

## HOUSE OF REPRESENTATIVES—Monday, May 11, 1987

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Give us, O God, the spirit of perseverance and dedication to face the tasks that need to be done. Arm us, gracious God, with the willingness to work toward those goals that promote justice, respect the truth, and give solace to the needy and forgotten. May each of us use the abilities we have received as good stewards of Your abiding grace. 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.

Mr. MARLENEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARLENEE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were yeas 225, nays 89, answered "present" 1, not voting 117, as follows:

[Roll No. 102]

YEAS—225

Ackerman	Byron	Dorgan (ND)
Anderson	Campbell	Dowdy
Andrews	Cardin	Downey
Applegate	Carper	Duncan
Archer	Carr	Dwyer
Aspin	Chapman	Dymally
AuCoin	Clarke	Eckart
Baker	Coelho	Edwards (CA)
Bateman	Coleman (TX)	English
Bates	Collins	Erdreich
Bennett	Conte	Espy
Berman	Conyers	Evans
Bevill	Cooper	Fascell
Biaggi	Coyne	Fawell
Billbray	Crockett	Fazio
Boland	Daniel	Fish
Bonker	Darden	Flippo
Borski	Davis (MI)	Ford (MI)
Bosco	DeFazio	Frank
Brooks	Dellums	Gaydos
Broomfield	Derrick	Gejdenson
Brown (CA)	DeWine	Gilman
Bruce	Dicks	Glickman
Bunning	Dingell	Gonzalez

Gordon	Mavroules	Rostenkowski
Grant	Mazzoli	Rowland (CT)
Gray (IL)	McCloskey	Rowland (GA)
Green	McCurdy	Sabo
Guarini	McDade	Saiki
Gunderson	McEwen	Sawyer
Hall (TX)	McMillan (NC)	Scheuer
Hamilton	McMillen (MD)	Schuette
Hammerschmidt	Meyers	Schulze
Harris	Mfume	Schumer
Hatcher	Mica	Sharp
Hayes (LA)	Miller (CA)	Shaw
Hefner	Miller (WA)	Shumway
Herger	Moakley	Shuster
Hertel	Mollohan	Sisisky
Hochbrueckner	Montgomery	Skaggs
Horton	Morella	Slattery
Houghton	Morrison (WA)	Smith (FL)
Howard	Murphy	Smith (IA)
Hubbard	Murtha	Smith (NE)
Huckaby	Myers	Smith (NJ)
Hughes	Nagle	Smith (TX)
Hutto	Natcher	Solarz
Hyde	Nelson	Spratt
Johnson (SD)	Nichols	Staggers
Jontz	Nielson	Stallings
Kanjorski	Nowak	Stark
Kaptur	Oakar	Stenholm
Kasich	Oberstar	Stokes
Kastenmeier	Obey	Stratton
Kildee	Olin	Sweeney
Kiecicka	Owens (UT)	Swift
Kolter	Oxley	Synar
LaFalce	Panetta	Tallon
Lancaster	Perkins	Tauke
Lantos	Petri	Thomas (GA)
Leath (TX)	Pickett	Towns
Lehman (CA)	Pickle	Traficant
Lehman (FL)	Price (IL)	Traxler
Lent	Price (NC)	Valentine
Levin (MI)	Rahall	Vander Jagt
Levine (CA)	Rangel	Visclosky
Lewis (GA)	Ravenel	Volkmer
Lightfoot	Regula	Waxman
Lipinski	Rhodes	Wheat
Lowry (WA)	Richardson	Wilson
Luken, Thomas	Rinaldo	Wise
Lungren	Ritter	Wortley
Markey	Robinson	Wyden
Martinez	Rodino	Yates
Matsui	Rose	Yatron

NAYS—89

Armey	Hawkins	Pashayan
Ballenger	Hayes (IL)	Penny
Billrakis	Hefley	Ridge
Billey	Henry	Rogers
Boehert	Hiler	Roth
Boulter	Hopkins	Roukema
Brown (CO)	Hunter	Saxton
Buechner	Inhofe	Schaefer
Burton	Ireland	Schroeder
Callahan	Jacobs	Sikorski
Chandler	Kolbe	Skeen
Cheney	Kyl	Smith, Denny
Clay	Lagomarsino	(OR)
Clinger	Latta	Smith, Robert
Coble	Leach (IA)	(NH)
Courter	Lewis (CA)	Smith, Robert
Craig	Lewis (FL)	(OR)
Dannemeyer	Lowery (CA)	Snowe
Daub	Lukens, Donald	Solomon
DeLay	Mack	Stump
Dickinson	Madigan	Swindall
DioGuardi	Marlenee	Thomas (CA)
Dreier	Martin (IL)	Upton
Edwards (OK)	McCandless	Vucanovich
Fields	McCollum	Walker
Frenzel	Michel	Weber
Gallegly	Miller (OH)	Weldon
Gallo	Molinar	Wolf
Gekas	Moorhead	Young (AK)
Grandy	Packard	Young (FL)
Hansen	Parris	

ANSWERED "PRESENT"—1

Vento

NOT VOTING—117

Akaka	Foley	Neal
Alexander	Ford (TN)	Ortiz
Annunzio	Frost	Owens (NY)
Anthony	Garcia	Patterson
Atkins	Gephardt	Pease
Badham	Gibbons	Pepper
Barnard	Gingrich	Porter
Bartlett	Goodling	Pursell
Barton	Gradison	Quillen
Beilenson	Gray (PA)	Ray
Bentley	Gregg	Roberts
Bereuter	Hall (OH)	Roe
Boggs	Hastert	Roemer
Boner (TN)	Holloway	Roybal
Bonior (MI)	Hoyer	Russo
Boucher	Jeffords	Savage
Boxer	Jenkins	Schneider
Brennan	Johnson (CT)	Sensenbrenner
Bryant	Jones (NC)	Skelton
Bustamante	Jones (TN)	Slaughter (NY)
Chappell	Kemp	Slaughter (VA)
Coats	Kennedy	Spence
Coleman (MO)	Kennelly	St Germain
Combest	Konnyu	Stangeland
Coughlin	Kostmayer	Studds
Crane	Leland	Sundquist
Davis (IL)	Livingston	Tauzin
de la Garza	Lloyd	Taylor
Dixon	Lott	Torres
Donnelly	Lujan	Torricelli
Dornan (CA)	MacKay	Udall
Durbin	Manton	Walgren
Dyson	Martin (NY)	Watkins
Early	McGrath	Weiss
Emerson	McHugh	Whittaker
Feighan	Mineta	Whitten
Flake	Moody	Williams
Florio	Morrison (CT)	Wolpe
Foglietta	Mrazek	Wylie

□ 1215

Mr. BUECHNER changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Emery, one of his secretaries.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 942. An act to amend title 5, United States Code, to extend the pay retention provisions of such title to certain prevailing rate employees in the Tucson wage area whose basic pay would otherwise be subject to reduction pursuant to a wage survey.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

**SUPPORT THE C-17**

(Mr. ROWLAND of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Georgia. Mr. Speaker, today during our consideration of the DOD authorization bill we will be asked to delete all funding provided in the bill for the C-17 airlifter. The end result of this action would be to kill the C-17 in favor of the C-5, our current airlifter.

We have already invested over \$1.2 billion on the C-17 which modernizes our airlift capabilities and does so in a cost effective manner. Let us not waste this money. The C-17 has been given the stamp of approval by the Chiefs of Staff of the Army, Air Force, and the Commandant of the Marines. GAO and CBO studies point to the C-17 as the best option for our airlift requirements. It will allow us to reach our airlift capability and goals while saving \$16 billion. It is unquestionably the way to go.

Also, I am told by a representative of the manufacturer of the C-5, Lockheed, that they do not support nor are they lobbying for this amendment.

Obviously even Lockheed agrees the C-17 is the future for our airlifting requirements.

I urge my colleagues to vote for the C-17 and to vote against the Darden amendment.

**BENEFICIARY TRAVEL BILL TO RESTORE VETERANS' TRAVEL BENEFITS**

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, last Friday I introduced a beneficiary travel bill H.R. 2327 to restore travel benefits to many veterans who had them taken away when the Veterans' Administration recently changed its regulations governing such payments. SONNY MONTGOMERY, chairman of the Veterans' Affairs Committee, is co-sponsoring this bipartisan bill and, due to the urgency of the travel situation faced by many service-connected and low-income veterans, and he has agreed to put the legislation on a fast track in the committee.

We are joined on the beneficiary travel bill by more than 120 original cosponsors who share our deep concern about travel reimbursement for deserving veterans.

I strongly believe that the Veterans' Administration should do what is right when it comes to veterans medical care. If a disabled or low-income veteran cannot get to a VA medical center, eligibility for the medical treatment doesn't mean much.

Mr. Speaker, the bill's cost will be less than the cost of the program prior

to the April 13 regulation change. It is not a complete return to the old level of benefits, but it is crafted to ensure that service-connected and low-income veterans will be receiving the travel reimbursement they need.

The bill is supported by most major veterans organizations and we hope to bring the beneficiary travel bill to the floor very soon, and I urge my colleagues to cosponsor it and support it.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1930**

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1930.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

**THE SORCERER'S APPRENTICES**

(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, according to a familiar tale, the Sorcerer's apprentice grew tired of having to carry the bucket to keep the water-reservoir full. So he stole the Sorcerer's formula for opening the sluice gates, but forgot to learn the formula for closing them. Trouble followed when the water-reservoir overflowed, and the Sorcerer's palace was flooded.

In the real-life version of the story there are two apprentices: one at the Federal Reserve, and the other at the Treasury. In trying to solve the Nation's trade problems they discarded as old-fashioned the traditional virtues of working hard, saving hard, and living up to one's promises. Instead, they engineered the fall of the dollar, which duly fell from 263 yen in March 1986, to 150 yen just 2 years later. One of the apprentices, a veteran of the 1971-73 collapse of the dollar, got cold feet and cried: "Enough is enough!" but neither of them knew how to take the dollar out of the tailspin. The dollar was making new record lows in the market, hitting 137 yen at one point, incidentally demoralizing the bond market where the Treasury's 30-year 7½-percent bellwether issue fell from \$1,000 to \$880 in a few weeks.

Mr. Speaker, in this version of the tale Congress is the Sorcerer. How long will it let the apprentices pursue this course of monetary destruction, causing irreparable damage to the credit standing of this Nation?

**U.S. BOXING COMMISSION LEGISLATION**

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend

his remarks and include extraneous matter.)

Mr. RICHARDSON. Mr. Speaker, Morris Jones, a professional boxer from Maryland, lies comatose at a Prince George's hospital after a devastating knockout last week. He has permanent brain damage and no medical insurance. The boxing promoter has not paid the \$350 purse that was due Jones. There are allegations that the ring surface where Jones hit his head as he fell to the canvas was much too hard, and should have been checked before the fight. Mr. Speaker, not all boxing matches are showcases like the Sugar Ray Leonard and Marvin Hagler where the sport of boxing shines brightest. Mr. Speaker, the Morris Jones incident is the reason the gentleman from Montana, and I are introducing our bill that passed the House overwhelming last year, the U.S. Boxing Commission. Our bill sets up a federally chartered nonprofit corporation that sets up uniform health standards for all professional matches and a pension and management system for boxers. Ours does not rank fighters nor sanction fights. It simply sets up uniform standards for all State boxing commissions to follow.

Under the present system Morris Jones could have fought the next day in another State. That should not be allowed to happen. Mr. Speaker, this bill is long overdue. It passed the House last year and did not make it through the Senate because of time. We do not want to abolish boxing. Boxing can and should, however, be made safer. Most boxing people, including the electronic media and the State Association of Boxing Commissions, are supportive of this bill.

**KNOCKOUT**

Last month the ring victory of Sugar Ray Leonard gave the world a glimpse of how boxing can occasionally be elevated to something more than a brutal, brain-destroying blood sport. Last week the knockout of Morris Jones brought back to us the darker reality of the game.

Morris Jones, age 23, in the fourth round of his first professional fight, was hit squarely on the chin and went down hard. The referee started to count him out before he realized this was no ordinary knockdown. Mr. Jones regained consciousness for a moment. "At first he was trying to get up," said his manager. "He kind of had this look on his face that said, 'I know what's happening. I'm ready to go.' But the doctor told him to be cool and lay back. That's when he blacked out. . . ." Mr. Jones was taken from the fieldhouse at Prince George's Community College to Prince George's Hospital Center, where he underwent three hours of brain surgery.

A spokesman for the Maryland Athletic Commission said Morris Jones was the victim of "a freak injury," but in fact he was the victim of a perfect punch. His opponent achieved what every boxer tries to achieve: he delivered a knockout blow to the chin. It was like a baseball batter connecting for a 500-foot home run.



Instead of a home run, however, a perfect punch to the chin may produce the following results, as described by Dr. Michael Dennis, a Washington neurologist (who is not involved in Morris Jones' case): "What can happen with a sudden blow is an acceleration of the skull backward. The brain is in a fluid-filled medium and doesn't accelerate initially. Under these circumstances a shearing effect can occur, tearing veins that bridge the gap between the brain and the lining of the skull."

Mr. Jones remained semi-comatose yesterday. No one in his family has medical insurance, and the insurance required for such boxing events will not begin to cover his medical costs. The game of boxing has never been very good at taking care of its fallen. Young men tempted to get into it should consider that fact—and should keep in mind also that for most of them, it will never amount to anything more than small crowds, small purses and a large chance of permanent brain damage. They should think not of Sugar Ray in his glory but of Morris Jones in his hospital bed.

#### TRIBUTE TO BRANDY BLY

(Mr. YOUNG of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, Brandy Bly died Saturday. For nearly half of her short 10 years of life Brandy was living in hospitals fighting the terrible cancer of leukemia. The irony of Brandy's story is that when her little body stopped functioning it was totally free of the terrible leukemia and had been for more than 100 days.

A relatively new procedure of transplanting bone marrow had worked. Unfortunately for Brandy, her bone marrow transplant came too late. Although it cleared the leukemia, the other medical procedures used to keep her alive until her marrow transplant could take place attacked the tissues of her body beyond repair. Brandy's marrow transplant was delayed because she had no sibling donor and a compatible nonsibling donor could not be found.

As a last resort her own bone marrow was removed, treated and returned to her body. By then, although it worked, her body was not able to repair itself from the massive doses of radiation, chemotherapy, and antibiotics.

I relate Brandy Bly's story to you today, Mr. Speaker, as further evidence of the need in our country for an adequate, effective bone marrow registry, something that many of us are working toward today.

□ 1230

#### FARM CREDIT SYSTEM

(Mr. JONTZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONTZ. Mr. Speaker, today I rise to talk about the Farm Credit System, and the crisis facing many FCS borrowers.

As you know the Farm Credit System is in chaos. Wednesday, the FCS testified before our Subcommittee on Conservation, Credit, and Rural Development calling for a \$6 billion Federal bailout to avoid collapse this year. Regrettably, what they did not provide were any specifics on how this bailout will help the farmer/borrowers the FCS was established to serve.

I am extremely disappointed that FCS seems more interested in saving the system than saving the farmer. Before the Congress approves legislation to address the problems of FCS we must insist that it includes restructuring of existing loans for farmers and an interest rate buydown. If we don't require that bailout legislation address the needs of FCS borrowers, I'm afraid that FCS will be right back here before too long asking for more money—with very little to show for what has already been spent.

Mr. Speaker, we must keep the farmer in mind when considering the problems facing the Farm Credit System.

#### H.R. 925, FAMILY AND MEDICAL LEAVE ACT OF 1987

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, I rise today in opposition to H.R. 925, the Family and Medical Leave Act of 1987.

The Committee on Education and Labor, of which I am fortunate to be a member, has spent many hours in hearings, trying to devise ways to improve the competitiveness of American industry.

Additionally, the Subcommittees on Labor-Management Relations and Labor Standards have spent several days in hearings on H.R. 925. We have listened to numerous witnesses on both sides of the issue.

I guess I shouldn't be amazed or surprised, Mr. Speaker, at the contradiction that all of this presents, but I am. I am utterly amazed that this House on the one hand works diligently to devise ways to improve our Nation's competitiveness and then, on the other hand, works to undermine that competitive edge with intentions to mandate benefits for American workers.

These mandated benefits will increase costs to employers—let me tell you differently—and increasing costs of employers will lower productivity and competitiveness. It's as simple as that.

I guess, Mr. Speaker, it's a case of Congress giveth and Congress taketh away.

#### INTRODUCTION OF DAVIS-BACON REFORM ACT OF 1987

(Mr. STENHOLM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, last Thursday my friend and colleague, Congressman ARLAN STANGELAND, and I introduced once again legislation to make significant and reasonable revisions in the Davis-Bacon Act of 1931. In all, over 80 Members of the House joined us as original sponsors of the Davis-Bacon Reform Act of 1987.

Davis-Bacon was enacted during the depths of the Great Depression. The guiding intent of the act was that wages on Federal construction contracts should simply mirror locally prevailing private sector wages and that Federal projects should not be bid in a way that disrupts local economies.

These goals remain valid and we strongly support them. However, a vastly changed national economy, subsequently enacted labor laws, and the many problems that have developed under Davis-Bacon over the years all build a compelling case for meaningful reform. As it is currently constituted, the act frequently operates counter to its original purposes.

I want to emphasize: Our bill is not repeal in disguise. It would reform and improve the Davis-Bacon Act by making several significant revisions. It would exempt from the act only 12 percent of total Federal construction, alteration, and repair work. It would also save \$3.4 billion in budget authority and \$2.3 billion in outlays over 5 years, based on CBO estimates.

We have made changes in our bill this year to address concerns that have been raised about previous reform efforts. The Davis-Bacon Reform Act of 1987 is a reasonable, responsible compromise. It would provide relief from the major problems that have arisen over the years because of Davis-Bacon, while preserving the basic worker protections intended by the act.

The text of the bill and the summary may be found in the CONGRESSIONAL RECORD of Thursday, May 7, 1987.

#### CONGRATULATIONS TO MAYOR JOHN SMITH

(Mr. CALLAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, I would like to take this opportunity to congratulate John Smith, a constituent of mine from Alabama's First Congressional District and the mayor of Prichard, AL. He was recently elected to serve as the new president of the National Conference of Black Mayors.

I am very proud of John, but am not in any way surprised by this latest accomplishment. John has been an achiever all of his life. He moved to Prichard, AL, as a youngster and graduated as a standout football player from Blount High School. He then attended Eastern Arizona College on an athletic scholarship and received an associate of arts degree. Afterward, John attended the University of Wisconsin and earned a bachelor of science degree in physical education and received honorable mention as an all-American football player in 1967. In 1969, in fact, he signed as a free agent with the Philadelphia Eagles. John has also earned a masters degree at the University of Wisconsin, and I understand that he is currently a candidate for a doctorate degree in ethnic mediation and environmental design.

John was elected mayor of Prichard in 1980 and was reelected in 1984. He was the past president of the Alabama Conference of Black Mayors and currently serves as secretary general of the World Conference of Mayors.

John and his wife, Barbara, are the parents of four children. I understand that he believes the National Conference of Black Mayors should increase its focus on the needs of children and families. In addition, he wants to improve their constituents' relations with State and Federal governments.

I think these are worthy objectives, and I am very confident that they will be met under John's direction. I look forward to doing what I can to help John with his new responsibilities as president of the National Conference of Black Mayors. For now, though, I just want to reiterate my congratulations to John and his family.

#### H.R. 905

(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 I rise to discuss a bill that I submitted some time ago, H.R. 905, that would allow a deduction on your State and local sales taxes on your Federal form for the purchase of an American-made automobile.

We just talked about the trade issue and carrying around this big stick. I believe that America can do a lot better job in helping to sell American products by offering the carrot and some incentives, rather than this big stick.

H.R. 905 would basically say that if you purchase an American car, made in America by American hands, with at least 65 percent domestic content, you would be able to deduct your State and local sales tax on your Federal form.

Mr. Speaker, I believe this is the way we should proceed. Failing to do this,

we are in one big trouble. In October 1985, 31 percent of all new cars sold in America were made overseas.

In November 1985, 34.5 percent of all new cars sold in America were made overseas. We have a dinosaur on our hands that has taken place in the steel industry and we cannot only protect, but save that industry with the carrot, rather than the stick.

Look at H.R. 905.

#### MANUAL FOR COURTS MARTIAL

(Mr. McCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOLLUM. Mr. Speaker, there are 14 crimes under the Uniform Code of Military Justice for which there are provisions for the death penalty.

In 1972, these provisions, along with all other death penalty provisions in the United States, were struck down by the U.S. Supreme Court on procedural grounds. Most of the States have reenacted laws and provisions that conform with the Supreme Court guidelines to reinstate the death penalty.

This Congress has never done that. We have only one act on the books today, under the Uniform Code of Military Justice that procedurally is correct with regard to the death penalty. We have, however, delegated to the President the authority under the Manual for Courts Martial by regulation to promulgate guidelines which he has done on the death penalty.

I personally think that power is sufficient to withstand a court test, but there are questions we do not know until the courts decide whether that is true.

I asked last week for permission under the rule on the Department of Defense authorization bill to be allowed to offer a legislative correction of this procedure following the President's guidelines in the manual.

I was denied that opportunity. I think it is wrong that we do not proceed legislatively. I think it is wrong that the Committee on Rules has denied us the opportunity once again to vote on the death penalty on the floor of this House, and if, in fact, the courts later find this to be an invalid procedure in the Uniform Code of Military Justice to impose the death penalty, I think that we are all going to regret the fact that we did not have the opportunity or take it when the Committee on Rules denied it to us, to vote on the legislative question involved.

I hope I am wrong and I hope I am right about the fact that the Manual for Courts Martial is good enough under the circumstances.

#### STRATEGIC MOBILITY IS CRITICAL IN U.S. MILITARY STRATEGY

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, strategic mobility is a critical element in the U.S. military strategy, and this is provided in three ways. It is either by airlift, sealift, or prepositioning.

We in the Committee on Armed Services have been working to perfect this bill to protect the mobility issue. In 1981, as a result of a review of mobility requirements, the Department of Defense decided that we should have the capability to move 66 million tons per day by airlift. In 1983, we increased our airlift capability by adding 50 C-5-B's and 44 KC-10-A aircraft.

But this will only meet 73 percent of our long-term goal. To make our goal of strategic airlift capability, we need the C-17. The Air Force maintains, and I believe, that the C-17's will provide a qualitative improvement through the year 2000 by increasing our deliveries at busy airfields because it is much more capable and maneuverable than the C-5.

□ 1240

It minimizes the time spent in loading and unloading aircraft. It reduces the number of required flight crew. It only has three crew members, compared with 5.5 on the C-141 or 6.5 on the C-5. It is more fuel efficient than existing air lifters, and it reduces the life-cycle cost. This is a critical element in looking at the cost. It reduces the maintenance personnel in cost, thereby making it economical to operate in peacetime. It is the key to improving our airlift capabilities in the future.

Mr. Speaker, I urge my colleagues to oppose the Darden amendment to kill the C-17 today. We need this aircraft.

#### NEW ADVANCES IN SUPERCONDUCTOR TECHNOLOGY

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, the latest news in the world of superconductors has not come from Leonard Bernstein of the New York Philharmonic or Zubin Mehta of the Boston Symphony. The latest news comes from the IBM Research Center in Yorktown Heights, NY.

I would like to call the attention of my colleagues to the lead story in today's Washington Post which describes the IBM advance as yet another breakthrough in the unfolding high-technology drama of superconductors. A crucial obstacle, the



amount of current that can be carried by superconductors, has been overcome in IBM reports that the new materials can conduct 100 times those previously reported currents.

Superconductivity, when electricity flows without resistance, has the potential to change the way we live by revolutionizing electronics, computers, transportation, and the storage and transmission of electricity.

According to the Post, an IBM spokesman characterized the recent advance as comparable to what breaking the sound barrier meant to aviation and what breaking through the atmosphere meant to space flight.

I would like to commend Dr. Praven Chadari and his group at Yorktown Heights for these achievements.

Mr. Speaker, on April 30, our House Republican Task Force on High Technology and Competitiveness held a conference where key players in the unfolding drama described the race between the United States and Japan. Given the aggressive actions of our competitors in this field, Mr. Speaker, the United States will need to make an active effort as a nation and as a team in order to win or even compete in this race so vital to the Nation's technological future and the Nation's competitiveness.

Mr. Speaker, this is the forefront of the battle in world technological competition and full world technological supremacy. We can afford no less than a powerful national effort.

Mr. Speaker, I include in the RECORD a press article summarizing the House Republican Task Force on High Technology and Competitiveness Conference on Superconductivity, held on April 30, and attended by scientists from industry, national laboratories and academe, plus Members of Congress. I also include the article from today's Washington Post.

[From the Washington Post, May 1, 1987]  
JAPAN COULD WIN SUPERCONDUCTOR RACE  
WITH U.S., SCIENTISTS WARN  
(By Michael Specter)

Scientists leading the intense effort to develop a new class of superconductors, which carry electricity without losing energy, warned yesterday that the United States must act quickly to compete with the strong national effort under way in Japan.

Speaking at a House forum on high-technology competitiveness, researchers from government, industry and the academic world expressed fear that American companies have not prepared for the fierce race to market the new ceramic materials used to make superconductors.

"Most of the fundamental knowledge has come out of U.S. labs," said Kent Bowen, professor of ceramics engineering at the Massachusetts Institute of Technology. "But the Japanese are already making devices. If we don't get our act together, we don't have a chance."

On almost the day that the new ceramics were devised, Japan's Trade Ministry organized a national consortium of experts to work on all aspects of development.

At the forum, several politicians called for creation of a similar U.S. national board to oversee superconductor research and help bring new products, such as wires and computer chips, to market.

Speakers repeatedly mentioned that, although the United States was first with color television and videocassette recorders (VCRs), those markets have been ceded almost completely to Japan.

"We go on inventing and they go on producing," Sen. David F. Durenberger (R-Minn.) said. "The stakes are just too high to let superconductivity go the way of the VCR industry."

The financial implications may be enormous. Superconductors that could transport electricity—whose power is not diminished by the customary resistance in transmission—would have a vast array of potential applications, from power lines to high-speed trains and powerful computers.

If scientists find materials that conduct electricity at room temperature with no loss of power, the discovery would transform electronic technology. Conventional superconductors must be cooled by liquid helium to hundreds of degrees below zero. Liquid helium is rare, expensive and difficult to handle.

Progress in the laboratory has moved at a blistering pace, but leading researchers have voiced increasing concern that, as in the past, the United States could yield to Japan in practically applying the new technology.

"It is very important to be the first with the results and the first to get a new material to market," said Robert Laudise of AT&T Bell Labs. Without both, one doesn't matter."

Laudise said one U.S. industrial weakness involves processing materials, "the art and science of making things," as he puts it.

"When you really try to cultivate process as science, things go well in manufacturing," he said. "When you don't, you lose the whole ball game."

All speakers said much remains to be learned about the new materials, their structure and how they work.

Scientists from several disciplines—among them physics, materials research and chemistry—have joined to try to determine how the new ceramics work and what might work better.

Laboratories nationwide have begun fabricating wires, tapes and thin films that could be deposited on computer chips. But, because the ceramic mixture is brittle and carries only light loads of electrical current, most devices are far from ready for commercial use.

Rep. Don Ritter (R-Pa.), who organized the forum, said he has urged the White House to consider forming a task force to monitor the industry's growth and development.

To dramatize his point, Ritter released a report from Sumitomo Electric Industries, a major Japanese manufacturing firm, that revealed highly detailed concentration on commercial applications of new materials.

"One year in the past is one day now," the memo read. "We should seek for a newstyle management in order to conduct basic research and applied research simultaneously."

#### CONDUCTOR TECHNOLOGY ADVANCES

(By Philip J. Hilts and Michael Specter)

IBM researchers said yesterday they have produced a new ceramic material able to handle 100 times more electrical current than any other of the new superconducting

materials, overcoming the greatest single technical barrier to a new operation of compact high-speed computers, new medical instruments and efficient power generation and storage.

The announcement marks the most important step in the explosive development of superconducting materials since the discovery that some materials can carry electricity without resistance at temperatures considerably higher than previously thought possible.

Until now, these materials could handle only small amounts of electricity in laboratory experiments. As the current increased, these materials lost their superconductivity. The material developed at IBM's research center at Yorktown Heights, N.Y., will handle current as strong as that in major commercial use.

"Up to now, many applications were still at the level of fantasies," said Dr. Herbert Weinstock, head of the Air Force's Office of Scientific Research. "Now they are not fantasies. We can go into the labs and start making them." He said the advance might "unleash" the industrial laboratories, few of which have been willing to commit to major new programs on superconducting products for fear the full technology would not materialize.

The find is a significant practical advance. An IBM spokesman said it will mean to electricity what breaking the sound barrier meant to aviation, or what breaking out of the Earth's atmosphere meant to the space program.

