laws were enacted to ensure that never again would the United States find itself at the mercy of foreign governments which could control the world's supply of oil. Never again would we allow ourselves to be so dependent upon imported oil.

Today, 14 years later, we are perilously close to the same high degree of dependency that so aroused the Nation's fears at that time.

But there is a major difference between the situation 14 years ago and that of today. Our domestic oil and gas industry is now in such a weakened state that it can no longer be counted upon to make up the shortfall if and when another supply disruption occurs.

R.W. Scott, editorial director of World Oil magazine, recently compiled several graphic statistics which illustrate the seriousness of the situation in the industry.

Domestic drilling activity decreased by 44.7 percent between 1985 and 1986, the greatest decline in the history of the industry. In my home State of Texas, drilling was off by 57.8 percent.

Oil production in the United States during that same period experienced its greatest decline since 1979. Importantly, 70 percent of the decline in production in the lower 48 States occurred in the last half of 1986.

Average net crude oil imports rose from 4.2 million barrels a day in 1985 to 5.2 million barrels a day in 1986—a 24-percent increase in imports.

Interestingly, the increase in imports from Saudi Arabia alone almost exactly matched the decrease in production in the lower 48 States.

Domestic exploration and production expenditures have been cut almost in half during this same period.

Importantly, these statistics themselves are not the story. They are merely a numerical symptom of the devastation that has taken place in the industry upon which this Nation ultimately must depend to run its factories, heat its homes, fuel its transportation systems, and provide the feedstocks from which millions of products are manufactured.

Hundreds of thousands of American oil and gas industry employees have been laid off—resulting in massive unemployment in related industries and the service sector as well. Thousands of homes have been lost. Life savings have been wiped out. Individual and business bankruptcies are an everyday occurrence. An alarming number of the financial institutions in those regions have already closed their doors—with more to follow. Entire local and regional economies have been devasted.

So how has the Congress reacted so far? With silence.

Those of us from the energy producing regions of the country, a decided minority in Congress, are painfully aware of the economic situation in our States and congressional districts.

We're also painfully aware of the very real threat that continued inaction on the part of the Federal Government poses for all Americans and the vitality of the Nation as a whole if steps are not taken immediately to preserve our ability to find and produce domestic energy.

A wide variety of ideas have been proposed to help bring that about—including a series of legislative solutions which I have personally offered. Others who will speak here today have proposals of their own. Many of us have joined together in cosponsoring combinations of those ideas. But we have a problem.

We can't even get comprehensive hearings on those proposals in the committees which have jurisdiction over many of the issues involved. That is why today I began circulating a letter—to be signed by Members of the House—making another formal request for hearings in the Ways and Means Committee on the various tax proposals which have been introduced this year to prevent the further demise of the domestic oil and gas industry. I urge my colleagues to join me once again in making this request for hearings.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 1987.

Hon. DAN ROSTENKOWSKI,
Chairman, House Ways and Means Committee, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to you to request that the Ways and Means Committee conduct hearings without delay on the wide variety of legislation which has been proposed in this Congress to address the rapid decline of our domestic energy industry's ability to prevent a dangerously high dependency on imported fuel and feedstocks.

The near collapse of our domestic energy industry is a critical national issue—although the current symptoms of the industry's devastation may now appear to be more regional in nature. While we are now seeing the destruction of entire local, state and regional economies, massive regional unemployment and the financial ruin of millions of low and middle income American families, it is only a matter of time before the entire nation suffers economically from our reduced ability to provide energy for our domestic needs. How quickly we appear to have forgotten the bitter lessons learned in the last decade.

Surely, the full Ways and Means Committee, or at least its Oversight Subcommittee, can find time in its schedule to consider those matters under its jurisdiction which address these concerns before a full-scale energy crisis grips the nation once again.

We strongly urge you to permit the issues to be reviewed thoroughly in your Committee so that we can seek solutions to this national concern before it is too late.

Thank you very much.

Sincerely,

BILL ARCHER.

□ 1540

I have already been able to obtain over 30 signatures on this letter, and there will be more to come.

Some of the solutions which I have proposed are to return the depletion allowance to 27½ percent, to create a new marginal production tax credit; to assist in seeing that marginally high cost wells are not closed down and lost forever for the people of this country. Also an exploration tax credit which would provide a 15-percent tax credit for expenses incurred in exploratory activities. A repeal of the crude oil windfall profit tax, a tax which costs, according to estimators, $1 billion a year just for administrative and paperwork costs, and produces not one red cent of revenue to the Federal Government.

Repeal the Fuel Use Act so that natural gas can compete with other fuels freely in the marketplace. Deregulate the pricing of natural gas.

Complete filling the strategic petroleum reserve with domestically produced oil.

Change the property transfer rules so that major oil companies can transfer high-cost properties to independents and permit them to continue to be operated while regaining the depletion allowance.

Expand the definition of intangible drilling costs to include geological, geophysical and surface casing expenses as deductible items.

Eliminate the requirement that integrated producers capitalize 30 percent of their IDC's.

Repeal the current law 50 percent net income limitation for application of the percentage depletion allowance.

Mr. Speaker, I have with me today other colleagues who would like to join with me in this special order.

Mr. Speaker, I yield to my colleague, the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas, Mr. Speaker, I thank the distinguished leader of the Republican delegation from Texas for yielding. His leadership on this issue is much appreciated, not only in our State of Texas but in the entire country.

Mr. Speaker, the colleague who spoke before us in a special order talked about the bicycle tire industry in his home State declining and going out of business. He indicated that in the peak year of production the company that he was alluding to manufactured in the neighborhood of 117 million bicycle tires. That is a tremendous number of tires.

I would point out that the numbers of barrels of oil that we are going to import this year in even a 10-week period is going to far exceed the number of bicycle tires and their value that the other gentleman was referring to. It certainly is unfortunate that the bicycle tire industry is on hard times, but not all of us ride bicycles. Some of us can get by without a bicycle. None of us can get by without energy, none of us can get by without using in some shape of form either petroleum products or their derivatives.

My colleague from Texas, Congressman ARCHER, indicated that imports have gone up 1 million barrels of oil per day in the last year. They are going to go up even more in the coming years.

It is known in the oil industry that the peak year of production for a new oil well is the first 3 years. Three years ago we had in the neighborhood of 3,000 drilling rigs in operation. I think last week we had in the neighborhood of 800 drilling rigs in operation. Three years down the road our production is going to decline dramatically, and we will be importing not 5.2 million barrels of oil per day, but probably 7, even 8 million barrels per day.

How does that effect our balance of payments? It affects it very negatively.

Take Congressman ARCHER's 1-million-barrel increase on a daily basis in oil production in oil imports. If you take 1 million barrels a day, you multiply that times $15 a barrel, that is $15 million a day you are paying for imported oil. If you multiply that by 7, that is $105 million a week additional you are paying for imported oil. If you multiply that by 50, you are over $5 billion per year in increases in imported oil, and that is a cost that has gone, those dollars are out of this country.

We need to do a lot of things. I happen to be an original cosponsor of Congressman ARCHER's energy security package he has put together. This is a very good step.

Not many in our country know what the Fuel Use Act is. They do not know what the windfall profit tax is. They do not know what depletion is. They are not familiar with some of these incentives that we are talking about.

But the bottom line is the combination of the fuel use tax, windfall profit tax, removal of depletion incentive add to our costs in the United States an average $5 a barrel in finding cost that the rest of the world does not have to deal with. That puts us at a competitive disadvantage right off the bat.

We could go a long way toward maintaining the existing domestic production if we would enact in a very expeditious fashion Congressman ARCHER's package.

There is one more thing that I would like to suggest to the Congress and the country that we consider. It does not have the total support of the Texas delegation or the House, but we should at least consider seriously an oil import fee. We are talking about a major trade bill this year. Our major trade import is oil. We should at least debate it, and honest men can disagree honorably on whether that is in the best interests of the country or not. I happen to think it is.

I would like to close with a story that puts in perspective what we are talking about here in the oil and gas industry. I have four district offices in Texas, one in Bryan, College Station. My district representative there until 2 weeks ago was a lady whose husband worked in the oil and gas business. He drilled water wells for oil and gas wells and he also went in and did some rework on oil and gas wells.

Two years ago there were in the neighborhood of 100 drilling rigs working in Brazos County. Last week there were none. As a consequence of that, my district representative's husband is now in the jewelry business in Austin, TX. He is not out working in the energy sector.

That is one individual who is no longer in the business of finding oil and gas and providing domestic production, providing domestic security for this country. Five years from now when the price goes back up, will he come back into the oil and gas business? Probably not. Will the thousands and hundreds of thousands that Congressman ARCHER referred to come back into the oil and gas business? Probably not.

So what is our alternative going to be at that time? It is going to be to pay more for more imported oil from overseas.

I commend my colleague from Houston for holding this special order and look forward to working with him in this Congress to try to finally do something about our oil and gas industry in the United States.

Mr. ARCHER. I thank the gentleman for his comments.

Mr. Speaker, I yield to the gentleman from Austin, TX, Mr. PICKLE.

□ 1550

Mr. PICKLE. Mr. Speaker, we are becoming dependent on foreign sources more and more. In January of this year, we are at 38.2 percent dependent on imported energy, and that may be a generous figure.

So we must do something about it, and I commend the gentleman for holding these hearings. I also have joined with the gentleman in asking the chairman of our committee to hold some public hearings on this question so that we can examine what is a good national energy policy. I hope that we can publicly examine that, because we have no serious problems.

This special order is just a good way to start this whole question, and I hope we can continue it, because nothing is more important to our country.

Mr. Speaker, millions of Americans are still blissfully unaware that the United States is drifting aimlessly toward an energy crisis that could wreak havoc on our economy and seriously endanger our national security.

The need for a coherent, consistent, and comprehensive national energy policy has never been more apparent. Unfortunately, our efforts to develop such a policy are hampered by a tendency to see America's energy problems in regional terms and a dangerous assumption that there can be no harm in lower prices, rising demand, and increasing reliance on OPEC imports.

I hope this special order can refute some of those notions and focus national attention on America's precarious energy future.

The statistics, Mr. Speaker, tell only part of the story.

In January of this year we imported 6.3 million barrels of oil per day. That is an increase of 1 million barrels per day—or 19 percent—from January 1986.

In January of this year we were 38.2 percent dependent on imported energy. In 1985, our level of dependence was only 27 percent.

Oil from the Persian Gulf now accounts for almost 15 percent of our imports.

The lethal combination of rising imports and recently rising prices for oil could add as much as $12 billion to America's trade deficit this year.

Clearly, we are importing more of our energy requirements, and much of that increase is coming from the Persian Gulf. As we import more, we are also producing less energy here in the United States.

Throughout most of 1986 the Department of Energy grossly underestimated the falloff in domestic production. DOE had been using figures of about 300,000 barrels per day, but by December, when the true picture was finally presented to the American public, it was acknowledged that domestic production was down by almost 700,000 barrels per day.

Much of that lost production comes from stripper wells which are especially vulnerable to shut down as a result of lower prices. Stripper wells constitute over 70 percent of the producing wells in this country. Their average production is only 2.7 barrels per day. However, in the aggregate, they account for almost 15 percent of our domestic production. Mr. Speaker, thousands of stripper wells were shut in 1986, and their production was lost forever.

It may be possible to argue the fine points or put a special spin on the statistics, but the trends are clear and they are alarming: The United States is producing much less energy here at home. Demand is increasing dramatically due to lower prices. And we are importing more from abroad, renewing our dangerous reliance on precarious supply sources in the Persian Gulf. We have already surpassed the levels of dependence that triggered the gas lines in the seventies.

I want to join my colleagues in stressing the urgent requirement for policies to address the energy crisis looming on the horizon. I am especially interested in policies that will decrease our dependence on imports and provide some relief to the thousands of independent producers who take most of the risks and find most of the oil in this country. I know the major integrated producers are hurting, but I also know they are somewhat protected by their diversified resources. If dependents do not have those resources and for those whose only business is looking for oil, there is the real danger that they will go under once and for all.

Mr. Speaker, I think we need an oil import fee. And I think we ought to repeal the windfall profit tax. Recent studies suggest that the energy industry pays $100 million a year just to fill out the paperwork on a windfall profit tax that is not even being collected because prices are so depressed. We need to look for new incentives to protect marginal wells and encourage domestic production. We need to finish the job of deregulating natural gas and removing end-use restraints.

Perhaps most important, we must reach a national consensus on the existence of an energy problem and develop a strategy to deal with it. Our accelerating dependence on imported energy has obvious national security implications and a significant, negative impact on our balance of trade. The policies of a cartel are driving thousands of independent producers to the brink of bankruptcy and forcing the United States to shut down a portion of its energy potential.

Mr. Speaker, we must find some honest answers to a very real and immediate problem that threatens America's future as the most powerful and prosperous Nation in the world. You can be sure I will be working with my colleagues who share my concern about energy policy to find those answers.

I hope our Ways and Means Committee can hold hearings to examine this whole policy, and I have joined in asking our chairman to publicly examine this serious question.

Mr. ARCHER. I thank the gentleman for his comments, and it might very well be that his committee, the Oversight Subcommittee of the Committee on Ways and Means would be the instrument holding these hearings and I share the gentleman's hope that actually in a sense in an importunate way that the chairman of the committee, the gentleman from Illinois [Mr. ROSTENKOWSKI], will permit the gentleman from Texas [Mr. PICKLE] to hold those hearings before his Oversight Subcommittee.

Mr. PICKLE. Mr. Speaker, I hope that he will do that, and it needs to be done. I thank the gentleman from Texas [Mr. ARCHER].

Mr. ARCHER. Mr. Speaker, I now yield to the gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Mr. Speaker, I thank the gentleman from Texas [Mr. ARCHER] for holding this special order to bring attention to something we know is extremely critical, not only in our State but certainly in our Nation as a whole.

I join with you in the efforts; I commend you on your leadership in this body for this industry and for the Nation as a whole, and I want to join with you in all of the efforts which you are taking.

Mr. Speaker, it is unfortunate, I think, that so many times that this is looked at as a regional, parochial problems. Certainly those of us who represent heavy oil and gas producing districts understand and are aware of the fact that the economy is suffering tremendously in those areas, and while I would like to be able to stand up here and talk to you for countless numbers of hours, unfortunately, about the individual situations in those areas, I think the real concern that we all have is not the immediate impact or the long-range impact on those areas as much as it is upon the impact that this national crisis can have on this country.

As the gentleman from Texas [Mr. ARCHER] indicated earlier, the many people who gave warning signs and warning signals prior to the problems of the early 1970's, those signals and those signs should be seen today because they are very real and they are going to have equally if not much more significant impact on us today than they did in the early 1970's.

I think many times people look at this as an issue where you are basically pitting the producer against the consumer; and I think nothing could be further from the truth.

The consumer wants, obviously, an adequate supply of energy at a reasonable price. I do not know of a producer in my district or in any other part of this country that does not want to be able to fulfill the same goal; and that is, an adequate production at a reasonable price.

Producers in my district tell me that they would like to be able to make money at $15 a barrel. Many of the things that the gentleman from Texas [Mr. ARCHER] and others who have joined with him, hopefully will provide that opportunity so that we can

have stability, we can have quality, we can have fairness in the energy industry and at the same time continue to provide for that consuming public an adequate supply.

The differences now, and they were in the early 1970's, are significant, in the fact that we have seen such a tremendous reduction, as the gentleman said earlier, in his opening remarks, we are now seeing a tremendous reduction in the number of exploratory wells. We have seen a tremendous increase of nearly 40 percent in the use of imported oil in just 1 year. It has increased by more than 24 percent.

We have seen a continual decline, not only in the drilling activity but certainly in the production activity in this country as well, and if the trend continues, we are going to see that drastic decline expected through the year 2000.

People who do not understand this industry do not realize that we cannot just go out and turn on a spigot. If tomorrow we wake up and have a severe energy problem and an energy crisis, we cannot supply the needs, we become more and more dependent upon foreign sources; we become more and more at their whelm of whether or not they are going to provide us with the adequate supplies that we need, we simply cannot go out and turn on the spigot.

It takes years of exploration, it takes years of production just to bring us back to what we have already lost in the past 5 years. There has got to be some certainty that there will be an industry with some stability, in order to attract the investment dollars that it will take for exploration and for production, for those dry wells that they will hit when they are out there looking for new production in this country to meet our needs; and in order to do that it is going to take a lot of dollars and a lot of years to do it.

We have a number of options that are available. A lot of us have, for a number of years, expressed the significance; what we think, and that is to get the Government off the backs of the industry; to deregulate the industry to the extent that we can, and we certainly continue to try to push for those measures.

There are other alternatives, as the gentleman from Texas [Mr. ARCHER] mentioned. He and others of us have joined together. We have separate and independent bills that we are all looking at in order to try to provide and bring some stability and some equity and some fairness to this business; that if in fact we cannot make some of the changes that some of us desire, there are other things that we potentially can do.

I want to join with the gentleman in the letter to the Committee on Ways and Means, to the chairman, to ask for hearings; because it is something that is not just a parochial or not just a regional problem, or something that is of a severe nature in this country.

ACT FOR ENERGY INDEPENDENCE NOW

Mr. Speaker, this Nation faces a serious energy situation. With domestic production continuing to decline because of depressed prices at least through the year 1991, little doubt exists that our Nation's energy producers, and all the economy founded on a healthy, stable energy supply, are in trouble.

The question becomes what are we as a Congress going to do about it? Members from producing States have suggested that an oil import fee is an option. Members from consuming States have made it clear that it is not.

This is not a regional battle. The entire Nation will ultimately suffer if we lose our ability to meet our energy needs. We in Congress must find some solution, a place to lay aside our regional differences, resolve our regional concerns, and responsibly address the critical problem we face.

As one promising approach, I have introduced the Energy Equity Act to achieve this goal. This bill would invert the windfall profit tax to allow producers to collect a refundable tax credit when the market price of oil falls below the base price, just as the industry presently pays a tax when the price of oil exceeds that level. I believe this measure is a fair means of returning a small amount of taxed-away revenues the industry badly needs.

H.R. 1029 is based on a simple concept—equity. If the Federal Government punishes oil producers when the market price of oil is high, it should help protect them when the market price is low. The Federal Government has received over $78 billion from oil producers through a special tax directed to only one industry. The Government must now meet its responsibility and keep this essential component of our national economy from collapse.

The Energy Equity Act provides fair help to the ailing oil industry without raising prices to consumers. It provides more stable prices on which to make financial decisions without creating additional bureaucracy. Finally, it will provide oil producers protection without impacting our foreign policy concerns. I believe this bill gives the industry the help it deserves without breaching our responsibilities to those who believe they have benefited from the drop in oil and gas prices.

Crude oil supplies 42 percent of our total energy needs in the United States. With our dependence on imported oil growing at a dangerously rapid pace, nearly 40 percent of total supply in 1986, we are on the verge of losing the ability to meet the needs of our Nation. We must act and we must act decisively to move toward energy independence.

Mr. ARCHER. Mr. Speaker, I thank the gentleman for his comments, and I yield to the gentleman from Louisiana [Mr. HAYES].

Mr. HAYES of Louisiana. Mr. Speaker, images and impressions. Those are the things that guide us through most of our lives; and as I drive along on weekends at my home in south Louisiana, looking at the image and impression of an industry in shambles, I think of the words to try to explain to you what it is like to pass the "for sale" signs on house after house after house; to look at a turned-over tricycle in a front yard, and convert that to facts that you will understand.

An industry is not relegated to a financial statement disclosed quarterly; does not belong in a board room of the corporation's meeting. An industry belongs out where it lives, thrives, grieves, and part of that industry lived in south Louisiana.

There was a time when my home State could have been counted upon for any national emergency, to provide for the rest of this Nation the energy necessary for almost any extreme event; and that unfortunately is no longer true.

For the image that we have now in south Louisiana is one of our best and our brightest students leaving our State; of unemployed petroleum engineers working at any jobs available if and when jobs are available. We have shifted the ability to supply the world's energy outside the boundaries of this country.

When the Sun comes up tomorrow, and when it goes down tomorrow evening, this Nation will have lost the capacity to produce 1,000 barrels of oil. We are now creeping past 4 out of every 10 barrels that we rely upon someone else to bring here. Those are facts; those are the realities.

For my colleagues who live in the rest of the Nation, I might remind them that my good friend, Mr. GRAY, representing south Philadelphia, when one of his constituents comes in, late in the evening, turns on a gas jet, the capacity to produce the pipelines necessary to deliver that product to home heating for those children going to school the next morning is not only severely in jeopardy, but almost mathematically certain not to exist within the next several months.

What you refer to in the newspaper headlines as a gas bubble is nothing more than an inventory; whether your business is selling shoes, selling pipe or drilling for oil, it is an inventory rapidly depleting, to the point where now and 30 months from now, we will be wondering whether we can ship No. 6

crude through pipelines that quite frankly are not designed and technically do not have the capacity.

The oil and gas industry, in south Louisiana, in Texas, in Oklahoma, is trying to create the correctness of a false impression. Those men and women in that business who have never seen a Lear jet, never ridden on one and certainly never owned one. Those friends of mine in high school who worked offshore in the Gulf of Mexico supporting their families, that is the real oil business.

In my home in Lafayette, there were 1,800 individual companies at one time. Now there are less than a third that many. There were 15,000 independent producers at one time in this Nation; now 5,000 are gone.

There are what are known as stripper wells. Those are small quantity amounts which, at the present price, simply cannot any longer be produced but in their aggregate of 45,000, account for almost 15 percent of our total production and day by day by day, they are going off-line; they are not economical, they can no longer exist. And no price is going to bring the vast majority of those back on line.

□ 1600

The time between exploration and reaching the pump can be as much as 5 years in the Gulf of Mexico; if you are lucky as short as 30 months. Those are the times that you may recall in the midseventies which created the long delays between those lines of cars waiting at pumps and being able to refuel vehicles. Well, that is it; impressions and images.

What the gentleman from Texas is asking is that the appropriate committee in the House of Representatives also listen to the facts, both those in the industry with the knowledge of the engineering to be able to say that we are approaching a crisis level and those who understand the implications to our national security of reaching that 40-percent level of imported oil; and ultimately those people who will suffer most from a tremendous increase in the price of natural gas or the price of oil.

I thank the gentleman for this opportunity to stand on the floor of the House of Representatives to present some of the facts, but more than that to present some of the feelings and impressions from being mistaken.

Mr. ARCHER. I thank the gentleman for his insights and for his contribution.

Mr. Speaker, I yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. I thank the gentleman for yielding. I appreciate the gentleman taking this time for us this evening to speak about a very important issue. I also appreciate the gentleman's leadership on this issue and on many others as the senior ranking Republican from the Texas delegation; he is very instructive to all of us.

I might mention that Mr. ARCHER's bill is really what we need to go forward in this area. I also appreciated the remarks of the gentleman from Louisiana. I am afraid too many of our colleagues from around the Nation and too many of the citizens from around the Nation have drawn their conclusions about the oil industry from the movie "Giant" where they saw great gushers of oil or from "Boom Town" where they saw great gushers of oil and they lost sight of the fact that most of the oil is produced by small independents and by small family operations living off of the relatively meager earnings they receive from stripper wells.

Oil is a high risk industry. The people in the industry are independent businessmen and women. They are people of courage, they are people of vision, they are people who take risks to find a product and they are people who have been in the past badly misunderstood.

There can be no doubt that pursuant to the problems we had in 1973 that the rapidly rising oil prices drove inflation up in America. I think there can also be no doubt that Congress reacted improperly to that and heaped on the industry regulations that were not justified for the many ills of the domestic industry and certainly did nothing but make a bad situation worse.

I have talked to my independents back home and they have told me consistently that they want the Government to get out of their business, allow them to be free to produce and pursue profits in a fair environment and they will keep American energy independent. It is far better we should react now by undoing some of the bad legislation that has come before than by heaping new legislation on an already beleaguered industry.

In that respect I think Mr. ARCHER's bill represents a comprehensive response to the needs of the industry that will not only help our producers regain their place in the world's industry, but help our consumers to also enjoy the benefits of a thriving, prosperous, independent, domestic industry. And, also, to restore those jobs, that economic well-being, to some regions of the country that right now are suffering under this circumstance.

Let me mention a few points. Abolish the windfall profit tax: This tax was passed with malice in the first place. It was not justified. As it stands now, even the price of oil is low, so low that people do not pay the tax, they still have to bear the cost of $1 per barrel to report the tax.

Can you imagine that as the law is currently constituted, even though producers may have gone 1 or 2 years without profits, that the day that price reaches $18 per barrel and remains there they will pay windfall profits as if they had actually existed, adding even further burden.

Now is the time to take this unreasonable and unnecessary tax off the books. Repeal the Fuel Use Act. Again, during another time it was thought to be necessary. It has been disruptive and depressive to the industry.

Restore the percentage depletion allowance: This is seen by too many people as a special favor to a special industry.

You must understand that exploration, drilling, and search for oil is a highly risky business. As in any other business if you are going to attract investors into the area, put rigs into the field and put people to work, you must make it possible for them to earn an after-tax return that will justify their taking the risk in a high-risk business.

It is time we restore that. Now, the strategic petroleum reserves, I think it is appropriate that at least one-half the oil deposited here should be domestic purchased.

We should allow for natural gas cooperatives, again allowing small independent organizations to find in that mutual strength, mutual economic health and an opportunity to provide jobs for more Americans. Deregulate natural gas: This is again removing from current law regulations and administrations imposed on the industry by our Government at another time when in fact it was probably not necessary or desirable even then.

Eliminate the property transfer rules. Forbearance in banking regulations is also needed. It escapes my understanding why if two responsible people, one in the oil industry and one in the banking industry can sit down and between themselves renegotiate terms of a debt, to reconstruct a payment schedule that allows both organizations to remain in business and work their way through hard times, it escapes my understanding why anybody would want to interfere with that. Now is the time to loosen the regulations and allow the responsible people in both industries to negotiate terms. We need to do something about the provisions for abandoned wells. This is extremely important. We must understand when a stripper well is lost and shut down, those reserves are lost to us forever. We do not come back later and turn that spigot on. That well is lost. We must try to save those.

Finally, remove the prohibition on the exportation of Alaskan oil. This one always amuses me. We have many, many people in this body who will complain about our bilateral trade relationships with the Japanese and even within the context of those complaints they will allow us to have a restriction specifically on the exporta-

tion of Alaskan oil to the Japanese. Removing this will help us, help the Japanese, and help our balance of payments.

There are so many things we can do. I thank the gentleman from Texas for recognizing that and calling us together to make the point that the time is now, there are so many things we must do. We must deregulate this industry, we must provide freedom, flexibility, and opportunity to people in this industry and in so doing guarantee the American consumers that they will not again sit in long gasoline lines.

I thank the gentleman again for his time.

Mr. ARCHER. I thank the gentleman for his perspective and his contribution.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, the prospect of a future energy crisis has increasingly become a topic of debate both in and out of Washington. More and more, the media is emphasizing the potential of oil shortages and gas lines.

I would not minimize the consequences of these events or question the very real possibility that these predictions could become reality. I would argue, however, that we are already facing a crisis of a sort and that is a crisis of complacency.

Less than a decade after we faced our last energy crisis and boldly declared our energy situation the "more equivalent of war" we have come no closer to achieving energy self sufficiency, and in many ways have actually retreated from this goal.

After years of progress in reducing energy dependency the United States is once again losing ground on several fronts.

In 1986 oil imports rose 23 percent, to 33 percent of supply. Today imports represent 38 percent of supply. Both Government and private organizations project that if current trends continue this Nation could be more dependent on foreign oil than it was in 1977 when imports peaked at 46 percent.

Where these imports are coming from also adds to the growing feelings of insecurity. Oil imports from the volatile Middle East rose 300 percent in 1986.

Domestic oil production dropped 700,000 barrels per day last year and exploration and production budgets were cut one-third. Oil and gas drilling activity fell 50 percent in 1986 and has dropped 85 percent since 1981. The current drilling slump has led the Congressional Research Service to project that domestic production by the year 2000 could decline to the lowest levels since 1961.

In 1986 demand for oil was up 2.5 percent despite the sluggish economy.

These statistics have not all occurred in a vacuum. Congress and the administration are in part to blame for a number of policy decisions made in the 1980's absent a clear and present energy crisis.

In 1978 in the midst of the energy crisis Congress by an overwhelming majority mandated expedited exploration and development of the Outer Continental Shelf. Just 3 years later Congress imposed a ban on oil and gas leasing activities on portions of the Outer Continental Shelf. The acreage covered by moratoria has rendered unavailable for exploration estimated recoverable resources totaling more than three times the amount of oil stored in the strategic petroleum reserve.

By the year 2000, only 13 years away, one-half of total U.S. oil production will have to come from fields not yet discovered. At least one-half of future U.S. oil discoveries will come from the Outer Continental Shelf.

While opponents of Outer Continental Shelf leasing will argue that there are alternatives, we cannot escape the fact that the use of oil and natural gas is pervasive in the U.S. economy, accounting for two-thirds of the Nation's energy requirements. In addition to supplying transportation, military, and agricultural needs, oil and natural gas are the major fuels for residential and commercial heating.

Further, there are currently no ready substitutes for many petroleum products. America is a nation on wheels and oil and natural gas supply 99.8 percent of the transportation sector's energy requirements.

In 1979 Congress and President Carter agreed to commit $20 billion to the newly created Synthetic Fuels Corporation with the mission to encourage private industry to create substitutes for oil and gas from abundant domestic resources such as coal and shale. In 1985 Congress completed the work begun the year before and dismantled the Synthetic Fuels Corporation.

Also in 1979 Congress appropriated $747 million for the Department of Energy's Fossil Energy Research and Development Program. That figure has been more than cut in half, dropping to $296 million for the current fiscal year. That $296 million figure, however, is significantly more than the administration's request of $83 million.

Congress has also slowed the fill rate of the strategic petroleum reserve to about 75,000 barrels per day, down from a peak fill rate in 1981 of 292,000 barrels per day. The President's fiscal year 1988 budget would reduce that rate even further to 35,000 barrels per day.

Minus a clearly visible energy crisis we are retreating on all fronts from our objective of energy security.

From a national security perspective, from a balance of payments perspective and from the perspective of insuring that our domestic energy industries can continue to compete in a world market, we must pursue a balanced energy program.

We cannot afford to put all of our eggs in one basket, as we did in 1980 with the creation of the Synthetic Fuels Corporation. It is the cumulative contributions of a viable strategic petroleum reserve, domestic exploration and development, research into alternative fuels, demonstrations of new technologies to burn coal cleanly and continued conservation measures that together represent a formula for national energy security.

Omit any one element and we risk opening ourselves up once again to OPEC blackmail. The American people have a right to expect more from Congress and the administration. They have a right to expect that we have learned something from the lessons of the 1970's.

Let's hope we do not disappoint the American people. Let's demonstrate to them that we can reverse our traditional national behavior and respond in a noncrisis atmosphere.

□ 1610

Mr. ARCHER. Mr. Speaker, I thank the gentleman from Ohio [Mr. REGULA] for some excellent comments.

I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I also would like to join my colleagues in thanking the gentleman from Texas [Mr. ARCHER] for calling this special order.

In my judgment, this Congress needs to begin focusing on the problems of the energy industry and today's comments will certainly promote that goal.

My colleagues today have addresed many important issues regarding the energy industry. However, aside from the very valid arguments concerning national security and lost jobs in the energy industry, I feel that we should also include just how the oil and gas industry affects this country's overall competitiveness.

Competitiveness is the new buzzword up here on Capitol Hill. Many of us are concerned that this Nation is not competing as well as she could or should. But I doubt if many realize just to what degree intrusive and outdated regulations on oil and gas production raise our cost of living and of doing business. Virtually every business and home in this country must rely on natural gas, gasoline, heating oil, and many other petroleum products for their everyday livelihood. Therefore, when we increase the cost of energy, we increase the costs of doing business, we decrease the ability

of those businesses to compete in a global market, and we decrease the real incomes of every citizen in this country. The sooner we become cognizant of these facts, the sooner we can begin restoring this country's position of global productive preeminence.

On Tuesday of last week, I launched a new coalition of businesses, organizations, and Members of Congress who are committed to dealing with this country's competitiveness. This coalition is called PRICE [People Restoring an Internationally Competitive Economy]. One of the most important objectives on our list of "Things to Do" is deregulation of the energy industry.

□ 1620

Mr. Speaker, there are many ways that our Government adds to the cost of energy in this country. For instance, the Fuel Use Act prevents certain industries, such as utilities, from using natural gas even though it is substantially cheaper than alternatives. For instance, it is absurd for a power company in Texas to have to ship in coal from Canada instead of being able to burn inexpensive, plentiful, and clean-burning natural gas from wells that may be right next door. This translates into higher electricity costs for consumers and lost jobs for those involved in drilling for natural gas. According to one very conservative estimate, over $6 billion could be saved in construction costs for pollution abatement equipment on generating plants that would not be required if natural gas were burned rather than coal.

It is incredible to me that in this Congress, the contradictory Congress, as I call it, on the one hand we are fighting to repeal the Fuel Use Act so that power companies can burn clean coal and, on the other hand, we are trying to spend billions of dollars requiring powerplants to buy equipment to clean up the coal that we are mandating they burn. Furthermore, repeal of the Fuel Use Act would create at least 300,000 new jobs by the end of the century due to increased efficiencies and would add $15 to $35 billion to real GNP each year.

We also need to eliminate the windfall profit tax. I wonder how many people realize the amount of paperwork companies are required to fill out even though the Federal Government isn't collecting a penny of tax because of the low price. Do we really want to force companies that are losing money and laying off workers to fill out this needless paperwork? Some have said that it is costing a billion dollars a year for American companies to comply with the provisions of the windfall profit tax. That is $1 billion of competitiveness that this Congress could easily restore.

The windfall profit tax is only one area of our tax policy which adds to the cost of producing American energy. Over the years, taxes on the energy industry have been raised significantly, in part because of a perception that everyone involved in the oil business is sinfully wealthy. Well, I can tell you that is not the case. The oil business has its good times, but it also has its hard times. When we put excessive taxes on our energy industry we are weighting down, not just the energy industry, but our whole economy. By artificially inflating prices we hurt everyone—consumers and producers. If this Congress was serious about attacking our competitiveness problems they would put aside their protectionist tendencies and look to a positive future. A future that will glow brightly fueled by deregulated energy.

This Member from Texas—from Houston, TX—is not asking for a handout: We are asking for a breakout. Help us break out of the shackles of needless Government regulatory and taxing policy, and we will produce for you low-cost energy and security for our Nation.

Mr. Speaker, I thank the gentleman for yielding.

Mr. ARCHER. Mr. Speaker, I thank the gentleman from Texas [Mr. DELAY] for his statement.

Mr. Speaker, I yield to the gentleman from Texas [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I commend my colleague, Mr. ARCHER, for bringing to the attention of the House today the plight of the oil and gas industry.

I am sure that we are all aware of the economic hardship that has befallen the U.S. energy producing community as a result of foreign governments' manipulation of the oil market. During 1986, the average price of OPEC oil dropped from $27 to $16. In August, world crude sales averaged as low as $9.25.

The impact of these statistics is severely felt by the people of the State of Texas and other oil-producing States. I cannot remember a time when the outlook in Texas, and in my city of Houston, was so bleak for so many.

The unemployment rate in my State remains around 10 percent, despite recent efforts to diversify away from our traditional reliance on oil and gas. For each $1 barrel drop in the price of oil, Texas loses roughly 25,000 jobs, $3 billion in gross economic output, and $70 to $100 million in State and local tax revenue.

But this situation is not simply a problem in the Southwest—it is of major concern to our entire country. Today, just 10 years from an oil crisis that paralyzed the Nation, oil imports are nearing 40 percent of U.S. consumption.

Our country is heading toward a real energy crisis—and a national security crisis as well. National Security Chief Frank Carlucci recently told a group of my colleagues that he plans to urge the White House to devise ways to lessen the U.S. dependence on imported oil. The administration must recognize that it has a role to play in avoiding the impending crisis; I hope that it will do so soon.

One answer to both the energy problem and the Federal budget deficit is the oil import fee. I intend to introduce legislation to impose an import fee on oil in the coming weeks. My legislation will impose a variable fee on imported oil and petroleum products, with no exceptions. A variable import fee with a $25 per barrel trigger was recently estimated by industry sources to double the active drilling rig count in 6 months and immediately begin arresting the decline in U.S. oil production. These results would be of enormous benefit to both oil producers and oil consumers.

I also intend to introduce legislation to repeal the windfall profit tax. No more than a trickle of revenue is being gained by the tax—the cost of collecting and accounting for it dwarf the revenue that is realized.

However, repeal of the windfall profit tax would send a message to the industry that our Government is moving in the right direction on energy issues. Removal of this disincentive would permit oil producers to use funds now devoted to useless administrative activity for exploring and developing badly needed reserves.

In short, my message is simple. Unless we take action to stop the flow of imports through enactment of an oil import fee we risk the lines at the gasoline station that we experienced in the 1970's.

Unless we make a real commitment to enhancing our national security by strengthening the domestic oil industry, we will lose it once again.

Unless we give the oil-producing States a signal of our national commitment to preserving their jobs, we will have to become accustomed to an unemployment rate of 10 percent that saps their traditional spirit.

As George Santayana once said, "Those who cannot remember the past are condemned to repeat it." Today, all of us in Congress must both remember the past, and act on it.

Mr. ARCHER. Mr. Speaker, I thank the gentleman from Texas [Mr. ANDREWS].

Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. INHOFE] for his comments.

Mr. INHOFE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I come here today to join my colleagues in expressing concern over what is happening to our

economy, not just to the economy in our part of the country. Certainly anything we have heard about the State of Texas is also true to at least that same degree of the State of Oklahoma.

Certainly the windfall profit tax is something that we are all concerned with. It is not that it would mean that there is any such thing as a windfall profit taking place today, but it is the general psychology of those people who are willing to venture their capital but who are not willing to do so if they are going to be concerned with an attitude that if there is such a thing as a profit someday in the future, it would be taxed. Certainly I could use an example the Fuel Use Act, if you look at our part of the country out in Oklahoma where we have an abundance of clean-burning natural gas and are forced into using something that is much more expensive ultimately for the consumer.

I could talk about the economy in Oklahoma and about the problems we are all suffering out there, but I would like to approach the subject and at least give some recognition to something of far greater significance, and that is the real issue here as it affects the consuming States as well as the producing States, and that is our own national security. I think if we would stop and think, Mr. Speaker, about the last two major wars we have had in this country, we would realize the outcome of those wars has been determined by who had control of the energy.

We can recall that prior to the entrance into the Second World War by the British, they were mostly concerned about being able to get over to the refineries in the Caribbean. We look at the Japanese and remember that before getting into the Second World War they wanted to be assured of getting access to those oilfields in Indochina, Indonesia, and the Malay Peninsula so that they would have that to rely upon. Then we saw ultimately the final decline and the outcome of the war being determined to a great extent by cutting off the access of the Germans to the Romanian fields.

□ 1630

I feel as far as a floor is concerned, a floating floor or any type of an import fee, that it is going to be either now or later. It is something that is going to happen when the people of this country realize that our national security is at stake.

I was talking to a group of independents not too long ago and I asked them the question as to what price per barrel would allow them to take the necessary risk to go out and explore. They said it depends on when it happens. If it happens this year, maybe $20. If it happens 2 or 3 years from now, it could be $40, $50, or even $60 a barrel before they could be willing to take and to risk their capital.

The reason is that we have an atrophied exploration industry in this country. Each month that goes by, it gets more serious. So I join certainly Mr. ARCHER and the rest of my colleagues in looking at this very serious problem that is facing our Nation: Our Nation's security.

Mr. ARCHER. I thank the gentleman for his comments and I yield to the gentleman from Texas [Mr. BOULTER].

Mr. BOULTER. I thank the gentleman for yielding to me.

Mr. Speaker, I would like to say that we are all indebted to you, BILL, for calling this special order. All of us in oil PAC States know what a decimated domestic petroleum industry is doing to our economies because we see it first hand.

I think there is a growing awareness throughout the country of how important this industry is to other basic industries like the steel industry, and we have heard something about that today. I think there is a growing awareness also that in the future, in the near term in fact we will be more than 50 percent dependent upon foreign imports of crude oil if we continue at the rate we are going. We are going to face serious disruptions. We are going to have those long lines again. What gets me is that I do not know of any other basic industry in our country that has just been totally disarmed, so-to-speak, by State-controlled economies, foreign governments, with such economic hostility. And they declared that economic hostility. They have announced, the Persian Gulf States, the OPEC cartel, announced, that they were going to drive out of business the high-cost, marginal producer and they have done that. We all know what has happened to the service-related industries.

So I would just thank you for doing this. We need a national energy policy to cope with the problems. We need to restore stability to the industry through a floating floor, in my opinion, to stabilize prices, but we also need incentives built back into our Tax Code to expand the reserve base, to keep our wells producing and to offer incentives to people to explore and drill. I know that you are the expert at that, BILL; you have done more in that area than I suppose any person in Congress so I thank you for this special order today.

Mr. ARCHER. I thank the gentleman for his very kind comments.

Mr. LELAND. Mr. Speaker, I thank my good friend, BILL ARCHER from Texas, for yielding. I also would like to thank the gentleman for sponsoring this special order on the current state of the oil and gas industry. The industry is in a crisis and in need of congressional leadership for assistance in its time of need.

Mr. Speaker, almost a year ago to this date, 11 of my colleagues joined me in a special order on this very subject. Unfortunately, the industry is no better off today than it was a year ago.

As many of you know, my home State of Texas built its economy on the oil and gas industry and the industry remains our economy's foundation. The energy industry has supported the growth of Texas' schools and universities, its banking and real estate sectors and an effective system of government. And I might add, the Nation has benefited from Texas' success as well.

I am probably as close as anyone to the heartbeat of the energy industry. My congressional district has more oil and gas headquarters than any other congressional district in this country. The fortunes, and now the woes, of this industry are having a devastating impact on my constituents.

The numbers and hence the economics of this problem are staggering. For each dollar the price of oil drops, Texas loses 25,000 jobs, $100 million in State and local tax revenues and $3 billion in overall economic activity. Last summer the Texas legislature was forced to hold an emergency session to balance the State budget. The recent increases in the price of oil will make a token, if any, change in our State's economic vitality.

Since 1981 Texas has lost more than 118,000 manufacturing jobs and 33,000 jobs in the drilling industry alone. Many other Texans also have lost their jobs, including white collar workers and retail and service employees. But unemployment is only one of the symptoms of the energy slump.

Texas' banks, financial services and commercial real estate companies also have been hard hit. The Texas banking industry is in such an upheaval that two major Texas banks have merged and another major bank has been purchased by an out-of-State bank. Thousands of square feet of high rise office buildings lay vacant.

Mr. Speaker, I do not stand here today to ask this Nation to have sympathy for Texas. I don't presume that the Nation has the responsibility to solve my home State's current financial problems. Texas will take care of its problems. We have done it in the past and will do so in the future.

Yet, we must be mindful that the decline of the energy industry is not simply a Texas problem or an energy producing State problem. The decline of this industry cuts right to the core of this Nation's economy—the manufacturing sector. The people of this great Nation must understand that the vitality of our Nation's economy is dependent on an energy supply that is stable in price and supply.

This past Sunday, the Washington Post ran an article with the headline, "Concern Grows Over Rise in U.S. Oil Imports." I hope this headline indicates that we have passed the euphoria of lower gas prices at the pump and heating fuel costs for our homes. While we all enjoy a bargain, this one could soon be temporary and permanently overshadowed by OPEC's increasing dominance of the energy marketplace.

Our Nation's energy exploration efforts are almost at a complete standstill. A year ago

our national rig count was 1,308 and today it is only 839. This reduction in rig count is in addition to the 50-percent decline in the rig count of 2 years ago. Last year we imported 33 percent of our oil while our consumption rose 3 percent and domestic production slipped 6 percent. Foreign oil imports in 1977 were almost 48 percent of the market during the height of the energy scare in the late seventies. The National Petroleum Council recently predicted that we might again reach that peak in 1990—only 3 years from now.

The precipitous drop in oil prices has discouraged companies and in particular, the independents, from drilling for new reserves. This same circumstance also results in lower levels of domestic production. The negative effect of these circumstances results in increased imports of foreign oil to meet increased demands that have been fueled by the present low cost of oil.

Mr. Speaker, we know too well why exploration and production are down: the absence of economic incentives. Until we restore the incentives that will increase domestic production, we will continue down the road to rising foreign oil imports. And that is why I support an oil import fee and in particular, the National Oil Security Act proposed by my colleague JOHN BRYANT.

I know there is a great debate in the Congress about the propriety of an oil import fee. Energy Secretary Herrington opposes the idea as "protectionist" and "artificial". President Reagan, however, may be warming to the idea. Even those in the industry are not unanimous in their support for an oil import fee. However, the increasing influence of foreign exports has prompted many former industry opponents to voice their support for an oil import fee.

Mr. Speaker, it is clear that without some form of oil import fee our Nation's energy industry will continue to suffer from the present disincentives of the market. I urge my colleagues to take a stand against our dependence on foreign oil imports and to support the oil import fee. Our Nation's energy industry, and most importantly, our Nation's security is hanging in the balance.

Mr. STENHOLM. Mr. Speaker, our Nation's domestic oil and gas industry is currently experiencing the worst bust ever in what has historically been a "boom and bust" industry. The politics and dynamics of the Nation's attitudes and responses are understandable, if not unfortunate, and call to mind the words of the German philosopher Georg Wilhelm Friedrich Hegel who wrote, "What experience and history teach is this: that people and governments never have learned anything from history, or acted on principles deduced from it."

For those enjoying the benefits of cheap oil, there seems little reason to question the forces at work within the market. And it is difficult to convince the nonproducing States that we are heading toward an energy crisis when gasoline prices are lower than they have been in years, and home heating oil is moderately priced.

In response to the 1973 and 1979 oil crises, the domestic oil and gas industry vigorously pursued exploration and development of the remaining high-cost U.S. reserves. The United States had already been through the discovery of the big oil fields and the easily accessible crude had long since been tapped. Only when OPEC had driven up the price of oil could our domestic oil and gas industry afford the expensive development of the remaining U.S. reserves. It is the potential loss of these high-cost reserves which will prove devastating to producing and consuming States alike, once the OPEC cartel again controls the price and supply of oil.

I would like to address my comments to a segment of the oil industry which has been especially devastated by last year's precipitous drop in oil prices, namely stripper wells. A stripper well is a well that produces fewer than 10 barrels per day. Stripper wells account for 15 percent of U.S. oil production, and these wells typically average just under 3 barrels per day.

These wells, operated by small, independent oil operators, produced just under 464 million barrels for the Nation in 1984. These are not J.R. Ewing operations, nor are they all located in the "oil patch" States. The stripper wells in Illinois produced almost 26 million barrels in 1984, while Ohio's wells produced over 10 million barrels and those in Michigan produced over 3 million barrels.

In 1985, when the price of crude oil was $25 to $28 per barrel, 16,024 stripper wells were plugged. In 1986, with the severe downward trend in crude oil prices, our Nation lost in excess of 40,000 additional wells and probably a daily loss of 300,000 barrels of daily stripper well production. This will have a negative impact on the 20-plus States which have stripper well production, to say nothing of the impact it will have on the national economy as oil imports increase.

Domestic production has been steadily shrinking as stripper and high cost wells are shut in exploratory efforts are reduced. Last year, U.S. oil production dropped 9 percent between February and December, and yet the Nation used more oil than it had since 1980. Oil imports rose 1 million barrels per day, and imports from the volatile Persian Gulf quadrupled. 1986 saw thousands of companies in the U.S. petroleum business go bankrupt, while hundreds of thousands of workers lost their jobs. Domestic drilling reached the lowest level since World War II, and this low level in drilling activity will result in an even more dramatic decline in domestic production within the next few years.

The drop in world oil prices has caused changes in the economics of other energy sources as well. Coal prices have dropped, and the development of alternative and renewable energy sources has been all but abandoned. The United States has the resources necessary to alleviate the next energy crisis, but it needs a national energy policy to help unlock them.

Despite the current oil glut and low oil prices, the United States remains vulnerable to future supply disruptions, economic problems, and threats to our national security. Unless our Nation adopts a realistic and reasoned response to the crisis facing our domestic energy industry, devoid of partisanship and regionalism, our Nation will not be able to avert another energy crisis.

Mr. ENGLISH. Mr. Speaker, I am pleased to join with several of my colleagues today in addressing the increasing need for a national energy security policy to help reduce our growing dependence on foreign imports.

Last month, I introduced H.R. 924 which establishes an oil import fee and repeals the windfall profit tax. I introduced this bill in an effort to establish yet another starting point for discussion within the Congress on resolving this urgent matter. In the past, Congress has failed to completely address this issue and thereby resigned the nation to face another energy crisis in the near future. How soon we choose to forget our history, Mr. Speaker, when our Nation was in the midst of a severe energy crisis during 1973–74. Yet, I am hopeful this session of Congress will choose to resolve this issue once and for all and restore the energy independence enjoyed by the United States only a few short years ago.

The level of oil imports to the United States has grown dramatically in the past few years. We currently import nearly 6 million barrels of oil each day, compared to only 1.1 million barrels in 1980. Industry observers predict that within 2 years we will be importing as much as 50 percent of all petroleum products consumed in our Nation. This compares to 36 percent during the Arab oil embargo in 1973–74 and 47 percent during the peak in 1977. As we increase the level of imports, we simultaneously shut down domestic production. What many fail to understand is that once a producing oil well is closed in, it is economically unfeasible to open the well and restore active production. The costs of doing this are simply too prohibitive.

I am pleased the administration is beginning to understand the seriousness of this problem. Just recently, Interior Secretary Donald Hodel warned that the United States could be headed for another energy crisis. His prediction was based on the soaring demand for imported oil over the past few years. Joining Secretary Hodel in this assessment was National Security Advisor Frank Carlucci who, last week, announced he will arrange for the President to direct the NSC to develop proposals and a national energy policy to deal with the national security threat resulting from increasing imports.

Mr. Speaker, I continue to voice great concern over the deterioration of the economies of the energy producing States of our Nation. We cannot continue to turn a deaf ear on this impending strategic disaster, but instead we must take bold steps to ensure that our country will never be held hostage again by unfriendly Arab oil suppliers. Such steps should include the following measures:

First, we must implement a reasonable oil import fee to bring an end to the instability of world oil prices and the economic havoc which results in our energy-producing States. By establishing an acceptable floor price, we will eventually stabilize prices within the United States that will enhance continued exploration and production.

Second, we must repeal the windfall profits tax. Under current conditions, there is no use for this tax as oil profits are nonexistent. The paperwork associated with this bureaucratic nightmare is meaningless and serves only to discourage our producers from drilling new wells.

Third, we must repeal the Fuel Use Act as restrictions established in this act are no longer necessary. I will soon be introducing legislation which calls for the repeal of this act and thereby restores the opportunity of using oil or natural gas as a primary fuel for new industrial and utility plants. There are vast untapped resources of natural gas available in our country today. This legislation will allow us to once again utilize this wealth of energy which has been unavailable over the past several years.

Finally, we in Congress should carefully consider the feasibility of opening a portion of the Arctic National Wildlife Refuge to oil and gas exploration. A vast amount of energy is contained within this area in Alaska. By tapping this resource in the years ahead, we can take one giant step in restoring our energy independence while maintaining the fragile ecological balance within the refuge.

I appreciate the opportunity to participate in today's discussion and hope my colleagues will join with us in the months ahead in resolving this potential national crisis.

Mr. WATKINS. Mr. Speaker, folklore has it that Emperor Nero played the fiddle while Rome burned. In reality, more than likely the madman strummed a lyre. In any event, the phrase has come to mean that authority stood idly by when positive action could have reversed the trend. And, in my judgment, there is a modern day analogy.

One man, King Fahd of Saudi Arabia, has decided that the world price of crude oil should be $18. At that price, the kingdom can reap the most benefits from its vast crude oil reserves which, unlike the U.S. production costs of close to $20, has a lifting cost of $1 to $2 a barrel. At a world price in 1985 of $27 a barrel, price of product caused conservation because of costs while the $27 price also created an impetus for too much oil-exploration elsewhere in the world to suit the Saudi king.

I wish to share with my colleagues a little history of the circumstances which have brought us to the brink of disaster.

Saudi Arabia's Ahmed Zaki Yamani, who had guided the policy of the OPEC cartel through other perilous times, held the view that the price of oil should be low enough to encourage consumption, but not high enough to stimulate high-cost production, which is the relative category of most of United States production. In 1985, Yamani got tired of Saudi Arabia abiding by the rules and curtailing its production while other OPEC countries cheated and sold what they could. Yamani started pricing crude oil on the basis of product sale which resulted in their increasing sales and the collapse of world prices. He got fired as the price plunged from a high of $32 for 1986 west Texas Intermediate to around $9.50.

In the United States, thousands of wells were abandoned; hundreds of producers and petroleum firms were bankrupt; thousands of workers were thrown out of work.

Last week, Secretary of Interior Donald P. Hodel said that the gas lines of the 1970's were certain to reappear in the United States in from 2 to 5 years. Secretary of Energy John Herrington apparently disagreed with him as to the magnitude.

Regardless of how you personally view this matter, I have some horrifying information I wish to share with my colleagues, Mr. Speaker, culled from several sources including principally World Oil magazine, as well as from sources at the Independent Petroleum Association of America, Petroleum Information, the Society of Exploration Geophysicists, the Association of Oilwell Servicing Contractors, and the American Petroleum Institute, all recognized authorities and reliable sources for information about the petroleum industry.

First, from World Oil, a review of 1986 and a preview of 1987:

In 1985, drilling was down 44.7 percent over the previous year, at 72,086 wells to 32,201. Projection, up less than 1 percent.

Active rotary rig count was 969.8, down 50.9 percent from 1985's 1,975.5, the worst year and the largest drop since the Hughes Tool Co. began counting in 1940. The lowest weekly rig total was also recorded during 1986, when 663 were running July 14, 1986. That was only four more than the number of rigs running in the State of Texas alone had in operation the same week in 1985. Projection, about the same level as 1986.

For the first time in history, the international rig count passed the domestic rig count in March 1986. Until December, international activity was higher than domestic activity. Projection, down 5.7 percent.

Total drilling permits fell 50 percent in 1986, from 83,099 to 41,592. New-field wildcat permits were off 50.7 percent while other wildcat permits were down 48.9 percent. Development well permits declined 50.1 percent.

Oil well completions declined approximately 40 percent over the previous year. And, 13,000 fewer dry holes were drilled in 1986 compared to 1985. Usually, that's a good sign, but not in this case because it reflects the total decline in petroleum and natural gas activity.

U.S. crude production in barrels per day fell for the first time since 1981, dropping 3.4 percent, giving average daily production of 8.6667 million barrels. February 1986 production was 9.181 million barrels per day; by December, the figure was 8.334 million, a loss of 847,000 barrels per day, with 303,000 barrels of the lost production coming from Texas.

Nationally, the Nation lost 23,222 producing oil wells—3.6 percent—in 1986, the first drop since 1976, and again, the worst in history. Natural gas production fell 5.5 percent nationwide which followed an 8.1 percent drop in 1985. So far, since 1981, natural gas production has fallen 77.7 percent. Natural gas production is 76.8 percent of 1979's and 69.5 percent of 1973's.

Seismic crew activity has declined for 14 months in a row, dropping from 397 crews working on land and sea to 155, a 61-percent decline. The 1986 crew count was down 71.1 percent from a high of 681 in 1981, and 48 percent below 1985's 378.25.

New field wildcats fell 40.2 percent to 2,844 from 4,755 in 1985.

One out of three of the over 8,000 available oil-well servicing rigs in the United States and Canada were working at year's end.

And, as I said, thousands of workers in Oklahoma, Texas, Louisiana, Arkansas, Kansas, California—name a producing State—were thrown out of work with the resultant drain on the Federal Treasury of taxes lost from good-paying jobs plus the additional costs of unemployment insurance and welfare payments.

Thousands of companies, as I said, have gone bankrupt. The United States does not have the refining capacity, if we had the domestic crude supplies, to meet our needs. We have become, once again, addicted to imported crude oil and refined products.

In September of 1986, the United States imported 747,000 barrels of oil per day from Saudi Arabia, a country which furnished NO petroleum during the same period last year. Nigeria rose to second supplier to the United States, displacing Nos. 1 and 2, Mexico and Canada, in 1985. Imports from our North and South neighbors fell from 571,000 to 563,000 from Canada and 823,000 to 560,000 from Mexico. Overall imports are 24 percent higher that they were 1 year ago and now account for 35 percent of the United States demand. Again, in other words, one out of three barrels of oil consumed in the United States is from foreign sources. And, throughout it all, the domestic petroleum industry has cratered, to use an oil-field term.

For the first 9 months of 1986, a sampling of 15 leading oil companies showed a 37-percent drop from capital projects and exploration. World wide, the same companies showed 30-percent reduction. Projections, with $18 crude, majors are planning a 16-percent increase in wells drilled, weighted to shallow development in California and Kansas. Independents plan a 13.4-percent increase, again mostly in Kansas. The Kansas activity is keyed to a Kansas corporation commission ruling which will permit drilling of additional wells in the Hugoton Gas field.

By 1991, domestic crude oil production could be 2 to 3 million barrels a day less than it is now, while domestic consumption cold increase by like amounts—from imports, of course. In 3 or 4 years, imports could represent 60 percent of U.S. demand.

The Norwegian Oil Review for 1986 states that Norway will be the economic loser if the United States places an import fee on crude oil which, Oystein Noreng writes, will lower the price of oil in the world market. Mr. Noreng states that in the Reagan administration, weakened by Iran-controversy, Secretary of State George Shultz is probably the only principal opponent of an import fee. His strength—and tenure—remains to be seen.

In January 1987, a study based on the premise of energy security by 2000 resulted in a trilateral report being made by the Georgetown Center for Strategic and International Studies, the Royal Institute of International Affairs, London, and the National Institute for Research Advancement, Tokyo.

One of their conclusions was: a minimum import price [MIP] on imported crude and products could be effective in protecting indigenous energy—including coal, nuclear and new alternatives as well as oil and gas—from disasterously low international prices providing the MIP was introduced by the United States, the European Community and Japan. They further conclude that it makes little difference whether the desired price level is reached by a fixed or variable tariff. And, they stated that the level at which the price is set will either

act as a guarantee against disaster or as an incentive for additional investment. The point is also made that this type of approached was used by the International Energy Agency in 1976.

The study further concluded that the countries comprising the Organization of Economic Cooperation and Development—which includes the United States, Canada, Western Europe, Japan, and Australia—have the choice of leaving their countries to ride the roller coaster of successive supply interruptions and price disturbances or of adopting sustained and coordinated measures to counter what are essentially political, not market forces, in the price and supply of crude oil and refined products.

Mr. Speaker, why are we fiddling while America burns? Why is the United States embarked on a course which is sure to place us at the mercy of King Fahd, his cohorts and/or successors? What is going to happen to this Nation's security and economy when he decides the price of a barrel of crude oil is $118 or $218 or $318 and that we can have only 2 million barrels a day?

We are spending one-third of a billion dollars a year on a defense machine which, for the lack of secure supplies of energy, will be worthless, Mr. Speaker, without fuel. This Nation's policies have unilaterally disarmed us in the field of petroleum imports while other policies are disarming us from a manufacturing position. We won't have the trained people nor the machinery to defend ourselves.

From that standpoint, Mr. Speaker, the television show, "Amerika," may not be far from base after all.

Mr. LIVINGSTON. Mr. Speaker, I am pleased to join with my colleagues here today in a special order regarding the oil and gas industry. As you know, our domestic industry has suffered a great deal from low world oil prices and antiquated regulations put into place during previous administrations. It's time that this Congress puts aside its differences in order to promote an effective energy policy designed to reduce our dangerous dependency on imported oil.

Unemployment in the energy-producing States is running well above the national average, with Louisiana leading the Nation at over 13.5 percent. Our oil and gas production continues its long-term decline and the resulting loss of jobs is taking a tremendous economic and social toll on our citizens. The key, Mr. Speaker, is jobs. We need to put our people back to work and I have a few suggestions about how this can be accomplished.

We need to promote production of domestic energy resources, despite low prices, and we must do all we can to encourage continued exploration of our own energy reserves. I encourage all of you to take a close look at H.R. 534, the Emergency Energy Act of 1987, which was introduced by BILL ARCHER. It includes a number of excellent provisions that will help the oil and gas industry.

For instance, it calls for a tax credit, not to exceed $5 per barrel, for each barrel of domestic crude oil produced from marginal wells. Since many of our marginal producers are being driven out of business by low oil prices, this provision will help keep domestic production going until prices rise. This legislation also provides a 15-percent tax credit for expenses incurred in exploratory activities, and it expands the definition of intangible drilling costs to include geological, geophysical, and surface casing expenses as deductible items.

H.R. 534 will repeal the windfall profit tax. At current prices, there are no windfalls to collect, and the oil industry is forced to deal with large quantities of paperwork which costs it as much as $1 per barrel of oil. This is clearly a waste of time and money for both the oil producer and the Federal Government, and I strongly support its repeal.

In a related area, LARRY COMBEST recently introduced H.R. 1029, the Energy Equity Act of 1987, in which producers will be allowed a tax credit when the selling price of oil is less than the base price set in the Windfall Profits Act. In effect, he is proposing a reverse windfall profits tax that will protect oil producers when the market price is too low in the same way that the current law punishes them when the market price is too high. This makes a great deal of sense to me and I urge my colleagues to support it.

Gas production has also suffered in this country due to old laws that simply prevent us from taking advantage of our huge domestic reserves. BILL ARCHER'S bill addresses this problem by removing wellhead price controls, repealing the Natural Gas Act's jurisdiction over sales for committed or dedicated natural gas and repealing the antigas portions of the Fuel Use Act.

Decontrol of natural gas would also benefit the oil industry since the majority of natural gas under controls is owned by independent oil producers, and is a byproduct of oil wells. Decontrol would mean that these producers could market their byproducts and thus increase their capital investments. This added capital could lead to more drilling being undertaken—and more jobs.

Mr. Speaker, there is a great deal of talk here in Congress about "Competitiveness" and the plight of American workers in certain industries. However, as yet the leadership has not sufficiently addressed the problems of the energy industry, which is so vital to our national security. I urge my colleagues to support our attempts to make our country less dependent on foreign oil and to put our oil industry back to work.

Mr. BRYANT. Mr. Speaker, yesterday I got my copy of T. Boone Pickens Rig Count, his "barometer of the oil and gas industry's health." It showed a drop of 38 rigs from the last week in February to March 6. There are now 801 active rigs while at the end of 1985 there were 1,917. To say that the domestic oil and gas industry is in dire straits is an understatement.

Oil imports have reached 40 percent of domestic consumption and some experts predict the level will reach 50 percent by 1989 or 1990 unless something is done to curtail them. According to the Independent Petroleum Association of America, the United States lost 3.6 percent of its producing oil wells in 1986 with 23,222 not pumping a single drop of oil. My home State of Texas lost the most wells of any producing State in the Nation—7,768 wells for a loss of 3.7 percent of capacity.

As bad as the loss of current production is the projected decline of exploration and drilling activities. According to the Oil and Gas Journal, projected expenditures for such domestic oil and gas activities will decline 13.5 percent this year, to just over $25 billion; this compares to the peak spending achieved in 1981 of $83 billion.

Declining investment in exploration and development coupled with drops in rig counts mean rising unemployment as well as increased dependence on foreign oil. It is estimated that almost 25 percent of all industry workers—more than 128,000—who find and produce oil and gas are out of work, not to mention the many thousands of unemployed workers whose jobs indirectly depended on the health of the oil and gas industry. And to add to our woes, over 40 percent of all firms engaged in contract drilling as of 1982 are now out of business.

In order to rectify this situation, I have introduced three measures: One would require the President to annually assess domestic oil production, demand and imports for the subsequent 3 years. Entitled the "National Oil Security Policy Act," it would further require the President to present Congress with a plan to prevent further dependence on foreign oil should the assessment show it to be approaching 50 percent of domestic consumption. The proposal could include, but is not limited to, production incentives, renewable energy proposals or an oil import fee. And, ultimately, it is the price of oil—now artificially set by Saudi Arabia—that is at issue in the current energy crisis.

My second piece of legislation would repeal the remaining restrictions on the use of oil and natural gas as boiler fuels embodied in the Powerplant and Industrial Fuel Use Act of 1978. This measure was passed on the Suspension Calendar in the House by a voice vote last year. In 1981, as a result of conservation and increased exploration activities, the restrictions on the use of oil and gas in currently operating plants was lifted. Passage of this bill will save the taxpayer between $1 and $2 million, the current estimate of the cost of administrating the law, even though no petitions for exemption have been denied. And it will provide much needed encouragement for a critical industry which has seen few, if any, encouraging signs for far too long.

In order to grant some relief to small independent producers of natural gas, I have also offered a bill providing antitrust exemptions to allow them to form cooperatives to pool and market larger quantities of gas. With so many of these little guys unable to find buyers for their production, passage of H.R. 310 would go a long way to help them find purchasers for their production.

Last month, in the Energy and Commerce Committee Subcommittee on Energy and Power, on which I am privileged to sit, I had the frustrating experience of trying to get Energy Secretary Herrington to say that the Reagan administration was willing to offer some concrete and immediately effective proposal to stem the threatening flow of the lifeblood from our domestic energy industry. He offered us the promise of production incentives alone—windfall profits repeal and de-

regulation of all natural gas prices, as well as repeal of the Fuel Use Act and the incremental pricing provisions of the Natural Gas Policy Act—although the problem is price.

All these proposals are important and I support them, but I wanted Mr. Herrington to tell me what he and his minions at the Department of Energy and his superiors down on Pennsylvania Avenue would propose for immediate relief. He said, and I quote: "I don't think it is possible for me as Secretary of Energy or the President or anybody else to raise the price of oil. It's a world market."

What Mr. Herrington's reply does not take into account—although he confirmed its veracity—is the manipulation of a significant part of this world market by the OPEC nations and Saudi Arabia in particular. What the Secretary was again telling me, the oil and gas exploration and production industries, and, ultimately, the American people is something this administration has made a theme song—we favor free trade. Of course we favor letting fair trade market forces prevail, but, in a market where there is manipulation or where there are trade barriers, reciprocity is not only in order, it must be demanded. In this case, the reciprocal action is the imposition of an oil import fee. The imposition of a variable oil import fee would protect our domestic producers from predatory supply and pricing practices by foreigners, but not close our trade doors to their crude oil or products.

What Secretary Herrington was so cavalierly saying was that, in the opinion of this administration, the Saudi's artificial price-setting constitutes "market forces," while any action by our U.S. Government to affect oil prices would constitute "Government interference" in the free market.

It is remarkable and shocking that this administration apparently believes it acceptable to have a foreign government—which has previously indicated it does not have our best interests at heart—dictate our economic and natural security future without so much as lifting a hand.

During this historic 100th Congress, as we grapple with major modifications of our trade laws, I believe that our guiding philosophy should be to establish fair trade; there is no such thing as truly free trade, as our current deficits prove. We can start with an oil import fee that will assure the availability of energy resources and protection of our national security interests. Let's in this way lay the first paving stone on the road to making American No. 1 again.

Mr. DE LA GARZA. Mr. Speaker, many times I have stood here on this floor and have asked my colleagues to continue our Nation's commitment to the men and women who grow the food that feeds us, and the world. That commitment involves some Federal support—and I have asked my fellow Members to recognize that if we abandon our farmers and ranchers, we leave them totally defenseless in a world where most every major trading nation supports its own farm structure.

So, too, must we view the existing oil price crisis that has brought many small and medium-sized U.S. oil producers into the nightmare of bankruptcy. With the producer's failure, the myriad of contractors, subcontractors, equipment suppliers, marketers, and so forth, come tumbling down as well.

U.S. oil, like farm products, is defenseless if left to the wolves "out there." There is no such thing as a free market hand which invisibly guides the market price of oil. Conservatives in this Nation who normally cringe at the thought of Federal intervention into any aspect of life are flocking to the speaker's podiums to call for Federal action to defend our domestic oil producers against the world.

Why? Because over 75 percent of the available oil in the world today is owned or managed by other governments; it is not owned nor managed by private commercial interests. Even more so than agriculture, oil lives in a trading world fully dominated by political entities who control price and production—much to our own disadvantage.

Some people say, "Well, who cares about OPEC and their pricing schemes—there is over 700 billion barrels of oil yet to be drilled from the Earth." The frightening truth is that since the first oil shock of 1973—total world consumption for the last 14 years has been 350 billion barrels. At that pace, our reserves will be used up before our children are grown.

Our esteemed colleague, Representative ARCHER, is to be commended for setting aside this time today in order for us to focus critical attention on the serious matters at hand. I join him with eagerness and resolve.

So what are we doing? What should we do? We might start by accepting the reality of the need for some U.S. Government intervention. Unlike our current administration, I believe there are other legitimate roles for the federal government to fulfill besides simply national defense.

Then we might proceed to synchronize our national efforts on taxation, consumer use, and production stability into a coherent policy designed to keep the U.S. oil producers producing. Let's face it: we can't produce oil for less than $20 a barrel. Maybe OPEC can do it—but we can't. And the sooner we accept that fact of life, the quicker we will arrive at a national solution. And if we do not—then we have turned our backs on the several hundred thousand Americans who are already unemployed—and those unfortunates still to come.

Mr. SCHUETTE. Mr. Speaker, I would like to thank Mr. ARCHER for inviting me to join him in promoting awareness of the need to reduce our dependence on imported oil and gas. As a Representative of an area which knows firsthand the hardships caused by our Nation's reliance on foreign oil, I think it is important that we begin to make other Members of this Congress aware of the consequences we will face if we continue to allow this dangerous addiction.

In 1986, the State of Michigan ranked 15th in the Nation in the production of oil, and 12th in production of natural gas. Some of the richest oil fields in the State are located in mid-Michigan—an area which I am proud to represent. The oil and gas industry is a vital part of the economy of these communities and our lack of clear national domestic energy priorities has caused us to continue to be dangerously dependent on foreign resources for our own survival. This is so despite our experience with the 1973 Arab oil embargo and the oil and gas shortages of 1978. Our continued, and now increasing dependence on foreign oil and gas is directly related to our trade policy.

The high amount of oil and gas imported into this country dramatically decreases job opportunities in mid-Michigan and across the Nation. The oil and gas industry is very similar to other sectors which have suffered as a result of our continued reliance upon foreign imports to provide products which are, or could be, available from domestic producers and suppliers. We know the serious problems which now face communities where other industries have been forced to reduce production or shut down altogether as a result of imports. If we continue in our present course, we are laying the groundwork for a repeat of difficulties and hardships we faced in past energy shortages.

Too often, the normal mode of operation by this body has been to address energy problems in a shortsighted manner. I can only believe this leads to waste, inefficiency, and disorganization in an area which is vital to the future of this Nation. For this reason, it is paramount that we develop long-range goals to deal effectively with our energy needs of today and for the generations of the future.

This long-term vision should provide for the maintenance and expansion of domestic research and production. Funding of research which will lead to more efficient use of our natural resources must remain at an adequate level and a priority in our domestic budget. The only way to reduce our dependency on foreign sources is to thoughtfully develop our own production capacities. An unstable international arena invariably effects our ability to trade fairly with other nations. Our goals, therefore, should be to develop a sense of stability and security within our own energy industry.

We must not be tempted into believing the low prices we are paying today will remain indefinitely at this level. I am sure we all can remember a time not too long ago when our dependency on foreign sources and the instability of the international market led us into perhaps the most serious energy crisis this country has ever experienced. A long-term view aimed at developing our own domestic oil and gas production without dangering the environment, will ensure our ability to function and retain our position as the leader of nations.

Again, I thank Mr. ARCHER for his action in bringing this vital issue before the House today. Energy production is a serious concern to the people of the 10th District of Michigan and it is time for other parts of the Nation to realize the impact our dependency on foreign sources will have on our future economic stability and security.

ORDER OF BUSINESS

Mr. INHOFE. Mr. Speaker, I ask unanimous consent that my special be called at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

IN TRIBUTE TO BRYCE HARLOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. INHOFE] is recognized for 60 minutes.

Mr. INHOFE. Mr. Speaker, before I commence my special order, I would like to yield to the gentleman from Illinois, the minority leader [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding to me.

Mr. Speaker, I am happy to have this opportunity to join with our colleagues on both sides of the aisle in paying tribute to the late Bryce Harlow.

Bryce died on February 17. On the day after his death, I made a 1-minute speech on the floor in which I said:

> In all my experience in Washington—more than 30 years—I cannot think of another individual for whom there was such genuine bipartisan respect. Bryce was the very soul of integrity, a gentleman of ready wit and deep understanding, at home here on the Hill and in the White House.

In paying tribute to Bryce we are doing something more than honoring a consummate political professional and respected government official. We are also honoring the spirit of public service which was the guiding principle of his life.

We use the words "Public Service" so often, we tend to forget their meaning. Bryce Harlow truly was a public servant. He placed his extraordinary talents, his winning personality, and his considerable political instincts in the service of the public good.

Bryce never succumbed to the twin temptations of harsh ideological rigidity on one hand or abandonment of principle on the other.

He was just Bryce, confident enough in his own values to listen to the other guy's point of view with empathy but strong enough in his values not to change allegiance or principles from day to day.

That's what made him so effective—no matter what side of the political spectrum you came from, you knew that Bryce was willing to listen—the most difficult and most important of the political arts. And in one sense it is that attitude, that stance toward politics, we are also honoring today.

The word "pragmatism," whatever its original meaning, has acquired too many overtones of softness or weakness in adhering to firm principles. But Bryce demonstrated that you can have firm principles and at the same time respect differences and try to reconcile them.

In fact, it's only when you have firm principles that you can enter into true dialog with opponents. Wishy-washy people never are in one place long enough to take a stand.

Americans have never been an ideological people. We are, however, a principled people. We don't try to impose some kind of preconceived world-view on the complex, changing aspect of politics—or, at least, most of us don't.

But we demand commitment to certain principles, certain virtues if you will, like honesty, integrity, tolerance, and decency. Bryce possessed all those virtues and that it why he will be so missed by all of us.

He was born in Oklahoma City, served as a member of Gen. George C. Marshall's staff during World War II and was director of the professional staff of the Armed Services Committee after the war.

He joined the Eisenhower administration and it was there that many of us got to know him as he went about his work as liaison to the Hill. He worked quietly, without trying to attract attention—in fact shunning it—the very model of those legendary White House aides who have, in the old phrase, "a passion of anonymity." He later went on to serve President Nixon in many capacities. Of course, he was for many years Washington spokesman for Procter & Gamble.

We all know the story of President Eisenhower, after being presented with a complex speech draft, saying he wanted a "meat-and-potatoes" speech. It was Bryce Harlow to whom the President turned for such a speech. Bryce, for all his political sophisitication, never lost sight of the fact that it is the first task of politics to communicate and communication is impossible if it is disguised in academic or political jargon.

Bryce got to the heart of the matter in speech drafts and in discussions, never camouflaging his message in fancy rhetoric and always playing the game the only way he knew how—straight and above board.

We often pay tribute to our departed congressional colleagues and to great men and women who have left us. But how often do we get the chance to honor those who work behind the scenes, those whose patriotism doesn't need the spotlight to inspire it, and whose quiet, patient, devotion to duty does not demand the headlines to enhance it.

We have been fortunate throughout our history to have many great and famous leaders. But after more than 30 years in Washington, I am convinced that this country also needs those like Bryce Harlow, without whose selfless and energetic work so much that is good in our system would go undone.

Bryce, you were a fine gentleman, a good companion, and a principled patriot. We are going to miss you.

Mr. Speaker, I would like to include the following remarks at this point in the RECORD for the benefit of my colleagues.

SIDNEY LOVETT'S* REMARKS AT THE FUNERAL OF BRYCE N. HARLOW, FEBRUARY 21, 1987

This is a service of praise and thanksgiving in honor of one of God's selfless stewards of our nation's soul. Bryce Harlow is tied together with many of us as kinfolk but a friend of all.

We gather to offer today a very special well-done to Sally for her unfailing support and affectionate care during the years in which Bryce's health was failing. And to Peggy, Trudy, Larry we can only report that your father took delight in each of you and taking delight by Bryce was a very special honor accorded to especially you three. And to the grandchildren, I would suggest that you remember the epitaph of Christopher Wren in St. Paul's Cathedral as it was inscribed. Look around you. If you want to become acquainted with your grandfather and your grandmother look around you to see the sacred monuments of this country and look around you to the wealth of friends and strangers who took delight in Bryce Harlow and many of whom are gathered here today. Explore your grandfather's life. There's so rich a mind of treasure there. We encourage you all to do that in your own way. Now we do acknowledge the fact of Bryce's death but we pay no further tribute to that sober event which must befall us all. Rather, at this time, do we celebrate the integrity of his life, and the continuity of all human life in God from whom we have all come and to whom we are set to return.

Bryce, you taught us how to be selfless, not that we could all follow you or emulate you but you taught us, you demonstrated. You were our mentor. For in Bryce there was the ability to serve without computing the personal gain that might derive therefrom. Ignatius Loyola had a basque term which meant unstuck. It meant unstuck by the foolish lures and values, and superficial values of life. And in order to be a servant of the most high, one had to be unstuck from that which was of lesser value and alloy. Bryce's loyalties were to the public values, which attended the birth of our Republic and which endured by reason of fidelity and sacrifice.

Now, to be sure he was self-deprecating on the banquet circuit—how the audience could expect to see no more of him when he rose to his full height behind the dias. Or how he had arrived here in Washington in 1938 at the full height of 6 feet four inches, only to suffer the gradual erosion which ensued from his daily rounds between the executive and legislative branches. His lively wit ensured the introduction, the effective introduction of what lay deeper. He had carefully observed the distinction between personal ambition and distinguished service. Besides his mother and father he had early found giant mentors, of the stature of General George Marshall, or Speaker of the House Sam Rayburn, or Carl Vinson; and, when he was appointed to serve the Office of the Presidency, Bryce gave everything he possessed to do his job. Never at the expense of honesty, of quietly speaking a cautionary word or even a contradictory word, which took its source not from his personal capital but from a grander spring of heritage and honor. And that is why men and women so often sought his advice. He knew the difference between the time of the quid pro quo and the time when there is no anticipated

*Sidney Lovett is a former Pastor of the Rock Spring Congregation Church and a longtime friend.

exchange, only mutual selflessness to a worthy end, be it personal friendship or international peace with security and freedom. Bryce was so unlike a character in Oscal Wilde's play who was described "He knew the price of everything and the value of nothing". Bryce knew the price of the politics of time and moment. But he also knew the enduring values of the politics of eternity. And to me, and I'm sure to everyone at this gathering, it is remarkable that those intimate friends and strangers who had failed to achieve their highest were never castigated or never cudgeled by Bryce in an unworthy or in a cruel way.

He treated people with courtesy and kindness and if there were failings, Bryce took upon himself the sorrow and the wound. As he often said to Larry, the greatest joy in life comes from being of service to others. Now, here was a character that had many reaches and I want to describe only two before we come to our close.

I suppose its whimsy, wit, enjoyment of being a wordsmith. At one point having left Washington, I had the gratuitous feeling of wisdom that it would be nice if a new Congressman coming in 1966 might have an opportunity to receive the wisdom of a Bryce N. Harlow and so I wrote him to the effect would he please sidle up to this rookie coming to serve the country and this was the reply I received. And I am curious. How many here have kept the letters that they have received from Bryce? Would you put your hands up please? Now, grandchildren, if you ever want to look for some of these go and see the folk who've gathered here. Bryce replied in the second paragraph,: "You asked me to sidle up to him in my inimitable way. Now you and I know that a word from you is my command in the highest." He's leading me on. "But I puzzle slightly over just how one sidles. But I shall try and the very first person to be sidled in the new Congress will be your man. Others may be and likely will be fiddled and diddled and even bibbled, but not your man. He will be sidled."

A week ago in my conversations with Bryce he said he regretted the fact that he would not have another opportunity to demonstrate to me what is known by some of you as that awesome Harlow tennis serve with the reverse twist. I responded that I would be grateful just for more occasions for colloquy and learning, that it was so humiliating to be moving in one direction when the spin would take the ball in just the opposite and leave you with possibly a pair of broken ankles. The serve was so good, so impecably performed that as distinguished a servant as Justice Black would ask Bryce to come to the Army Navy Club and just demonstrate the serve to him perhaps 20 to 30 times, so that he could just study the evidence. It was beautiful. It was devilish. It was probably the only abusive manner that Bryce ever took with a fellow human being.

I've been rereading some of Bryce's speeches looking for that which would in a short form capsulize what he felt were the essentials and I have found this in a speech long ago.

"The focus of it all is the precious worth, not of material possessions but of each human being in America and everywhere in the world, the devinely formed individual who is due his justice. A justice encompassing liberty which is the right to do as one pleases up to the point that he does not restrain others from doing the same. From this faith has evolved our conviction that it is the birthright of each citizen to work to fulfill his aspirations in his own way, to achieve and, if possible, to excel and to reap a reward commensurate with his talent and his effort; and, should he fail, it is a byword of our freedom that he shall have the chance to try again. It is this ideology, religiously based, that gives our zeal for self-government, for keeping the reins of power close to the sovereign citizen, for resisting power concentrations of whatever kind in our system."

Now I close by reading words which Bryce offered in response to his receiving the Meal of Freedom some years ago in which again he tries to articulate where he was in the constellation of things and how he was gratified to have been recognized. He said:

"Now the point that's relevant about that to this meeting is just simply this. I was never a leader in any of that. I was never the front man. I was never the boss or the chief. I was always the behind-the-scenes fellow. I was also the assistant, the counselor if you will. Well now, if that's true—and it is—what am I doing here? I think that's a good question. Why would one with a career so unobtrusive, retiree, be here receiving an award so utterly prestigious? That fascinated me greatly when I was called by Mike Deaver and I came to this thought: apparently someone here—and I hope its you, Mr. President—came to the idea. Well, this little "gopher" for Uncle Sam and all his wanderings for four decades, in his own right, perhaps working for and thru and around the great people, helping them, did enough for our country to make him worthwhile. Now if that is true, if that's the reason for this comes to me, then I say its absolutely marvelous. Not because of me, Mr. President, but because I am projected across the country in millions of people who are working their tails off, getting little attention at all. Who are working. Who are loyal. Who have the intergrity. Who are doing for their bosses and doing for their bosses causes, expecting no recognition whatsoever. And here's what I think might happen. Some of them will read about this award. Some of them may even see it. Read about or here about it and he'll say "Hey Joe, did you see where President Reagan gave a kind of medal to this little fellow Harlow?" And he would say "No. What for?" He'll say "For doing what we are doing. Oh, we better work harder—hadn't we? We might get one." Mr. President, if it works like that, how beautiful it fits in with your programs of constantly improving the quality and the standards and the productivity of American life.

Well dear friends, we must complete our gathering in honor and I would only urge that each of us resolve that from this event of Bryce's moving thru death, we will hallow and work at whatever task or whatever obligation within which we may be set. To work in his spirit of courtesy, industry, loyalty, honor, cherishing the values of our land and our hope and be the better not in our selves, but be the better selfless person spreading this call to stewardship. Amen.

Mr. INHOFE. I thank the distinguished minority leader for his remarks.

Mr. Speaker, I can recall, back in the middle sixties, the very warm affection that Bryce Harlow had for our minority leader. I think a lot of people are probably not aware of the fact that Mr. Bryce Harlow was a native Oklahoman; someone that we have been very fond of for many, many years. Like many other Oklahomans, he had a call to duty sometime ago when he was quite young, after just getting out of college, and he felt he could best serve his country by serving in Washington.

I do rise today to pay tribute to the late Bryce Harlow, a fellow Oklahoman, a counselor to presidents, and a great American.

Mr. Speaker, Bryce Harlow symbolized the very term "public servant." During his distinguished career he served as assistant librarian for the U.S. House of Representatives, majority counsel for the House Armed Services Committee, and adviser to Presidents Eisenhower and Nixon.

As a member of Eisenhower's legislative team, he was frequently credited with knowing more about the legislative process and what makes it tick than anyone else in Washington.

He was the first person appointed to the White House staff after Richard Nixon was elected in 1968. One of the most powerful figures in the Nixon administration, he was known for his disarmingly witty approach to controversial issues.

In 1977 he was inducted into the Oklahoma Hall of Fame and in 1981 he received from President Reagan the Presidential Medal of Freedom for his service.

Although he spent most of his adult life in Washington, he never forgot his Oklahoma roots. The self-made, self-assured, independent spirit of the State was embodied in him. He always considered Oklahoma and middle America the bedrock on which the foundation of today's Republican Party would be laid.

Harlow himself once said he saw politics as a business in which politicians respected those who are "straight and honest." He used to say, "Politics doesn't run on party lines, it runs on character."

Oklahoma Governor, Henry Bellmon, called Harlow "one of Oklahoma's most brilliant political strategists." He will be greatly missed by all who knew and worked with him.

The thoughts and prayers of all of those who had the honor and privilege of knowing Bryce go out to his wife and family.

Mr. WATKINS. Mr. Speaker, the fate which faces us all has claimed another public servant from Oklahoma. But, we do not gather today to mourn the passing of Bryce Harlow rather than to celebrate the record of accomplishments and many contributions this man made to Oklahoma, the United States, and the world.

He was, like another diminutive Oklahoman, former Speaker Carl Albert, a giant in brain power. His career ranged from a post as assistant librarian in the House to the White House where he was chief of congressional affairs for President Eisenhower and Nixon

and Eisenhower's "meat and potatoes" speechwriter. After 8 years with the Eisenhower White House, he became a lobbyist for Procter & Gamble. Upon Nixon's 1968 election, Mr. Harlow became his first major political appointee and became an assistant and later a counselor to the Nixon Presidency's early years. As an Eisenhower aide, he played a principal congressional liaison role in the creation of the Defense Department and other military legislation fostered by the Eisenhower administration.

During his career, he also served as assistant director of the Office of Management and Budget, was chief of the House Armed Services Committee, and advised Presidents Reagan and Ford on congressional relations.

His 45 years of service to the Nation, including serving Army Chief of Staff Gen. George C. Marshall, were recognized in 1982 when President Reagan presented to him the Medal of Freedom, the Nation's highest civilian award.

All who were privileged to know Bryce Harlow were amazed at his mental capacity, his wit, his courtliness, and his grasp of interpersonal relationship. He was an extraordinary administrator and communicator. One cannot help but wonder, given the Nation's current circumstances, that if his skills had been available to the current White House, would not our situation today be much different.

Mr. Speaker, I offer the family the sympathy and understanding due them at their loss and I salute a man who served this Nation long and well. We will all miss Bryce Harlow.

Mr. WHITTEN. Mr. Speaker, I am saddened to learn of the passing of an old and dear friend, Bryce Harlow.

In my many dealings with Bryce I found him to be an extremely fair, highly competent, completely honest individual who commanded my total respect; a respect I am certain was shared by many no matter what their political views or affiliation. He was a public servant in the highest and most honored sense.

Bryce Harlow was indispensable to the Presidents he served, but he never sought attention or acclaim for himself. He followed the proven maxim that you can accomplish anything in life as long as you let someone else take the credit.

Mr. Speaker, I, along with my colleagues, appreciate being able to have this opportunity to pass along the praise and credit that Bryce Harlow so richly deserves. Our Nation has benefited greatly from his dedication and selfless service. To his family, I extend my most sincere sympathy. We mourn Bryce Harlow's passing and shall miss him greatly.

Mr. VANDER JAGT. Mr. Speaker, I rise today in remembrance of a truly outstanding public servant, Bryce Harlow, who passed away on February 17. I want to thank our Republican leader, BOB MICHEL, for affording us the opportunity, through this special order, of paying tribute to this very special American.

Bryce Harlow served his country with distinction and diligence as a Presidential counselor and speechwriter. He received considerable and well-deserved acclaim for his many contributions. There are a select few whose names become almost synonymous with service to their country, and Bryce Harlow was one of those individuals. Throughout his years of public service he willingly shared the richness of his wisdom and experience, always giving unselfishly of his time and setting a standard of excellence. In his service to one or another President for over two decades he forged ahead with dedication, devotion, and sincerity of purpose. We all applaud his knowledge, honesty, hard work, and personal commitment. He truly contributed to the quality of life for the citizens of our country.

He set a high example for us to follow and is truly deserving of recognition from our Nation. It was indeed fitting that he received our country's highest civilian honor, the Medal of Freedom in 1981 from President Reagan.

He will be sorely missed by the country he served so well. His legacy will live on, not only in our memories, but through his lasting accomplishments. I am honored to join in this appreciation of the man, and all his good works.

Mr. GILMAN. Mr. Speaker, on February 17, America lost one of its finest public servants. Bryce Harlow, served as an aide to Presidents, a congressional staffer, and liaison, an effective lobbyist, and had an unremitting reputation as an astute political thinker. Few men have been able to gain the respect and admiration of so many of Washington's decision-makers, as Mr. Harlow, and his death will surely be a great loss to us all.

Born in Oklahoma City, Bryce Harlow went on to serve as a member of Gen. George C. Marshall's staff during World War II. He served under President Eisenhower, and was a key player in the legislative affairs of the time. He was the first person appointed to the White House staff under President Nixon, and acted as a vital intermediary between the President and a Democrat-laden Congress. His honesty, integrity, and his ability to communicate gained him bipartisan support and respect in Washington, and true admiration nationwide.

It was often said that Mr. Harlow knew more about legislative affairs and processes, than anyone in Washington. His true political knowledge, coupled with his extraordinary communications skills afforded him the opportunity to deal with the facts and the key issues, while skipping the rhetoric and jargon.

Bryce Harlow served his country with dedication and pure selflessness. To quote the distinguished Senator from Kansas [Mr. DOLE], "He never hesitated to offer his services when problems on Capitol Hill or the White House seemed too big to solve."

Mr. Speaker, I welcome this opportunity to offer my heartfelt sympathy for the family and friends of Bryce Harlow. He graced us all with his presence and he possessed all of the characteristics of a true political statesman, and of a true gentleman. He will surely be missed.

Mr. DE LA GARZA. Mr. Speaker, it is indeed fitting that we gather today to pay tribute to Bryce Harlow, and I am delighted to participate in this special order.

One of the first thoughts that comes to memory is how we met. When I came to Washington I was working with a group from Texas on the Amistad Dam proposal. At that time Bryce Harlow was with the House Committee on Armed Services. His vast knowledge of the workings of the House proved invaluable to me in moving this project forward.

While that was a long time ago, in many ways it seems like yesterday—but in the years to follow Bryce Harlow went on to continue his extraordinary work. Consistently erudite and impressive in legislative ability, Bryce Harlow scaled great heights in his career.

Much admired and respected by all, Bryce Harlow was truly a man I am honored to have known and to call my friend. His passing leaves us all a bit sadder, but for having known Bryce Harlow I am indeed a better man.

Mr. ROYBAL. Mr. Speaker, the loss of Bryce Harlow on February 17, 1987, was felt deeply by members of the political community and beyond. Mr. Harlow was an honest and intelligent man whose integrity was matched only by his political insight.

We will miss Bryce Harlow. Although he was a Republican appointee, he dealt with all Members in a nonpartisan manner that was truly rare. His presence was always felt and respected, and his dedication was always admired.

Our thoughts are with his family at this time of sorrow, and we share their grief.

Mr. YATRON. Mr. Speaker, I rise today to express my deep sadness at the passing of Bryce Harlow. With his passing, Washington has lost a dedicated, admired, and beloved public servant.

Although Bryce and I were in opposite parties, he was always helpful. He truly embodied bipartisanship and he easily earned the respect and admiration of Democrats and Republicans alike. His quick wit, integrity and talent were always evident. In his positions as counselor to Presidents, White House Congressional liaison, Congressional staffer, and Washington representative for Procter and Gamble, Bryce set an example for excellence. Bryce never hesitated to offer his services for the good of the Nation.

With Bryce's passing, we have lost a dedicated and loyal professional who reflected great credit on all public servants. His presence will be sorely missed. I know that my colleagues will join me in mourning the passing of this good man and in sending our prayers to his family and loved ones.

Mr. KEMP. Mr. Speaker, our nation has lost a most distinguished and able leader. We all lost a great friend with the passing of Bryce Harlow on February 17. It is indeed rare in life to be privileged to know a man who can combine wisdom, wit, candor, and integrity. Bryce Harlow was such a man and much more. Bryce selflessly devoted his life to strengthening those values upon which our Nation was founded. I am honored today to pay tribute to the memory of a dedicated public servant and a good friend, Bryce Harlow.

His wit, understanding, and ability to handle any situation, made him one of the most respected and well liked people in Washington. Most of us knew Bryce as an effective White House liaison to Congress. However, he was also an accomplished tennis player and an avid sportsman. I know Bryce would be a little embarrassed by all this praise and publicity because he was a very humble man. But his accomplishments speak loudly and eloquently

for his outstanding abilities, and he deserves the praise of a grateful nation.

Bryce served Presidents Eisenhower, Nixon, and Ford with diligence and distinction. As a key member of President Eisenhower's legislative team, Bryce knew the process, the people, and the way to get things done. He was also well known for his speech writing abilities. When President Eisenhower needed a speech full of substance and light on rhetoric and jargon, or as the President said, "meat and potatoes," Bryce Harlow was the man for the job. In fact, Bryce was indeed the man for most jobs. Bryce had an outstanding ability to communicate easily with people and could handle just about any task put before him. He could be depended on in times of trouble and crisis. When few were willing to listen to conservative voices, Bryce Harlow not only listened but welcomed the conservative movement. He was an ally and mentor when we needed him, and I am proud to have been his friend.

When President Nixon needed an efficient and effective adviser to act as a liaison to Congress, he called on Bryce Harlow. Bryce was the first person appointed to the White House staff after President Nixon's election in 1968. He ably served the President, handling the delicate and important job of congressional liaison and counselor to the President.

I had the pleasure of working with Bryce on the 1980 Republican Platform Committee. Bryce's quiet strength and wisdom helped shape the blueprint for the Reagan revolution. With Bryce's behind-the-scenes help, and Senator John Tower's able leadership, the committee fashioned a platform aimed at creating jobs, strengthening values, and expanding opportunities for all Americans.

Bryce was a strong believer in the values of hardwork, honesty, integrity, and dedication to the principles that have made America great. Anyone who had the pleasure of knowing Bryce could tell you that he got things done with efficiency, tact, and precision. Our Nation has benefited from Bryce's wisdom, and I am proud to have known this outstanding patriot and public servant. We will miss Bryce, but his example and hard work will live on forever as a testimony to his high ideals, values, and principles.

Mr. QUILLEN. Mr. Speaker, I rise to join my colleagues in paying tribute to Bryce Harlow, a fine man and an outstanding public servant who passed away on February 17. Bryce was a gentleman. He was a professional in politics in the best sense of the term. He was a man of sound opinion and sound advice. He was always helpful to me in our relationship over the years and he earned my highest respect for the manner in which he discharged his responsibilities to his office, his party, and his country.

Though born and raised in Oklahoma, Bryce Harlow was truly a Washington man. He arrived in town 49 years ago as an assistant librarian here in the House of Representatives. After service in the Army during World War II on General Marshall's staff, he returned to Capitol Hill as staff assistant and then staff director of the House Armed Services Committee.

He served both President Eisenhower and President Nixon on their legislative affairs teams and played a significant role in both administration's relations with the Congress. He was absolutely first rate and a tremendous asset to both presidents.

By virtue of his great competence, dedication, and integrity, he set a very high standard for all of us engaged in political and Government careers. It was a privilege to know him and to work with him.

My heart goes out to his family in this time of loss. We will all miss Bryce Harlow.

Mr. BROOMFIELD. Mr. Speaker, I would like to join my colleagues in marking the passing of a superb American. Mr. Bryce Harlow's death on February 17, 1987, was a great loss to all who came in contact with him. I had the special privilege of knowing Bryce during my 30 years as a Congressman. Throughout my acquaintance with this man I was always impressed with his commitment and dedication while serving under two administrations and later, as he worked for the private sector.

Bryce was a rare individual who truly mastered the skills of communication. Today, this ability to communicate is something which is often lost in technical and academic vocabularies. When President Eisenhower asked for a speech the public could understand, it was Bryce who would provide that valuable link between the complexities of our governmental process and their application to the everyday American. Translating this process honestly, in the clearest possible language was something which Bryce did well. It is a gift which few possess. However, communication is a two fold process, and as a listener Bryce demonstrated the patience, attention and genuine understanding that earned him bipartisan respect throughout Congress.

A testament to the career of Bryce Harlow was the Medal of Freedom, our nations highest civilian honor, awarded by President Reagan in 1981. His candor, professionalism, and humor will all be sadly missed. I would like to join with his many friends and colleagues in paying my deepest respects to Bryce N. Harlow. Such outstanding ability and service are irreplaceable.

□ 1640

GENERAL LEAVE

Mr. INHOFE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my special order today.

The SPEAKER pro tempore (Mr. ATKINS). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE CONTRA ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. ROWLAND] is recognized for 60 minutes.

Mr. ROWLAND of Connecticut. Mr. Speaker, I have taken out this special order as an opportunity to talk a little bit about a very important issue that we are going to be facing tomorrow. That, of course, is the issue of whether to continue the aid to the Contras, the $40 million in aid. As most American people understand, we have grappled with this issue for a number of years. We have had a number of different votes. We have had some yes votes. We have had some no votes. We have even had some maybe votes.

We have sent conflicting messages to the American people. We have sent conflicting messages to the Contras. We have sent conflicting messages to the surrounding nations and we have sent conflicting messages to the Sandinista government.

Mr. Speaker, I am going to spend most of this hour working with some of my colleagues and talking about the threat of what we are really facing in Nicaragua.

Let me also say that I personally wrestled with this issue over the last year. As a matter of fact, early last year I voted against aid to the Contras. Early last year it was my decision and the decision of many on both sides of the aisle to at least allow Mr. Ortega the opportunity to show his true colors. At that time, if memory serves me correctly, there was a Senator from our Congress who worked with and talked with Mr. Ortega. He came back and told the American people that if we did not aid the Contras, Mr. Ortega would then respond and work with the United States and work with the Sandinistas and work with the Contras.

At that time we did not aid the Contras and as a response Mr. Ortega went to the Soviet Union.

I think it is interesting to note that soon thereafter on another vote in which most of us felt we needed to send a message, we needed to apply pressure to Mr. Ortega and the Sandinista government, we then found after we gave aid to the Contras that Mr. Ortega responded by coming to the United States and working with our press, working with our church groups in an attempt to build up a public relations effort.

I think some of the most compelling arguments that we are going to see hopefully today and tomorrow really get down to one basic question. It is a question of what the Soviet Union's involvement is in that region. Why would the Soviet Union be interested or involved in a nation thousands and thousands of miles away? What is the intent of the Soviet Union?

Unfortunately, and I think many American people will agree, we have not read enough or seen enough about the interest and the involvement of the Soviet Union. I hope that tonight we will be able to make a case and demonstrate some of the real live involvement of the Soviet Union and Cuba and other nations have had in Nicaragua.

I think the moratorium vote we are going to see tomorrow is really going to be a unilateral vote, a unilateral movement to withdraw that support. Not only will we be reneging on a commitment, but I think we will be reneging on an opportunity to force a good substantive decision in that region.

Now, many will suggest that by congressionally approved Contra aid we are going to relate this to the Iran affair.

Tomorrow we are going to hear a lot of allegations. We will hear a lot of suggestions that our policy is wrong, that what occurred with Mr. North and others is related to our aid to the Contras through the Congress.

I think it is unfortunate that tomorrow what we are going to hear and see are a lot of actions that are going to be used to punish the Contras and to punish the President.

Last year this Congress supported aid. We thought it was in the best interest of the Nation. By abandoning the Contras tomorrow, we are not going to be punishing the administration. We are not going to be punishing the Contras. We are merely going to be playing some political games.

Yes, all of us agree on both sides of the aisle that we need to get the answers. We need to find out what happened with regard to the North affair, and we will, but that does not relate to the fact that last year this Congress supported aid to the Contras and we thought it was in our Nation's best interests.

The case for the Contras remains the same. The case itself remains the same. The Soviet bloc is now in the process of consolidating a second base in our backyard. Those are the facts. There is no question about it.

I will pose a few other questions for our consideration. Is it wrong to support a resistance seeking to stop communism in their country? Is it wrong to help individuals seeking the same rights and liberties that you and I share?

Yes, we value freedom in this Nation. We have never tolerated the dictatorship in Nicaragua, but should we really be surprised that the people in Nicaragua, some 15,000 at least, will not tolerate their lack of free speech, their lack of right to assemble, their right to have religious freedom? I do not think so.

Mr. Speaker, I would like to take a few moments and yield to the gentleman from California for some discussion and some cold hard facts, some of the things we have not heard about before, some of the things that we have heard about before, but I am afraid the American people truly do not understand and have not had an opportunity to view firsthand.

Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank my friend, the gentleman from Connecticut [Mr. ROWLAND] for laying out the facts, the context of this debate very accurately. It is clear that the vote tomorrow is a vote which does not pit the United States versus the Sandinistas. It does not pit the United States against the human rights repression that we have spoken of regularly, to the point where the more liberal side of this House does not contest the repression of the people of that country. We are not speaking tonight about the closing down of the press, of the Catholic church, we are not speaking about the indignities that were suffered by Bishop Carballo when the secret police of the Sandinistas stripped him naked and threw him in front of national television cameras in an attempt to discredit the church. We are speaking about the real players in this contest and the clear choice that is going to be made by representatives of the American people tomorrow.

The two major players in this contest are the United States and the Soviet Union. The Soviet Empire if it establishes its beachhead in Central America will have made a conquest that will be much more far-reaching and important to its goals and its aims than was the conquest of Vietnam, the conquest of Poland, the conquest of Afghanistan, and the conquest of East Germany, because they will have managed to have placed a military presence at a very vulnerable position in our own hemisphere, in a position where it can do great damage to our ability to import, to export, to operate critical military bases on the Atlantic coast and the Pacific coast.

□ 1650

Let us get right into specifics. In the last year, and I am surprised at how few Members have discovered this—perhaps it is the fault of the administration because of the confusion that surrounded their problems with the Iran arms sale; perhaps it is the fault of DOD for not getting the information out to us soon enough; perhaps it is the fault of Congress for not being around over the last several months—but in the last year the Soviet Union has moved—literally stuffed—into Nicaragua over 600 million dollars' worth of war material. That is over six times as much as we voted for in the last year to go to the other side. Indeed, if we lose this vote tomorrow, if the forces of freedom lose this vote tomorrow, we will have given a case history on why freedom loses, on why the West loses regularly in confrontations with the Soviet Union.

Let us go to some of the specifics of the war materiel that has been delivered in the last year. To start out with, in 1982 about 6.7 million dollar's worth of war materiel was delivered by the Soviet Union. In 1983 that increased to $14 million. In 1984 it went to $18 million—excuse me. In 1982 it was $90 million; in 1983 it was $120 million; in 1984 it was $250 million; in 1985 it went back down to $115 million; and last year, in 1986, the Soviet put 600 million dollar's worth of war materiel into Nicaragua. That is as much as all the years of 1982 through 1985 combined.

Let us look at specifically what they put in. In fixed-wing aircraft now they have 44 aircraft. They have 10 AN-2 personnel transport included in that, and 4 AN-26 troop cargo transports.

In helicopters they have now put in 56 helicopters. That includes 12 of the MI-24 helicopters, and those are the helicopters that have Gatling guns mounted that have the capability of firing approximately 10,000 rounds per minute against the soft bodies of the freedom fighters, the Contras, without adequate antihelicopters materiel—SAM's, Stingers, or other types of missiles that will take down heavily armored helicopters. They have been very, very effective. That includes also 35 MI-8/17 Hip helicopters, which are the equivalent of Huey gunships.

Tanks, they have 110 Soviet tanks, T-55's, and of the T-76's, a more sophisticated tank, 30 of those things.

Field artillery, they have moved in 24 152mm howitzers, 24 122mm howitzers, and approximately 5 or 6 76mm field guns.

Heavy mortars, they have moved over 24 122mm mortars.

Antitank guns, they have 100-plus, mainly ZIS-2's, 57mm.

Surface-to-air missiles, they have moved in over 300 SA-7 shoulder-launched, some SA-14's, and a few improved S-7's.

Now I think that one interesting aspect of the Soviet mission and the Soviet attempt to establish a beachhead in our hemisphere in Central America is the tremendous cooperation that they have managed to bring about from other Soviet-bloc or Communist-bloc states. Here are the players who are presently establishing a Soviet beachhead in our hemisphere in Central America: naturally, the U.S.S.R., but also Bulgaria, Romania, Cuba, North Korea, Czechoslovakia, Hungary, Poland, Vietnam, Laos, Yugoslavia, Mongolia, Kampuchea, and East Germany.

One important point for all Members of this Congress to understand, whether or not they like the Sandinistas or like the freedom fighters or want to see democracy in Central America, want to see a time when people can go to the ballot box instead of being ruled by the people with the biggest weapons, whether or not they have any regard or any interest in those aspects of the struggle, those Members of our body who are going to

be voting on this bill tomorrow need to realize and recognize that a great deal of American exports and imports come through the Panama Canal, which is only about 350 miles from a number of the bases—air bases and naval bases—in Nicaragua.

Very clearly in dredging naval bases at El Bluff and establishing facilities at the Corinto base, which will give the Soviet Union a warm-water base on the Pacific side of our hemisphere, the Soviet Union will by stationing attack submarines and surface combatants, establish a stranglehold over the Panama Canal. A few rounds into the lock system of the Panama Canal will be able to destroy it. That is conceded by all parties. The Soviets are right now in the process of establishing that stranglehold over the Panama Canal. It is an important fact for people who are farmers in the Northwest and the Midwest and Northeast who feel that they have no interest in the contest raging in Central America to ponder on, because it is a direct threat to their ability to export their products.

Mr. ROWLAND of Connecticut. Mr. Speaker, I think that the gentleman from California has hit on a key point. I have often brought up in discussion with critics of aid to the Contras the question: What is the interest of the Soviet Union? I think that is demonstrated in the comments that the gentleman has just made, the fact that they could indeed and will indeed control the Panama Canal, which will have tremendous impact not only for us from an economic standpoint, but certainly a military/strategic standpoint. I think that the gentleman's point is very well taken.

Every time that I have posed that question, and I am sure that many of our colleagues have posed similar questions, we have always run into the same answer: "Well, they're giving economic assistance."

Well, it is not economic assistance. I think that the gentleman has clearly pointed out that in 1986 alone, $600 million in military aid, combined with the other 5 years, and if I threw the numbers together correctly, that is well over $1½ billion in pure military aid from the Soviet Union, not counting Cuba, not counting some of the other nations that the gentleman has outlined, but pure military aid.

As a matter of fact, in mentioning some of the aid, I think that it is important to note, as the gentleman said, attack helicopters, rocket launchers, light tanks, heavier tanks—the T-55—transport planes, the howitzer, transport helicopters, gun howitzers, the SA-7 Grail, surface-to-air missile launchers, and of course other scout cars to move around the area. So I think that the point that the gentleman has made is quite clear, and I think that it is unfortunate that not everybody understands that threat.

We are not merely poking our nose into a region of another country. We are not merely looking to create a civil war, as some would suggest. There is indeed a threat to the democracy in our Nation and the democracy in those surrounding nations.

We spend about $300 billion on the defense of our Nation, our defense budget; $100 million out of that $300 billion is a small, small, small, small percentage, and it just makes a great deal of sense and logic to me that if we see the Soviet Union dropping billions and billions of dollars into a nation thousands of miles away from their region, we had better have some concern and some interest. These are the cold, hard facts which the gentleman has outlined.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. ROWLAND of Connecticut. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I too want to commend the gentleman from Connecticut for taking this special order. I have asked the gentleman to yield in order to follow up on the threat, as he so eloquently outlined, to the United States. I think, No. 1, that the vote tomorrow is a threat to us as far as our breaking our word. You know, in Texas the best thing that you can have is integrity and your word is gold. And for the American people—and some will say that a moratorium is not breaking your word—putting off aid or the $40 million for another 90 days to me is breaking our word to the freedom fighters who are trying to offset this threat by bringing democracy to Nicaragua.

I would just like to take a moment—you know, what I get from the America last crowd is basically when I say that we are putting a Cuba in Central America, they pooh-pooh that. They say that that is ridiculous, all that these are are just nice, kindly people down there who are not interested in communism; they are interested in bringing in freedom to the people of Nicaragua.

I think that these people forget history. I would like to quote from some remarks that were made by our Secretary of State, George Shultz, before the American Bar Association that I think succinctly outline the threat of having a Cuba in Nicaragua.

□ 1700

We forget that Cuba is on our shores and we forget what Cuba is all about.

Now we also forget about World War II and early in the second World War German U-boats destroyed U.S. merchant shipping in the Caribbean at a faster rate than we could replace it. This is quoting Secretary Shultz.

But he more aptly outlines the threat that we now have in Cuba, and I quote: "One serious blow to this hemisphere's security was struck in 1959, when Fidel Castro established a communist dictatorship in Cuba and brought that island into the Soviet camp."

He goes on: "Today the Soviet Union [uses] Cuba as an important military base in this hemisphere. From Cuba, the Soviet Union flies reconnaissance flights up and down the east coast of the United States; in Cuba, the Soviet Union has a port of call for its submarines; from Cuba, the Soviet Union monitors United States communications, using one of the largest and most effective electronic surveillance sites in the world. Cuban troops act as Soviet surrogates in Ethiopia and Angola; the Cuban Government smuggles arms and provides aid and training to guerrillas and terrorists throughout the Western Hemisphere. In the event of a conventional war in Europe or in the Persian Gulf, Cuba would constitute a threat to our ability to aid our allies and defend our strategic interests in those vital regions."

The Secretary also said: "We risked nuclear confrontation with the Soviet Union over the removal of their missiles" from Cuba. "Today, we must spend billions," of dollars "to strengthen our counterintelligence apparatus and our naval and air defenses against Soviet use of an island 90 miles off our shore. And we learned the value of such an outpost to the Soviet Union, which spends," and I think this is important, "which spends over $4 billion every year to sustain [Cuba], three times what the U.S. spends for all forms of bilateral assistance in all of Latin America."

Mr. HUNTER. Mr. Speaker, will the gentleman yield on that point?

Mr. ROWLAND of Connecticut. I am pleased to yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I think the gentleman from Texas has just covered a very important point and a lesson in history for all Americans.

President Kennedy, in attempting to back up the freedom fighters who hit the Bay of Pigs when they had an opportunity and a chance to overthrow Mr. Castro, withdrew air support, largely because of internal questioning and dissent in the United Nations and other irritants that the White House staff conveyed to him and, because of that, he withdrew that support.

Zbigniew Brzezinski, who was the National Security Adviser for Mr. Carter, called that the most cowardly act in modern American foreign policy, and according to Mr. Brzezinski, it was that act that absolutely startled the Soviet Union. They could not believe that an American President, that an American administration was allowing a Communist state to

emerge only 90 miles from their shore. But it was that act of cowardice that Mr. Brzezinski spoke of as cowardly that prompted the Soviet Union then to move to put nuclear weapons into Cuba.

Mr. DELAY. If the gentleman will yield, I think more than an act of cowardice, it can be related to the vote tomorrow as an act of breaking the United States' word.

Mr. HUNTER. I would agree with the gentleman. It is an act of abandonment that was followed later on by the abandonment of the Cambodian freedom fighters at Phnom Penh that resulted in mass slaughtering. It is probably in a series of the type of actions in history which prompted Whittaker Chambers to say that, "I have left the Communist ranks to come over to the ranks of freedom, but for some strange reason I feel I am on the losing side."

But the point is that by acting weak in our own hemisphere we prompted the Soviet Union to move to an even more aggressive stance that ultimately put the world on the brink of nuclear war. Now when John Kennedy backed the Soviets down, and we were on the brink of nuclear war, and they ultimately pulled their missiles out of Cuba, we had a 10 to 1 strategic superiority over the Soviet Union. I wonder today what the result would be if we had instead of a Cuban missile crisis a Nicaraguan missile crisis, and I guess my point is that the gentleman from Connecticut is standing up there with a series of aerial photos, and one of those aerial photos is of air bases in Nicaragua. Those air bases right now do not have any Backfire bombers, and I am talking about the Punta Huete Air Base that will handle every strategic system or bomber that the Soviets have as well as all of the fighter aircraft and the other air bases that are being constructed. There are no Soviet BEAR bombers, Backfire bombers or Mig aircraft on those air bases right now. But they would not be building the air bases unless they intended to use them.

The point is, by not backing up the freedom fighters, the people who are fighting for their country and fighting for their own freedom, we are placing ourselves in a position in which we may some day see a repeat of the Cuban missile crisis with the Nicaraguan missile crisis or maybe the Nicaraguan bomber crisis or the Nicaraguan Mig crisis, when we look at our own array of armaments and we do not have that 10 to 1 advantage over the Soviets any more, and in which we backed down, and in which the Soviet Union is able to revise one of their most humiliating losses. The point is, we are putting pressure on ourselves by allowing this situation to grow, and it is direct military pressure.

Mr. DELAY. If the gentleman will yield, I would like to finish my point real quickly. I thank the gentleman from California for pointing out how important it is to our own security to watch Cuba and what we allow to happen off our shores, and in trying to link this up to substantiate what I contend to be a Cuba land-locked or land-connected to the United States of America. I would like to say to those that say that Nicaragua is not a Cuba, that it is not going to be a Communist country, it is not going to be a satellite nation of the Soviet Union, I would just like to finish my comments by reading an excerpt from the 1986 report by our Embassy in Managua in Nicaragua:

> The Nicaraguan Communists celebrated their anniversary this year on November 7, exactly the anniversary date of the Bolshevik Revolution in Russia. . . .
>
> For anyone who has been in Moscow's Red Square on November 7, what happened here on that day and the next was redolent with similarities evoking those sounds and sights.
>
> All of the things present in Moscow, or almost all, were to be found in Managua on the day of its parade, November 8. Just as the Soviet Defense Minister begins ceremonies by taking the salute of his troops standing in an open car before returning to the top of the Lenin Mausoleum to join his colleagues for the march past, so Humberto Ortega did the same in Managua to recorded hurrahs of the troops. Then the parade began with various Sandinista units marching in tightly formed squares using the port arms' tradition of the Soviet forces and the goose step borrowed from the Prussians by the last czars for their household regiments, but in our time sharply odorous of Nazi parades. . . .
>
> Then came armored personnel carriers, towed artillery and tanks. The only thing missing from the Soviet model were the intercontinental ballistic missiles with the warheads painted red which always bring up the end of a Moscow parade.
>
> The Nicaraguan troops are uniformed exactly like Soviets, the Marines looked just in from the Baltic Fleet at Kronstadt. The infantry formations could have been Soviet regiments uniformed in sand-colored fatigue for Afghanistan.
>
> The T-55 tank commanders in their leather helmets were directly out of a Soviet armored division and the reservists carried in Soviet trucks with their wide-beamed Soviet helmets recalled the motorized rifle divisions one sees in Western military district of the Soviet Union.