The advance is expected to shorten considerably the time it will take to create a large array of electronic products that will be smaller and use less energy than current versions.

For example, the world's most powerful computers, now the size of several tall filing cabinets, could "come down to the size of a football, and probably operate 10 times faster as well," said Dr. Theodore Geballe, director of Stanford University's Center for Materials Research. "This means the marriage of superconductors and semiconductors."

"This is wonderful. I think it's very important news," Geballe said. It is the most significant advance in the field since the announcement that suggested superconductors could be made at temperatures warm enough to be of use in practical applications, he said.

That announcement set off an international race of historical proportions, with scores of laboratories in the United States, Japan and other countries running seven days a week to make the theoretical possibility real.

Leaps in the electrical technology have been recorded almost daily since the beginning of the year. Many materials, called conductors, can carry electrical current. Superconductors can pass current without offering any resistance or creating heat.

A major part of the cost of making and using electricity stems from resistance and heat, and major losses in the efficiency of tiny electrical circuits also come from the difficulties of passing electricity through normal conductors such as copper or aluminum. In computers, for example, operating time is doubled by problems associated with resistance.

Until recently, scientists believed that materials would be superconductors only near absolute zero—the temperature at which atomic motion ceases—about 460 degrees below zero Fahrenheit.

Superconducting devices have been impractical because they had to be refrigerated by expensive and difficult-to-handle liquid helium cooling.

The discovery of superconducting materials that can operate at relatively warm—though still quite cold—temperatures set off waves of speculation suggesting that if the materials could reach full theoretical potential, almost all uses of electricity would be altered. Everything from making and storing massive quantities of electrical power to consumer electronics, such as recorders and radios, could be made to work more cheaply, using less energy with greater efficiency.

But researchers faced two fundamental challenges. First, the new superconducting materials had to operate at relatively warm temperatures. Second, they had to carry high enough currents to make useful electrical devices.

The temperatures at which the superconducting materials work has been pushed steadily upward over recent months. First, researchers at IBM in Zurich reached 35 Kelvin (35 degrees above absolute zero). Then in December 1986, several labs announced jumps to 40 and 52 K, then early this year to 98 K. Promising but still unconfirmed reports have said superconductors have been developed at temperatures as high as 155 to 170 K.

Practically speaking, the first major threshold was 77 K, the temperature at which relatively inexpensive cooling by liquid nitrogen can be used. Liquid helium costs \$11 per gallon and liquid nitrogen 22 cents per gallon. The next threshold is about 230 K, or about 50 degrees below zero Fahrenheit, the temperature reached by ordinary commercial freezers.

Until now, however, the amount of electricity carried by these refrigerated materials was small, about 100 amperes. The filament of a standard light bulb can carry 1,000 amps per square centimeter; some magnets and electronic devices use a current that is 1 million amps per square centimeter.

Some scientists said they feared that the new materials would never carry current as dense as 100,000 to 1 million amps.

"What we did here is show that the material is intrinsically capable of carrying the kind of current we need to make them useful," said Praveen Chaudari, director of research at IBM's Yorktown Heights research center, who led the team that made the discovery. Other leaders in the group are Robert Laibowitz and Roger Koch.

Chaudari said he is confident that both higher temperatures and higher currents will be achieved.

The method used by the IBM researchers was to vaporize one of the new materials—made of barium, yttrium and copper oxide. The vapor was made to settle onto a surface prepared with another material, strontium titanate, that helped the copper oxide compound form into a crystal with a neat lattice structure.

The "thin film" crystal was about an inch in diameter and one micron thick, about one one-hundredth of the thickness of a human hair. Such a thin film is used to make computer chips, and thus is immediately applicable to computer technology.

The next problem will be to make the superconducting materials into convenient shapes.

The new materials, for example, are quite brittle and cannot be made into wires. Also, experiments so far have shown that packing the new materials into wires instead of crys-

tal films drastically cuts their power-carrying ability.

John Hulm, Westinghouse's director of research in this area, said that pressing these materials into many uses will be difficult, but the new finding "is very encouraging. It shows that the trouble with getting high currents is an artifact. The question now is how to make it in bulk."

#### SUPPORT FOR SCRAPPING THE C-17 AIRCRAFT

(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, later on today I will offer an amendment to delete the funds for the C-17 aircraft. This amendment is very plain. It is very simple. It does not stretch out a program, it does not increase a program; it deletes a program. That is something this Congress has never had the guts to do before.

Mr. Speaker, the C-17 aircraft will be the most expensive program in the history of modern defense, more expensive than the MX, more expensive than the small ICBM, and more expensive than any other modern-day peacetime weapons system. It is fraught with pork barrel from 100 congressional districts and 27 different States.

There are many people, Mr. Speaker, who would tell us we need to bring about procurement reform. The Pentagon is masterful in being able to circumvent everything we do in the House, but here is one way we can get their attention. Let us cancel a program we do not need. Let us save \$40 billion over the next 5 years. Let us do something meaningful in procurement reform in this Congress for a change.

#### NO NEW NATIONAL HOLIDAY

(Mr. FRENZEL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. FRENZEL. Mr. Speaker, here we go again. Some geniuses on Capitol Hill have decided that we should have a new national holiday commemorating in 1 year only the anniversary of the Constitution and liberating a special privileged class of Federal employees for yet another day off with pay.

Sooner or later we are going to have to devise a new system where we will not have anybody working anymore. I do not mean to deprecate the efforts of Federal employees. I think they are necessary, and they ought to be at work at least a few days of the year.

I hope we will be able to invent some sort of national holiday to celebrate all the good things Members of Congress want to celebrate without sending everybody home with a day's pay with no work. This event might be a

good precedent with which to begin such a policy.

#### A CHANGE FOR THE BETTER IN SCHEDULING

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I take this opportunity to advise that there are a number of Members of the minority who appreciate the efforts of the majority leader to bring order out of chaos in our scheduling system. Up until this past week the scheduling and reporting system of the House could best be described as organized confusion.

It appears that the leadership now is making a conscientious effort to make a significant improvement in our scheduling that is long overdue. I appreciate them to keep up the good work.

#### PERSONAL EXPLANATION

Mr. DICKINSON. Mr. Speaker, on rollcall No. 90, on Wednesday, May 6, 1987, I inadvertently and mistakenly voted "no" when I intended to vote "yes."

Mr. Speaker, I ask unanimous consent that this statement be inserted in the permanent RECORD.

The SPEAKER pro tempore (Mr. GRAY of Illinois). Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### ANNUAL REPORT OF THE UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

*To the Congress of the United States:*

In accordance with Section 5(h) of the International Health Research Act of 1960 (Public Law 86-610; 22 U.S.C. 2103(h)), I transmit herewith the Twentieth Annual Report of the United States-Japan Cooperative Medical Science Program for the period of July 1985 to July 1986.

RONALD REAGAN.

THE WHITE HOUSE, May 11, 1987.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 152 and rule



XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1255

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, May 8, 1987, the amendments designated 1, 2, and 6 through 11 in section 3 of House Report 100-84 had been disposed of.

Pursuant to House Resolution 160, it is now in order to debate the subject of contracting out for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendments relating to contracting out contained in section 1 of House Report 100-84, in the following order:

(a) By Representative NICHOLS, or his designee;

(b) By Representative HUTTO, or his designee; and

(c) By Representative MATSUI, or his designee.

Under the rule, the gentleman from Massachusetts [Mr. MAVROULES] will be recognized for 10 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, to begin debate, I yield 3 minutes to the gentleman from Alabama [Mr. NICHOLS], chairman of the Investigations Subcommittee.

Mr. NICHOLS. Mr. Chairman, I believe it is very appropriate that the Department of Defense commercial activities/contracting out program should be subject to more extended debate this year. Indeed, 1987 may turn out to be a watershed year for that program. The reasons being growing concern that the program is not working and doubts about its continued value as a management tool.

The three pending amendments reflect that concern, but they are only part of the story. The House Government Operations Committee is planning to take a long hard look at contracting out and may consider compre-

hensive legislation to provide clear statutory guidelines for that program. Major legislation has also been introduced in the Senate. In short, this program is coming in for the most serious and comprehensive scrutiny it has ever received on Capitol Hill.

Admittedly, there is nothing new about congressional dissatisfaction with this program. What is new and perhaps even more significant is the level of concern and dissatisfaction within the Department of Defense itself. Indicative of this change is the number of major new initiatives being considered in the Pentagon that would fundamentally alter the character and implementation of the contracting out program. Equally important, it is becoming clear that the support for the contracting out program by senior military and civilian managers has seriously eroded over the past couple of years. My impression is that most would like to see it simplified with the emphasis on increasing efficiency rather than contracting out. Many would just like to see it go away.

Given the strident claims for the benefits on contracting out we have heard from the service contract community and the Department of Defense in past years, how can we account for this dramatic erosion of support? I would like to suggest a few reasons for this turnabout.

First of all, the easy and most appropriate functions have been reviewed and converted to contract. While I have never been happy with the contracting out program, I have been willing to admit that it has served a useful purpose in reviewing and contracting out functions that could not be cost-effectively performed in-house. Here I am talking about groundskeeping, custodial, commissary shelf stocking, food service, and other rather mundane functions that can be performed as well by contractor personnel for less cost. This is where the real savings were.

But as we move into more complex functions, mission functions, and CORE logistics functions, the benefits of contracting out become more suspect. It is harder to quantify performance of these functions. Quality assurance and control may be more important than cost. Packaging the solicitation in a fashion that is consistent with mission requirements becomes more difficult. These functions also require a level and degree of contract administration that frequently exceeds in-house resources. Last, the General Accounting Office has just recently issued a report that raises serious questions about DOD practices in developing and administering service contracts of this kind.

A second reason may be the recognition that the purported savings from contracting out do not reflect the actual costs in that program in terms

of dollars, management effort, political involvement. When we hear about savings from contracting out, we are really only talking about the "spread sheet savings" associated with the actual cost comparison. And I am willing to admit those savings are real and valid. But they are only part of the overall calculation of cost associated with the contracting out program. More and more DOD managers are becoming painfully aware of that reality.

No one captures the costs associated with lower productivity and efficiency that results from the anxiety and turbulence the work force experiences during a cost comparison and conversion to contractor performance. Yet, these costs are incurred and in some cases they have been significant in terms of dollars and degradation of mission performance.

No one captures the costs associated with the intensive management efforts that are required to conduct the cost comparison and to ensure that contract performance meets mission requirements. For example, the contracting out of the Hawthorne Army Ammunition Plant required several task forces and over a year of intensive management effort to come up with a contract that still did not meet the specifications of the original solicitation.

No one captures the costs associated with more intensive contract administration and the effort required to integrate functions performed by contractor and Government employees.

No one captures the increased costs associated with changes in the scope of work performed under contract. Yet I am well aware, as are many other Members, that significant expansions in the scope of work take place after contract conversion.

These increased costs are real and become more of a factor the larger, and more complex the function or functions involved. It is little wonder that DOD managers have come to suspect "spread sheet savings" as a basis for accelerating the pace or expanding the scope of contracting out.

Third, and most importantly, I believe there is increasing concern that the current contracting out program will end up impairing mission capability and degrading readiness. While Congress has attempted to address this concern through prohibitions on the contracting out of firefighters, CORE logistics functions, and security guards, many important and complex mission related functions still remain subject to review. Quality assurance, responsiveness, and control are essential in the performance of such functions. They are qualities that have to be instilled. They cannot be written into a contract.

I can understand and share these concerns, but I have one of my own.

I have been particularly troubled about how much contracting out is costing us and how many contract employees are involved. I find it ironic that DOD can tell us how much money they are saving through this process, but now how much is being spent and how many contract employees there are. Last year's authorization act contained a provision requiring the Department to provide this data but it has not yet been forthcoming. Aside from the fact that DOD should comply with the law, I am concerned about a program that has such poor visibility to Congress. How can we support such a program? How can we exercise effective oversight over such a program? Hearings should be held to get to the bottom of this matter and shed some light on this "shadow contract work force."

As I said earlier, I am glad the DOD contracting out program is being singled out for more intensive discussion and review. It certainly can do with more comprehensive oversight by Congress. It is clear that it is not "user friendly" and there is a growing belief in DOD circles that it is not working. It needs to be modified to make sure it does not adversely impact DOD operational capabilities or degrade readiness. An important first step in that direction would be the approval of the pending amendments and I urge the Members to do so.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very difficult issue to describe. It is a very difficult issue to define, and it is a very difficult issue to get unanimity of opinion on. What we are talking about is the Department of Defense authorizing the various services at its numerous bases across the country to begin to delegate and contract out to the civilian sector certain functions and activities that go on on the bases. There are many of these duties. If you have an airbase, those who take gasoline to the planes and pump gas, that is a contracting-out facility. The firefighters are a contracting-out facility. The security on the bases, quite often those are contracting-out activities. Laundries on the bases and telephone operators are other examples. The list just goes on and on.

So there is a real difference of opinion as to how far we should go in the contracting out. What is so important and what is so strategic to the welfare of the base and at the time of a real emergency that you cannot trust it to the civilian sector? And on another level, organized labor could come in and cripple something, if they should decide to strike, that would be absolutely essential on a SAC base so that they could not take off in a time of war.

□ 1255

So where do you draw the line? This has been an ongoing problem for many years. We have tried to resolve it for many years. There is no unanimity of opinion within the Department of Defense as to where the line should be drawn.

As the amendment which will be under discussion proposes, should we leave it up to the base commander as to what functions on that base may be contracted out and which are so essential to the operation of that base that they may not be contracted out? If we say that the base commander can do this, then what happens when they get a new base commander? Would the position be reversed? When you have several bases across the country—all Air Force, say—and they are all doing approximately the same thing, this one will contract out and this one will not contract out, depending on the whim of the base commander. So this is not a good thing, that we do not have any uniformity in it, but we cannot and have not been able to come up with one set of rules that would apply equally that all of the services agree, all of the service secretaries would agree, all of the military commanders on the base would agree, this is the best way to do it.

That is the reason that we are having the trouble now and why it comes up almost every year. There is a very strong feeling, for instance, that firefighters should not be contracted out. I happen to believe that. That is not a function, particularly where you are flying aircraft, that should be contracted out, because the work conditions are such and the effectiveness and the importance of it is such that if for any reason there was a work stoppage on the part of the firefighters, every aircraft on the whole base would have to be grounded and could not fly, because you must have firefighters in connection with the takeoff and landing of aircraft.

So what we are attempting to do today and what will be attempted when the amendments are offered is to come up with some solution or to put in place something that will at least give some breathing room for the services—the Army in particular—to try to work out a solution in the interim, and maybe by next year we can have—which I doubt—a solution.

That is an effort or an attempt to put in perspective what the problem is that we are attempting to deal with today, and I wish that someone were smart enough—and certainly I am not—to have the answer to all of the problems.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. ROBERT F. SMITH].

Mr. ROBERT F. SMITH. Mr. Chairman, I rise to urge my colleagues to carefully look at the proposed amend-

ments coming forward. There will be at least four amendments during the subsequent debate on this authorization bill which will reduce or restrict contracting out as we know it today.

There are many good reasons that we should look carefully at these amendments. They are economic, they are political, and they are even logical.

By far, I think that the most sweeping reason for rejecting them is the economic loss that it represents. The Department's competition programs have saved the taxpayers hundreds of millions of dollars in the past, and the private forces in America are the recipients of those contracting-out opportunities.

At my request last year the General Accounting Office analyzed legislation which my colleague, the gentleman from Texas [Mr. STENHOLM], and I have introduced, and found that by expanding contracting out we could save this Government \$3 billion in the first year.

Interestingly, they also analyzed what could be done by removing some of the restrictions that we already have on contracting out, and found that we could save \$4.6 billion if we reduced the prohibitions against contracting out in this country.

The fact is that the overwhelming majority of our constituents work in the private sector. Of those, the only association that they have with the Federal Government comes April 15 every year when they pay their taxes. The losers in restricted contracting out are the taxpayers.

Also the losers are the private businesses in our congressional districts, largely small businesses, who would compete for the work and likely win some of it.

You can also count on the losing side the U.S. Treasury.

Every Federal dollar that we spend on private contracts brings a little more into the kitty.

Competition is the cornerstone of the free enterprise system which made this country great. Prohibiting competition to protect a few members of the Federal family clearly is unnecessary. It is too costly and it is inefficient.

I urge Members to carefully consider the four amendments which would restrict competition in America.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, one of the things that we on the Committee on Armed Services have been concerned about has been our defense base mobilization if we were ever required to meet another emergency such as erupted at Pearl Harbor. Few private companies can handle major defense production and even in our Defense Establishment, we have few installations, where we have genuine



production facilities, as well as a trained base of employees.

However, one of them is the Watervliet Arsenal in Watervliet, NY, where all the guns that required for the Navy or the Air Force or the Army are built. The idea that we can improve our defense posture by putting this outstanding installation by trying to turn these skilled craftsmen over to a contracting process.

The mere threat of this action has put a chill over these fine dedicated employees. We can ill afford to put them at risk.

Over the years we have found that our friends and allies abroad are clamoring for the skills that Watervliet represents. Watervliet is in fact the jewel in the crown of American defense production!

It would be a damaging move to break up this great production team, which is why I am afraid that contracting out would be, the death knell for a major advance in defense production.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to make several points.

First, we are dealing today with three amendments in the contracting-out area, and not a fourth that I had introduced but that the Committee on Rules had ruled out of order. Let me say that I support these three amendments. They are discreet, they are careful, and they are not comprehensive. The discreteness gives it a measure of positiveness; the noncomprehensiveness I have some difficulty with.

I might say that the more comprehensive approach that I had offered was rejected, perhaps because of the good-faith efforts that the administration has entered into to enter a 1-year moratorium on contracting out which hopefully will give them time to work with Congress for a longer term solution.

Mr. Chairman, let me say on the contracting-out issue that there are profound reasons to consider certain types of restraints. One is the question of whether we want to maintain a bare-bones arsenal system, both in the event of a surge capacity for national emergency, and, second, as a benchmark by which costs can be measured against the private sector. So arsenal systems have the advantage of being a bit of a luxury; they also have the advantage of holding down costs in the private sector.

Second, there is a problem when the ideological ax is always out there, both for recruitment and retrenchment of distinguished people within our munitions arsenal capacity systems, and representing one of the areas of the

country with a large number of employees at the Rock Island Arsenal, all that I can say is that I know what a heartache it is for them to deal every day with the problem of wondering if they have a career that is going to end next week, next month, or next year.

□ 1305

I consider the three amendments before us to be very positive, a useful beginning and hopefully in the next year, as we look at the process that the administration has entered into a moratorium, we can also look at a more comprehensive approach to the issue.

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. DICKINSON] has expired.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I must rise to express my reservations about, and opposition to, the several amendments we are about to consider that would restrict DOD contracting out. I do so reluctantly, because of my respect for the Members offering these amendments. However, on the basis of economy, efficiency, fairness, and the buzzword of 1987, competitiveness, I must oppose these amendments.

Contracting out is not appropriate in all circumstances and I want to emphasize that I am by no means an absolutist on this issue. In the last Congress, I supported my friend, BILL NICHOLS, on his amendment to prevent contracting out of certain essential logistics functions. But I do feel compelled to express my concern about a trend we see accelerating with consideration of these anticontracting out amendments today.

First, let's be more specific. Most of the time, contracting out is preceded by an exhaustive cost comparison between an in-house government unit and a private contractor. I agree we need to improve and standardize some of the rules of this competition, but the basic concept is valid: When an activity is one commonly performed by the private sector and it is not essential to the national security or inherently governmental in nature, then the Government should contract with the private sector for performance of that activity unless the Government can perform that activity more economically. No one should be afraid of fair competition to see who does the job. In fact, in-house Federal employees already win about half of all such competitions.

There is no inherent reason why maintenance, manufacturing, or some security activities can't be procured from the private sector when that's the more efficient source. I am also

concerned that delegating to base commanders the power to decide which functions should be cost-compared would result in geographic inconsistencies, abrupt policy changes when commanding officers change, and a frequent reluctance to risk impairing the working relationship with one's own subordinates by requiring a cost comparison that may not result in contracting out.

What's more, objective studies have shown repeatedly that contracting out not only results in real cost savings, but that the mere fact of participation by the Federal work force in the cost competitions improves in-house performance and efficiency when the in-house unit wins. Cost competitions can and should be used as a valuable management tool for improving Government operations.

Moreover, GAO and OMB, among others, estimate that a more consistent and widespread use of cost comparisons should save the Federal Government \$2 to \$3 billion a year when fully implemented.

The in-house unit already begins with a 10-percent advantage under OMB circular A-76 and sometimes a larger, statutory one. Rules governing indirect costs usually further favor keeping work in-house. I'm not sure this is the time to undermine the process further by adding to the patchwork of prohibitions on cost comparisons.

I understand why some Members have problems with contracting out. Many times Federal employees suffer anxiety and uncertainty about whether their jobs may be jeopardized and just what the ground rules are. There is a great need for more certainty in the process, which is one of the reasons BOB SMITH of Oregon and I introduced H.R. 1606, the Competition Savings Act. But the basic concept of conducting cost comparisons is sound management and good economics and I simply question the wisdom of nibbling this program to death by adding to the dozens of already-existing prohibitions.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Alabama, and I thank him for yielding.

The amendment offered by the gentleman is virtually identical to an amendment which I filed with the Rules Committee. In recognition of the gentleman's position on the Armed Services Committee, I withdrew my amendment and indicated that I would support his amendment instead. The gentleman's amendment

is also virtually identical to legislation which I introduced recently, H.R. 2250, which would permanently transfer authority over the contracting out of commercial activities at military installations to base commanders.

Let me take a moment to review the provisions of the proposals which the gentleman and I have put forth. First, let me stress that the amendment, like my legislation, would not stop contracting out. It would not terminate the cost comparison program mandated by OMB circular A-76. It would ensure that the basic decisions about the implementation of any A-76 studies of commercial activities at a military base are made by those closest to the base and those who are most aware of its needs—the base commanders.

Under both the amendment offered by the gentleman from Alabama and the legislation which I have introduced, the commanding officer at each military installation would be given authority both to determine which of these activities would be subject to the cost comparison analysis provided for under OMB circular A-76 and to conduct solicitations for any work selected for contracting out. If the base commander decided that certain activities were not appropriate for treatment as commercial activities, his decision would be final.

This amendment comes, in effect, as the product of frustration with the implementation of the A-76 process by the Department of Defense, in general, and by the Army, in particular. Members of the Armed Services Committee, Republican and Democratic Members of both the House and the Senate, the Office of Management and Budget and the General Accounting Office have all struggled to get the Defense Department and, again, particularly the Army, to abide by the requirements of OMB's regulations and by sound contracting principles in implementing the A-76 program. The gentleman from Alabama has been a leader in working to reform the Department's practices.

While there have recently been some signs that the Army is finally paying attention to the concerns which have been expressed, there is no guarantee that the Army and the Defense Department will continue to be responsive if Congress does not remain steadfast in insisting on a new approach to this problem and in mandating this new approach by law. That is why we must adopt the amendment of the gentleman from Alabama.

Members who have not followed this issue closely may be interested in knowing the kinds of problems which the Department's approach to contracting out commercial activities has engendered. In a review of the Defense Department's handling of the A-76 program which was released just 3

months ago, the General Accounting Office found a widespread failure by the Department to use proper contracting methods. In its study, "Opportunities to Use More Preferred Practices for Base Support Contracts," GAO found that DOD was using costing systems in contracts for routine base services which were better suited to development of advanced weapons systems than to the kinds of basic services needed to support a military installation. The result of these practices was to shift to the Government the responsibility for any cost overruns and to reward contractors for engaging in frequent and costly renegotiations over the terms of extremely simple and straightforward contracts.

The fundamental justification for solving this problem by leaving the key decisions about contracting out to base commanders, as required by the gentleman's amendment, is that it has been the base commanders who have objected most vociferously to the waste and abuse caused by unnecessary contracting out and by contracting out which is performed under improper cost guidelines. The commanding general at a base near Washington, for example, wrote to another senior Army official that:

I believe strongly that the [Army] leadership needs to take some hard looks at some of the repeat mistakes we appear to be making in our CA [Commercial Activities] efforts.

In another letter, this officer wrote that:

The issue of cost growth in our contracts is sure to be a subject that is going to cause the Army to come under heavy attack.

The general was concerned because cost overruns, stemming from improper costing procedures required by the Army, had caused the contract in question to grow from \$5.2 million to \$10.3 million in just 1 year.

This kind of cost growth is shocking. If this general and other commanders had been given the authority to run the A-76 programs at their installations as they saw fit, substantial cost savings might well have been achieved. Giving base commanders such authority might have prevented a situation in my home State of California, for example, in which the Army paid \$2.8 million more than the estimated contract price for supply services, in order to save less than \$500,000. It might have prevented a situation in the gentleman's home State of Alabama in which the Army, over the explicit opposition of the commanding officer awarded a contract for base services under which the Army paid \$38 million more than the original contract price, in 2 years alone, for the purpose of saving less than \$1 million over a 5-year period.

By giving base commanders the authority to operate the A-76 cost comparison process for commercial activi-

ties as they see fit, we may not be eliminating all the problems in this program. Past experience suggests, however, that we will be putting it in the hands of those individuals who best understand the flaws in the way the program is now run and who can give us the best help in reforming the program and avoiding wastes of taxpayers' funds. We will also be improving the responsiveness of the program by ensuring that those officers closest to the activities and the personnel in question have the authority to make the final decision on the issue of contracting out.

Mr. Chairman, I urge adoption of the amendment of the gentleman from Alabama.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. THOMAS] to close debate.

Mr. THOMAS of Georgia. Mr. Chairman, I rise in strong support of the amendment offered by my good friend from Alabama, and I ask to revise and extend my remarks.

Mr. Chairman, the issue of determining when the Government should contract out work to the private sector has been debated for over 50 years. We do not have the time during the short debate on this amendment today to discuss all of the factors, pro and con, on that issue.

Let me say, however, that there are several key issues which I feel have not been clearly addressed in any of the independent studies on contracting out.

For example, is the quality of work performed by private contractors comparable to that performed in-house by our Federal employees?

Is consideration given to the unique missions of our military installations in terms of work performance and work rules?

Do private contractors make "low ball" bids and then in later years raise their rates at a time when the Government has little choice but to stick with a contractor system?

Do the cost savings claimed by contractors take into account the economic losses to communities surrounding military installations when large numbers of Federal employees who reside in those communities suddenly find themselves unemployed or transferred?

In my judgment, these are issues that cannot always be measured in dollars and cents.

I am privileged to represent the First District of Georgia which includes the Fort Stewart/Hunter Army Airfield complex—the home of the 24th Infantry Division, Mechanized. According to the Department of the Army, there are 1,200 civil service jobs at Fort Stewart which can be contracted out to the private sector. Of those 1,200 jobs, 960 are currently being



studied under the Army's commercial activities program for possible contracting out to the private sector over the next 2 years.

Mr. Chairman, I fully realize that our Federal employees have the opportunity to compete with the private sector to retain contractable functions in house, and I can say without reservation that our Federal employees at Fort Stewart have been working to reach optimum efficiency to help reduce their own costs. As a matter of fact, of the seven functions which have already been studied for contracting out at Fort Stewart between 1979 and 1986, four remained in-house.

So, I am not talking about a group of people who refuse to accept the fact that current budget constraints do warrant further Government efforts to reduce operating costs. I am talking about a group of people who are, for the most part, career Government employees who may face the loss of their jobs if they cannot be transferred to other jobs on base should these functions be contracted out to the private sector.

I am talking about a group of people who are dedicated to their work and who have established roots in the small communities surrounding Fort Stewart. And I am talking about a group of people who are genuinely concerned about their futures and the futures of their families.

It is not just the employees who stand to lose in the process, Mr. Chairman. Local jobs in the private sector that support the civil service community could be threatened. There would be tax revenue losses to city and county governments.

But most important, what is the impact on the quality of performance when job functions are contracted out? Can quality performance be assured without the use of experienced civil service employees?

I am convinced from the evidence that I have seen that quality of work performed is often an intangible factor that is not fully examined when a decision to contract out is made. In a great many cases, a contract employee is far less experienced than the civil service employee he or she replaces. In many jobs, that loss of experience means a loss of productivity and a loss of quality, and that means a loss to the taxpayer.

In addition, when you look at a military installation the size of Forts Stewart and Hunter, it is imperative that you look at the important functions performed at that installation in conjunction with its mission—to prepare the 24th Infantry Division as the heavy division of the Rapid Deployment Force.

Does contracting out effect our military readiness at some specific installations, and are we slowly moving toward an efficient peacetime force

which cannot respond to wartime commitments? I think this is an extremely important issue, Mr. Chairman, and one that is not always taken into account when examining contracting out purely on the basis of projected cost savings.

Are there instances in which contract employees provide the same quality of work and fulfill the same requirements as do civil service employees? Yes, there certainly are those cases, and I support contracting out in those circumstances. But after many years of this review process, I believe we are reaching the point where those easy choices have all been made.

Now we must make the tough decisions on jobs that can effect work performance for critical military missions. This is one of the primary reasons I support the Nichols amendment to give the installation commander the authority to determine which job functions should be studied for contracting out. Clearly, the mission at each installation is unique, and it is the commander of that installation who is in the best position to determine his own readiness needs. I urge my colleague to vote "yea" on the amendment.

The CHAIRMAN pro tempore. All time has expired.

#### AMENDMENT OFFERED BY MR. NICHOLS

Mr. NICHOLS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NICHOLS: At the end of title VIII of division A (page 117, after line 25), add the following new section: SEC. 812. AUTHORITY OF COMMANDING OFFICERS OVER CONTRACTING FOR COMMERCIAL ACTIVITIES.

(a) AUTHORITY.—The Secretary of Defense shall direct that the commanding officer of each military installation (under regulations prescribed by the Secretary of Defense and subject to the authority, direction, and control of the Secretary) shall have the authority and the responsibility to carry out the following:

(1) Prepare an inventory each fiscal year of commercial activities carried out by Government personnel on the military installation.

(2) Decide which commercial activities shall be reviewed under the procedures and requirements of Office of Management and Budget Circular A-76 (or any successor administrative regulation or policy).

(3) Conduct a solicitation for contracts for those commercial activities selected for conversion to contractor performance under the Circular A-76 process.

(4) To the maximum extent practicable, find suitable employment for any employee of the Department of Defense who is displaced because of a contract entered into with the private sector for performance of a commercial activity on the military installation.

(b) DEADLINE FOR REGULATIONS.—The Secretary shall prescribe the regulations required by subsection (a) no later than 60

days after the date of the enactment of this Act.

(c) DEFINITION.—In this section, the term "military installation" means a base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or Guam.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Alabama [Mr. NICHOLS] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from Alabama [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to speak in support of my amendment.

Briefly, my amendment would require the Secretary of Defense to delegate the implementation of the commercial activities or contracting out program to base or installation commanders. My amendment would further require that regulations for this delegation be issued with 60 days after the enactment of this Act.

Although I strongly support this delegation of authority over the commercial activities program to base commanders, I can't take credit for this idea. Like the core logistics concept enacted 3 years ago, this delegation idea is a Pentagon initiative.

Late last year, or early this year, the Deputy Assistant Secretary of Defense (Installations) proposed a new draft instruction on the implementation of the commercial activities program that is carried out in accordance with Office of Management and Budget circular A-76. The most significant change in this instruction was the delegation of program implementation to the base commander.

The primary reason for this change was to bring the commercial activities program in line with the model installation program. The model installation program was established 3 years ago and has been highly successful in identifying and removing regulations and procedures that impair management and productivity at those installations. As a result, base commanders at those installations have been given wide latitude to exercise initiative in developing new and innovative management techniques. To date, base commanders have been allowed to waive over 20,000 regulations and devised many new ways to improve and streamline their operations. The lessons learned in this test program are being studied and applied across the board as part of a new graduate program. Needless to say, this program has been extremely popular in the field and shows great promise in producing even greater sav-

ings and efficiencies in the coming year.

In effect, DOD has finally discovered a fundamental management principle that business and many in Congress have known all along. You select the best people you can to command, you give them as much latitude as you can over methods and the application of resources to perform the mission, and you hold them accountable.

The new draft instruction merely applies this philosophy to the implementation of the commercial activities or contracting out program. Instead of being forced down his throat, irrespective of its impact on the base or its mission, the commercial activities program becomes another useful management tool that the base commander can selectively use to realize efficiencies and economies.

By the same token, however, this change does not mean that base commanders can ignore the commercial activities program. The base commander must still identify functions eligible for review cost comparisons and must maintain the inventory of such functions. Furthermore, the funding crunch in the coming years will force base commanders to aggressively explore all means to cut costs and improve work force productivity. Just because using the commercial activities program will be a hard choice for many base commanders does not mean that it should not be employed when it makes sense to do so. Base commanders are being paid to make hard choices, and they remain accountable for carrying out their missions as cost effectively as possible.

Nevertheless, this delegation provides a significant increase in management flexibility. Over the years, I have had many discussions with base commanders and I know of no other single program that has caused them more concern and difficulty than the commercial activities program. All too often, higher headquarters have dictated the pace and scope of cost comparisons to meet some arbitrary Pentagon deadlines. If the function was contracted out and contractor performance was not satisfactory, that was the base commander's problem. If contractor performance cost more than was projected, that was the base commander's problem. If contract conversion lowered productivity and efficiency, that was the base commander's problem. If mission performance suffers, that is the base commander's problem.

I believe that if we are going to hold the base commander responsible for the problems associated with contracting out through the commercial activities program, we should give him more control over the implementation of that program. That is precisely what the new instruction would do. My amendment helps this process along

and insures that we have a commercial activities program that is consistent with the new management flexibility being given to base commanders.

I urge your support of my amendment.

Mr. MATSUI. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from California.

Mr. MATSUI. I thank the gentleman for yielding.

Mr. Chairman, first of all I would like to commend the gentleman for this very fine amendment and for all of the work he has been doing in trying to make some sense out of this very complex process. I support the gentleman's amendment because it is only right to give the commanding officer, the officer who is directly involved with the installation itself, the option of deciding whether or not contracting out should be implemented. He is the one who knows what is going on, and the amendment makes a lot of sense for that reason.

In addition to that, the whole issue of readiness and our surge capacity really depends upon troops that are under the control of the commanding officer, and also civilians that are under the commanding officer's control. So I commend the gentleman.

Mr. NICHOLS. I thank the gentleman from California for his comments.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, in the general debate I believe my remarks on the subject as a whole probably covered the problem we are dealing with in this particular amendment.

What the gentleman from Alabama [Mr. NICHOLS] has done and is seeking to do, the gentleman has met with the Secretary of the Army to try to work out a sensible arrangement and they are in that process. I do not know what the Army's position on this particular amendment is, but I know there are ongoing negotiations that the gentleman from Alabama [Mr. NICHOLS] is seeking to put into place with the concurrence and consent of the Army and perhaps the other services would be involved as well.

The Department of Defense per se does not favor this, even though I am told that originally the idea might have originated within the Department of Defense. So again it is a mixed bag, and I think I am representing the DOD when I say that they do not support it.

But, Mr. Chairman, I have no strong feelings against the amendment, and I yield back the balance of my time.

Mr. NICHOLS. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

Let me say that contracting out sounds good until you look at it closely. I have some things that I wanted to say, but we do not have the time.

Let me give my colleagues three examples.

Fort Belvoir: \$5.2 million maintenance contract which wound up costing, after contracting out, \$10.3 million. I do not know whether that example has been mentioned.

Red Stone Arsenal, a really very interesting example. A \$27 million contract was contracted out for a \$200,000 savings and ultimately cost the Government \$48 million.

The last example, the Marine Corps at Beaufort, SC, had three different contracts for contracting out of housing maintenance. In 3 years, two of the contractors defaulted and the cost of the contract doubled.

Why does this happen? The reason it happens is because costs rise a lot faster in the private sector than they do in Government. That may shock my colleagues, but all they have to do is look at the cost-of-living adjustments or salary raises that the private sector receives versus the public sector. They always undervalue the service that is being performed and underestimate what the private sector is going to cost.

I think the gentleman's amendment is an excellent one and I rise in strong support, and indeed also for the other two amendments that will follow suit.

Mr. BONIOR of Michigan. Mr. Chairman, I rise today in support of the Nichols amendments to give base commanders the authority to decide which functions on their bases will be considered for possible contracting out. Not only is this sound financial management, Mr. Chairman, it preserves the integrity of the relationship between the military and its civilian employees.

My district is the home of the Selfridge Air National Guard Base. At Selfridge, contracted services have always been billed as cost-saving measures. In practice, contracting out has cost much more than amounts specified in original contracts. If the point of contracting out is to save money, then, at Selfridge, and I suspect elsewhere, it has had the opposite effect.

In these days of fiscal austerity, it behooves us in Congress to institute policies which further our effort to deal with our Nation's deficit problem. The Nichols amendment is one step we can take in this effort.

The other issue we have to address, Mr. Chairman, is how our Government is treating civilian employees on military bases. Nearly 600 civilian jobs at Selfridge Air National Guard Base, for example, stand to be affected by contracting out. Selfridge, like other U.S. bases, relies heavily on a loyal, skilled civilian work force.

The Government has made an investment in our civilian workers. Contracting out robs our military of valuable and seasoned civilian



employees. They have experience in their jobs and the skill to do their job well.

Even if some of the employees are hired by contractors, we lose a carefully built organization and the money we have already spent to build an educated and skilled work force. Unfortunately, many of these workers who are forced to leave Government service do not transfer to private contractors because salary and benefits are not adequate for them to support themselves and their families.

Contracting out also robs our base commanders of a measure of control. They become subject to the effectiveness or ineffectiveness of a contractor when mobilizing a base to ensure our Nation's security.

Civilian employees, like their military counterparts, feel a special allegiance to the United States. In many cases, these employees are members of the National Guard, former U.S. military or both. In their present positions, these men and women are directly responsible to the Government. They do not owe their livelihood to a contractor. We can count on their commitment to national security in a state of emergency.

I suggest that the men and women who manage our military bases are in a much better position to make determinations regarding contracting out than a bureaucrat at the Pentagon. We entrust our military bases to skilled managers and experienced military personnel. By supporting the Nichols amendment, Mr. Chairman, we allow base commanders to do the job that is expected of them.

Mr. McDADE. Mr. Chairman, I rise in strong support of the amendments being offered regarding contracting out, as well as the initiatives already in the committee bill directed at the depot maintenance area.

My colleagues, for some time now both the Committee on Armed Services, and the Appropriations Subcommittee on Defense on which I serve, have been concerned about both the management of and the resources being applied to the so-called readiness accounts—in particular, the repair and upkeep of the weapons systems and equipment that our forces in the field rely on. To meet these requirements, it is essential that each of the services maintains an organic, in-house depot maintenance capability which will meet peacetime needs, and the increased requirements which could result from any wartime scenario.

Unfortunately, what we have witnessed in recent years, especially by the Army, are efforts to reduce the overall capacity of the depot system to provide for critical maintenance needs. The Army has decided to increase the workload performed by the private sector in these areas, at the expense of the in-place capabilities of the depot system.

Has this decision been based on any objective evaluation of cost effectiveness? Has there been a systematic effort by the Army to evaluate whether increased reliance on the private sector makes sense—either in terms of saving dollars, or the impact on our mobilization base requirements? From my vantage point on the Defense Appropriations Subcommittee, I haven't seen any evidence that suggests these questions have been answered, or even asked by the Army.

And the Armed Services Committee agrees. In hearings this year, Chairman NICHOLS' sub-

committee tried to find out what the basis was for shifting work from the depots to private industry. What did they find? Let me quote from the report accompanying this bill: This was "not due to cost considerations or unique contractor capabilities. Rather, it stemmed from an internal Army management decision to reduce the number of civilians involved in depot maintenance from 20,000 to 16,000."

Mr. Chairman, Army requirements for depot maintenance are not going down. Time and time again, Army officials have told me the exact opposite, in committee testimony—requirements are growing. That's to be expected, with the increased training levels and equipment this Congress has provided for over the past 7 years. Yet the Army plans to reduce the Government cadre responsible for maintaining this equipment by 25 percent.

This just doesn't make sense. And therefore I rise in full support of the amendments offered by Chairman NICHOLS and our colleague from California, Mr. MATSUI. These amendments would prevent the Army from contracting out maintenance functions, and would leave to the discretion of the individual facility commander as to whether commercial-type activities should be considered for performance by the private sector.

Moreover, the committee bill provides money above the budget request to redress a shortfall in maintenance funding. By providing an additional \$150 million for Army depot maintenance this year, we will avoid the repair backlogs so commonplace in the 1970's and which we have worked so hard to correct. In particular, I would note this provision would build upon an amendment which I sponsored to last year's Defense Appropriations Act which provided an additional \$75 million for Army depot maintenance.

Mr. Chairman, admittedly this area is not as high profile as other subjects in this bill, but upon reflection, I think we all would agree that the billions of dollars that this Congress has approved for defense aren't worth a nickel if the equipment our troops use is not adequately maintained.

Taken together, the amendments before you and the funding proposed by the committee will ensure continued stability for the work forces in the Army depot system and will make certain that our forces can rely on having equipment which will work. Again, I salute the leadership of Chairman NICHOLS in this area and urge all of you to support these amendments.

Mr. FAZIO. Mr. Chairman, I rise in support of Congressman BILL NICHOLS' amendment to the fiscal year 1988 Department of Defense authorization bill. Mr. NICHOLS' amendment will give the commanding officer at each military installation the option of which job functions to study for contracting out under the A-76 Program.

Over the years, I have become quite familiar with the problems of contracting out functions at military installations. I have two military bases within my district and more located near my district where a number of my constituents work. I am concerned that the one individual who is most qualified to determine which functions should be contracted out, is not consulted at all. I am, of course, referring to the base commanders.

Base commanders are ultimately responsible for all functions performed at their installation. The commander knows the needs of the base as well as of the local community. He can best determine which functions should remain in-house. An excellent example of the problems of the current system occurred very close to our Capitol. Last summer a general at a local military installation had to write to his superior to explain how a base maintenance contract let at \$5.2 million wound up costing \$10.3 million in the first year. In his letter, the general admitted that cost-plus contracts just don't work for base maintenance because the A-76 underestimates the work to be done. Perhaps if this commander had the authority to determine which functions should be studied for contracting out, this enormous waste of money would not have occurred.

As you well know, Mr. Chairman, when this administration came into office, Secretary of Defense, Caspar Weinberger announced that he was going to study 90 percent of the Department of Defense's civilian jobs with a goal of contracting out 50 percent. Then, the administration announced a bold plan to review 400,000 Federal jobs for contracting out. They called this program the cornerstone of their privatization policy. The administration was concerned with increasing efficiency and cutting costs. While I am a strong proponent of increased efficiency and reduced costs, their contracting out plan has neither saved time nor money.

At a time when Congress wages war on deficits, it is impossible for a Member to tolerate a project which is initially contracted out to save enormous sums of money, yet, over time turns into a budget busting project thanks to added expenditures. Contracting out has not contributed to deficit reduction.

I have worked with my good friend and colleague Mr. NICHOLS, on the issue of contracting out for a number of years. His efforts to ensure that the best job is done by the best people—our Federal work force—should be commended and supported. I believe this amendment takes another step forward in ensuring a good return on taxpayer dollars. I urge support for this amendment.

Thank you.

The CHAIRMAN pro tempore (Mr. MURTHA). The question is on the amendment offered by the gentleman from Alabama [Mr. NICHOLS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUTTO

Mr. HUTTO. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUTTO: At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. PROHIBITION ON CONTRACTS FOR PERFORMANCE OF SECURITY-GUARD FUNCTIONS

(a) IN GENERAL.—Section 2693 of title 10, United States Code, is amended in subsection (a) by inserting "or security-guard" after "firefighting".

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) Subsection (b) of such section is amended by striking out "the function" and inserting in lieu thereof "a function".

(2) The heading for such section is amended to read as follows:

"§ 2693. Prohibition on contracts for performance of firefighting or security-guard functions".

(3) The item relating to section 2693 in the table of sections at the beginning of chapter 159 of such title is amended to read as follows:

"2693. Prohibition on contracts for performance of firefighting or security-guard functions."

The CHAIRMAN pro tempore. Under the rule, the gentleman from Florida [Mr. HUTTO] will be recognized for 5 minutes, and a Member opposed, the gentleman from Alabama [Mr. DICKINSON] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. HUTTO].

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Mr. HUTTO. I thank the Chairman.

Mr. Chairman, I rise to speak in support of my amendment.

My amendment would permanently prohibit the contracting out of security guard functions at any military installation or facility that are now being performed by Government employees.

The issue of whether or not the Department of Defense should contract out security guards is not a new one. Congress first considered this question in 1982 and has been saying no ever since. Over the past 2 years, I have offered amendments to permanently prohibit the contracting out of security functions which have been debated and adopted by this body. The arguments for such a prohibition have not changed and circumstances make it imperative to resolve this issue once and for all.

We are all aware of the growing threat of terrorism to military personnel and installations at home and abroad. Recent bombing attacks in Europe have brought that painful reality home to us. It is equally clear that terrorism is no respecter of international boundaries so similar attacks could take place in this country.

The upshot is that the importance of security at Department of Defense installations has never been greater. To meet this challenge the Department of Defense needs dedicated, responsive, and highly trained security guard personnel. In my opinion, the only way we can ensure the quality and maintain the control necessary to meet those high standards is to retain security functions in-house.

Over the past 2 years the Department of Defense has embarked on a major program to beef up security at its installations. This year the Army alone is requesting over \$128 million for increased security. New standards and procedures are being developed and implemented to enhance the capa-

bilities of security forces, including those performed by civilian employees.

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I would be pleased to yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding. I have a question. I agree with the amendment of the gentleman and intend to support it but there is something that has been troubling me ever since we have been debating this issue. That is, are there any installations that do hire or have security guards that are not Government employees as of now?

Mr. HUTTO. Yes. I am glad the gentleman asked that question, because I intended to point that out that this does not include those who are now being contracted out. I thank the gentleman for asking that.

Mr. GEKAS. I needed to know that.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I would be happy to yield to the gentlewoman from Ohio.

Ms. OAKAR. I thank the gentleman for yielding.

Mr. Chairman, I think the spirit of what the gentleman is trying to do is certainly the right thing. I was not clear whether these are Government employees that the gentleman is trying to contract out.

Mr. HUTTO. No. I am trying to oppose the contracting out of security guards to the private sector because I think it is very important that we keep them in-house where people have the proper clearance, the training and so forth.

Ms. OAKAR. Let me say to the gentleman I agree with that. I think there is too much contracting out right now with respect to security at various areas and I want to commend the gentleman for his amendment.

Mr. HUTTO. I thank the gentlewoman from Ohio.

Under the circumstances, it would be difficult, if not impossible to conduct realistic cost comparisons in accordance with Office of Management and Budget circular A-76. Attempting to make such comparisons against a moving baseline would, in all likelihood, only result in bad contracts or significant cost growth to meet emerging requirements that were not reflected in the original solicitation.

Even if we could overcome these difficulties and conversions to contract did take place, we would still be faced with the dilemma of possible strikes by contract security guards. Contract employees can strike and it is obvious that a security guard strike at a military installation would pose a serious threat to safety, military operations, and security. However remote, it is a risk I am not prepared to take.

While the Department of Defense has repeatedly given assurances that

only less sensitive security guard functions would be contracted, I am not satisfied with these promises. In the first place, I am not sure I would agree to characterizing any security guard function as being mundane enough to risk contracting out. Secondly, I am concerned about the ability to effectively integrate and control mixed guard forces.

In sum, I am not willing to take the risk of contracting out security guard functions currently performed by Defense civilian employees. Our primary concern should be the upgrading of our existing security guard personnel, not cost comparisons in the face of emerging requirements. Any money we would save on the basis of such flawed cost comparisons would hardly justify risks we would be taking with the lives of Department of Defense personnel and the equipment and property at military installations.

I urge your support for my amendment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, are there 2½ minutes per side or 5 minutes per side?

The CHAIRMAN pro tempore. Five minutes per side.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from the State of Washington.

Mr. SWIFT. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to add to the comments of our colleague from Florida; not only in the security area but in so many of the other activities on military bases, contracting out seems to achieve purposes other than its intended goal.

I have been told by CO's who have been trying to operate bases effectively that whenever they are faced with the need to make an across-the-board cut in the costs of operating that base, by contracting out you are adding more uncontrollable costs to what he has to work with. In other words, if the base commander has control directly over personnel and there is a need for cost cutting, he has greater flexibility in dealing with that, whereas if you in fact have contracted it out and that is written in granite in a contract that is an additional item that is withdrawn from that CO's ability to be able to control the cost. That has just got to be paid.

So in many ways I find that this incredible insistence on the part of this administration to contract out everything in sight is in fact working at opposite purposes to what they claim is the value of contracting out.

And I thank the gentleman very, very much for yielding this time.



Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think I pretty well covered what I feel about this in my remarks during the general debate. There is a problem here as to contracting out. Putting forth the opinions of the Department of Defense, the report submitted by the Secretary of Defense in 1984 and in 1986 maintained that a blanket prohibition on contracting out security guard functions is unnecessary, as many functions currently being performed by Federal security guards could be contracted out without impairing security, readiness, and operational capabilities.

The Department of Defense feels that the Secretary of Defense can be relied upon not to contract out security guard functions such as security of nuclear and chemical weapons, among others, that would pose a serious threat to safety, readiness, and operational capability.

Contracting out some security guard functions could enhance productivity and save money while freeing up civilian personnel for higher priority missions. The Department of Defense contracting procedures are flexible enough to accommodate more stringent security requirements than would be developed during the course of an A-76 cost comparison. So as I pointed out earlier, there is no black and white line here; there is a big grey area.

It is a subject which has been dealt with for several years and still has not been resolved. The Department of Defense feels at this time it would not be wise to have a blanket prohibition on all security guards because they do not think it is necessary; they think there is discretion within the Department of Defense for the Secretary to make such determinations and for that reason they feel this amendment is not wise.

Ms. OAKAR. Mr. Chairman, will the gentleman yield.

Mr. DICKINSON. I would be pleased to yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, last year I had the pleasure of chairing a subcommittee relating to Government employees. One of the things that was interesting was that 88,000 Federal employees were transferred to Pentagon activities because they claimed they did not have enough help and based on the report that the gentleman just read it is almost the opposite of what they were telling our committee. As a matter of fact, they took them out of other important nonrelated jobs to do that. So I would suggest that on the one hand they are making a suggestion that they do not really need these employees and they are not necessary for security reasons; on the other hand, they are asking that they

be transferred from other important activities.

So I really think there is a tremendous, dramatic inconsistency and I have to say that on the surface at least I wholeheartedly disagree with their report.

Mr. DICKINSON. Well, let me add that as I have stated it has been a matter of some ongoing concern for several years. The committee of the gentlewoman, the Committee on Post Office and Civil Service have looked into it, have had testimony and witnesses come before it. I understand the Committee on Government Operations is getting into this in a very big way. Governmentwide, not just dealing with DOD. DOD has been dealing with this for several years.

I have been involved as has Mr. NICHOLS and many of us. There has been no resolution, no firm policy that you could say is consistent and should apply universally. Hopefully, during the coming year we will all have an opportunity to perfect our hearings and come up with some definition, and some decision.

Mr. GEKAS. Mr. Chairman, will the gentleman yield.

Mr. DICKINSON. Yes; I would be pleased to yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to replace on the record part of the colloquy I had with the gentleman from Florida. That is that passage of this will not in any way alter the existing contracts where installations have had private security guards on board. And that should satisfy the Department of Defense on the question of the ongoing contracts already in existence. This pattern, does it not, the law that has been passed several years now dating back to 1982?

I think the record ought to be clear on that.

Mr. DICKINSON. It is my understanding that that is prospective in nature and does not affect those who are presently under contract.

Perhaps the gentleman who is offering the amendment can speak to that.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. HUTTOL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MATSUI

Mr. MATSUI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MATSUI: At the end of title III of division A (page 60, after line 11), add the following new section:

SEC. 315. PROHIBITION ON CONTRACTS FOR PERFORMANCE OF MAINTENANCE FUNCTIONS AT CERTAIN ARMY DEPOTS.

(a) PROHIBITION.—Except as provided in subsection (b), funds appropriated to the Department of Defense may not be obligated or expended for the purpose of entering into a contract for the performance by contractor personnel of any maintenance function at the following Army depots:

(1) Anniston Army Depot, Anniston, Alabama.

(2) Corpus Christi Army Depot, Corpus Christi, Texas.

(3) Crane Army Ammunition Plant, Crane, Indiana.

(4) Fort Wingate Army Depot, Gallup, New Mexico.

(5) Letterkenny Army Depot, Letterkenny, Pennsylvania.

(6) Lexington-Blue Grass Army Depot, Lexington, Kentucky.

(7) McAlester Army Ammunition Plant, McAlester, Oklahoma.

(8) New Cumberland Army Depot, Harrisburg, Pennsylvania.

(9) Pueblo Army Depot, Pueblo, Colorado.

(10) Red River Army Depot, Texarkana, Texas.

(11) Rock Island Arsenal, Rock Island, Illinois.

(12) Watervliet Arsenal, Watervliet, New York.

(13) Sacramento Army Depot, Sacramento, California.

(14) Savanna Army Depot, Savanna, Illinois.

(15) Seneca Army Depot, Romulus, New York.

(16) Sharpe Army Depot, Stockton, California.

(17) Sierra Army Depot, Herlong, California.

(18) Tobyhanna Army Depot, Tobyhanna, Pennsylvania.

(19) Toole Army Depot, Toole, Utah.

(20) Umatilla Army Depot, Umatilla, Oregon.

(b) EXCEPTION.—The prohibition in subsection (a) does not apply to a contract (or the renewal of a contract) for the performance of a function that on the date of the enactment of this Act is under contract for performance by contractor personnel.

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. MATSUI] will be recognized for 5 minutes and a member opposed, the gentleman from Alabama [Mr. DICKINSON], will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, briefly, my amendment will prohibit the use of funds for any contract for performance of installation and depot maintenance functions by contractor personnel at specified Army depots under the A-76 program.

Over the past few months, Members with Army depots and arsenals have been meeting with the Under Secretary of the Army to discuss a proposal to contract out services under the A-76 program. I, personally, am deeply concerned about the potential loss of civilian jobs if this proposal is enacted.

I alone would stand to lose 300 jobs in my congressional district at the Sacramento Army Depot in Sacramento, CA. As I look around the floor, I see several Members who will be directly affected by the A-76 program and the potential loss of hundreds of jobs in their district.

More importantly, my amendment will not only save civilian jobs and talent but will help maintain our country's commitment to military readiness and mobilization capability. This amendment will also reduce friction in the community which is currently at a high level.

We should continue to encourage civilians to work in our military installations to help build on our Nation's defense. Contracting out will only hamper these efforts.

Specifically, my amendment will help: Anniston Army Depot, Anniston; Corpus Christi, Corpus Christi; Crane Ammunition Plant, IN; Fort Wingate, NM; Letterkenny, PA; Lexington-Blue Grass, KY; McAlester Ammunition Plant, OK; New Cumberland, PA; Pueblo, Co; Red River, Texarkana, TX; Rock Island Arsenal, IL; Watervliet Arsenal, NY; Sacramento Army Depot, Sacramento, CA; Savanna, IL; Seneca, NY; Sharpe, Stockton, CA; Sierra, Herlong, CA; Tobyhanna, PA; Toole, UT; and Umatilla, OR.

Mr. Chairman, I believe this amendment will best serve the interest of the American people and the military installations in our country. Military readiness and mobilization capability are the most important features of our Nation's defense. It is only proper that we allow the American people the right to work towards our Nation's defense.

I urge your support of my amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. NICHOLS].

Mr. NICHOLS. I thank the gentleman for yielding.

Mr. Chairman, I just want to say I have examined the amendment of the gentleman from California, I commend him on it, and I support it and urge its support.

Mr. MATSUI. Mr. Chairman, I yield such time as he may consume to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman from California has an excellent amendment. He has made it very clear the major damage that can be done to our defense installations in the Army, in particular. The same thing would be the case with the Air Force and the Navy. In the past few months we have passed legislation in this House which makes it possible in installations like the Watervliet Arsenal to make money for the Defense Establishment contracts of our allies in Europe and in

Asia to utilize the special technology of the United States' major production arsenal. If this contracting-out, if this idea of contracting-out is sustained and if we are prevented from cutting off the funds for what we furnish to our allies, not only does this new procedure cut expenses in DOD but we can guarantee that our allies will be using in Europe and Asia the world's best defense technology that we ourselves have been using. This point has not been brought up in this important debate.

Mr. MATSUI. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois.

Mr. EVANS. I thank the gentleman for yielding. And I thank the gentleman for offering this amendment. I feel contracting-out weakens our combat readiness at these arsenals and depots and the people who work there are as much a part of our military strength as any other piece of hardware we are building. I can also tell you that as the Congressman representing the district that includes the Rock Island Army Arsenal, that it damages the morale of the workers and results in wasteful economic spending. Therefore we cannot and should not deprive our communities of the jobs that our arsenals provide through a process that serves no economic purpose and will weaken our national strength.

□ 1335

This amendment, combined with the Hutto and Nichols amendments, are steps in the right direction.

I urge full support for the amendment offered by the gentleman from California.

Mr. MATSUI. Mr. Chairman, I thank the gentleman from Illinois, and I assure the Members we certainly will work with the gentleman from Illinois in terms of perfecting the amendment even further to accommodate the concerns that others have had as well.

Mr. Chairman, I yield back the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my understanding that the Department of Defense is not in agreement with the proposed amendment simply because it changes the authority of the Secretary to waive, in certain instances where he feels it necessary, the requirements that are set out here.