I would just like to show the gentleman from Connecticut, and I am going to have this blown up for the debate tomorrow, this is a postage stamp put out by the Sandinista government of Nicaragua honoring Lenin standing in front of a red flag talking to the masses. This is a Nicaraguan postage stamp. So anyone who says that this is not a Soviet dominated or Soviet pressured regime called Sandinistas has got to be fooling the American people and is taking our national security for granted.

□ 1710

Mr. ROWLAND of Connecticut. Mr. Speaker I want to thank the gentleman from Texas [Mr. COMBEST] for his very important remarks, and indeed, the handwriting is on the wall.

I think all of us, by human nature, want to believe that this is not happening. We do not want to believe that the Soviet Union is involved; we do not want to believe that this is really occurring in our back yard. I think it is unfortunate that we have got to accept these facts; and they are facts; and we see the messages sent to us in so many different ways.

To reemphasize a point that the gentleman from California made, I think it is more than just a coincidence that the Sandinista airfields that have been built over the past several years will indeed accommodate every single type of Soviet aircraft, every tactical long-range, short-range aircraft.

These declassified aerial photos will show you each and every one of the airfields; the planes that can indeed land in those regions, and of course, we will go into what that risk poses in our hemisphere in a few moments.

Mr. Speaker, I would now yield to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I would like to point out something else, and I thank the gentleman for yielding, because we Republicans very much appreciate C-SPAN covering our speeches, because this is one of the few ways that we can get our message to the public, and through them to the Democratic majority.

We know that the TV cameras pan the Chamber every few minutes. This is required of the cameramen by the majority leadership to show that we Republicans are talking after the formal session has ended, and that few of our colleagues are here.

On the two most important bills that were brought to the floor this session, the Democrats have adopted rules that refuse to allow debate or amendments. They want to steamroller these bills through the Congress. We would prefer to address our views and proposed amendments to the full House, but they have made this impossible, and our only alternative is to address them to the Nation, for which we thank C-SPAN.

Again tomorrow we will be asked to vote on a Democrat proposal to stop the President from granting the last $40 million of the originally authorized $100 million for aid to freedom fighters in Nicaragua, without any opportunity to propose amendments.

Mr. Speaker, I can hardly speak because of laryngitis, as you can tell; but I cannot be silent on the question before us tomorrow. We are being asked to break our own law and our own commitments, as has been pointed out.

This body voted $100 million last year, concurred in by the Senate, and

the President began to make that aid available to the freedom fighters in Nicaragua.

We have a commitment, and in this case there was reliance upon that commitment. It is not the typical legal kind of reliance; but rather reliance where people place their lives on the line, relying upon our good word and our aid.

How can we look ourselves in the mirror if at this critical time, after people made the commitment of their lives, we withdraw that aid and support? How can our friends rely upon us, if after making commitments of this kind we withdraw them halfway through the process, not to be relied upon in the future.

How can we have any credibility? How can our foreign policy have any credibility if this is what we do with our commitments.

And has anything changed to permit us to void our contract, if you will?

The President, in his message, has said no, that there is no agreement in sight which would preclude the necessity of making available the last $40 million. And how about the alleged diversion of funds from the arms sales to Iran? That changes nothing, as has been pointed out. The need for the Contras still exists.

Our foreign policy imperatives remain the same; so that does not change the necessity of keeping our commitment.

There is a more important reason than simply keeping our commitment; and that has to do with the denial of opportunity for freedom to those who are willing to fight for it.

Mr. Speaker, I spent some time in El Salvador; in fact, I was one of the official observers to the Presidential elections in El Salvador in March 1984. I saw firsthand what it was like for people to have the opportunity for the first time to vote for their President. It was a very emotional experience for me, because I saw literally thousands of people standing in line for hours to vote, under extremely difficult circumstances.

Many people had to walk 20 or 30 miles to get to the voting place. There was much confusion because, in many of the voting places, the guerrillas had attacked in the early morning, destroyed the ballot boxes, and had precluded people from voting in the place where they were supposed to vote.

So there was a special place set up at the soccer stadium for the *displacados* to vote—the displaced persons—and there was mass confusion. Notwithstanding that mass confusion and the fact that people had to walk miles to get to vote; they had to stand in line for hours to get to vote, they voted.

They came up to me after they voted and they grabbed me by the lapels of my coat and said, "You tell them we voted." They wanted to send a message to the people of the United States of America that they cared enough to brave the guerrillas, to walk that distance, to stand for that amount of time, and to cast their vote.

Over 79 percent of them cast a vote for President on that day in March 1984. In some respects, I was not proud to be an American on that day, because I knew the percentage of people that had voted at our last election. In comparing it to the rigors of the voting that occurred on that occasion, it occurred to me that perhaps those of us here in the United States had forgotten a little bit about what it means to have that freedom granted to you the first time.

That is what the freedom fighters in Nicaragua are asking our help to obtain; the right to go to the polls and elect their own leaders in a voluntary and free way. How can we deny them that opportunity?

Fortunately for this country, we had friends, friends in France, for example, who helped us in our time of need and revolution; and we would not be here today, Mr. Speaker, if we had not been given that support.

There is another reason to help the people in Nicaragua, and it is not simply to grant them the freedom that they so richly deserve and that we enjoy in this country; but also to avoid exploitation of their neighbors in, for example, El Salvador.

We have known from the beginning that Nicaragua has exported revolution to its neighbors including El Salvador. Again, I have experienced firsthand the violations of that country by guerrillas and arms inflicted upon them by the Sandinista government in Nicaragua.

There is another reason to continue to support the Contras. In addition to the fact that we would be keeping our commitment, we would be helping people attain their freedom, and we would be putting pressure on the Sandinista government not to bother their neighbors. That is the reason that has been alluded to heretofore, and to which you have been speaking.

That is the entire matter of the Soviet foothold on this American continent. That foothold is demonstrated by the photographs that have been shown here and by the facts and figures that have been cited. It cannot be gainsaid that the Soviet Union has much to gain and nothing to lose by playing in this hemisphere, and that our trepidation in supporting the freedom fighters in Nicaragua plays into the hands of the Soviets.

If one needs additional reasons for continuing to grant the aid to our freedom fighter friends, we can look to the status of illegal immigration into this country. The hoardes of people that are coming into the United States from the turmoil created in Central America.

Just this week, decisions of the U.S. Supreme Court remind us of the difficulty that this Government is going to face in dealing with the thousands and hundreds of thousands of people who come to this country to escape the problems that exist in their country.

So this aid helps to provide a situation where our friends, for example, in El Salvador can enjoy peace without the necessity of people from that country emigrating to this country illegally.

Finally, continuing this aid permits us to continue to apply pressure in the region on the Soviet expansion, on the buildup in Nicaragua, and to fight the problem of containment, which is a position that I think our friends in Mexico, for example, adhere to.

I just returned from a trip to Mexico City in which we spoke to leaders of the Mexican Government, including President De la Madrid; and he articulated the continuing policy of the Government of Mexico, basically to look the other way, away from Nicaragua.

The excuse was that Mexico, of course, had its local concerns, while he understood that the United States had to look at things in a more global perspective. We had to be aware of the Soviet threat, but that was not something to which Mexico could really direct its attention.

It seems to me that this is the argument of containment; it is the argument of mordida; it is the argument of buying off the Cubans or the Nicaraguans for a little time, a little peace in the region while ignoring the threat of the Soviet Union and the real genesis of trouble in the region in the first place.

The trouble will not go away; Nicaragua cannot be sealed off; and that, I believe, is very well articulated.

This is an essay from which I would like to just paraphrase a couple of comments, and then add to the RECORD. It is, interestingly, written by Charles Krauthammer, and it appears in the March 2, 1987, edition of Time magazine.

The name of the essay is, "Should the United States support the Contras?" Mr. Krauthammer concludes that the answer is a resounding yes, we should.

□ 1720

Mr. Speaker, just to paraphrase briefly from this essay because I think it so cogently makes the point I just alluded to. First of all, Mr. Krauthammer notes the gathering sentiment to reverse aid and notes that it derives less from a desire to punish the Contras than from a desire to punish the administration. Ruefully, regrettably, that seems to be the case. But how to punish, he asks. He says, "but if it wounds the country" the policy would be a bad one. "Congress had come to

the view that Contra aid was in the national interest." He says it remains so. "Abandoning that interest to get to a president is a high price to pay for sweet revenge." He goes on to point out the fact that the Soviet bloc is now in the process of consolidating a second base in the Americas, this time on the mainland. He alludes to the support for the guerrilla activity in El Salvador that I spoke to a moment ago. He says, "The Sandinista revolution is without frontiers" is not a hypothetical notion; it is historical. In the first years of their rule, the Sandinistas poured considerable effort into the Salvadoran insurgency, and he goes on to point out that, "the Sandinistas have been much more restrained in their support of the Salvadoran guerrillas during the Reagan administration not because of a change of heart but as a direct result of the military pressure that the United States has brought to bear during that time. Pressure in the form of the Contras."

To this matter of containment, he quotes Tom Wicker, an articulate spokesman for the anti-Contra view and in support of the containment view. Mr. Wicker said, "Washington could state plainly that it will not tolerate any Soviet military base in Nicaragua, or any overt or covert attempt by Nicaragua to attack its neighbors." Mr. Krauthammer asks, "What exactly does 'will not tolerate' mean?" One cannot just say it.

Carter declared the Soviet brigade in Cuba intolerable; Reagan declared the crackdown on Polish Solidarity intolerable. The intolerable endured, despite the brave words.

To be serious about containing Sandinista subversion we will need vigilance and resources and risk. It cannot mean condoning a ring of bases, a ring of American bases around Nicaragua, or a naval blockade. Why is it preferable to commit American resources and to take a risk of direct confrontation but it is not a good idea to simply provide aid to those who would fight the battle themselves? Should we station permanently American troops to serve as a trip wire? If a blockade ever became necessary, would the United States risk confrontation not just with Nicaragua but with Soviet forces as well? Why is the strategy of containment preferable to supporting those who would fight so that Americans do not have to fight?

Mr. Krauthammer concludes by noting the fact that the Contras do have severe problems. But that is the nature of guerrilla war, that it does require arms and training and, above all, time for building an infrastructure in the countryside.

He notes that the Sandinistas were in the countryside for 17 years before their victory over Somoza. It could be that the United States does not have the patience to support this kind of incremental struggle, this guerrilla war. But certainly hanging with the program more than a couple of months, more than a few months is essential for us to have a credible foreign policy. And what makes this "they can't win" refrain a bit ironic is the very people, of course, who talk about the fact that guerrillas cannot win are the very people who have been seeing to it they cannot get the support to win with in the first place; a very neat circle indeed.

Finally, on the question of morality, and this gets back to the very first comments that I made, helping to support those who would support their own freedom and backing up our own commitment is the only moral position here.

Mr. Krauthammer concludes, and I would like to quote these last sentences: "Is it wrong to support a resistance seeking to overthrow the rule of the comandantes? Americans value freedom in their own country. They would not tolerate the political conditions that Nicaraguans must suffer. There is no hope that Nicaraguans will enjoy anything near the liberty that Americans enjoy—and that the Nicaraguans were promised by the Sandinistas—unless their new tyranny is removed. How then does it serve American values to cut off aid to those trying to do the removing?"

I submit the answer to that question, of course, is that it does not serve their interests or ours, that we must be good to the commitment that we made, that we must continue to support the people who are fighting so bravely for their own freedom and not incidentally in support of American foreign policy in this hemisphere and around the world.

Mr. Speaker, I appreciate the gentleman yielding some time to me to express these things from the heart. I appreciate the opportunity to speak out on this occasion because, as I noted in the beginning, we will not have that same opportunity tomorrow when this matter is placed before us so that we could debate it and perhaps try to amend it. We will not have the opportunity to amend the resolution before us tomorrow. Therefore, I appreciate the opportunity to speak on the matter this evening.

The article referred to follows:

[From Time, Mar. 2, 1987]

SHOULD THE U.S. SUPPORT THE CONTRAS?

(By Charles Krauthammer)

Round 6, is it? President "Reagan wants $105 million from Congress for next year's aid for the Nicaraguan contras. Congressional Democrats are moving now to block $40 million of this year's aid. We revisit the debate that will not die: Should the U.S. support the Nicaraguan resistance?

Congress is hardly the most finely honed instrument for making decisions of this kind. On the question of contra aid, Congress has returned answers, consecutively, of yes, yes, no, a bit, and—last year—yes again. (It was during the two years of "no" and "a bit"—1984 through 1986, when Congress first banned all aid, then only military aid—that Colonel North sought to circumvent Congress by funneling aid from other sources, including the Iran arms sale.) Lyndon Johnson once reminded critics that he was the only President we had. This is the only Congress we have. And by 1986 it did appear as if Congress had crossed a divide. After lengthy debate, both Houses voted military aid to the contras.

The Iran-contra affair shouldn't change all that, but it probably will. Less than three hours after Attorney General Meese had announced the discovery of the diversion of Iran arms funds to the *contras*, Senator David Durenberger of Minnesota, then chairman of the Senate Intelligence Committee, declared, "It's going to be a cold day in Washington, D.C., before any more money goes to Nicaragua."

This even before it was known whether or not the contra forces had seen any of the diverted money. This even before it was known whether the contras were even aware that funds were being illegally diverted for their benefit. What was known for more than a year was that the contras were the beneficiaries of some kind of supply operation run with a wink and a nod from the Administration. It was assumed that this was funded by "private" sources and possibly from money from third-party governments. And until Meese revealed that some money had also been skimmed from the Iran arms sales, this assumption aroused very little protest from Congress. Are the contras to be punished because they did not suspect an Iranian connection, something that, throughout November, no one in Congress (or in the press, for that matter) suspected?

But the gathering sentiment to reverse aid derives less from a desire to punish the contras than from a desire to punished the Administration. Of course, the Administration deserves to be punished. For the negligence of those who were ignorant or willed themselves into ignorance over the Iran arms affair. And for the lawlessness of those who actually carried out an operation designed to contravene congressional will.

But how to punish? Wounding a President by reversing his most cherished foreign policy goal is an understandable political instinct. But if it wounds the country, it is a bad one. Congress had come to the view that contra aid was in the national interest. It remains so. Abandoning that interest to get to a President is a high price to pay for sweet revenge.

The case for (and indeed, the case against) the contras remains utterly unchanged by the North affair. Now as before, the case for the contras rests on two pillars. One strategic and the other ideological—moral, if you will.

For a century and a half the extraordinary security of the American mainland owed much to the fact that the U.S. resisted, under the Monroe Doctrine, any great-power penetration of its own hemisphere. For the past 40 years that local security has enabled the U.S. to look abroad and take responsibility for a vast alliance. Cuba was the first breach in the Monroe Doctrine, and it has indeed complicated the U.S. strategic position not only in the Americas, where Cuba has actively engaged in the attempted destabilization of one country after another, but as far away as Africa, where Cuban troops serve as a Soviet foreign legion.

The Soviet bloc is now in the process of consolidating a second base in the Americas, this time on the mainland, in contiguity with Costa Rica and ultimately Panama to the south, and with Honduras, El Salvador and ultimately Mexico to the north. That the Sandinista revolution is without frontiers is not a hypothetical notion. It is historical. In the first years of their rule the Sandinistas poured considerable effort into the Salvadoran insurgency, which hoped to pull off a victory before the inauguration of Ronald Reagan. That attempt failed, but not for lack of trying. The Sandinistas have been more restrained in their support of the Salvadoran guerrillas during the Reagan Administration, not because of a change of heart but as a direct result of the military pressure that the U.S. has brought to bear during that time. Pressure in the form of the contras.

What is the strategic case against supporting a resistance that is trying to prevent the consolidation of a second Cuba? Some isolationists might argue that the "loss" of Third World countries does not really matter, and that we sit behind a palisade of 10,000 nuclear warheads and not care who controls Central America. But the main opposition case is different. It does matter, say the Democrats. And the Sandinistas, they concede in speech after speech, are indeed Marxist-Leninist, expansionist, and pro-Soviet. But they can be contained by American power.

Tom Wicker, an articulate spokesman for the anti-contra view, put the case for containment: "Washington could state plainly that it will not tolerate any Soviet military base in Nicaragua, or any overt or covert attempt by Nicaragua to attack its neighbors." Now, what exactly does "will not tolerate" mean? One cannot just say it. Carter declared the Soviet brigade in Cuba intolerable. Reagan declared the crackdown on Polish Solidarity intolerable. And the intolerable endured, despite the brave words. To be serious about containing Sandinista subversion—overt and covert—will mean vigilance, resources and risk. It will mean everything from pouring aid into El Salvador, Honduras and Costa Rica to establishing a ring of American bases around the border of Nicaragua; even, as Walter Mondale suggested during the 1984 campaign, to setting up a naval blockade to contain the Sandinistas. But why is it preferable so hugely to commit American resources? To station permanently American troops to serve as a trip wire? (That is how containment works in Europe: the principal function of American soldiers in forward positions is to die and thus bring the U.S. into any European war the Soviets might be tempted to start.) And if a blockade ever became necessary, the U.S. would risk confrontation not just with Nicargauan forces but with Soviet forces as well. Why is that strategically preferable to supporting 15,000 Nicaraguans themselves prepared to fight to reclaim their country?

Because, say the critics, the contras cannot do the job. They cannot win. How these experts divine the outcome of civil wars is hard to fathom. The contras have more than twice the recruits the Sandinistas had when they overthrew Somoza. Which side is today more popular? It is hard to find out in a dictatorship. But it is worth noting that the Sandinistas have a conscript army, while the contras are a volunteer force.

The contras do have severe problems. They are in the midst of another agonizing reorganization, as the liberal civilian leadership tries, with U.S. support, to gain control over the military (not an uncommon problem, incidentally, for American friends from the Philippines to Guatemala). Critics point to the lack of significant contra military gains until now as proof that they cannot win. Perhaps. But it is equally possible that the lack of success has to do with two years of a grossly unbalanced arms race between the contras and the Sandinistas. Such imbalances are not rectified overnight, nor do they lend themselves to military spectaculars by the disarmed party. Guerrilla war requires arms, training and, above all, time for building an infrastructure in the countryside. The Sandinistas were in the field for 17 years before their victory over Somoza.

Some immediate visible success may be less a military than a political necessity for the contras. As Admiral William J. Crowe Jr., chairman of the Joint Chiefs of Staff, said, if the contras do not have "some kind of success" soon, they will likely forfeit American support. The contras' greatest weakness could be the nature of their great-power patron. It could be that the U.S. does not have the patience to support the incremental struggle that is guerrilla war. And the contras certainly cannot win without outside support. Very few guerrilla armies do. Not even the Viet Cong did.

Which makes the "they can't win" refrain somewhat ironic. It comes most often from precisely those people in Congress who are constantly fighting to cut aid to the contras, reducing their supplies to the barest minimum, or trying to eliminate assistance altogether. Having disarmed the resistance, they then assert that it cannot win, and then cite the inability to win as a reason for disarming it. A neat circle.

But what of international morality? Even if it is strategically important for the U.S. to prevent a Communist state in Central America, do not American values prevent us from overthrowing another government? In principle, no. It depends on the case. The 1983 overthrow of the thug government of Grenada, for example, surely qualified as one of the more moral exercises of American foreign policy.

The question of contra support, however, poses a different problem. It asks whether the U.S. has the right to support a 15,000-man peasant army that wants to overthrow its own government. That army believes that its country has been taken over by Leninists who have shut down the opposition, destroyed a free press, repressed the church and run a secret police "advised" by Cubans and East Germans. As the President of Costa Rica put it, the "Nicaraguan people . . . have fought so hard to get rid of one tyrant, one dictator, and seven years later they have nine."

Guerrilla war is always morally problematic, and it is therefore important for the U.S. to ensure that its allies conduct the war as humanely as any guerrilla war can be conducted. But is it wrong to support a resistance seeking to overthrow the rule of the comandantes? Americans value freedom in their own country. They would not tolerate the political conditions that Nicaraguans must suffer. There is no hope that Nicaraguans will enjoy anything near the liberty that Americans enjoy (and that the Nicaraguans were promised by the Sandinistas) unless their new tyranny is removed. How, then, does it serve American values to cut off aid to those trying to do the removing?

But then these arguments are familiar, too familiar. They have been debated in Congress and elsewhere with seasonal regularity. That is precisely the point, however. It is these familiar arguments that lie at the heart of the decision about whether the U.S. ought to support the contras. Not "What did the President know, and when did he know it?" The failings, even the illegalities, of a President alter neither American strategic interests nor the morality (or immorality) of supporting anti-Communist rebels. Let the debate begin, again. And may it be decided on its merits.

Mr. ROWLAND of Connecticut. I thank the gentleman for his articulate and candid remarks. I think everyone can appreciate exactly the comments that were made.

To reemphasize the point made by the gentleman as well as the gentleman from California, the continuing question comes back: What is the interest of the Soviet Union in this region? I think this regional map dramatizes the interests the Soviet Union just may have in that region. If indeed you look into the smaller circle in this area outside of Nicaragua, 65 percent of the ships come through the Panama Canal bringing goods to or from the United States. As you get into the outer parts of the circle, you will see that 45 percent of all U.S. imports and exports must come through this region. Indeed 60 percent of NATO resupplies must come through this region. I think it is also important to note that if you look at strategic importance, that 55 percent U.S. crude oil imports come in this particular region. We have seen the oil fields, the military armament that we have talked about earlier, and we are going to see some of the port facilities and more graphic details of just what the Soviet interest is in this region.

At this point I yield to the gentleman from Oklahoma.

Mr. INHOFE. I thank the gentleman from Connecticut for yielding this time to me.

I have been listening to my colleagues from the various parts of the country who stand united in being concerned with what might be happening tomorrow.

The gentleman from Texas has been talking about his State of Texas and its proximity.

When I look at this map about the distance in air miles from Managua to various parts of the country, I see that my district centered around Tulsa is a little over 1,500 miles away from where all of this is happened right on our own hemisphere. It is very disconcerting to me.

I listened to my colleague from Arizona when he talked about his frustrations. I think a lot of it is because he is a freshman, as I am a freshman, and we come here and we see something that we do not believe is happening, that this country might be considering not honoring its commitments to the freedom fighters anywhere in this

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world, leave alone just a few hundred miles away from where we are standing right now.

The gentleman from Connecticut, with his maps, showed the military buildup which we know so well, but for those of you who may be watching and not quite as familiar with some of the very technical terms that have been used here, keep in mind we are talking about the Sandinistas and the military buildup in the neighborhood of 120,000 individuals. A lot of people say, "Yes, that is for national security." How can it be for national security? They are bordered on the north by Honduras that has an army of something over 10,000; on the south by Costa Rica that does not even have a military buildup at all. So it is not for that reason at all. It is to develop a stronghold here in this country.

So many of us have heard the stories of our loved ones who have come back with their personal experiences. I would like to share with you an experience of Joe Niehus, a preacher in Oklahoma who was down in Nicaragua along the border. He talked to a lady who watched her husband be dismembered and be finally murdered by the Sandinistas. This lady was raped. The brutalities that are taking place down there are not something that is imaginative, it is something very real.

What is really happening is that the attack on freedom in our country, the Sandinistas are lodging an attack on the press. La Presna, the last free newspaper has now been attacked by this regime. It is inconceivable to me to think that this could happen.

The gentleman from Texas talked about and dwelled quite a bit on Cuba, drawing some parallels.

□ 1730

I was mindful and remember a part of a speech that was made some 20 years ago by a very visionary person who later became President of the United States. In Ronald Reagan's speech called "A Rendezvous With Destiny," over 20 years ago, he told the story about the Cuban refugee who escaped from Communist Cuba and was able to finally get away from that and, after he was washed up on the beach, there was a lady there who met him. He talked about the horrible things that were happening in Communist Cuba just a few miles away.

When he was through, she said, "I guess we in this country don't know how lucky we are." The Cuban said, "How lucky you are? I am the one who is lucky. I had a place to escape to."

What he was saying at that time was that here we are, the last bastion of freedom. For those of you who do not think that the same thing is going on in Nicaragua, I suggest to you that you read an article, a book, that was written by Armando Vayodaros called "Against All Hope." In this book Armando Vayodaras will lead you to the inescapable conclusion that the greatest brutality in the history of human kind is happening behind the walls of the Communist Cuban prisons at this time.

He talked about 22 years behind the walls with a very scientific blend of medieval and modern tortures that he had been able to sustain himself through just through faith. It is a type of thing that you cannot read and read out loud. You would be embarrassed to know that things like that are happening in this world today.

Yet, he escaped and he was able to be released and has returned.

It was not long ago, in the U.S. News & World Report, there was an article talking about how the prison officials in Cuba have been sent to Nicaragua to show the Sandinistas how to torture political prisoners.

So, Mr. Speaker, we have a very serious problem just a few miles from our border and I join my colleagues in wanting to do everything that I can to see that we do not dishonor our commitment that we made to the freedom fighters in Nicaragua.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. ROWLAND of Connecticut. I yield to the gentleman form California.

Mr. HUNTER. Mr. Speaker, I think that the gentleman from Oklahoma has hit on a very important point in this debate. That point is that the other nations in Central America now, and particularly El Salvador and Honduras and Costa Rica, are developing in some cases fragile democracies, but they are nations in which young people will be able, at some point in their lives when they reach voting age, to walk to a ballot box and to vote for their leadership. They may do that with bare feet; they may do that with empty stomachs; they may do that without the economic surroundings that we have in this country, but by being able to do that, and to choose their own leaders, they are going to improve their economies. They are going to improve the futures of their families; they are going to be able to live in relative religious freedom.

That is something that young people in Nicaragua, if the Soviet Union manages to pull Nicaragua into the Soviet Empire, will never be able to do. They will never be able, if the history of Communist nations is any example, to go to a ballot box and cast a vote for a ballot on which there are more than one candidate and determine their own future.

The gentleman, I think, has hit a very poignant point when he spoke about the Cuban who said, "I had a place to go to," meaning he had a place to take refuge in; namely, the United States.

We have become a nation of refugees, and they are refugeed from nations and from people whom we have abandoned. We abandoned the freedom fighters at the Bay of Pigs, and today a large portion of the Cuban population resides in the United States. The Government of Cuba resides in Moscow, as the gentleman from Illinois [Mr. HYDE] says.

The military forces reside mainly in South Africa.

We abandoned the Cambodians and so many Cambodians were slaughtered by Communist forces in the so-called peace that American liberals in this Chamber looked forward to after we pulled the aid from the freedom fighters at Phnom Penh that the skulls of those people who were bulldozed into mass graves following the American abandonment by this Congress of the freedom fighters would fill and overflow this House Chamber.

So of recent, it has not been good for a nation to be an ally of the United States. In fact, it has been better in some cases to be an adversary.

I would hope that we would look at the lessons that the gentleman spoke about and look at the experiences of other people, like the Cubans, and for one time, confront the Soviet Union head on and not allow them to make this ingress into our hemisphere and into the lives of the millions of people who are now young people in Nicaragua who want someday to be able to walk to a ballot box and to determine their own future.

I thank the gentleman for his articulate statement in support of doing what we promised to do last year and what people are relying on. That is releasing that $40 million to the freedom fighters.

Mr. ROWLAND of Connecticut. Mr. Speaker, I want to thank both gentlemen for their comments.

Certainly the gentleman from Oklahoma [Mr. INHOFE] made reference to the fact that Nicaragua is not on the other side of the world. He made some inference to the closeness to his particular State.

This map will show you that, indeed, Nicaragua and Managua itself is a short distance away from the United States. If you look at the air mileage, you can see it is anywhere from just 1,000 miles to 3,000 miles away from Managua.

Mr. Speaker, I merely add and reemphasize some of the comments that have been made in the last 60 minutes. Indeed, the moratorium vote tomorrow will be a unilateral movement. When, indeed, or if, indeed, we are to cut off aid to the Contras, not only will we be reneging on a commitment, but more importantly, I believe, and I think many of us in this Chamber believe, we will be unilaterally giving up

hope. We will be ultimately picking sides.

I believe all of us need to understand that we are going to have to live with that decision. We are going to have to live with the decision we make tomorrow and we are going to have to live with the decision that we make next year.

Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Speaker, I thank my friend, the gentleman from Connecticut [Mr. ROWLAND], for the very cogent remarks which he had made, and also for certainly his foresight in looking at what is a very critical issue to the freedom of the Western Hemisphere and the future of the United States of America, I believe.

Today is March 10 and it, in fact, is just before a very important anniversary that many people may not have focused attention on. It is the anniversary of a trip that was taken by nine Members of this House to Managua, Nicaragua, and to San Salvador, El Salvador. One year ago, March 14, we were led there by our colleague from Pennsylvania [Mr. WALKER] and had a very, very fascinating eye-opening series of meetings.

I simply would like to begin by asking my colleague, the gentleman from Pennsylvania [Mr. WALKER], the leader of that delegation, for his thoughts on where we stand now 1 year after that trip.

I never will forget the first meeting that we had. It was in the office of the editorial board of that great newspaper, the world-respected publication for freedom, which criticized the Somoza regime and also launched a very strong criticism against the Sandinista Communist totalitarian dictatorship. That was our first meeting.

It is interesting that here we are, just 1 year away from that trip and it was led so ably by my colleague, the gentleman from Pennsylvania. I am pleased to report that here in this Chamber we have another member of that very important delegation, my colleague, the gentleman from California [Mr. DORNAN], and as we stand here, that publication, La Prensa, no longer exists. When we were there a year ago, we heard that they were having a difficult time getting ink; that the Government was trying to stop the flow of ink; that one of the members of the editorial board had been kidnaped for a short period of time.

We also knew that the Government was harassing the businesses which were buying advertising in La Prensa, and we also saw the tremendous degree of censorship which had been imposed.

We learned that, under Somoza, there had been certainly some censorship which took place, primarily focusing on the military buildup of the opposition. But since that time, we have seen—or we did at that point—see that La Prensa was faced with an even greater degree of censorship being imposed by the Sandinistas.

That was the first meeting that we had. Perhaps the gentleman from Pennsylvania [Mr. WALKER] would care to elaborate on some of the other meetings that we had.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. ROWLAND of Connecticut. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I certainly appreciate the gentleman raising the point of that particular visit, because he is right, that 1 year ago, we were there. We saw what was happening in the country at that point and I must say that, from everything that I have been able to hear from colleagues who have come back since that visit, the situation has gotten worse there.

□ 1740

We know with regard to La Prensa that the situation has gotten worse. Whereas it was a newspaper that was censored, at least it was getting the word out to a few people. Since the time of our visit, La Prensa has been shut down. There is no opposition voice for the Nicaraguan people to read in Nicaragua today.

Mr. DREIER of California. Mr. Speaker, I am sure the gentleman remembers very well that when we were there, we saw that they did at least allow at that point the posing of censored articles on the outside. Although they really were not on the street, they were still within the compound of La Prensa.

Mr. WALKER. And the secret police were taking down the names and taking pictures of the people who came in to read those articles.

Mr. DREIER of California. They came just to look at those articles that were published there and posted on the wall. It used to be apparently that they were on the outside.

And I remember so often people in the media here in the United States were talking about the fact that there was at least tolerance of La Prensa by allowing them to post those articles, even though it was within their compound. They said, "Well, the people in Managua certainly still have the right to read the articles which have been censored," and that was significant in the eyes of many people in the United States who had opposed aid to the freedom fighters. They said that demonstrated that a free press really did exist.

Mr. WALKER. Is it not interesting that those same people, since La Prensa has been shut down, are strangely silent about freedom of the press in Nicaragua and now say that if it was not for the United States putting pressure on Nicaragua, La Prensa would have survived? It is as though it were our fault that the Nicaraguan Communists shut down La Prensa.

It is absolutely astonishing to me how the people in this body and around the country can very often get themselves into the framework of thinking that virtually everything that happens they blame on the United States. In this case the blame does not exist with the United States. All you have to do is go to Nicaragua and you see it. They are imposing a Communist dictatorship there.

Will the gentleman agree with me that our delegation at least left there with absolutely no doubt whatsoever that we were dealing with a Communist regime?

Mr. DREIER of California. I not only agree with what the gentleman is saying, but that is not simply a Communist government or a Communist regime; it is a Communist totalitarian dictatorship based on the whole Stalinist ideal, and I believe very strongly that we have seen an expansion of that.

I will never forget looking at a debate that took place between a couple of our colleagues not too long ago—Mr. Speaker, may I ask, has my time expired?

The SPEAKER pro tempore (Mr. HAYES of Louisiana). Yes, the time of the gentleman from Connecticut [Mr. ROWLAND] has expired.

REINSTATEMENT OF SPECIAL ORDER

Mr. WALKER. Mr. Speaker, I ask unanimous consent that my special order, which was previously passed over, be permitted to go forward at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members who will participate in my special order be allowed to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SUPPORT URGED FOR PROVIDING FURTHER AID TO NICARAGUAN CONTRAS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

Mr. WALKER. Mr. Speaker, I will begin by yielding to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Speaker, I thank the gentleman very much.

To continue my thought, there was an interesting debate that took place on a television program. It was one of these news programs, and there was a Member from this side of the aisle there. I would point out that I am right now on the Democratic side of the aisle, I am happy to say, because so many of our Republican colleagues have filled the microphones on the Republican side of the aisle. But there was a Democratic colleague there who was being interviewed along with a Republican colleague on the issue of Contra aid

The question that was posed to the Democrat, who obviously was an opponent of Contra aid, was this: the commentator said to this gentleman, "Well, tell me, we know that you are an opponent of aid to the freedom fighters in Nicaragua. Based on that, what is it that you recommend as a solution to the problem of the export of revolution?" That is what has been referred to in fact by Daniel Ortega as a "revolution without borders."

Our Democratic colleagues responded to that question by saying, "Well, I believe what we must do is negotiate with the Communist dictator to ensure that their form of government stays within the borders of Nicaragua."

And the commentator very wisely pointed to the fact that on nine different occasions we have attempted, through the Contadora process, to bring about some degree of negotiations, and he also asked: "Well, what happens if, as in the past, the totalitarian dictatorship in Nicaragua does export its revolution beyond its borders?"

Our Democratic colleague then said, "Well, then we will have one solution, and that is that we will have to deploy U.S. troops to ensure that they don't violate that agreement."

Our Republican colleague very wisely came back and said, "Aha, that's exactly what we are trying to do with this policy. We are trying to ensure that we never have to send a single U.S. combat troop."

When I was in the midst of a debate with another of our Democratic colleagues on this issue, after I had quoted President Kennedy's famous line from his inaugural address on January 20, 1961, when he said, "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to insure the survival and the success of liberty," after I had given that quote, my Democratic colleague said to me, "Well, you have got to remember that President Kennedy is also the one who said that there is not always an American solution to every world problem."

And I said, "Aha, what we are offering here is not the American solution. We are simply providing American backing for the Nicaraguan solution."

What happens time and time, again, when you talk to the Nicaraguans, is that they will say to us, "We are not fighting this war for you. We are fighting it for ourselves and our country."

I believe it is very clear that this is the goal that we have stated.

While I do not have control of the time, I see that there are three members of that very famous WALKER congressional delegation standing at microphones, and I cannot help but request of the gentleman from Pennsylvania that he yield to my colleague from Orange County, the gentleman from California [Mr. DORNAN].

Mr. WALKER. Mr. Speaker, I am glad to yield to the gentleman from California.

Mr. DORNAN of California. Mr. Speaker, I thank the gentleman for yielding.

I would like to participate in this special order a little bit later also, but I can hardly wait to defer to our good colleague, the gentleman from Virginia, who wants to quote from Whittaker Chambers' book "Witness."

Before he does that, to finish up on our trip, let me say that a year ago my colleague, the gentleman from California—and our districts adjoin—had also traveled with me to Hanoi, just 1 month before, on February 14 of last year. Although there is a different feeling, since one country is Latin and the other is Asian, the gentleman will recall that we walked around Hanoi all one night observing what a beautiful city it had been at one time and the abject poverty it had fallen into, and how strange was the economic course of those nations that we defeat—Japan, Germany, Italy—and you only have to go from the sterling automobile, from the Mercedes to the Ferrari.

Mr. DREIER of California. And we saw that Hanoi at one point had been a beautiful city with boulevards, and then the jungle had taken over the city and it looked as though there had not been any paint thrown on the buildings in decades.

Mr. DORNAN of California. Even though the cities were different, again, in this Latin country, at sea level, with active volcanoes on the horizon and the only freshwater sharks there, too, in lakes within sight, certainly like Lake Managua, we could see the whole thing from the hills where we had some meetings at the Ambassador's house, and we observed, even though there was a physical difference, the same feeling that permeated the Communist capital of Hanoi. It was the same feeling that we observed in the growing Communist capital of Nicaragua.

Mr. DREIER of California. Especially the night we had our water cut off at the Intercontinental Hotel.

Mr. DORNAN of California. Right. It was a feeling of dustiness, and I do not mean that literally. I mean it was just decay, economic decay. And it was not from any warfare out in the veldt or the bush from the freedom fighters against the Cuban-trained and Soviet-trained Sandinista Communist forces; it was that feeling of nothing in the stores, a feeling of deadness that comes on a society when all entrepreneurship and all competitiveness in the best sense of that word is gone, all of that free-market economic liveliness that we had seen going into Hanoi from Bangkok, in Seoul, coming out, and that we had seen in El Salvador, even though it had still not contained its guerrilla threat.

Well, what we observed at the end of that day is something I would like to repeat because we have here three of the nine of us who were on that trip. We had inadvertently in our meetings tracked the first amendment to the U.S. Constitution, which says, leaving out some of the longer phrases at the end: Congress shall make no law abridging freedom of speech, of the press, of the right of the people to assemble, and peaceably petition their government. And then you have the religious clause in that great first amendment. We saw on that day the people of La Prensa—which literally means the press—we saw people from the human rights groups who were pleading for the members of their group and others who had been thrown in prison for peaceably assembling to petition their government to keep their promise to the OAS, the promises of the original Sandinista revolution that won in July of 1979. We talked to people who had, because they assembled, lost their property.

We then talked to great religious leaders. We do not want to name them because—well, two of them have been kicked out, so we can mention Monsignor Carballo, who had been stripped naked and dragged down the street. He ran Radio Catalica, which had been shut down on New Year's week of a year ago now.

Mr. DREIER of California. Is this Bishop Carballo, who was summoned to a meeting at a mission and then was taken out in the streets at gunpoint and stripped?

□ 1750

Mr. DORNAN of California. Right; and the man who said, "I will kill you yet," is named Cerna. That is a Latin name, but his first name is Lenin. A rather unusual name for someone in a Latin country. Lenin Cerna who is

head of their security force says, "I am going to kill you."

So here we had seen religion, speech, press, and the right to assemble in four different meetings all violated in that country and yet the vote was confused on this floor in March in few days later; put off until our victory on June 12 where we turned 12 votes, which gave us the 24 lead and now we are on the eve of a vote where the Democratic leadership at least, and most of their members, are flying in the face of world history and they think the American people have polled on their behalf.

Mr. DREIER of California. If the gentleman will yield, on one quick point, a comment the gentleman made, and that is vey specifically that the four items which he mentioned are the four bases of the 1979 revolution in Nicaragua. The people of Nicaragua were promised when they overthrew the repressive dictatorship of Anastazio Somoza free and fair elections, an end to human rights violations, a nonaligned foreign policy and political pluralism. Those are the four points promised. We witnessed in one day in Managua an abrogation of all four of those and that is why it is very clear that the people of Nicaragua continue that 1979 revolution.

I thank the gentleman for yielding to me.

Mr. WALKER. I thank the gentleman very much for his point.

I yield to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. I thank the gentleman for yielding.

Mr. Speaker, I want to thank everyone who has taken out this special order and participated. I have visited Nicaragua, Managua, Nicaragua, two times. The first time was several years ago, the second time was last month. Clearly, I think we all should know that Nicaragua and the Sandinista government is a Communist government. That should be our No. 1 beginning point.

Mr. WALKER. If the gentleman will allow, would the gentleman just repeat that again, please?

Mr. WOLF. I think that is the first point we have to understand; it is a Communist government. It is not a revolutionary government of the left. It is a Communist government.

Mr. WALKER. We are talking about the enemy here?

Mr. WOLF. That is correct; a Communist government.

Mr. WALKER. I thank the gentleman.

Mr. WOLF. An indication and the proof are several. First, they will tell you that. Second, the Soviets have several hundred advisors down there in Nicaragua. Third, the Cubans have about 5,000 to 6,000 troops and the HIND helicopter which you stand next to in that picture, most of the pilots are Communist, Cuban pilots. The Communist East Germans run their security system.

Mr. WALKER. That is the secret police who are picking people up in the middle of the night and throwing them in political prison.

Mr. WOLF. Absolutely brutal. The Bulgarians, who are as barbaric as you can possibly be are down there. The PLO, the Palestinian Liberation Organization, which is a terrorist organization around the world, is in Nicaragua. The Libyans, Qadhafi has his people in Nicaragua.

The prisons are more crowded today than they have ever been. The persecution of the Catholic Church and the Protestant Church; we met with the cardinal and different Catholic priests and different people in the evangelical church who told us of that. I do not want to repeat many of the other things, but clearly the newspaper has been shut down and Violetta Chammora who is the editor of the newspaper, she was one of the original Sandinista government leaders and now her paper has been shut down and she has since broken with the government.

On and on and on. The cardinal——

Mr. WALKER. We might want to clarify that point. There are several people Alfonso Robelo, Arturo Cruise, Mrs. Chammoro, who were in fact a part of the leadership that brought the revolution-to-be in Nicaragua that overthrew Somoza, but they were the democratic elements; they were the people who were speaking out for democracy in Nicaragua and they have gradually either been forced out of the Communist leadership or have been, or have left on their own; is that not correct?

Mr. WOLF. That is correct. Cardinal Obando y Bravo, who is the main opposition to the Communist, Sandinista government, it is important to remember he was criticized strongly by Somoza. He said the mass for the Sandinista government when they took over. He was the one who negotiated Commandante Ortega's release from prison and here is an individual who was supportive, as many in this body and many on our side of the aisle originally were supportive of the original revolution. Since that time it has become a Communist dictatorship.

Now how does this fit in? What point, and the gentleman and the gentleman from Connecticut and the gentleman from California have covered the other points, it leads me to the major point that I want to make.

In 1938 there was a gentleman in this country named Whittaker Chambers who was a Communist. He was a member of the Communist Party here in the United States. Whittaker Chambers became repelled by what he saw in the Communist Party; the executions that took place in Soviet Russia and many other things. He left the Communist Party in 1937.

In 1948, he testified in many congressional hearings which resulted in the conviction of Alger Hiss who later went to prison. In 1952, this is a man who was a Communist, Whittaker Chambers wrote a book. The book is called "Witness." Now, I would encourage all my colleagues on both sides of the aisle to read this book. It is a very profound book and tells a story for today.

Let me read the first page from Whittaker Chambers' book, "Witness."

He said: "In 1937, like Lazarus," Lazarus from the Bible who came back from the dead, "I began like Lazarus the impossible return. I began to break away from communism and to climb from deep within its underground where for 6 years I had been been buried back into the world of free men. 'When we dead awaken,' I used to sometimes say in those days to my wife, who, though never a Communist, had shared my revolutionary hopes and was now to share my ordeals: 'When we dead awaken.' For this title of an Ibsen play I have never read somehow caught and summed up for me feelings that I could not find any other words to express—fears, uncertainities, self-doubts, cowardices, flinchings of the will—nature to any man who undertakes to reverse in midcourse the journey of his life. At the same time," he said when he left communism, "I felt a surging release and a sense of freedom, like a man who bursts at last gasp out of a drowning sea.

"This elation was not caused," and this is the frightening thing of the book, "This elation was not caused by any comparison of the world I was leaving and the world I was returning to."

Whittaker Chambers went on to say, "By any hard-headed estimate, the world I was leaving," that is the Communist world, "looked like the world of life and of the future. The world I was returning to," that is freedom and democracy, "The world I was returning to seemed by contrast a graveyard. It was in fact the same world I had abandoned as hopeless when I joined the Communist Party in 1925. Only, now, its crisis which few men could diagnose 13 years before had reached the visible brink of catastrophe and still that stricken world did not know the nature of the catastrophe. It still did not know or even want to know two facts that it must know to survive. The meaning of communism and the meaning of the new breed of man, the Communist."

Whittaker Chambers went on to say:

I wanted my wife to realize clearly one long-term penalty, for herself and for the children, of the step I was taking. I said:

"You know, we are leaving the winning world for the losing world." I meant that, in the revolutionary conflict of the 20th century, I knowingly chose the side of probable defeat. Almost nothing that I have observed, or that has happened to me since, has made me think that I was wrong about that forecast. But nothing has changed my determination to act as if I were wrong—if only because, in the last instance, men must act on what they believe right, not on what they believe probable.

Since Whittaker Chambers wrote those words in 1952, 19 countries have turned Communist. Cambodia, Laos, Vietnam, Mozambique, Ethiopia, Angola, Cuba; now Nicaragua, and I do not believe, and I think we should do everything to see that it is the case, I do not believe that Whittaker Chambers was right. I think this body, Republicans and Democrats and Americans should do everything they can in their power to prove that when Whittaker Chambers says that when he was leaving communism he was leaving the winning side and joining the losing side.

As the father of five children, who are going to have to live in this world long after I depart, this troubles me deeply.

□ 1800

Now, to be opposed to Contra aid, and I would reprimand myself and the other Members for using the word Contra, because Contra means against. It is a negative word. I think a more appropriate word is to call the people in Nicaragua who are called Contras, call them the "democratic resistance" or "freedom fighters" or something like that, but to oppose aid to the freedom fighters in Nicaragua is not a policy. It is an abrogation. It is just saying, "I don't know what to do, but I'm not going to do anything."

Now, I happen to think that President Arias of Costa Rica has come out with a very good plan, a good idea. I think this country, the United States, should support President Arias in what he is trying; but in order to support President Arias and make these negotiations to be successful, it is necessary to put pressure on the Communist Sandinista government in Nicaragua, because if we do not have pressure on that government, they will never abide by negotiations and met with Arias and Duarte and the other members.

I just want to urge my colleagues here, you may want to cut off aid later on in the semester or later on in the year, perhaps, but to do it now would basically doom President Arias' negotiations. A vote to cut off aid to the freedom fighters or Contras or democratic resistance would I think spell doom to President Arias' peace plan which we all want to succeed.

Think in terms of that.

Mr. WALKER. Mr. Speaker, if the gentleman will allow me to reclaim my time, it seems to me someplace else in the book "Witness" if I recall correctly from my reading, Whittaker Chambers makes the very important point that the only reality of the 20th century is the struggle between freedom and communism.

In fact, the reality of that struggle is now a few hundred miles off our border, because that is really what we are talking about in Nicaragua. This is not some little game that is being played among some people that we might support, that there are some people on either side that we might be able to support. We are really talking about Soviet imperialism imposing its will in our hemisphere.

Mr. WOLF. That is correct.

Mr. WALKER. The people who are fighting our fight there, fighting the fight of the United States, fighting the fight of freedom, are in fact the democratic resistance in that country.

Mr. WOLF. That is correct.

Mr. WALKER. When you cut off aid to that democratic resistance, you are in fact supporting the other side. You are in fact in terms of the reality of the 20th century supporting the Communists who are in Nicaragua.

Now, that is the key to the debate out here. You can argue all you want about whether or not the Contras have been human rights abusers. Sure, there have been people in the Contra movement who have abused human rights, just as there are Sandinistas who have abused human rights.

You can talk about whether or not money flowed right. Well, you know, I am not certain we can account for the millions that we sent to the Sandinistas right after they took power. We sent more money to them than we had sent to Somoza in the 20 years previous. I would like to have somebody out here give me an accounting for every dime of that money.

The problem is here, the real issue we are facing on the floor tomorrow, are you for helping Communists there or are you for helping the freedom fighters there. That is the real issue and we have got to decide it out on the floor.

Mr. Speaker, I am happy to yield to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, let me add to what the gentleman says. It is true. In the book, "Witness," and I would encourage all my colleagues, I have been asking how many read the book, and frankly I am finding that just not a lot of people have read the book. If you have not read the book, I would urge you to get it.

The second point is, the gentleman is right. Whittaker Chambers did say the battle ultimately boils down to between communism and freedom and faith. That is the battle that we are fighting here today.

Third, I happened to have visited the Contra camps. I was in the Contra camps last month. Many of these people in the Contra camps—I heard one colleague today talking about how many were former Somoza national guardsmen. That is not accurate. There were very, very few who were former Somoza national guardsmen, perhaps 20 to 25 percent. Most of the young men in these camps that I saw were 18, 19, and 20, who when Somoza was in control and the National Guard was in operation were basically 7, 8, 9, and 10 years old.

Let me say for the record, I strongly condemn the Somoza government. I think it is important for us to realize about the aid that the gentleman raised. This country, the United States of America, gave over $100 million, about $118 million at least to the Sandinista government, the Communist Sandinista government.

Who do you think cut off the aid to the Communist government in Nicaragua? It was not President Reagan. It was President Jimmy Carter who cut off the aid.

Mr. WALKER. When we discovered that the aid that we were sending was going to buy Cuban weapons.

Mr. WOLF. Exactly. So I think we should make that point.

My last point is this and this is the most frightening point and I would urge my colleagues to think about this as we vote and urge the people who are watching to think about.

I spoke to a number of people in Nicaragua. One who perhaps I should not mention, a very prominent individual, raised this scenario. He said that if the Communist Sandinista government takes over and consolidates its power in Nicaragua, the next step will be, and it is in the process of doing it, it will put pressure and try to overthrow the democratic government in El Salvador of President Duarte. If it is successful there and the Duarte government is struggling, they have had the earthquake and they are having very difficult times, if it is successful in overthrowing the Duarte government, the next government will be Costa Rica.

President Arias knows he only has 5,000 soldiers. I commend the Costa Ricans. They have abolished the army. It is a peace-loving country, but if you look at a map, the Costa Rican Government is on the border of Nicaragua. They are really feeling a lot of pressure; so the next country that they will go after is Costa Rica, and then after Costa Rica, they will go after Honduras and Guatemala and then, with the economic difficulties that we are currently seeing in Mexico, with the debt crisis that Mexico has, with the abject poverty, and I might say, unfortunately, in certain areas of Mexico, the problems of graft and cor-

ruption and some other things, Mexico could next be destabilized and we could potentially see the day whereby the Communist infrastructure would be on the very border of the United States.

Mr. WALKER. Mr. Speaker, let me say to the gentleman that what he has just described sounds suspiciously like the domino theory that we were assured at the time of Vietnam did not work. I remember the debates in this Congress in which Members, most of them from the Blame America First crowd, stood up and told us that the reason why we could pull out of Vietnam was because the domino theory was a farce, it would never happen, that the North Vietnamese were simply a peace loving nation who wanted to embrace South Vietnam only out of pure nationalism and had no pretentions toward its neighbors whatsoever.

Guess what. It turned out they were horribly and tragically wrong. Millions of people lost their lives, when in fact the domino theory did work and Cambodia and Laos were swallowed up by the North Vietnamese armies.

In a similar situation, because the North Vietnamese through that struggle and because the people of the United States could not recognize the realities of the situation, built up an army that was the dominant army in the region. That is precisely what is happening in Nicaragua today. The Soviets are supplying the dominant army in that region today. There are 75,000 people under arms directly in the army, and if you include the reserves, there are 200,000 people potentially in the armed forces for Nicaragua. That is many times more, that is more than 10 times the Somoza army at its peak. It is an absolutely incredible military buildup that has not only defensive characteristics to it, but as I am going to point out as we look at the Soviet bloc military equipment here in a couple minutes, it is very definitely an offensive army as well.

Mr. Speaker, I am very glad to yield to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, the gentleman is accurate.

I guess in closing I would make this last point. I support continued aid to the Contras or democratic freedom fighters, because I believe that is the best and the most appropriate way to put pressure on the Communist Sandinista government whereby they will negotiate and live up to freedom of speech, freedom of press, freedom of assembly, and the basic freedoms that we have in this country.

I believe very deeply that by continuing the aid, this will enhance President Arias in his effort to negotiate some arrangement down there to bring the other democratic countries in Central America and Nicaragua, bring Nicaragua in and meet with the other democratic countries. That is not meant to infer that Nicaragua is democratic, but meaning El Salvador, Honduras, Guatemala, and Costa Rica.

If we cut off the aid to the Contras or the freedom fighters, I think it will spell the end of President Arias' peace plan, because there will be no pressure, there will be no reason for the Sandinistas to do anything, because there will be no way of bringing pressure on them. I think the Arias peace plan and the Contadora process will then fail.

□ 1810

Mr. WALKER. I thank the gentleman. I think that he makes a valuable point. If I understand what the gentleman is telling us, really by cutting off the help to the freedom fighters there we really strengthen the hand of the Sandinista Communists, and through them strengthen the hand of the Soviet Union in our hemisphere.

Mr. WOLF. Exactly.

Mr. WALKER. And they have no desire whatsoever to see an Arias peace plan work, because the Arias peace plan presupposes the idea that there are going to be democratic elections at some point in all countries in the Central American region, including Nicaragua, and Communists never permit really free elections.

Mr. WOLF. That is correct.

Mr. WALKER. And that is what dooms the peace plan, unless there is pressure on the Sandinistas to respond.

Mr. WOLF. Exactly, and support of the freedom fighters in Nicaragua or the Contras will be that pressure.

Quite frankly, I think that you could almost say that tomorrow a vote to continue aid is a vote for the Arias peace plan and a vote for the Contadora process. A vote to cut off aid could very well spell the end of the Arias peace plan.

Mr. WALKER. And would certainly be regarded as a pro-Sandinista vote on the House floor tomorrow.

Mr. WOLF. It just will not help the cause of freedom and democracy and peace. One other thing, you know, we have an obligation to the campesinos and the poor people of Nicaragua. Most of the people in Nicaragua do not support the Communist Sandinista government. They are good and decent people. The have been persecuted now for so many years under Somoza, and now under the Communist Sandinistas. We have an obligation to them, and I think that cutting off aid to the Contras really breaks not only our obligation to the freedom fighters, but also to the innocent civilians and the victims of this terror and oppression that they have gone through over the last so many years.

So I think that they would want—the average campesino, the average peasant—would want really this support in order to help the Arias plan to bring about peace and freedom, because frankly that is what we are talking about, peace, and we are talking about freedom in Central America.

Mr. WALKER. I thank the gentleman very much. I think that he has made an important point.

The gentleman from California [Mr. HUNTER] is here on the floor, and I wanted to make a point here with regard to the fact that some of this Soviet-bloc military equipment that we know has been supplied to Nicaragua, as the gentleman well knows, what we hear from the "Blame America First" crowd out on this floor is the fact that they would not need any of this military equipment if we were not sponsoring the freedom fighters down there, and therefore, what they are doing is getting this military equipment in to fight a defensive war against American aggression which is being sent against them in the personage of the freedom fighters.

It seems to me that when you take a look at this Soviet-bloc military equipment that we might have cause to call that whole argument into question. I do not claim to be a military expert, but the gentleman I think understands some of this pretty well. When I see something like a light amphibious tank and a T-55 tank, from the days of the German blitzkrieg, I have understood tanks to be offensive weapons rather than defensive weapons. Is that the gentleman's understanding as a member of the Committee on Armed Services?

Mr. HUNTER. The gentleman is absolutely right. The main mission of the tank is to assist the infantry in taking and holding territory, expanding. The tank was developed, of course, during World War I, and it was meant to give infantry the capability of moving forward through machine-gun positions and through other things that had heretofore held up soft bodies, if you will, and so the tank is an offensive weapon.

Mr. WALKER. So when we see the Soviets supplying tanks to the Nicaraguans, we know that what they are being supplied with is offensive capability that could be used against their neighbors; is that correct?

Mr. HUNTER. Precisely.

Mr. WALKER. Now when we see something like the MI-24 Hind helicopter, is that an offensive or a defensive weapon?

Mr. HUNTER. The MI-24 Hind helicopter is really a tank. It is called a flying tank in that it has some of the same characteristics of a tank, in incredibly effective firepower. It has, for example, a Gatling gun that can fire, I believe, around 6,000 rounds per minute, a minigun of sorts, and it also has extremely heavy armor, so that it

cannot be knocked out of the air by ordance—machinegun fire or rifle fire—that can knock other types of helicopters out of the air. It is called a flying tank, and its main mission is to support troops who are moving forward, who are expanding their holdings of foreign territory, or who are aggressors.

Mr. WALKER. Who are advancing.