This eliminates his right to waive. He has never exercised the right; it had never been abused, but he feels that he should have that right if he wants it. I do not think it is unreasonable to give the Secretary, in case of some unusual circumstance, the ability to waive it. I think since he has never

used it, never abused it, he should retain the right.

It is for that reason that I would suggest that the amendment should not pass.

Mr. FAZIO. Mr. Chairman, I rise in support of Congressman BOB MATSUI's amendment to the defense authorization bill of 1988. Mr. MATSUI's amendment will prohibit the use of funds for any contract for performance of installation and depot maintenance functions by contractor personnel at specified Army depots under the A-76 program. I understand that the Army is discussing the possibility of contracting out certain jobs at depots across the country. I believe that these civilian maintenance jobs are inherently governmental activities and should not be contracted out. Specifically, as the Congressman from West Sacramento, I share Mr. MATSUI's concern that over 300 jobs could be lost at the Sacramento Army Depot.

As you well know, Mr. Chairman, when this administration came into office, Secretary of Defense, Caspar Weinberger announced that he was going to study 90 percent of the Department of Defense's civilian jobs with a goal of contracting out 50 percent. Then, the administration announced a bold plan to review 400,000 Federal jobs for contracting out. They called this program the cornerstone of their privatization policy. The administration was concerned with increasing efficiency and cutting costs. While I am a strong proponent of increased efficiency and reduced costs, their contracting out plan has neither saved time nor money.

Last summer a general at a local military installation, had to write to his superior to explain how a base maintenance contract let at \$5.2 million would up costing \$10.3 million in the first year. In his letter, the general admitted that cost-plus contracts just don't work for base maintenance because the A-76 underestimates the work to be done.

At a time when Congress wages war on deficits, it is impossible for a Member to tolerate a project which is initially contracted out to save enormous sums of money, yet, over time turns into a budget busting project thanks to added expenditures. Contracting out has not contributed to deficit reduction.

I am firm in my belief that contracting out of inherently governmental activities is wrong. In order to maintain military readiness and mobilization, our Government must also have direct access to the people who are responsible for our readiness posture. Therefore, I urge support of Mr. MATSUI's amendment to prohibit contracting out of depot maintenance functions.

Mr. ORTIZ. Mr. Chairman, I rise in strong support of the amendment proposed by my distinguished colleague from California, the Honorable ROBERT T. MATSUI. As has been discussed, this amendment, with one exception, would prohibit the obligation or expenditure of funds for contracting out of any maintenance function at certain Army depots, ammunition plants, and arsenals. The exception is that the prohibition would not apply to a contract or renewal of a contract which, on the date of the enactment of this act, is being performed by contractor personnel.



At a time when we are operating under fiscal constraints, contracting out is expensive. It is expensive in terms of total cost, its adverse effect on employee morale and efficiency, and its economic impact on the local community. Additionally, and even more importantly, is the potential adverse impact contracting out has on the readiness of our Armed Forces and on the logistical base to support these forces during mobilization and armed conflict. It is incumbent upon us to maintain the trained and qualified base to carry out the core logistical functions, if we are to have a mobilization surge capacity. These same qualified personnel are and would be used to train new employees and to perform technical inspections of contractor work, supplies, and materials when, in the event of mobilization, it becomes necessary to contract selected work out.

I believe it is possible for the Army to attain efficiencies of operation through reallocation of the workload and the manner in which the workload is managed within the Army's logistical support system. The net result of these actions could be the reduction of the cost of operations at these facilities by as much as 10 to 15 percent. Such action could help to alleviate the concern and moral problems faced by a large number of civilian employees at these facilities, as well as the need to contract out work.

Mr. WATKINS. Mr. Chairman, I rise to commend our colleagues on the Armed Services Committee for their leadership in conforming the problems with contracting out at our military installations, and to indicate my support of their efforts today to place limits on the contracting out of DOD activities.

We have experienced very real problems with the Pentagon's efforts to implement OMB circular A-76 at our Nation's military installations, including the McAlester Army Ammunition Plant, which is located in my congressional district. I believe that contracting out the core of our national defense program, including ammunition production and related activities, threatens our national security.

We have seen the Pentagon manage their programs by employee slots, rather than by wise allocation of resources; and we have seen Federal employees forced to conduct never-ending contracting out studies rather than their designated national defense responsibilities; and we have seen moral and productivity in the Federal sector plummet as a consequence.

We have had little support from the administration in resolving this issue, and it is high time we put an end to the battle over contracting out. National defense is a Federal responsibility, and national defense activities ought to remain in-house, Federal Government activities.

I support the committee's efforts to address the contracting out issue; I support Mr. NICHOLS', Mr. HUTTO's, and Mr. MATSUI's efforts today to further perfect that effort; and I urge my colleagues to do the same.

The CHAIRMAN pro tempore (Mr. MURTHA). The question is on the amendment offered by the gentleman from California [Mr. MATSUI].

The amendment was agreed to.

The CHAIRMAN. Pursuant to House Resolution 160, and the orders

of the House of May 7 and May 8, 1987, changing the order of amendments numbered 3, 4, 5, and 18, it is now in order to resume consideration of the amendments contained in section 3 of House Report 100-84. As the committee proceeds through the consideration of section 3 amendments, the Chair will call the number of the amendment and the name of its sponsor in order to give notice to the Committee of the Whole as to the order of recognition.

It is now in order to consider the amendment numbered 12 by Representative HUNTER or his designee.

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUNTER: In section 804 of title VIII of division A, strike out lines 18 through 22 on page 108 and insert in lieu thereof the following:

"(3) Paragraph (1) does not apply in the case of voyage repairs."

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. HUNTER] will be recognized for 5 minutes, and a Member opposed, the gentleman from Oregon [Mr. AuCOIN], will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is an amendment that was contained in the House bill, and very simply, it is a people amendment. It is a provision that we inserted in the bill to benefit Navy families. It very simply is a quality-of-life issue.

What we are saying, and what we said in the House bill before the Aspin substitute struck it, was that for short-term repair work, we would do that work in the home ports of the vessels that are involved. That means, very simply, that if you have a vessel that is home ported in Long Beach or San Francisco or San Diego or Norfolk or another port, that you will not, as long as there is competition in that particular port, you will not tear the Navy families apart that are attached to that particular ship.

That means that after a sailor gets back from a 6-month cruise or an 8-month cruise, and many of these active-duty reserves have come back from very lengthy cruises, that you are not going to tell him that you are going to move him for 3 or 4 months, or even 2 months, 1,000 miles away from his family while you are repairing his ship.

It is very simple. While you have competition, we are not going to tear Navy families apart. The facts are that in the home ports, you have schools where the sailors are going while the

ships are being repaired; their families are very often involved in jobs and community activities; and if they follow that particular sailor, whether he is a man or a woman, up to the new port while that ship is being repaired, you would be tearing families away or wives away from their second jobs. You would be taking, in some cases, kids out of school, and very basically, you would be disrupting the lives and the quality of life of the people who serve in our Armed Forces.

This is an amendment that the committee thought was appropriate. It was passed. It was in the bill and the Aspin substitute, I believe at the request of the gentleman from Oregon [Mr. AuCOIN], struck this provision and we are simply putting it back in.

Mr. Chairman, I reserve the balance of my time.

Mr. AuCOIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose the Hunter amendment, and I hope my colleagues will defeat this amendment.

This is a ludicrous amendment on a subject that is very difficult for Members who are not representing coastal States to understand.

It is a ludicrous amendment, and the gentleman from California is wrong when he says that the issue here is one of separation of naval families. His amendment would strike out a small sliver of competition that now exists for small work projects on naval reserve ships. He wants all of the work on those reserve ships, in addition to the regular Navy ships, to be done exclusively within home port areas, absent any competition from shipyards outside those home port areas.

That is a constraint on competition. When he makes the argument that families are being separated, it might apply in regular Navy ships because you are dealing with large-sized crews, but as Secretary Pyatt of the Navy, who is in charge of the ship repair program, stated to the Congress: "These ships, naval reserve ships, can be treated differently because the family separation is less disruptive for these crews than it is for deploying ships."

That is because you are typically talking about maybe 30 people in a reserve crew.

So let me just focus for those Members who are listening and call their attention to the issue. The issue is competition at a time when defense dollars are short. The issue is competition at a time when we are trying to give a message to our armed services in procurement and contracting practices, that competition is good. It is good to reduce prices; good to reduce costs; good to reduce the burden on the taxpayer.

I will tell you what the issue in this amendment is all about and why it

should be defeated. My colleague, the gentleman from California [Mr. HUNTER], whom I fully respect, does a good job of representing his district. It is a home-port district. What Mr. HUNTER wants is 100 percent of the ship repair work for the Navy. He wants 100 percent of it for home port shipyards.

He does not particularly care that shipyards that are fully capable of doing this work would be excluded from that competition, even though that competition could have the purpose of reducing bid costs to the Navy and the ultimate burden to the taxpayers.

He wants 100 percent of the work in the home port shipyards.

Last year, I was concerned about this problem because the work that we are talking about is called SRA work. That means just basically small work packages. More and more of the regular Navy work and more and more of the Navy reserve repair work is going to, not massive overhauls, but small work packages of the short-time duration.

With that trend, if you limit competition exclusively to home-port shipyards for the small work packages, it ultimately will mean that the home-port shipyards are the only ones that can compete.

I oppose the Hunter amendment, not because I want to guarantee any shipyard anywhere, I just want to propose and make it possible for nonhome port shipyards to be able to compete and to bring the prices down.

If they cannot submit a low bid and be the best qualified bidder, then they ought to be excluded. I would say to my friend, the gentleman from California, what is he afraid of? If his home-port shipyards against this kind of competition can outbid the nonhome port shipyards, then he has nothing to worry about. If they can be outbid by the nonhome port shipyards, then I can understand, but we should subject that competition to the marketplace, not restrict the competition by virtue of statutes.

Just for mathematics, let me say this, in any given year, the Navy has maybe 100 ship repair contracts on the west coast, 100. Mr. HUNTER wants them all to go to home-port shipyards.

□ 1345

What I want by the defeat of the Hunter amendment is the continuation of a practice that might allow as many as 12 of those 100 to be bid on by nonhome port shipyards. Let us not make family arguments when the Navy itself says those do not pertain. Let us talk about competition, I say to the gentleman from California [Mr. HUNTER]. He knows as well as I do that the increased competition costs go down. Why cannot nonhome port shipyards compete for at least 12 of

the 100 that are bid on the west coast? I think they should, and the amendment should be defeated.

The CHAIRMAN pro tempore (Mr. MURTHA). The time of the gentleman from Oregon [Mr. AuCOIN] has expired.

Mr. HUNTER. Mr. Chairman, I yield myself 1 minute to respond briefly to the gentleman from Oregon [Mr. AuCOIN] and then I will yield to the gentleman from Alabama.

The gentleman from Oregon asked, "What are you afraid of?" I want to tell him what I am afraid of.

I am afraid of having a family where a crew member has come in from a 6-month cruise, has not seen his family, and then is told that he is going to leave his wife and children and travel 1,000 miles for just a couple of weeks.

The gentleman from Oregon knows that long-term work is already bid coastwide. The big jobs are bid coastwide primarily. He knows that, and I know that. What he is talking about is short-term work.

Does it make any sense to pack up a Navy family and move them for a couple of weeks from their hometown, or does it make sense to move just an individual member? I know that individuals have come down from Mr. AuCOIN's State and have said that they will take the kids to basketball games, that they will provide some fathering, and they will provide a Big Brother type of operation for those children whose fathers are perhaps off doing other things for the U.S. Navy. But I think that is a poor substitute.

The other important element to remember here is that this amendment only applies where there is adequate competition.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. HUNTER] has expired.

Mr. HUNTER. Mr. Chairman, I yield myself 30 additional seconds, and, first, I would ask the Chair how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 2 minutes remaining.

Mr. AuCOIN. Mr. Chairman, may I inquire, has the gentleman from Oregon consumed all of his time, or does he have some fraction of time remaining?

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCOIN] has consumed all of his time and the gentleman from California [Mr. HUNTER] has 2 minutes remaining.

The Chair recognizes the gentleman from California [Mr. HUNTER] for 1 minute.

Mr. HUNTER. Mr. Chairman, this provision only applies where there is adequate competition in the home port, where you can keep that family together and you can have competition. It has been looked at by the Navy and by the people who are concerned

about the quality of life. It has been looked at by the Armed Services Committee, and I urge my colleagues to respect Navy families and support this amendment.

Mr. Chairman, I yield 1 minute to the ranking member, the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, if I could have the attention of the gentleman from Oregon for a question, let me say that I have no home porting interests in my State. I am purely approaching this from a position of ignorance, I guess I could say.

The Seapower Subcommittee went into this, and they had it in the bill. It has been since removed.

But I was wondering about this: It is my understanding that if we do not adopt this amendment, there would be a different situation appertaining to the east coast as distinguished from the west coast. Is that right? Would the gentleman comment on that?

Mr. AuCOIN. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Oregon.

Mr. AuCOIN. Mr. Chairman, the gentleman is correct. This would allow this kind of competition on the west coast, and I would tell the gentleman that the reason for that is, as the Navy attests, that the problem is on the west coast. The conflict is on the west coast, and that is why the Navy has supported a west coast approach to allow a certain amount of competition along the lines that now exist.

Mr. DICKINSON. Mr. Chairman, the second question I would ask of either gentleman who might care to respond is this: what is the definition of "short duration" versus "long duration," so we could get some feel for the length of time involved for the absence of a seaman from his family under one contract as opposed to the other?

Mr. HUNTER. Mr. Chairman, if the gentleman will yield, I would say 6 months or less.

Mr. AuCOIN. Mr. Chairman, if the gentleman will yield, I would say that is my understanding as well.

Mr. DICKINSON. So we are saying then that for under 6 months a person could have been at sea and come back and not be home-ported but go back out under this competitive system?

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. DICKINSON] has expired.

Mr. DICKINSON. Mr. Chairman, I thank the gentleman and I thank the Chair. I think that the equity lies on the side of the gentleman from California [Mr. HUNTER].

The CHAIRMAN pro tempore. The gentleman from California, [Mr.



HUNTER], has one-half minute remaining.

Mr. HUNTER. Mr. Chairman, I yield 20 seconds to my friend, the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Chairman, I appreciate the gentleman's yielding me this time.

Mr. Chairman, I rise in strong support of the Hunter amendment.

Recognizing that in my district are many of the Navy families of those who serve on the ships home port in San Diego, certainly Navy life is very disrupting inherently for families, to inject one more disruption in family life would not be called for.

Mr. Chairman, I urge strong support for the amendment.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I rise in support of the Hunter amendment. It is the position of the subcommittee and of the full committee, and I hope it will be the pleasure of the House to approve it.

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 10 seconds remaining.

Mr. HUNTER. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I simply want to say to my colleagues that this is a position in favor of competition and in favor of Navy families. It has been scrubbed by the Navy and supported by the Armed Services Committee and the subcommittee. I urge a yes vote for the Hunter amendment.

Mr. ASPIN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 minutes.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I rise in very strong support of the position taken by my good friend and colleague, the gentleman from Oregon [Mr. AuCoin].

What we are dealing with here are naval reserve ships. I am opposed to the Hunter amendment, and, as I say, what we are dealing with here are naval reserve ships.

#### POINT OF ORDER

Mr. DICKINSON. I have a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama [Mr. DICKINSON] will state his point of order.

Mr. DICKINSON. Mr. Chairman, we were in the midst of a debate when we had assigned time. My question is this: Is it in order to strike the requisite number of words and extend the time?

The CHAIRMAN pro tempore. Only the Chairman and the ranking Member

may strike the last word and get additional time.

Mr. ASPIN. That is under the rule, Mr. Chairman.

The CHAIRMAN. Under the rule.

Mr. DICKINSON. It was such an unusual procedure that I had to raise the inquiry.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, I continue to yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the point is the naval reserve ships do not deploy. If we were talking about ships that had been deployed, then there would be an appropriate argument about what this does to the crews, the families, et cetera. What this amendment does is preserve a monopoly by the home porters of all the overhaul and repair work on the west coast.

I want to join with my friend, the gentleman from Oregon, in pointing out to the House that this does not make sense. We have other shipyards on the west coast that should be able to compete for this reserve work, especially since it does not have a negative impact and influence on the crews of those ships.

So I want to thank the chairman of the committee for yielding, and I hope the House will reject the Hunter amendment and allow for more competition for this very important overhaul and repair work.

I know that there are other Members from Oregon to whom the chairman of the committee would like to yield.

Mr. WYDEN. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Oregon.

Mr. WYDEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think my colleague, the gentleman from Oregon [Mr. AuCoin] has summed it up very well.

The gentleman from San Diego has made mention of the families, and the fact is that we in Oregon have the finest program in the country in the "Welcome the Navy" and the Coast Guard programs where our businesses and voluntary associations have come together and donated thousands and thousands of dollars' worth of goods and services to the families simply to make them welcome.

So this argument that somehow if we do not go along with the gentleman from California, we are going to be shirking the families just is not right. The fact of the matter is that Oregon has laid out the red carpet for families, and that is another reason for supporting my colleague, the gentleman from Oregon, and rejecting the Hunter amendment.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, what we are talking about is very simple. We are talking about competition, and I have heard so many times from the other side of the aisle about fiscal conservatism and saving money and competing and free enterprise. That is what we are talking about here, free enterprise and competition, and in fact these ships have come in through Portland 40 percent lower in price, with savings of 40 percent to taxpayers of the United States.

When every dollar and every penny is precious, we are saving hundreds of thousands and millions of dollars by having the competition from Portland. If it is all done in San Diego, there will be no effective competition. There will be two people competing as opposed to 12 or 14. And we certainly should not forget Seattle.

In relation to the families, let me say just one thing. There could be nothing more profamily than a recent repair done in my district at Reedsport on a Navy Reserve mine sweeper. There were eight marriages among the crew with young women in the community. We created eight new wonderful family units. That is how welcome they felt in our district, and I certainly encourage that sort of thing. And I might say these were previously unmarried sailors.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] has 1 minute remaining.

Mr. ASPIN. Mr. Chairman, I yield my 1 minute to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding this remaining time to me.

Mr. Chairman, let me make this point again to the gentleman from Alabama [Mr. DICKINSON] and to my colleagues concerning the argument that somehow these are different from active duty people and, therefore, they should not be given the consideration of staying with their families. The point is that these active reserve personnel are generally taken from major cruises where they have been out for 6 months, and they are put on the reserve ships so they can spend a little time with their families. So you have a sailor who comes back from a 6-month cruise in the Mediterranean; he comes back to his home port, he starts to get to know his wife and kids again, and he is told he is going to go up for 2 months to another port while the ship is getting repaired. The point is that you have exactly the same personnel problems there that you have with the so-called active ships. Whether or not the ship is considered active or reserve

is irrelevant, because the family will want to spend some time together.

Mr. Chairman, I urge a yes vote on this amendment. Competition is directed; it is mandated. If there is competition, then it goes coastwide, and all the big repair jobs go coastwide. These are short-term repairs, and in these cases it does not make sense to tear the families apart. That was the consensus of the Armed Services Committee.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 18, noes 19.

## RECORDED VOTE

Mr. DICKINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 133, noes 234, answered "present" 1, not voting 64, as follows:

## [Roll No. 103]

## AYES—133

Akaka	Gunderson	Pickle
Armey	Hall (TX)	Porter
Ballenger	Hansen	Ravenel
Bateman	Harris	Regula
Bates	Hefley	Rhodes
Bennett	Henry	Roberts
Bevill	Hertel	Robinson
Biaggi	Hiler	Rowland (CT)
Bilbray	Holloway	Saiki
Bilirakis	Hunter	Saxton
Billey	Inhofe	Schaefer
Boehlert	Ireland	Schroeder
Boulter	Johnson (CT)	Schumer
Broomfield	Kasich	Shaw
Buechner	Kyl	Shuster
Bunning	Lagomarsino	Sisisky
Burton	Latta	Skeen
Callahan	Lent	Slaughter (VA)
Carr	Levine (CA)	Smith (NE)
Chappell	Lewis (CA)	Smith (NJ)
Cheney	Lewis (FL)	Smith (TX)
Clinger	Lightfoot	Solomon
Coleman (MO)	Lowery (CA)	Spence
Coughlin	Lukens, Donald	Spratt
Craig	Mack	Stallings
Daniel	Markey	Stangeland
Dannemeyer	Marlenee	Stratton
Daub	Martin (IL)	Sundquist
Davis (IL)	Mazzoli	Sweeney
DeLay	McCollum	Swindall
Dickinson	McEwen	Tallon
DioGuardi	McMillan (NC)	Taylor
Dornan (CA)	Meyers	Upton
Dreier	Mica	Vander Jagt
Emerson	Miller (OH)	Vucanovich
Erdreich	Molinari	Walker
Fields	Moorhead	Weber
Fish	Myers	Weldon
Flippo	Nichols	Whittaker
Galleghy	Oakar	Wolf
Gekas	Oxley	Wortley
Gilman	Packard	Young (AK)
Gingrich	Parris	Young (FL)
Goodling	Pashayan	
Grandy	Pickett	

## NOES—234

Ackerman	Bentley	Boucher
Alexander	Bereuter	Boxer
Anderson	Berman	Brown (CA)
Andrews	Boggs	Brown (CO)
Applegate	Boland	Bruce
Aspin	Bonior (MI)	Bustamante
Atkins	Bonker	Byron
AuCoin	Borski	Campbell
Baker	Bosco	Cardin

Carper	Huckaby	Panetta
Clarke	Hughes	Patterson
Clay	Hutto	Penny
Coble	Hyde	Perkins
Coelho	Jacobs	Petri
Coleman (TX)	Johnson (SD)	Price (IL)
Collins	Jones (TN)	Price (NC)
Conte	Jontz	Rahall
Conyers	Kanjorski	Rangel
Cooper	Kaptur	Richardson
Courter	Kastenmeier	Ridge
Coyne	Kennedy	Rinaldo
Crockett	Kennelly	Ritter
Darden	Kildee	Rodino
Davis (MI)	Kiecicka	Rogers
DeFazio	Kolbe	Rose
Dellums	Kolter	Rostenkowski
Derrick	Konnyu	Roth
DeWine	Kostmayer	Roukema
Dicks	LaFalce	Rowland (GA)
Dingell	Lancaster	Sabo
Donnelly	Lantos	Savage
Dorgan (ND)	Leach (IA)	Sawyer
Dowdy	Leath (TX)	Scheuer
Downey	Lehman (CA)	Schuetz
Durbin	Lehman (FL)	Sharp
Dwyer	Leland	Shumway
Dymally	Levin (MI)	Sikorski
Early	Lewis (GA)	Skaggs
Eckart	Lipinski	Skelton
Edwards (CA)	Lloyd	Slatery
English	Lott	Slaughter (NY)
Espy	Lowry (WA)	Smith (FL)
Evans	Lukens, Thomas	Smith (IA)
Fascell	Lungren	Smith, Denny
Fawell	MacKay	(OR)
Fazio	Madigan	Smith, Robert
Flake	Martinez	(NH)
Foglietta	Matsui	Smith, Robert
Foley	Mavroules	(OR)
Ford (MI)	McCandless	Snowe
Frank	McCloskey	Solarz
Frost	McCurdy	St Germain
Gallo	McDade	Staggers
Garcia	McMillen (MD)	Stenholm
Gaydos	Mfume	Stokes
Gejdenson	Miller (CA)	Stump
Gibbons	Miller (WA)	Swift
Glickman	Mineta	Synar
Gonzalez	Moakley	Tauke
Gordon	Mollohan	Thomas (GA)
Grant	Montgomery	Towns
Gray (IL)	Morella	Trafficant
Guarini	Morrison (CT)	Traxler
Hamilton	Morrison (WA)	Valentine
Hammerschmidt	Mrazek	Vento
Hastert	Murphy	Visclosky
Hatcher	Murtha	Volkmer
Hawkins	Nagle	Walgren
Hayes (IL)	Natcher	Watkins
Hayes (LA)	Neal	Waxman
Hefner	Nelson	Wheat
Herger	Nielson	Whitten
Hochbrueckner	Nowak	Williams
Hopkins	Oberstar	Wilson
Horton	Obey	Wise
Houghton	Olin	Wolpe
Howard	Ortiz	Wyden
Hoyer	Owens (NY)	Yates
Hubbard	Owens (UT)	Yatron

## ANSWERED "PRESENT"—1

Green

## NOT VOTING—64

Annunzio	Feighan	Pepper
Anthony	Florio	Pursell
Archer	Ford (TN)	Quillen
Badham	Frenzel	Ray
Barnard	Gephardt	Roe
Bartlett	Gradison	Roemer
Barton	Gray (PA)	Roybal
Bellenson	Gregg	Russo
Boner (TN)	Hall (OH)	Schneider
Brennan	Jeffords	Schulze
Brooks	Jenkins	Sensenbrenner
Bryant	Jones (NC)	Stark
Chandler	Kemp	Studds
Chapman	Livingston	Tauzin
Coats	Lujan	Thomas (CA)
Combust	Manton	Torres
Crane	Martin (NY)	Torricelli
de la Garza	McGrath	Udall
Dixon	McHugh	Weiss
Duncan	Michel	Wylie
Dyson	Moody	
Edwards (OK)	Pease	

□ 1415

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Miss Schneider against.

Messrs. GRANT, DELLUMS, MILLER of California, VOLKMER, GEJDENSON, FAZIO, STUMP, MONTGOMERY, HAMMER-SCHMIDT, CARDIN, and LUNGREN changed their votes from "aye" to "no."

Mrs. JOHNSON of Connecticut and Mr. MICA changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. GREEN. Mr. Chairman, I voted "present" on the Hunter amendment today because members of my family and I own stock in two shipyards which could be affected by the amendment.

## AMENDMENT AS MODIFIED, OFFERED BY MR.

## BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. (Mr. MURTHA). The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. BENNETT, as modified: At the end of title VIII of division A (page 117, after line 25) add the following new sections:

## SEC. 812. CONFLICT OF INTEREST IN DEFENSE PROCUREMENT.

Section 2397b(a)(1) of title 10, United States Code, is amended by striking out "acted as a primary representative" in subparagraph (C) and inserting in lieu thereof "acted as one of the primary representatives".

## SEC. 813. LIMITATION ON COMPENSATION OF RETIRED MILITARY OFFICERS LIMITED TO TWO YEARS.

Section 281 of title 18, United States Code (to the extent that such section was not repealed by section 2 of Public Law 87-849 (76 Stat. 1126; approved October 23, 1962)), shall apply to a retired officer of the Armed Forces only for the two-year period beginning on the date on which the officers retires.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

## ANNOUNCEMENT OF FUNERAL ARRANGEMENTS FOR HON. STEWART MCKINNEY

(By unanimous consent, Mrs. JOHNSON of Connecticut was allowed to speak out of order.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, we are receiving many questions about the arrangements for Thursday, and I want to be certain that Members who would like to attend the funeral of Stewart McKinney on Thursday at 2 o'clock remember to speak to the Sergeant at Arms.



There are already at least three planes going. The airport is quite a ways distant from the church where the service will be held, so it will be an all-day affair. In the evening buses will go to New York for those Members attending the New York conference. Arrangements will be made as well for those Members returning to Washington. But it is important that Members know that they must indicate their interest in going to Connecticut to the Sergeant at Arms as soon as possible.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. BENNETT] is recognized for 10 minutes.

Mr. BENNETT. Mr. Chairman, the purpose of this amendment is to correct a misinterpretation by the Department of Defense of the law passed last year by the Congress.

I offer a modification to my amendment which has been worked out with the gentleman from Alabama [Mr. DICKINSON]. The modification would slightly change my original amendment and would add a partial repeal of section 281 of title 18, which for almost 100 years has barred retired military officers from selling to their former military department. Mr. Dickinson's change which is part of the modification I offer, would change this lifetime ban to a 2-year ban.

My amendment, as modified, would clarify chapter 141 of title 10, United States Code. This law now prevents defense contractors from hiring certain DOD officials with whom they did business, for a period of 2 years after these officials leave government service. This includes anyone who "acted as a primary representative of the United States in the negotiation of a Department of Defense contract in an amount in excess of \$10 million."

The conferees spent many hours on this particular section and we specifically agreed to refer to "a" representative, not "the" representative. In the conference report accompanying the bill we said:

"By the terms 'primary representative' the conferees intend to describe an official who was an actual decision-maker, even though without official responsibility for the negotiations."

For some reason, the Department of Defense regulations on this law describe a primary representative as "the officer supervising the government's effort" and further restricts the law by adding language beyond what is in the statute. My amendments simply clarify what all members agreed to last year by changing the law to read: "one of the primary representatives." We are clear that this does not just mean an official who has technical or official responsibility for dealing with a contractor. For example, if an Assistant Secretary of a military department was not officially involved in a negotiation with a company, but made a deal or facilitated a deal with that contrac-

tor that settled a contract issue, that official would be covered by this law. The same would apply to the Secretary of the military department, the chief of staff, or the Secretary of Defense, for that matter, anyone who was an actual decisionmaker involved in discussions with the defense contractor concerning a contract worth \$10 million or more.

Mr. MAVROULES. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. I thank the gentleman for yielding.

Mr. Chairman, the Bennett amendment as modified would strike the words "a primary representative" in the section stating that a person who acted as "a primary representative" of the Government in the negotiation or settlement of a contract would be precluded from receiving compensation from that company for 2 years, and insert in lieu thereof the words "acted as one of the primary representatives."

In addition, the modified amendment would amend 28 U.S.C. 281, to the extent that that section was not repealed, to conform the ban on retired military officers to last year's revolving-door provisions by limiting the ban to 2 years.

We have reviewed that, we have worked with the gentlemen from Florida, and we are in total agreement with the revision.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT], as modified.

The amendment, as modified, was agreed to.

□ 1425

#### AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. MURTHA). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUNTER: At the end of title VIII of division A (page 117, after line 25), add the following new section: SEC. 812. REPEAL OF PROHIBITION OF USE OF INTERPORT DIFFERENTIAL FOR CERTAIN SHIP MAINTENANCE CONTRACTS.

Section 9085 of the Department of Defense Appropriations Act, 1987 (as contained in identical form in section 101(c) of Public Law 99-500 and section 101(c) of Public Law 99-591), is repealed.

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. HUNTER] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is an amendment that goes to competition that the gentleman from Oregon [Mr. AuCOIN] was so interested in.

It refers to interport differential, and it is already the system that is used on the east coast of the United States, and it should be applied to both coasts.

It says that if you compete a ship between two homeports, or between two companies in different homeports, and the taxpayers are going to have to pay to move that ship up the coast, should one company win it over the other one, that you take into consideration in the competition the cost of moving the ship. In other words, if it is going to cost the taxpayers \$1 million in fuel and other considerations to move a ship from point A to point B, should it be repaired at point B, that you consider in the competition and in the contract price that cost of moving, what the taxpayers ultimately are going to pay.

That is what interport differential means. It is already the system that is utilized on the east coast. It means that the taxpayers are going to have a better idea of what they have to pay for a specific service, and I would urge all Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. Is there a Member of the committee opposed to the amendment?

Does the gentleman from Oregon [Mr. AuCOIN] oppose the amendment?

Mr. AuCOIN. Mr. Chairman, I do oppose the amendment.

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCOIN] is recognized for 5 minutes.

Mr. AuCOIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to my colleagues who may be listening that this, I think, is the last technical amendment dealing with the question of increased competition for Navy ship repair work.

I know this is an extremely complex and arcane subject, but it is vitally important in terms of setting a sensible policy to maintain our mobilization base, so that we have adequate facilities in both home-port areas, and non-home-port areas to handle ship repair work in the future.

Our research capacity and our industrial base is critical to be maintained for security reasons.

The interport differential which the gentleman from California [Mr. HUNTER] seeks by his amendment to impose would impose on non-home-port yards a cost of transporting the Navy ship to those non-home-port yards where the work would be done, if those non-home-port yards win a bid on a fair bidding competition basis.

Mr. Chairman, I submit that it is wrong to impose that cost on non-home-port yards for this reason: Though it may mean a certain amount of extra small expense to get that ship to a non-home-port yard, if a non-home-port yard can prove that on the basis of the work it does, it can do quality work on a least-cost basis, the dollars saved through that competition can amount to millions of dollars, far offsetting the small amount of dollars that it would take to get the ship to the non-home-port yard.

What we have here again is a situation in which non-home-port yards which do not have ships assigned to them simply want to have a change to compete based on the cost of their work against the cost of the work of the home-port yard.

The gentleman from California [Mr. HUNTER] will say well, this is a subsidy to relieve the non-home-port yard from the cost of the transporting of those ships to those yards. I would have to say to the gentleman from California that is an interesting argument, but the gentleman knows full well that home-port yards have the benefit of all of the Navy investments in drydocks, other facilities, none of the costs of which are borne in the bids by the home-port shipyard bidders, and so the gentleman cannot make that argument one way without also subjecting himself to the vulnerability of that same argument in the case of the home-port yards.

The Members have already talked about the limits on competition that already exists. The Members talked about that in the previous amendment by the gentleman from California that the House wisely rejected.

Out of 100 bidding opportunities on the west coast, all we are trying to seek through these amendments is a possibility of perhaps 12 opportunities, no guarantees, but 12 opportunities out of 100, for non-home-port shipyards to go head to head against the home-port shipyards.

I think it is interesting that when you get out of Navy competition and deal with the ability of non-home-port yards and home-port yards to compete in commercial work, it is very interesting to me that in the commercial world on the west coast, non-home-port shipyards, such as those I represent, win 95 percent of the work that is competed, 95 percent; but because of rules that limit competition for Navy work, 90 percent of the work goes to the yards in San Diego.

I will talk in a few minutes later about the practice of low-balling, coming in deliberately low where the GAO has already announced and come out with findings on some of these home-port yards where competition has been limited. I will not speak to that at this point, but it sets up an incestuous situation where non-home-

ports protected from competition can low-ball their bids, buy into those contracts, end up with cost adjustments well in excess of what the real costs ought to be, and the taxpayer is the stooge, the chump, the loser.

I think the Hunter amendment ought to be defeated, because it is a restraint on competition, and I urge my colleagues to defeat this amendment too as the previous Hunter amendment was defeated.

Mr. HUNTER. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, let me tell the gentleman from Oregon [Mr. AuCoin], my friend, that the shoe is on the competition foot, on the other foot, on this amendment because this is an amendment that says that all costs of that overhaul, including transportation, have to be included. This is the pro-competition amendment.

My friend says we are going to save a lot of money anyway by Oregon making extremely low bids on these jobs. If they make extremely low bids, then they are going to win the jobs because, hopefully, their bid will be that much lower than any other yards, that the cost of moving that ship up the coast, that 1,000 miles, 2,000 miles or 3,000 miles will not be enough to make up for the disparity in price and, therefore, the Oregon yard will win the bid if it truly is a very low bid.

But the idea one is not supposed to consider all of the costs to the taxpayer is repugnant to the idea of competition. This is competition, and this says not only will we consider the cost of repairing ships, we are going to consider the cost of moving the ships. It is a commonsense argument.

Let me just say that the interport differential already applies to the east coast. The Navy and the Congress have said it applies to the east coast, and it makes common sense. It does not make common sense to charge the taxpayers for unseen costs on the west coast when we are not charging them for unseen costs on the east coast.

The logic in this debate is toward competition, and it is toward the passage of this amendment.

If the chairman of the committee is going to take out time, then I would be happy to yield to the gentleman from Oregon on that particular time.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. HUNTER] has expired, and the gentleman has 2 minutes remaining. The gentleman from Oregon [Mr. AuCoin] has no time remaining.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Mr. Chairman, the gentleman from Oregon [Mr. AuCoin] is an outstanding advocate of his position, of his dis-

trict and of his State. For that, I congratulate him.

I do not have a homeport and I wish I did, in my district or in my State. I do not have a repair facility and I wish I did.

But if my colleagues thought the last amendment was defeated because it was stifling competition, then they should vote for this amendment because it increases competition. The gentleman from California [Mr. HUNTER] is absolutely correct. If one is going to talk about a more level playing field, then they should talk about including the obvious costs of transporting a vessel with fuel, with food, with all of the other costs, transporting a vessel from one point 800, 1,000 miles, and then returning it, with the added costs of keeping a crew offshore with the discomfort to the crew and with all of those things. Those should be factored into the costs of the facility in each place.

If the shipyards of the gentleman from Oregon are that much better, the gentleman from California is correct, they ought to bid low enough to take that into account as they do on the east coast.

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 1 minute remaining.

Mr. AuCoin. Mr. Chairman, will the gentleman yield for just 15 seconds?

Mr. HUNTER. I yield briefly to the gentleman from Oregon.

Mr. AuCoin. Mr. Chairman, I appreciate the gentleman yielding. I would just point out to the gentleman, as I think he knows, the Secretary of the Navy has advocated the elimination of the interport differential on the west coast. In a letter to the Congress he said:

Historically, the Navy and GAO have not been able to estimate accurately what these costs in the interport differential are.

So, we end up decreasing competition and could lose millions of dollars of cost savings to the taxpayer.

Mr. HUNTER. Let me simply say, in the least the Navy can add the cost of fuel, which is very basic and very easy to ascertain, and there are a number of other costs. That is not a problem.

Let me simply say that the gentleman from Oregon is saying not to count all of the costs in this competition. If it costs the taxpayers \$1 million to move a ship, we do not want to count that in the competition. This is common sense, and this is a protaxpayer amendment and a procompetition amendment. If Oregon thinks they can win these competitions, let them compete. This is a procompetition amendment, and I urge support for the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered



by the gentleman from California [Mr. HUNTER].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 155, answered "present" 1, not voting 47, as follows:

[Roll No. 104]

## AYES—229

Ackerman	Hall (TX)	Oxley
Akaka	Hammerschmidt	Packard
Andrews	Hansen	Panetta
Applegate	Harris	Parris
Archer	Hastert	Pashayan
Armey	Hefley	Patterson
Baker	Henry	Pickett
Ballenger	Hergert	Porter
Bateman	Hertel	Price (NC)
Bates	Hill	Pursell
Bennett	Holloway	Rahall
Bereuter	Hopkins	Ravenel
Berman	Houghton	Hubbard
Bevill	Huckaby	Regula
Bilbray	Bilirakis	Rhodes
Bilbray	Bilbrakis	Ritter
Boehrlert	Boehrlert	Roberts
Bosco	Bosco	Robinson
Boucher	Boucher	Rogers
Boulter	Boulter	Rostenkowski
Boxer	Boxer	Roth
Bruce	Bruce	Roukema
Buechner	Buechner	Rowland (CT)
Bunning	Bunning	Saxton
Burton	Burton	Schaefer
Byron	Byron	Schroeder
Callahan	Callahan	Schuetz
Campbell	Campbell	Schumer
Carper	Carper	Shaw
Carr	Carr	Shumway
Chappell	Chappell	Shuster
Cheney	Cheney	Sikorski
Coble	Coble	Sisisky
Coleman (MO)	Coleman (MO)	Skaags
Coughlin	Coughlin	Skeen
Courter	Courter	Slattery
Craig	Craig	Slaughter (VA)
Crane	Crane	Smith (FL)
Daniel	Daniel	Smith (NE)
Dannemeyer	Dannemeyer	Smith (NJ)
Daub	Daub	Smith (TX)
Davis (IL)	Davis (IL)	Solomon
DeLay	DeLay	Spence
Dellums	Dellums	St. Germain
Derrick	Derrick	Stallings
DeWine	DeWine	Stangeland
Dickinson	Dickinson	Stenholm
DioGuardi	DioGuardi	Stokes
Dornan (CA)	Dornan (CA)	Stratton
Downey	Downey	Stump
Dreier	Dreier	Sundquist
Duncan	Duncan	Sweeney
Durbin	Durbin	Swindall
Dymally	Dymally	Tallon
Eckart	Eckart	Tauke
Edwards (OK)	Edwards (OK)	Taylor
Emerson	Emerson	Thomas (CA)
Erdreich	Erdreich	Thomas (GA)
Fawell	Fawell	Traxler
Fields	Fields	Udall
Fish	Fish	Upton
Flippo	Flippo	Vander Jagt
Frost	Frost	Volkmer
Gallegly	Gallegly	Vucanovich
Gallo	Gallo	Walker
Garcia	Garcia	Waxman
Gekas	Gekas	Weber
Gibbons	Gibbons	Wheat
Gilman	Gilman	Whittaker
Gingrich	Gingrich	Wise
Glickman	Glickman	Wolf
Goodling	Goodling	Wolpe
Grandy	Grandy	Wortley
Grant	Grant	Young (FL)
Gregg	Gregg	
Gunderson	Gunderson	

## NOES—155

Alexander	Gejdenson	Nowak
Anderson	Gonzalez	Oakar
Aspin	Gordon	Oberstar
Atkins	Gray (IL)	Obe
AuCoin	Guarini	Owens (UT)
Bentley	Hamilton	Penny
Biaggi	Hatcher	Perkins
Boggs	Hawkins	Petri
Boland	Hayes (IL)	Price (IL)
Bonior (MI)	Hayes (LA)	Rangel
Bonker	Hefner	Richardson
Borski	Hochbrueckner	Ridge
Brooks	Horton	Rinaldo
Broomfield	Howard	Rodino
Brown (CA)	Hoyer	Roe
Brown (CO)	Hughes	Rowland (GA)
Bustamante	Hutto	Sabo
Cardin	Hyde	Salki
Chandler	Jeffords	Savage
Clarke	Johnson (SD)	Sawyer
Clay	Jontz	Scheuer
Clinger	Kanorski	Schulze
Coelho	Kastenmeier	Sharp
Coleman (TX)	Kennedy	Skelton
Collins	Kildee	Slaughter (NY)
Conte	Kleczka	Smith (IA)
Conyers	Kolter	Smith, Denny
Cooper	Konnyu	(OR)
Coyne	Kostmayer	Smith, Robert
Crockett	Lehman (FL)	(NH)
Darden	Leland	Smith, Robert
DePazio	Lewis (GA)	(OR)
Dicks	Lloyd	Snowe
Dingell	Lott	Solarz
Donnelly	Lowry (WA)	Staggers
Dorgan (ND)	Lungren	Swift
Dowdy	MacKay	Synar
Dwyer	Markey	Towns
Dyson	Martinez	Trafficant
Early	Matsui	Valentine
Edwards (CA)	Mavroules	Vento
English	McCandless	Visclosky
Espy	McCurdy	Walgren
Evans	McMillen (MD)	Watkins
Fascell	Meyers	Weldon
Fazio	Mfume	Whitten
Flake	Miller (WA)	Williams
Foglietta	Mineta	Wilson
Foley	Moakley	Wyden
Ford (MI)	Morella	Yates
Frank	Morrison (WA)	Yatron
Frenzel	Nagle	Young (AK)
Gaydos	Nelson	

## ANSWERED "PRESENT"—1

Green

## NOT VOTING—47

Annunzio	Feighan	Quillen
Anthony	Florio	Ray
Badham	Ford (TN)	Roemer
Barnard	Gephardt	Rose
Bartlett	Gradison	Roybal
Barton	Gray (PA)	Russo
Bellenson	Hall (OH)	Schneider
Boner (TN)	Jenkins	Sensenbrenner
Brennan	Jones (NC)	Stark
Bryant	Kemp	Studds
Chapman	Livingston	Tauzin
Coats	Lujan	Torres
Combust	McGrath	Torricelli
Davis (MI)	Moody	Weiss
de la Garza	Pease	Wylie
Dixon	Pepper	

## □ 1440

The Clerk announced the following pair:

On this vote:

Mr. Pepper for, with Mr. Torricelli against.

Mr. DYSON, Mrs. BENTLEY, and Mr. HUGHES changed their votes from "aye" to "no."

Messrs. PANETTA, LANCASTER, WISE, and OLIN changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above-recorded.

## PERSONAL EXPLANATION

Mr. GREEN. Mr. Chairman, I voted "present" on this Hunter amendment for the same reason I did on the previous Hunter amendment.

□ 1455

## PERSONAL EXPLANATION

Mr. MAVROULES. Mr. Chairman, had I been here, I would have voted against the Hunter amendment, and I would have voted for the Weldon amendment, which took place last Wednesday, May 6, 1987.

## AMENDMENT AS MODIFIED, OFFERED BY MR.

HUTTO

Mr. HUTTO. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. HUTTO, as modified: At the end of title VIII of division A (page 117, after line 25), add the following new section:

## SEC. 812. IMPLEMENTATION OF SPECIAL OPERATIONS FORCES REORGANIZATION.

(a) DIRECTION TO SECRETARY OF DEFENSE.—Upon the establishment of the unified combatant command for special operations forces under section 167 of title 10, United States Code, the Secretary of Defense shall ensure that all necessary measures are taken to provide adequate and sufficient resources for the commander of the command to discharge his responsibilities under such section, including particularly his responsibilities involving development and acquisition of special operations-peculiar equipment and in management of all resources for special operations as a separate budget activity.

(b) APPOINTMENT OF CIVILIAN PERSONNEL TO HEADQUARTERS STAFF; ACQUISITION AUTHORITY.—Subsection (c) of section 167 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3) The Secretary of Defense shall establish not to exceed 120 civilian personnel positions as part of the headquarters staff of the special operations command. Personnel in such positions shall assist the commander of the command in carrying out the functions of the commander under paragraph (1).

"(4) Within the civilian positions provided under paragraph (3), the Secretary of Defense may establish—

"(A) professional engineering positions primarily concerned with research and development of special operations-peculiar equipment;

"(B) professional scientific positions in the physical and natural sciences, medicine, communications, electronics, and aviation; and

"(C) professional management positions in program management, administration, contracting, warehousing and depot operations,

testing, procurement, and financial, budgeting and automation systems.

"(5) Subject to the authority, direction, and control of the Secretary of Defense, the commander of the command (in carrying out his functions and exercising his authority under paragraph (1)(G) to develop and acquire special operations-peculiar equipment and acquire special operations-peculiar material, supplies, and services) shall have authority to exercise the functions of the head of an agency under chapter 137 of this title. The commander may conduct internal audits and inspections of purchasing and contracting actions through the inspector general of the special operations command."

(C) ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.—Section 136(b)(4) is amended by adding at the end the following new sentences: "The Assistant Secretary is the principal advisor to the Secretary of Defense on special operations and low intensity conflict matters and is the principal special operations and low intensity conflict official within the senior management of the Department of Defense. That authority, direction, control, and supervision of special operations and low-intensity conflict matters (including activities of the commander of the special operations command under section 167(e) of this title) exercised by the Secretary of Defense through the Office of the Secretary of Defense shall be exercised through the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict."

(d) RESOURCES AND PROGRAMMING.—Section 1311(c) of the Department of Defense Authorization Act, 1987 (Public Law 99-661), is amended by adding at the end the following new sentence: "Activities described in subsection (e) of section 167 of title 10, United States Code, shall be programmed, and resources for such activities shall be provided, through such major force program category and in accordance with customary defense resource allocation policies."

Mr. HUTTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida that the amendment be modified?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. HUTTO] is recognized for 10 minutes.

Mr. HUTTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the members of the committee are aware, implementation of our special operations legislation which we passed last year has been bitterly opposed in some quarters in the Pentagon. A new Assistant Secretary has yet to be confirmed, or the Commander in Chief or the unified command put in place. When these matters are settled this summer, we can expect more foot dragging and delay unless the letter and intent of

the implementation is made perfectly clear to DOD and the services.

Our legislation last year specified that the new CINC be given control over "special operations-peculiar" research, development and acquisition, and over the SOF budget, to be managed in a new major force program. I have introduced an amendment which gives the new CINC up to 120 personnel spaces to carry out those required duties, which are unique to his unified command. Without this specific authorization and listing of the CINC's responsibilities, I can foresee another wasted year while the arguments and obstructionism continue.

I urge the committee's support for this amendment, which can give the new CINC the muscle to get an early and successful start for the new SOF command. Without it, I'm afraid that we'll be discussing the exact same problems this same time next year.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, the committee accepts the Hutto amendment, as modified. I understand that the amendment, as modified, is fully consistent with the special operators legislation passed last year.

I also understand that the modification of the amendment eliminates some concerns that I had with the original wording.

The chain of authority from the Secretary of Defense to the SOF commander is now clear. The military chain of command would be the same as for any other unified or specified commander—that is, from the President to the Secretary of Defense and directly to the special operations commander. Any of his authority, direction, control or supervision of special operations matters that the Secretary of Defense exercised through the Office of the Secretary of Defense [OSD] would be exercised through the assistant Secretary of Defense for special operations and low-intensity conflict.

Also, the wording in the modified amendment is intended to make it clear that the new major force program category 11 for special operations is not immune from the same competition for resources within the Pentagon that the other 10 original force packages undergo.

Mr. HUTTO. Mr. Chairman, I reserve the balance of my time.

Mr. KASICH. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. KASICH] is recognized for 10 minutes.

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the gentleman from Florida [Mr. HUTTO] and the very distinguished

chairman of the Subcommittee on Readiness, the gentleman from Virginia [Mr. DANIEL], for their unfledgling loyalty and devotion to this issue.

What we are trying to do in this amendment is really tell the Pentagon that we do not want them to make interpretations of our legislation in a way that, in our view, waters down the legislation that we passed here in the last session.

The people who have studied this issue on both sides of the aisle firmly believe that the future threat, the real future threat to this United States, lies in the problem of low-intensity conflict. What we clearly need to do is take a number of steps to beef up our ability to have effective special forces operation in this country. We have all felt as if the Pentagon has been less than fully supportive of the legislative efforts to beef up special forces the way that we think it ought to be beefed up.

The gentleman from Virginia [Mr. DANIEL] has been an integral part of the amendment, along with the gentleman from Florida [Mr. HUTTO], and what we are really saying is let us determine what equipment is needed; let us line it out in the budget; let us make sure that the people who are in charge of this whole operation, the commanders in chief, the CINC's in the field, the Assistant Secretary of Defense, are going to have enough authority to carry out their responsibilities.

This is a very curious debate, and the reason is that there are a number of people in the Pentagon who recognize the need to do what we want to do within this legislation. Unfortunately, there are a lot of people over there, a lot of bureaucrats over there who do not want to do what has to be done to special forces for a variety of reasons, most of which do not make much sense.

What EARL HUTTO is trying to do here is, again, to reemphasize the importance of special forces. He does it with the support of the gentleman from Virginia [Mr. DANIEL], and with my strong support.

I look forward to the passage of this amendment and its incorporation in the overall defense bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HUTTO. Mr. Chairman, I want to thank the gentleman from Ohio [Mr. KASICH], the ranking minority member on the Special Operations Forces Panel, as well as on the Subcommittee on Readiness, for the good work that he has done and for his support of this.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment, as



modified, offered by the gentleman from Florida [Mr. HURTO].

The amendment, as modified, was agreed to.

AMENDMENT AS MODIFIED, OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment, as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT, as modified:

At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. PREFERENCES IN AWARDING DEFENSE CONTRACTS.

(a) PREFERENCE.—The Secretary of Defense or Secretary of the military department concerned shall award a contract for procurement of any manufactured product in accordance with this section. In evaluating bids or proposals to determine the lowest responsible offeror for such a contract, the Secretary shall increase by 50 percent the amount proposed in a bid or offer from any firm proposing to provide a product other than a qualifying country product. In evaluating such bids or proposals after adding such price differential, the Secretary shall give special consideration to a domestic firm if the product, if awarded to that firm, would be manufactured in an area with a surplus of labor, as determined by the President.

(b) QUALIFYING COUNTRY PRODUCT.—(1) A product is a qualifying country product for purposes of this section if the product will be manufactured substantially all from articles, materials, and supplies mined, produced, or manufactured in the United States or any other qualifying country.

(2) For purposes of paragraph (1), a manufactured product shall be considered to be manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States or another qualifying country if at least 50 percent by value of the constituent elements in the product are mined, produced, or manufactured (as the case may be) in the United States or such other country.

(c) QUALIFYING COUNTRIES.—A country is a qualifying country for purposes of subsection (b) if—

(1) the country is a member of the North Atlantic Treaty Organization; or

(2) the country is designated as a major non-NATO ally for purposes of section 1105 of the Department of Defense Authorization Act, 1987 (division A of Public Law 99-661).

(d) EXCEPTIONS.—This section does not apply—(1) if the Secretary of Defense or Secretary of the military department concerned determines that the application of this section to a contract or product would be inconsistent with the public interest;

(2) if the products to be procured are for use outside the United States; or

(3) if products of the class or kind to be procured, or the articles, materials, or supplies from which they are manufactured, are not mined, produced, or manufactured,

as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

(e) DEFINITION.—For purposes of this section, the term "product" includes articles, materials, and supplies.

(f) EFFECTIVE DATE.—This section applies with respect to contracts awarded pursuant to solicitations issued after the end of the 90-day period beginning on the date of the enactment of this Act.

(g) FURTHER EXCEPTION.—Notwithstanding any other provisions of this section, after a mutual defense cooperative agreement between a qualifying country and the United States that is in effect on the date of the enactment of this Act expires or is renewed or extended, the United States shall require that any new agreement with such country (or such agreement as is revised or extended) shall provide that there is a bid or proposal from a firm described in the third sentence of subsection (a), 5 percent shall be added to each bid or proposal from a firm proposing to manufacture substantially all (as determined under subsection (b)(2) of such product in such country.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. TRAFICANT] is recognized for 10 minutes.

□ 1505

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I had an amendment placed before this House that met with some opposition from the Department of Defense, the Pentagon, and some of the leaders of the House. It would have called for a straight 10 percent advantage to an American firm when bidding against a foreign corporation or firm. With that in mind and after having discussed the process here and the issue with the subcommittee chairman, the gentleman from Massachusetts [Mr. MAVROULES] and the committee chairman, the gentleman from Wisconsin [Mr. ASPIN] I have agreed to a modification for several reasons.

No. 1, it is not my intent to, first of all, violate the law or, second of all, to create a piece of legislation that will not hold in conference. I do have an agreement that the language that has been presented in the modification can be presented. It would basically exempt any NATO nation or major non-NATO ally, and it would provide for a 50-percent loaded advantage for those firms not exempted. I know there are some Members who are looking at it in that regard. Basically the amendment would say that once the memorandums of understanding are completed and the new agreements are taking place, the same countries

that are so exempted now under this legislation would continue to be exempt except for one factor: there would be a 5-percent advantage for a product manufactured in America if from a labor-surplus area.

I do not believe that is too difficult an amendment for us to accept here. Specifically, it would offer areas of the country that have high unemployment an opportunity to become involved in the defense industry and, second of all, I think it would send a signal that we have been fair in mutually agreeing to certain agreements on tariffs and trade and that some other countries have not necessarily been as fair to us as we have been to them.

So specifically, Mr. Chairman, that is the modification language.

Mr. MAVROULES. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the subcommittee chairman, the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, I thank the gentleman for yielding.

We have looked over the modification, Mr. Chairman, and we have been able to work it out with the author of the amendment.

I just want to assure all the Members of the House that we will continue having hearings on this particular issue. It is a piece of legislation which I do not find objectionable, and it is something that hopefully we can work out in conference to make it a better bill.

So, Mr. Chairman, I thank the gentleman for yielding, I accept the gentleman's version of it by his modification, and I assure the Members as we will continue to have hearings.

Mr. TRAFICANT. Mr. Chairman, if the gentleman would agree to engage in just a brief colloquy, let me ask this:

It is our understanding, with the modification language, that once the current contracts expire, the new memorandums of understanding in all new developments that will take place will be listing that 5-percent advantage if a product is made from a labor-surplus area in America?

Mr. MAVROULES. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. MURTHA). Does any Member rise in opposition to the amendment?

The question is on the amendment, as modified, offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate amendment No. 17.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Florida:

At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. LIMITED COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) The Secretary of Defense is authorized and directed to institute a program of counterintelligence polygraph examinations for military, civilian and contractor personnel of the Department of Defense, military departments, and the armed forces whose duties involve access to classified information.

(b) The program instituted pursuant to subsection (a) shall provide that, in the case of such individuals whose duties involve access to classified information within special access programs established pursuant to section 4.2(a) of Executive Order 12356, a counterintelligence polygraph examination shall be required prior to granting access to such information and periodically thereafter at random while such individuals have access to such information.

(c) In the case of individuals whose duties involve access to classified information other than that information covered in subsection (b) of this section, a counterintelligence polygraph examination may be required prior to granting access to such information and aperiodically thereafter at random while such individuals have access to such information.

(d) A counterintelligence polygraph examination conducted pursuant to this section shall be limited to technical questions necessary to the polygraph technique and questions directly related to espionage, sabotage, terrorism and unauthorized disclosures of classified information.

(e) The authority of the Secretary of Defense under this section to provide for the use of polygraph examinations shall be in addition to any other authority the Secretary possesses on the date of enactment of this act to provide for such examinations under applicable laws and regulations.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. Young] is recognized for 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the amendment that I offer today is identical to one that this House approved in the last Congress by a vote of 333 to 71. It deals with the question of the use of counterintelligence polygraphs to attack those people who would go into business for themselves to sell information to a hostile nation, thus making it very difficult for us to provide for our own Nation's security.

The vote was so overwhelming in the last Congress that I thought there would not be too much need to take a lot of time to debate this today, and I will not do that. But I would like to make just a couple of points.