Mr. HUNTER. One example, of course, is that the MI-24 Hind attack helicopter is used by the Soviet Union in Afghanistan to attempt to take territory away from the freedom fighters in that area. It is not used in a defensive perimeter; it is used to take land and to take territory.

Mr. WALKER. Let us understand that completely. The Soviets, who are on the offense in Afghanistan, are using the MI-24 Hind attack helicopter in that offensive role in Afghanistan.

Mr. HUNTER. That is affirmative.

Mr. WALKER. And so therefore that weapons system, the tank, the tanks that they are supplying and so on, are not defensive weapons systems at all, they are a part of an offensive capability that has been given to this largest army in the history of Central America.

Mr. HUNTER. That is exactly right.

Mr. WALKER. Now let me ask the gentleman, is the gentleman aware of any kind of air combat craft that the freedom fighters have?

Mr. HUNTER. Absolutely none. They from time to time have gotten hold of aircraft that are along the lines of Piper Cubs that are used for spotter planes, or they may knock down an ancient transport that is used to bring materiel in to the freedom fighters, but essentially the freedom fighters have no air force.

Mr. WALKER. OK. So if in fact what we were talking about was a defensive capability, one of the things that you would not have to defend against when you are talking about the freedom fighters is an air force; is that correct?

Mr. HUNTER. That is right.

Mr. WALKER. Well, yet, one of the things that the Soviets are supplying are SA-7 Grails, which are surface-to-air missiles. Now one has to guess that perhaps those missiles were not intended to be used against the Contras. Would that not be the gentleman's assumption?

Mr. HUNTER. If you look at the historical pattern of the Nicaraguans helping the Communist insurgents in El Salvador and moving materiel such as antiaircraft capability and mining equipment and other offensive equipment to those Communist guerrillas, in fact they already have a history in Central America of moving military weaponry out of Nicaragua to Communist forces in other parts of Central America that are seeking to expand what I am sure we can refer to today as the Soviet Empire.

Mr. WALKER. So in other words the Nicaraguans do not need those missiles against the Contras, obviously, because the Contras have nothing in the air to knock out. So what they are doing is, they are getting this weaponry and supplying it to like the guerrilla movement in El Salvador—is that what the gentleman is saying—where they can be used to knock down the helicopters of the democratically elected Government of El Salvador. Is that what I understand the gentleman is saying?

Mr. HUNTER. El Salavdoran helicopters have been knocked down by the Communists in El Salvador using weaponry that they have gotten from the Nicaraguans. Now this gentleman is not precisely sure whether they used SA-7 missiles or used machine guns or used ground fire to bring them down, but the facts are that they have moved equipment out of Nicaragua to El Salvador, and they have used that equipment to engage the democratic forces in El Salvador. They have expanded beyond their own nation's boundaries.

Mr. WALKER. I appreciate the gentleman's wanting to be as accurate as possible here, because what we know is that the Nicaraguan military has gotten these surface-to-air missiles. There is no need for those missiles to be used against the Contras, and so therefore there must be some other purpose to them, and the offensive purpose to them is the fact that they can be shipped to other resistance movements which are Communist resistance movements in El Salvador, Honduras, Guatemala, and other places, and therefore have an offensive capability about them, too. Is that what the gentleman is contending?

Mr. HUNTER. That is right, and if the gentleman will yield further, let me just show or describe the matchup between the Soviet military equipment that the Soviets are stuffing into Nicaragua right now in comparison to the military equipment that is fielded by the neighboring nations around Nicaragua.

□ 1820

Let me give you an example. In ground attack aircraft, Nicaragua has 14, El Salvador has 10. With all of the help we have given El Salvador, they have less attack aircraft than Nicaragua has. Guatemala has 10, Honduras has 14, Costa Rica has zero.

With regard to helicopters, and this includes the MI-24, which is the most effective helicopter in the world, Nicaragua has 55 to 57 helicopters.

Mr. WALKER. Of these offensive weapons they have 55?

Mr. HUNTER. Precisely. El Salvador only has 39. Guatemala only has 30, Honduras only has 30, and Costa Rica, that little democracy which borders Nicaragua, only has 2. And SAM's, let us go to the SA-7's that the gentleman just spoke of. Nicaragua has over 300, El Salvador has zero, Guatemala has zero, Honduras has zero, Costa Rica has zero.

If the gentleman will yield for just a little while longer, if he could lift up the blue map, the regional map in the back that is behind the easel there, that map describes the distances that various Soviet aircraft can travel and the American targets, targets located in the United States that Soviet aircraft will be able to reach from the bases that the Soviets and the Cubans are building in Nicaragua today. If you will look at the outer ring, that covers most of the Northeast.

Mr. WALKER. Wait a minute, the gentleman is not contending that there are bases being built in Nicaragua to handle Soviet aircraft, is he?

Mr. HUNTER. They are building a number of bases in Nicaragua, and I would like to go over those bases briefly, list the number of bases and essentially what the bases look like, how long they are, what type of aircraft they can accommodate.

Mr. WALKER. That would be very interesting. The gentleman is sure these bases are not being built so they can land tourists down there or something?

Mr. HUNTER. If that is true, then Punta Huete in Nicaragua will be the first base that was built for tourists complete with jet revetments and antiaircraft modules.

Mr. WALKER. Maybe the tourists are coming in on the kind of civilian planes that they need those SA-7's to shoot down.

Mr. HUNTER. I think we can believe that those bases are being built to hand tourists in the same vein that we could believe Maurice Bishop, of Grenada, when he looked us in the eye when he made his tour up here to the United States before he was assassinated, and he told members of the House Armed Services Committee that the 10,000-foot runway that the Soviets and Cubans were building in Grenada was going to be used strictly for the shipment of spices. And after American marines and rangers took Grenada, and we unearthed 26,000 pounds of documents, we came up with the precise document that recorded the Communist central committee meeting at which Mr. Bishop said, and I quote: "The air base, of course, will be used by the Cuban and Soviet military."

In other words, Mr. Bishop, shortly before he was killed by a more fervent Communist, lied to us, and I think we can expect that the Soviets and Cubans who are building these air bases and putting these massive ex-

penditures into it are doing so so that they can house their aircraft.

Mr. WALKER. I want to get to the gentleman's point in just a minute, but he reminds me of something else which is to be captured from those documents. It was a very interesting statement of Marshall Ogorkov who was writing to his counterpart in the Grenada military about what the real nature of what was happening in the world was all about, and he wrote and he said, "We are doing very well. Twenty years ago we had only Cuba. Today we have Cuba, Grenada, Nicaragua, and the battlefield is El Salvador."

Only we in this House fool ourselves about the nature of the battle we are in. Only we fool ourselves about the kind of war that the gentleman from Virginia referred to and Whittaker Chambers recognized as the reality of our time as the struggle between freedom and communism and the Communists have no illusions about it. They know Nicaragua is theirs. Only we in this House argue whether Nicaragua is a Communist state and ought to be supported.

I will be glad now to yield to the gentleman so that he can make his point about the air bases.

Mr. HUNTER. I thank the gentleman. Let me go over the airfields that the Cubans and the Soviets have built or worked on that can accommodate almost all of the Soviet attack planes, fighter planes and bomber aircraft, many of which can reach the United States.

Punta Huete is 3,000 meters-plus. That is essentially a 10,000-foot runway. It can accommodate Backfire bombers. Backfire bombers are built as a Soviet intermediate range bomber and is built to carry 26,000 pounds of nuclear payload. And from those bases in Nicaragua they can attack communities in almost all of the United States, with the exception of a few States in the Northwest. They can reach those States, drop a nuclear payload and return.

That is what this country is buying if we allow the Soviet Union to establish this beachhead in Nicaragua and to maintain those airfields. I think we have to presume, as responsible Members of Congress, that they are not buying those airfields for the purpose of holding them vacant and not running aircraft through them. They are building and buying airfields and facilities so they can utilize them.

I also want to remind my colleagues that they are building a port at Corinto. That port, I understand, will be able to accommodate Soviet attack submarines, so for the first time, the Soviet Union will have a warm water warship port very close to the west coast of the United States that can accommodate attack submarines or surface vessels that will have essentially a stranglehold over the Panama Canal, which is only a few hundred miles away.

Mr. WALKER. If I understand, this would be a port that would be similar to those that they have built in Cuba already. I remember back 20, 30 years ago when data from Cuba was first coming in and we were being told Cuba represented no security threat to this country. We have now found out that they are, in fact, a devastating security threat because they have not only exported their revolution to the rest of the hemisphere, but also there are actual submarine bases in Cuba that are used to patrol the east coast of this country and allow those missile-carrying submarines to carry missiles that are a matter of a few minutes away from our major cities on the east coast. What the gentleman is saying is that the Soviets are in the process of building that same kind of base in Nicaragua.

Mr. HUNTER. That is precisely right. Let me give the precise facts for the record here and for the American people so that they will see what they are buying if they allow the Soviets to continue this buildup in Nicaragua.

At Corinto, the main pier already exceeds 350 meters; that is approximately a thousand feet. They can now accommodate conventional merchant cargo ships up to 20,000 deadweight tons. They have a roll-on, roll-off capability. That means you can move in military materiel and unload it from a ship very quickly. It can accommodate the following Soviet combatant ships: The *Kiev* class aircraft carrier, and there's a picture of the *Kiev* class aircraft carrier on one of our boards. That is on the lower left-hand corner there.

It will also be able to accommodate missile and attack submarines. Now that is on the Pacific side. You see, Nicaragua has an Atlantic side and it has a Pacific side so it gives the Soviet military forces flexibility if they hold that nation and if they hold control of the ports on both sides. It is like the United States in the sense that you have a west coast and an east coast.

Mr. WALKER. Let us understand what the gentleman is saying here in terms of the security interests of this country. There is a land bridge that goes between the United States and the very vital Panama Canal. Because Nicaragua has both a Pacific coast and Atlantic coast, it straddles that land bridge in such a way that if the Soviets so determined they could literally shut us off from that land bridge to the Panama Canal.

Mr. HUNTER. The gentleman is absolutely right.

Mr. WALKER. If the gentleman will just let me follow up on what the gentleman is saying, is the gentleman also telling us that they are now building sea capability on both sides of that so that they can shut us off from getting to our vital Panama Canal by sea as well, so that they are using Nicaragua in such a way as to shut us off from the chief economic asset that this country has in the southern hemisphere?

Mr. HUNTER. That is precisely right.

Let me tell you why farmers, American farmers who up to now maybe have thought they have no reason whatsoever to be interested in the Panama Canal, why they should be interested in the Panama Canal, because if you are a farmer in North Dakota or Iowa or Indiana or Illinois, a great deal of your product that you sell, that ultimately is exported, goes through the Panama Canal. Sixty-five percent of the ships transitting carry goods to and from the United States. That means most of the commerce going through the canal is ours.

In 1986, American farmers sent 20.3 million long tons of U.S. grain through the canal. So American farmers, whether they were from Michigan, Minnesota, Oregon, Iowa, sent a great deal of their harvest, 20.3 million long tons, through the Panama Canal, 300 miles away from which the Soviets are building bases that will accommodate attack submarines and surface combatant ships.

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Let me just finish by talking about El Bluff, because I talked about Corinto on the Pacific side; on the west side. El Bluff is the Soviet port and attack base that is being built on the east coast. They can accommodate right now merchant cargo ships; they can accommodate limited numbers of Soviet frigates, those are war ships, surface war ships; they have expansion and improvements underway. They have new 180 and 200 meter wharves that are being built right now. They can accommodate ships up to 25,000 dead weight tons; they have a roll-on, roll-off capability and they have a liquid cargo handling capability.

So the Soviets are working hard to upgrade the El Bluff Naval Station on the east coast.

Let me just say one last thing to the gentleman. The Soviet Union has built now over 270 Backfire bombers. Those Backfire bombers, up to this point, we have not considered to be a great nuclear threat to the United States; because if they are launched from the Soviet Union, they do not have the fuel capacity to go from the Soviet Union to Iowa or to Indiana or to Illinois or New York or California, drop their nuclear bombs, their nuclear payload, and return to the Soviet Union.

Because of that, we kept them out of SALT agreement. We figured they

were not strategic bombers and we agreed not to classify them as strategic bombers. The runway, the 10,000 foot airfield at Punta Huerte, under the control of the Soviet Union, makes those bombers, if they decide to base them there, strategic bombers. Because their range, of an excess of 5,000 miles, allows them to make air strikes, strategic air strikes with nuclear weapons, on almost all of the United States except for the Northwestern portion and return to their base.

So the Soviets, if they gain Nicaragua, they will have gained a much more important and much more critical military asset than they gained when they conquered Czechoslovakia, Hungary, Afghanistan, Cambodia, or any of a number of other places where the Soviet empire has expanded.

Mr. WALKER. Mr. Speaker, let me ask the gentleman; we could not possibly allow the Soviets to put that kind of offensive capability into Nicaragua, could we?

Mr. HUNTER. Well, if the gentleman will continue to yield, I think that point was made by some liberal Members of this House who said, Well, if they do that, if they, for example, base airplanes on these bases that they are building to base airplanes, we will confront them, and it will be like we confronted them in Cuba.

So I guess the other side of the aisle, the Democrat side of the aisle, would advocate that we have a Cuban missile showdown with the Soviet Union, except perhaps over aircraft, and the difference will be that when President Kennedy backed the Soviets down in 1962, we had a 10:1 strategic nuclear weapon advantage over the Soviet Union. Today, we are roughly equal, and there is a real question today as to whether or not the Soviets would be backed down.

Mr. WALKER. Well, whether they back down or not—but let me see if I understand this. Is the gentleman saying that the nature of the policy is that rather than supporting the freedom fighters now that might have a chance of knocking out the Stalinists in Nicaragua, that what the other side is really saying, that later on we may have to bring the world to the brink of nuclear holocaust in order to protect our interests at that point?

Mr. HUNTER. If the gentleman will yield further, that is precisely what this gentleman is saying, is that we are ultimately going to have to practice brinkmanship if we allow the Soviet Union to maintain these bases for highly effective strategic weapons that some day we must presume they are going to attempt to use.

The Soviet Union is not building a 10,000-foot airstrip so that the Sandinistas can drive a Piper Cub down it. They are building a 10,000-foot airstrip complete with jet revetments and antimissile modules so that they can put fighter aircraft, attack aircraft, and bomber aircraft in that airstrip.

If we do not help the freedom fighters in Central America and we allow the Soviet Union to maintain control and to establish control over Nicaragua, they will have cut this hemisphere in half, because as the gentleman just explained, Nicaragua has an east coast and a west coast. It is the waist of the American hemisphere.

They will have cut the land bridge in half, and they will have established military bases that will give strategic capability to some 270 Backfire bombers, not to mention Bear bombers that can cover the entire United States from a Managua base or a Punta Huerte base, and we will have put ourselves in a position where we may well be faced with the same kinds of choices that President Kennedy was faced with in 1962.

Mr. WALKER. Mr. Speaker, let me see whether I understand what the gentleman says in summing it up.

If we vote tomorrow in such a way as to negate the funds to the freedom fighters and thereby allow the Sandinista Communists to coalesce their power, and thereby encourage the Soviet Union, we will have given the Politburo of the Soviet Union a victory in this House tomorrow that they could not possibly ever have imagined.

Mr. HUNTER. Let me just tell the gentleman, if he will yield briefly, the highest ranking member, or one of the highest ranking members of the Politburo has just visited Managua. His name is Mr. Yeltsin, Boris Yeltsin; he arrived in Managua from Havana on March 2 for a 3-day visit.

As a member of the Politburo and secretary of the Central Committee of the Communist Party of the Soviet Union, Yeltsin is the highest-ranking Soviet official ever to visit Nicaragua.

Mr. WALKER. Is not Gorbachev coming this summer?

Mr. HUNTER. I understood that his visit is a prelude to Mr. Gorbachev's; but it is interesting that the Members of this body do not understand the critical strategic importance, not to the Nicaraguan people but to the American people, of these naval bases and airbases that the Soviet Union are building in our own hemisphere, a few miles away in Nicaragua.

We do not realize the criticality of those bases, and yet the Soviet Union and the Politburo that runs the Soviet Union very well recognizes the importance of those bases.

Mr. WALKER. I said earlier on the floor today that this resolution that we are going to have before us tomorrow is in effect—in effect—pro-Soviet resolution. I think the gentleman has just confirmed the point.

Mr. HUNTER. May I followup 1 second? I think the gentleman from Pennsylvania [Mr. WALKER] has touched on a very important statement, because I think there are a few times when the definition, the difference between the Republican and the Democratic parties is so clear to the American people; and here it is very clear.

The players in Central America are no longer just the Sandinistas and the freedom fighters and other parties; the players in Central America, in our hemisphere, are the United States of America and the Soviet Union. Very clearly, the leadership of this party, from President Reagan right through the House leadership, through the Senate leadership, wants to keep the Communists from establishing a Soviet beachhead in Central America.

The Democrat leadership, for whatever their good motives, do not want to keep the Soviet Union from establishing a beachhead in Central America.

We have shown tanks on these photos today that the Soviets are putting into Nicaragua. Against those tanks, the leadership of the Democratic Party would send their best wishes for a negotiated settlement.

We have shown attack helicopters that can fire 6,000 rounds per minute into the soft bodies of the freedom fighters. Against those many gunbearing helicopters, the leadership of the Democratic Party would send their best wishes for a democratization that somehow is going to miraculously take place under the iron fist of the Sandinistas.

So the point is, in this particular vote, tomorrow, the American people are going to see one side, one part of this Congress, and I hope it is a majority, vote to fight communism in our hemisphere, and not communism in the abstract, but to remove Communist tanks, Communist attack helicopters, Communist naval bases, and Communist air strips.

The other side is going to vote to acquiesce to their domination of an important part of our hemisphere. That is the vote tomorrow.

Mr. WALKER. Mr. Speaker, I now yield to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Speaker, I would just like to followup with the comments made by the gentleman from California. I think the key question we need to ask tomorrow: If you are not going to support the President in this position, if you are not going to support the $40 million to the Contras, then what is the alternative or what is the solution?

I asked a question earlier in the special orders, and it is a question I have asked many people that have criticized our policy, have criticized what we have tried to do in Central America, and the question is very simple: What are the interests of the Soviet Union in this region?

For the past hour or two, all of my colleagues, I think, have shown clearly what the interests of the Soviet Union are in that region. Clearly we have seen this year that $600 million of military armament was spent by the Soviet Union—more than the previous 5 years combined—we have seen the Sandinista port facilities, we have seen the radar communications, we have seen the equipment, we've seen the airports, we have seen all of the installations.

What I also put together was something that kind of gives you an overview, a summation of what is now already happening in Nicaragua.

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It shows the ground force bases, it shows the airfields throughout Nicaragua, it shows the radar facilities, it shows the naval bases, it shows the communications area and it shows the military facilities that are spread out throughout that region.

Mr. WALKER. What the gentleman is showing is the Soviet military buildup in Nicaragua today, is that correct?

Mr. ROWLAND of Connecticut. I do not think there is anything plainer than this map. You know, it is often said by many in the press there is no support among the American people for the Contras. All of the polls that have been taken somehow indicate no support for what this Congress has been doing in the last couple of years. The question that has been asked has been, "Well, do you support the Contras?" That is a kind of fair and simple question, is it? Well, it is not a fair and simple question. The question should be, do you support a Soviet military beachhead being built in our backyard? That is the question.

Mr. WALKER. That is precisely the question. That is the question that our friends on the liberal side of the aisle, when they come to the floor tomorrow, will want to avoid. As a matter of fact, many of them, you know, it is interesting that none of them came to the floor tonight to defend this resolution. They came out here during 1-minutes today where no one could challenge them in the 1-minutes. They did not come out here tonight to try to defend this resolution. But tomorrow when they come to the floor, if that question arises, they will probably say something, "Well, you know, we don't support the Sandinistas either."

Mr. DORNAN of California. This is why I asked to rejoin the special order of the gentleman later on on this polling which I think has led a lot of people astray on the majority side of the aisle and tomorrow at least we will know how many of the 27 Democrats in the freshman class of 50, not to mention how many of the 23 on our side of the aisle have been led astray because they think as a representative of the people they are following the will of the people when people from left wing clergy to people in this House get up and quote these erroneous polls.

Let me tell you why the liberal side of mass media knows this is a fallacious question. There have been some polls where they have gone on to expand their polling into the adjacent country of El Salvador.

And when they do that, they find out the utter confusion of the American people when they say, "Well, how do you feel about the guerrillas in the hills of El Salvador?" And if they are on the left, they will say, "Well, I don't support them either because I am not sure whether they are Contras or who is supporting them." If they are generally conservative Americans, they will say, "Well, I don't know about them. What is happening in El Salvador?" Because it has been off the front pages for several years because Duarte told us himself the day we were down there after we left Nicaragua and went to El Salvador that he admitted to us that he has breathing room to solve his economic and political problems because young kids are dying in the fields of Nicaragua. Now, if they are fair on this polling, they have to take away some of these new words that are new to our language only in the last 3 or 4 years, like Contras. It is not pejorative or unfair to do indepth polling which all of us have done in our campaigns. If our political career is on the line, we do not want erroneously based questions. I have one of the best pollsters in this country, Arnie Steinberg, and he will sometimes ask an essay type question to make sure the person is giving a valid answer. When you strike the word, "Contra," and put in the words, "Marxist-Leninist," or even leave off Leninist, just take Marxist, Soviet association, Castro association and talk about a Cuban-type Soviet-dominated colony on the southern end of the land mass of North America—because after all Central America is a regional name. This is one continent right up to where we artificially divided the isthmus, North and South America, divisible by the waters of the Panama Canal. You are talking about a Soviet Communist series of bases on the continent of North America. When you ask the question, Would you support a Presidential policy to stop the Soviets from establishing bases and locking in a colony in one of the Central American nations rights on the continent of North America? The pools not only switch dramatically from 70 to 30 to 30 to 70, but they actually go up to 80 percent supporting the President, or more. It is this deliberate confusion sown in the pages of some of our major papers where they will not print a map as simple and as clear as this map showing all of these bases, showing all of these facilities already able to take every Soviet aircraft in their inventory. Major? Every aircraft, including the big Ilyushin 76 and 86 transports and these brand new G and H Bear bombers that will patrol both our Pacific waters, the Caribbean, the Gulf of Mexico from this base.

Now, one of the gentleman from the other body who has traveled more to this area of the world than anybody else said on television the other night that he would be for air strikes if they put in Migs. But the Soviet politburo always knows that time is on their side. They will not do anything as pejorative as putting in Migs. They will put in more HIND helicopters. Six arrived in November and it is probably pushing up 20 now. Those are probably more powerful than Migs in counterinsurgency work. But if they put in Bear bombers, is there any majority or minority Member in either House that is going to be able to speak with the same conviction, including the Senator who chairs the Western Hemisphere Committee in the other body, who will say that we would put in air strikes to take our patrol bombers? Does not the Soviet Union's forces, naval or air, have a right to have their eyes over international waters? And if a friendly country is giving them landing rights, do not they have the right to fly out of there? There is not anybody going to challenge them on that.

Let me tell you something that I want to introduce into the debate tomorrow that is so obvious that I think we have all missed it.

SUPPORT URGE FOR PROVIDING FOR FURTHER AID TO NICARAGUA CONTRAS—CONTINUED

The SPEAKER pro tempore (Mr. HAYES of Louisiana). Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 60 minutes.

Mr. HUNTER. Mr. Speaker, let me yield to my friend from California and then to my friend from Pennsylvania.

Mr. DORNAN of California. I thank the gentleman for the continuity that I may finish this thought: Nancy Reagan, the First Lady of our country, and a finer First Lady we have never had, has been taking a lot of heat in the press because she loves her man and speaks out for him and wants the best people around him. Now, there have been some suggestions that if the President would give her a job, put here on the Federal payroll, the criticism would diminish.

Let us be realistic. The intensity of criticism would go up. The last time we had somebody give a primary member's family a job, it was when young John F. Kennedy at age 43 made his 35-year-old brother the top cop in the country and made him Attorney Gen-

eral. We will never see that again in our lifetime, we know that.

Now, suppose President Reagan said, "All right, I won't give my great First Lady a job, but I am going to call my brother, Neal Reagan from California, and make him the Secretary of Defense, give him Cap Weinberger's job." The hue and cry would be outrageous around this country. In Europe people would say the President was engaging in supreme nepotism to give this job to his brother. But why do our liberal confreres allow Communists to do this? Before I come to Cuba and Nicaragua, do we know in this House that the Communist dictator, failing in health in Romania, is transferring real power, hard power to Mrs. Ceausescu, his wife? We are all reading of the power struggle going on in Communist military dictatorship armed to the teeth in North Korea. Eighty-thousand special forces people alone, the biggest special force guerrilla unit in an established government in the world. There Kim Il Sung is trying to pass the power to his son. What does this smack of? Czarist, royalist trappings from the 18th and 19th century? Yet what do we have in Cuba. The "Cap Weinberger" to Fidel Castro, his Minister of Defense, his Secretary of Defense, is his younger brother, Raoul. Castro has made sure all of this quarter of a century that his flesh and blood kid brother controls the military forces and the guns.

What do we have in Nicaragua? I will bet you that not 1 percent of our country knows that the "Cap Weinberger" of Nicaragua, the Minister of Defense, is the flesh and blood brother of Daniel Ortega. His brother, Humberto, controls the guns in Nicaragua. It is the Castro boys, the Ortega boys, creating terrorism and bringing Communist dictatorship with a raw form of protecting power to Central America and to the Caribbean. And this country and this House is abysmally unaware of it. We know one other mythology we created in this country, and it persists to this day, that gunfighters in the old west were the good guys and that somehow the law authorities were all corrupt. We took bank robbers, the Dalton brothers, the James brothers, the Younger brothers, we took a psychopathic little teenage killer from the Bronx and almost lionized him to where a hero like Paul Newman was playing him in a movie called the "Left-Handed Gun," Billy the Kid. How did the Ortega brothers get their power originally? They knocked off banks just like the Youngers, the James or the Dalton brothers. And they killed people. And Humberto to this day has a crippled right hand because he was shot by a bank guard whom he killed. And they were put in prison in Costa Rica because they thought under their revolutionary rules, unlike our revolution which was unique because it was devoid of assassinations, recriminations, and terrorism; but down there these bank robbers accumulated money to buy their gelignite, their explosives and send their younger people to training camps, in the Caucasus, in the Crimea, outside of Leningrad, in Syria, in Libya, to train how to terrorize this hemisphere, What the other side of our great body has done here and even a handful on this side is that they have blinded themselves to terrorism, the bank robbing of the Castro boys and the Ortega boys.

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They are bank robbers and murderers who have brought the rule of the gun onto the very continent of North America.

It is about time we started to look at them and analyze them with the type of words that gets a respondent chord on the other side of this aisle and of the Americans who are confused on this issue, particularly because of liberal left clergy. That is to call these people what they really emulate: Nazis, brown shirts, stormtroopers, locking up the people that we spoke to a year ago this month. Putting people in jail because they were too open, too demanding of the broken promises of the revolution of 1978-79 that they be fulfilled.

I think if the Reagan administration has had any failing at all in this whole area where he has tried almost single-handedly to keep freedom alive down there, it is that he was so busy with the tax reform bill, which was important, that he did not use his great communicator skills to point out some of the simple facts about these thugs, the Castros and the Ortegas, and the Leninist mentor to all of them in Nicaragua, Tomas Borje, and the terrorist state that they are running, 11 times as many prisoners in the system of concentration camps, 11 times as many as Somoza had at the worst point of his terror.

Now we have 11,000 imprisoned. Even Amnesty International admits that it is pushing 4,000. This is the kind of gulag prison camp system we have down there.

I was offered an opportunity by the chairman of my Western Hemisphere Committee to go down to Nicaragua again this week. To tell you the truth, I stayed at home and mowed my lawn because I have been down there 10 times to El Salvador, four to Nicaragua, and there just is not anything to see down there any longer that is not depressing and that is not exactly what we have seen in every country around the world as that dark Iron Curtain—I do not know what they will call it here. They call it the Teakwood Curtain in Asia; the Bamboo Curtain, the Iron Curtain. I do not know what Latin name we are going to come up with for a curtain down there, but it is the same totalitarian, czarist, royalist type of relatives get the jobs, bureaucrats become the elitest who shop in the specialty stores, but when we ask to go to a supermarket, it reminded me of Hanoi that I had seen the month before, absolute destitution, and I will close on Ortega's statement of this week that he will never, and he repeated it, never stop taking Soviet aid.

Once this guerrilla movement, the resistance forces, collapse, the pressure is then totally on Duarte, who if he were in this House, would be the most liberal of Democrats. But he is a good man who believes in liberty and has his own economic vision. He will then have the infrastructure of his country down to every last electrical pole, every bus, every taxicab blown apart, destroyed, and will watch El Salvador fall.

As I said on this floor 6 years ago, 4 years ago, and last year, when you talk Nicaragua, think Mexico because you take this country, with about 500,000 people fled already, you take the 2.4 that is about in the country; you multiply it times 3 and you have Guatemala.

You take Guatemala's 7.6 million people and multiply it times 10—put that little 10 up to the side for the 10th power that we learned in math, and that is how many people you have in Mexico. Seventy-six million. A hundred million at the turn of the century in 13 years. Thirty million in Mexico. The city will be the biggest metropolitan area in the world. A one-party government that is riddled with such corruption up into the upper classes of doctors and lawyers that this country is ripe for a revolution and all the prototype for tearing apart that country of Mexico is being worked out in Nicaragua right now.

Clare Booth Luce, one of the finest former Members, one of the finest men or women who ever served in this body, told John F. Kennedy—she has told me this to my face, I had dinner with her just a few weeks back—she said, "Kennedy was told," and I know by whom, her, "that his administration was going to be judged on whether or not Castro was allowed to lock in a Soviet colony in the Caribbean."

Although he tragically only served for 2 years and 10 months, if anybody sees this history of this hemisphere folding out into some sort of Communist conflagration eventually, the guilt is eventually going to come back to that handsome young President that he jerked the air power off the men who had armed, uniformed and put into landing barges and shipped out to the beach.

With the U.S.S. *Essex* aircraft carrier sitting off the coast with North American FJ Furies on the deck with all of their white stars marked out to

be some sort of a covert air operation, when they were not allowed to launch and support the men we put on the beach, Kennedy failed his test.

Do you know what Clare Booth Luce told President-elect Reagan in the winter months, probably December 1980? That his tenure, 6 years and 3 months now, would be judged on what happened with freedom in Central America.

President Reagan cannot do it alone. It is going to be the votes in this House, where we sometimes think we have 435 ambassadors, who want to meet with heads of state, even Leninist, Nazi dictators overseas, and kick out the U.S. career representatives in that country who can help and serve as they always have wherever we have traveled. These people want to play ambassador and meet alone with these Communist dictators around the world. They are going to have to take the blame because, I repeat, President Reagan cannot do it alone.

This is probably going to be the most important debate of the so-called historic 100th Congress that we will have in 2 years, maybe tomorrow, if it sets the tone for shutting down the resistance that wants democracy in that small population, and relatively large land mass country of Nicaragua, at least in Central American terms.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for giving such an eloquent description of America's duty in Central America.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, we have been talking in geopolitical terms here this evening, and rightfully so, because it is a geopolitical question that we will decide tomorrow.

However, the fact is that there is a travesty being committed on the House floor, too. The way in which we are considering this resolution tomorrow is nothing short of a breaking of the law that was passed just a few short months ago.

The gentleman from Illinois, the minority leader of the House of Representatives, the Republican leader of the House of Representatives, Mr. MICHEL, has written a letter to the Honorable CLAUDE PEPPER, chairman of the Rules Committee, that I would like to at this point read into the RECORD on the point of the resolution that we will be considering here tomorrow.

He writes:

I have decided not to testify before your committee today as an expression of my total condemnation to the procedures and tactics being employed with respect to the release of the last installment of the monies to the freedom fighters in Nicaragua which the United States enacted as law just five short months ago.

It is my understanding that it is your intention to report a resolution which would negate the law and the procedures established for Congress to respond to Presidential reports and determinations regarding this policy. I believe that any effort to subvert this law is in effect subverting the integrity of the legislative process and undermining respect for the law.

I believe it is irresponsible for your committee to waive the provisions of law as well as those rules of the House which are designed to give the membership and the public a full and complete understanding of the proposal to be acted upon. The joint resolution was just printed last night. There will be no committee hearings, no report to accompany this proposal, no opportunity for minority views, and the minimum three-day layover requirement is also to be ignored.

This process cannot be condoned as it is nothing more than an apparent effort to deny the House the right, a right that had been guaranteed by law, to vote up or down on the question of the release of the final $40 million.

This legislative travesty is no substitute for policy. The policy that underlines this subversion of law is as thin as the report to accompany this measure.

Sincerely,

ROBERT H. MICHEL,
Republican Leader.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for his statement.

I thank all of the participants in this special order. We have had a number of people laying out very eloquently the importance of this debate and the importance of seeing to it that we keep our word and send the $40 million that we guaranteed last year for the freedom fighters on its way to those people who would fight for freedom in Central America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. LLOYD (at request of Mr. FOLEY), for today and the balance of the week, on account of illness.

Mr. YATES (at the request of Mr. GRAY of Illinois), on account of illness.

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DONALD E. LUKENS) to revise and extend their remarks and include extraneous material:)

Mr. WALKER, for 60 minutes, today.

Mr. GINGRICH, for 5 minutes, today.

Mr. GINGRICH, for 60 minutes, on March 11.

Mr. GINGRICH, for 60 minutes, on March 12.

Mr. ROWLAND of Connecticut, for 60 minutes, today.

Mr. HUNTER, for 60 minutes, today.

Mr. KYL, for 60 minutes, today.

Mr. INHOFE, for 60 minutes, today.

(The following Members (at the request of Mr. FEIGHAN) to revise and extend their remarks and include extraneous material:)

Mr. PEASE, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. BONKER, for 5 minutes, today.

Mr. PEASE, for 5 minutes, on March 11.

Mr. PEASE, for 5 minutes, on March 12.

Mr. GAYDOS, for 60 minutes, today.

Mr. GAYDOS, for 60 minutes, on March 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DONALD E. LUKENS) and to include extraneous matter:)

Mr. LOWERY of California.

Mr. OXLEY.

Mr. ROTH.

Mr. FRENZEL.

Mr. MILLER of Ohio in three instances.

Mr. GREEN in two instances.

Mr. BUNNING.

Mr. FIELDS.

Mr. SUNDQUIST in two instances.

Mr. DIOGUARDI.

Mr. SMITH of New Jersey.

Mr. SCHAEFER.

Mr. DONALD E. LUKENS.

Mr. SHUMWAY.

Mr. MCGRATH.

Mr. GINGRICH.

Mr. COURTER.

Mr. LEWIS of Florida.

Mr. LEWIS of California.

(The following Members (at the request of Mr. FEIGHAN) and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. ROE in two instances.

Mr. FAZIO.

Mr. WOLPE.

Mr. LIPINSKI.

Mr. MONTGOMERY.

Mr. DINGELL.

Mr. KOSTMAYER.

Mr. FASCELL in two instances.

Mr. MOODY.

Mr. FAZIO.

Mr. STAGGERS.

Mrs. KENNELLY.

Mr. DYMALLY.

Mr. MATSUI in three instances.

Mr. ERDREICH.

Mr. SLATTERY.

Mr. TAUZIN.

Mr. DORGAN of North Dakota.

Mr. RODINO.

Mr. STALLINGS.

Mr. RAHALL.

Mr. APPLEGATE.

Mr. DWYER of New Jersey.

Mr. WILLIAMS.

Mr. DE LA GARZA.

ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock p.m.), pursuant to House Resolution 115, and under its previous order, the House adjourned until tomorrow, Wednesday, March 11, 1987, at 12 noon, in memory of the late Senator EDWARD ZORINSKY.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

804. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to increase the borrowing authority of the Commodity Credit Corporation; to the Committee on Agriculture.

805. A letter from the Secretary of the Treasury, transmitting a report of a violation of the Antideficiency Act in the Bureau of the Public Debt, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

806. A letter from the Principal Deputy Assistant Secretary of Defense (Force Management and Personnel), transmitting a report containing a plan for establishing a needs-based survivor annuity program for surviving spouses of members of the Uniformed Services who died before September 30, 1978, pursuant to 10 U.S.C. 1447 nt.; to the Committee on Armed Services.

807. A letter from the Secretary of Housing and Urban Development, transmitting a report on the Department's system of promulgating requirements for its assistance programs and changes to those requirements, pursuant to Public Law 98-181, section 468; to the Committee on Banking, Finance and Urban Affairs.

808. A letter from the Auditor, District of Columbia, transmitting a report entitled, "Review of Receipts and Disbursements of the Public Service Commission's Agency Fund," pursuant to D.C. Code section 47-117(d); to the Committee on the District of Columbia.

809. A letter from the Secretary of Health and Human Services, transmitting the first biennial report of the Director of the National Institutes of Health [NIH], pursuant to 42 U.S.C. 283; to the Committee on Energy and Commerce.

810. A letter from the Assistant Vice President, Government and Public Affairs, National Railroad Passenger Corporation, transmitting a copy of the annual review of each route in the basic system covering fiscal year 1986, pursuant to 45 U.S.C. 564(c)(3)(B); to the Committee on Energy and Commerce.

811. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to extend and amend programs under the Developmental Disabilities Assistance and Bill of Rights Act and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Energy and Commerce.

812. A letter from the Director (Office of Legislative Affairs), Agency for International Development, transmitting a report on amounts obligated and expended in Nicaragua for the period July 1, 1986, to December 31, 1986, pursuant to Public Law 97-113, section 724(e) (95 Stat. 1553); to the Committee on Foreign Affairs.

813. A communication from the President of the United States, transmitting notification of his intention to extend the waiver of the application of the relevant export criterion of the Nuclear Non-Proliferation Act, pursuant to 42 U.S.C. 2155(a)(2) (H. Doc. No. 100-46); to the Committee on Foreign Affairs and ordered to be printed.

814. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by James Keough Bishop, of New York, Ambassador Extraordinary and Plenipotentiary of the United States-designate to Liberia, and John Cameron Monjo, of Maryland, Ambassador Extraordinary and Plenipotentiary of the United States-designate to Malaysia, and by members of their families pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

815. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to authorize additional development and security assistance programs for fiscal year 1988, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Foreign Affairs.

816. A letter from the Administrator, Agency for International Development, transmitting the annual report on "Progress in Conserving Biological Diversity in Developing Countries" which summarizes the activities of U.S. Government agencies during fiscal year 1986 in accordance with section 119(d) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

817. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to authorize appropriations for the U.S. Information Agency for fiscal years 1988 and 1989, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Foreign Affairs.

818. A letter from the Director (Office of Legislative Affairs), Agency for International Development, transmitting a report of the agency's activities under the Freedom of Information Act for calendar year 1986, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

819. A letter from the Assistant Secretary of Transportation for Administration, transmitting notification of a proposed new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

820. A letter from the Deputy Director for Administration, Central Intelligence Agency, transmitting notification of a proposed new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

821. A letter from the General Counsel, Office of the United States Trade Representatives, transmitting the office's 1986 annual report on its activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

822. A letter from the Director, Peace Corps, transmitting a copy of the agency's 1986 report on its activities under the Freedom of Information Act pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

823. A letter from the Deputy Administrator, Small Business Administration, transmitting a report of the actions taken to increase competition for contracts in fiscal year 1987, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

824. A letter from the Director, United States Information Agency, transmitting a copy of the agency's 1986 annual report on its activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

825. A letter from the Chief Justice of the Supreme Court, transmitting amendments to the Federal Rules of Criminal Procedure adopted by the Court, pursuant to 18 U.S.C. 3771 and 3772 (H. Doc. No. 100-47); to the Committee on the judiciary and ordered to be printed.

826. A letter from the Commissioner, Immigration and Naturalization Service, transmitting a copy of the order granting defector status to Itzhak Kiflawi, pursuant to 8 U.S.C. 1182(a)(28)(7); to the Committee on the Judiciary.

827. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to authorize additional judicial positions for the Courts of Appeals and District Courts of the United States; to the Committee on the Judiciary.

828. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to eliminate diversity of citizenship as a basis of jurisdiction of Federal district courts, and for other purposes; to the Committee on the Judiciary.

829. A letter from the Chairman, Panama Canal Commission, transmitting a draft of proposed legislation to amend the Panama Canal Act of 1979 to establish a revolving fund, and for other purposes; to the Committee on Merchant Marine and Fisheries.

830. A letter from the Secretary of Transportation, transmitting a report titled "The Effect of Airline Deregulation on the Level of Air Safety", pursuant to 49 U.S.C. app. 1307(b); to the Committee on Public Works and Transportation.

831. A letter from the Secretary of Transportation, transmitting a report entitled, "The Effects of Airport Defederalization", pursuant to Public Law 97-248, section 522; to the Committee on Public Works and Transportation.

832. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations under the Disaster Relief Act of 1974, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Public Works and Transportation.

833. A communication from the President of the United States, transmitting the administration's report to the Congress on Soviet noncompliance with arms control agreements, pursuant to Public Law 99-145; jointly, to the Committees on Armed Services and Foreign Affairs.

834. A letter from the Director, Office of Management and Budget, transmitting a determination that additional amounts are necessary to maintain the authorized level of operation of RFE/RL, Inc., because of adverse fluctuations in foreign currency exchange rates, pursuant to 22 U.S.C. 2877(a)(2); jointly to the Committees on Foreign Affairs and Appropriations.

835. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations under the Earthquake Hazards Reduction Act of 1977 for fiscal years 1988 and 1989, pursuant to 31 U.S.C. 1110; jointly, to the Committees on Interior and Insular Affairs and Science, Space and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONIOR: Committee on Rules. House Resolution 116. Resolution providing for the consideration of H.J. Res. 175, to impose a moratorium on United States assistance for the Nicaraguan democratic resistance until there has been a full and adequate accounting for previous assistance (Rept. 100-21). Referred to the House Calendar.

DISCHARGE OF COMMITTEES

Pursuant to section 212(b)(3) of Public Law 99-500 and Public Law 99-591 the Committees on Appropriations, Armed Services, Foreign Affairs, and the Permanent Select Committee on Intelligence discharged; House Joint Resolution 174 referred to the Union Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself and Mr. DYMALLY):

H.R. 1492. A bill to amend title 5, United States Code, to establish certain requirements for the procurement by contract of certain services that are reserved for performance by preference eligibles in the competitive service; to the Committee on Post Office and Civil Service.

By Mr. ARMEY (for himself, Mr. CRANE, Mr. ARCHER, Mr. FRENZEL, Mr. NIELSON of Utah, Mr. DORNAN of California, Mr. RITTER, Mr. DELAY, Mr. BOULTER, Mrs. VUCANOVICH, and Mr. SWINDALL):

H.R. 1493. A bill to improve the international trade competitiveness of the United States; jointly, to the Committees on Ways and Means, Foreign Affairs, Government Operations, Energy and Commerce, the Judiciary, and Merchant Marine and Fisheries.

By Mr. BONKER:

H.R. 1494. A bill to expand the authority of the Trade and Development Program, and for other purposes; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. CLARKE (for himself, Mr. DUNCAN, Mr. BONER of Tennessee, Mrs. LLOYD, Mr. COOPER, and Mr. SUNDQUIST):

H.R. 1495. A bill to designate certain lands in Great Smoky Mountains National Park as wilderness, to provide for settlement of all claims of Swain County, NC, against the United States under the agreement dated July 30, 1943, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COATS (for himself and Mr. SLATTERY):

H.R. 1496. A bill to repeal the incremental pricing requirements of the Natural Gas Policy Act of 1978; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself and Mr. LENT) (by request):

H.R. 1497. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act to authorize appropriations for fiscal years 1988 and 1989; to the Committee on Energy and Commerce.

H.R. 1498. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DIOGUARDI:

H.R. 1499. A bill to amend the United States Housing Act of 1937 to correct certain inequities in the calculation of fair market rentals and payment standards for lower income housing assistance; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1500. A bill to amend the United States Housing Act of 1937 to require leases for lower income housing to contain expiration and notice provisions; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1501. A bill to amend the United States Housing Act of 1937 to provide for adjustments in maximum monthly rentals for lower income housing to reflect increased costs due to necessary capital improvements; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1502. A bill to provide housing assistance to the homeless through emergency food and shelter, renovation and conversion of facilities for use as shelters, and provision of housing and services in the transition to independent living; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1503. A bill to amend the Internal Revenue Code of 1986 to permit first-time homebuyers to use amounts in their individual retirement accounts or annuities to purchase a home without including such amounts in gross income or incurring the penalty for early distributions; to the Committee on Ways and Means.

By Mr. DOWDY of Mississippi (for himself, Mr. SMITH of New Jersey, Mr. MONTGOMERY, Mr. SOLOMON, Mrs. PATTERSON, Mr. WYLIE, Mr. JONTZ, Mr. RIDGE, Mr. EVANS, Mr. DORNAN of California, Ms. KAPTUR, Mr. STENHOLM, Mr. KENNEDY, Mr. LEATH of Texas, Mr. LANTOS, Mr. KOLBE, and Mr. DERRICK):

H.R. 1504. A bill to amend the Veterans' Job Training Act; to the Committee on Veterans' Affairs.

By Mr. FORD of Michigan (for himself and Mr. TAYLOR):

H.R. 1505. A bill making technical corrections relating to the Federal employees' retirement system; to the Committee on Post Office and Civil Service.

By Mr. HOWARD (for himself, Mr. UDALL, and Mr. MILLER of California):

H.R. 1506. A bill to reaffirm the boundaries of the Great Sioux Reservation to convey federally held lands in the Black Hills to the Sioux Nation; to provide for the economic development, resource protection and self-determination of the Sioux Nation; to remove barriers to the free exercise of traditional Indian religion in the Black Hills; to preserve the sacred Black Hills from desecration; to establish a wildlife sanctuary; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 1507. A bill to amend the provisions of titles 18 and 28 of the United States Code commonly called the enabling acts to make modifications in the system for the promulgation of certain rules for certain Federal judicial proceedings, and for other purposes; to the Committee on the Judiciary.

H.R. 1508. A bill to amend title 35, United States Code, with respect to patented processes and the patent cooperation treaty; to the Committee on the Judiciary.

H.R. 1509. A bill to amend the patent and trademark laws of the United States, and for other purposes; jointly, to the Committees on the Judiciary, and Ways and Means.

H.R. 1510. A bill to amend title 35, United States Code, and the National Aeronautics and Space Act of 1958, with respect to the use of inventions in outer space; jointly, to the Committees on the Judiciary, and Science, Space, and Technology.

By Mrs. KENNELLY:

H.R. 1511. A bill to provide for collection by the Federal Government of data regarding service sector economic activity; to the Committee on Post Office and Civil Service.

By Mr. KOSTMAYER:

H.R. 1512. A bill to designate certain public lands in the State of Idaho as wilderness, and for other purposes; jointly, to the Committees on Interior and Insular Affairs, and Agriculture.

By Mr. LEWIS of Florida:

H.R. 1513. A bill to direct the Administrator of the Environmental Protection Agency to develop and demonstrate a water resources-aquatic plant management project and to provide grants for scientific research to support such project; to the Committee on Science, Space, and Technology.

By Mr. MATSUI:

H.R. 1514. A bill to amend the Trade Act of 1974, and for other purposes; to the Committee on Ways and Means.

H.R. 1515. A bill to equalize the duties on canned tuna; to the Committee on Ways and Means.

By Mr. MRAZEK (for himself, Mr. UDALL, Mr. VENTO, Mr. KILDEE, Mr. GEJDENSON, Mr. MURPHY, Mr. MARKEY, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. KOSTMAYER, Mr. GREEN, Mr. DELAY, Mr. DOWNEY of New York, Mr. MARTINEZ, Mr. ANDREWS, Mr. MORRISON of Connecticut, Mr. OWENS of New York, Mr. WEISS, Mr. DURBIN, Mr. MACKAY, Mr. HOCHBRUECKNER, Mr. KOLTER, Mr. MOAKLEY, Mr. BUSTAMANTE, Mr. BATES, Mr. RODINO, Mr. FRANK, Mr. TOWNS, Mr. MOODY, Mr. SOLARZ, Mr. ATKINS, Mr. BEILENSON, Mr. HOWARD, Mr. DELLUMS, Mr. EDWARDS of California, Mr. ROYBAL, Mr. CLAY, Mr. GRAY of Pennsylvania, Mr. PRICE of Illinois, Ms. KAPTUR, Mr. ECKART, Mrs. COLLINS, and Mr. SYNAR):

H.R. 1516. A bill to require annual appropriations of funds necessary to support timber management and resource conservation on the Tongass National Forest; to the Committee on Interior and Insular Affairs.

By Mr. PACKARD (for himself, Mr. LOWERY of California, Mr. ROWLAND of Georgia, Mrs. JOHNSON of Connecticut, Mr. MOORHEAD, Mr. DORNAN of California, Mr. LEWIS of California, Mr. DANNEMEYER, and Mr. SENSENBRENNER):

H.R. 1517. A bill to amend the Federal Aviation Act of 1958 to require the installation and use of collision avoidance systems in aircraft, to require the Federal Aviation Administration to complete research on and development of the TCAS-III collision avoidance systems as soon as possible, and for other purposes; jointly, to the Commit-

tees on Public Works and Transportation, and Science, Space, and Technology.

By Mr. QUILLEN:

H.R. 1518. A bill to provide for the payment of impact aid to certain school districts; to the Committee on Education and Labor.

H.R. 1519. A bill to limit Medicare denials by peer review organizations of medically necessary inpatient hospital services; jointly, to the Committees on Ways and Means, and Energy and Commerce.

By Mr. RODINO (for himself, and Mr. FRANK):

H.R. 1520. A bill to amend title 28, United States Code, with respect to the appointment of independent counsels; to the Committee on the Judiciary.

By Mr. ROE (for himself, and Mr. NELSON of Florida):

H.R. 1521. A bill to amend tiitle 35, United States Code, and the National Aeronautics and Space Act of 1958, with respect to the use of inventions in outer space; jointly, to the Committees on the Judiciary, and Science, Space, and Technology.

By Mr. ROE (by request):

H.R. 1522. A bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974; to the Committee on Science, Space, and Technology.

H.R. 1523. A bill to authorize appropriations for environmental research, development, and demonstration for fiscal years 1988 and 1989; to the Committee on Science, Space, and Technology.

By Mr. SLATTERY (for himself and Mr. COATS):

H.R. 1524. A bill to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978; to the Committee on Energy and Commerce.

By Mrs. SMITH of Nebraska:

H.R. 1525. A bill to provide that any requirement to substantiate a deduction under the Internal Revenue Code of 1954 for business use of a vehicle be based on the regulations in effect before the Tax Reform Act of 1984; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 1526. A bill to suspend for 3 years the duty on 6-amino-1-naphthol-3-sulfonic acid; to the Committee on Ways and Means.

H.R. 1527. A bill to suspend for 3 years the duty on 2-(4-aminophenyl)-6-methylbenzothiazole-7-sulfonic acid; to the Committee on Ways and Means.

By Mr. THOMAS of California:

H.R. 1528. A bill to amend the Internal Revenue Code of 1986 to provide that the windfall profit tax shall not apply to an amount of crude oil equal to the amount of residual fuel oil used in enhanced recovery processes; to the Committee on Ways and Means.

H.R. 1529. A bill to remove the restrictions on the export of Alaskan North Slope oil; jointly, to the Committees on Foreign Affairs, Armed Services, Interior and Insular Affairs, and Energy and Commerce.

By Mr. UDALL (for himself, Mr. RHODES, Mr. STUMP, Mr. JOHNSON of South Dakota, and Mr. KOLBE):

H.R. 1530. A bill to grant the consent of the Congress to the Western Low-Level Waste Disposal Compact; jointly, to the Committees on Energy and Commerce, and Interior and Insular Affairs.

By Mr. UDALL (for himself, Mr. YOUNG of Alaska, Mr. LELAND, Mr. MOODY, Mr. LUJAN, Mr. LAGOMARSINO, Mr. FASCELL, Mr. ARCHER, Mr. IRELAND, Mr. MYERS of Indiana, Mr. NIELSON of Utah, Mr. SMITH of Florida, Mr. BADHAM, Mr. SOLARZ, Mr. ENGLISH, Mr. ANDREWS, Mr. BARTON of Texas, Mr. HUCKABY, and Mr. BATES):

H.R. 1531. A bill to amend the Mineral Leasing Act of 1920 with respect to the movement of coal over public lands, and for other purposes; jointly, to the Committees on Interior and Insular Affairs, and Public Works and Transportation.

By Mr. WHITTAKER:

H.R. 1532. A bill to ban the promotion of tobacco products; to the Committee on Energy and Commerce.

By Mr. WILLIAMS:

H.R. 1533. A bill to extend for 3 years the authorization provided by the State and Local Government Cost Estimate Act of 1981; to the Committee on Rules.

By Mr. WILLIAMS (for himself and Mr. KILDEE):

H.R. 1534. A bill to amend the Internal Revenue Code of 1986 to allow the targeted jobs credit with respect to wages paid to certain older Americans and dislocated workers; to the Committee on Ways and Means.

By Mr. WILLIAMS (for himself and Mr. LOWRY of Washington):

H.R. 1535. A bill to amend the Impoundment Control Act of 1974 to repeal provisions respecting the disapproval of proposed deferrals of budget authority, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. YOUNG of Florida (for himself, Mr. DARDEN, Mr. LAGOMARSINO, Mr. ROBERTS, Mr. SWINDALL, Mr. IRELAND, Mr. LIVINGSTON, Mrs. VUCANOVICH, Mr. DANNEMEYER, and Mr. THOMAS of Georgia):

H.R. 1536. A bill to amend the Fair Labor Standards Act to prevent the denial of employment opportunities by prohibiting the use of polygraph examinations by employers involved in or affecting interstate commerce unless the examination is made in accordance with certain minimum standards and to encourage the States and local governments to establish regulations for the administration of polygraph examinations; to the Committee on Education and Labor.

By Mr. BROWN of California (for himself, Mr. COUGHLIN, Mr. TAUKE, Mr. ASPIN, Mr. PURSELL, Mr. AUCOIN, Mr. GREEN, Mr. DOWNEY of New York, Mr. FISH, Mr. MOAKLEY, Miss SCHNEIDER, Mr. FAZIO, Mr. FOLEY, and Mr. JEFFORDS):

H.J. Res. 176. Joint resolution requiring the United States to continue during fiscal year 1988 the existing United States-Soviet Union mutual moratorium on testing antisatellite [ASAT] weapons against objects in space so long as the Soviet Union does the same and urging the President to seek with the Soviet Union a mutual and verifiable treaty placing the strictest possible limitations on the testing, deployment, and use of antisatellite weapons; jointly, to the Committees on Armed Services, and Foreign Affairs.

By Mr. DORGAN of North Dakota:

H.J. Res. 177. Joint resolution proposing an amendment to the Constitution of the United States to establish terms of 15 years for justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. ESPY (for himself, Mr. FLIPPO, Mr. HATCHER, Mr. MATSUI, Mr. DOWDY of Mississippi, Mr. LELAND, Mr. MFUME, Mr. WATKINS, Mr. GRAY of Illinois, Mr. WHITTEN, Mr. HAYES of Illinois, Mr. VENTO, Mr. LANCASTER, Mr. CLAY, Mr. APPLEGATE, Mr. BEVILL, Mr. MONTGOMERY, Mr. HUTTO, Mr. DEFAZIO, Mr. DE LA GARZA, Mr. HORTON, Mrs. BOXER, Mr. DYSON, Mr. JONES of Tennessee, Mr. DANIEL, Mr. BRENNAN, Mr. KOSTMAYER, Mr. JONES of North Carolina, Mr. BROWN of California, Mr. COELHO, Mr. NEAL, Mr. GARCIA, Mr. FORD of Tennessee, Mr. TRAFICANT, Mr. JENKINS, Mr. LEATH of Texas, Mr. RAHALL, Mr. DERRICK, Mr. AUCOIN, Mr. LOTT, Mr. HUCKABY, Mr. BARNARD, Mr. FOGLIETTA, Mr. BILBRAY, Mr. FRANK, Mr. GEPHARDT, Mr. TOWNS, Mr. HOCHBRUECKNER, Mr. ANTHONY, Mr. HUBBARD, Mr. BONER of Tennessee, Mr. HEFNER, Mr. ROE, and Mr. GONZALEZ):

H.J. Res. 178. Joint resolution designating April 4, 1987 as "National Catfish Day"; to the Committee on Post Office and Civil Service.