First, if we are really concerned about how much it costs to provide for our national defense, if we are concerned about how many hundreds of billions of dollars have to be appropri-

ated to provide for our national defense, it is important to know that much of that expense is because he Soviets either buy or steal technology that we have developed, that we have created, and because of someone like John Walker or Christopher Boyce or Ronald Pelton, or some of the other names we are very familiar with, the technology we create goes to the Soviets and it enables them to, in effect, nullify what we have done.

I think the people of America are outraged that we have not done enough to stop the flow of American intelligence and American national defense secrets outside our country.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I am happy to yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I commend the gentleman for offering this amendment. I hope that all the Members of the House will vote for it. It makes eminent sense, and I am sure that if the people of the United States were asked the question, they would vote almost unanimously for the amendment themselves.

Mr. Chairman, I rise in support of the amendment offered by my good friend from Florida, BILL YOUNG, that would establish a permanent counterintelligence polygraph program. This measure is an important weapon in our war on anti-American espionage.

Our Nation's top counterintelligence experts say that this program is one of the most effective tools they could have to counter the threat of espionage. In fact, a number of convicted spies themselves acknowledge that this program would be a serious deterrent to potential spies.

The 2-year-test polygraph program being administered by the Department of Defense will soon end. This limited program has become a crucial component of our Nation's counterintelligence program and over the past 2 years has been administered in an effective manner that respects the rights of all involved.

The effectiveness of this polygraph program has already been proven. A routine polygraph exam given to a CIA employee led to the investigation and arrests of this employee and a spy ring in Ghana. A Department of Defense report concerning convicted spy John Walker noted, "Walker has stated subsequent to his conviction that had a counterintelligence type polygraph program existed during the sixties and seventies, he would never have become involved in espionage. In fact, he claims it was the fear of being polygraphed that resulted in his leaving the military in 1975." Before the Senate Governmental Affairs Committee, convicted spy Christopher Boyce admitted, "If I had known this polygraph program existed I would never have considered an act of espionage \* \* \*. I knew I could not pass a polygraph and greatly feared it \* \* \*. This policy, distasteful as it is, should be considered one of the best deterrents to those toying with the thought of espionage."

I urge my colleagues to support the Young amendment to make this counterintelligence

polygraph program permanent and protect our important national security interests.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California [Mr. LAGOMARSINO].

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for offering what may be one of the most important amendments to come before the House this year, and I just wish to remind our colleagues that recently, because of disclosures that were made by Americans to the Soviet Union, the Soviet Union has managed to quiet their submarine force.

As a member of the Seapower Subcommittee, let me say that I think we will have to spend perhaps upward of \$30 billion to put ourselves in the same situation we were in vis-a-vis the Soviet Union before that happened.

Mr. Chairman, this is critical to national security, and I recommend that the gentleman's amendment be adopted.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for his confidence.

As the Members will recall, we put this program in effect 2 years ago, and we required the Department of Defense to report on how well the program was working. Their report strongly supports the use of counterintelligence polygraphs. Their report emphasizes the effectiveness of the program, and the acceptance of this program by those who have been polygraphed for counterintelligence reasons is unbelievable. It is just a very positive story.

The amendment we adopted 2 years ago expires at the end of this fiscal year. That is why we offer the amendment again. It was only a 2-year program, it expires now, and so we offer the program again to keep our people in the business of using counterintelligence polygraphs.

Let me make one more point, and then I will reserve the balance of my time.

We have given certain people the responsibility for our Nation's security, and it is those very people who, after the Walker spy case became public, lined up before our respective committees, one after another, and said, "If we can have just one single tool, to counter espionage it would be a counterintelligence polygraph program."

Mr. Chairman, that is what we have given them, and let us make that program permanent today.

Mr. Chairman, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Chairman, this amendment would allow the Department of Defense to require as many as 20,000 people per year to submit to a so-called lie detector test.



Assuming, and it is a large assumption, that the accuracy rate of the lie detector gadget is 85 percent, one finds the following situation:

Ten percent or 2,000 of all those to undergo the test are guilty. The test will correctly identify 1,700 of those 2,000; but in doing so it will also incorrectly identify 2,700 other innocent people. Thus, an 85 percent accuracy rate means that 61 percent of those labeled as "guilty" or "suspect" by the lie detector are in fact innocent.

I urge my colleagues to oppose this indiscriminate gadget.

AMENDMENT OFFERED BY MR. NICHOLS TO THE AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. NICHOLS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS to the amendment offered by Mr. YOUNG of Florida:

At the end of subsection (a) insert the new subsection (b):

**LIMITATION ON NUMBER OF POLYGRAPH EXAMINATIONS**

Subsection (b) of such section is amended to read as follows:

"(b) LIMITATION ON NUMBER OF EXAMINATIONS.—The number of persons required to take a counterintelligence polygraph examination under this section—

"(1) may not exceed 20,000 during each of fiscal years 1988, 1989 and 1990; and

"(2) may not exceed 10,000 during any fiscal year after fiscal year 1990 for which Congress has not otherwise authorized a specific number by law."

Renumber the subsections (b), (c), (d), and (e) to read (c), (d), (e), and (f) and add the new subsections:

(g) NONAPPLICATION OF SECTION.—This section does not apply—

(1) to an individual assigned or detailed to the Central Intelligence Agency or to any expert or consultant under a contract with the Central Intelligence Agency;

(2) to (A) an individual employed by or assigned or detailed to the National Security Agency, (B) an expert or consultant under a contract to the National Security Agency, (C) an employee of a contractor of the National Security Agency, or (D) an individual applying for a position in the National Security Agency; or

(3) to an individual assigned to a space where sensitive cryptologic information is produced, processed, or stored."

(h) ANNUAL REPORT.—Subsection (c) (2) of section 1221 of the Department of Defense Authorization Act, 1985 (Public Law 99-125) is amended by striking out "December 31, 1986" and inserting in lieu "December 31 of each year" and striking out "fiscal year 1986" and inserting in lieu "the previous fiscal year".

Mr. NICHOLS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. NICHOLS] is recognized for 5 minutes.

Mr. NICHOLS. Mr. Chairman, let me say to the Members of the House that I, too, rise in support of the gentleman's amendment. I think it is a good amendment, and I intend to support it in its entirety. I do have some concerns or some degree of concern with it, in that the amendment is somewhat open-ended.

There are those in this body who feel there ought to be some minimal constraints placed on the number of polygraphs you do for people in a given year. For that reason, there are two sections to this amendment that I offer.

The first would place a limit of 20,000 tests per year for 1988, for 1989, and for 1990. The purpose of this is to keep the Department of Defense somewhat on a leash, to close what some people are concerned about, a broad policy in which they could and might under some circumstances polygraph everybody and anybody for any particular reason.

The polygraph program, I say to the gentleman from Florida, has been a great success. We are thankful for the gentleman's interest in it. It has been a success a hundred percent, in part because we have kept a leash on it. We have kept a close watch on it.

So point No. 1 is that I would propose to place a limit of 20,000 tests a year.

Let me say, Mr. Chairman, that this figure is up from 7,000 that we have at the current time. I am advised that that 20,000 limit would be sufficient to polygraph the people in the Defense Department that we intend to cover in these years.

The second point I would make is simply that we have added the reporting requirements that are in the current bill. I think we would want to keep these restraints on it and have some degree of requirement for reporting back to the Congress.

Mr. Chairman, that in fact is my amendment, and I ask that the House support it.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I appreciate the comments he has made on this very important issue.

Mr. Chairman, I would like to say that I support the gentleman's amendment. I think it is probably a good idea to place a number in this bill. I do have an idea that the other body is probably going to reduce that number somewhat, and if they do not get too ambitious or rambunctious, I think we have a good workable program.

I believe the gentleman's amendment is a positive amendment. I think it actually strengthens the amendment I offered, and I am happy to rise in support of it.

Mr. NICHOLS. Mr. Chairman, I thank the gentleman for his support.

Mr. CHAIRMAN pro tempore. Is there opposition to the amendment offered by the gentleman from Alabama [Mr. NICHOLS] to the amendment?

The question is on the amendment offered by the gentleman from Alabama [Mr. NICHOLS] to the amendment offered by the gentleman from Florida [Mr. YOUNG].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. YOUNG], as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

**RECORDED VOTE**

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 345, noes 44, not voting 43, as follows:

[Roll No. 105]

**AYES—345**

Alexander	Conte	Gordon
Anderson	Cooper	Grandy
Andrews	Coughlin	Grant
Applegate	Courter	Gray (IL)
Archer	Coyne	Gregg
Armey	Craig	Guarini
Aspin	Crane	Gunderson
Atkins	Daniel	Hall (TX)
AuCoin	Dannemeyer	Hamilton
Badham	Darden	Hammerschmidt
Baker	Daub	Hansen
Ballenger	Davis (IL)	Harris
Bartlett	DeLay	Hastert
Bateman	Derrick	Hatcher
Bates	DeWine	Hayes (LA)
Bennett	Dickinson	Hefley
Bentley	Dicks	Hefner
Bereuter	DioGuardi	Henry
Bevill	Donnelly	Henger
Biaggi	Dorgan (ND)	Hiler
Bilbray	Dornan (CA)	Hochbrueckner
Billrakis	Dowdy	Holloway
Bliley	Downey	Hopkins
Boggs	Dreier	Horton
Boland	Duncan	Houghton
Bonker	Durbin	Howard
Borski	Dwyer	Hubbard
Bosco	Dyson	Huckaby
Boucher	Early	Hughes
Boulter	Eckart	Hunter
Boxer	Edwards (OK)	Hutto
Brennan	Emerson	Hyde
Broomfield	English	Inhofe
Brown (CA)	Erdreich	Ireland
Brown (CO)	Espy	Jacobs
Bruce	Fascell	Jeffords
Buechner	Fawell	Johnson (CT)
Bunning	Fazio	Johnson (SD)
Burton	Fields	Jones (TN)
Bustamante	Fish	Jontz
Byron	Flake	Kanjorski
Callahan	Floppo	Kaptur
Campbell	Foglietta	Kasich
Cardin	Foley	Kennedy
Carper	Ford (MI)	Kennelly
Carr	Frank	Kildee
Chandler	Frenzel	Klecza
Chappell	Frost	Kolbe
Cheney	Gallegly	Kolter
Clarke	Gallo	Konnyu
Clinger	Garcia	Kostmayer
Coats	Gaydos	Kyl
Coble	Gejdenson	LaFalce
Coelho	Gekas	Lagomarsino
Coleman (MO)	Gilman	Lancaster
Coleman (TX)	Gingrich	Lantos
Collins	Goodling	Latta

Leath (TX)	Nichols	Slattery
Lehman (CA)	Nielson	Slaughter (NY)
Lent	Oakar	Slaughter (VA)
Levin (MI)	Obey	Smith (FL)
Levine (CA)	Olin	Smith (IA)
Lewis (CA)	Ortiz	Smith (NE)
Lewis (FL)	Owens (UT)	Smith (NJ)
Lightfoot	Oxley	Smith (TX)
Lipinski	Packard	Smith, Denny
Lloyd	Panetta	(OR)
Lott	Parris	Smith, Robert
Lowery (CA)	Pashayan	(NH)
Luken, Thomas	Patterson	Smith, Robert
Lukens, Donald	Penny	(OR)
Lungren	Perkins	Snowe
Mack	Petri	Solarz
MacKay	Pickett	Solomon
Madigan	Pickle	Spence
Manton	Porter	Spratt
Markey	Price (IL)	St Germain
Marlenee	Price (NC)	Staggers
Martin (IL)	Pursell	Stallings
Martin (NY)	Rahall	Stangeland
Martinez	Ravenel	Stenholm
Matsui	Regula	Stratton
Mavroules	Rhodes	Stump
Mazzoli	Richardson	Sundquist
McCandless	Ridge	Sweeney
McCloskey	Rinaldo	Swift
McCollum	Ritter	Swindall
McCurdy	Roberts	Synar
McDade	Robinson	Tallion
McEwen	Rodino	Tauke
McHugh	Roe	Taylor
McMillan (NC)	Rogers	Thomas (CA)
McMillen (MD)	Rose	Thomas (GA)
Meyers	Rostenkowski	Trafigant
Mfume	Roth	Traxler
Mica	Roukema	Udall
Michel	Rowland (CT)	Upton
Miller (CA)	Rowland (GA)	Valentine
Miller (OH)	Sabo	Vander Jagt
Miller (WA)	Saiki	Volkmer
Mineta	Sawyer	Vucanovich
Moakley	Saxton	Walgren
Molinari	Schaefer	Walker
Mollohan	Schroeder	Watkins
Montgomery	Schuetz	Weber
Moorhead	Schulze	Weldon
Morella	Schumer	Whittaker
Morrison (CT)	Sensenbrenner	Whitten
Morrison (WA)	Sharp	Wilson
Mrazek	Shaw	Wise
Murphy	Shumway	Wolf
Murtha	Shuster	Wortley
Myers	Sisisky	Wyden
Nagle	Skaggs	Yatron
Natcher	Skeen	Young (AK)
Nelson	Skelton	Young (FL)

## NOES—44

Ackerman	Gibbons	Owens (NY)
Akaka	Glickman	Rangel
Berman	Gonzalez	Savage
Boehlert	Green	Scheuer
Bonior (MI)	Hawkins	Sikorski
Brooks	Hayes (IL)	Stokes
Clay	Hertel	Towns
Conyers	Hoyer	Vento
Crockett	Kastenmeier	Visclosky
DeFazio	Leach (IA)	Waxman
Dellums	Lehman (FL)	Wheat
Dingell	Lewis (GA)	Williams
Dymally	Lowry (WA)	Wolpe
Edwards (CA)	Neal	Yates
Evans	Oberstar	

## NOT VOTING—43

Annunzio	Gephardt	Quillen
Anthony	Gradison	Ray
Barnard	Gray (PA)	Roemer
Barton	Hall (OH)	Roybal
Beilenson	Jenkins	Russo
Boner (TN)	Jones (NC)	Schneider
Bryant	Kemp	Stark
Chapman	Leland	Studds
Combest	Livingston	Tauzin
Davis (MI)	Lujan	Torres
de la Garza	McGrath	Torricelli
Dixon	Moody	Weiss
Feighan	Nowak	Wylie
Florio	Pease	
Ford (TN)	Pepper	

## □ 1520

Messrs. BONIOR of Michigan, VENTO, WHEAT, CROCKETT, HERTEL, NEAL, LEACH of Iowa, HAYES of Illinois, WAXMAN, AKAKA, SIKORSKI, and EVANS changed their votes from "aye" to "no."

Mr. MILLER of Washington changed his vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

## □ 1535

The CHAIRMAN pro tempore (Mr. MURTHA). The next eligible amendment is No. 19, to be offered by the gentleman from New York [Mr. FISH] or his designee.

The next eligible amendment is No. 20, to be offered by the gentleman from Virginia [Mr. BATEMAN] or his designee.

The next eligible amendment is No. 21, to be offered by the gentleman from Massachusetts [Mr. FRANK] or his designee.

The next eligible amendment is No. 22, to be offered by the gentleman from Indiana [Mr. McCLOSKEY] or his designee.

## AMENDMENT OFFERED BY MR. MC CLOSKEY

Mr. McCLOSKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McCLOSKEY: Page 139, line 19, strike out "\$6,720,000" and insert in lieu thereof "\$8,290,000".

Page 147, line 2, insert before "as follows" the following: ", plus \$1,570,000".

Page 147, line 5, insert before the period the following: ", plus \$1,570,000".

Mr. McCLOSKEY. Mr. Chairman, the amendment that I am proposing is a very reasonable and economical item which is very important for national security, in that the Crane Naval Weapons Support Center has some major innovations going as to counterterrorism devices and night-vision techniques.

It was dropped in the second round from the Milcon budget-cutting process, but I have been assured after some conversation with the distinguished chairman of the Milcon subcommittee, the gentleman from California. [Mr. DELLUMS], and also the gentleman from Wisconsin [Mr. ASPIN], that if I were to withdraw this amendment that it could probably be worked out in conference with the other Chamber, as this project is in the other bill.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Wisconsin.

Mr. ASPIN. I thank the gentleman for yielding.

Mr. Chairman, let me just endorse the comments of the gentleman from Indiana. The issue that he deals with is clearly justified. We think that it is a very good program.

This is something that we believe ought to be funded. We did not have it in our bill, but it is in the Senate bill, and I certainly would look on it favorably when we get to conference.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from California, the distinguished chairman of the Subcommittee on Military Installations and Facilities.

Mr. DELLUMS. Mr. Chairman, the gentleman by his amendment seeks to add \$1.57 million which was part of the administration's request. The subcommittee had a \$1.8 billion bogey to meet, and without prejudice, simply on the basis of lack of funds, was not able to fund this part of the program. It is a conferenceable item in the Senate, and the subcommittee chairman, as the full committee chairman, assumes that when we go into conference that there will be some degree of flexibility, and we think that we may be able to accommodate the gentleman in the conference.

Mr. McCLOSKEY. Mr. Chairman, I would like to thank the gentleman from Wisconsin [Mr. ASPIN] and the gentleman from California [Mr. DELLUMS], and note as to this project that without implementation the Navy would have no night-vision testing techniques in antiterrorist activities, so it is again very economical and very important.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

## AMENDMENT OFFERED BY MR. HAMMERSCHMIDT

Mr. HAMMERSCHMIDT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HAMMERSCHMIDT: In section 2301 of division B (page 148), insert the following after line 9: "Fort Smith Municipal Airport, Arkansas, \$3,742,000, for the construction of an apron and taxiway."

Mr. HAMMERSCHMIDT. Mr. Chairman, may amendment provides funds for constructing an area at the Fort Smith Airport which will permit the maneuvering of large wide-body civilian and military aircraft which frequently utilize this airport in connection with on-going and planned training activities at Fort Chaffee.

Under present Army plans use of Fort Chaffee for training purposes is expected to increase significantly in



the next few years and the improvements which would be provided at the Fort Smith Airport by the amendment would aid significantly in transporting troops to and from Fort Chaffee.

These upgrades are needed to support the Joint Readiness Training Center at Fort Chaffee and for other purposes. However, since there is some confusion over commitments made by the city of Fort Smith to the Army, I will ask unanimous consent to withdraw my amendment, but I believe that the project is needed and should be supported by the Army.

I am hoping that my colleagues on the committee will work with me and the Army to resolve this issue by next year.

Mr. MARTIN of New York. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from New York, a member of the subcommittee.

Mr. MARTIN of New York. I thank the gentleman for yielding.

Mr. Chairman, I certainly understand the gentleman's concern, and I can assure him that I will work with him to try to resolve this matter prior to our bringing the budget to the floor next year.

It is my feeling, not only with some confusion that exists, but also dealing with the Army, to ensure that this is necessary, that it is included in their budget request. I can assure the gentleman that I will work closely with him.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from California.

□ 1545

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding.

As the gentleman knows, we worked very diligently to try to accommodate my colleague and work this matter out. There appears to be some discrepancy with respect to who funded the project. We will work very closely with the gentleman to try to resolve this matter in the budget for the next fiscal year.

Mr. HAMMERSCHMIDT. Mr. Chairman, I thank the gentleman for his response and for his cooperation.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Arkansas to withdraw his amendment?

There was no objection.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of Texas: In division B, strike out section 2408 (page 175, line 15 through page 176, line 11).

The CHAIRMAN pro tempore. Under the rule, the gentleman from Texas [Mr. SMITH] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the amendment.

PERFECTING AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. GONZALEZ: Strike out section 2408 (page 175, line 15, through page 176, line 11) and insert in lieu thereof the following:

SEC. 2408. BROOKE ARMY MEDICAL CENTER.

(a) REPORT.—The Secretary of Defense shall, not later than March 1, 1988, transmit a report to the Committee on Armed Services of the Senate and the House of Representatives containing—

(1) a cost estimate for the construction of the medical facility authorized by section 2401 of the Military Construction Authorization Act, 1987, at Brooke Army Medical Center, San Antonio, Texas, with space for 450 beds;

(2) a cost estimate for the construction of such medical facility with space for 200 beds, and an estimate of the costs likely to be incurred as a result of the transfer of services from Brooke Army Medical Center to Wilford Hall Air Force Hospital; and

(3) a cost estimate of the expansion of such medical facility from 200 to 450 beds.

(b) REPEAL.—Section 2403(a) of the Military Construction Authorization Act, 1987 (division B of Public Law 99-661), is repealed.

Mr. GONZALEZ (during the reading). Mr. Chairman, I ask unanimous consent that the perfecting amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Chairman, I would like to say for the record that the gentleman from Texas [Mr. SMITH] has worked very diligently in a very difficult situation.

The gentleman and I have worked out an acceptable language that is acceptable to not only both of us, but to the Committee on Armed Services and the subcommittees of the Committee on Armed Services.

It has to do, of course, with the replacement hospital, and I think the gentleman from Texas [Mr. SMITH] and I are in complete accord as to what it is our objective should be; and that is, a suitable replacement, so that the thousands of eligible retirees who have served our country honorably will receive and continue to receive

first-quality medical and hospital care, and the active duty servicemen in the fifth Army service area as well as their beloved.

Mr. Chairman, I want to commend the gentleman from Texas [Mr. SMITH] for his perspicacity and for his very restrained judgment on these matters under very difficult and emotional circumstances.

I think that there is absolutely no opposition to this. I want to commend, as I repeat, the gentleman from Texas [Mr. SMITH] for his very diligent work in this respect.

Mr. Chairman, as the committee knows, Congress in 1984, pursuant to an agreement with the Department of Defense, ordered the planning of a replacement hospital at Brooke Army Medical Center. This was to be a facility of 450 beds, expandable to 690 beds. Last year, with the design 35 percent complete, the Department changed its mind and moved to reduce the facility to 150 beds, later revised it to 200 beds, and still later added numerous enhancements. In the 1986 Defense Authorization Act, \$135 million was provided for this revised version of the project. It turns out that the budget estimate was erroneous, and that the project will cost \$277 to \$300 million.

In light of all this, I requested, and Chairman ASPIN agreed, that language be added to the bill prohibiting any construction contract at Brooke during fiscal 1987 or 1988 and requiring firm information about the options available, and the cost of each option. I felt this was necessary because of the illogic and confusion surrounding the actions of Assistant Secretary of Defense for Health Affairs.

Even though the language in subsection (a) of section 2408 of the bill would not have affected any contracting schedule on the project, the Assistant Secretary used it as an excuse to order a halt to all planning. In light of that, and in agreement with my colleague LAMAR SMITH, I suggested this amendment, striking the language fencing off construction contracting authority on the Brooke project. Mr. SMITH supports this substitute, as I am sure he will affirm.

I remain convinced that constructing a 450-bed Brooke Army Medical Center is the only plan that makes sense; its cost probably will be little if any greater than the current proposal. I intend to continue pursuing that objective. But I am in agreement with changing the language, to keep the planning process in motion.

I commend the gentleman from Texas [Mr. SMITH] for his consideration and cooperation in resolving this matter. He has been most helpful and constructive. I want to extend my special thanks to the gentleman from Wisconsin [Mr. ASPIN], who has been most patient, courteous and considerate in this matter, which is of the greatest importance to the soldiers, retirees, and their families who rely on Brooke.

The CHAIRMAN pro tempore. Is there opposition to the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ]?

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word, and I

rise in support of the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ].

Mr. Chairman, the gentleman from Texas [Mr. GONZALEZ] and I are in agreement on compromise language that we feel will indicate to the Department of Defense Congress' continued support for this project.

I wish to thank the gentleman from Texas [Mr. GONZALEZ], my colleague from San Antonio, for his cooperation in working out this resolution and for his longstanding, active support for the Brooke Army Medical Center.

The CHAIRMAN pro tempore. The question is on the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ].

The perfecting amendment was agreed to.

The CHAIRMAN pro tempore. Under the precedents, the Smith of Texas amendment to strike falls and is not voted on.

#### AMENDMENT OFFERED BY MR. BUSTAMANTE

Mr. BUSTAMANTE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BUSTAMANTE: Page 176, after line 11, insert the following:

(d) FUNDS ALREADY AUTHORIZED AND APPROPRIATED.—Subsection (a) shall not apply to activities carried out with funds authorized and appropriated before the date of enactment of this Act for the medical facility described in such subsection. The Secretary of Defense shall continue to carry out design activities with respect to such medical facility.

The CHAIRMAN pro tempore. Under the rule the gentleman from Texas [Mr. BUSTAMANTE] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

The gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

Mr. BUSTAMANTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to engage the gentleman from Wisconsin [Mr. ASPIN] in a colloquy in reference to the language as just adopted in the Smith amendment.

Let me ask the gentleman, and I would like to inquire as to section 2408, because that might address my concerns.

If the gentleman from Wisconsin [Mr. ASPIN] addresses that concern, then I withdraw my amendment.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. BUSTAMANTE. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, let me say that section 2408 prohibits only the obligation or expenditure of funds for fiscal years 1987 and 1988 for actual construction of the replacement facilities.

Both site preparation work and design activities are permitted.

Mr. BUSTAMANTE. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas to withdraw his amendment?

There was no objection.

#### AMENDMENT OFFERED BY MR. CLARKE

Mr. CLARKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CLARKE: Page 177, line 22, insert ", plus \$602,000" before the semicolon.

The CHAIRMAN pro tempore. Under the rule, the gentleman from North Carolina [Mr. CLARKE] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The gentleman from North Carolina [Mr. CLARKE] is recognized for 5 minutes.

Mr. CLARKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment adds \$602,000 to the military construction authorization of the Army National Guard for construction of a National Guard armory in Marion, NC. It simply moves up construction of this armory by 1 year.

Construction of the Marion National Guard Armory was originally scheduled for 1989 but since all planning and design work for the building have been completed, and the land has been deeded by the county commissioners, it is practical and highly desirable to speed up construction of the armory by a year.

Mr. Chairman, I yield the gentleman from Wisconsin, chairman of the Armed Services Committee, such time as he may require.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN], the chairman of the Committee on Armed Services.

Mr. ASPIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me say that I think that the gentleman's amendment is one that we really ought to approve here.

It is a facility that, unlike the other facilities, we have no chance to deal with in this conference.

It is an issue in which, unfortunately, is in neither body; and what it is is a very, very good amendment.

Had we had this amendment earlier in the process, there is no question that amendment would have been in our bill, and for that reason, I urge the House to approve the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from North Carolina [Mr. CLARKE].

The amendment was agreed to.

#### AMENDMENT OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ARMEY:

#### PART E—BIPARTISAN COMMISSION ON CONSOLIDATION OF MILITARY BASES

##### SEC. 2751. FINDINGS.

The Congress finds that—

(1) it is essential to the security of the United States and to the public's confidence in our Armed Forces that the enormous resources necessarily devoted to the task of national defense are wisely dispersed;

(2) a substantial part of such resources is not directed toward maintaining and improving the military capabilities of the United States but to maintaining certain military installations which have little or no military value;

(3) since past efforts to eliminate such installations have been frustrated by various private interests, a bipartisan commission should be established to identify installations suitable for closure or realignment according to objective criteria; and

(4) in the interests of national security and the efficient use of Federal revenue, the Secretary of Defense should be granted the authority to close or realign such installations without regard to other provisions of law which would otherwise delay or prevent such closings.

##### SEC. 2752. ESTABLISHMENT; DUTIES.

(a) ESTABLISHMENT.—There is established the Bipartisan Commission on the Consolidation of Military Bases (hereinafter in this part referred to as the "Commission").

(b) DUTIES.—The Commission shall—

(1) review the military importance of all major military installations; and

(2) identify which of such installations can be closed or realigned without impairing the security of the United States.

##### SEC. 2753. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 12 members appointed within 30 days after the date of the enactment of this part as follows:

(1) Two members appointed by the President in consultation with the Secretary of Defense from among persons who are either private citizens or employees of the executive branch.

(2) Three members appointed by the Speaker of the House of Representatives in consultation with the ranking members of the Armed Services Committee of the House of Representatives from among persons who are either private citizens or Members of the House of Representatives.

(3) Two members appointed by the minority leader of the House of Representatives in consultation with the ranking members of the Armed Services Committee of the House of Representatives from among per-



sons who are either private citizens or Members of the House of Representatives.

(4) Three members appointed by the majority leader of the Senate in consultation with the ranking members of the Senate Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

(5) Two members appointed by the minority leader of the Senate in consultation with the ranking members of the Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

Appointments under this section may be made without regard to section 5311(b) of title 5, United States Code.

(b) VACANCIES.—A vacancy on the Commission shall be filled in the manner in which the original appointment was made.

(c) TERMS.—Members shall be appointed for the life of the Commission.

(d) BASIC PAY.—

(1) Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) Members of the Commission who are not officers or employees of the Federal Government shall be paid travel and transportation expenses in the same manner as an employee serving intermittently in the Government service under section 5703 of title 5, United States Code, while away from their home or regular place of business in performance of duties for the Commission.

#### SEC. 2754. MEETINGS.

(a) IN GENERAL.—The Commission shall meet at the call of the Chairman or a majority of its members.

(b) CHAIRMAN.—The President shall designate a Chairman from among the members of the Commission.