By Mr. GREEN (for himself, Mr. HORTON, Mr. FAZIO, Mr. CARR, Mr. BENNETT, Mr. RAHALL, Mr. DWYER of New Jersey, Mr. VANDER JAGT, Mr. ANNUNZIO, Mr. LELAND, Mr. YATRON, Mr. SABO, Mr. BERMAN, Mr. SCHUMER, Mr. SCHEUER, Mr. DIOGUARDI, Mr. MURPHY, Mr. FUSTER, Mr. HOYER, Mr. ROE, Mr. LEVIN of Michigan, Mr. MARTINEZ, Mr. KASICH, Mr. SOLOMON, Mr. PEPPER, Mr. BONER of Tennessee, Mr. ACKERMAN, Mr. LOWERY of California, Mr. LAFALCE, Mr. LIVINGSTON, Mr. LAGOMARSINO, Mr. BOLAND, Mr. KASTENMEIER, Mr. MCDADE, Mr. GRADISON, Mr. MAZZOLI, Mr. DANIEL, Mr. MANTON, Mr. LENT, Mr. KOSTMAYER, Mr. ERDREICH, Mr. TAUZIN, Mr. BIAGGI, Mr. FRENZEL, Mr. JONES of North Carolina, Mr. CLINGER, Mr. WAXMAN, Mr. LEWIS of California, Mr. SMITH of Florida, Mr. COELHO, Mr. NATCHER, Mr. ANTHONY, Mr. REGULA, Mr. WOLPE, Mr. DYMALLY, Mr. HOWARD, Mr. MORRISON of Connecticut, Mr. JENKINS, Mr. DAUB, Mr. DIXON, Ms. OAKAR, Mrs. COLLINS, Mr. FLORIO, Mr. THOMAS A. LUKEN, Mr. CROCKETT, Mr. DARDEN, Mr. FAUNTROY, Mr. MARTIN of New York, Mr. WILSON, Mr. SOLARZ, Mr. BORSKI, Mr. SAVAGE, Mr. BARNARD, Mr. FEIGHAN, Mr. WEISS, Mr. FORD of Michigan, Mr. RANGEL, Mr. BONIOR of Michigan, Mr. MOLINARI, Mrs. BOXER, Mr. QUILLEN, Mr. FISH, Mr. RODINO, Mr. VALENTINE, and Mr. ORTIZ):

H.J. Res. 179. Joint resolution designating the week of June 7, 1987, through June 13, 1987, as "National Theater Week"; to the Committee on Post Office and Civil Service.

By Mr. THOMAS A. LUKEN (for himself and Mr. HAMILTON):

H.J. Res. 180. Joint resolution to designate October 6, 1987, as "German-American Day"; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio (for himself, Mr. WYLIE, Mr. REGULA, Mr. TRAFICANT, Mr. APPLEGATE, Mr. STOKES, Ms. OAKAR, Mr. FEIGHAN, Mr. SAWYER, Mr. PEASE, Mr. ECKART, Ms. KAPTUR, Mr. DONALD E. LUKENS, Mr. DEWINE, Mr. MCEWEN, Mr. LATTA, Mr. OXLEY, Mr. HALL of Ohio, Mr. GRADISON, Mr. THOMAS A. LUKEN, Mr. KASICH, Mr. WEBER, Mr. FRENZEL, Mr. VENTO, Mr. SABO, Mr. SIKOR-

SKI, Mr. STANGELAND, Mr. OBERSTAR, Mr. CONYERS, Mr. PURSELL, Mr. WOLPE, Mr. UPTON, Mr. HENRY, Mr. CARR, Mr. KILDEE, Mr. TRAXLER, Mr. VANDER JAGT, Mr. SCHUETTE, Mr. DAVIS of Michigan, Mr. BONIOR of Michigan, Mr. CROCKETT, Mr. HERTEL, Mr. FORD of Michigan, Mr. DINGELL, Mr. LEVIN of Michigan, Mr. BROOMFIELD, Mr. VISCLOSKY, Mr. SHARP, Mr. HILER, Mr. JONTZ, Mr. BURTON of Indiana, Mr. MYERS of Indiana, Mr. MCCLOSKEY, Mr. HAMILTON, Mr. JACOBS, Mr. COATS, Mr. HAYES of Illinois, Mr. SAVAGE, Mr. RUSSO, Mr. DAVIS of Illinois, Mr. LIPINSKI, Mr. HYDE, Mrs. COLLINS, Mr. PORTER, Mr. CRANE, Mr. FAWELL, Mr. HASTERT, Mr. MADIGAN, Mrs. MARTIN of Illinois, Mr. EVANS, Mr. MICHEL, Mr. BRUCE, Mr. PRICE of Illinois, Mr. GRAY of Illinois, Mr. ASPIN, Mr. KASTENMEIER, Mr. GUNDERSON, Mr. KLECZKA, Mr. MOODY, Mr. PETRI, Mr. OBEY, Mr. ROTH, Mr. SENSENBRENNER, Mr. GONZALEZ, Mr. PASHAYAN, Mrs. BOGGS, Mr. MURPHY, Mr. HORTON, Mr. GRANT, Mr. ROWLAND of Georgia, Mr. BENNETT, Mr. VOLKMER, Mr. FISH, Mr. LAGOMARSINO, Mr. MARTINEZ, Mr. FROST, Mr. TOWNS, Mr. KOLTER, Mr. DYMALLY, Mr. BORSKI, Mr. NATCHER, Mr. LUNGREN, Mr. LELAND, Mr. BATEMAN, Mr. DELLUMS, Mr. FLAKE, Mr. OWENS of New York, Mr. HUGHES, Mr. HAMMERSCHMIDT, Mr. ESPY, Mr. MFUME, Mr. HAWKINS, Mr. LEWIS of Georgia, Mr. JONES of North Carolina, Mr. WOLF, Mr. WYDEN, Mr. ATKINS, Mr. HUBBARD, Mr. BEVILL, Mr. GRAY of Pennsylvania, Mr. GOODLING, Mr. GARCIA, Mr. CLAY, Mr. JENKINS, Mr. BUSTAMANTE, Mr. CHAPPELL, Mr. DORNAN of California, Mr. TAUZIN, Mr. PENNY, Mr. MILLER of California, Mr. BIAGGI, Mr. NIELSON of Utah, and Mr. YATRON):

H.J. Res. 181. Joint resolution commemorating the bicentennial of the Northwest Ordinance of 1787; to the Committee on Post Office and Civil Service.

By Mr. TAUZIN (for himself, Mr. CALLAHAN, Mr. BEVILL, Mr. ERDREICH, Mr. HARRIS, Mr. DICKINSON, Mr. FLIPPO, Mr. YOUNG of Alaska, Mr. UDALL, Mr. RHODES, Mr. KOLBE, Mr. BOSCO, Mr. LAGOMARSINO, Mr. MATSUI, Mr. FAZIO, Mr. LUNGREN, Mr. SHUMWAY, Mr. MINETA, Mr. PANETTA, Mr. PASHAYAN, Mr. THOMAS of California, Mr. MOORHEAD, Mr. WAXMAN, Mr. MARTINEZ, Mr. DYMALLY, Mr. DORNAN of California, Mr. SCHAEFER, Mr. CAMPBELL, Mrs. KENNELLY, Mr. MORRISON of Connecticut, Mr. MCKINNEY, Mrs. JOHNSON of Connecticut, Mr. CARPER, Mr. HUTTO, Mr. PEPPER, Mr. SMITH of Florida, Mr. AKAKA, Mr. PORTER, Mr. MADIGAN, Mr. PRICE of Illinois, Mr. RUSSO, Mr. HYDE, Mr. LIPINSKI, Mr. HAYES of Illinois, Mrs. COLLINS, Mr. EVANS, Mr. DURBIN, Mr. SHARP, Mr. CRANE, Mr. TAUKE, Mr. LIVINGSTON, Mr. ROEMER, Mr. HUCKABY, Mr. HAYES of Louisiana, Mr. HOLLOWAY, Ms. SNOWE, Mrs. BENTLEY, Mr. MCMILLEN of Maryland, Mr. BOLAND, Mr. MAVROULES, Mr. CONTE, Mr. FRANK, Mr. MOAKLEY, Mr. PURSELL, Mr. WOLPE, Mr. HENRY, Mr. CARR, Mr. CONYERS, Mr. SCHUETTE, Mr. TRAXLER, Mr. LEVIN of Michigan, Mr. SABO, Mr. SIKORSKI, Mr. WHITTEN, Mr. ESPY, Mr. DOWDY of Mississippi, Mr. LOTT, Mr. MONTGOMERY, Mr. CLAY, Mr. DAUB, Mr. DWYER of New Jersey, Mr. RINALDO, Mr. ROE, Mr. TORRICELLI, Mr. HOWARD, Mr. RODINO, Mr. SOLARZ, Mr. MRAZEK, Mr. LENT, Mr. MCGRATH, Mr. SCHEUER, Mr. MANTON, Mr. TOWNS, Mr. GILMAN, Mr. HOCHBRUECKNER, Mr. OWENS of New York, Mr. GREEN, Mr. BIAGGI, Mr. DIOGUARDI, Mr. GARCIA, Mr. MARTIN of New York, Mr. WORTLEY, Mr. HORTON, Mr. NEAL, Mr. HEFNER, Mr. DORGAN of North Dakota, Mr. THOMAS A. LUKEN, Mr. HALL of Ohio, Mr. MCEWEN, Ms. KAPTUR, Mr. TRAFICANT, Mr. KASICH, Mr. MILLER of Ohio, Mr. REGULA, Mr. STOKES, Mr. AUCOIN, Mr. INHOFE, Mr. EDWARDS of Oklahoma, Mr. ENGLISH, Mr. FOGLIETTA, Mr. MCDADE, Mr. KOLTER, Mr. KOSTMAYER, Mr. RITTER, Mr. WALGREN, Mr. MURPHY, Mr. ST GERMAIN, Mr. SPENCE, Mr. DERRICK, Mr. TALLON, Mrs. LLOYD, Mr. QUILLEN, Mr. BONER of Tennessee, Mr. SUNDQUIST, Mr. JONES of Tennessee, Mr. CHAPMAN, Mr. HALL of Texas, Mr. WILSON, Mr. BRYANT, Mr. FIELDS, Mr. BROOKS, Mr. DE LA GARZA, Mr. ARCHER, Mr. COLEMAN of Texas, Mr. STENHOLM, Mr. LELAND, Mr. BUSTAMANTE, Mr. FROST, Mr. ANDREWS, Mr. ORTIZ, Mr. NIELSON of Utah, Mr. JEFFORDS, Mr. SISISKY, Mr. DANIEL, Mr. BOUCHER, Mr. BLILEY, Mr. WOLF, Mr. MOLLOHAN, Mr. RAHALL, Mr. MOODY, Mr. FAUNTROY, and Mr. DE LUGO):

H.J. Res. 182. Joint resolution to designate March 20, 1987, as "National Energy Education Day"; to the Committee on Post Office and Civil Service.

By Mr. ROE:

H. Con. Res. 69. Concurrent resolution expressing the sense of the Congress that procurement of the new United States weather radar system, NEXRAD, continue on schedule and according to the established minimum requirements agreed to by the National Weather Service, the Federal Aviation Administration, and the Department of Defense; to the Committee on Science, Space, and Technology.

By Mr. FAZIO (for himself, Mr. LEWIS of California, Mr. WAXMAN, Mr. STARK, Mrs. BOXER, Mr. BERMAN, Mr. LOWRY of Washington, Mr. GREEN, Mr. ATKINS, Mr. BEILENSON, Mr. CLAY, Mr. DELAY, Mr. EDWARDS of California, Mr. FEIGHAN, Mr. FRANK, Mr. GARCIA, Mr. KONNYU, Mr. LELAND, Mr. LEVIN of Michigan, Mr. MARTINEZ, Mr. MATSUI, Mr. MCKINNEY, Mr. MFUME, Mr. MINETA, Mr. MOODY, Mr. MORRISON of Connecticut, Mr. MRAZEK, Miss SCHNEIDER, Mr. SCHEUER, Mr. TORRES, Mr. WEISS, and Mr. KOSTMAYER):

H. Con. Res. 70. Concurrent resolution expressing the sense of the Congress that the Secretary of Health and Human Services should prepare, and encourage the preparation of, public service announcements about acquired immune deficiency syndrome [AIDS]; and that commercial television networks and local television stations should accept for broadcast during selected adult programming such announcements, and commercial advertisements concerning the use of condoms to prevent infection by the AIDS virus; to the Committee on Energy and Commerce.

By Mr. ROE:

H. Con. Res. 71. Concurrent resolution expressing the sense of the Congress that the Federal Government take immediate steps to support a National STORM Program; to the Committee on Science, Space and Technology.

By Mrs. SMITH of Nebraska (for herself, Mr. BEREUTER, and Mr. DAUB):

H. Res. 115. Resolution expressing the condolences of the House on the death of the late Senator Edward Zorinsky; considered and agreed to.

By Mr. PORTER:

H. Res. 117. Resolution expressing the sense of the House of Representatives that the Congress should repeal the price support for sugar beets and sugarcane and that the Federal Government should remove limitations imposed on the importation of sugar; jointly, to the Committees on Agriculture and Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GORDON:

H.R. 1537. A bill for the relief of Joseph Keusch; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 1538. A bill for the relief of Dan V. Iuga; to the Committee on the Judiciary.

By Mr. PANETTA:

H.R. 1539. A bill for the relief of Meals on Wheels of the Monterey Peninsula, Inc.; to the Committee on the Judiciary.

By Mr. PASHAYAN:

H.R. 1540. A bill for the relief of Wesley P. Kliewer and Lois P. Kliewer; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 1541. A bill for the relief of Nicholas and Carey Wolf; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. HORTON, Mr. PETRI, Mr. TOWNS, Mr. BOEHLERT, Mr. GILMAN, Mr. MARTIN of New York, Mr. WORTLEY, Mr. HOUGHTON, Mr. HAYES of Illinois, and Mr. STRATTON.

H.R. 39: Mr. ASPIN.

H.R. 52: Mr. DERRICK, Mr. GRANT, Mrs. COLLINS, Mr. SMITH of Florida, Mr. ESPY, Mr. GIBBONS, and Mr. ACKERMAN.

H.R. 59: Mr. BLAZ.

H.R. 74: Mr. BIAGGI, Mr. HOWARD and Mr. DE LUGO.

H.R. 222: Mr. WEISS.

H.R. 309: Mr. RICHARDSON.

H.R. 310: Mr. RICHARDSON.

H.R. 312: Mr. OWENS of New York, Mr. DEFAZIO, Mr. SIKORSKI, Mr. ESPY, and Mrs. MARTIN of Illinois.

H.R. 338: Mr. SMITH of New Hampshire, Mr. DELAY, Mr. WEBER, Mr. ARMEY, and Mr. BADHAM.

H.R. 339: Mr. SMITH of New Hampshire, Mr. DELAY, Mr. ARMEY, and Mr. BADHAM.

H.R. 344: Mr. SMITH of New Hampshire, Mr. DELAY, Mr. ARMEY, and Mr. BADHAM.

H.R. 345: Mr. SMITH of New Hampshire, Mr. DELAY, Mr. ARMEY, and Mr. BADHAM.

H.R. 358: Mr. GUNDERSON.

H.R. 360: Mr. MOAKLEY, Mr. GEJDENSON, and Mr. LEVIN of Michigan.

H.R. 374: Mr. LEATH of Texas and Mr. PEPPER.

H.R. 378: Mr. ATKINS and Mr. CROCKETT.

H.R. 434: Mr. MARLENEE.

H.R. 514: Mr. MADIGAN, Mr. EVANS, Mr. BOUCHER, Mr. ORTIZ, and Mrs. KENNELLY.

H.R. 515: Mr. HUGHES, Mr. DEFAZIO, Mrs. PATTERSON, Mr. DURBIN, Mr. EVANS, Mr. KILDEE, and Mr. PANETTA.

H.R. 535: Mr. GEKAS.

H.R. 537: Mr. LAFALCE, Mr. LEWIS of Florida, and Mr. DOWNEY of New York.

H.R. 538: Mr. HAYES of Illinois.

H.R. 541: Mr. BADHAM.

H.R. 543: Mr. FAZIO, Mr. SUNIA, Mr. WORTLEY, and Mr. CARPER.

H.R. 575: Mr. ESPY.

H.R. 618: Mr. LELAND, Mr. MCCURDY, Mr. DICKS, Mr. HOCHBRUECKNER, Mr. MOODY, and Mr. LEACH of Iowa.

H.R. 628: Mr. LANCASTER.

H.R. 633: Mr. STUMP.

H.R. 637: Mr. VENTO.

H.R. 639: Mr. FEIGHAN, Mr. SAWYER, Mr. GRAY of Illinois, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. BONKER, Mrs. COLLINS, Mr. DELLUMS, Mr. SMITH of Florida, Mr. YATRON, Mr. FRANK, Mr. ROYBAL, Mr. BEILENSON, Mr. SCHEUER, Mr. LIPINSKI, Mr. TORRES, Mr. DEFAZIO, Mr. BUSTAMANTE, Mr. SYNAR, Mr. FAZIO, Mr. FROST, Mr. TOWNS, Mr. PEPPER, Mr. BERMAN, Mr. ATKINS, Mr. LANCASTER, Mr. NEAL, Mr. HAYES of Illinois, Mr. BARNARD, Mr. LEHMAN of Florida, Mr. WEISS, Mr. CROCKETT, Mr. KOSTMAYER, Mr. GLICKMAN, Mr. MARTINEZ, Mr. FORD of Michigan, Mr. SAVAGE, Mr. WILLIAMS, Mr. DWYER of New Jersey, Mr. ACKERMAN, Mr. DORGAN of North Dakota, Mr. MINETA, Mr. TORRICELLI, Mr. BOUCHER, and Mrs. BOXER.

H.R. 722: Mr. LOWRY of Washington.

H.R. 728: Mr. CLINGER, Mr. BEVILL, and Mr. TOWNS.

H.R. 782: Ms. KAPTUR and Mr. EVANS.

H.R. 907: Mr. MRAZEK, Mr. SOLARZ, Mr. SCHEUER, Mr. KOSTMAYER, Mr. TOWNS, Ms. KAPTUR, Mr. BIAGGI, Mr. DOWDY of Mississippi, and Mr. BEILENSON.

H.R. 922: Mr. ECKART and Mr. FEIGHAN.

H.R. 923: Mr. LANCASTER.

H.R. 954: Mrs. COLLINS.

H.R. 979: Mr. FORD of Michigan.

H.R. 1029: Mr. BOULTER, Mr. EDWARDS of Oklahoma, and Mr. WILSON.

H.R. 1050: Mr. EDWARDS of Oklahoma.

H.R. 1053: Mr. REGULA.

H.R. 1085: Mr. GRAY of Pennsylvania.

H.R. 1087: Mr. BEVILL, Mr. HAYES of Illinois, Mr. STUMP, Mr. HERGER, Mr. ESPY, Mr. RANGEL, and Mr. STALLINGS.

H.R. 1101: Mr. STAGGERS.

H.R. 1103: Mr. HAMMERSCHMIDT, Mr. ARMEY, and Mr. CRAIG.

H.R. 1127: Mr. LAGOMARSINO.

H.R. 1149: Mr. DYSON.

H.R. 1154: Mr. ANDREWS, Mr. BOEHLERT, Mrs. BOGGS, Mr. CLAY, Mr. CLINGER, Mr. CONYERS, Mr. ECKART, Mr. FAZIO, Mr. FEIGHAN, Mr. FLAKE, Mr. GARCIA, Mr. GONZALEZ, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HUNTER, Mr. JONTZ, Mr. KILDEE, Mr. KOLTER, Mr. MADIGAN, Mr. MCMILLEN of Maryland, Mr. NATCHER, Mr. RODINO, Ms. SLAUGHTER of New York, Mr. STOKES, Mr. TRAXLER, Mr. WEISS, and Mr. WILSON.

H.R. 1182: Mr. LAGOMARSINO.

H.R. 1188: Mr. PASHAYAN and Mr. MATSUI.

H.R. 1212: Mr. THOMAS A. LUKEN, Mr. DOWNEY of New York, Mr. DEFAZIO, and Mr. HOYER.

H.R. 1234: Mr. MATSUI, Mr. DE LUGO, Mr. VENTO, and Mr. CROCKETT.

H.R. 1266: Mr. MARTINEZ, Mr. GARCIA, Mr. BONIOR of Michigan, Mr. GEJDENSON, Mr. FAUNTROY, and Mr. LEVIN of Michigan.

H.R. 1278: Mr. PENNY, Mr. NICHOLS, and Mr. RAY.

H.R. 1301: Mr. TRAFICANT, Mr. APPLEGATE, Mr. HAYES of Illinois, Mr. OLIN, Mr. PEPPER, and Mr. FROST.

H.R. 1324: Mr. OLIN, Mr. SLAUGHTER of Virginia, and Mr. WEBER.

H.R. 1342: Mr. SOLARZ, Mr. SCHEUER, Mr. ATKINS, Mr. LELAND, Mr. TRAFICANT, Mr. DE LUGO, Mr. HAYES of Illinois, Mr. GRAY of Illinois, Mrs. COLLINS, and Mr. LEVIN of Michigan.

H.R. 1356: Mr. JENKINS.

H.R. 1363: Mr. BALLENGER.

H.R. 1436: Mr. HORTON and Mr. DEFAZIO.

H.J. Res. 13: Mr. BURTON of Indiana, Mr. SOLOMON, Mr. WORTLEY, Mr. WEBER, Mr. BEVILL, and Mr. DELAY.

H.J. Res. 16: Mr. LAGOMARSINO, Mr. SMITH of New Hampshire, Mr. DELAY, Mr. ARMEY, and Mr. BADHAM.

H.J. Res. 51: Mr. LAGOMARSINO, Mr. WORTLEY, Mr. TOWNS, Mr. DANNEMEYER, Mr. SCHUMER, and Mr. SAXTON.

H.J. Res. 90: Miss. SCHNEIDER, Mr. WORTLEY, Mr. SABO, Mr. KASTENMEIER, Mr. PORTER, Mr. ANTHONY, Mr. PERKINS, Mr. GRAY of Illinois, Mr. WILSON, Mr. KOSTMAYER, Mr. DONNELLY, Mr. LELAND, Mr. LEVIN of Michigan, Mr. ACKERMAN, Mr. WOLF, Mr. ROE, Mr. BONER of Tennessee, Mr. HEFNER, Mr. ROBINSON, Mr. SMITH of Florida, Mr. DOWDY of Mississippi, Mr. JONES of North Carolina, Mr. CLAY, and Mr. SOLARZ.

H.J. Res. 111: Mr. DAUB, Mr. GREEN, Mr. HAYES of Illinois, Mr. FROST, and Mr. CROCKETT.

H.J. Res. 132: Mr. RHODES, Mr. JEFFORDS, Mr. DEFAZIO, Mr. BORSKI, Mr. LANCASTER, Mr. SMITH of New Hampshire, Mr. VENTO, Mr. WYDEN, and Mr. BRENNAN.

H.J. Res. 155: Mr. WEBER, Mr. BRYANT, Mr. LELAND, Mr. ATKINS, Mr. TOWNS, Mr. SOLOMON, Mrs. JOHNSON of Connecticut, Mr. SMITH of Florida, Ms. SNOWE, Mr. HOCHBRUECKNER, Mr. STALLINGS, Mr. FOLEY, Mrs. COLLINS, Mr. INHOFE, Mr. BALLENGER, Mr. DERRICK, Ms. SLAUGHTER of New York, Mr. WOLF, Mr. BATEMAN, Mr. LAGOMARSINO, Mr. NICHOLS, Mr. MONTGOMERY, Mr. DANIEL, Mr. MOAKLEY, and Mr. LEWIS of Georgia.

H.J. Res. 157: Mrs. BOXER, Mr. CONYERS, Mr. DWYER of New Jersey, Mr. ESPY, Mr. GARCIA, Mr. GREEN, Mr. HORTON, Mr. KOLTER, Mr. LIPINSKI, Mr. MARTINEZ, Mr. NEAL, Mr. WORTLEY, and Mr. RANGEL.

H.J. Res. 158: Mrs. BOXER, Mr. BLAZ, Mr. BONIOR of Michigan, Mr. COATS, Mr. CONYERS, Mr. DEWINE, Mr. DWYER of New Jersey, Mr. FIELDS, Mr. HAYES of Illinois, Mr. HORTON, Mr. KASICH, Mr. KOLTER, Mr. LEHMAN of California, Mr. LELAND, Mr. LUNGREN, Mr. LIPINSKI, Mr. MARTINEZ, Mr. MONTGOMERY, Mr. OWENS of New York, Mr. PEPPER, Mr. SABO, Mr. TRAXLER, Mr. WILSON and Mr. WORTLEY.

H.J. Res. 164: Mr. PEPPER, Mr. ERDREICH, Mr. SAXTON, Mr. STALLINGS and Mr. SOLOMON.

H. Con. Res. 8: Mr. SMITH of New Hampshire, Mr. DELAY, Mr. ARMEY, and Mr. BADHAM.

H. Con. Res. 15: Mrs. KENNELLY, Mr. YOUNG of Florida, Mr. ECKART, Mr. SPRATT, Mr. HERGER. Mr. MCMILLIAN of North Carolina, Mr. BATEMAN, Mr. BUNNING, Mr. COYNE, Mr. HASTERT, Mr. PORTER, and Mr. RANGEL.

H. Con. Res. 30: Mr. ST GERMAIN, Mr. BARNARD, Mr. MCDADE, Mr. FLAKE, Mr. ERDREICH, Mr. LAGOMARSINO, Mr. COUGHLIN, Mr. HOLLOWAY, Mr. MARTINEZ, Mr. RHODES Mr. ACKERMAN, Mr. BALLENGER, Mr. ROBERT F. SMITH, Mrs. VUCANOVICH, Mr. RAY, Mr. BIAGGI, Mr. FEIGHAN, Mr. NELSON of Florida, Mr. BILBRAY, Mr. HAYES of Louisiana, Mr. WOLF, Mr. GRANDY, Mr. KYL, Mr. ROBERTS, Mr. VANDER JAGT, Mr. BADHAM, Mrs. SAIKI Mr. STALLINGS, and Mr. FASCELL.

H. Con. Res. 47: Mr. KOLTER, Mr. CARDIN, Mr. SAXTON, Mr. HUGHES, Mr. CLINGER, Mr. TAUKE, and Mr. PEPPER.

H. Con. Res. 67: Mr. GREEN, Mr. BILIRAKIS, Mr. SIKORSKI, and Mr. SWINDALL.

H. Res. 43: Mr. JONTZ, Mr. MOODY, Mr. MARTINEZ, Mr. NICHOLS, Mr. NIELSON of Utah, Mr. JONES of Tennessee, Mr. OBERSTAR, Mr. RHODES, Mr. HANSEN, and Mr. RICHARDSON.

H. Res. 68: Mr. DAUB and Mrs. SMITH of Nebraska.

H. Res. 71: Mr. VOLKMER, Mr. HAYES of Illinois, Mr. BOUCHER, Mr. MURPHY, Mr. FEIGHAN, Mr. RANGEL, Mr. PEPPER, Mr. BEVILL, and Mr. CROCKETT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1001: Mr. BORSKI, Mr. KOLTER, and Mr. THOMAS A. LUKEN.

H.R. 1272: Mr. WHITTAKER.

AMENDMENTS

Under clause of rule XXIII, proposed amendments were submitted as follows:

H.J. RES. 175

By Mr. HUNTER:

—Strike out all after the enacting clause and insert in lieu thereof the following:

"Whereas it has been the policy of the United States, since first implemented by President Monroe in 1823, that no European power should intevene in the affairs of any nation in the Americas;

Whereas the Soviet Union has provided as much as $600 million in military assistance in 1986 and as much as $1.04 billion in economic aid between 1975 and 1986 to the Sandinista regime, as confirmed by a report of the Department of Defense;

Whereas the Soviet Union's Communist Bloc allies have installed as many as 7000 military advisors and civilian technicians to support the Sandinista regime;

Whereas the Sandinista regime has the largest standing army in Central America and is a continuing threat to its peaceful, democratic neighbors:

Therefore, Be It Resolved, that it is the policy of the United States Government to abide by the commitment made in Public Law 99-1005 just six months ago to support the democratic efforts of the Nicaraguan contras in order to pressure the Sandinista regime to negotiate in good faith, allow a free press, conduct fair and free elections, and cease the suppresson of religious and political endeavors by its people; and be it further resolved that, if there is to be any adjustment to this policy, the United States Government should be prepared to increase its support to the contras, matching dollar for dollar the assistance provided by the Soviet Union.".

EXTENSIONS OF REMARKS

A TRIBUTE TO CAMILLO J. D'URSO

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DIOGUARDI. Mr. Speaker, I rise today to pay special tribute to a distinguished and generous citizen, Camillo J. D'Urso, who was tragically lost at sea on November 13, 1986.

Camillo D'Urso was an enterprising merchant and a respected leader in the food industry. Twenty-nine years ago he founded D'Urso Supermarkets, which now operate under the name of Key Food. As chairman of the board and president of the chain of 21 stores, Mr. D'Urso helped serve the needs of the New York metropolitan area.

Camillo's sensitivity to the needs of others is a characteristic and accomplishment that will not be forgotten. His generosity and that of Florence, his wife, enriched the lives of many young people in their home county of Westchester. They gave help to the sick, especially the terminally ill; provided for the people of Cancun, Mexico, a beautiful place of worship; and bestowed the children of many nations in the Boys' Towns and Girls' Town of Italy a permanent heritage of their caring.

On June 12, 1969, Camillo received the Brotherhood Award for Distinguished Service in the field of human relations, presented by the National Conference of Christians and Jews. In 1978, he received the "Man of the Year" award from the Boys' Towns of Italy. In 1980, he was honored as "Man of the Year" by the American Red Cross. In 1981, he received the Interfaith Award from the Covenant House as "Man of the Year." In 1982, he was honored as "Man of the Year" by the Pelham Civic Association. In 1983, the Jewish National Fund presented the "Tree of Life" award at a special dinner for Mr. D'Urso.

Camillo D'Urso served as chairman of the New York Meat and Food Dealers, Inc. and was on the board of the New York State Food Merchants' Association. He also served on the board of directors of Boys' Towns of Italy, the Pelham Civic Association, Calvary Hospital for the terminally ill, and he served as one of the vice presidents of the Inter-City Scholarship Fund. He also served on the planning board of the new Pelham Arts Center and was one of the founders of the Tropical Disease Center at Lenox Hill Hospital.

More than 2,500 family and friends attended a memorial mass for Camillo J. D'Urso at St. Patrick's Cathedral, in New York on January 29, 1987. The mass was concelebrated by Cardinal John O'Conner and Msgr. John Patrick Carroll-Abbing, who is the founder of the Boys' Towns and Girls' Town of Italy. Another memorial mass was offered at Our Lady of Perpetual Help Church in Pelham Manor, NY, on January 31, 1987. A third memorial mass was offered at the Ocean Reef Chapel in Key Largo, FL, on February 5, 1987.

We express our profound sympathy and condolences to the D'Urso family; Camillo's wife of 26 years, Florence, and their four children, David, twins Donna and Mark and Lisa. I would like my colleagues in the House to join me in recognizing Camillo J. D'Urso as a model family man of strong religious conviction, belief in the work ethic, honesty and love for his fellow man. His contributions and his involvement throughout the world are a legacy he leaves to all of us.

Thank you, Mr. Speaker.

A TRIBUTE TO EUGENE S. SOSNICK

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to Mr. Eugene S. Sosnick, the chairman and president of the Capital Cigar & Candy Co. of Sacramento. A successful businessman, accomplished sportsman and acclaimed community leader, Mr. Sosnick will be presented with the Torch Liberty award accorded to him by the Anti-Defamation League of B'nai B'rith at a dinner in his honor at the end of this month. The award recognizes Gene's leadership in advancing the cause of human rights in his community and in the corporate world.

Eugene S. Sosnick was born to Russian Immigrants Melvin and Celia Sosnick in Detroit, MI, on June 4, 1931. The Sosnick family soon moved to San Francisco, where Eugene's father started a tobacco and candy distribution company. The youngest of three boys, Gene attended public schools in San Francisco and graduated from the city's George Washington High School in 1949.

Gene then entered Stockton Junior College, where he exhibited excellence at the game of basketball. Although at 5 feet, 7 inches, he was relatively short for a basketball player, Mr. Sosnick attained all-conference, all-northern California and all-American honors. In his sophomore year, "Sos" led the Stockton Junior College Mustangs to fifth place in the national small college finals and set a single-season scoring record of 403 points.

Gene continued his winning ways at the College of the Pacific, where he was again recognized as an all-conference, all-northern California and all-west coast player. Mr. Sosnick set more scoring records at COP, exceeding a school high 400 points in his first season. At the end of his senior year Gene was selected to tour Central and South America with the West Coast College All-Star Team.

In recognition of his outstanding contribution to UOP athletics, Gene Sosnick was inducted last year into the University of the Pacific Hall of Fame, where he joined UOP coaching great Amos Alonzo Stagg, football star Dick Bass and Los Angeles Raiders Coach Tom Flores.

After graduating from Pacific in 1954 with a business administration degree, Gene joined his father and older brothers in the family business. By that time the Melvin Sosnick Co. had become the dominant wholesale distributor in the bay area, with facilities in San Francisco and Oakland. In 1959, Gene assumed responsibility for his own branch when the company purchased the Capital Cigar Co. of Sacramento.

With distributorships throughout northern California and Nevada, the Sosnick Co. is now the State's leading tobacco and candy wholesaler north of the Tehachapis, topping $300 million in annual sales. Under Gene's skillful leadership, the Sosnick's Capital Cigar & Candy Co. serves customers in 15 north State counties from its 60,000-square foot warehouse in West Sacramento.

Despite his demanding business schedule as chairman of the board of the Sosnick Cos., Gene Sosnick has managed to devote a great deal of time to civic, religious and philanthropic endeavors. For his work Mr. Sosnick has received a number of congratulatory letters and commendations including a White house letter of commendation sent on behalf of President Ronald Reagan. On September 26, 1986, a flag was flown over the U.S. Capitol in recognition of Mr. Sosnick's services to the State of California. Senator ALAN CRANSTON rose to the Senate floor on October 6, 1986, to congratulate Eugene Sosnick and highlight his many contributions to the State of California. From the California Legislature honors include recognition from Gov. George Deukmejian, the Honorable Willie L. Brown Jr., speaker of the assembly, and the Honorable David Roberti, president pro tempore. Most recently, Mr. Sosnick was noted for his humanitarian efforts by the California Association of Tobacco & Candy Distributors and was presented with the Lorillard Citizen and Leadership Award.

In the Sacramento community, Gene has made important contributions to a number of charitable pursuits. He is past president and chairman of the Sacramento Saints and Sinners, an organization which raises money for local needy causes. Gene is responsible for the Max Baer Playground in Sacramento, where hundreds of children participate in the Police Athletic League's Boxing Program. As a member of B'nai Israel Synagogue, Sosnick donated a library to preserve documents which chronicle the history of Sacramento's Jewish community.

In Ashkalong, Israel, Gene Sosnick built a preschool in the memory of his parents. The Sosnicks also established a trust and scholarship fund to research eye diseases at Technion University in Haifa.

Over the years, Gene has continued his strong interest in sports. For several years Sosnick volunteered as an assistant coach for Sacramento State University's basketball

team. He is also the past owner of the Sacramento Solons, Sacramento's first professional baseball team.

Mr. Speaker, I think my colleagues will agree that my good friend Eugene Sosnick is an excellent choice to receive the Torch Liberty Award. I join his family, friends and business associates in commending him for his many accomplishments thus far, and wish him many healthy and active years to come.

WESTERN LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. UDALL. Mr. Speaker, today I am introducing the Western Low-Level Radioactive Waste Disposal Compact Consent Act, which will grant congressional consent to the Arizona-South Dakota low-level radioactive waste disposal compact.

Under the Low-Level Radioactive Waste Policy Act, each State is responsible for providing for the disposal of low-level radioactive waste generated within its borders. Although a State is free to fulfill that obligation on its own, the Low-Level Radioactive Waste Policy Act and its 1985 amendments encourage the formation of regional compacts to manage low-level wastes on a regional basis. Regional compacts reduce both the cost of disposal for low-level waste generators and the number of disposal sites that will need to be monitored after closure to see that they do not become long-term hazards.

Most of the States have recognized the benefits of a regional approach to low-level waste management and have entered into compacts. The Congress gave its consent to 7 of these compacts, comprised of 35 States, as part of the Low-Level Radioactive Waste Policy Amendments Act of 1985.

Neither Arizona nor South Dakota were party to any of the compacts Congress gave its consent to in 1985. Although the Arizona Legislature ratified a compact with California in 1984, the California Legislature failed to act upon it.

Accordingly, during 1986, Arizona and South Dakota enacted legislation establishing the Western low-level waste disposal compact.

There are many people who had hoped that Arizona would enter a compact which included the State of California. It is my understanding that California may enter the Western compact with the approval of both Arizona and South Dakota. The legislation I am introducing today will not affect either the ability of California to join the Western compact or the ongoing discussions between Arizona and California.

Both Governor Mecham of Arizona, and his predecessor, Governor Babbitt, before he left office, asked me to introduce legislation giving the Congress' consent to this compact. The Low-Level Radioactive Waste Policy Act requires the States to achieve specific, rigid milestones. If these milestones are not met, substantial penalties may be imposed on low-level waste generators within the States. Thus, it is important that the Congress act swiftly to give its consent to this compact and let Arizona and South Dakota implement their program. I urge my colleagues to give this measure their timely and favorable consideration.

DEATH OF RAFAEL M. SALAS, EXECUTIVE DIRECTOR, U.N. FUND FOR POPULATION ACTIVITIES

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FASCELL. Mr. Speaker, it is with regret that I pay tribute to Rafael M. Salas, the executive director of the U.N. Fund for Population Activities, who died last week. During his tenure at the UNFPA, the organization grew from a $2 million budget to become the largest source of multilateral assistance for population and family planning programs, with an annual budget of approximately $140 million.

Mr. Salas' untimely death comes at a time when the United States has withdrawn its support for UNFPA. Many of us regard that withdrawal as unfortunate and hope that an accommodation will be reached to allow the United States to resume its leadership in the international family planning arena. Mr. Salas, in fact, was here in Washington for a series of meetings with congressional and executive branch leaders on this matter when he was so suddenly stricken.

Rafael Salas had a distinguished career both in his own country, the Philippines, and at the UNFPA. From 1966 to 1969 he served as the Executive Secretary of the Philippines; in that position he was responsible for implementing the Philippines' Rice and Corn Self-Sufficiency Program which brought the green revolution to that country and helped it become rice-sufficient within 2 years. Since 1969 Mr. Salas has directed the UNFPA, and in 1984 he also served as the secretary general of the International Conference on Population in Mexico City. During this time, he achieved near-universal recognition for the concern that the current unprecedented rates of population growth are straining the Earth's resources and threatening our well being. As a result of Mr. Salas' efforts, virtually every developing country now has a population policy and resources available for family planning have multiplied.

I offer my sympathy to Mr. Salas' wife and family and to his many colleagues who worked with him around the world to promote safe, voluntary family planning and rational population policies. He will be missed as we continue these efforts.

GORBACHEV'S GLASNOST

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. GREEN. Mr. Speaker, while every Soviet Jew granted an emigrant visa and every prisoner of conscience released from the gulag is an event to be celebrated, I would like to add a word of caution about the alleged "glasnost" or openness policy proclaimed by Mr. Gorbachev.

A prisoner who is taken from behind bars but who is prevented from practicing freedom of religion or freedom to return to the land of his or her people is still a prisoner. So while I welcome any overtures from the Soviet Union which will lead us down the path to true peace and true freedoms, I would only caution that we remain vigilant in demanding that these freedoms be genuine and widespread.

I would like to submit the following analysis prepared by the Coalition to Free Soviet Jews, which is headquartered in my district in New York. This excellent piece, which will be published in the next issue of "Lifelines," makes clearly and succinctly the point I have raised.

GORBACHEV'S GLASNOST: SMALL STEPS ON A LONG ROAD TO HUMAN RIGHTS

Recent events in the Soviet Union appear to many—and are portrayed by others—as "earth-shaking." But Mikhail Gorbachev's so-called openness of "glasnost" has thus far produced only surface changes and has yet to permeate the deeper issues of Jewish emigration and religious freedom.

The import of many of Gorbachev's initiatives, such as the release of Hebrew teacher Iosif Begun along with 140 other prisoners cannot—and should not—be dismissed. But equally worthy of Western scrutiny are the purposeful limitations of these steps and their careful design for Western consumption.

The Kremlin's announcement that 500 Jews would be permitted to leave the Soviet Union in January was not matched by events—only 98 Jews left in the first month of 1987. Moreover, the Soviets have recently refused long-term refuseniks Vladimir Slepak and Aleksandr Lerner along with Valery Soifer, Natalya Khasina, Yuli Kosharovsky, Yakov Rakhlenko and Lev Sud. All eight were told that their cases would not be reviewed again until 2000.

The February 2nd decree releasing 140 prisoners included only two Jewish activists [and] was contingent upon a signed statement by prisoners requesting a pardon and renouncing future "illegal activities." Iosif Begun's refusal to sign such a document resulted in his continued incarceration. Begun's imprisionment brought protests by his wife, Inna and son, Boris, as well as by others. The protestors, along with Western reporters, were assaulted by plainclothesmen, indicating the further limits on Mr. Gorbachev's openness policy.

Soviet officials announced the prisoner releases to the Western press long before the news was reported to the Soviet population. The delay in the announcement is further evidence that the pardons were designed, in large measure, to appease Western critics of the Soviets' human rights policies.

While recent events are clearly limited and calculated, they are nonetheless strik-

ing steps in the direction of real human rights reform. The challenge before us is to promote Gorbachev's initiatives so that they soon encompass larger reform—free emigration and free expression. Begun's release on February 20th and his dramatic return to Moscow, has merely returned him—once again—to the supplicant's position. The validity of Gorbachev's claims to an "irreversible" process towards democratization can be better measured not by Begun's release from prison, but by whether the Beguns—along with their fellow refuseniks—are permitted to emigrate to Israel. Mikhail Gorbachev has taken some important first steps, but the road to full human rights remains very long indeed.

TENNESSEAN IS OUTSTANDING BUSINESS LEADER

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SUNDQUIST. Mr. Speaker, I would like to call attention today to an outstanding Tennessee citizen and American businessman—E. Bernard Blasingame.

Mr. Blasingame is founder and president of the Aqua Glass Corp. in Adamsville, TN. Most appropriately, Mr. Blasingame was selected and honored by the Northwood Institute as 1 of 10 outstanding businessmen for 1987.

Mr. Blasingame began his successful career in 1968 when he designed and marketed a 24-foot houseboat that was sealed with fiberglass. In 1972 Blasingame developed a one-piece fiberglass bath unit and Aqua Glass was launched.

Today, Aqua Glass is the Nation's largest manufacturer of gelcoat, acrylic bath and shower units. It boasts a remarkable annual growth rate of 26 percent.

This very proficient business is tremendously valuable to the citizens of the seventh District of Tennessee. Aqua Glass employs 900 Tennessee citizens and has a $15 million annual payroll.

Mr. Blasingame is also involved in many civic activities, most notably as chairman of the local United Way campaign where he has raised record-breaking levels of funds.

Mr. Speaker, the State of Tennessee is truly fortunate to have such a fine citizen.

TUNA INDUSTRY UNDERGOES CHANGE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MATSUI. Mr. Speaker, according to an October 1986 Section 332 Report of the U.S. International Trade Commission on the U.S. Tuna Industry, our domestic tuna industry is continuing to undergo significant change because of the unprecedented surge in world production and trade in tuna. As a result, the U.S.-flag tuna boats have declined from 124 at the end of 1979 to 90 at the end of 1985—with more than 30 of these tied up—the number of U.S. canneries have declined from 22 to 8 in the same time period; employment has declined 12 percent; and wages are down 8 percent.

This is not an outmoded industry that is losing market share because it is antiquated or in need of reorganization, but rather the most technologically advanced and modern fishing fleet in the world. It is unexcelled in equipment, maintenance, and production. This last remaining U.S. distant water fishing fleet has a significance beyond its economic contribution, since it is the only U.S. presence in the strategically important Western Pacific Ocean area which is frequented by Soviet Union boats constantly. The Soviet Union has recently concluded a fisheries agreement in this area which allows their continued presence. While we cannot meet the terms of their agreement, the administration has negotiated an unprecedented Western Pacific Fishing Treaty, which it will send to Congress later this year. The treaty includes a $10 million fishing rights provision in order to maintain our fishing fleet's presence in the area. It would be ironic if we are to pay $10 million to maintain the U.S. tuna boats' presence in the area, while allowing our boats to disappear because of the structure of our tariffs.

The United States is the only country in the world that maintains separate tariffs on tuna packed in oil and tuna packed in water. The basic U.S. import duty on tuna packed in water is 6 percent which advances to 12½ percent when a predetermined quota is reached, while the duty rate on tuna packed in oil is 35 percent. In contrast, Thailand, the principal exporter of canned tuna into this country, has a tariff of 50 percent and the European Economic Community (EEC) has a duty rate of 24 percent. Since the EEC and the United States are the major markets for canned tuna—with the United States accounting for over 40 percent—the United States, with its lower tariff rate on canned tuna packed in water, becomes a syphon for all the major tuna exporting nations.

The need to maintain this industry has recently been recognized by the United States in last fall's lifting of the embargo on canned tuna from Mexico. Because of the potential damage, the U.S. Trade Representative negotiated a Voluntary Trade Agreement limiting the imports from Mexico to avoid devastating the U.S. industry. Yet, imports continue to flood at an even increasing rate from other nations.

As the International Trade Commission's report points out, imports of canned tuna have increased substantially both in absolute numbers and as a percentage of overall domestic consumption. Imports have increased nearly 300 percent in quantity since 1979 and over 221 percent in value. Each year since 1979, imports have established a new record over the previous year. Recently published figures on 1986 imports indicate a 31.2 percent increase over the previous year.

Mr. Speaker, to stem this flood of imports which, if allowed to continue, threaten the existence of our domestic industry, I am introducing a bill to change the structure of the tariff to a unified tariff, equalized at 24 percent, rather than two tiers at 12 percent and 35 percent. This will make our tariff correspond to that of the EEC in both level and structure. Since the two tiers were an historical anomaly resulting from a 1943 trade concession to Iceland for fish canned in brine and not a trade negotiation involving tuna, it is a fair solution to avoid the United States from being the world wide dumping ground for canned tuna. I hope my colleagues will recognize the defense, foreign policy and economic needs for this legislation.

TRIBUTE TO BOY SCOUT TROOP 101 OF UNITED METHODIST CHURCH, WAYNE, NJ

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. ROE. Mr. Speaker, we all know what a powerful force the Boy Scouts of America has been through the years in helping to shape the character of our Nation's youth and develop our leaders of tomorrow. I am certain many of us in this Chamber had the opportunity to enjoy the Boy Scout experience first hand.

As a youngster back in my home district, I had such an opportunity. I was fortunate enough to have been a member of Passaic County Council Melvin Carter Boy Scout Troop 101, sponsored by the United Methodist Church of Wayne, NJ. I am proud to say that this Friday, March 13, Melvin Carter Boy Scout Troop 101 will celebrate 50 years of continuous service to its community with a dinner at the United Methodist Church in Wayne.

Mr. Speaker, Troop 101 was first registered in June 1934. At the end of that first year, in June 1934, its charter lapsed for 7 months until it was again registered in January 1936. This troop has had unbroken service since that time, under the same sponsoring institution, the United Methodist Church of Wayne.

Melvin Carter, whose name is carried so proudly by Troop 101, joined the troop in 1936 and was taken from this Earth prematurely in 1939 when he was struck down by Bright's disease. It is recorded in the history of Troop 101 that Melvin Carter "was an active and useful member at the time of his death. Melvin was a second miler, always going out of his way to do something for his church and for others. He was a noble Christian lad and a loyal Boy Scout."

From Committee Chairman Fred Walker and Scoutmaster Lawrence Dehn of the old Eagle Rock Council Troop 1 in 1928, the forerunner of Troop 101, to Committee Chairman Berkeley McKennon and Scoutmaster Donald Creamer this year, this troop has boasted many outstanding leaders who have been important role models for the nearly 700 young men who have belonged to Troop 101 over the years. I have listed below all of these fine leaders who have served the troop since its beginnings in 1928.

I would like to take this opportunity to extend my sincere congratulations to Boy Scout Troop 101 and all those involved for 50 outstanding years of service to the community. May its tradition continue and endure.

Year and committee chairman	Scoutmaster	Scouting coordinator	Charter	New
Troop 1 Eagle Rock Council (national troop number 39):				
1928—Fred Walker.	Lawrence Dehn [1]			
1929—Fred Walker.	do [1]			
1930—Fred Walker.	do [1]			
1931—Fred Walker.	do [1]			
Troop 1 Paterson Area Council (national troop number 87):				
1934—Charles R. Hoerning.	John VanDyken	Edgar B. Rohrback	14	11
1936—D. Ricker.	Eugene R. Rischer	do	11	14
1937—A.K. Hosley.	do	do	25	13
1938—Frank J. Gerber.	Philip C. Batzle, Jr	do	44	0
1939—Frank J. Gerber.	Henry D. Botham, Sr.	do	35	13
Melvin Carter Troop 87 Paterson Area Council:				
1940—E.J. Stevens, Jr.	Henry D. Botham, Sr.	do	36	9
1941—Lewis D. Goodman.	do	do	26	1
Melvin Carter Troop 101 Alhtaha Council, 3 Rivers District:				
1942—Martin G. Carter.	William F. DeTombeur.	do	16	15
1943—Henry D. Botham, Sr.	do	do	32	16
1944—J.C. Dannery.	D. Beaumont-Kent	do	17	11
1945—Martin G. Carter.	do	Ferdinand R. Gremse.	16	12
1946—Shirley B. Jacobus.	do	do	23	6
1947—Herbert Rountree.	do	do	18	7
1948—Martin G. Carter.	do	do	12	12
1949—Martin G. Carter.	do	do	18	14
1950—Martin G. Carter.	do	do	23	3
1951—Martin G. Carter.	Robert G. Spear	Ruth Lund	12	9
1952—Martin G. Carter.	Randall M. Carter	do	17	21
1953—Harry M. Toms.	Harry T. Roeske	Sherwood Munson	6	27
1954—Fred K. Peschel.	do	Randall Carter	21	14
1955—Foster B. Blake.	do	Joseph G. Bogusz	31	25
1956—Philip A. Lund.	Robert C. Jones	Robert Brubaker	34	16
1957—Foster B. Blake.	do	Walter D. Ryerson	27	18
1958—Stanley Bentley.	Carl C. Ruether	Aldrich C. Bailey	41	9
1959—Richard Kern.	do	do	44	11
1960—Stanley Bentley.	do	Walter Luther	34	9
1961—Ashley Thorndike.	Aneil Richards	do	31	10
1962—Ashley Thorndike.	Gary Lausch	do	31	11
1963—John Holder.	do	do	34	10
1964—John Holder.	do	Dean Lanning	22	14
1965—John Holder.	do	Robert Montross	23	2
1966—George Weidman.	Robert Alemy, Jr	do	17	20
1967—George Weidman.	do	do	17	7
1968—George Weidman.	do	do	?	?
Melvin Carter Troop 101 Alhtaha Council, North Valley District:				
1969—Robert Montross.	Thomas Tedeschi	Howard De Void, Jr	14	15
1970—Robert Montross.	do	do	24	9
1971—Kenneth Snook.	do	do	25	9
1972—Kenneth Snook.	do	George Stone	21	15
Melvin Carter Troop 101 Passaic Valley Council, North Valley District:				
1973—Franklin Chamberlin.	do	James Thornton	26	8
1974—Franklin Chamberlin.	do	Edith Rohrback	17	10
1975—George Kuehm.	do	do	18	8
1976—George Kuehm.	do	Joan Palacia	22	16
1977—John Larsen.	do	do	28	0
1978—Thomas Tedeschi.	Brian McGrievy	John Rockman	23	5
1979—Brian Stager.	do	do	?	?
1980—Brian Stager.	Berkeley McKennon	do	26	5
Charter year beginning changed from 12/1 to 3/1:				
1981—Thomas Tedeschi.	do	do	30	5
1982—Thomas Tedeschi.	do	do	22	9
1983—Berkeley McKennon.	Herbert Veit	Roy Schmidt	23	4
1984—Berkeley McKennon.	do	do	21	5
1985—Berkeley McKennon.	do	do	18	7
1986—Berkeley McKennon.	Donald Creamer	do	20	3
1987—Berkeley McKennon.	do	do		

[1] At this time, December 1986, Larry Dehn lives in Falls Church, VA.

LEGISLATION TO STRIKE DEFERRAL PROVISION IN IMPOUNDMENT CONTROL ACT

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. WILLIAMS. Mr. Speaker, I rise today to introduce a bill to strike the deferral provision in the Impoundment Control Act (title X of P.L. 93-344), under this act, deferrals must be proposed by the President whenever any executive action or inaction effectively precludes the obligation or expenditure of budget authority. In such cases, the President is to submit a special message to the Congress recommending the deferral of that budget authority. The President is required to make such budget authority available for obligation if either House passes an "impoundment resolution" disapproving the proposed deferral at any time after receipt of the special message.

The Supreme Court in INS v. Chadha invalidated a one-House legislative veto in the Immigration and Nationality Act in terms so sweeping as to render suspect all such legislative veto devices. Under the Chadha rationale, the one-House disapproval of Presidential deferrals of budget authority would likely be held unconstitutional.

In reviewing the history of the Impoundment Control Act it is highly unlikely that the Congress, on the heels of nearly unanimous judicial rejection of Presidential impoundment authority and as part of comprehensive legislation designed to wrest control of the budget process from the President, would have delegated such an impoundment without the one-House legislative veto check.

Currently, the only way for the Congress to disapprove a deferral is to proceed as if it were a rescission. Thus, a joint resolution—passed by both Houses and signed into law by the President—is the only procedure available to reject a deferral.

The bill I am introducing today would simply repeal the deferral provision (section 1013 or P.L. 93-344), thus directing the executive branch to use the rescission (section 1012 of P.L. 93-344) process for any rejecting of spending authority. This bill will restore the constitutional balance of authority between the Congress and the President when the Impoundment Control Act was signed into law.

My bill reaffirms the January 20 decision of the Federal appeals court (see below):

[From the Washington Post, Jan. 21, 1987]

PRESIDENT'S POWER TO DEFER SPENDING VOIDED—APPEALS COURT STRIKES DOWN LAW ALLOWING YEARLONG DELAYS

A federal appeals court, rejecting what one critic called President Reagan's "backdoor" budgetcutting, ruled yesterday that the president cannot put off spending money appropriated by Congress.

The three-judge panel unanimously struck down a law giving the president the power to defer spending for up to a year. The law had been challenged by New Haven, Conn.; Chicago; the National League of Cities and four members of the House.

The decision affirmed a ruling by U.S. District Court Judge Robert Jackson, who last May declared the spending deferral process invalid and ordered the release of $5.3 billion in federal aid to cities.

The deferral process was authorized in section 1013 of the Impoundment Control Act of 1974, which gave either house of Congress the ability to veto the president's decisions.

However, the Supreme Court in 1983 declared the "one-house veto" unconstitutional.

At issue in this case was whether the striking down of the "one-house veto" also nullified the rest of the law giving the president deferral power.

Writing for the court, Judge Harry Edwards said, "Congress would not have enacted section 1013 had it known that the legislative veto provision was unconstitutional.

"Section 1013 was designed specifically to provide Congress with a means for control-

ling presidential deferrals," the court said. "As a consequence of the Supreme Court's [one-house veto] decision . . . that section has been transformed into a license to impound funds for policy reasons."

Alan Beals, executive director of the National League of Cities, praised the ruling, saying, "We hope the administration will abide by it and discontinue its efforts to circumvent the congressional budget process."

Reagan has angered many lawmakers by proposing massive deferrals that effectively wipe out appropriations passed by Congress and signed into law by the president.

ENACTING A CONSTRUCTIVE ENERGY TAX POLICY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FIELDS. Mr. Speaker, this is the fourth in a series of speeches on the need for a comprehensive energy policy for this Nation.

Domestic oil exploration and production have fallen dramatically over the past 13 months. According to the Energy Information Administration [EIA], daily crude output declined 680,000 barrels between December 1986 and the same month in 1985. EIA forecasts a continued drop in daily domestic production of between 440,000 and 550,000 barrels in 1987.

During the first 9 months of last year, oil and gas exploration investments by the 13 largest U.S. oil companies declined by $19.2 billion—25.2 percent—from 1985 investment levels.

While domestic oil exploration and production is plummeting, crude oil imports are escalating. In 1986, oil imports increased from 27 percent to 40 percent of U.S. energy supplies. Oil imports from the Persian Gulf increased by 400 percent.

The United States is becoming rapidly dependent on foreign oil. If the current trend continues, our dependence on foreign oil may exceed 70 percent by the year 2000. The unstable Persian Gulf will supply the bulk of the increased imports, since most of the world's excess crude oil production and proved reserves are located there.

U.S. crude oil production is being supplanted by foreign production because U.S. crude is simply more expensive to produce. Our cheap and easy domestic crude has already been found and extracted. For example, over 10 percent of U.S. oil production comes from stripper wells which produce an average of only 3 barrels of oil per day, at a cost often in excess of $15 per barrel. In contrast, Saudi Arabian oil wells commonly produce thousands of barrels per day at a cost of only $1 to $2 per barrel.

We, in Congress, have two choices before us. If we do nothing, we are implicitly choosing to allow the continued demise of our domestic energy industry and to allow growing dependence on Middle Eastern oil supplies. If we reject foreign oil dependence, we must recognize that incentives are necessary to maintain adequate domestic oil production.