(c) QUORUM.—Seven members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(d) VOTING.—Decisions of the Commission shall be according to the vote of a majority of its members present at a properly called meeting.

#### SEC. 2755. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairman shall, without regard to section 5311(b) of title 5, United States Code, appoint a person to serve as staff director of the Commission.

(b) STAFF.—With the approval of the Commission and without regard to section 5311(b) of title 5, United States Code, the Chairman may appoint and fix the pay of such personnel as the Chairman considers appropriate.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this part.

(d) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Chairman may procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code.

(e) LIMITATION ON PAY.—Persons appointed under subsection (a) or (b) may not be paid at a rate exceeding the rate of basic pay payable under section 5316 of title 5, United States Code.

#### SEC. 2756. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this part, hold such hearings, sit and act at such times and places, take such testimony,

and receive such evidence, as the Commission considers appropriate.

(b) MEMBERS AND AGENTS.—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—

(1) Notwithstanding any other provision of law, the Commission may secure directly from any department or agency of the United States any information necessary to enable it to carry out this part.

(2) Upon request of the Chairman of the Commission the head of a department or agency shall furnish such information to the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

#### SEC. 2757. REPORT; IMPLEMENTATION OF RECOMMENDATIONS.

(a) REPORT.—The Commission shall transmit to the President, the Secretary of Defense, and each House of the Congress not later than 180 days after the enactment of this part a final report which contains a detailed statement of the findings and conclusions of the Commission and such recommendations as it considers appropriate.

(b) IMPLEMENTATION OF RECOMMENDATIONS.—Notwithstanding any other provision of law, the Secretary of Defense may—

(1) carry out closure or realignment of any military installations recommended for closure or realignment by the Commission in the report transmitted under subsection (a);

(A) without regard to any provision of law which would prevent or delay such closure or realignment, including laws restricting—

(i) the disposal of real property; or

(ii) the use of funds for closure or realignment of military installations included in annual appropriations Acts; and

(B) without complying with—

(i) the procedures set forth in sections 2662 and 2687 of title 10, United States Code; and

(ii) the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190; 42 U.S.C. 4321 et seq.); and

(2) using funds appropriated for military construction, design and construct such facilities as the Secretary deems necessary to accomplish the closure or realignment of any military installations under this part.

#### SEC. 2758. TERMINATION.

The Commission shall cease to exist 30 days after submitting its final report under section 2757(a).

#### SEC. 2759. DEFINITION.

For purposes of this part, the terms "military installation" and "realignment" have the meanings given such terms in section 2687(e)(1) and (3), respectively, of title 10, United States Code.

The CHAIRMAN pro tempore. The gentleman from Texas [Mr. ARMEY] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this amendment is very simple.

As my colleagues know, we have had an enduring problem in Congress over the years with trying to maintain a state of defense preparedness by way of keeping the most important and strategic bases to our national defense on line, and making room for them within a limited defense budget by closing or consolidating bases of less strategic or even in some cases no strategic significance to our national defense. Historically, this has been a politically charged base issue that has made it very difficult to eliminate this kind of needless waste in the defense budget.

My amendment establishes a commission that is bipartisan in nature, the majority members being appointed by the Congress and appointed for the express purpose of examining bases on a defense-preparedness basis only, recommending and facilitating the closure of bases that are not strategic to our defense.

I think this will save, in the studies I have seen by OMB and DOD, or have the capacity to save as much as \$5 billion each year after it is enacted. Certainly the ranges of estimates are from \$2.5 billion to \$5 billion.

It eliminates waste, cuts the redtape from base closing and allows the process to go forward without fear of political reprisals and based only on defense preparedness.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. Is there a Member in opposition to the amendment?

The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I do rise in opposition to the amendment, and yield 2 minutes to my distinguished colleague, the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, the amendment before us which would establish a commission composed of 12 members to review military bases, which of course are not limited to the continental United States, but all over the world, allows them to recommend closure or realignment notwithstanding any other provision of law. What this does, Mr. Chairman, is strike at the very heart of representational government. It strikes at the heart of the Constitution which states that the role of Congress is to raise and maintain the military forces of our country. It actually allows Congress to abdicate its responsibility to base the American forces here in this country and throughout the world to a 12-man commission which is not bound to provide and live up to any other law in

the law in the land, including the environmental policy law of our country.

Mr. Chairman, we just visited this issue last year, revised and rewrote a very good law which authorizes an examination and approval or disapproval procedure for Congress. It replaces all of this and wipes it out and places a 12-man commission or 12-man group that in essence would have the reign of a group of czars.

What if it had come up with a realigning of an Army base into a Navy base? We know this Congress has the expertise among ourselves and our staffs on the various subcommittees, and we would just be abdicating all of this to this 12-man commission.

I certainly think it is a mistake to even consider an amendment such as this. We are giving up in Congress what is so very important, our role to raise and maintain the forces and their base procedures throughout our country and throughout the world. It is just a wrong amendment.

Mr. DELLUMS. Mr. Chairman, I reserve the balance of my time.

Mr. ARMEY. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I rise in support of this amendment.

I know this is somewhat a heretical comment, but I think, ladies and gentlemen, the time has come. We have done this with salary increases for Members of Congress, we have done it with reapportionment by the State legislatures. We have to face that we are facing declining defense budgets each and every year.

As the chairman of the Subcommittee on Military Installations and Facilities so aptly stated today on the floor, we are in a situation where we just by the sake of affordability cannot do some meaningful projects.

So if we cannot address the problem of having bases that are in existence solely for political reasons because they occur in one district or another, I think we are missing the boat.

I know this is a stern measure and I know it is a measure that will cause great anguish, but I think the time has come when we have to address this issue for the simple reason that it is not being addressed and we are now talking about stretching out programs, ending programs, ill-equipping our troops, nonequipping our troops, on the basis of affordability, and we are talking about next year cutting troops strength. We cannot do that unless we at least look into the situation of basing and base requirements.

Mr. DELLUMS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, if I might direct a couple of questions to the sponsor of the amendment, when the gentleman from Texas [Mr. ARMEY] mentioned to me establishing a commission, I assumed that this was a study commission. I told him I thought it was a good idea because it had been almost impossible in years past to bring about a closing of a base due to the political impact, and it could forever draw on and drag out the economic impact and environmental impact statements. But I did not understand that this was to be a commission set in place to start doing it this year.

Let me ask the gentleman, how would the commission be established?

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, the commission will be appointed. There will be 12 members and 10 will be appointed by the Congress. The Speaker of the House and the majority leader in the Senate each will nominate three people. In conference with the chairman of the Defense Committee, the minority leaders would offer two and the President will offer two.

Mr. DELLUMS. Mr. Chairman, I yield myself the final 2 minutes to close debate on this side in opposition.

□ 1600

Mr. Chairman, the important point it seems to me that we must focus upon is that the amendment before the body waives all laws, including the Environmental Policy Act of 1969 and permits the Secretary of Defense, upon recommendation of this commission, to implement closures without regard to the wishes of the Members of Congress. I might remind my distinguished colleagues that 2 years ago the subcommittee that this gentleman chaired on Military Installations and Facilities held a number of hearings and made efforts to amend the base closing legislation in order to restructure this issue; went into the conference 3 years ago with the other party and negotiated very strongly a restructuring of legislation dealing with the issue of base closure. We worked out these amendments and we put them into law.

I find it very interesting, Mr. Chairman, that at this very moment the administration in submitting its last four potential base closures did not adhere to the rule of the law that was restructured.

What we are saying here is that the administration has more than ample opportunity to close bases. We removed a number of restrictions. If they want to use the law to close those bases it can be done. Under the Army amendment the Commission would make recommendations directly to the Secretary of Defense notwithstanding

any other law or any other act of any committee in the entire U.S. Congress, that base closure could go forward. One of the reasons why Members of Congress have been concerned about the issue of base closure has been the possibility of utilizing base closures as a way to intimidate or otherwise challenge Members of Congress. And so in the comity between the legislative branch and the executive branch on the basis of the fragile and delicate nature of checks and balances, certainly on the issue of base closure this gentleman believes that we ought to oppose the Army amendment and stick to the rule of law as it has been restructured.

Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, "Scoop" Jackson said "the best politics is no politics in matters of national security."

I think the chairman and Mr. MARTIN have done a great job of separating local interests from the national interests on our Subcommittee on the Committee on Armed Services. But I think if this commission is truly a blue ribbon commission, if it is set up appropriately could take away the intimidation factor, the political factor and we could put together some decisions that are based solely on the national interest.

For that reason I support the Army amendment.

Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, Congress is directly responsible for \$2 to \$5 billion in annual defense expenditure waste that nothing has yet been done about. I am referring to expenditures for unnecessary military bases. Congress has frustrated many of DOD's attempts to close bases for two main reasons: First, individual Members have fought to keep open bases in their district with little or no military value; and second, Members fear that an administration would use the power to close bases as a political weapon. The Army amendment would eliminate the second concern. Selection of bases for closure would be undertaken by a bipartisan commission that would be free of political pressure and could choose bases for closure according to purely objective military criteria. I call on my colleagues, in this time of dangerous budget deficits, to rise above their district interests and vote for this amendment which would save our country so much money. This amendment is both good government and prodefense, allowing us to focus those precious defense dollars where they are truly needed.



Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, let me say that I agree with the gentleman from California on the other side of the aisle and the gentleman from Missouri that we ought to try lots of different approaches to solving this problem, this problem of military base closing. In fact, that is what explains the purpose for this amendment today, the fact that we have tried so many approaches and most of those approaches have failed.

I say give this amendment a chance. We ought to be welcoming this amendment by Mr. ARMEY as opposed to quibbling over the details and the technicalities of it. If it holds any potential for closing military bases I think we should pass it, clean it up at conference and give it a chance to work.

Mr. ARMEY. I thank the gentleman from Texas.

Mr. Chairman, this is really a cut and dried issue: If you oppose waste in the defense budget then vote "yes" on the Arme amendment. If you oppose needless red tape that obstructs the achievement of greater efficiency in our national defense, vote "yes" on the Arme amendment; if you oppose political boondoggling and political blackmail vote "yes" on the Arme amendment.

This gives us a chance to have professional decisions made that will allow for the smooth, orderly and necessary closure of bases that exist today only for the purposes of political pork.

These bases then can be closed and our resources can be reallocated to an effective defense in the public interest at minimal cost to the taxpayers.

If you want less waste, greater efficiency, better defense preparedness, vote "yes" on the Arme amendment.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding.

Mr. Chairman, maybe we can slow down, Mr. Chairman, 2 minutes is very, very difficult.

First of all, I say to my distinguished colleagues that those of you who talk in support of this amendment I am simply saying that 2 years ago we walked around this barn. We negotiated very powerfully and very strongly some important base closure legislation that removed a number of the restrictions.

I might add just one other comment before there is a rush to judgment.

A number of my colleagues who support this particular amendment support home porting, a program that I think is an incredible, expensive boon-

doggie developing additional military bases and at the same time they want to talk about saving money.

The Home Porting Program is going to cost this country megabillions of dollars when you finish up with the bottom line. You cannot straddle the fence and walk both sides of the street simultaneously. You cannot talk about closing bases on the one with some innocuous commission and on the other hand put your vote where billions of dollars reside in establishing a Home Porting Program that expand the number of military facilities, not restrict them.

Mr. Chairman, if you go back and look at the legislation, we did remove a number of factors but I do not think you ever want to establish a commission that would restrict all provisions of law. The environmental protection, the Environmental Policy Act of 1969 is an extremely important factor. It guarantees and protects not only Members of Congress but American citizens and I do not think you ought to even be passing amendments that waive all points of law as significant as that particular law is.

If you want to save money I can tell you how to save money. You do not have to talk about establishing a commission, just vote against policies that develop a proliferation of facilities and begin to restrict. You can talk about saving billions of dollars in a very specific and overt way. This is a very indirect way to deal with it.

Again, I summarize: 2 years ago the subcommittee sat down with members in the other body on the other side of the aisle and negotiated powerfully to try to preserve the prerogatives of the administration in closing bases. This gentleman has been a critic of the Pentagon. I think we ought to stop spending \$300 billion a year or near that. So I have no problem. If you want to close a base, close it and close it on the efficacy of the economics and the strategic issues involved. But let us not do it on political grounds.

One of the reasons why Members of Congress supported the amendments that were worked out in conference, because it did give them that final measure of protection against political intrusion; you take that out of the hands of Members of Congress then where are you?

I would argue just the reverse to those who argue in support of this particular amendment. You do not walk further down the road toward integrity and strength, it seems to me you weaken your hand.

I thank my colleague for yielding.

Mr. BADHAM. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California.

Mr. BADHAM. I thank the gentleman for yielding.

Mr. Chairman, although the situations are somewhat the same the politics of the matter is a different matter. I would just say to the gentleman, as he knows, that I voted against home porting and I am going to vote for this amendment because I think stern measure have to be taken. If that is the only way we can get to it, that is the only way we can do it.

Mr. DELLUMS. I appreciate the gentleman's comment. All I am saying simply is that all of us want to make sure that those bases that have no tactical or strategic value should be closed; that have no relevant mission, should be closed; that are not cost effective, should be closed. The only reason that we kept in the provision that we did was that one tiny little aspect here and that is the prerogative of the legislative branch to review decisions on the part of the administration that in any way would appear to have a political thrust to them. Why are Members of Congress nervous about base closures? Because too often, in too many situations in the past the administration has used base closure as a way of intimidating Members of Congress. The only way they have to come back with that is to have laws that provide this institution with the right to look into those matters. This gentleman will always vote to close a base even in the gentleman's district because I am not a parochial person. You cannot buy me for some pork barrel. That is not why I came here. But if you are going to do it, do it on integrity, do it on the efficacy of the economics, you do it on tactical issues, you do it on strategic issues, you do it on the merit, or the lack thereof, of a mission. You do not play political games, Democrat/Republican, liberal/conservative.

Those kinds of things have no value.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in the interest of equity and comity I yield to the gentleman from Texas to respond.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Chairman, I will keep my response brief.

I appreciate the remarks by the gentleman from California. I listened to his remarks very carefully and I do not know anyone who could have stood on this floor and more eloquently made the case for a "yes" vote on this amendment, because this amendment does take the politics out of it, it does establish an objective bipartisan Commission that studies the issue from the point of view of defense preparedness and then for those bases as selected by this Commission it waives the redtape that is now in place under current law. Under current law anybody in this body or even indeed somebody outside of this body can use the

redtape in place to obstruct the closing of the most obsolete and useless base for an indefinite period of time. Does a body have its jurisdiction overruled? Not at all. If this Commission should report to the Defense Department that a base in someone's district is slated for closure or is appropriate for closure, if the DOD should announce that they will close that base, the gentleman will have ample time to come to this floor with a bill that will allow for the continued operation of that base, the difference being now that you will have to make the case for continued operation on its merits on the floor with respect to your colleagues.

You will not be able to go through the courts and in other ways exercise the redtape to stop the will of the Commission, to stop the will of the Department of Defense and to stop the will of the Congress, which appoints this Commission. All but two Members are appointed out of the Congress. If you want scientific objective evaluation of the relevant contribution a base makes to the defense, and if you want then for closures to go forward on the basis of subjective criteria without political haggling then you ought to vote "yes" on this amendment.

Mr. DICKINSON. Let me reclaim my time and let me ask the gentleman from Texas if he understood me that I was committed in support of his amendment? Did I make a commitment to you? We discussed it and I do not want to mislead the gentleman.

Mr. ARMEY. I understood that you were supportive of me. You just explained on the floor that you did not understand.

Mr. DICKINSON. Well, I would not want to give the gentleman my word and then backup. I understood the gentleman meant a study Commission or a review board. I did not realize the gentleman was putting it in. If the gentleman wants to hold me to it I will stay with it.

Let me just say that the Secretary of Defense feels very strongly that this is not a good idea.

Let me yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Chairman, I might point out at this time that in order for a base to be opened it must be by an act of Congress within the military construction authorization, or by the bill itself. And to undo a base we have a procedure set forth in the law which comes about as a result of a recommendation from the Department of Defense. And then we in Congress, following the law that was worked on extensively last year, follow through as a congressional body. This keeps the checks and balances proper. If it is a wrong base we will knock it out, but I think that you

are going to replace 12 people who have this expertise that you have in this subcommittee and the other subcommittees of the Armed Services Committee as well as the general wisdom of this body.

□ 1615

Mr. DICKINSON. Mr. Chairman, let me reclaim my time and ask the gentleman from Texas [Mr. ARMEY], is there any way that I can assure myself of being on this Commission?

Mr. ARMEY. I would think that the gentleman would be in a pretty good position, since the minority leader in the House would have 2 people to appoint, and he would do that by consulting with you.

Mr. DICKINSON. You cannot lean on that.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, we are simply talking here about checks and balances. I do not believe you remove the politics. If you read the bill, it says:

IMPLEMENTATION OF RECOMMENDATIONS.—Notwithstanding any other provision of law, the Secretary of Defense may—

(1) carry out closure or realignment of any military installations recommended for closure or realignment by the Commission in the report transmitted under subsection (a)—

(A) without regard to any provision of law which would prevent or delay.

The CHAIRMAN pro tempore. (Mr. MURTHA). All time has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. ARMEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 199, not voting 41, as follows:

#### [Roll No. 106]

#### AYES—192

Andrews	Bunning	DioGuardi
Applegate	Callahan	Dornan (CA)
Archer	Campbell	Downey
Armev	Carper	Dreier
AuCoin	Carr	Dwyer
Badham	Chandler	Erdreich
Baker	Cheney	Fawell
Ballenger	Clarke	Fields
Bartlett	Clinger	Fish
Bates	Coats	Flippo
Bellenson	Coble	Frank
Bereuter	Coleman (MO)	Frenzel
Berman	Conte	Gallely
Biaggi	Cooper	Gallo
Billirakis	Coughlin	Gibbons
Billey	Craig	Gilman
Bosco	Crane	Goodling
Brennan	Dannemeyer	Gordon
Brooks	Daub	Grandy
Broomfield	DeFazio	Green
Brown (CO)	DeLay	Gregg
Buechner	DeWine	Gunderson

Hall (TX)	Martin (IL)	Schumer
Hansen	McCandless	Sensenbrenner
Harris	McCollum	Sharp
Hastert	McDade	Shaw
Hefley	McEwen	Shumway
Hefner	McHugh	Sikorski
Henry	McMillan (NC)	Skaggs
Herger	Meyers	Slattery
Hill	Michel	Slaughter (NY)
Holloway	Miller (CA)	Slaughter (VA)
Hopkins	Miller (WA)	Smith (IA)
Houghton	Morella	Smith (NE)
Hubbard	Morrison (CT)	Smith (NJ)
Huckaby	Morrison (WA)	Smith (TX)
Hughes	Mrazek	Smith, Denny
Hunter	Murphy	(OR)
Hyde	Neal	Smith, Robert
Inhofe	Nielson	(NH)
Ireland	Nowak	Smith, Robert
Jacobs	Obey	(OR)
Jeffords	Oxley	Solarz
Johnson (CT)	Packard	Staggers
Kasich	Penny	Stallings
Kastenmeier	Petri	Stangeland
Kennedy	Porter	Stenholm
Kolbe	Price (NC)	Stump
Konnyu	Pursell	Sundquist
Kostmayer	Rahall	Sweeney
Kyl	Regula	Swindall
Lagomarsino	Rhodes	Tauke
Latta	Rinaldo	Thomas (CA)
Leach (IA)	Ritter	Udall
Lent	Roberts	Upton
Lewis (GA)	Rogers	Vander Jagt
Lightfoot	Roth	Walker
Lott	Roukema	Waxman
Lowery (CA)	Rowland (CT)	Weber
Lowry (WA)	Sabo	Whittaker
Lukens, Thomas	Saiki	Wilson
Lukens, Donald	Saxton	Wise
Lungren	Scheuer	Wolf
Mack	Schuetz	Wyden
MacKay	Schulze	Yatron

#### NOES—199

Ackerman	Eckart	Lehman (FL)
Akaka	Edwards (CA)	Leland
Alexander	Edwards (OK)	Levin (MI)
Anderson	Emerson	Levine (CA)
Aspin	English	Lewis (CA)
Atkins	Espy	Lewis (FL)
Bateman	Evans	Lipinski
Bennett	Fascell	Lloyd
Bentley	Fazio	Madigan
Bevill	Feighan	Manton
Billbray	Flake	Markey
Boehlert	Foglietta	Marlenee
Boggs	Foley	Martin (NY)
Boland	Ford (MI)	Martinez
Bonior (MI)	Frost	Matsui
Bonker	Garcia	Mavroules
Borski	Gaydos	Mazzoli
Boucher	Gejdenson	McCloskey
Boulter	Gekas	McCurdy
Boxer	Glickman	McGrath
Brown (CA)	Gonzalez	McMillen (MD)
Bruce	Grant	Mfume
Burton	Gray (IL)	Mica
Bustamante	Guarini	Miller (OH)
Byron	Hamilton	Mineta
Cardin	Hammerschmidt	Moakley
Chappell	Hatcher	Molinari
Clay	Hawkins	Mollohan
Coelho	Hayes (IL)	Montgomery
Coleman (TX)	Hayes (LA)	Moorhead
Collins	Hertel	Murtha
Conyers	Hochbrueckner	Myers
Coyne	Horton	Nagle
Crockett	Howard	Natcher
Daniel	Hoyer	Nelson
Darden	Hutto	Nichols
Davis (IL)	Johnson (SD)	Oberstar
Dellums	Jones (TN)	Olin
Derrick	Jontz	Ortiz
Dickinson	Kanjorski	Owens (NY)
Dicks	Kaptur	Owens (UT)
Dingell	Kennelly	Panetta
Donnelly	Kildee	Parris
Dorgan (ND)	Kiecza	Pashayan
Dowdy	Kolter	Patterson
Duncan	LaFalce	Perkins
Durbin	Lancaster	Pickett
Dymally	Lantos	Pickle
Dyson	Leath (TX)	Price (IL)
Early	Lehman (CA)	Rangel



Ravenel	Smith (FL)	Vento
Richardson	Snowe	Visclosky
Ridge	Solomon	Volkmer
Robinson	Spence	Vucanovich
Rodino	Spratt	Walgren
Roe	St Germain	Watkins
Rose	Stokes	Weldon
Rostenkowski	Stratton	Wheat
Rowland (GA)	Swift	Whitten
Savage	Synar	Williams
Sawyer	Tallon	Wolpe
Schaefer	Taylor	Wortley
Schroeder	Thomas (GA)	Yates
Shuster	Towns	Young (AK)
Siskiy	Trafficant	Young (FL)
Skeen	Traxler	
Skeltan	Valentine	

## NOT VOTING—41

Annunzio	Gephardt	Quillen
Anthony	Gingrich	Ray
Barnard	Gradison	Roemer
Barton	Gray (PA)	Roybal
Boner (TN)	Hall (OH)	Russo
Bryant	Jenkins	Schneider
Chapman	Jones (NC)	Stark
Combest	Kemp	Studds
Courter	Livingston	Tauzin
Davis (MI)	Lujan	Torres
de la Garza	Moody	Torricelli
Dixon	Oaker	Weiss
Florio	Pease	Wyllie
Ford (TN)	Pepper	

□ 1625

The Clerk announced the following pairs:

On this vote:

Miss Schneider for, with Mr. Quillen against.

Mr. Gingrich for, with Mr. Pepper against.

Messrs. MOLINARI, VOLKMER, SYNAR, and GUARINI, Mrs. LLOYD and Messrs. COYNE, WHEAT, PARRIS, and PASHAYAN changed their votes from "no" to "no."

Messrs. WYDEN, DeFAZIO, HUGHES, LOWERY of California, YATRON, and McCOLLUM changed their votes from "aye" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore (Mr. MURTHA). The gentleman from Alabama [Mr. DICKINSON] is recognized for 5 minutes.

□ 1640

Mr. DICKINSON. Mr. Chairman, I take this opportunity to try to put some clarity into the program for the rest of the day.

It is my recollection, Mr. Chairman, that we set up a schedule which we would attempt to follow. On Friday we had a series of amendments that were offered, when no votes were asked for on some, and one of our Members on this side demanded some votes. He was descended upon by quite a few of his colleagues asking, "Why are you trying to draw this thing out and extend it?"

"I will just ask the committee to rise if you are going to draw out the time on this thing."

We had scheduled to go until Thursday at 3 o'clock as of yesterday. We would not finish at that time, but

almost. We could finish if enough Members would withdraw or otherwise settle their amendments.

Now this morning it was announced, and I certainly have no objection to this, that instead of a legislative schedule on Thursday, there would be no legislative schedule on Thursday because of the Memorial Service for our former colleague, Congressman Stewart McKinney of Connecticut, so there will be no legislative schedule on Thursday, which means that cuts off an entire day from this schedule.

Now a rumor has just reached me, and I have had no consultation with our chairman of the committee, but a rumor has just reached me that the next amendment on the printed list, which is a very important amendment on the C-17, will not be offered today because one Member of this entire body is in an airplane someplace. He had not noticed that we were going to have it today, but that the committee would not offer it.

I suppose then that if nothing else is scheduled, the committee would rise and we would kill the rest of the day.

Now, my chairman is on his feet, let me ask if I might, and yield to the gentleman, are we going to take up the next amendment or not?

Mr. ASPIN. Mr. Chairman, I am sorry, what did the gentleman ask?

Mr. DICKINSON. Are we going to take up the next amendment that is printed on this list, or not, and if not, why not?

Mr. ASPIN. It is the intention of the chairman of the committee not to take up the C-17 amendment.

Mr. DICKINSON. I wonder if the gentleman could give us a reason.

Mr. ASPIN. Well, the gentleman has already stated it. We try to accommodate to every degree possible when a person has a very strong interest in a particular amendment to try to accommodate our schedule to that person's schedule.

Mr. DICKINSON. All right, now, this is not the author of the amendment, right?

Mr. ASPIN. It would be the author of the amendment were he on the Armed Services Committee, but he is not.

Mr. DICKINSON. He is not, and it is not printed on the RECORD and he did not offer the amendment and he will not be the author of the amendment.

Mr. ASPIN. The author of the amendment is a person from the Armed Services Committee.

Mr. DICKINSON. I understand that, but anybody could have had it printed in the RECORD and been the author if they had wanted to; so we have scheduled this, we are up against a time problem.

I would like to be accommodative to any Member, but we have one Member out of this entire body, and he knew this amendment was scheduled today

and the fact that he did not care enough, if he got an honorarium or some other speaking engagement, I do not know why he is not here, but he could get here if he wanted to, like I could get here if I wanted to. I know that it is scheduled, or else he could have made some other arrangements.

Mr. ASPIN. Oh, no, if the gentleman will yield further, in this case it was a case of one of his children attending a graduation and he was at a graduation, so it is not something he could change.

Mr. DICKINSON. Oh, well, that is different.

Mr. ASPIN. Let me just point out something to the gentleman from Alabama.

Mr. DICKINSON. Please do.

Mr. ASPIN. We have been trying to accommodate, and we do accommodate Members on the gentleman's side, as we did the gentleman from California [Mr. BADHAM] in putting his amendment at the end of the list, so we are trying when we can to accommodate the schedule for the help of the individual.

Mr. DICKINSON. Let me reply to that, let me reclaim my time.

When I came over and asked the gentleman, Mr. Chairman, and made him aware of the problem of the gentleman from California, could we make some accommodation, and the gentleman said, "Well, wait a minute. I have a Member, maybe we can make a trade." We could not do it for a Member, but if we can make a trade, OK, so we made the trade, and that is the way when you see you cannot make a schedule, you try to work it out.

Now when we were expecting to work late, everybody is in place ready to go forward with this, we have one Member who is not here, so we are going to cut it off.

Mr. ASPIN. Mr. Chairman, if the gentleman will yield further, we are talking here not about an amendment that is going to take a lot of time. The time for debate that is allowed for the C-17 amendment in the rule is 20 minutes, 10 minutes on a side and a vote. We are talking about if we allow the whole thing to take place, 35 minutes. If we put it off from today until another day, it is not going to mess up the schedule.

Mr. DICKINSON. All right, I was under the impression that if it was rescheduled, it will have to be after some consultation with this side; is that correct?

Mr. ASPIN. Correct.

Mr. DICKINSON. Well, since there was no consultation on pulling it, will there in fact be a consultation when it is rescheduled?

Mr. ASPIN. Absolutely.

Mr. DICKINSON. Well, I did not mean to be facetious. I am sure a grad-

uation is very important to a Member, but I do not think it is so important that 434 other Members have to be importuned when you have a printed amendment that is important, we knew it was going to be today, and I for one resent it.

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. DICKINSON] has expired.

Mr. ASPIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to enter into a dialog with the gentleman from Alabama about the schedule for tomorrow.

As I understand from the leadership, and the leadership is here to correct it if it is not true, but it is our intention to come in at 10 o'clock tomorrow, as I believe, and to try to run—we have a commitment to quit at a reasonable hour by 6 o'clock tonight and we are going to do that ahead of time, but we do have a commitment to go a little later tomorrow night.