My friend and respected colleague, Representative BILL ARCHER has introduced H.R. 534, the Emergency Energy Act of 1987. This package, which I have cosponsored, included tax incentives to spur domestic oil production. These incentives include: a tax credit of up to $5 per barrel for oil from marginal wells; a 15-percent tax credit for expenses incurred in exploratory activities; the repeal of the windfall profits tax; the elimination of transfer rules which prevent independent producers from taking percentage depletion on properties transferred to them from major oil companies; expansion of the definition of intangible drilling costs to include geological, geophysical and surface casing expenses as deductible items; and, elimination of the requirement that major oil companies capitalize 20 percent of intangible drilling costs. In addition to these actions, Congress should restore the historic 27½-percent depletion allowance.

I hope all of my colleagues will join me in endorsing these tax incentives. A secure energy future is important to all Americans. We cannot afford to risk the economic and national security crises which could occur in the event of a serious crude oil supply disruption. Now is the time to act.

MORATORIUM ON CONTRA AID

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DIXON. Mr. Speaker, I support the call for a moratorium on the release of any additional funding for the Contra forces fighting the Sandinista regime in Nicaragua. America's Contra policy is in a sad state of disarray. Before releasing the $40 million to the Contras, the American people deserve to know how millions of their dollars have been spent, including the funds that may have been illegally diverted from the Iran arms-for-hostage deal.

Funds already committed by our Government cannot be accounted for, Alturo Cruz—head of the Contra forces—has resigned, and a questionable network of arms and financial assistance to the Contras has created a major crisis in the Reagan presidency. Far too many questions concerning American assistance to the Contras remain unanswered, and the scope and direction of American foreign policy decisions in the region remains unclear.

Quite simply, we need more time to truly assess what will best serve our interest in Latin America. To continue direct U.S. financial assistance in the wake of the current controversies surrounding our Nicaragua policy would be an inappropriate investment of scarce Federal resources and an irresponsible waste of taxpayer dollars.

We should be secure in our accountability of how Contra financial assistance is spent, and the reasons why it has been provided. Until we can confidently answer where our money is sent, who spends it, and for what purposes it has been used, financial assistance to the Contras should be stopped. The moratorium provided by this resolution allows us an opportunity to find the answers to these questions.

H.R 558

HON. JIM BUNNING

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. BUNNING. Mr. Speaker, homelessness is a very real and growing problem. There is no question about that. The Federal Government has a responsibility to address this disturbing problem. There is no question about that. But there is a very real question about whether or not H.R. 558, the Urgent Relief for the Homeless Act, addresses the problem in the most effective way and in a fiscally responsible way.

I am very much aware that homelessness is a severe problem even in my home State of Kentucky which you wouldn't associate with this kind of problem. The mayor of Louisville, Jerry Abramson, recently testified before the Senate Banking Committee to point out that his city has one of the fastest growing homeless populations in America. Gary Bricking, the chairman of the Northern Kentucky United Appeal and Community Chest has personally expressed his concern to me about the growing homeless problem in that portion of my district. We obviously need to do something.

However, Mr. Speaker, the "something" we need to do is not to just blindly throw more money at the problem. The "something" we need to do is not to pile on more layers of bureaucracy. The "something" we need to do is not to dump every semblance of fiscal responsibility in our haste to make it onto the evening news. Unfortunately, H.R. 558 does all of these "somethings" and for that reason, I believe it misses the mark by a mile. Like some recent demonstrations in the streets of Washington, I'm afraid this bill is more hype than help.

For example, this bill is supposed to be of an emergency nature. However, a large portion of the funding simply establishes a new level of Federal bureaucracy. Under title III of this bill a special grant program is established to place homeless in surplus Government buildings. There are two major problems with title III. First, instead of recognizing that State and local governments can best address the needs of their homeless, this program establishes a catagorical grant program in which the Federal Government will dictate the use of funds. Personally, I want Mayor Abramson and other local officials like him to make decisions about the homeless in Louisville and other cities, not some bureaucrat tucked away in Washington.

Second, and more importantly, this program will serve to only institutionalize homeless in America. It offers, no alternatives but to remove the homeless from the mainstream of America and place them in inadequate and secluded Government buildings with no concerns for their underlying needs. With the growing problems with homeless families in America, I cannot, with good conscience support a plan to remove these families from reality and place them in surplus buildings. We should not be satisfied with such an answer in this country.

Had this body not been in such a rush to pass legislation, we could have taken the time to fashion a good bill. We could have done the fiscally responsible thing and taken the time to find a means to pay for it without adding another $725 million to the deficit like it was so much confetti. If we had taken the time, we could have fashioned a measure that held some promise of solving the problem of homelessness. Because we didn't take the time, we ended up with a mighty expensive bandaid.

I wanted to be able to vote for a bill to help the homeless but this bill was flawed in substance and flawed fiscally and I could not bring myself to vote for it.

When I looked at this legislation I asked myself one important question, "Are we getting immediate assistance to those who need it quickly, and efficiently as possible." Under H.R. 558, the answer is clearly "No." That's why I voted "No."

RICE MARKETING LOAN PROGRAM

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FAZIO. Mr. Speaker, I rise today with the gentleman from California [Mr. MATSUI] in introducing legislation that should help the U.S. rice industry and other domestic industries in their ongoing efforts to increase exports by breaking down illegal and unreasonable barriers to trade. Our rice industry, in particular, faces some of the most discriminatory barriers in the world.

The legislation we are introducing complements the marketing loan provisions of the Food Security Act of 1985. In addition to making our rice competitive in the international market and expanding domestic demand, the Rice Marketing Loan Program has stimulated local farm economies, moved the rice crop into private commercial channels instead of into Government stockpiles, and provided our farmers with a solid basis for a transition from Government reliance to market dependence. The Rice Marketing Loan Program will facilitate recapturing lost markets and penetrating new ones, but it cannot surmount illegal and unreasonable import barriers. Without access to foreign markets, the price, quality, and competitiveness of our product will be irrelevant.

Japan maintains one of the most discriminatory trade barriers our California farmers in particular confront. Section 1 of our bill directs the U.S. Trade Representative to investigate the acts, policies, and practices that restrict access to that market. He must begin consultations with the Japanese Government. Ultimately, he must make recommendations to the President based on his findings and consultations. We hope the Japanese Government will open its market without forcing us to retaliate.

Section 2 of the bill broadens the definition of the term "unreasonable" under the 1974 Trade Act. It specifically identifies some of the more unreasonable policies governments use to restrict imports of rice and other products.

Section 3 merely gives the USTR added leverage by providing him with discretion to refer cases like the rice petition to the GATT when he considers doing so appropriate.

We believe this legislation is essential to the export health of our domestic industries. In particular, it should help the rice industry in its transition from Government dependence to market competitiveness. Our efforts will be in vain, however, if other governments continue to restrict access to their markets. This legislation should help begin breaking down their barriers to our exports.

I have cosponsored a similar measure authored by Mr. HUCKABY of Louisiana, but I strongly urge my colleagues to support this measure and, if possible, include it in a comprehensive trade bill.

SIOUX NATION BLACK HILLS ACT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. UDALL. Mr. Speaker, today I join with my good friend, Congressman JIM HOWARD, in the introduction of legislation providing for the return of certain lands within the Black Hills of South Dakota to the Sioux Tribes which are successors to the Great Sioux Nation. I take this opportunity to put in the RECORD my reasons for cosponsoring this legislation.

The aboriginal lands of the Teton or Lakota Tribes of the Sioux Nation comprised all of what is now western South Dakota and substantial portions of what are now the States of North Dakota, Montana, Wyoming, and Nebraska. As white explorers, settlers, and miners pushed westward, they intruded upon the lands of the Sioux and precipitated armed conflicts with the tribes.

When gold was discovered in California in 1849, the United States sought to secure a safe passage across the Great Plains to the gold fields for its citizens who were flocking to that area. The powerful Indian tribes in that area, including the Sioux, resented this intrusion upon their lands and took action to stop this flow. In addition, the internecine wars among the tribes also represented a threat to the safety of the American settlers.

In 1851, the United States entered into the first treaty of Fort Laramie with these tribes to bring about peace among the tribes and to secure the safe passage for its citizens. In doing so, the treaty defined the territorial boundaries of the various tribes which were parties to the treaty. As already noted, the territory of the Teton Sioux was described as those lands in what is now the States of South Dakota, North Dakota, Montana, Wyoming, and Nebraska. In the treaty, the tribes authorized the United States to construct roads and military posts within their respective territories. In return, the United States agreed to protect the tribes from depredations by its citizens.

For a time, this treaty secured the peace on the high plains and the safe passage of white miners and settlers to the Far West. Nevertheless, some conflicts continued to arise between the Indians and the whites. With the discovery of gold in the territory of Montana, violations of the terms of the 1851 treaty by whites increased in numbers and intensity. These violations resulted in the Powder River or Red Cloud's war of 1866–67 between the Sioux Tribes and the United States.

After several military setbacks and defeats, the United States entered into the second Fort Laramie treaty of 1868 with the Sioux Tribes. The 1868 treaty was a comprehensive document. Not only was it a peace treaty to end the war, it also established in some detail the relationship between the United States and the Sioux.

Most importantly, it provided for the establishment of the Great Sioux Reservation constituting all of what is the State of South Dakota west of the Missouri River. This area included the Black Hills which were sacred to the Sioux and which was central to their religious beliefs and practices. The Sioux relinquished their right to permanently occupy the lands outside this reservation, but retained the right to hunt in that area.

The 1868 treaty provided that the reservation would be "set apart for the absolute and undisturbed use and occupation" of the Sioux. The United States assumed the obligation to guarantee this quiet occupation from non-Indians. The treaty provided that—

> * * * the United States now solemnly agrees that no persons except those herein designated and authorized to do so, and except such officers, agents, and employees of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article * * *

Finally, the United States promised that—

> No treaty for the cession of any portion or part of the reservation herein described which may be held in common shall be of any validity or force as against the said Indians, unless executed and signed by at least three-fourths of the adult male Indians. . .

Again, for a time, the 1868 treaty secured a degree of peace and harmony between the Sioux Tribes and the United States.

But once again, in the words of the Supreme Court, "familiar forces" began to operate. In 1874, Lt. Col. George Custer led an expedition into the Black Hills, the religious heart of the Sioux Nation, which confirmed the existence of gold. Despite the terms of the 1868 treaty requiring the United States to keep non-Indians out of the reservation, prospectors and others swarmed into the region.

U.S. military forces in the area initially attempted to fulfill the treaty obligation by excluding and removing unauthorized persons from the area, but their endeavors were largely unsuccessful. In November 1875, President Grant, reacting to political pressure, secretly ordered the Army to stop attempting to prevent miners from entering the area. This was a direct, deliberate violation of the 1868 treaty by the United States.

The anger and resentment of the Sioux over these violations of the treaty and the invasion of their sacred Black Hills resulted in hostilities between the Indians and the white trespassers. Again reacting to political pres-

sure, the United States sought to induce the Sioux to sell the Black Hills and give up their treaty hunting rights off the reservation. Those efforts were unsuccessful. The United States then illegally and in violation of the treaty ordered all Sioux to cease their hunting activities and return to the reservation by January 31, 1876, or be treated as hostile. This unlawful action precipitated the war which climaxed by the Sioux defeat of Colonel Custer at the Battle of Little Big Horn on June 25, 1876.

Congress responded to this defeat by attaching a rider to the Indian Appropriation Act of 1876 which cut off all rations promised in the treaty to the Sioux unless they terminated hostilities and ceded the Black Hills to the United States. This is the so-called sell or starve provision. In August 1876, Congress requested the President to appoint another commission to negotiate the sale of the Black Hills by the Sioux. An agreement was negotiated which was signed by less than 10 percent of the adult male population of the Sioux in violation of the 1868 treaty terms. Despite the failure of the agreement to meet the terms of the treaty, Congress ratified the agreement by the act of February 28, 1877, which unilaterally acquired the Sioux lands in the Black Hills and terminated their off-reservation treaty hunting rights.

Mr. Speaker, for 110 years, the loss of their sacred Black Hills has occupied the minds of the Sioux people. Barred from judicially seeking recovery of their lands, they sought at least to be fairly compensated for the loss. In 1920, the Sioux were able to secure the passage of a special jurisdictional act permitting the Sioux to bring suit in the Court of Claims for compensation. After expensive and extensive litigation, the suit was dismissed in 1942 after over 20 years of work.

In 1950, the Sioux refiled their suit for unlawful taking of the Black Hills with the Indian Claims Commission which was created in 1946. Again, after extensive litigation and the enactment of two remedial statutes by Congress, the Supreme Court finally upheld the lower court decision awarding the Sioux $105,000,000 as just compensation for the wrongful taking of the Black Hills.

That award was appropriated in 1980 and was invested by the Secretary of the Interior as Indian trust funds. With accrued interest, the fund amounts to approximately $160,000,000. The Sioux Tribes have voted to reject this award and, since the Supreme Court decision, have mounted an effort to secure the return of the Black Hills through congressional action.

The bill introduced by Congressman Howard would provide, among other things, for the return of nearly 1.3 million acres of the 7 million acres of the Black Hills.

Mr. Speaker, I want to make clear that my cosponsorship of this legislation does not necessarily mean that I support the bill or any of its provisions. But my cosponsorship does signal my belief that this is an important Indian issue which is deserving of a hearing by the Congress.

The Supreme Court, in upholding the award of the Court of Claims, quoted with approval the lower court's conclusion that "a more ripe and rank case of dishonorable dealing will never, in all probability, be found in our history." I cosponsor the legislation so that this matter and the Sioux proposal for the restoration of lands may fully aired. It may be that the record which will be developed on this legislation would support the restoration to the Sioux Nation of some portion of the lands wrongfully taken.

SALUTE TO CLAUDE PEPPER

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FASCELL. Mr. Speaker, on November 3, 1986, the Humanitarian Committee for Nicaraguan Refugees paid tribute to our very distinguished colleague from Florida, CLAUDE PEPPER. The president of the Humanitarian Committee for Nicaraguan Refugees testified to Congressman PEPPER's dedication and commitment to the defense of democracy in Central America, as well as to his relentless work on behalf of Nicaraguan refugees. It is with great honor that I submit the remarks of Mr. Rene Quinonez, president of the Humanitarian Committee for Nicaraguan Refugees, on behalf of our highly esteemed colleague, CLAUDE PEPPER.

The statement follows:

REMARKS OF MR. RENE QUINONEZ, PRESIDENT OF THE HUMANITARIAN COMMITTEE FOR NICARAGUAN REFUGEES AT THE NICARAGUAN SALUTE TO "SENATOR" CLAUDE PEPPER

INTRODUCTION

Good morning Senator Pepper, distinguished guests, ladies and gentlemen.

We, the Nicaraguan people in exile, have the distinct honor of saluting and giving recognition to our greatest friend and ally in the United States Congress—none other than Senator Claude Pepper, whose fight for democracy everywhere has been going on since the turn of the century. In the House of Representatives, Senator Pepper has been a true freedom fighter. By speaking out against international communism, the Senator has enlightened his colleagues about the political realities in Cuba, Nicaragua, and Angola. When it came time to vote for aid in Nicaragua's struggle for independence, he has been there unconditionally every time.

For those of you who did not have the opportunity of sitting in the gallery of the House of Representatives to hear Senator Pepper's great oration in defense of Nicaragua's liberation, we will begin this morning's program with a recording of that memorable occasion on March 20, 1986.

My dear friends, you have just witnessed one of the greatest statesmen of our time in action. Senator Pepper speaks with an eloquence which is only surpassed by his profound conviction in what he says.

Claude Pepper is not just a freedom fighter now because it is fashionable. In the 1930's President Franklin D. Roosevelt sent him as his personal representative to Germany. Upon his arrival in the United States, Sen. Pepper warned the President and the American people of Hitler's aggressive motivations. No one believed him at first—but he was right. Today he stands side-by-side with Dr. Jonas Savimbi in the fight against communism in Angola, he is a true freedom fighter for Nicaragua in the trench warfare of congressional committees and legislative debates! Senator Claude Pepper is arch enemy No. 1, of Fidel Castro in the United States Congress. For those of you who don't remember that far back.—Sen. Pepper was a Presidential candidate for a short while in 1948. If Claude Pepper had been elected President of the United States, history would surely be written differently. But he has already molded this country in many significant ways, by championing the cause of the elderly, the poor, as well as by standing up for the cause of democracy everywhere in the world.—for many years, the Senator's campaign theme has been—"Pepper Helps People". Well, this is not just a slogan, it's a way of life for Claude Pepper. Our Cuban brothers are living proof of this. Sen. Pepper's office has always been open to them long before they could even vote. We, Nicaraguans have also experienced this great Pepper generosity. I, myself have been a personal witness of his instrumental efforts during the last five (5) years in trying to legislate a fair immigration law in the House of Representatives. The recently passed immigration law (which benefits about 35 percent of Nicaraguan exiles in the United States) would have never even reached the floor of the House for a vote, had it not been without the blessing of Sen. Pepper's almighty Rules Committee. I might add, that when it comes to helping Nicaraguans, the Senator is not just a strong supporter of aid to the freedom fighters, he is also attentive to the needs of the more than 60,000 Nicaraguan exiles in the Greater Miami area, who have no voice in government.

I mentioned the 35 percent of the Nicaraguan community who would be protected under the immigration law, well, Senator Pepper has supported legislation in Congress that would take care of the other 65 percent. Tens of thousands of hard working, law abiding Nicaraguans in Miami alone are denied the right to work. They must resort to breaking the law in order to feed their families.

The administration has been practicing a dual policy toward Nicaragua. While it systematically denounces the political, religious and social repression of the Sandinista regime and asks for more aid to liberate our country, the administration has done absolutely nothing in trying to resolve the dilemma of exiles who flee to this great land. Instead, all Nicaraguans are subjected to the full rigor of the law which requires an individual to demonstrate substantial proof of evidence of persecution.

Can you imagine, Senator—a man trying to escape from the tyranny of a totalitarian regime, where merely crossing the border without permission is punishable by execution, having to carry with him documentation proving that he was being persecuted; without doubt this man would be writing his own death sentence.

Recently, exercising his discretionary authority, the Florida district director of the Immigration and Naturalization Service, Mr. Perry Rivkind, issued a temporary stay of deportation of all Nicaraguan nationals within his jurisdiction. This is a significant step foward, but it falls short of complete protection. This still does not include Nicaraguans in the other 49 States of the Union. Nor does it halt deportation proceedings, it does not even provide temporary work permits.

I speak on behalf of all the representatives of the Captive Nations, who suffer under the oppression of communism, where seeking a better way of life elsewhere is con-

sidered conspiratorial and treasonous, and where walls are built to keep the people in. Here with us is Reverend John Paul Nagy, chairman of the board of the South Florida Captive Nations. There was recently the case of two young Cuban men in their twenties who escaped from Cuba in a life raft. Luckily avoiding any confrontation with Castro's Marine Border Patrol, they reached our shores badly burnt, and exhausted. These brave individuals are among those who made it. Countless others have drowned, been eaten by sharks, or shot down by a passing patrol boat.

Those who survived the exodus are usually undocumented. Approximately 30,000 Cuban exiles who are not covered either by the Cuban Act of 1966 or under the special exemption for Mariel entrants are in the same situation that we, Nicaraguans face. Last year less than 6 percent of all Nicaraguans who applied for political asylum were approved. What is needed is a comprehensive reform, either by any Executive Order or by a legislative imperative that would grant political asylum to the nationals of any country fleeing from a totalitarian regime. Who can deny that Cuba, the Soviet Union, Nicaragua, Eastern Europe, and the many other unfortunate victims of communism are repressive regimes. With your help, Senator Pepper we can hopefully correct this inequity in our system.

Today, Senator we are here to salute you. To commend you for your tireless battle for justice and peace throughout the world, for being a model statesman, concerned not just about the next election, but about the next generation.

The Nicaraguan nation in exile honors you today especially for your defense of democracy in our land and for your help in our fight against the tyranny of communism which suppresses our people. Today, Senator Claude Pepper we initiate you as an honorary Nicaraguan citizen, and as proof of that honor, we entrust to you our beloved flag and commission you as it's guardian until you can return it to us in a free Nicaragua.

NATIONAL THEATRE WEEK

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. GREEN. Mr. Speaker, today I am introducing legislation which designates the week of June 7, 1987 as "National Theatre Week." Eighty-five of our colleagues are original cosponsors of this bill. I hope that many of you will come forward and cosponsor this legislation.

This is the fifth year that I have introduced this bill in the House. For the last 4 years, National Theatre Week has been celebrated across our entire Nation. This legislation has the support of 350 legitimate theaters, 7 nationally prominent unions with thousands of members, individual State and community arts agencies and the National Association of State Arts Agencies.

National Theatre Week pays tribute to the thousands of Americans in professional theater companies, high schools, colleges, and community theaters whose talents make the American theater one of the finest educational and cultural resources in the world.

During the past few years, we have seen a renaissance of American theater. This rebirth has not only occurred in major urban areas, but also in smaller communities and towns where both professional and amateur theater bring the theater to new audiences.

The continued success of this genre, which has played a major part in the growth of America since the times of George Washington, requires the continued commitment of both large and small communities, philanthropies, organizations, actors, stage crews, and most importantly theatergoers. National Theatre Week is designated as a time to reaffirm our commitment to these groups to keeping the theater alive.

The text of the bill follows:

H.J.RES. 179

Whereas many Americans have devoted much time and energy to advancing the cause of theater;

Whereas the careers of many of our greatest performers began on the stages of America's theaters;

Whereas Americans experience theater through high school, college, and community theater groups as well as through professional acting companies;

Whereas the American people have long recognized that it is in the best interests of the Nation to support the theatrical arts; and

Whereas many individuals and organizations are now saluting the strength and vitality of the theaters of America: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of June 7, 1987, through June 13, 1987, is designated as "National Theatre Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate activities, including providing support and assistance to theaters throughout the Nation.

TENNESSEAN NAMED OUTSTANDING PRINCIPAL

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SUNDQUIST. Mr. Speaker, last October, the U.S. Department of Education and the National Association of Elementary School Principals [NAESP] recognized Mrs. Hazel F. Goodale, the principal of Farmington Elementary School in Germantown, TN, as a national distinguished principal at an awards ceremony held here in Washington.

The goal of the NAESP is to give recognition to those principals who set the character and quality of education in the early school years that shape children's future in the classroom and in life. The criteria which determine recipients of the National Distinguished Principals Award include not only excellence in the field of education, but leadership in and commitment to their community. Mrs. Goodale has excelled in all these areas.

Mrs. Goodale is a 1952 graduate of Columbia College in Columbia, SC, where she earned her bachelor's degree. She was a teacher in South Carolina, Virginia, and Florida before moving to Tennessee to teach in the Shelby County school system from 1969–72. In 1972, Mrs. Goodale earned her master's degree at Memphis State University and subsequently became a part-time instructor there.

From 1972 to 1975, she served as supervisor of Shelby County schools until she became principal of Farmington Elementary School in Germantown. She has demonstrated outstanding commitment to her profession by serving as chairman or president of numerous educational councils and organizations. She was also recognized by the community as an outstanding educator when, in 1977, she received the Jaycees Educator of the Year Award.

It is with great pleasure that I pay tribute to Mrs. Goodale for being selected as a National Distinguished Principals Award recipient for 1986. She is not only an asset to her community, but to the entire education profession.

LEGISLATION TO ASSIST U.S. RICE INDUSTRY

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MATSUI. Mr. Speaker, I rise to introduce legislation to amend the Trade Act of 1974 to assist the U.S. rice industry and others to gain access to foreign markets. I am joined by the gentleman from California, Mr. FAZIO, who has been working with me to help our rice industry increase exports.

As my colleagues know, many countries restrict or ban the importation of rice. International trade in rice is hightly politicized. More than 50 percent of international trade is accounted for by government agencies. As a result, the United States must export its rice into a highly protected environment.

U.S. rice exports have declined precipitously since 1981, when they accounted for 23 percent of world rice exports. Between 1981 and 1985, rice exports fell from a high of 3.0 million metric tons to 1.9 million metric tons. Import barriers contributed to the decline of the U.S. global share and stagnation in growth of the international market.

Since implementation of the Rice Marketing Loan Program we mandated in passing the Food Security Act of 1985, our export picture has dramatically improved. For the 1986–87 marketing year, exports are up 62 percent over last year. Our rice is now price competitive. But unless we reduce the barriers other countries have erected to keep our rice out, we will never meet our full export potential.

As my colleagues know, Japan has erected a broad array of some of the most discriminatory and illegal barriers of any country. In an effort to open this market for U.S. rice, the Rice Millers' Association filed a section 301 petition with the U.S. Trade Representative last fall. Notwithstanding the unassailable fact that Japan's policies violate its international obligations, the administration chose not to exercise the authority delegated by this Congress to pursue the matter with the Japanese. Ambassador Yeutter, however, assured the in-

dustry that he would reconsider the matter in mid-1987 if progress had not been made pursuing this in the context of the Uruguay round of multilateral trade negotiations.

I think this matter is too important to be delayed further. Section 1 of the bill we are introducing today would require the U.S. Trade Representative to commence an investigation, as if he had accepted RMA's petition last fall. He must begin consultations with Japan and, ultimately, make appropriate recommendations to the President.

Section 2 of the bill makes a generic revision by broadening the definition of "unreasonable" under section 301. As amended, the definition will include refusing to grant import licenses and operating State trading enterprises or using Government procurement policy to restrict imports. This should assist not only the U.S. rice industry, but other industries as well in their efforts to penetrate foreign markets.

Finally, section 3 of the bill modifies section 303 of the Trade Act of 1974. As amended, the provision would give the USTR discretion to refer agricultural section 301 petitions to the GATT. This provision would not require anything new of the USTR, but would provide him with additional leverage since he would not be forced to refer agricultural cases to the GATT. At present, many nations know such cases must be reviewed in the GATT, and thus recognize that they do not have to open up their markets for years, if ever.

This legislation is essential to assisting the U.S. rice industry and others to break down barriers to trade confronted throughout the world. I hope my colleagues will support us in ensuring its swift passage and enactment.

Thank you.

TRIBUTE TO ALFRED J. GREENE, JR. RETIRING CLIFTON TAX ASSESSOR

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. ROE. Mr. Speaker, during the past 30 years as the tax assessor of the city of Clifton, NJ, Alfred J. Greene, Jr., has established himself as one of the world's foremost experts in the field of real estate assessment. This Friday, March 13, on the occasion of his retirement, family, friends, professional acquaintances and a city grateful for his outstanding efforts will honor Mr. Greene with a dinner dance at the Westmount Country Club in West Paterson, NJ.

Alfred J. Greene, Jr., began his career in the revaluation field and soon became the supervising appraiser and northeast regional representative of the largest revaluation firm in the country. He became the tax assessor of Passaic, NJ in 1952 and spearheaded an effort to require the fair and equitable distribution of the county tax burden after a study conducted by Mr. Greene proved that Passaic was paying more than its fair share of county taxes. Mr. Greene's study eventually served as a model for the entire State of New Jersey when it established a sale ratio study for equalization purposes a year later.

Mr. Speaker, in 1957, Alfred J. Greene, Jr., became tax assessor in the city of Clifton, NJ. As he had done in Passaic, he instituted a program to assure that all property in Passaic County was assessed on a fair and equitable basis. His efforts saved the city of Clifton more than $130 million.

During his long and productive career, Mr. Greene was extremely active in organizations related to his profession. He served as president of the Passaic County Assessors Association and of the Association of Municipal Assessors of New Jersey. He was also president of the Northeast Regional Association of Assessing Officers, and he served on the executive board of the International Association of Assessing Officers representing assessors throughout the United States and Canada. He is past president of the Evaluators Institute of Appraisal Technology and he served as a consultant to the New Jersey State Treasurer, the Director of the Division of Taxation and the New Jersey Department of Civil Service.

Mr. Greene has also taught courses in appraisal and assessing at Rutgers University since 1956. In recognition of his outstanding service, Alfred J. Greene, Jr., has received numerous awards and citations, including the "M" Award and Presidential Citations from the International Association of Assessing Officers, and the Catherine E. Pardee Memorial Award on two occasions from the Northeast Regional Association of Assessing Officers.

Mr. Greene, who lives in Clifton, is married to the fomer Marjorie Turner and has two children, Debbie and Susan, and four grandchildren. He is a member of the board of trustees of the Boys' and Girls' Club of Clifton, Inc., the board of directors of Clifton Senior Citizens' Housing Corp., the Clifton-Passaic Regional Chamber of Commerce, the American Legion, the D.A.V., of which he is a life member, and the Upper Montclair Country Club.

I would like to take this opportunity to wish Alfred J. Greene, Jr., and his family, all the best for the future, and to thank him and to congratulate him on a long and illustrious career. He has spent the last 35 years renderning outstanding service to his community, his county, his State and his Nation and has served as the model of what it means to be a public servant.

LET'S AMEND THE TARGETED JOBS TAX CREDIT TO EXTEND IT TO OLDER AMERICANS AND DISLOCATED WORKERS

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. WILLIAMS. Mr. Speaker, I rise today to introduce amendments to the Targeted Jobs Tax Credit Program to extend priority coverage to older Americans and dislocated workers.

My bill simply amends section 51(d) of the Internal Revenue Code of 1986—relating to members of targeted groups—by adding older Americans and dislocated workers to the list of target groups. In defining eligible older Americans, we pick up language in title V of the Older Americans Act, section 507(3). While we define dislocated workers according to the definition in title III, section 302(a), of the Job Training Partnership Act. This definition was amended to include unemployed farmers in the 1986 amendments to the Job Training Partnership Act.

RESOLUTION HONORING MIKE MADIGAN

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LOWERY of California. Mr. Speaker, I would like to draw the attention of my colleagues to the distinguished career of Mike Madigan on his retirement from the office of chairman of the board of directors of the Greater San Diego Chamber of Commerce:

Whereas, Mike Madigan began his career in city development underneath office furniture putting property tags on city equipment, but soon rose to the top of the heap; and

Whereas, he rose through a number of jobs in city administration and he served then mayor Pete Wilson, as his right hand in downtown redevelopment, economic development, the trolley and growth management; and

Whereas, he understands the need for San Diego to grow to maturity with style and grace and understands the growing pains of a city on the brink of fulfilling its potential; and

Whereas, he has served the city and county as director of the Metropolitan Water District of Southern California; director, San Diego County Water Authority; and

Whereas, he has served his community as Vice Chairman, San Diego Armed Services YMCA and Council Commissioner, Vice President for District Operations, Vice President for Programs, and President, San Diego County Council, Boy Scouts of America; and

Whereas, through his many years of public and private service to the community he has distinguished himself, given of his time and effort and eased San Diego's transition from sleepy Navy town to dynamic city; and

Whereas, Mike Madigan is leaving the office of chairman of the Board of Directors of the Greater San Diego Chamber of Commerce on December 18, 1986: Now, therefore, be it

Resolved, That this occasion be commemorated with entry of this document in the CONGRESSIONAL RECORD with our sincere thanks to a San Diegan with an overwhelming commitment to making his city "America's Finest".

RAFAEL SALAS

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MOODY. Mr. Speaker, last week, we lost a preeminent leader in the population

field, United Nations Fund for Population Activities Executive Director Rafael Salas. I want to share wtih my colleagues an editorial commemorating the work of Mr. Salas which appeared in the Boston Globe yesterday. We in Congress should do all we can to carry out his ideals.

RAFAEL SALAS

His name was not known to most Americans. But across the world, the work of Rafael Salas often marked the difference between sickness and health, even life and death.

Salas, who died last week, had served as executive director of the United Nations Fund for Population Activities from the time it was started in 1969. He was considered the world's leading authority on population growth.

A person of grace and gentility, Salas saw the calamitous consequences of overpopulation—for the family and for the world.

When he took over the UN agency, it had less than $2.5 million for its work. By the time he died, he had generated worldwide acceptance of family-planning programs and had increased funding to $1 billion a year.

A consummate diplomat, he could talk as convincingly to communists as to Catholics. He believed that unbridled population growth was not a narrow issue of contraception, but the basic problem underlying most of the social and economic ills besetting the disadvantaged people of the world. His legacy is that nearly every nation has embraced a population policy.

To his dismay, the United States, once a world leader in foreign aid for family planning, withdrew all support for the UN agency last year. The action grew out of unfounded allegations of abusive practices within China's one-child family policy, and as part of the Reagan administration's opposition to abortion. Although other nations increased their contributions, many programs are stretched thin. The most fitting memorial to Rafael Salas would be for Congress to restore American funding in honor of this extraordinary man.

SUPPORT HUNGARIAN HUMAN RIGHTS

HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LUKENS. Mr. Speaker, the sordid human rights violations in Romania have caught the attention of Congress and the press.

In the March 9 issue of the Washington Times, Dr. Z. Michael Szaz, Secretary of International Relations of the American Hungarian Federation and a well known columnist to the Times and other New York and Chicago newspapers, published an overview of the situation in Romania and the slowly changing attitude of the Reagan administration toward the Communist dictator, Nicolae Ceausescu.

Dr. Szaz is a native to Hungary who came to the United States in 1950 and holds a M.A. and Ph.D. degrees from the Catholic University of America. For 9 years he taught at St. John's University, Seton Hall University and Troy State University as an associate professor of Political Science. At this time he is the executive vice president of the American Foreign Policy Institute. He is an author of 2 books, 7 studies and 35 academic articles in English and German, in addition to his journalistic endeavors.

Dr. Szaz has been politically active and since 1965 has been lobbying for the human, cultural and national self-determination rights of the 2.5 million Hungarians in Romania. We worked together during my first two terms in Congress and we are again forming a team in exposing the human rights violations in Romania and the State Department's incorrect and erroneous policies toward the Communist dictator, President Nicolae Ceausescu.

I commend this article to my colleagues.

[From Washington Times, March 9, 1987]

ROMANIA LOSING FAVOR?

(By Z. Michael Szaz)

For years, Protestant, Hungarian, Romanian, and other groups have criticized the human-rights performance of President Nicolae Ceausescu's regime in Romania. However, the rosy image of the "maverick" Soviet satellite based upon past Romanian diplomatic moves and a large degree of self-deception, outweighted in the minds of U.S. policymakers the atrocities committed by the most repressive Communist regime in Europe outside of Albania.

There now are signs, however, that the Reagan administration is succumbing to the concerted pressure by human-rights organizations which have clearly demonstrated the absence of any religious or political freedom in Romania and have documented the persecution of Romania's minorities, as well.

On Jan. 2, U.S. Trade Representative Clayton Yeutter announced President Reagan's decision to terminate trade advantages accorded Romania and Nicaragua under the General System of Preferences, designed to help developing nations remain competitive on the American market. The loss of their trade preferences will result in a $150 million to $200 million reduction in Romanian exports to the United States. This should be welcomed, as our trade with Romania ran about 5-to-1 in Romania's favor in 1985, and more than 3-to-1 in 1986.

While the loss of GSP privileges is a hard blow, Romania can live with the new status quo so long as its most-favored-nation trade status is retained. The 50 percent tariff cuts under its MFN status allow Romania to export an extra $400 million to $500 million of goods to the United States, representing about 40 percent of all Romanian exports to the United States.

Even more interesting is the reason for terminating Romania's GSP status. The finding is based not on the relative competitiveness of Romanian goods, but on Romania's violation of internationally recognized workers' rights which, according to U.S. law, include freedom of association, freedom to organize and bargain collectively, prohibition on the use of forced or compulsory labor, and acceptable conditions with respect to minimum wage, work hours, and occupational safety and health. There is no question that the Romanian regime has violated these rights for years, but now, finally, the administration has recognized the obvious and terminated Romania's GSP status.

Some observers interpret the move as an effort to deflect mounting objections to Romania's MFN status in Congress and within the administration. By removing GSP privileges, an effort is made to assuage opponents of trade preferences for Romania.

The situation remains precarious for the Ceausescu regime. Secretary of State George Shultz's report on Religion in Romania is in the printing stages, but avoids any references to the persecution of the national minorities or to emigration and downplays the oppression of the national minority churches (Catholic, Lutheran, Hungarian Reformed, and Unitarian). Pointed discussions on the advisability of renewing Romania's MFN status cannot be avoided.

Meanwhile, Congress is gearing up for action. A bill, HR-1250, calling for a six-month suspension of Romania's MFN status has been reintroduced. Its scope has been widened to cover not only violations of religious and political rights, but the rights of Hungarians and other national minorities, as well.

Rep. Donald "Buz" Lukens, Ohio Republican and a member of the House Foreign Affairs Committee, has sent a letter to Mr. Shultz, a letter which has been co-signed by 235 of his colleagues.

At the same time, the Ceausescu regime remains true to its reputation. Food and energy shortages persist at dangerous levels. Letters from Transylvania report many cases of typhoid fever, cholera, strep throat, and whooping cough. Two Transylvanian villages have closed their schools because most of the children have active tuberculosis.

Meat is rationed at 2.2 pounds per month per person. The rest of Romania's meat used to be sold to the U.S. armed forces stationed in West Germany. But by 1985 the quality of Romanian meat was so poor that U.S. Army meat inspectors refused to certify it. Romania must be selling the meat somewhere else, because it sure doesn't show up in the country's butcher shops.

The promised Protestant Bibles in the Romanian language have not been printed. The United States is, however, aware of the fate of most of the 20,000 Hungarian-language Bibles donated a few years ago by the World Reformed Alliance to the Hungarian Reformed Church of Transylvania. They showed up in 1983 as recycled toilet paper.

Political and ethnic persecution continues. In the three Romanian provinces with major Hungarian majority populations—Covasna, Hargita, and Mures—nine persons have disappeared in the last two years in addition to the innumerable arrests, convictions, and alleged "suicides." Police terror is increasing against Protestant evangelicals, Hungarians, and other political dissenters.

Although Mr. Ceausescu is urging Romania's Communist Party to resolve the question of his successor, the party has not yet approved the two candidates from Mr. Ceausescu's family: his unbeloved wife, Elena, or his wild playboy son, Nicu. There are consistent rumors, reported in a recent issue of the West German news magazine Der Spiegel, that Soviet leader Mikhail Gorbachev has already picket his favorite candidate. He is Ion Iliescu, 56, a former Romanian youth minister with whom Mr. Gorbachev studied in the mid-1950s at the Moscow Institute of Energy Studies and whose "organizational talents" and "clear mind" he appreciates.

Meanwhile, Mr. Ceausescu is keeping the Romanian army under strict control and has even had its budget reduced 5 percent through a national referendum. The army is increasingly resentful of being used mostly for public works, when its units must tolerate secret police supervision.

It remains one questionable element in Romania as far as Mr. Ceausescu is concerned, despite the saying of Bucharest intellectuals that "corn does not explode"—a

satirical reference to the national food of Romania, corn pone.

REFUSENIKS LEV AND INNA ELBERT ON HUNGER STRIKE, KIEV FAMILY SEEKS PERMISSION TO EMIGRATE

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LOWRY of Washington. Mr. Speaker, last week, Kiev refuseniks Lev and Inna Elbert began a hunger strike in an attempt to convince the Soviet authorities to grant them permission to emigrate to Israel. On very short notice, many of our colleagues joined me in sending a telegram to General Secretary Mikhail Gorbachev, dated March 6, asking that he intervene on behalf of the Elberts.

I want to express my thanks to my colleagues who were so quick to help out with this humanitarian appeal. On March 17, I plan to send a followup telegram to General Secretary Gorbachev, with this text:

As Members of Congress, we wish to express our deep concern about the Elbert family of Kiev as their hunger strike continues. Please grant them an exit visa so they can rejoin their family in Israel as is their right under the Helsinki Final Act, the U.N. Universal Declaration of Human Rights, and Soviet emigration law.

I would be most grateful for your support on this followup telegram.

Since 1976, when they first applied for an exit visa, Lev and Inna and their son Karmi have paid a high price for their attempts to emigrate. They have been harassed and their health has suffered. The Ukrainian press has singled them out for mention in anti-Semitic articles. Lev was imprisoned in a labor camp; Karmi has been attacked and insulted by other students at his school. The authorities have even said that Lev cannot leave the U.S.S.R. because of his obligation to another wife, despite the fact that Inna is his first and only wife. These repeated attempts to intimidate this brave family have not succeeded in breaking their spirit or determination.

One of the most heartrending developments in this case occurred not long ago. In November 1986, the Elberts were again denied permission to emigrate. It was on this occasion that the authorities first brought up the story of the nonexistent first wife. When Lev's father Chaim, a decorated World War II veteran, heard of this latest setback, the shock proved too much: He died of a heart attack.

I salute the Elberts and their fellow refuseniks in the Soviet Union who are seeking, with quiet courage and steadfast determination, the basic human rights to worship freely, to pass the teachings of their faith on to their children, and to emigrate. I know that we will all continue to support these brave people.

CONTRA AID

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MATSUI. Mr. Speaker, I rise today in support of the whip task force and the proposed moratorium on Contra aid.

Last Tuesday, the President submitted to the Congress the request for the final $40 million installment on the $100 million in aid to the Contras provided last year. This money will be released unless we act now to disapprove that request.

The American people have waited for months and deserve an immediate explanation of where the funds to the Contras have gone before any other funding is appropriated by this Congress.

We must demand that the President account for all the missing funds, including the funds diverted from arms sales to Iran. I also believe that 180 days is sufficient time for the administration to report its findings to the House Intelligence Committee.

My colleagues, I call on you to support this moratorium to end the treasure hunt game. The American public needs to be informed of the truth behind our spending and exactly where our important dollars are winding up.

EXTEND THE STATE AND LOCAL GOVERNMENT COST ESTIMATE ACT

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. WILLIAMS. Mr. Speaker, I rise today to introduce a 3-year extension of the authorization provided by the State and Local Government Cost Estimate Act of 1981. This authorization expires on September 30, 1987. My bill simply extends that authorization through fiscal year 1990.

This act requires the Congressional Budget Office [CBO] to provide an estimate of the cost impact on State and local governments on reported legislation in the accompanying committee report. These estimates have proved helpful to State and local governments as well as to the Budget Committee and should be continued.

W-4 WITHHOLDING

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. FRENZEL. Mr. Speaker, the Tax Reform Act of 1986 made several changes in the requirements that individual taxpayers must adhere to when calculating their tax liability. One of these provisions raises the amount of liability that individual taxpayers must have withheld from wages from 80 to 90 percent. Section 6654 of the Internal Revenue Code subjects those individuals who fail to meet the new 90 percent withholding requirement to both interest and penalties.

Last week I introduced H.R. 1441 which would temporarily waive the penalty and interest provisions of code section 6654 for individuals who satisfy at least the 80 percent requirement as under prior law. My legislation would provide a temporary waiver from penalties and interest for individuals until April 15, 1988.

This legislation is necessary in light of the confusion caused by the new complex W-4 forms. Stories of long agonizing hours spent filing the new forms have been all too common and as a result the IRS has been besieged with complaints. To their credit, the IRS has come out with Form W-4A which is significantly shortened and simplified. In addition, the IRS has agreed to waive the penalties for taxpayers who make good faith effort to adjust withholdings. I commend the IRS for its quick action.

The IRS waiver of penalties, however, applies only to those taxpayers who have turned in their W-4 forms by June 1, 1987. My bill would provide a waiver until April 15, 1988.

By providing this limited waiver of penalties and interest until April 15, 1988, taxpayers will not be unfairly penalized for their inability to properly complete the new W-4 form. Taxpayers will be given the opportunity to compare their 1987 withholding calculations with their final 1987 tax liability and will be better able to comply with the 90-percent requirement in 1988. I urge my colleagues to join with me in cosponsorship of H.R. 1441.

H.R. 1072, HEALTH CARE CONTINUATION AMENDMENTS

HON. PAUL B. HENRY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. HENRY. Mr. Speaker, I recently introduced H.R. 1072, to amend the provisions of the Consolidated Omnibus Budget Reconciliation Act [COBRA] commonly referred to as the "health care continuation coverage" provisions. I invite your cosponsorship of this legislation.

In general, COBRA requires employers to notify terminated employees, separated and divorced spouses and dependents of employees, and spouses and dependents of deceased employees of their eligibility to continue to participate in the group health benefits provided by the employer. The employer may charge the individual who "buys into" the group coverage under these provisions a maximum of 102 percent of the applicable premium for that coverage.

While not seeking to change the purpose of this law, my bill seeks to address two specific problems which have arisen. One involves the fact that under the current law, a terminated employee may continue to participate in the former employer's group policy even if he or she becomes employed by a second employer who maintains a health benefits plan for its employees.

An example, drawn from an actual case, might help to clarify. An employee of company

A voluntarily quit and went to work for company B, a competitor firm of company A. However, because the health benefits provided by company A were more advantageous to the particular circumstances of the worker than were those provided by company B, the employee decided not to accept the health benefits from company B, but to buy into company A's plan. Adding injury to insult, company a is self-insured, so all claims against it by its former employee and his spouse and dependents come directly from its own earnings.

I think it is fair to say that the purpose of the COBRA provisions was to allow a greater number of people to participate in affordable group health coverage, not to allow workers to pick and choose among insurance plans. H.R. 1072 provides that if one is eligible to participate under another group plan that one's eligibility for continuation coverage ceases. Incidentally, that is already the situation with regard to Medicare. The current law provides that one who is entitled to Medicare coverage is not covered by the health care continuation provisions.

Second, COBRA has in some cases had the perverse effect of actually causing more employees to go without health care coverage. Employers who provide health care coverage from the first day of employment must also thereby provide the opportunity for continuation coverage from the first day of employment. Thus one could work for 1 day, and be entitled by law to participate in the group coverage for the next 18 months. Because of this, some employers whose work forces tend to be particularly highly transient, are now being forced to consider delaying health benefit coverage for all employees for 60 or 90 days. H.R. 1072 provides that the continuation coverage does not go into effect until the employee has been employed for a period of 90 days. Thus employers could safely grant coverage for current employees from the first day of employment, without risking the possibility that the employee will immediately leave but the employer would have to continue coverage for 18 months.

If you have any questions about the legislation, or wish to cosponsor, please see me or call Gary Visscher of my staff at 5-3831.

HONORING MR. AND MRS. BERNARD SUSS

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. ACKERMAN. Mr. Speaker, I rise today to call to the attention of my colleagues in the House of Representatives the accomplishments of Mr. and Mrs. Bernard Suss on the occasion of their designation as guests of honor by the Young Israel of Hillcrest in Queens.

For more than two decades, the Susses have been pillars of the community. An associate in the accounting firm of Triebwasser, Waldman & Co., Bernard Suss has served as a member of the board of directors of the Jewish National Fund's religious department. He has also lent his sage counsel to the board of directors of the Yeshiva High School of Queens, and to the Tshebin Yeshiva in Jerusalem.

Bernard Suss has been a member of the board of the Young Israel of Hillcrest for more than 14 years. Devoted to the spiritual and communal life of the Hillcrest community, he has served as the synagogue's president.

The Susses are also devoted to the State of Israel, America's true ally in the Middle East. Bernard Suss was granted the prestigious Menorah Award for his efforts in behalf of Israel Bonds. Linda Suss' commitment to Israel and our own Nation motivated her to participate actively in Mizrachi women and on the board of the Young Israel Sisterhood.

Mr. Speaker, the enthusiasm and dedication that Linda and Bernard Suss have given to our community makes us in Queens very proud. We recognize that their efforts exemplify many of the characteristics which have built America into the greatest Nation in the world. I now call on all my colleagues in the House of Representatives to join me in congratulating the Susses, their daughters, Sheri and Jodi, and their friends and family on this joyous occasion. May Bernard and Linda Suss enjoy many years of health to continue their important work for their community, State, and country.

ST. PATRICK'S DAY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. RODINO. Mr. Speaker, on St. Patrick's Day, March 17, Americans of all ethnic backgrounds pause to pay tribute to Irish-Americans and the countless contributions they have made—in business, industry, entertainment, Government, religion, and sports—to the enrichment of our national heritage. This special day reminds us that America is a great ethnic mosaic, a Nation which draws strength from its diversity—the many beautiful traditions, viewpoints and cultures that have flourished in our unique climate of freedom.

In this spirit, it will be my great honor, once again, to join with thousands of New Jersey residents participating in the 52d Annual St. Patrick's Day Parade in Newark. The parade is the oldest and largest in New Jersey.

This year's parade, which will begin at 2 p.m. this Sunday, is dedicated to the memory of the late State Senator John Caufield. I am pleased to participate in this fitting memorial to my good friend, John. His integrity and tireless devotion to public service will be remembered by the people of New Jersey for many years to come.

Events like this do not come about because of the luck of Irish alone. Many people work long and hard to make this event a big success every year.

The grand marshal of this year's parade is Mr. Joseph A. Dougherty; deputy grand marshal, Ms. Patricia A. McGarry Drake; general chairman, Donald Hannon; 1st vice chairwoman, Ms. Peggy Treacy; 2d vice chairman, Mr. Gerald P. Lenihan; treasurer, Mr. James P. McCarty; corresponding secretary, Mollie Murphy; recording secretary, Ms. Helen M. Washington; finance secretary, Mr. John A. Kenney; and the sergeants-at-arms, Mr. Terrence O'Reilly and Ms. Mary Vesey. The Reverend Monsignor John J. Maloney will serve as Chaplain.

Mr. Speaker, I salute these dedicated people who, year after year, make this parade a smashing success. Mr. Thomas P. Giblin, in particular, has devoted many years to coordinating the St. Partick's Day festivities in Newark. His enthusiasm and longstanding commitment to our community deserve special recognition.

In many ways, the Irish experience in America has been synonymous with our Nation's growth and development. The Kennedy family galvanized American politics. George Meany exemplified American labor. Eugene O'Neill shaped American drama. George M. Cohan enlivened Broadway. And Louis Sullivan pioneered America's architectural tradition.

Like many other immigrant groups, the Irish came to America seeking opportunity and fleeing misfortune. In the 19th century, many Irish immigrants toiled hard building the railroads that linked the coasts of our growing land. Others worked the mines and factories. And they often had to fight nativist mobs that brandished anti-Irish, anti-Catholic slogans.

But these early Irish-Americans prevailed because of their faith in the American dream, and the strength of conviction, love of liberty, and spiritual resourcefulness that they brought with them from the Emerald Island.

As the patron saint of Ireland, St. Patrick has become a symbol of the Irish people—and for good reason. For his message was one of peace and justice, of faith and religion, of learning and commitment. When he arrived as a Christian missionary on the shores of Ireland over 1,500 years ago, he inspired a deep spiritual reverence in the people that can still be seen in the churches he built and the arts and letters that, to this day, continue to flourish.

Mr. Speaker, it is important to remember on this St. Patrick's Day that St. Patrick is revered by all the Irish people, regardless of creed or religion. Sadly, however, areas of St. Patrick's beloved Ireland are suffering from a protracted, heartbreaking conflict. So as we celebrate St. Patrick's Day, let us also hope for the restoration of peace, brotherhood and justice to the people of Ireland. This would be a fitting tribute to the memory of Ireland's patron saint.

GERALD SOLOMON: A LOYAL FRIEND OF THE VETERAN

HON. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MONTGOMERY. Mr. Speaker, on March 1, our colleague GERALD SOLOMON delivered a very eloquent and very timely address before delegates to the annual Legislative Conference of the Veterans of Foreign Wars conducted here in Washington.

The gentleman from New York, who serves as ranking minority member of the Veterans'

Affairs Committee, has consistently proven through decisive action and once again through stirring words that he is a loyal and outspoken friend of the veteran.

One theme rings out in JERRY's words and deeds: veterans' issues are moral issues. I am proud to share the gentleman's remarks with my colleagues.

REMARKS OF HON. GERALD B.H. SOLOMON

Thank you, Chief Rainwater, for that introduction to this fine group. It's good to see you again in harness as chairman of this Legislative Conference after your distinguished career in the V.F.W., in all the chairs, including commander-in-chief and later as director of the Veterans Employment Service in the Department of Labor and as director of the VA regional offices in Reno, Nevada, and in San Diego, California.

It's also good to be with your National Commander Norman Staab who has done such a fine job in leading the V.F.W., in his travels around the country. I also want to mention Jim Magill, the director of the National Legislative Service. He and his associates are often on Capitol Hill espousing your cause and the cause of all veterans and you should be very proud of them.

I need also to mention the head of your Washington office, Cooper Holt, who constantly reminds us of the objectives of the V.F.W., and how best we of the Congress can assist in reaching those objectives.

It is my pleasure today to report to you and the V.F.W., on actions of the House Veterans' Affairs Committee as we pursue our duties in the 100th Congress. As the new ranking member on the committee, I perceive this to be one of my more pleasant duties, and I appreciate the opportunity to be with you.

This time of year is always VA budget time. It is when we in the Congress begin to determine the necessary amount of money to be appropriated for VA to do its job in carrying out our Nation's commitment to veterans and their dependents.

It needs to be stated that the budget for any Government agency or program that ultimately comes out of the Congress often bears little resemblance to the one initially presented. In my view, this year will be no exception. The old adage that the "administration's proposes and Congress disposes" will again come into play. And when the final product emerges it will contain input from both the executive branch of Government and from the Congress.

When the VA budget comes to Congress, several House and Senate committees immediately become involved. There are the two Veterans' Affairs Committees, the two Budget Committees, and the two Appropriations Committees. Each has a vital role to play, but, of course, the role of the House Veterans' Affairs Committee is the forum from which I can best speak.

Let me tell you where we are in the committee at this moment. The House Veterans' Affairs Committee has just made its recommendations to the House Budget Committee. The Budget Committee will soon advise us of its acceptance, rejection or modification of those recommendations. Concurrently with these actions, the House Appropriations Committee has been holding hearings on the budget with the Administrator of VA and his top associates as witnesses.

Later during the congressional session, these activities will merge with similar ones in the Senate and finally we will have a VA budget for fiscal year 1988, and possibly an amended one for the remainder of fiscal year 1987.

I know that you want to hear about the budget recommendations of the House Veterans' Affairs Committee so let me briefly discuss them.

Firstly, let me say these recommendations are unanimous ones of our entire committee. They are jointly sponsored by the chairman of our committee, Sonny Montgomery, and me. We are joined by every other member of the committee. Sonny Montgomery's leadership in this regard has been tremendous, and it has been my extreme pleasure as the new ranking member on the committee to work very closely with him. He is a fine leader, and as you know, is a great friend of the VFW.

We have endorsed the administration's proposal for a 3.5 percent increase in compensation and DIC to be effective December 1st of this year. We did not endorse a concurrent proposal to index compensation to the consumer price index. Our committee wants to continue to exercise its annual responsibility in this regard.

We have endorsed the proposal to make the all-volunteer G.I. bill permanent, but with basic funding to remain with the Veterans Administration.

We have rejected as unwise medical proposals to effectively change Veterans Administration legislation with respect to certain veterans who currently come under a means test and who must make copayments to receive hospitalization from the Veterans Administration. We want to give this recently enacted legislation a chance to work. Incidentally, our committee action has had the enthusiastic support of the V.F.W., which is greatly appreciated.

We also rejected the $75 million dollar proposal to put these proposed changes into effect in this fiscal year.

We have soundly rejected the proposal to increase the G.I. loan funding fee from the current 1 percent level. That just isn't going to happen.

We proposed to add almost $300 million to the VA medical budget to provide essentially for current services.

If this proposal is accepted, VA will not have to reduce its patient load, will not have to absorb one-half of last year's pay increase, will not have to absorb a 1 percent productivity increase, will not lose some 4400 medical employees, and will not have to use equipment and supply money to pay for personnel. In my view this proposal goes to the very heart of preserving the VA's medical program. In my view, it should pass; it must pass, and it will pass.

We have also proposed to amend the VA budget to provide more funds to start on 4 new VA nursing homes and to add a clinical addition to the VA hospital in Dallas, Texas.

We have proposed $15 million to enhance the VA domiciliary program to assist in providing more care to the Nation's homeless veterans.

We have proposed to continue the VA veterans job program for 2½ more years and to fund it with approximately $150 million over that period of time.

We have proposed a $10 million increase in VA operating expenses so that the Department of Veterans' Benefits and the Department of Memorial Affairs will have enough personnel to timely administer their programs. This increase is a must and your support of it has been very timely.

We have proposed an additional $30 million for the VA's medical budget for treatment of veterans with AIDS and $5 million for AIDS research.

AIDS patients currently being hospitalized by the VA cost about $40 thousand per year per patient, and VA has not been adequately funded for this purpose.

And finally we have proposed $25 million to further automate the VA medical program to the end that it provides state of the art services to our veteran patients.

In summation, you will recall the proposed VA budget initially proposed was in excess of $27 billion for fiscal year 1988. Our committee recommendations would add $686 million to that amount.

Thus, you will see that when considered in the context of the total Veterans Administration needs already requested that we are not proposing any dramatic new initiatives. We do not propose to bust the budget. We do propose, however, that the VA get its fair share of national dollars. In our view, this is absolutely essential and less than this is simply unacceptable.

Let me emphasize what I have just discussed is the action of the House Veterans' Affairs Committee and not the action of the entire Congress. That action is still to come and so your work is not finished—it must continue with your typical enthusiasm and your typical thoroughness.

Let me now conclude with just a few philosophical observations.

This Member of Congress considers veterans benefits and programs to be a Federal responsibility and not one for the States and local communities.

This Member of Congress wants the VA medical program to go ever forward as a tremendous national resource for veterans and in fact for the Nation at large.

This Member of Congress intends to support strengthening of the VA medical program and will oppose any attempts to diminish its capacity or to reduce its effectiveness.

This Member of Congress rejects in an uncompromising way any thought that VA benefits should be placed in the category of welfare.

This Member of Congress wants the VA to always be efficient in all that it does and to constantly seek ways to improve productivity and enhance services. However, he also believes that to effectively do its job it must be provided with the necessary tools, including adequate dollars.

In this my first appearance before the National Legislative Committee of the VFW, I am privileged to state to you that the House Veterans' Affairs Committee is walking side by side with many of the objectives of your organization. We have the same ideals, the same aspirations, and the same dreams. We, of course, will not always agree on details of the matters jointly before us. However, I am confident that we will always agree as to basic aims and purposes, and we will always agree that this Nation ought not—and pray God it never will—turn its back on its moral obligations to those who proudly call themselves veterans of the Armed Forces of the United States of America.

Thank you and God bless each of you. And God bless the VFW.

TRIBUTE TO GEORGE E. IMPERATORE

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. GUARINI. Mr. Speaker, on Friday evening March 13, 1987, a testimonial dinner is being sponsored at the Glen Point Hotel, in Teaneck NJ, honoring George E. Imperatore. I would like to highlight the many accomplishments of this man, whom I have had the distinct pleasure of knowing for over 20 years.

George is a member of the well-known Imperatore family, numbering seven brothers and three sisters, born of Eugene and Therasa Imperatore. They were longtime residents of West New York, NJ, which is in the northern end of my district.

Five of the brothers, including George, are perhaps best known for the development and operation of perhaps one of the most successful privately owned transport companies in the United States.

In their early days in West New York their small grocery store supported the entire family. The children quickly learned the harsh realities of a lower middle-class existence during the Great Depression. While early schooling taught them the three R's, the real lessons they learned served to build a career in the highly competitive transportation industry.

George had to sacrifice his education and work on the waterfront at age 15. In 1942, during World War II, he enlisted in the Navy, served 3½ years and was honorably discharged with the rank of electrician's mate 2d class.

After his discharge in 1946 George and his brothers considered many careers and decided to buy a surplus Army truck for the furniture moving business. Within a matter of days George and his brother, Harold, layed the foundation of what was to become A.P.A. Transport Corp.

Over the years, George Imperatore has demonstrated exemplary ability in marketing and public relations. His many talents range from promoting the company, to establishing competitive rates for customers. As vice president of sales and traffic, for A.D.A., George directed critical operations for the fledgling business.

From its humble beginning, with 2 trucks, A.P.A. Transport Corp. has grown to 2,000 pieces of equipment with 30 terminals serving more then 20,000 towns and communities. A.D.A. earned $90 million in 1986, with 1,500 people in its employ. Through his financial success, he has been able to provide the citizens of our area with valuable community services. His civic dedication and leadership has brought him to the forefront of humanitarian commitment.

George's own personal interest in sports and health helped pave the way for the Arnold D. Imperatore Recreation Center. George was instrumental in the design of the $1 million facility, dedicated to his employees and civil groups, located on his North Bergen property. Involvement with community groups has brought such recognition as the PAL Distinguished Service Award, Silver Beaver Award by the Hudson-Hamilton Boy Scouts Association, the Veterans of Foreign Wars and the 1977 UNICO Man of the Year for Hudson County.

In 1980, Mr. Imperatore was appointed to the Palisades Interstate Park Commission by Gov. Brendon Byrne. Through his sponsorship of tennis tournaments and charity dances he has helped build new and modern recreational facilities for the people of Hudson and Bergen Counties. As a man of strength and determination, he brings a human quality to business. His accomplishments for New Jersey's citizens stands as an example for all of us.

George Imperatore can be called a friend, civic leader, activist, athlete, health advocate, public benefactor, husband, father, grandfather, churchman, businesssman, and philanthropist. However, the common thread that binds all of George's accomplishments together is service to his fellow man.

I am certain, Mr. Speaker, that all my colleagues here in the House of Representatives will join me in a salute to George Imperatore, servant of his fellow man.

TONGASS TIMBER REFORM ACT OF 1987

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MRAZEK. Mr. Speaker, I am pleased to introduce today, along with more than 40 of my colleagues, a bill that will simultaneously reduce the Federal deficit and protect the environment.

This bill, the Tongass Timber Reform Act of 1987, will restore fiscal accountability and responsible management to our Nation's largest national forest by repealing sections 705(a) and 705(d) of the Alaska National Interest Lands Conservation Act of 1980 [ANILCA]. It will save the American taxpayers billions of dollars and will save an ecosystem of incalculable value—one of the last rain forests in the world's temperate latitudes—the Tongass National Forest in southeast Alaska.

The U.S. Forest Service [USFS] is wasting tens of millions of taxpayer dollars each year on a timber sales program that cannot accomplish its stated goal of preserving timber industry jobs. By introducing this bill, my goal is to place the Tongass timber program on the same plane as national defense by requiring annual—rather than the present permanent—appropriations and, as a result, to save both an important natural resource and taxpayer dollars.

During years of strongest timber demand and prior to the passage of ANILCA, the USFS still lost millions of dollars selling timber from the Tongass. Because of the deteriorated market conditions and high levels of USFS spending since Congress handed the Tongass timber program an open-ended permanent appropriation, a virtual blank check, taxpayer losses have shyrocketed.

Net Tongass timber-program receipts and expenditures for 1977 through 1986 are negative over the entire 10-year period, resulting in a total loss of more than $360 million. In fact, annual net receipts are consistently negative even if one completely ignores the timber program's capital costs, such as roads, bridges, and facilities.

In 1983 and 1984, annual taxpayer losses on Federal timber sales from the Tongass were $57 million and $54 million, respectively. Stated differently, the Tongass timber program lost 91 cents on every taxpayer dollar spent in 1983 and 93 cents in 1984. In 1985 and 1986, taxpayer losses were maximized at more than 99 cents on the dollar.

Unfortunately, even the USFS's reports to Congress affirm the sad fact that the annual dollar amount of these losses is bound to grow over time. Because of chronically weak markets for southeast Alaska's timber products and the fact that future harvests will have to rely on less accessible, less valuable stands, the worst losses loom ahead for the taxpayer.

While huge taxpayer losses on the Tongass timber program generally reflect the fundamental uneconomic nature of timber resources in the Tongass, the USFS has made its own significant contribution. For example, the agency has continually offered timber for sale where there is no apparent market demand. Between 1980 and 1984, this practice alone caused average annual losses exceeding $8 million because of sale-preparation, road-design, and road-construction costs. Instead of conserving taxpayer dollars by reducing the timber prepared for sale to an amount likely to sell, and by eliminating all roadbuilding expenditures into roadless area—at a cost of more than $150,000 per mile, the USFS continues in a "business as usual" manner.

The USFS continues to commit the best portions of the Tongass' rare old-growth forest to logging stating a need to maintain timber industry jobs. However, in spite of increasing timber program expenditures, regional timber industry employment has fallen sharply—from more than 3,000 in to less than 1,800 today. Since there is little demand for this industry's products, any policy that seeks to maintain employment by increasing the available supply of timber is bound to fail.

This Federal policy is also flawed because it ignores the contributions to timber output and employment that can be made by Alaska Native corporations. These corporations, established pursuant to the 1971 Alaska Native Claims Settlement Act, are wholly owned by Alaska Natives. Through careful land selections, the Native corporations now own some of the best timber lands in southeast Alaska. Their share of the regional timber harvest climbed from 13 percent in 1980 to 58 percent in the first two quarters of 1986. However, USFS sales under two exclusive 50-year contracts impede the ability of the Native corporations to successfully market their pulp-grade logs. Up to 50 million board-feet of pulp-grade material is left on the ground on Native corporation clearcuts each year because the pulp mills have access to subsidized federal timber from the Tongass.

Finally, the Federal timber program places at risk a large number of jobs in southeast Alaska that ultimately depend on the preser-

vation of more forest areas on the Tongass. This is particularly true for jobs in the fishing and tourism sectors of the economy. These sectors, which provide more than twice as many jobs as the timber industry, depend on natural resources that can be sustained in perpetuity. The southeast Alaska timber industry, on the other hand, is dependent on the one-time harvest of high-volume, old-growth timber that, for practical purposes, is nonrenewable. This fact makes a continued decline of timber industry jobs inevitable. Presently, Federal timber program losses translate into an annual cost of more than $36,000 per job in logging and mill work.

Mr. Speaker, the Tongass is bigger than the State of West Virginia. It is home to the greatest concentrations of bald eagles and grizzly bears left in America. Its streams provide the spawning grounds for a salmon fishery that is vital to the economy of Alaska. Perhaps more important to the future of the State's economy is the rapidly growing number of tourists who come to the Tongass to experience its spectacular wilderness. As John Muir described it more than 100 years ago, the Tongass is a place of endless rhythm and beauty.

The unique qualities that make the Tongass an important resource for the Nation are threatened by the Federal timber program and, particularly, by the USFS's interpretation of ANILCA. Section 705, included as part of a broad amendment package prior to Senate passage of the act, contains three provisions that are environmentally and economically unsound.

First, section 705 sets a goal of supplying 4.5 billion board-feet of timber per decade from the Tongass to dependent industry. Second, it provides an open-ended appropriation of at least $40 million annually or as much as the Secretary of Agriculture finds is necessary to enable the USFS to achieve the timber supply goal. Unlike virtually all other Federal expenditures, including expenditures for national defense, these funds are not subject to deferral or rescission by the administration. Nor are they subject to the annual appropriations process in Congress. Finally, the section exempts the Tongass from an important reform of the National Forest Management Act of 1976 that requires the Secretary of Agriculture to identify national forest lands that are economically and physically unsuited for timber production.

Section 705 is an anomaly in national forest management, designed especially for the Tongass. In essence, it ratified a series of unproven economic assumptions in the USFS's 1979 Tongass Land Management Plan [TLMP] aimed at preserving the regional timber industry. The existing pulp and sawmills in southeast Alaska were built as a direct result of efforts by the USFS to establish a major timber industry in the region. The TLMP and section 705 represent an ongoing attempt to sustain the timber economy created by those earlier efforts. This strategy has been thwarted because of a sharp decline in demand for the region's timber products.

In ANILCA, Congress recognized the inherent tension between logging on the Tongass and other important goals such as the preservation of wilderness, wildlife, and fish resources. Congress further recognized that economic and environmental factors change over time. For these reasons, section 705(b) of ANILCA requires the USFS to report to Congress by the fifth anniversary of the act, and every 2 years thereafter, on the status of the Tongass.

As the 1985 section 706(b) report conclusively demonstrates, section 705 will continue to result in the taxpayer losses approaching 99 cents on every dollar spent growing and selling trees on the Tongass. Moreover, because the economic assumptions upon which the law was based have proven to be totally in error, it is apparent that the law must be changed to reflect current circumstances and national fiscal priorities.

The USFS spent $50 million the last 5 fiscal years to prepare and administer sale offerings for which there were no buyers. By 1985, there were no buyers for 61 percent of the timber offered for sale by the USFS. Nevertheless, the agency continues to prepare sales without regard to demand. I strongly believe this practice should and can be stopped.

The USFS should limit the preparation of new sales each year to volumes based on anticipated demand for sale offerings and estimated backlogs of prepared sale offerings. The agency should include estimated backlogs and projected demand levels in the annual supply and demand reports to Congress that are required by ANILCA. The Tongass Timber Reform Act requires the USFS to justify expenditures each year so that the Appropriations Committee can determine the appropriate level of funding.

The Tongass National Forest is one of the last significant stands of temperate rain forest left in the northern hemisphere. That the American taxpayer should be asked to subsidize the destruction of this magnificant national treasure is ridiculous. I ask that you join me in limiting the funds available to subsidize the Alaska timber industry and to require the Tongass budget to reflect national fiscal needs and resources.

A GALLOP POLL IN CENTRAL AMERICA

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LEWIS of California. Mr. Speaker, I would like to submit for the RECORD a Gallop Poll that was conducted in January of this year in Costa Rica, Honduras, El Salvador and Guatemala. Personal interviews were conducted in each country by Consultorial Interdisciplinaria en Desarrollo, S.A., the Costa Rican affiliate of Gallup International for the USIA. These numbers reaffirm the large support for the Contras in Central America. This poll represents a national sampling of approximately 1,200 adults in each country.

Two-thirds of the people in all four countries approve U.S. aid to the Contras, both military and nonmilitary.

Three-quarters of the people in all four countries see the Soviets as fomenting the conflict in the region.

Strong majorities say the Sandinistas treat people unjustly and represent only a minority of the population. Most think a majority of Nicaraguans favor the Contras.

The preponderant opinion is that the Contras treat war zone population much better than the Sandinistas.

"How justly does the government of Nicaragua treat the people—very justly, somewhat justly, with little justice, or not justly at all?"

TABLE 1.—SANDINISTA TREATMENT OF NICARAGUAN PEOPLE

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Very justly	3	6	4	5
Somewhat justly	5	13	15	19
Subtotal, justly	8	19	19	24
With little justice	29	31	39	40
No justice at all	56	40	23	27
Subtotal, unjustly	85	71	62	67
No opinion, no answer	7	10	19	9
Totals	100	100	100	100

(a) Representatives

"Would you say the government of Nicaragua represents the majority of the people or that it represents a minority?"

TABLE 2.—OPINIONS OF THE SANDINISTA GOVERNMENT

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Represents majority	11	14	18	27
Represents minority	79	75	64	64
No opinion, don't know	10	11	18	9
Totals	100	100	100	100

(b) Popular Support

"Which side in the conflict do you think the majority of the people of Nicaragua support—does the majority favor the Sandinista government forces, or favor the Contra opposition forces?"

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Majority supports:				
Sandinista forces	12	14	20	23
Contra forces	72	75	46	60
No opinion, don't know	16	11	34	17
Toals	100	100	100	100

"Now a question about the future. Some people say that our country will probably be attacked militarily by another country in the next two or three years. Other people say that while this is possible, it is not likely (probable). What do you think—would you say that an attack on our country in the next two or three years is very likely, fairly likely, not very likely, or not at all likely?"

TABLE 3.—PROBABILITY OF ATTACK ON OWN COUNTRY

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Very likely	9	19	6	3
Fairly likely	29	33	15	17
Subtotal, likely	38	52	21	20
Not very (little) likely	31	30	43	32
Not at all likely	30	16	33	42
Subtotal, unlikely	61	46	76	74
No opinion, don't know	1	2	3	6
Totals	100	100	100	100

If answered very or fairly likely in preceding question, ask: "Which country is the one that would attack?" "Any other?"

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Nicaragua	38	50	17	12
Cuba	3	3	9	5
Soviet Union	1	1	1	4
All others	2	7	2	5
No opinion	3	2	2	
Not asked	62	48	79	80

Note.—Totals exceed 100 percent due to multiple answers.

(a) "Which country, if any, would come to our aid immediately if we were attacked?"

TABLE 4.—IF ATTACKED, COUNTRIES THAT WOULD HELP

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
United States	86	88	80	70
Panama	22	(1)	2	1
Venezuela	15	(1)	5	(1)
Others (incl. other Central American countries)	9	10	35	39
No answer, don't know	8	9	12	8

[1] Signifies less than 0.5 percent. Figures may add to more than 100 percent due to multiple responses.

(b) "In your opinion, can the U.S. be relied upon to help us defend our country in case of future military attack?"

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Yes	91	88	84	88
No	4	5	7	8
Don't know	5	7	9	4
Totals	100	100	100	100

"There are people living in the area of Nicaragua where there is armed conflict between the Sandinista government forces and the Contra opposition forces. Which of these two forces generally treats the people with more consideration?"

TABLE 5.—TREATMENT BY COMBATANTS OF PEOPLE IN WAR ZONES

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Sandinista govt. forces	6	6	10	18
Contra forces	72	74	46	60
No opinion, don't know	22	20	44	22
Totals	100	100	100	100

(a) "As you may know, the United States is giving military aid to the opposition forces known as 'Contras.' What is your opinion of this?"

TABLE 6.—OPINION OF U.S. AID TO CONTRA FORCES IN NICARAGUA

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Approve strongly	40	37	35	24
Approve somewhat	30	44	34	44
Subtotal, approval	70	81	69	68
Disapprove somewhat	10	5	11	18
Disapprove strongly	11	4	12	10
Subtotal, disapproval	21	9	23	28
No opinion, don't know	9	10	8	4
Totals	100	100	100	100

(b) "The U.S. also gives non-military aid to the Contra forces. What is your opinion of this?"

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Approve strongly	51	40	39	32
Approve somewhat	26	42	37	42
Subtotal, approval	77	82	76	74
Disapprove somewhat	7	6	9	14
Disapprove strongly	7	3	8	7
Subtotal, disapproval	14	9	17	21
No opinion, don't know	9	9	7	5
Totals	100	100	100	100

"Do you agree or disagree that other Central American governments should give aid to the Contra forces?"

TABLE 7.—VIEWS ON OTHER CENTRAL AMERICAN COUNTRIES GIVING AID TO CONTRAS

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Agree	61	74	63	54
Disagree	29	17	27	38
No opinion, don't know	10	9	10	8
Totals	100	100	100	100

"Which countries give military aid to the Sandinista government forces in Nicaragua?"

TABLE 8.—COUNTRIES NAMED AS SUPPLYING ARMS TO SANDINISTA GOVERNMENT

[In percent]

	Costa Rica	Honduras	El Salvador	Guatemala
Cuba	66	75	87	56
USSR	66	64	78	49
Libya	4	6	12	2
All others	12	12	26	21
Don't know	23	19	8	21

Note.—Figures will add to more than 100 percent due to multiple answers.

"What is your opinion about provision of (this) military aid to the Sandinista government in Nicaragua—do you approve strongly, approve somewhat, disapprove somewhat, or disapprove strongly?"

TABLE 9.—OPINION OF MILITARY AID TO SANDINISTA GOVERNMENT

	Costa Rica	Honduras	El Salvador	Guatemala
Approve strongly	6	8	4	5
Approve somewhat	3	4	6	9
Subtotal, approval	9	12	10	14
Disapprove somewhat	9	13	23	26
Disapprove strongly	59	52	54	37
Subtotal, disapproval	68	65	77	63
No opinion, don't know	23	23	13	23
Totals	100	100	100	100

CONSTITUENTS' OPEN LETTER

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DELLUMS. Mr. Speaker, I call to your attention and the attention of my colleagues the following statement in the form of an open letter to President Reagan and General Secretary Gorbachev. I join my constituents in their call for an end to the nuclear madness. The statement follows:

TEXT OF THE OPEN LETTER TO RONALD REAGAN AND MIKHAIL GORBACHEV

We, the undersigned citizens of the United States, hereby declare that we morally oppose the research, development, testing, production and deployment of nuclear weapons.

Your nuclear policies hold us as psychological hostages, a form of barbarism that threatens a retreat to the spiritual darkness that haunted human past. They drive us further into an era in which fear and hatred increasingly guide our actions, and could thrust us headlong into the ultimate Dark Age: Extinction. Then we shall suffer Jonathan Schell's dual death, the end of all human life and the end of all human memory.

We envision, instead, the possibility of the human species controlling its destiny and bringing just peace to the world.

Therefore, we stand in resistance to the nuclear policies of the United States of America, the Union of Soviet Socialist Republics and the other nuclear nations. Here we must stand, although it is a terrible and

a terrifying place between the politics of ordinary citizenship and the sometimes necessary politics of revolution.

You have failed us, as have other present leaders and your predecessors in the nuclear age, by prolonging the arms race. History calls us to eliminate nuclear weapons, and it is because ordinary politics has failed in this task that we move to a stance of resistance. We ask our fellow citizens throughout the world to join us. We hope and pray that you will listen, so that we will never feel compelled to move to a stance of revolution. Yet if revolution becomes the only alternative to extinction, we know we will have to heed that call just as we have been called by history to resistance.

We do not come from a narrow, contemporary view of politics. From a broad Christian perspective, we have carefully examined the development of civilization. We draw from the well of human memory to seek the moral path to the future. We look to the 5th Century's Augustine of Hippo, to Thomas Aquinas in the 13th Century, and to John Calvin in the 15th Century, among others. Their thought led to the modern rules of just war for those committed to the belief that violence is sometimes necessary to resolve human problems. They postulate, among other things, that once nations are engaged in conflict, noncombatants must be immune from direct attack. We draw our central argument precisely from this point. When the U.S. government initiated nuclear war at Hiroshima and Nagasaki in 1945, killing 150,000 noncombatants, we turned our backs on fifteen centuries of thought. Our aboutface sent us further back down the road to human barbarism, a course already set so tragically by Adolph Hitler.

The clearest, loneliest voice against our course was that of Admiral William Leahy, chief of staff to Franklin D. Roosevelt and Harry S. Truman. "But," in the words of journalist-historian Dan Kurzman, "who would listen to an old sailor with sentimental prejudices against killing women and children in war?" Leahy, who opposed germ warfare, poison gas and the Atomic Bomb, said, "Mr. President, this would violate every Christian ethic I have ever heard of and all of the known laws of war. It would be an attack on the noncombatant population of the enemy." Later, Leahy lamented, "I was not taught to make war in that fashion, and wars cannot be won by destroying women and children."

We believe it was inevitable that, at the moment the human species acquired the capacity to think, the snare was set that would one day grasp the secrets of the atom. However, we reject the notion that nuclear weapons are ever a viable moral choice for humanity.

Today, our nations stand with backs firmly turned on civilized history, faces pressed against the window of a potentially grotesque future as we fight for ideologies rather than for our humanity. French philosopher Bernard-Henri Levy has pictured a worst-case scenario in this race backward to barbarism:

"Winter has done its work. A dark and faded sky hovers over the bare trees. A gloomy and frozen wind sweeps the world and turns it to stone. A wind from the East or a wind from the West? I have no idea, after all, for I have lost my compass and my charts. Socialism or capitalism? The question no longer means very much when the worst is possible . . . When the wheels of history have been blocked and the promise has become a whisper, it remains for rats like us to find a corner in the ruins and wait there in peace. How sweet to live before the new barbarism!"

We accept Mr. Levy's logical vision as a possible future, but we reject it as our path. We choose not to find a corner in which to wait. We choose a positive course that rejects the present positions of leaders of all nuclear nations. Our vision is that of American sociologist Robert Bellah: ". . . All of us in the modern world depend on one another for our economic survival and for the avoidance of nuclear destruction. That delicate dependence is mediated by powerful governments that are not going to disappear. We will either humanize them or they will tyrannize over us."

Revolution gave births to the experiments we call the United States of America and the Union of Soviet Socialist Republics. Both peoples sought a better lot for humankind. And while little people may quibble about which has succeeded the best, true men and women of history must declare that both nations have failed if they cannot turn from the brink of extinction to face each other. We draw now on our history as revolutionary people to say, Stop! We call all citizens of the world to join us in a loud cry, Enough! As the Rev. Martin Luther King Jr. said:

"We have played havoc with the destiny of the world and have brought the whole world closer to nuclear confrontation. We must make it clear that we are concerned with survival of the world in the days . . . when no nation can ultimately win a war. It is no longer a choice between violence and nonviolence. It is either nonviolence or nonexistence . . . We have to see that, and work diligently and passionately for peace."

Mr. Reagan and Mr. Gorbachev, we call you to true leadership. We ask you to begin eliminating nuclear weapons, and any other weapons that violate the meaning of just war. If you will not, then you, your political allies and your ministers should stand aside to make way for a new generation of leaders. We call you to leadership with a vision of humanity that carries us into the future secure in the knowledge that extinction will not come at our own hand.

Respectfully submitted in the interest of peace and justice.

On Sundays, Nov. 23 & 30, 1986, almost 200 members and friends of Montclair Presbyterian Church in Oakland, Calif., signed this letter. It was drafted and circulated by the Plowshare Committee, which is charged with peacemaking work within the congregation of the church.

THE SERVICE SECTOR DATA COLLECTION ACT OF 1987

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mrs. KENNELLY. Mr. Speaker, today I am introducing a bill to require improvements in the collection of data on economic activity in the service sector. The current information we collect on the service sector is clearly inadequate, particularly in light of its growing importance to our economy.

The service sector encompasses a broad range of economic activity including banking, insurance, computer software, transportation, travel, engineering and construction, and has remained healthy in the face of stiff and often unfair foreign competition. Since 1978, nearly 14 million new service jobs have been created while in that same period of time more than 2 million manufacturing jobs have been lost. And, according to the Survey of Current Business, in 1985 the service sector accounted for 75 percent of total employment in this country and over two-thirds of our Gross National Product.

Yet despite this growing role, the economic data we collect on the service sector is sketchy at best. A September 1986 Office of Technology Assessment [OTA] report on services indicates that as much as half of our Nation's exports of services may escape our official statistics. While the Federal Government collects statistics for 10,000 categories of goods, only about 40 of those categories are service categories. The OTA report also states that "substantial improvements in the data on trade and investments in services would be possible at little or no additional cost." In fact, the OTA estimates that no more than 2 person-years would be required to collect this vital information.

We are all aware of the debate over the contribution the service sector makes to our economy and our standard of living. Critics of the rapid increase in our service sector argue that hamburger sales and credit card transactions alone do not a healthy economy make. These analysts warn that we are headed toward an economy where everyone serves someone else while no one produces anything. If we want to understand what a growing service sector means, I believe we ought to insist on better, more exacting ways of measuring that activity. This is what my bill would accomplish.

Moreover, this legislation is doubly important in light of the fact that trade in services is one of the key issues for negotiation in the new round of GATT talks. Without an adequate pool of information, our trade negotiators cannot be expected to know just how much is at stake in their quest to relax foreign barriers to trade in services. The poor depth and breadth of current data on the service sector can only impede our negotiators at the bargaining table.

Mr. Speaker, this initiative will provide us with some badly needed information about an important sector of our economy. I urge my colleagues to support this legislation and ask that the attached text of this bill be printed in the RECORD at this point.

H.R. 1511

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 "Service Sector Data Collection Act of 1987".

SEC. 2. COLLECTION OF SERVICE SECTOR ECONOMIC ACTIVITY DATA.

The President shall direct the appropriate agencies of the Federal Government to collect and disseminate information on service sector economic activity, including data relating to the banking, insurance, computer software, transportation, travel, engineering, and construction services industries, that is at least as complete and timely as in-

formation collected by the Secretary of Commerce on goods sector economic activity.

SEC. 3. SERVICE SECTOR DATA COLLECTION BY SECRETARY OF COMMERCE.

The Secretary of Commerce shall—

(1) within 3 months after the date of the enactment of this Act conduct a benchmark survey, similar to the BE-20 survey proposed by the Bureau of Economic Analysis, of unaffiliated service transactions, including such transactions in the banking, insurance, computer software, transportation, travel, engineering, and construction services industries;

(2) as soon as practicable after the date of the enactment of this Act develop and implement a program to collect and disseminate a broader base of monthly information on service sector economic activity than is currently available to the Secretary of Commerce; and

(3) within 1 year after the date of the enactment of this Act, develop an index of leading indicators which includes measurement of service sector economic activity in more direct proportion to the contribution of such activity to the gross national product of the United States.

RICHARD STALLINGS SPEAKS TO U.S. BEET SUGAR ASSOCIATION

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. STALLINGS. Mr. Speaker, last week I had the opportunity to address the U.S. Beet Sugar Association at a meeting in Phoenix, AZ. I welcomed this opportunity because I feel very strongly about our national sugar policy and am committed to fighting administration attempts to gut the program.

I would like to take this opportunity to share my speech with my colleagues. I believe it points out many important facts which need to be considered as we look at the Sugar Program.

The text of my speech follows:

It's a special honor for me to have this opportunity to speak to you today. I appreciate the chance to get better acquainted with you.

I work with your elected representatives in Congress. I've worked hard with those of my colleagues who represent other sugar beet producing areas around the country. I'm privileged to serve on the Cotton, Rice and Sugar Subcommittee of the House Committee on Agriculture—the spawning ground, if you will, of sugar legislation so important to each of you and to a great many people I represent in the Second District of Idaho.

I also work with your industry representatives—your processor and grower lobbyists and the extra people your companies and grower organizations send to the nation's capital when "push comes to shove" on sugar legislation.

And now, I get to meet with the people that do the real work—the individuals most responsible for making sugar production a vital part of the economy not only in Idaho, but a dozen other states. If it weren't for the technologists and the work you do on the farms and in the factories, it's common knowledge this industry would have been dead a long time ago.

Idaho is a case in point.

The first sugar beet factory in my state was constructed in my congressional district—Idaho Falls—back in 1903. A few years later a group of citizens in Western Idaho—out in Nampa—started to promote another factory and it was built—opening with a great deal of hoopla and fanfare in 1906.

Three years later, the white fly infestation hit western Idaho and in 1910 that particular factory was closed forever. It wasn't until some 32 years later that Amalgamated Sugar Company built a new factory in Nampa that exists today. The reintroduction of sugar beets in western Idaho was made possible only because some of your predecessors were able to come up with a white-fly-resistant variety sugar beet in 1942.

I refer to your "predecessors" because in looking over this group, I don't see anyone who looks old enough to have participated in the development of the white-fly-resistant variety back in the 1920s and 30s. If I'm wrong, I'll hope you'll make yourself known to me later this afternoon because I'd like to shake your hand.

I don't mean to get preoccupied with this history business, but I am aware that a priority item on your agenda is to pay tribute to Jim Fischer for his nearly 40 years of service to the American Society of Sugar Beet Technologists.

To put this is some perspective, I checked back and found out that 40 years ago the national average was less than 14 tons of beets per acre. For the 1986 crop, production exceeded 20 tons per acre.

In Idaho, 40 years ago we got about 17 tons per acre. In 1986, we harvested 26 tons.

I'm not prepared to give credit for all of this progress to Jim Fischer. I think he ought to share it with all of you.

I challenge you to prove you deserve it by continuing to set progress records in yield, disease resistance, and related research in the years ahead as best you can without Jim Fisher's leadership. And I wish him a long and happy retirement.

Speaking of the years ahead, one of the reasons I was asked to speak to you today was to discuss if, indeed, there is a future in this country's sugar industry. Certainly, given the current condition of the world sugar market, with huge carry-over stocks depressing prices to all-time historic lows, without some kind of realistic, national policy to insulate U.S. sugar producers—as well as consumers—from the uncertainties of the world market, the future would be dim indeed.

Virtually every country in the world has adopted some sort of national sugar policy. In some instances, such as in less developed Caribbean and Central American countries, with heavy economic reliance on sugar exports and little or no alternative crops, it's a policy born of desperation, encouraged by foreign banks.

In other instances, such as the European Economic Community which turned from net sugar importer to become the largest exporter in the last decade—dumping some 25 million metric tons of surplus sugar on the already depressed world market in the last seven years—it's a policy based pure and simply on greed.

The current U.S. sugar program was enacted back in 1981. It was extended by a healthy majority of both Republicans and Democrats in the House and Senate in 1985. And, it has worked well.

It has provided consumers with a reliable supply of this basic commodity at a stable price. And, at a price that is fair to both producers and consumers. Retail sugar prices in this country have actually averaged less than they averaged the three years before 1981—years when there was no sugar program.

The method the Administration has selected for operating the sugar program has resulted in import quotas on foreign sugar. (There's nothing in the law that requires quotas. It's not even mentioned.) These quotas, maligned by critics, have resulted in our trading partners getting a premium price for the sugar they sell here. They don't get to sell as much as they'd like, of course, but they've been getting two and three times the price for sugar sold to the United States as they'd earn on the dumping ground called the world market during the 1980s.

The U.S. sugar program was designed to cost the U.S. Treasury nothing. In fact, we mandated the program be operated at no cost to taxpayers starting with this crop year.

Other aspects of that 1985 farm bill have clearly not worked as well as we had hoped. Like most legislative proposals that get enacted into law, it was the product of compromise and, while the net result was not everything this congressman wanted, there was some optimism that, properly administered, it could work. In some areas it has not.

In Idaho, as elsewhere around the farm belt, the agriculture economy is in near shambles. With continuing low commodity prices, depreciating land values, and increasing debt, Idaho farmers are in trouble—along with their fellow farmers throughout rural America. An extraordinary number will not be able to obtain credit for the upcoming planting season.

The bright spot, however, in an otherwise dismal situation, has been sugar beets. Prices have remained steady despite record harvests.

Back in December 1985, when the President signed the 1985 farm bill, he indicated he would seek changes in the domestic sugar program. And he has been true to his word.

In the Administration's 1988 budget proposal, the President listed his legislative initiatives for agriculture. They include:

1. Remove the link between government payments and crop production decisions. This is the so called "de-coupling" proposal that would allow farmers to receive support payments regardless of how much they planted, thereby reducing the incentives to overproduce.

2. Reduce target prices for wheat, cotton, rice and feed grains by 10 percent per year.

3. Reform the sugar support program.

The current sugar program is "unfair to consumers" and "conflicts with the policy to encourage increased trade," according to the Administration. In its view, more realistic support prices will remove the incentive to over-produce, reduce the costs to consumers, and satisfy U.S. international objectives.

Sugar producers would be compensated during the transition period, according to the White House.

Transition period, in case you don't know, is an Administration euphemism to describe the time between the date its legislative proposal is enacted and the date a whole lot of U.S. sugar farmers and processors go out of business.

There were more specifics about the Administration's plans for sugar in the support documents USDA Secretary Richard Lyng brought to the Hill when he testified before the House and Senate Budget Committees relative to the Administration's spending projections for fiscal 1988 and beyond. For the sugar program, the projections were based on the assumption that Congress would approve a reduction in the current 18 cents per pound raw value loan rate for sugar down to 12 cents per pound and on the assumption that Congress would okay direct payments to sugar beet and sugar cane producers of 6 cents per pound the first year—starting with the 1986 crop—to be reduced one and a half cents per pound in each of the following three years until it reached zero.

According to the budget projections, the Administration's plan will cost the U.S. Treasury $1.7 billion over the next four years.

Let's consider for a moment what the Administration's proposed 12 cent loan rate for sugar will do—and what it won't do.

First of all, it won't do much for consumers.

We Americans buy only about 15 percent of the sugar we consume in grocery stores. The rest of it comes in prepared or processed foods and beverages. Now, you know and I know, and the Bureau of Labor Statistics backs us up, there has never been a recorded instance when any industrial processor of sugar-containing food or beverage has ever lowered their prices in response to a reduction in the cost of sugar.

And, how about our trading partners?

The Administration's proposed 6 cent per pound reduction in the domestic loan rate will have the immediate effect of reducing the value of sugar imported in this country by $120 per ton. Twelve cents per pound for sugar is, I'm told, below the cost of production in most, if not all, less developed sugar exporting countries in the Caribbean and Central or South America. As U.S. producers go out of business, the world price might improve a little for a short time, but there's no economic study indicating it would jump to world production cost levels. Thus, under the Administration's proposal, our foreign friends would get an opportunity to sell us more sugar and lose money on every transaction.

And finally, insofar as domestic sugar producers are concerned, the Administration's proposal would be a death blow. You know the numbers better than I do, but for some it would be mercifully quick and, for others, painfully slow.

What is the prognosis for the Administration's so-called legislative initiatives for agriculture in the 100th Congress?

The leadership in both the House and Senate have pretty well made it clear that the proposals for "de-coupling" between payments and production—as well as the 10 percent reduction in target prices—are likely to show up on Capitol Hill D.O.A.—Dead on Arrival.

There are those who predict this won't bode well for sugar because it may force the Administration to focus on this part of their package as the only remnant still alive.

The Chairman of the House Agriculture Committee's Subcommittee on Cotton, Rice and Sugar, Jerry Huckaby of Louisiana, told the Sugarbeet Growers Association annual meeting last month there will be no change in the sugar program reported out of his subcommittee this year. As a member of the Cotton, Rice and Sugar Subcommittee, you have my pledge to do all I can to see that this is indeed the case.

That doesn't mean, however, that the Administration won't try an end run around us. We never know when they might try to tack their sugar proposal on some already-passed House bill over in the other body. Senators, as you know, are not bound by any rule of germaneness when it comes to considering amendments.

They could try to do serious damage to the sugar program by working within the more friendly confines of the House Ways and Means Committee—particularly in the Subcommittee on Trade.

I think we need to look at other options, such as asking the Japanese, who incidentally import substantial quantities of sugar from Cuba, to assume more responsibility in supporting the Caribbean Basin Initiative and other developing-nation sugar programs. We should encourage sugar producing nations to explore the option of converting sugar to alcohol fuels, as Brazil has done.

Most important, we should not pit our sugar producers against our foreign policy interests.

GILMAN SECURES PROTECTION FOR VETERAN'S PREFERENCE ELIGIBLES

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. GILMAN. Mr. Speaker, today I am reintroducing legislation (H.R. 1492) to amend title 5, United States Code, to establish certain requirements for the procurement by contract of certain services that are reserved for performance by preference eligibles in the competitive service. This bill was passed by this House unanimously in the 98th and in the 99th Congress.

When Congress passed the GI bill of rights, to address problems faced by returning veterans of World War II, the Congress also set the pace in instituting a comprehensive package of benefits known as the Veteran's Preference Act of 1944, to not only provide secure employment opportunties with the Federal Government, but to also afford reemployment and rehabilitation to these returning veterans.

An important aspect of veteran's preference, under title V, section 3310, ensures competition for the positions of guard, messenger, elevator operator, and custodian, in the civil service, are reserved for veteran's preference eligibles, as long as preference eligibles are available.

Now the 100th Congress, just as the 99th Congress and the 98th Congress before it, is faced with the erosion of this special benefit—in large part due to the conversion of many of these positions to contract performance—at a time when many veterans can least afford to have this benefit eliminated. Many preference eligibles in the four occupations in question are veterans of World War II and the Korean war. These older veterans may encounter great difficulty in finding other employment so late in their working lives. The forfeiture of full retirement benefits, and a portion of their income, may prove to be devastating for these veterans.

Additionally, many of the veterans currently holding these positions are disabled or handicapped. They, too, would encounter barriers in trying to secure alternative employment if they are separated from Government service.

The 78th Congress upheld our Nation's sacred commitment to those who answered its call and the 100th Congress must continue to uphold this precedent which clearly demonstrates that our Government should take the lead in assisting those who have sacrificed for the principles on which this Government was built. Rather than forget the reasons for passage of the Veteran's Preference Act, it is time to reaffirm to those who serve our country in time of national crisis, and ensure continuation of the act's original intent.

This bill provides that Federal agencies may not separate a veteran preference eligible from the position of guard, messenger, elevator operator, and custodian as the result of a contract award. Veterans must receive first consideration when vacancies occur, or new positions become available, as well. The legislation also provides that, when procuring by contract the four services covered under section 3310, a Federal agency must do so in accordance with provisions of the Javits-Wagner-O'Day Act governing the purchase of services from sheltered workshops for the blind and severely handicapped.

Passage of this legislation will allow this body of Congress to demonstrate its commitment to those who served our country in times of national crisis and to state we have not forgotten them in times of peace. Accordingly, I urge my colleagues to support this bill. Mr. Speaker at this point in the RECORD, I request that a full copy of the bill, H.R. 1492, be inserted in the RECORD, for review by my colleagues.

H.R. 1492

A bill to amend title 5, United States Code, to establish certain requirements for the procurement by contract of certain services that are reserved for performance by preference eligibles in the competitive service

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

SECTION 1. RESTRICTIONS RELATING TO POSITIONS RESERVED FOR PREFERENCE ELIGIBLES.

Section 3310 of title 5, United States Code, is amended to read as follows:

"§ 3310. Preference eligibles; examinations; guards, elevator operators, messengers, and custodians

"(a) In examinations for positions of guards, elevator operators, messengers, and custodians in the competitive service, competition is restricted to preference eligibles as long as preference eligibles are available.

"(b) An agency may not procure by contract any of the services performed by individuals in any of the positions described in subsection (a) of this section if the performance of such services by contract—

"(1) would cause the involuntary separation of a preference eligible from any such position; or

"(2) would preclude the performance of any of such services by a qualified preference eligible in the competitive service.

"(c)(1) For purposes of subsection (b)(1) of this section, neither in involuntary reassign-

ment within the same agency nor an involuntary transfer to another agency shall be considered to be an involuntary separation if such reassignment or transfer is to a vacant position—

"(A) which is of the same type as the type of position described in subsection (a) of this section from which the preference eligible was reassigned or transferred,

"(B) which is within the preference eligible's commuting area,

"(C) for which the preference eligible is qualified (taking into consideration any physical disability which the preference eligible may have), and

"(D) the grade or pay level of which is at least equal to the grade or pay level which was in effect for the preference eligible immediately before having been so reassigned or transferred.

"(2) The Office of Personnel Management shall prescribe regulations necessary to carry out this subsection.

"(d) Subsection (b)(2) of this section—

"(1) shall not preclude the procurement of services by contract if, or to the extent that, qualified preference eligibles are not available; and

"(2) shall not apply with respect to a position which is held by an individual other than a preference eligible on the date that the contract is entered into.

"(e) For the purpose of this section—

"(1) 'qualified preference eligible' means, with respect to a position described in subsection (a) of this section, a preference eligible whose qualifcations have been established; and

"(2) 'agency' includes the United States Postal Service and the Postal Rate Commission.".

SEC. 2. PROCUREMENT PROCEDURES.

(a) IN GENERAL.—Any procurement by the Government of services performed in any of the positions described in section 3310(a) of title 5, United States Code, as amended by this Act, shall be in accordance with applicable provisions of law, including the provisions of the Act entitled "An Act to create a Committee on Purchases of Blind-made Products, and for other purposes", approved June 25, 1938 (41 U.S.C. 46-48c), requiring certain procurement of services from qualified nonprofit agencies for the blind and qualified nonprofit agencies for other severely handicapped, and Office of Management and Budget Circular Numbered A-76 (including any supplement thereto).

(b) DEFINITIONS.—For purposes of this section, the terms "Government", "qualified nonprofit agency for the blind", and "qualified nonprofit agency for other severely handicapped", each has the meaning given such term under section 5 of the Act so entitled (41 U.S.C. 48b).

CREATING A LEARNING SOCIETY FOR AMERICA'S 21ST CENTURY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. GINGRICH. Mr. Speaker, learning is the key to America's success in the 21st century. The information-industrial revolution requires learning to master new technology. The world market requires learning to keep America competitive with Japan, Korea, and Germany. Citizenship requires learning to understand the ever-changing issues of public policy. An aging America requires learning to keep up with all the changes that will occur as more individuals begin living to the age of 80 or 90. Indeed, learning is vital to America's ability to compete and succeed in the 21st century.

Despite all of the recent efforts to reform education, the fact is we are a long way from the kind of "learning society" America must become. While America's past commitment to public education is among our proudest achievements, we have lost focus of our goal. As a recent editorial by Thomas Sowell points out we have allowed ourselves to become convinced that the way to increase learning is to increase financial input to our educational bureaucracies. At some point, this process breaks down. Mr. Sowell suggests we've reached that point. I commend his article to the attention of my colleagues.

The article follows:

[From Washington Times, Feb. 23, 1987]

LESS BRAINS FOR THE BUCK

(By Thomas Sowell)

Proposals to scale back some of our runaway spending on education have brought out the education establishment and their political allies, full of righteous indignation and illogical arguments.

If there is anything more remarkable than the abysmal failure of American education, it is the political success of the education establishment. What other sector of American society has absorbed ever-growing sums of money, serving a declining number of people, with declining performance?

The great educational scandal of our time has been the falling test scores of American schoolchildren, which began in the 1960s and continued into the early 1980s. Over those very same years, more and more billions of tax dollars were poured into education at all levels. That's political success.

Like much political success, its key ingredient was lying.

For years, schools lied to the parents by giving higher and higher grades for lower and lower quality work. Educators lied to the public by claiming that this was the best-educated generation of Americans in history.

But in 1975 the truth came out, when a study of Scholastic Aptitude Tests revealed that SAT scores had been falling steadily for a dozen years.

Only when parents and voters across the country began rebelling against the education establishment was anything done to stop the decline.

Moreover, the education establishment defended itself with new lies. They claimed that declining test scores reflected more minority and disadvantaged youngsters remaining in school longer. This lie is still going strong today.

In reality, the test-score average declined because the top students were no longer doing top-quality work, not because lower scores from disadvantaged students were being averaged in. For example, in 1972 more than 50,000 American students scored above 650 on the Scholastic Aptitude Test, but less than 20,000 scored that high by 1980.

Internationally, American students are not only behind students in Japan but behind students in many other countries as well. Our 13-year olds know less geometry than their counterparts in Hungary, Holland, or Thailand among other countries. They are, of course, far behind Japanese students.

To the education establishment, to liberals in Congress, and to deep thinkers in the media, this all proves that we must pour more billions of dollars into education. The fact that soaring educational spending accompanied plummeting test scores for nearly two decades is ignored.

Even today, within the United States, educational spending has little correlation with educational results. Connecticut, for example, spends about 50 percent more per pupil than New Hampshire, but New Hampshire's test scores are higher. Private schools spend much less per pupil than public schools and get better results.

Internationally, the United States spends a higher proportion of its total income on educaton than Japan does. The average American class size is under 30, while in Japan it is over 40. But the big lie that money and class size are crucial continues to be put out by the educational establishment—and is echoed by politicians and the media.

As long as we continue to buy this propaganda, the education establishment will continue to sell it. And our youngsters will continue to lag behind those in industrial nations—or even some Third World nations.

We need the same kind of rebellion of parents, voter, and taxpayers that finally halted declining test scores. We do not need to keep writing bigger checks for bigger bureaucratic empires serving smaller numbers of students.

We need tougher tests for teachers. We need to re-examine tenure and other elaborate protections for incompetents. We need to repeal laws that make it a federal case to get rid of disruptive and violent students who keep other students from learning.

We need to restructure our educational institutions so that parents can pull their children out of rotten schools and put them somewhere else.

Above all, we need to realize that we have been lied to for years by the very people who are now demanding more of our money.

EMPLOYMENT SERVICE DOING ITS JOB

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. AuCOIN. Mr. Speaker, critics of the U.S. Employment Service have raised questions about its effectiveness. In particular, they have questioned whether it serves the needs of working people by working closely with employers, who create the vast majority of jobs in this country.

These critics include Secretary of Labor William E. Brock, who said in testimony before the Education and Labor Committee approximately 2 weeks ago, "One of the things that business people have told us is that by the time they could notify them [the Employment Service] and the job circulated for a filling, they have already filled it on their own using private employment services, which do the job."

Secretary Brock also said, referring to the U.S. Employment Service, that: "No businesses use it. . . ."

Mr. Speaker, I question the justice of these remarks. Perhaps there are situations they apply to, or have been in the past, but I can assure you they do not apply to the employment service in Oregon. Oregon's Employment Division has created a model placement program based on close cooperation with private employers. Many major employers in Oregon almost exclusively use the employment service to fill open positions, and many fill openings at every level: production and technical workers, professionals, and managers.

More than 21,000 businesses in Oregon listed openings with the Employment Division. Of 111,000 jobs listed the Division filled over 86,000; 20,000 of these placements were youths, and nearly another 20,000 were Unemployment Compensation claimants who became, once again, taxpayers.

The Oregon Employment Division works closely with individual employers to meet special requirements. It also seeks the advice of businesses community-wide through Job Service Employer Committees. Employers who serve on these committees have found the agency anxious to contribute to the competitiveness of Oregon's private sector, and I am convinced that the responsiveness of the employment service in Oregon is contributing to the Nation's overall competitiveness as well.

In order to demonstrate the extent of support for the employment service in the business community in Oregon, I am entering into the RECORD some recent comments by major Oregon employers. While I can point to the lead taken by the Oregon Employment Division and speak out to support adequate funding for employment service programs, nothing I could say would express so clearly the achievements and the potential of employment services as these testimonials from some of our business leaders do:

From Wacker Siltronic Corp. in Portland, a high technology firm:

"This spring and summer we hired about 115 employees by coordinating our staffing efforts solely with the Portland Downtown Employment Service Office and Portland Private Industry Council. We ran no advertisements, for our positions are so unique that we must train people in-house. Therefore, the interviewers at the Employment Service and at PIC were trained by us, and we interacted daily with them. As a result, we filled our staffing need in an extremely timely fashion, removed a majority of these people from the rolls of the unemployed and began providing them a job-training program.

"This effort was a successful linkage of the employer with the public labor exchange. It was tailored to ours, the employer need. It was not an accident—it took teamwork, risk, daily communication, evaluation, long hours of effort on both sides—and the cooperation of professionals who were change agents, i.e., the Portland Downtown Employment Manager and the Manager of the Portland Private Industry Council. As a result, people are now employed in entry-level high tech jobs with an employer who trains and compensates them. They, in turn, are productive employees who pay taxes and enjoy our excellent benefits package.

"Most of these people would not have been given the time of day by a "fee-paid agency". Their skill-levels and entry-level pay would probably not attract the attention of employment agencies. We, however, paid our fee for this service, through our FUTA employer tax, and were well served."

From Roseburg Forest Products Co.:

"To update our hiring practices and maintain a good working relationship with the community, we have exclusively used the local state employment service in Roseburg, Oregon since 1978. All entry level jobs are placed through the employment service along with specialized skilled jobs such as millwrights and electricians.

"Over the years we have developed a program with the employment service that has met objectives for both parties. We have experienced a higher ratio of qualified applicants along with meeting our affirmative action goals.

"Use of our local employment service has saved us time and money. The old method of putting up and taking down the 'Taking Applications' sign is now as obsolete as the stone tablet. There was no way to regulate the flow or number of applicants. We would receive applications from an Albanian Cheesemaker to a Marine Biologist with few people qualified in between. This system was not only inefficient but also very costly, due to the high turn over rates."

From Boise Cascade's La Grande plant:

"The La Grande Employment Division has become an integral part of our entry level employee job placement which represents the largest portion of our hiring activity.

"The level of professional service provided by the La Grande office allows for a precise and a very educated process for job applicants interested in working for our company. The La Grande Employment Division in conjunction with our local Manpower Consortium institute the hiring process for our company. The Consortium tests applicants with a procedure called the Physical Performance Test. This is a commonly used test in our industry that scientifically measures a person's physical capabilities as they relate to our entry level positions.

"The Employment Division personnel have taken the time to tour our facilities and know what exactly the duties an entry level person would be required to perform. This adds to their ability to provide for testing an educated applicant in terms of required job duties."

From Carnation's Pet Food and Cereal Division in Hillsboro:

"We would like for you to know that we both appreciate and depend on the service provided by our local Employment Service. When openings occur at our plant, we place a job order with the Employment Office and rely on their procedures for help in the first step screening of qualified applicants for us to interview. The personnel at our local Employment Office is capable, thorough, courteous, and works well with us. We feel that valuable service in our community is provided by this agency."

From Kelly Services in Portland:

"Kelly Services depends heavily on the prescreening and personalized selection of potential employees handled by the Employment Division of the State of Oregon.

"We are very pleased with the testing done by the Employment Division and feel very confident that we will be sent persons who qualify for the specific jobs that we have available. I am also very pleased with the skilled and professional applicants this division has sent our office. The professional placement service is of high quality and has been very successful in our office. Four of the five staff members employed by Kelly Services have been hired due to the professional placement division at the Oregon Employment Division."

From Gunderson, Inc. In Portland, a manufacturer of railcars and marine products:

"Fortunately, our business improved this year to the extent that we hired some 300 people between April and August. Almost all of these referrals came through the Oregon Employment service offices located in the Portland metropolitan area.

"The service rendered by these offices saved our company the equivalent of one full-time employee during this period of time.

"Prior to embarking upon this aggressive employment schedule we met with representatives of the Oregon Employment Service and reviewed the job descriptions for the positions that were available—welders, equipment operators, burners, guards, helpers, painters and machine operators. Representatives from the employment service toured our facilities to get a better understanding of the type of work and type of people we needed and then members of my staff, along with representatives from the employment service, visited each of the offices in the Portland metropolitan area and visited with individuals there who would be screening, taking the applications and making the referrals. We then placed the appropriate employment advertisements in the local paper referring applicants to the employment service offices. The system worked very well. The quality and quantity of the applicants was excellent.

"We have consistently received prompt and excellent service from the Oregon Employment Service not only in terms of filling job vacancies but obtaining market data and other information that is important to us as a major manufacturer in Oregon."

From Precision Castparts Corp. In Portland, a metal casting firm:

"As an employer of 2500 people in Clackamas County, we use the Oregon Employment Division to screen and refer all applicants to our nonexempt positions. We were a leader to encourage the State to provide us test-selected applicants through the Validity Generalization process. Since we began work with the Divsion in September, 1984, they have processed over 15,000 applications, 260 job orders, and 500 hires. Referral quality is high, timeliness is excellent, and they are able to be responsive to our hiring needs. They aggressively seek methods to increase service levels to us."

THINKING ABOUT OUR CONSTITUTION

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. COURTER. Mr. Speaker, next Monday, March 16, is the birthday of James Madison, Constitution writer par exellence. His commentaries, still provide authoritative interpretations of the Founders' intentions and purposes.

It seems odd that while we have celebrated some of our patriots with statues, monuments and memorials, and others with national holidays, we do not officially recognize the Father of the Constitution. Still, it may be said that in following that document every day in Con-

gress, in the White House, in the courts, and in the hearts of our people, we Americans pay unceasing homage to its prime creator.

In the following essay, one of our Nation's finest constitutional scholars, Prof. Walter Berns, shows how America's good fortune provided us with a happy combination of factors which resulted in our 200-year-old constitutional system. Among those factors, of course, was the advantage of having what Jefferson called "an assembly of demigods" who came together, in a land Providence seemed to have set aside, to write the most rational fundamental law history has ever seen.

The physical and geographical advantages of our land have not changed. But our Constitution remains an experiment in self-government. Perhaps its greatest task is to generate future Thomas Jeffersons, James Madisons, and Abraham Lincolns in times when our country needs them. Who would deny that today is such a time?

As Professor Berns suggests, the bicentennial grants of the National Endowment for the Humanities are supporting essential scholarly contributions to the study of our Constitution. We have not yet exhaustively examined the constitutional foundations of American democracy. Yet ultimately the survival of freedom in America, indeed, in the world depends on our knowledge of and clarity about our Nation's founding law.

[From the Washington Times, Mar. 5, 1987]

SOMETHING WE STILL NEED TO KNOW

As I count them, there are 164-countries in the world, and of these, all but seven (Britian, Israel, and New Zealand; Oman, Saudi Arabia, Libya, and Kampuchea) have written constitutions. Ours is now 200 years old. Of the remaining 156, over half have been written since 1974, a mere 13 years ago. That, I suggest, is some statistic. In a world where constitutions come and go with almost seasonal regularity, we Americans have cause to wonder why ours should have lasted so long. To what can we attribute our good fortune?

Before vaunting our success, we should first of all acknowledge how close we came to failing. We exist as a nation, "conceived in liberty and dedicated to the proposition that all men are created equal," only because Abraham Lincoln insisted that the government fight and win a bloody Civil War to keep the nation one nation, and that one nation a nation so conceived and so dedicated. And it is well to remember the terrible price exacted by that war: excluding the Vietnam War from the calculus, more Americans lost their lives in the Civil War than in all our other wars combined. That, too, is a statistic to reckon with.

Then, secondly, we owe it to the rest of the world to acknowledge the special advantages arising out of the peculiar geographic circumstances attending our beginning: the absence of powerful and hostile neighbors. What other country could dare to budget the trifling sum of $163,078 for its war department, about one-third the amount budgeted to pay the interest on the public foreign debt? But on our borders then were only Indian tribes and not, as in the case of Poland, Germans and Russians. Moreover, not all those tribes were hostile and none of them was formidable. That probably explains why in that first budget only $41,000 was required for the "Indian department, as pr. general estimate in schedule No. 3, from the war office."

Not only was the country geographically isolated and, as John Jay emphasized in the second of the *Federalist Papers*, physically connected, but, he added, Providence had given this one connected country to "one united people—a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, [and] very similar in their manners and customs." The country and the people "seem to have been made for each other," he said. In saying this, Jay was surely exaggerating the degree of unity but perhaps not all that much, and especially not when compared with other countries coming into existence then, or for that matter, now. America has never had to grapple with the problems of today's Lebanon, for example, or yesterday's Nigeria, for another. What is now Nigeria was a collection of 100 "nation states," comprising some 400 ethnic and linguistic groups, when the British made it part of their empire in the middle of the 19th century. Compared with Lebanon and Nigeria, we are now and were at the beginning "one people," a fact duly noted by Alexis de Tocqueville after his visit in the 1830's; Maine and Georgia were 1,000 miles apart, he said, but their peoples had more in common than those of Normandy and Brittany, "separated only by a brook."

But more important than history or geography were the men we call the Founders, the men who declared and fought for our independence and, having achieved it, wrote and ratified the Constitution. They provided the decisive element in our success. Many colonies have declared their independence, but which among them can boast of men like Washington, Jefferson, Franklin, Adams, Wilson, and the Morrises Robert and Gouverneur? We had much to complain of against King George III, but here on this distant shore he and his predecessors had provided the setting and the materials that allowed men such as these to prosper and gain prominence. As Edmund Burke argued repeatedly in the House of Commons, these colonials were by no means the least of Englishmen and they deserved to be treated as the best.

The least of Englishmen? On the contrary. Charles-Maurice de Talleyrand-Perigord, the sometimes bishop of Autun and longtime French statesman, knew everybody who was anybody, from princes, kings, and other heads of states to the Count Rasumovsky who commissioned Beethoven's three Opus-59 quartets. Tallyrand once said that of all the men he had encountered during his long and (on the whole) illustrious career, the greatest was Alexander Hamilton, greater even than Napoleon and the younger William Pitt. The least of men? On the contrary, Richard Henry Lee, who did his best to prevent the ratification of the Constitution, nevertheless had this to say of the men who drafted it: "America probably never will see an assembly of men of like number more respectable." From Paris, Jefferson likened them to "an assembly of demigods"; Franklin, himself one of their number, spoke more modestly of "*une assemblee des notables.*"

And for his labors on behalf of the Constitution, the most notable was surely James Madison.

It was Madison who prepared for the convention by drafting the so-called Virginia plan that provided the focus of those debates; Madison who played the major role in those debates; Madison who daily took notes on what was said in the convention and nightly transcribed those notes into the most complete record we have of the proceedings; and Madison who, in *Federalist 10, 37, 51, 63*, for example, gave us the clearest and most comprehensive explication of the constitutional plan. And it was Madison who can be said to have advised us on how to celebrate the Constitution's bicentennial. "What spectacle could be more edifying," he once wrote, "than that of liberty and learning, each leaning on each other for their surest and mutual support."

What is required of us this bicentennial occasion is, of course, a statement of thanksgiving, but beyond that a renewal of that learning on which our liberty depends. The Founders knew something we need to know. They were learned in the conditions of liberty and their learning is embodied in the Constitution and in its supporting documents, such as the *Federalist Papers*. On this occasion, especially, these works should be the subjects of thoughtful study. And it should be the duty of some public agencies to do what lies in their power to promote that study.

The National Endowment for the Humanities has been doing this for at least six years now. Long before the official Bicentennial Commission was established, the NEH inaugurated a series of programs whose purpose was to support and encourage scholarly interest in and public reflection on the principles on which our constitutional government is founded. These include research fellowships for individual scholars; seminars for secondary school teachers and college and law professors; financial support for serious constitutional journals, such as *this Constitution*, published by Project '87, a joint project of the American Historical Association and the American Political Science Association; a Bicentennial Bookshelf program providing funds (on a matching basis) to more than 800 public libraries around the country for the purchase of reference texts and other important books on the Constitution, including the two multivolume publications funded in part by the Endowment: *The Encyclopedia of the American Constitution*, edited chiefly by historian Leonard W. Levy of the Claremont Graduate School, and *The Founders' Constitution*, edited by Philip B. Kurland and Ralph Lerner of the University of Chicago.

This commemorative effort was begun under the chairmanship of William J. Bennett, now the secretary of education, and continued under that of his successor, Lynne Cheney. Promoting serious study of the Constitution is, she emphasized, very much a *humanities* project and, therefore, a project altogether appropriate to the Endowment. "The Founding Fathers made this point often:" she said on a recent occasion, "a free people, if they are to remain free, must be able to think critically, as the humanities teach us to do." And thinking critically (which does not mean negatively) about the Constitution—well, as Madison might say, nothing could be more edifying than that.

"PLATOON": THROUGH THE EYES OF A VETERAN

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. RAHALL. Mr. Speaker, at the request of my constituent Mr. Ralph E. Diehl of Beckley, WV, I am entering into the RECORD a letter by Mr. John Walker, also of Beckley, which was published in the March 3, 1987 edition of the Beckley Register/Herald.

In this letter, Mr. Walker states that it is his opinion that the movie "Platoon" attempts to discredit the Vietnam veteran. As I have not had the opportunity to view the movie, I must disassociate myself with Mr. Walker's views by firmly stating that I do not share these views. Furthermore, as I have not seen the film, I have not had the opportunity to formulate an opinion one way or the other as to the realistic or nonrealistic portrayal of American Armed Forces members who took part in the Vietnam conflict.

In light of the mixed public response to the movie "Platoon," I would not venture to draw any conclusion based on Mr. Walker's letter. In the end, the reality of this movie can only be decided in the hearts and minds of individual Vietnam veterans. Mr. Walker has drawn his conclusions and shared them with his fellow West Virginians. At the request of Mr. Diehl, I will enter Mr. Walker's letter into the CONGRESSIONAL RECORD as a service to my constituency and especially to the veterans who served this country valiantly in Vietnam.

MOVIE DISCREDITS VETS

This letter is in response to the current showing of the movie titled "Platoon." Movies and the news media exert a strong influence on the American public and in most cases provide the basis on which we judge certain events.

In my opinion, this movie attempts to discredit the Vietnam veteran by portraying him as a dope-crazed, confused warrior who has no understanding of his wartime situation. The soldiers in the unit appear so busy fighting among themselves that they leave little time to be concerned about the enemy. The movie ends in a pessimistic fashion, showing the principal character leaving the war zone in a terrible mental state and thinking to himself that he'll never be the same again.

I must give credit to the movie in the following areas:

(1) The combat scenes were the most realistic that I have seen in any war movie.

(2) The dress of the combatants is accurate as was the effect that the harsh environment has on their concern for survival.

(3) The terrible reality of combat casualties and death was accurately portrayed with several scenes showing the hopeless feeling that many situations created.

However, there were other aspects shown by the movie on which I wish to offer a second opinion. After having served two tours in Vietnam (both in combat units), I can truthfully say the following:

(1) I do not remember ever seeing any of my fellow soldiers smoke dope.

(2) Having been involved in numerous sweeps and searches of hamlets. I never once saw a harmless old Vietnamese man or woman needlessly executed or any female raped by U.S. or ARVN troops. We only fired upon known enemy and usually only after being fired upon.

(3) The discipline in our unit never deteriorated to the point where we fought among ourselves. All men carried out orders promptly and to the best of their ability. To have done otherwise would have caused a much higher casualty rate. I never saw nor heard of an incident where a unit leader was purposely killed by his own troops.

(4) I don't remember hearing as much profanity during the two years I was there as there was in the two-hour movie.

The movie ended with a short script dedicating the movie to those who fought in Vietnam. I left the movie in tears. The media for too long now has incorrectly portrayed the majority of Vietnam veterans simply because the negative actions of a few vets make better news.

A recent article in the Harvard Business Review (Winter 1986) reported on a survey of 390 Vietnam Veterans now in the business world. This article indicated that these veterans scored higher than their non-vet counterparts in areas of good listening skills, working well with others, working well under pressure, and delegating tasks. Only in the area of communication with fellow workers did they score lower than their counterparts.

The Vietnam veterans did not lose this war. There were very few combat engagements that our troops lost even when vastly outnumbered. We should never forget that the war was lost by our non-combatant leaders in Washington who practiced limited engagement and a no-win policy. They should be held accountable for the loss of the 58,000 men dead and the thousands wounded.

Welcome home, Vietnam vets. I give you credit for a job well done under unusual circumstances. You served your country well while others either ran away or hid behind deferments. Hold your heads high, and don't let anyone attempt to discredit you.

John Walker, Former Capt, U.S. Army, 798 North Eisenhower Dr., Beckley, WV 25801.

INDEPENDENT COUNSEL STATUTE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. RODINO. Mr. Speaker, as a result of Watergate, the Congress was forced to confront the issue of whether the Attorney General should be involved in the investigation and prosecution of some of the President's closest and most trusted associates, and perhaps even of the President himself. The answer then was that he should not, and for good reason. Public confidence in the integrity of the judicial system requires that the Attorney General not be responsible for investigating and prosecuting other high-level executive branch officials with whom he serves the President.

The independent counsel statute was enacted as part of the Ethics in Government Act of 1978 in order to address this problem. By establishing a mechanism to ensure that criminal allegations involving high Government officials are fully and fairly investigated, the independent counsel law gives primacy to the fundamental tenet of our system of justice that no one is above the law. The statute was reauthorized for 5 years in 1983. It will expire on January 3, 1988. Because of the critical importance of this law, I am today, along with Representative BARNEY FRANK, introducing legislation to reauthorize the independent counsel statute permanently.

The independent counsel statute was designed to reach certain goals: To ensure that an aggressive, unbiased, and thorough investigation is conducted into all criminal allegations against senior Government officials; to ensure continuing public confidence in our democratic system and to protect the executive branch from unwarranted suspicion; to insulate the investigation of senior officials from personal or political influence and therefore to ensure that its conclusion will have the fullest credibility; and to afford protection to the reputation of any innocent official subject to investigation, precisely because the independent counsel's investigation is independent and its results deserving of trust.

Unfortunately, despite the clear congressional intent, the Department of Justice in a number of recent instances has failed to comply with some of the statute's carefully considered requirements. Therefore, in addition to reauthorizing the independent counsel law on a permanent basis, the legislation we are introducing today makes certain changes to confirm the Attorney General's obligations and powers under the statute.

The legislation Mr. FRANK and I are introducing today:

Expands the coverage of the independent counsel statute to apply to additional White House and Justice Department employees who hold political or policy positions. This would include, for example, certain military officers detailed to the White House.

Prevents the Department of Justice from conducting the preliminary investigation required under the statute in those cases where the allegations of misconduct are against senior officials in the Department itself.

Explicitly confirms that a court may expand the jurisdiction of an independent counsel, upon the request of the independent counsel, notwithstanding the determination of the Attorney General.

The purpose of this bill is to provide a focus for hearings on this issue which will be held soon by the Judiciary Committee's Subcommittee on Administrative Law and Governmental Relations, which Mr. FRANK chairs.

Mr. Speaker, the independent counsel statute is of undeniable value in maintaining public confidence in the integrity of our Government. A democratic government is only as strong as the trust of the people in its public officials. It is essential that this mechanism be made a permanent part of our law before the statute terminates next January. I look forward to working with the Members of this body to complete this important task.

KEEPING KIDS SAFE: "HOW TO RAISE A STREET-SMART CHILD"

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. WYDEN. Mr. Speaker, in this country, thousands of children are criminally abducted each year. There are at least 200,000 reported cases of sexual abuse against children, and 70 percent of those children are abused by someone the child knows. The bodies of 200 children are found each year and remain unidentified.

Parents today cannot help but fear for the safety of their children. But as long as we have to worry about crime, we must also have a source of information on preparing children to live safely in the world without being afraid of it.

This is why I want to call my colleagues' attention to the work of author and educator, Grace Hechinger.

In her book, "How to Raise a Street Smart Child," Ms. Hechinger shows parents how to replace fear with power, and helplessness with knowledge so their children will have the tools with which to protect themselves from potential abusers.

By sharing step-by-step techniques with parents on how to teach children about the world around them, this guide can literally save lives. Ms. Hechinger provides parents with sound, workable strategies for teaching youngsters so they can grow up to be independent, happy and safe—not afraid. As Ms. Hechinger, who has two children of her own, explains:

We must acknowledge that our streets and our world is not as safe as we would like them to be. We must be realistic about the dangers, not overplaying them or underestimating them. We mislead our children if we pretend that they live in a perfect world but we also do them a disservice if we generate fear and insecurity. Our task is to show our children by example that even though crime in the streets and other dangers do exist, we are not daunted by them. Children can learn to be wary without being fearful. They can learn that if they act sensibly, they can be as secure as it is possible to be.

There is a logical chain of instructions for parents to give to children. Through safety and guidance, your children will gradually gain assurance that they have some control in coping with the dangers they may face. If you move confidently in your efforts to teach your children how to protect themselves, you can take pride in success with a difficult and vital parental task.

This important book is also the basis of the Home Box Office documentary of the same title, hosted by Daniel J. Travanti and John Walsh. Mr. Walsh lived a nightmare when his son was abducted and murdered in 1981. His courageous fight for child protection led to the passage of the Missing Children's Act of 1982. Mr. Travanti received an Emmy nomination for his performance in the TV movie "Adam," based on Mr. Walsh's experience as the father of a missing child.

Using candid interviews with children and law enforcement authorities, this program offers the following 10 simple, but crucial "street-smart tips" that can save a child's life:

(1) Make sure your child knows how to dial "911" or "0" and ask for help.

(2) Make sure your child knows his or her name, address and phone number.

(3) Make sure your child knows exactly what a "stranger" is.

(4) Make sure your child knows a secret code word only you share.

(5) Make sure you play "What if?" games with your child.

(6) Make sure your child does not wear personalized clothing, which would make him or her an easy target.

(7) Make sure your child knows the difference between "good touch" and "bad touch."

(8) Make sure your child knows how to say "no" to adults.

(9) Make sure your child knows, if lost, to look for a person in uniform, such as a police officer or bus driver.

(10) Make sure your child knows to trust his or her instincts, and knows that if something suspicious happens, he or she should act on it * * * run to a crowded place and shout for help.

The HBO presentation debuted last Sunday, but will be presented again tomorrow night and throughout this month. I urge all parents to read "How to Raise a Street Smart Child" and to watch the HBO program with their children. This small investment will pay important dividends in your childrens' safety and your peace of mind.

THE STATE OF THE DOMESTIC OIL AND GAS INDUSTRY

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SCHAEFER. Mr. Speaker, as we search for solutions to our depressed oil and gas industry, we must come to the realization that we're not going to win the fight with one punch. The problems for the domestic producer are not going to be solved overnight, nor will they be remedied by quick fixes of Government. Rather, a well-thought-out plan of attack will minimize our damage and assure us that our energy industry will go the distance.

We all know what we're up against. Last year, average U.S. crude oil production fell 800,000 barrels per day—the largest and most rapid decline in history. At the same time, domestic oil consumption rose 500,000 barrels daily, and oil imports increased to their highest level since 1980. Experts have predicted that the inevitable resulting shortage could be significantly worse than the crisis of the early 1970's. The question then becomes, What is the appropriate course for Government to take?

Many have suggested increased Government intervention into the marketplace. While an import fee or quota may offer some short-term relief, distorting the market holds many dangerous economic implications. One need only look at the misguided policies of the late 1970's to realize what long-term effect Federal intervention has on the energy industry and the economy as a whole. Clearly, the best way for Government to help the oil and gas industry is not to hinder it.

That is why I strongly favor deregulation of natural gas, repeal of the Windfall Profits Tax and Fuel Use Act, and other economic incentives that encourage domestic drilling. Enactment of these proposals won't make our oil and gas industry healthy tomorrow, or even the day after that. But as the administration so accurately states, "though it may seem a paradox, it is the very flexibility of our free-market system and its long-run ability to cope with changing circumstances that bring stability." Continued Government intervention prevents stability.

I ask my colleagues to keep this in mind when discussing various proposals designed to aid the oil and gas producer. As the fight for a healthy energy industry rages on, let's keep Government out of the ring. We may not win by a knockout, but the decision will be ours in the end.

TRIBUTE TO THOMAS M. PETERSON: OUR NATION'S FIRST BLACK VOTER

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DWYER of New Jersey. Mr. Speaker, it is my distinct honor to bring to the attention of the House, an important dedication which will be taking place later this month in Perth Amboy, NJ, when a permanent bronze plaque will be placed in School Number 1 in honor of Thomas Mundy Peterson, the first black to vote in the United States under the 15th amendment.

That amendment, granting the right to vote regardless of race, was adopted March 30, 1870. Mr. Peterson cast his historic first vote on March 31, 1870 at City Hall in Perth Amboy.

The fact that Thomas Peterson was the first black voter in the United States was not his only mark of distinction. He was a respected communicant of St. Peter's Episcopal Church and was known throughout Perth Amboy and his beloved boyhood home, Metuchen, NJ, as an honorable and good citizen.

Mr. Peterson served for several years as a custodian at School Number 1 where the new plaque will be dedicated in his honor.

In 1884, Mr. Peterson received from leading Perth Amboy citizens a special medallion with a profile of Abraham Lincoln, which Mr. Peterson wore proudly throughout the rest in his life.

The Perth Amboy School District, and students, faculty and friends of School Number 1 are to be commended for ensuring a permanent memorial to Thomas Peterson that will remind children for generations to come of his historic vote, and the enduring importance of protecting the voting rights of all Americans.

LEGISLATION TO REPEAL NATURAL GAS AND OIL USE RESTRICTIONS IN THE FUEL USE ACT

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SLATTERY. Mr. Speaker, Representative DAN COATS of Indiana and I have today introduced two bills that would remove obsolete and unnecessary regulations from America's energy marketplace. These bills will repeal the natural gas and oil use restrictions in the Powerplant and Industrial Fuel Use Act of 1978, as well as repealing the incremental pricing provisions of the Natural Gas Policy Act of 1978.

The Fuel Use Act prohibits the use of either natural gas or oil in most new industrial boiler facilities and virtually all new powerplants. Similar restrictions in existing powerplants, requiring them to be off gas completely by 1990, were repealed in 1981.

The Fuel Use Act became law at a time when it appeared that supplies of natural gas were permanently short. Enactment of the Natural Gas Policy Act of 1978, however, eliminated inter/intrastate barriers to the movement of existing natural gas supplies, boosted new gas discoveries, triggered price-induced, energy conservation, and produced a gas surplus. During the 1970's, reserve additions in the lower 48 States averaged 46 percent of replacement—the rate at which new reserve additions replace annual gas production. During the 1980's, reserve additions have averaged close to full replacement. According to the Potential Gas Committee—a group of over 100 industry, academic and governmental geology and petroleum engineering experts operating under the auspices of the Colorado School of Mines since 1962—the total resource base for conventional lower 48 States natural gas is 835 trillion cubic feet, or about 50 times the current annual production of 17 trillion cubic feet. A realistic assessment of all factors clearly indicates that the outlook is good for both short- and long-term supply and for adjusting to seasonal and regional variations.

Despite the change in our gas supply situation, the Fuel Use Act has remained on the books. The Department of Energy has granted exemptions to the Fuel Use Act requirements. This process is outmoded, unnecessary, time-consuming and costly to the applicant and to the American taxpayer: The successful exemption requests of 1985 averaged 5 months of processing time from the date of filing—without even counting time spent by the applicant on preparing the filing. In that year, the various projects caught in DOE's backlog would have cumulatively boosted natural gas demand by some 200 billion cubic feet per year.

Furthermore, the Fuel Use Act is driving up the cost of producing goods in the United States by limiting the ability of industrial plants and electric generating facilities to use gas. A study by the Urban Institute in 1985 estimated that these prohibitions will increase the cost of producing electricity and energy intensive industrial goods by $5 billion—1985 dollars—between now and the year 2000. The damage to our balance of trade is clear. Both Japan and Korea are deploying combined-cycle gas turbine technology—which makes use of both gas turbine fuel combustion and recovered waste heat, a technology barred in new powerplants by the Fuel Use Act—as a low cost means of generating electricity for their industrial sector. Fuel efficient cogeneration technologies have also run afoul of Fuel Use Act requirements.

We believe the case is clear for Fuel Use Act repeal. Increased demand for American natural gas will provide sorely needed exploration incentives for American gas producers, reduce oil imports, improve the efficient use of our energy utility, infrastructure and eliminate an unnecessary bureaucracy.

The avowed purposes of incremental pricing were to discipline pipeline bidding and to assure that anticipated gas price rises were borne primarily by industrial users. It has never really served either purpose.

Through a complicated ratemaking and accounting mechanism, incremental pricing effectively requires that most gas volumes sold to industrial boilers cannot be priced below the energy equivalent price of residual fuel oil. Sometimes this policy is purely academic, since the price of gas in this market is already at or above parity with residual oil. In other cases, however, incremental pricing artificially raises the gas price that would otherwise be charged, impeding gas use in one of its largest and most competitive markets. In all cases, there are administrative burdens and confusion for energy users and Federal regulators alike, both on the Federal and State levels.

Repeal of the incremental pricing requirements would permit new opportunities for displacing imported oil. National economic growth would also be boosted, since industrial gas users would no longer be forced to pay artificially inflated rates. Incremental pricing is just the opposite of the energy policies of our international trade competitors. Repeal of incremental pricing would also give natural gas consumers the economic benefits of spreading fixed costs over expanded loads.

We believe that now is the time to take this unsuccessful, counterproductive regulatory requirement off the statute books.

Mr. Speaker, repeal of the Fuel Use Act and incremental pricing has been a part of virtually every major natural gas policy proposal that Congress has considered in recent years. There is a clear consensus for repeal within Congress and endorsements from an impressive array of public officials and interested groups. Indeed, in 1986, the House of Representatives adopted by voice vote legislation that repealed the Fuel Use Act and incremental pricing. This congressional consensus has been frustrated by a tendency to throw these issues into comprehensive bills that also include topics highly controversial in both Houses of Congress, such as old gas decontrol and contract carriage. I hope that this year we can address the need for repeal of the Fuel Use Act and incremental pricing in a timely, responsible manner.

CONTRA AID DEBATE MASKS TRUE PURPOSE: A SELLOUT

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SHUMWAY. Mr. Speaker, I would like to share with my colleagues an article by Dr. Jeane J. Kirkpatrick which recently appeared in the Los Angeles Times.

Dr. Kirkpatrick discusses the significant shift in the terms of the debate on United States policy toward Central America. Just a few years ago many people questioned El Salvador's ability to transform itself into a truly representative democracy. Though the Salvadoran guerrillas continue their war against the democratic government of Jose Napoleon Durate with assistance from the Sandinistas, we rarely hear claims of the inevitable success of the guerrillas or questions about the wisdom of providing United States aid to support this fledgling democracy.

Similarly when the Sandinistas came to power in Nicaragua a few years ago many people were unwilling to accept their true intentions. Today few people question the Communist nature of the Sandinista government, its close ties to the Soviet Union and Cuba, its massive military buildup, its commitment to a revolution without borders, or its denial of political and religious freedom.

I commend this article to the attention of my colleagues as we once again debate whether the United States will sustain its commitment to assist those who carry the torch for a free and democratic Nicaragua.

[From the Los Angeles Times, Mar. 1, 1987]

CONTRA AID DEBATE MASKS TRUE PURPOSE: A SELL-OUT

(By Jeane Kirkpatrick)

Once again Congress is locked in a debate over U.S. policy in Central America. This time it concerns whether to release the remaining $40 million in aid approved last year for the Nicaraguan *contras*. While the whole discussion sounds numbingly familiar, in fact the terms of the debate have shifted significantly. Events in the region and in Washington have clarified the situation and the alternatives.

During the early years of the Reagan Administration, El Salvador dominated the Central American debate: Was the triumph of the FMLN guerrillas inevitable? Were they really Marxist-Leninist or only a broad front of indigenous revolutionaries? Were Salvadorans "ready" for democracy, or were we and they forced to choose between murderous right- and left-wing groups? Would the traditional right permit Jose Napoleon Duarte to win an honest election, to take power, to govern? Wasn't U.S. military aid to the government of El Salvador merely prolonging the killing? Shouldn't we shut off assistance and try even at this late date to develop a constructive relationship with the "revolutionary forces"?

These questions are rarely heard in Washington today. The guerrillas' war against El Salvador's democratic government continues. But those who once led the fight against U.S. aid to El Salvador have other priorities. The senators and congressmen who only a few years ago argued that the FMLN was invincible proclaim today the

"inevitable" defeat of Nicaragua's contras. For the moment at least, these senators and congressmen are more interested in denying aid to the contras than to the government of El Salvador.

The debate on Nicaragua is also very different from, say, five years ago when the Sandinistas' congressional friends denied the character and commitments of the new Nicaraguan government. Today almost no one in Washington denies that Nicaragua has a communist government, that it has close military and economic ties to the Soviet Bloc, that it is sustained by Cuban and Soviet Bloc arms and advisers, that it has developed large, well-equipped military forces, that it denies Nicaraguan citizens political and religious freedom. All this is granted by the same congressmen and senators who not so long ago argued precisely the contrary.

The shifting terms of the debate on Nicaragua were reflected in a recent speech by Sen. Christopher J. Dodd (D-Conn.), one of the Sandinistas' most indefatigable supporters. With dazzling chutzpah, Dodd conceded that Nicaragua has a communist government, but he cited that to prove the failure of Reagan Administration policies in the region. "The conclusion is obvious: More of the same will not do it. More of the same will not prevent the existence of a communist-run state in Nicaragua."

In Dodd's view, resistance is futile. Therefore, do not resist. Dodd believes that the "real answer and important first step" is a security agreement that would prohibit Soviet and other communist forces in Nicaragua in exchange, presumably, for U.S. dismantling of the contras.

However, Dodd does not propose an exchange but a unilateral concession. The United States should now cut off all U.S. funding of the contras and cut off any U.S. assistance to any country that provides aid to the contras. Clearly Dodd is more interested in dismantling the contras than in addressing the security problems of the United States in the Hemisphere.

In an argument that mixes metaphors as easily as Julia Child mixes omelets, Dodd argues that the contras are the Edsel of guerrilla warfare. He fears that supporting them will lead to the "inevitable scene, American officials scrambling aboard a helicopter as it prepares to lift off from an embassy rooftop with local hires desperately clutching at its landing skids."

Apparently Dodd believes that the Sandinistas can hand the United States a humiliating military defeat in Nicaragua. "Political will," he says, and "political courage" are required to avoid such humiliation. We must surrender now to avoid defeat. This he thinks is the lesson of Vietnam.

In his zeal to adapt to the changed correlation of forces in Central America, Dodd does not bother with questions of democracy or self-government. He does not condition his proposed funding cutoff on the Sandinistas' acceptance of his recommended security agreement. He does not even bother to concern himself with the impact of such an agreement, if implemented, on U.S. security interests.

The reason for all this lack of concern is that Christoper Dodd's legislation has only one goal: to dismantle the contras. All else is window dressing.

It seems impossible that a majority of Congress shares his vision of our future.

WATER RESOURCES—AQUATIC PLANT MANAGEMENT PROJECT LEGISLATION

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LEWIS of Florida. Mr. Speaker, today I am introducing legislation which will direct the Administrator of the Environmental Protection Agency to develop a management model for the control of aquatic plants and other fresh water pollutants. Attached is a section-by-section analysis of this legislative proposal.

In my discussions with scientists who conduct research on the control of pollutants in lakes and the related ecosystem, the point has often been made that many management efforts may correct one problem but create another. For example, in my own district, plans to divert streams containing high levels of phosphate from Lake Okeechobee, could have disastrous results on the marsh lands receiving the phosphate water.

As a consequence, I have become convinced that a better management model must be developed that would allow decision makers to predict in advance the long-term impact of various clean up actions. This legislation that I am introducing will be a step in the direction of creating the needed management model that could be used by State and local officials in resolving these problems.

Data from scientific research on aquatic plant overgrowth, for example, would be fed into the computerized model and the management product would list the various solutions along with the advantages and disadvantages of each option.

The use of a master plan for the clean up of a lake ecosystem, which the management model could be used to develop, would be available to State and local officials to use in making long range plans. This is an important concept because many of the well intentioned clean up projects of the 1960's and 1970's had a negative long-term impact. The scientific community has indicated that this could have been prevented if a long range master plan had been utilized.

Specifically, this legislation calls for the EPA to complete the management model within 3 years, at a cost not to exceed $2.5 million annually, and to demonstrate its usefulness on a lake ecosystem, such as Lake Okeechobee. The bill also calls for scientists who conduct research on these projects to review the management model as it is being developed. In the initial stage, the management model will focus on the control of aquatic plants, a problem found in over 40 States.

Because of the significant public benefit associated with this proposal, I urge my colleagues to join with me and cosponsor this important and timely legislation.

ANALYSIS OF WATER RESOURCES—AQUATIC PLANT MANAGEMENT PROJECT LEGISLATION

Section 1.(a). The Administrator of the Environmental Protection agency (EPA) is directed to develop a water resources-aquatic plant management model system. The management model would be for use by those responsible for controlling aquatic plants in the United States. The benefit of this approach is that it will allow decision-makers to include scientific data from all over the United States in the management model and get a list of options for actions that would be suitable for a specific location. This includes the Lake Okeechobee ecosystem and the over 40 different states with aquatic plant problems.

Section 1.(b). The management model developed in (a) would be field tested so that the practical application would be assured. The demonstration and field testing would include subtropical ecosystems such as Lake Okeechobee.

Section 1.(c). The management model that is developed will be reviewed, as it is developed, by scientists at the local, state, and federal levels to ensure that it is scientifically sound and that the final model will be usable at the local level.

Section 1.(d). The development of the management model will not take longer than three years. This is to make sure that a permanent program will not be established and that the technology will be transferred to state and local levels.

Section 1.(e). EPA will report to Congress on an annual basis on the progress of the project.

Section 1.(f). The cost of the program will be $2 million per year for each of the three years.

Section 2. Scientific research necessary to provide data for the development of the management model will be funded at $500,000 per year for each of the three years.

TRIBUTE TO THOMAS MASARYK—FIRST PRESIDENT OF CZECHOSLOVAK REPUBLIC

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. LIPINSKI. Mr. Speaker, as cochairman of the Democratic Council on Ethnic-Americans, I would like to take this opportunity to pay tribute to Thomas Masaryk—founder and first president of the Czechoslovak Republic.

From a humble and modest background, Masaryk worked as a tutor for other students in order to pay for his own education. He later graduated from the prestigious University of Vienna and went on to become professor of philosophy at the University of Prague.

Masaryk had always longed to put his philosophical background into practical use. In 1890, he entered the world of politics determined to promote his ideals of freedom and justice. Protection of ethnic minorities and individual rights was something that Masaryk sought hard to accomplish. In 1899, he rose to the defense of a Jewish man falsely accused of ritual murder, and saved him from sure execution. At a time when a rise in antisemitism was sweeping Europe, Masayrk never let the exhortations and irrational fears of the mob color his judgment, but followed his own sense of justice and equality.

Toward the outbreak of World War I, Masayrk became the recognized representative of the Czech liberation movement. He dreamed of uniting the Czech and Slovak people against the imperialism of Germany.

The leaders of France, England and the United States sympathized with the supported his cause and came to personally respect and admire him.

On June 3, 1918, Masayrk finally realized his dream—Czechoslovakia became an allied power and multinational state. Throughout its short history, Czechoslovakia was a model democracy that respected the rights of its large German and Hungarian minorities. Masaryk was elected President of Czechoslovakia in November 1918 and became the key unifying force in the battles between the Czech and Slovak parties. He advocated strong and friendly relations with all neighbors, including even Austria and Germany. It is ironic that Adolf Hitler would use a pretext the suppression of German rights and freedom in the Sudetenland to invade and conquer Czechoslovakia. Masaryk was a man who devoted his life to ensuring and respecting the rights of others, especially those who were in the minority.

Mr. Speaker, as the true father and liberator of his country, Thomas Masaryk was loved by his people for his humble dignity, candor and leadership. For those outside the country, he was much admired and respected and symbolized the very best qualities of mankind. We remember him many years later not only for his vision, but for his ability to translate his ideals and beliefs into courageous and concrete action.

We must further remember that the Czechoslovakia of Thomas Masayrk is not the Czechoslovakia of today. The fledgling democracy that granted rights to all its citizens is now the state that controls nearly all facets of life. In the older and better Czechoslovakia, there would be no need for Czechoslovakian human rights watchdog groups such as Charter 77, no need for the arbitrary arrest of religious figures, such as Pastor Jan Dus, and no need for the Czech government to sign agreements concerning human rights commitments.

Today, we salute this great Czech leader for his determination and vigilance to attain liberty for his people, and hope someday that Czechoslovakia will once again live up to his high standards of freedom and democracy.

JOB TRAINING PARTNERSHIP ACT

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. OXLEY. Mr. Speaker, 69 percent of those displaced U.S. workers who have participated in title III programs of the Job Training Partnership Act are now working again, according to a recent General Accounting Office study. This is wonderful news, particularly for those of us from areas that have experienced high unemployment and worker dislocation in recent years.

The Department of Labor and all those who work with JTPA and related programs at the State and local level are to be commended for their commitment and ardent efforts in behalf of displaced U.S. workers.

However, while the GAO study indicates that JTPA programs have been highly successful over the last 4 years or so, it also reminds us that our work in this area is not yet complete or flawless. We desperately need, for instance, to increase the number of displaced workers who participate in and benefit from our worker training and job assistance programs.

Perhaps most important, the study results may provide support for careful and complete consideration of President Reagan's broad new $980 million displaced worker initiative, and much needed hope for many of America's unemployed.

REPRESSION OF HUMAN RIGHTS ACTIVITIES IN CZECHOSLOVAKIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. SMITH of New Jersey. Mr. Speaker, this year marks the 10th anniversary of the Czechoslovak human rights movement, Chapter 77. This "informal, open community of people united by the will to strive for the respect of civic and human rights" has endured longer than any other human rights movement in Eastern Europe. Unfortunately, Mr. Speaker, the Czechoslovakian Government is marking this anniversary by a severe crackdown on dissidents and human rights activists.

Today, Mr. Speaker, one of the most important human rights and political trials of the decade will begin in Czechoslovakia. Seven members of the executive committee of the "Jazz Section", a 7,000-member independent cultural group which works in the charter community, will be tried for engaging in "unauthorized business enterprise." The Jazz Section defendants face up to 8 years in prison if they are convicted.

Although the Czech Government banned the group in October 1984, Mr. Speaker, the Jazz Section has continued to be one of the most active and successful groups to spread independent culture in Czechoslovakia and Eastern Europe. As if to prove that there is no such thing as glasnost in Czechoslovakia, the Czech authorities are moving ahead quickly and vigorously to prosecute the group. Mr. Speaker, clearly these actions are a clear violation of Czechoslovakia's human rights commitments under the 1975 Helsinki Final Act.

In addition to the trial of the seven musicians, an eighth member of the Jazz Section, Petr Pospichal, who is also a member of the Committee for the Defense of the Unjustly Persecuted [VONS] and a Charter 77 signatory, will begin a separate trial today. On charges related to his human rights activities and his cooperation with other opposition groups in Eastern Europe, Mr. Pospichal could be sentenced to 10 years in prison, if convicted.

Mr. Speaker, a number of my colleagues joined me in sending a letter to the Czech Ambassador, Miroslav Houstecky, urging the Czech Government to drop its charges against these eight individuals and to release those in the group who are currently imprisoned without condition. Mr. Speaker, I trust the Czechoslovakian Government will heed to the concerns which have been raised by the international human rights community and will halt its attempts to repress the rights of its citizens.

IDAHO WILDERNESS

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. KOSTMAYER. Mr. Speaker, today I am introducing legislation to designate 3.9 million acres of unroaded pristine Idaho land as national wilderness.

This initiative represents the culmination of several years discussion and is the third time such a proposal has been introduced. All of the acreage proposed in this legislation is national forestland and many of the areas were recommended for wilderness designation in the RARE II wilderness study.

Currently, 9 million acres of land remain undeveloped in Idaho, and the future of much of this land is in doubt as the wilderness question remains unresolved.

The current prodevelopment policy for these lands in Idaho is costing the American taxpayer. As the Forest Service has opened land in Idaho for timber harvesting, the Government often loses money. Two of Idaho's national forests only returned 20 cents on every Federal dollar invested and every forest but one consistently averages negative timber receipts. This destructive and costly trend also comes at great expense to fisheries, wildlife, and wildlands.

Some argue that wilderness designation will destroy Idaho's economy. This is not the case. In fact, the tourism business has passed the traditional extraction industries of agriculture, mining and timber to become the biggest private employer in Idaho. In 1982, approximately 50,000 people used the services of professional guides and outfitters in Idaho, spending over $35 million.

For me and for so many other Americans, Mr. Speaker, preserving one of the most magnificent areas of our country is of the utmost importance and I ask for the support of my colleagues in designating as wilderness these 3.9 million acres before they are lost to development. I ask my colleagues, Mr. Speaker, to resolve this issue once and for all, for the benefit of the Nation and for all Idahoans.

ACKNOWLEDGE FIRST ANNIVERSARY OF "CHALLENGER" DISASTER

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DE LA GARZA. Mr. Speaker, a group of primary school students showed the Nation they had not forgotten the tragedy nor the meaning in the loss of the space shuttle *Challenger*. Many of these students are the children of migrant farmworkers in my district, and

they study hard to learn about our country and its heritage. Their reaction to the anniversary of the *Challenger's* destruction shows how closely in their hearts they feel about the United States and its future. I would like to take a moment to tell my colleagues of their action and the way in which it reflects on the love they have for their country.

Last month, I had arranged for a U.S. flag to be flown over our Capitol and I gave this to the Valley View School which is near a small community called Las Milpas in my congressional district. The flag raising ceremony at the school was scheduled for January 28—the day on which we sorrowfully acknowledge the first anniversary of the *Challenger* disaster. The school administration had asked me to be the speaker for the ceremony.

Last minute urgent business prevented me from going down on the 28th, so the school agreed to hold the ceremony 2 days later on the 30th of January. The loss of 2 days in no way detracted from the originality of the day's events.

The school kids released 300 red, white, and blue helium-filled balloons each with a written message from each student about their feelings toward the space shuttle crew and their bravery. The area National Guard provided a 21-gun salute and as I stood with the group, we raised the American flag to the top of the mast, and then, honoring tradition, slowly lowered it to half mast.

A young student and leader in his ninth grade class, Jon Hernandez, presented the group with a letter on behalf of all students, thanking us for remembering this event—an event he said must burn in our memories forever. His letter to the assembly reads as follows:

Honored guests, Board Members, Mr. Superintendent, Administrators, Teachers and fellow students—I want to say that the students of Valley View extend a warm thank you for having us participate in this ceremony. We know that the courage of those seven astronauts must never be forgotten and that our Flag will remain a symbol of their coverage. As students we can only look to our futures, and in doing so will remember this day at Valley View where we stood side by side to commemorate seven brave astronauts and to raise our new flag. Thank you for sharing this moment with us. May peace be in our futures—and the glory of a united effort to maintain it—burn in our souls forever.

Then, another young student, Tino Torres who is in the fifth grade, stepped forward and read a poem he had composed. There wasn't a dry eye to be found, Mr. Speaker, and although we have come 1 year since the time our astronauts perished bravely, this little poem bears reciting for all to read and appreciate the heartfelt thoughts of one fine youngster.

One year ago from today
seven astronauts passed away;
Before they died they had smiles
on their faces especially the one who
would be the first teacher in space.
Christa McAuliffe was her name
no one really quite the same.
A mother of two and happily
married wife, sorry to know
that took away her life.
Just remember when we said
good-bye and the tragedy that
happened in the Florida sky;
It all happened in an ocean
so clear, so let's give them a
hand or even our tears.

TRIBUTE TO MRS. GRACE CUNNINGHAM SMITH

HON. HARLEY O. STAGGERS, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. STAGGERS. Mr. Speaker, it is with great pleasure that I ask you to join with me in wishing Mrs. Grace Cunningham Smith of Bowden, WV, a happy 90th birthday. Mrs. Smith has led a life of hard work that has rewarded her with a rich knowledge and many fond memories. She has been involved with a remarkably varied array of professions. Mrs. Smith has been a teacher, a nurse, a farmer, a coal and cattle broker, a postmaster. She recalls the days when she was a baker producing 86 pies a day at a cost of 23 cents each. She remembers paying her assistant the princely sum of $2 per day. Though widowed in 1934, she managed to raise six children and still continued to work. She was a working mother long before the term was fashionable. I wish Mrs. Smith continued health and much happiness on this special day.

PROTECTION OF VETERANS PREFERENCE JOBS

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DYMALLY. Mr. Speaker, I am honored to join my distinguished colleague, Mr. GILMAN, in introducing legislation which would provide employment security for veterans in civil service pcsitions which are reserved for them under title 5, United States Code, section 3310.

At the outset, let me note that this legislation has passed the House under suspension of the rules in both the 98th and 99th Congresses.

Under current law, the positions of guard, messenger, elevator operator, and custodian in the civil service are reserved for veterans preference eligibles, as long as veterans are available. This provision was enacted as part of the Veterans Preference Act of 1944, in recognition of our national responsibility to provide special employment opportunities for men and women who served their country in the Armed Forces.

In more recent years, however, the intent of this provision of law has been circumvented by increased efforts to contract out the four positions reserved for veterans. As a result, veterans from World War II and the Korean war, who were faithful Government employees for many years, have found themselves faced with the loss of their jobs. And younger veterans from the Vietnam era do not have the opportunity to obtain secure employment in these positions, even though these positions are explicitly set aside for veterans.

Additionally, many veterans who hold these reserved positions are disabled or severely handicapped, and would encounter great difficulty in securing alternative employment if they are separated from Government service.

I believe it is highly inconsistent for the Congress to set aside certain jobs for veterans, while the executive branch is making these positions unavailable due to contracting out. The legislation we are introducing today corrects this inconsistency by providing that a veteran may not be separated from the position of guard, messenger, elevator operator, or custodian as the result of a contract award for these services.

Also, if a vacancy occurs in one of these positions or a new position becomes available, veterans must receive first consideration for employment.

Finally, the bill makes a special effort to ensure that sheltered workshops for the handicapped, which contract with the Federal Government for these types of services, will have continued opportunities to obtain work with Government agencies. The legislation provides that when an agency does contract for services covered under section 3310, due to the unavailability of veterans, it must give priority to contracting with a sheltered workshop for the handicapped.

It is clear that Congress intended to create employment opportunities and security for veterans by restricting certain civil service positions to preference eligibles. Mr. Speaker, this bill ensures that the original intent of the Veterans Preference Act, embodied in part in title 5, United States Code, section 3310, will not be thwarted by unilateral action by Federal agencies.

Many of our veterans employed by the Federal Government are nearing retirement age. And many younger veterans still face numerous obstacles in securing employment. Let us take this opportunity to renew our commitment to our Nation's veterans. I urge my colleagues to join Mr. GILMAN and myself in supporting this effort to help our veterans.

THE CELEBRATING OF CATHOLIC SCHOOLS WEEK IN THE DIOCESE OF STEUBENVILLE

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. APPLEGATE. Mr. Speaker, it is with great pleasure that I rise today to honor the Catholic schools in my congressional district in the Diocese of Steubenville, consisting of 13 counties in southeastern Ohio. The Catholic schools play an important role in the diocese by furnishing our leaders of tomorrow with basic human, moral, and spiritual foundations.

It is my pleasure to honor the Catholic schools in the Diocese of Steubenville with their theme, "Catholic Schools: A Rainbow of Excellence," for their excellent work in the field of learning. The Catholic education fosters the religious fervor that originates deep

within our Nation's heritage encouraging all Americans to depend on God for daily strength and fulfills the threefold purpose of message, community, and service. The faith and stability demonstrated by Catholic schools perpetuate the rich tradition of education by raising levels of knowledge, competence, and experience. The long-standing tradition of Catholic education strengthens the community and the Nation by keeping viable the right to freedom of religion under law.

Mr. Speaker, I am proud to pay tribute to the Catholic schools in the Diocese of Steubenville. I ask my colleagues to join me in expressing appreciation for the dedication with which the faculty, staff, and students of these schools approach their respective jobs. It is to individuals such as these that we owe the continuation of and commitment to the Christian faith and education in our country.

TRIBUTE TO JOHN SEEFELDT

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. ROTH. Mr. Speaker, on Thursday, March 19, John Seefeldt will be honored by his friends and colleagues on his retirement as port director of the Port of Green Bay, WI. I want to join with John's many friends in paying tribute to him.

I have had numerous opportunities to work with John Seefeldt since he became port director almost 9 years ago. His name has become synonymous with economic development in Green Bay, WI. He was a tireless advocate for Federal legislation which will result in the deepening of the harbor channel from 24 to 27 feet, a step that will enhance the competitiveness of the Port of Green Bay.

John Seefeldt has worked closely with Green Bay officials to expand the disposal area in the Bay Port Industrial Park. He was an outspoken supporter of the development and subsequent expansion of the Renard Isle disposal site.

One of the measures of success of a port director is how well he brings home Federal funding. In his years as Brown Country's port director, he has obtained more than $25 million worth of Federal projects for the Port of Green Bay. It is one thing to be a tireless worker. It is another to be tireless and effective. John Seefeldt has been both.

Yet another measure of success is recognition by ones peers. Over the years, John has served as chairman or director of most Great Lakes and national ports associations.

John Seefeldt has been a public servant in the best sense of the word. We owe him our thanks for a job truly well done.

SIOUX NATION BLACK HILLS ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. MILLER of California. Mr. Speaker, today I have joined with Congressman JIM HOWARD and Congressman MO UDALL in introducing legislation to provide for the return of certain lands within the Black Hills of South Dakota to the Sioux Nation.

For over 100 years, the Sioux Nation has tried to gain compensation and return of lands taken from them in 1868. The Supreme Court has observed that the Federal Government's actions throughout this period have been deplorable. The Court observed that "a more ripe and rank case of dishonorable dealing will never in all probability be found in our history."

I want to make clear that I do not support every provision in this bill. However, I believe that the Sioux Nation deserves to have this land claim issue heard in the Congress. That is why I have agreed to cosponsor the legislation with Congressmen HOWARD and UDALL.

It is my hope that the Congress can thoroughly address this issue over the next few years to work out an equitable solution for the Sioux Nation as well as for the non-Indians who reside in the area.

UNITED STATES HOSTS THE WORLD LADIES CURLING CHAMPIONSHIP

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. PORTER. Mr. Speaker, March 22 will be a historic day in the annals of American and International sports. On that day, America will for the first time host the World Ladies Curling Championships sponsored by the Glayva Corp., and I'm proud to say that this world class event will take place in the 10th district of Illinois, at the Lake Forest Ice Arena.

Curling has not received widespread attention in the United States, although the game in fact was first played nearly 300 years ago in Scotland and the Netherlands. The championship matches over the years have drawn international attention as well as worldwide spectators, including many foreign dignitaries and royalty.

The first championship was held in Perth, Scotland, in 1979. Since then, Switzerland, Canada, Sweden, and Denmark have held the world title. This year, teams, or rinks, representing 10 countries will take to the ice in Lake Forest to compete for the title of world champion. The United States hopes are pinned on Sharon Good's rink from Seattle, which recently won the national championships held in St. Paul.

Curling enthusiasts abound in Chicago's North Shore communities, and the game is played regularly in Highland Park, Glencoe, Winnetka, Northbrook, Glenview and other cities. They are all eagerly anticipating the championships, which run from March 22-28.

Joan Smith of Northbrook deserves special recognition for her work as head of the host organizing committee. She has helped coordinate the innumerable details in scheduling the many European and out-of-state visitors.

I want to wish the American team luck in this first-ever championship In the jargon of curling, may the best rink win!

THE VETERANS JOB TRAINING ACT SHOULD BE EXTENDED

HON. WAYNE DOWDY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DOWDY of Mississippi. Mr. Speaker, Public Law 98-77, the Emergency Veterans' Job Training Act of 1983, established a program of job training assistance to relieve unemployment among Korean conflict and Vietnam-era veterans. This program, now known as the Veterans' Job Training Act [VJTA], was subsequently extended and improved by Public Laws 98-543, 99-108, and 99-238. I am today introducing legislation which would extend and authorize additional funding for this highly successful program which, under current law, closes for new applicants on July 2, 1987.

Joining me as cosponsors are the distinguished chairman of the Veterans' Affairs Committee, Hon. G.V. (SONNY) MONTGOMERY and the ranking supporters of VJTA, Hon. JERRY SOLOMON. Also cosponsoring this bill are my colleagues on the Subcommittee on Education, Training and Employment including the ranking minority member of the subcommittee, Hon. CHRIS SMITH, as well as Hon. ELIZABETH PATTERSON, Hon. CHALMERS WYLIE, Hon. JIM JONTZ, Hon. TOM RIDGE, Hon. LANE EVANS, Hon. ROBERT K. DORNAN, Hon. MARCY KAPTUR, Hon. CHARLES STENHOLM, Hon. JOSEPH KENNEDY II. Additional cosponsors include Hon. TOM LANTOS, Hon. JIM KOLBE, Hon. BUTLER DERRICK, and Hon. MARVIN LEATH, who was the author and chief sponsor of the legislation establishing VJTA.

The goal of VJTA is to address the problem of severe and continuing unemployment among certain groups of veterans by providing payments to defray the cost of training to employers who hire and train long-term unemployed veterans. Since the inception of the program, over 460,000 Vietnam-era and Korean conflict veterans have been certified to participate in VJTA. Over 52,000 have been placed in jobs, and more than 70,000 employers have been approved for participation.

On September 25, 1986, the Veterans' Administration submitted the supplementary report to an extensive study regarding VJTA, in accordance with Senate Report 98-275, which called for an evaluation of the program. The study was conducted under contract by Centaur Associates, Inc. This final report, which evaluated the impact of VJTA, concluded that the program has produced statistically significant positive effects on the employment rates and earning levels of participating veterans. These positive effects experienced by

participants are shared by both the completers of the program and those who dropped out of VJTA. Clearly, this program is accomplishing its goal of reestablishing long-term unemployed veterans in our Nation's work force.

Mr. Speaker, we on the House Veterans' Affairs Committee are proud of the Veterans Job Training Act. The Congress has consistently demonstrated its commitment to assist unemployed veterans and enacted legislation reported by our committee to extend and improve this job training program. Numerous hearings have been held in Washington and in the field by the Subcommittee on Education, Training and Employment to monitor the implementation and effectiveness of VJTA. It is a good and cost-effective program.

Unfortunately, the VJTA Program is out of money. Although the Congress authorized $65 million for the program last year, only $35 million was appropriated and, because of the popularity and effectiveness of VJTA, all of those funds have been committed. The bill I am introducing today would authorize $30 million for the remainder of fiscal year 1987 and would authorize an additional $60 million for fiscal year 1988 and $60 million for fiscal year 1989. All of these funds would be available to the program through fiscal year 1991. The budget recently approved by the Veterans' Affairs Committee provides for these funding levels. The bill would also extend the date by which a veteran must apply for participation in VJTA through June 30, 1989, and require that a participating veteran be enrolled in an approved program of job training by March 20, 1990.

The administration has stated that because national unemployment is down and the emergency is over, there is no need to extend VJTA. The fact that others have found work, however, is small comfort to those 309,000 veterans of the Vietnam-era who are still looking for jobs. Their crisis continues and we have a responsibility to assist those who have served our Nation with distinction during times of conflict. Additionally, Bureau of Labor statistics indicate that fully 26 percent of dislocated workers are veterans and many studies show that one-third to one-half of homeless men have served in the Armed Forces. The Congress is now focusing on ways to assist those in both of these groups as they struggle to reenter the work force. VJTA has already proven its effectiveness and should be extended and adequately funded so that this valuable program can continue to assist thousands of unemployed veterans in their efforts to find meaningful employment.

TRIBUTE TO VINNY TESTAVERDE

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. McGRATH. Mr. Speaker, I would like to take this opportunity to recognize a constituent of mine, well known to many of our colleagues who are familiar with the world of sports. Vinny Testaverde, a resident of Elmont, NY, and winner of the coveted Heisman Torphy, will be honored next month by his friends, neighbors, and fans with a parade and ceremony.

Vinny's rise to national prominence began in the close knit Elmont community where many members of his family reside. Like many other residents of the Fifth Congressional District, Vinny's parents were first generation Americans, whose hard work and dedication to their families instilled tremendous pride and strong values in their children. Vinny's first exposure to organized football was as a member of the Franklin Square Peanuts, one of many area teams, which keep hundreds of youngsters occupied each fall.

At Sewanhaka High School, Vinny diligently worked his way up to the position of starting quarterback in his senior year. He led his team to an undefeated season and the championship in one of New York State's toughest conferences. Building on those successes, Vinny played a season at Fork Union Military Academy and then made the big step to the University of Miami.

At Miami, he again patiently waited for the opportunity to show his tremendous talents. That chance came in 1985, with the graduation of his predecessor. In his first year as starting quarterback, Vinny demonstrated the poise of a veteran in guiding the University of Miami to a 10-1 season and a New Year's Day bowl appearance; 1986 was another standout season, as Vinny led his team to an undefeated season. The Miami Hurricanes were raked second in the Nation and narrowly lost the national championship to Penn State in the hard-fought Fiesta Bowl.

Through all of this success, Vinny Testaverde has withstood the great demands imposed on a premier sports star. He has been active in countless charitable activities including a drug abuse awareness program organized in conjunction with the Fiesta Bowl. He is also close to family and friends in his hometown, who will celebrate his accomplishments. I am pleased and proud to represent such a fine young man, and I know that every Member of this body joins me in congratulating Vinny and wishing him the best in his future career.

CUMBERLAND HONORS CORDELL HULL AS "MOST DISTINGUISHED GRADUATE"

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. ERDREICH. Mr. Speaker, March 21-28, the Cumberland School of Law, a part of Samford University, which is in the Sixth District of Alabama, will observe Law Week 1987 as it takes time for reunion and fellowship, intellectual stimulation and challenge, reflection on progress and achievement, and projection on the potential for future accomplishments.

During Law Week 1987, Cumberland will pay homage to a man who is one of Cumberland's most distinguished graduates, Cordell Hull.

Cordell Hull was born on October 2, 1871, in Overton County, TN, now known as Pickett County, among the foothills of the Cumberland Mountains. He read the law for himself in Nashville during the winter of 1889-90, and in January 1891, he began his formal law education when he entered Cumberland Law School, which at that time was located in Cumberland, TN. He began his long political career in 1892 when he was just under 21 years old. In 1892, he campaigned and was elected to the Tennessee State Legislature, where he served two terms. He declined nomination for a third term to concentrate on his law practice, which was interrupted in 1898 by the Spanish-American War, in which he raised a Tennessee volunteer company for service.

In 1906, Hull was elected to Congress from Tennessee's Fourth Congressional District by only 15 votes. In the next primary, 2 years later, he won by 1,200 votes and had no more opposition within the Democratic Party during the next 20 years. It was during this time that Hull drafted the income tax legislation that became law as part of the Underwood Tariff Act in 1913, winning him acclaim as the "Father of the Federal Income Tax." In 1930, Hull was elected to the U.S. Senate, and served there for only a short time before being made Secretary of State by President Roosevelt, helping him guide America's foreign policy for 11 years during one of the most important foreign policy eras of our country.

During the war years following the Japanese attack on Pearl Harbor, Hull looked forward to a time of peace and a world organization of nations that would prevent further conflict. In 1943, when he was 72 years old, he boarded a plane for the first time in his life to fly to Moscow for a conference with foreign secretaries of Russia and Britain. The meeting was to lay the foundation of the United Nations. He also instigated a further preliminary meeting, the Dumbarton Oaks Conference. Although poor health prevented him from attending the actual founding meeting at San Francisco in 1943, his work caused President Roosevelt to call him the "Father of the United Nations" and won for him the 1945 Nobel Peace Prize.

Cordell Hull died in 1955, leaving behind an outstanding record of more than half a century of public service. Rightly so, Cumberland is fiercely proud to have him as an alumnus, as it is of many other graduates of this distinguished school of law. It is fitting that in 1987, as we celebrate the bicentennial of our U.S. Constitution, that Cumberland School of Law honor this man who strived to make this country and its ideals a potent world force in the cause of peace and humanity.

KUDOS TO MRS. LORRAINE E. STEWART

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. DINGELL. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mrs. Lorraine E. Stewart, of Wyandotte, MI, who resides in the 16th Congressional District, which I have the distinct pleasure to represent. Mrs.

Stewart has the honor of serving as the 1986–87 president of the State of Michigan ladies auxiliary to the Veterans of Foreign Wars.

Mrs. Stewart joined the VFW Ladies Auxiliary to the city of Wyandotte Post 1136 in 1968, where she proceeded to hold numerous positions until becoming president for 1973–74. For her service that year, she was presented the 4th District's President of the Year Award. She continued her involvement with the ladies auxiliary becoming the 4th District president for 1976–77. For her exceptional contributions to the 4th District during her term as president, she was awarded the District President of the Year for the State of Michigan. Her honors continued rolling in, she was appointed a National Aide de Camp in both 1976–77 and 1977–78 for her outstanding efforts in signing up new and reinstated members.

In 1982, Mrs. Stewart transferred to Conroy-Renye-McNeil Post 4422 where she serves as the senior vice-president and national home chairman. Not letting the change of posts slow her down, Mrs. Stewart continued serving the State board culminating with her self selection as the 1986–87 Michigan State president of the ladies auxiliary.

Lorraine Miller married James E. Stewart, a Korean war veteran, in 1952. She has six children and nine grandchildren. With a soft spot in her heart for all children, Mrs. Stewart's special project this year is "Make A Wish" an organization that makes terminally ill children's dreams come true. As if all of this were not enough, she is also a volunteer at the Allen Park VA Hospital, a member of the American Legion Post 217 Auxiliary, and a charter member of the Southgate American Legion Auxiliary.

It is an honor to be able to congratulate Mrs. Stewart on her many accomplishments, and wish her continued success.

NATIONAL ENERGY EDUCATION DAY RESOLUTION OF 1987

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1987

Mr. TAUZIN. Mr. Speaker, few proclamations generate as much activity and public participation as the National Energy Education Day [NEED]. NEED is a 10-year effort aimed at promoting ongoing energy programs in our Nation's schools. Its projects inform students and the general public about energy and its effect on employment, research and development, Government policies, global events, and future career opportunities.

This year's theme for NEED is "Energy Changes and Challenges." It is anticipated that between 8,000 to 10,000 schools nationwide will culminate their weeks and months of planning and preparation with several days of activities and programs geared around the NEED '87 theme. The "Day", March 20, 1987, will celebrate the growth of energy education during the past year.

Our continued support can give these young Americans a headstart by encouraging educators, public officials, industry, and community leaders to help our youth focus on energy issues throughout their schooling in an organized and challenging manner. That is the objective of National Energy Education Day.