It is our intention, and this is in consultation I think with the gentleman from Alabama, at least through his staff people, we would do first thing tomorrow morning when we come in the Davis-Bacon amendment.

The second item after the Davis-Bacon is the dollars on the SDI.

The third item on the schedule tomorrow is SDI language.

Now, if we do all three of those things, that is a long day, if we do all three of those things we would be running a program that could go 9 or 10 hours.

Now, depending upon how fast we move it, we could be finished I would think anywhere tomorrow night between 8 and 10 o'clock if we do those three things.

What happened today was that there was enormous cooperation on all sides. We had votes only where a vote was justified by the fact that the issue was one that required a vote. We did not have meaningless votes on issues for which there was no disagreement, but just to have a vote. If we have that kind of cooperation tomorrow, the kind of cooperation we have had today, we could be finished early tomorrow night, too, earlier than we anticipate.

So the question is, how well we handle it tomorrow, but I am looking for an evening that could go as late as 10, but much more likely if we could have the cooperation we had today, we could be finished by about 8 o'clock tomorrow night.

Mr. DICKINSON. Well, Mr. Chairman, if the gentleman will yield, I had a discussion with the majority leader. He explained this is the plan. He did consult with me. I told him that was certainly fine with this side, with this Member on this side of the aisle. If there were going to be a late night this

week, I would prefer, and I think the Members would prefer, that it be on Tuesday evening, rather than Wednesday evening, and that was the choice.

Does the gentleman want to yield to the majority leader on that?

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the distinguished majority leader.

Mr. FOLEY. Mr. Chairman, I thank the gentleman for yielding.

I do not want to confuse the Members. I hope we will be able to do as the chairman of the committee and the ranking member discussed and complete the schedule tomorrow and end before very late in the evening.

We would also hope that we would get similar cooperation so that it would be possible to conclude the work on Wednesday night by approximately 8 p.m., no later than 8 p.m., if possible, so that those who can catch aircraft that leave about 9 o'clock would be able to do so in both directions, leaving in both directions.

It has been announced by the whip organizations on both sides of the aisle, but for Members who have not heard the announcement, the House will convene at 10 a.m. on Thursday and adjourn immediately out of respect to the late Stewart McKinney. A memorial service will be conducted in Connecticut at 2 p.m. in the afternoon on Thursday. Those who are to be part of that delegation on both sides of the aisle would probably have to leave by 10:30 or 11 o'clock to attend that, so there will be no votes on Thursday or Friday and the House will then convene at noon on Monday.

Mr. DICKINSON. Mr. Chairman, if the gentleman will yield further, we will meet the following Monday and continue on the Defense bill on Monday?

Mr. FOLEY. On Monday until 6 p.m. and on Tuesday, Wednesday, and Thursday, we will seek to come in at 10 a.m.

Mr. DICKINSON. But continue to work on this bill?

Mr. FOLEY. Until concluded, until it is concluded, at the end of the business next week.

Mr. DICKINSON. Mr. Chairman, I thank the majority leader.

Mr. FOLEY. Mr. Chairman, if the gentleman will yield and indulge me for one more moment, we will divert from the Department of Defense authorization bill on Wednesday morning to consider the rule and proposals to extend the debt ceiling, which we will try to conclude this week. Other than that, the sole business for the week will be the continuation of this bill.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I thank my distinguished chairman for yielding.

The first thing I want to do in front of this entire body is before the distinguished former judge from Alabama enter a plea of guilty as being one of these people who have caused us to be delayed for a certain period of time.

I would further state, Mr. Chairman, however, that my distinguished colleague, the gentleman from Georgia [Mr. JENKINS], who is a coauthor with me and one of the principal sponsors of this amendment is somewhere circling around Washington, DC, right now. He is expected to land momentarily. Perhaps we could continue to yield to various people on the floor and maybe the gentleman might be here in another 20 minutes; however, it was a totally unanticipated situation, Mr. Chairman. I regret that it happened and I appreciate very much the understanding of my chairman to permit it to come up at a later time.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin has expired.

(By unanimous consent, Mr. ASPIN was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I thank the chairman for yielding.

I was referenced in this debate. I would like to say that last Thursday afternoon when the word was that I received that instead of doing less controversial amendments on Friday we were going to do others. I talked to the offerers and the opposition of two amendments in which I was particularly interested and I received their acquiescence and I asked for unanimous consent on the floor that those were done.

I will have to say, I can understand the pique and the ire of the gentleman from Alabama, the ranking minority member, because everyone there did know that late on this day, on Monday, we would take up the C-17 amendment. I regret that it has not been taken up.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would also like to express my concern, reflecting on last Friday and the concern that was expressed when some votes were called on the floor on what seemed to be items of not great import. There was some consultation. The distinguished majority leader came over this side and explained to us that he was trying to give as much consultation, as much information in advance as possible.



We understand the problems of scheduling around this body. We did have an understanding that we would have this C-17 up today. Everybody in this body knew it was going to be up today. We agreed we were going to work until 6 o'clock. We agreed that tomorrow we were going to work late, and now it seems that it is impossible for us to go on and carry this debate on tonight.

I just think this is the kind of thing that causes Members to get upset and call votes needlessly on amendments that perhaps they would not otherwise call votes on. I would just ask the leadership on that side of the aisle to try to keep to a schedule as much as possible.

□ 1655

Mr. ASPIN. To respond to the gentleman, we will do the best that we can.

Mr. LUNGREN. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California.

Mr. LUNGREN. I would just like to have a clarification. As I understand it, there will be no votes on Thursday or Friday of this week. We will have votes next Monday—

Mr. ASPIN. The leadership says yes.

Mr. LUNGREN. Tuesday, Wednesday, and Thursday. The question that I then have, since we for many different reasons rose at 6:30 last Wednesday, rose at 6 last Thursday, rose at 3 on Friday—we are rising at 5 now—there was a suggestion of the possibility of us being in session a week from Friday with votes, which I think Members at least ought to have a clarification on, because I know that a number of Members have made plans for being in their districts, since that is the Memorial Day weekend, or with their families.

Does the change that we have here on the C-17 or these other days place us in jeopardy for a week from this Friday?

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Washington.

Mr. FOLEY. I think the only thing that would put that in jeopardy would be very unforeseen and frankly dilatory practices such as the calling of unnecessary votes on fairly unanimously agreed amendments, which could put us in jeopardy of next Friday. But absent such tactics by Members I think that it is pretty clear that we can finish on Thursday next and not interrupt the recess.

Mr. LUNGREN. I appreciate the gentleman's response.

Mr. FOLEY. The only condition that I would make is that the return to such dilatory practices could endanger the recess.

(By unanimous consent, Mr. ASPIN was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, let me respond to the gentleman about where we are with the defense bill. Basically we are in pretty good shape as far as being able to finish it on time. If we had 3 very good days left, we could get it done. We are not going to get 3 very good days, because we are going to lose part of Wednesday because of needing to do the debt ceiling, and we are going to lose part of Monday because we are not going to come in until noon, but parts of days will be OK.

It will not be the defense bill that is going to cause us problems. There is no need to run and keep Members late.

Mr. LUNGREN. If the gentleman will yield further, I appreciate the gentleman's remarks, but just apropos of today, the C-17 is an amendment that is important to the author of the amendment, and it also happens to be important to me, since the C-17 will be built in my district. I would appreciate being notified by the gentleman if and when he plans to bring it up, since some of the rest of us are attempting to follow the schedule as best given to us at the least possible moment.

Mr. ASPIN. We will be happy to do that.

Mr. Chairman, I would like to announce at this point that there is no more need for any more votes, and we will have no more votes on the Defense bill tonight. I do need to take a little time; we want to enter into some colloquies and get them out of the way. As long as we have some time, we might as well use it.

Mr. HUTTO. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Florida.

Mr. HUTTO. I thank the gentleman for yielding.

Mr. Chairman, in my capacity as acting chairman of the Readiness Subcommittee, I have been asked to enter into a colloquy with the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Indiana.

Mr. McCLOSKEY. I thank the gentleman for yielding.

Mr. Chairman, I wish to commend the gentleman for the attention paid by the readiness subcommittee to what seems to be a recurring problem at naval facilities throughout the country which perform valuable depot maintenance functions. The purpose of my remarks is twofold. First, I wish to obtain clarification as to whether the committee report language on depot level maintenance activities was also intended to include naval weapons support centers. Also, along with the gentleman from Indiana [Mr. Jacobs], I want to inquire as to whether the

language will also cover such important facilities as avionics centers at which tremendously important engineering acquisition work goes on.

Mr. HUTTO. Yes, the intent of committee was to include all such activities—in addition naval shipyards and naval air rework facilities mentioned on page 173 of the committee report.

Mr. McCLOSKEY. I thank the gentleman and wish to obtain further elaboration on the concerns which prompted the committee to insert this very important language. As my colleague from Florida knows, we share a great concern about maintaining the integrity of the in-house Department of Defense industrial base. However, it seems that the administration is determined to contract-out jobs which really is not helpful in this regard. Recently, we heard of a new management initiative being undertaken by the Navy called manage to payroll. The idea behind managing to payroll is to allow managers to decide whether work can be performed better through expansion of the in-house work force or by employing contractor personnel. I have written a letter to the Undersecretary of the Navy setting my specific concerns about this. It seems to me that if there is validated work—which has already been funded—those facilities ought to be allowed to increase the size of the in-house work force to get the job done. This philosophy has been underscored in section 308 of the bill recommending the elimination of ceiling control or related methodologies. Would not the gentleman agree?

Mr. HUTTO. I certainly do, and I think the committee language and provisions of the bill are sending a very clear message to the Navy that we expect to see a strengthening of the in-house CORE logistics base. I will certainly keep my colleague from Indiana informed as to whether and when the subcommittee plans to undertake the oversight hearings mentioned in the committee report.

Mr. McCLOSKEY. I thank the gentleman.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Indiana.

Mr. JACOBS. I thank the gentleman for yielding.

Mr. Chairman, I wish to express my gratitude to the gentleman from Florida for his responses to this colloquy and incorporate by reference the remarks of the gentleman from Indiana [Mr. McCloskey].

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding.

Mr. Chairman, I would like to engage in a colloquy with the gentlewoman from Maryland [Mrs. BYRON], who is chairman of the Subcommittee on Military Personnel and Compensation.

As the gentlelady knows, during the week of April 11, I, along with other members of the Committee on Veterans' Affairs, visited the Philippines to make a site visit to Corregidor. The committee had received numerous reports on the deterioration of the memorial and the old barracks, gun emplacements, museum and other structures remaining on the island. Corregidor was described in an official document of the Philippine Government as "a symbol of utter neglect."

The old World War II mile-long barracks at topside and those at middle-side were completely overgrown with vegetation. The barracks and buildings located around the island are being reduced to ruins by scrappers using high explosives to separate the reinforcing steel bars from the concrete structures.

Scrapping of the historic 12-inch guns and mortars has been rampant for years. Fort Drum has been destroyed; Fort Frank has been stripped completely; and now Corregidor is well on its way to the same fate.

I believe the gentlelady would agree with me that Corregidor should be saved. A lot of our history is on that island.

What we saw made a sad and lasting impression, but it is an impression we intend to work to correct. We met with President Corazon Aquino and we believe her government is anxious to work with us in helping to restore this historic site.

The DAV has agreed to make a \$100,000 donation to this project provided the American battle monuments commission is allowed to operate and maintain the memorial. We will be having further discussions with the Philippine Government to do what is necessary to restore the island.

But we must act now. We cannot wait any longer. I have asked the Secretary of Defense to permit a Seabee detachment to be assigned to Corregidor to help repair roads, clear vegetation from all historical sites and to begin to rebuild the infrastructure necessary to restore the area.

On our return from Corregidor we visited the base camp of a Seabee 13-member civic action team assigned to Palau for 1 year to undertake various public works projects—including maintenance on four existing war memorials located on the island.

I believe a similar detachment or unit, with the approval of the Philippine Government, should be assigned a training mission on Corregidor. Such an assignment would allow us to begin immediately some of the basic work necessary to restore Corregidor.

We cannot afford to wait to begin this work, and a Seabee unit such as I have described could be assigned to begin work within a short time. Would the gentlelady support such an effort with the approval of Mrs. Aquino and her government?

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentlewoman from Maryland.

Mrs. BYRON. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman for bringing this to our attention. I agree with the gentleman that Corregidor is a vital part of our Nation's history and the monuments there should be restored and maintained in tribute to the thousands of Americans and Filipinos who fought and died on the island in defense of freedom.

I commend the distinguished gentleman for taking the time to visit Corregidor and for the effort he is making to get our Government and the Government of the Philippines to work as partners in restoring the monuments on the island.

The gentleman has informed me of his communications with the Secretaries of State and Defense and I support his efforts in asking that a civil action team of Navy Seabees be assigned to Corregidor to help restore the monuments and other historical sites with the approval of the Philippine Government. I agree with the approach the gentleman has suggested and will be delighted to work with my committee colleague in this regard.

I also want to commend the Disabled American Veterans, and the other national service organizations who are concerned about the condition of the Pacific War Memorial and who have made commitments to contribute to the restoration effort. They are to be commended for bringing this matter to our attention.

□ 1705

Mr. Chairman, this is one Member that will see what she can do to make sure those historic monuments are restored and protected.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentlewoman for her comments, and repeat again that the disabled American veterans, the VFW and the American Legion, and other groups will put up funding; but we have to have a vehicle to get the money over there.

You cannot go over there and give the money to somebody, so time is running short. We really have no choice. It is kind of like seeing at Arlington Cemetery the markers, the memorials knocked down and destroyed, and paint thrown on the Iwo Jima statue.

Even though these great shrines are thousands of miles away from home, a number of Americans gave their lives

and fought the wars, and something has to be done.

Mrs. BYRON. Mr. Chairman, there are very few people that have studied their histories that are not well aware of the march on Corregidor, and General MacArthur leaving that part of the Philippines.

Mr. MONTGOMERY. Let me take one more moment to tell a story about Corregidor.

We had an American citizen who lived in Corregidor. He told us that General MacArthur left from the north pier, taking his family off of Corregidor and later flying to Australia.

There was an individual American who was a prisoner of war during Corregidor; and he said, "That is not correct; General MacArthur left from the south pier," so we need to get that information correct and have a proper history, restore that pier, whichever one it might be.

I appreciate the gentlewoman from Maryland listening.

Mrs. BYRON. Mr. Chairman, I commend the gentleman from Alabama [Mr. MONTGOMERY] for his efforts.

Mr. ASPIN. Mr. Chairman, I ask unanimous consent for 5 additional minutes to engage in some more colloquies.

The CHAIRMAN pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I thank the gentleman for yielding.

I would ask the gentlewoman from Maryland [Mrs. BYRON], the chairman of the Subcommittee on Military Personnel and Compensation, to engage in a colloquy regarding the Department of Defense's proposed acquisition of the Composite Health Care System.

Mrs. BYRON. If the gentleman will yield, I will be happy to do so.

Mr. BATEMAN. I thank the gentlewoman and would like to ask her a few questions about the intent of section 734 of H.R. 1748.

Is it the gentlewoman's understanding that the intent of section 734 is to require the Department to conduct a full 9-month operational test of equipment for the Composite Health Care System [CHCS] that would begin after development of the software and complete installation of equipment by all four vendors involved in the CHCS procurement?

Mrs. BYRON. The gentleman is absolutely correct. The committee views an actual operational test of the vendor's equipment and software to be the most important and informative



test in the procurement process. The committee has specified that this critical operational test is to begin after the vendors have developed and installed all software and hardware. An accurate, safe, and thorough analysis of the bidders' systems requires that each bidder be given the opportunity and be required to test its equipment for a 9-month period.

Mr. BATEMAN. It is my understanding that the Department intends to conduct an abbreviated operational test and then select two vendors for a more extensive test.

Is it the gentlelady's understanding that the Department may run the CHCS procurement in such a manner?

Mrs. BYRON. Although DOD has indicated such an intention, section 743 provides very specific guidance to the Secretary of Defense on this matter. Under section 734, the Department would be prohibited from removing any vendor, who has met contract obligations, from the procurement process until they have conducted a full 9-month operational test. I would point out to the gentleman that civilian hospitals generally conduct at least a year long operational test before selection. However, since the committee feels that this procurement must move forward and can do so in a safe and reliable manner in 9 months after development and complete installation, we are so requiring a 9-month operational test.

Mr. BATEMAN. I thank the gentlewoman and appreciate her explanation.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. PANETTA] to engage in a dialog with the gentleman from California [Mr. DELLUMS].

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from California [Mr. DELLUMS] the chairman of the House Armed Services Subcommittee on Military Installations and Facilities.

During consideration of the Department of Defense authorization bill, the committee agreed to include a provision which would require the Secretary of Defense to lease to the city and county of San Francisco the facilities at the Presidio of San Francisco which are now used as a satellite school by the Defense Language Institute.

I am interested in this proposal because the main campus of the Defense Language Institute is located in Monterey, CA, in my congressional district.

My concern, Mr. Chairman, is to ensure that some provision is made for the relocation of the students at the

San Francisco facility who will be displaced by the conversion of the facility at the Presidio. The bill does not make any specific provision for such relocation; and it also requires that the lease be executed no later than 6 months after enactment of the bill and that the building be immediately occupied by the city and county of San Francisco at that time. Because the bill makes no specific provision for relocation and because it requires the school to vacate the facility, I think it is important to look ahead as to what options might be available.

There are several possible courses of action, Mr. Chairman. The Defense Department can seek alternative office and dormitory space somewhere in the San Francisco area or rehabilitate some other property owned by the Department or one of the services.

Or, it could relocate the students to the main DLI campus at Monterey. This indeed is the basis of the master plan of the Defense Language Institute, which would be to ultimately center all activities of the Defense Language Institute at the Presidio.

To do that, of course, would require some acceleration in the construction program that is already planned for Monterey.

So, because of those various options, I would like to direct a question to the chairman and seek the assistance for the gentleman from California [Mr. DELLUMS], in working out a solution to this problem. I would stress again that because of the highly unusual timetable set forth in the bill for evacuation of the San Francisco facility, time is of the essence. I would ask the gentleman, is he aware of this problem and is there some assistance that can be forthcoming on this issue?

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, first let me say to my colleague that I appreciate him raising this particular issue. My colleague well knows the purpose to which the conversation is addressed is a meritorious one, and it does have the potential for dislocating students at the Defense Language Institute. That is a very real need, so on the one hand we have a meritorious purpose for the conversion and on the other hand we have a very real and significant need for additional space on the part of those students who are studying at the Defense Language Institute.

When this gentleman offered the amendment in the subcommittee that was acquiesced in by the full committee, and is in the bill coming to the floor, we stated that where there was any need to address this problem of relocating the Defense Language Institute students that we would be more than happy to attempt to resolve that

problem. So let me assure my colleague very strongly that we will make every effort to resolve this matter, if it can be worked out in conference, to provide available space, and we will do it.

As I understand it, the headquarters of the Defense Language Institute is in the facility that resides in the district of my distinguished colleague. It would seem to me off the top, at this point, that that may very well be an appropriate resolution of this problem, and that is to take those students who are presently studying at the San Francisco location and consolidate them in the facility that resides in the district of my distinguished colleague. I certainly would be more than pleased to do that. If it takes additional resources to do it and we have the necessary flexibility in the conference, we will be more than happy to resolve it.

The CHAIRMAN pro tempore. Without objection, the gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 additional minutes.

There was no objection.

Mr. ASPIN. Mr. Chairman, I continue to yield such time as he may consume to the gentleman from California [Mr. PANETTA].

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from California.

Mr. DELLUMS. Let me reassure my colleague that we will make every effort to address this problem as rapidly as we can.

I think the gentleman's point about time being of the essence is very well taken and very genuine.

Mr. PANETTA. I thank the gentleman very much for his consideration. I think he has seen the problem, and I do look forward to the problem hopefully being addressed in conference in a way that I think will not only assist those students but will also promote the basic mission which I think is a very important mission of the Defense Language Institute, which is to provide that language education to students so that it is provided on an uninterrupted basis.

I thank the gentleman for his assistance in this matter.

Mr. DELLUMS. I thank my colleague. He has raised a number of important issues. The suggestions the gentleman offers are very significant, and we will work very diligently in the conference to resolve these matters.

Mr. PANETTA. I thank the gentleman.

Mr. ASPIN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. DYMALLY].

The CHAIRMAN pro tempore. The gentleman from California [Mr. DYMALLY] is recognized for 4 minutes.

Mr. DYMALLY. Mr. Chairman, before I begin my remarks on UNIVOX, let me say that the chairman of the Armed Services Committee has gone as far as any chairman can go, any Member in this Congress can go, in helping another Member with a problem in his district. So nothing I say here is designed to reflect on his previous commitment and his assistance in trying to resolve this problem.

Basically what we have here, in my judgment, is an injustice imposed by the Department of Defense upon the largest minority contractor in the United States. For Members who are new and who do not understand what Mo-base means, let me take a minute to explain what Mo-base is.

As I understand it, what mobilization base means is that that particular piece of hardware is essential for national security and, therefore, the Department of Defense can do a sole-source contract, they can negotiate in private, they can do as they see fit for national security.

Examples of Mo-base, I suspect, would be the F-16, the B-1 bomber, the stealth bomber, the MX, SDI. These are pieces of hardware that the Department of Defense negotiated with contractors.

In this case UNIVOX had what was the only portable water purifier being manufactured for the Department of Defense at that time in the entire country. They had a perfect delivery record, quality control was perfect, no problems at all.

The Department of Defense made an arbitrary decision to put this item out for lease, and in so doing violated their own internal memo which said they cannot do this because there was an agreement that this was set aside, a minority set-aside. There was an agreement with the Small Business Administration that this particular portable equipment, which incidentally was used in the aborted attempt in Iran to rescue our hostages, which was used in the controversial rescue in Grenada, so it had been proven to be a very useful piece of hardware, and the Army made this arbitrary decision to put this out for bid, and so a small minority contractor, even though relatively speaking it was the largest in the country, lost the contract to a major prime contractor.

But under the Mo-base system, a contractor gears up his entire system, his entire manufacturing operation to meet any emergency that may arise, and so did this small, progressive company employing 200 people in the south central part of Los Angeles.

Just prior to doing that, I might add, when they knew the Army was going to expand this contract from  $x$  number of dollars to  $y$  number of dollars, the company sought a loan from the Department of Commerce and did, in fact, secure that loan to tool up for

what they hoped would be a larger piece of the pie. When the Army arbitrarily withdrew this contract and put it out to bid, and they lost, they were stuck with this loan, and obviously everything began crumbling.

□ 1720

So what is at stake here in my judgment is the failure of the Department of Defense to live up to their own agreement with the SBA. There may be a great deal of reasons why they sought to go out to bid, but there was an agreement, an internal agreement between these two agencies that they would keep UNIVOX with this contract.

So what we have now, from the largest minority defense contractor in the country to zero.

I believe that this is a matter that needs to be brought to the Members of the House. Let me tell you why I brought it today: the Committee on Armed Services and the Committee on Rules in their judgment, in their wisdom chose not to take my amendment to bring this matter to the floor. I was not there, I was not informed that they were not going to do it but they did it. I understand how they operate. I would want to in the coming days of debate on this Defense bill to ask the Committee on Armed Services, the chairman of the committee, the Committee on Rules, the chairman of the Rules Committee and the leadership to give me an opportunity to sink or swim on the floor because I believe this issue is so meritorious that the Members of this House need to make a decision which obviously I would abide by, because I think this was a tremendous injustice.

And as they usually do, once they begin to put a small business, a small minority contractor out of business then they begin leaking misinformation to the media "he drives a Cadillac," "he has a race horse," "he has a boat," as if this is relevant to someone's contract.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The time of the gentleman has expired.

Mr. ASPIN. Mr. Chairman, I seek an additional 5 minutes.

The CHAIRMAN pro tempore. Without objection the gentleman is recognized for 5 additional minutes.

There was no objection.

Mr. ASPIN. I yield to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Let me draw an analogy: Taking away this small business contract from UNIVOX would be like saying we are going to take the F-16 from General Dynamics and move it to Alaska, Hawaii, Wisconsin, anywhere, just arbitrarily decide to do that. Well, we could not do that because the F-16 is being manufactured by one manufacturer. But we did it in the case of this small minority manu-

facturer. It was a small item, but the injustice is just as bad. The analogy ought to be taken seriously because one would not arbitrarily move the Stealth bomber from the manufacturer whoever is making it, and it is a big secret, or take the B-1 bomber from Rockwell, because those are Mo-base items, but we took a procurement away from this small manufacturer and then leaked information which discredited him.

So today we have no portable water purifier being manufactured by this minority contractor. He has lost the contract. Two hundred people are out of work in south central Los Angeles.

I would like for the Committee on Armed Services and the Committee on Rules to rethink their decision of last week and give me an opportunity to bring an amendment back here for the Members of this House to make a determination on whether the UNIVOX company ought to have this contract.

Mr. ASPIN. Let me just say that I appreciate the comments of the gentleman in the well and the gentleman can count on whatever we can do to help him to get this issue resolved in order to help him.

Mr. DYMALLY. I thank the gentleman for his consideration.

Mr. ASPIN. Mr. Chairman, for purposes of a colloquy I yield first to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, section 705(c) of last year's National Defense Authorization Act restricted the use of information obtained during epidemiologic assessment interviews conducted with members of the service who tested positive as having being exposed to the AIDS virus, known as HIV. Specifically, the provision prohibited the use of information obtained from such an interview for the purpose of an adverse personnel action.

Obviously, our purpose in enacting this legislation was to serve public health. We can only stop the spread of this fatal disease by identifying those with whom HIV positive individuals may have exchanged bodily fluids. But this poses a problem. Homosexual relations and sharing of intravenous syringes are two of the most common ways to spread the disease. Yet, both homosexuality and drug use can serve as grounds to punish, remove, or cause the reassignment of a member of the military. If we allow use of information from medical interviews to be used to the detriment of those being interviewed, they will not admit to anything. And, if they do not admit to anything, efforts to isolate the disease will fail.

Does the chairman agree with me that this was our purpose in enacting the provision last year?



Mr. ASPIN. I do. Because of the nearly always fatal nature of AIDS, the goal of preventing its spread must be paramount. Military personnel constitute a unique "test cell" that could provide an invaluable body of knowledge on the transmission of this deadly disease. While the military discipline system is also important, public health must take precedence in the case of AIDS.

Mr. WAXMAN. The provision enacted last year listed some illustrative adverse personnel actions. Was this list meant to be inclusive?

Mr. ASPIN. By no means. Our intent was to permit the HIV positive service member to speak freely in the medical interview without any fear of adverse consequences. In this regard, the epidemiologic interview was supposed to be similar to the investigation after an airplane crash. In order to ensure completely candid discussion by those involved in the crash, anything those individuals say is absolutely protected. The ground rules for epidemiologic interviews also have a precedent in counterintelligence polygraphs. If a subject of a polygraph admits to drug use or homosexuality during the exam, this information will not be used against him or her. The point is that there are higher, competing objectives in each case. Because we want to know why the plane crashed to prevent its reoccurrence, we are willing to protect information provided in a safety interview. Because we want to weed out spies, we are willing to protect other information from a polygraph examination. That's what section 705(c) was supposed to do in the case of interviews with those who test positive to exposure to the HIV virus.

Mr. WAXMAN. On April 20 the Secretary of Defense issued a policy memorandum saying that the results of an epidemiologic assessment interview could be used for a whole variety of purposes, including reassignment, denial, suspension, or revocation of a security clearance, and suspension or termination of access to classified information. I regard each of these actions as punitive. I, therefore, believe the memorandum violates the purpose of section 705(c) of the fiscal year 1987 National Defense Authorization Act. Does the chairman agree?

Mr. ASPIN. I certainly do. In permitting information gained in an epidemiologic interview to be used to the detriment of a service member, the April 20 memorandum clearly violates the purpose of the law. Public health goals have been subordinated to permit strict enforcement of personal conduct regulations against members of the military. I think this is legally suspect and bad policy.

Mr. WAXMAN. I thank the gentleman.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the Chairman for yielding.

Mr. Chairman, I would ask the gentleman from Mississippi [Mr. MONTGOMERY] the ranking majority member on the Subcommittee on Military Personnel and Compensation of the Committee on Armed Services to engage in a colloquy regarding volunteer services on military installations.

Mr. MONTGOMERY. If the gentleman will yield, I would be happy to do so.

Mr. HUNTER. Mr. Chairman, section 1266 of the fiscal year 1984 Defense Authorization Act, Public Law 98-94, authorized the military services to accept the services of volunteers to work in military museums and in family support programs. I served on the subcommittee at that time, and it is my recollection that this was not meant to be an all-inclusive list that would bar the acceptance of any other volunteer services. I recently visited the Marine Corps Base at Quantico, VA, where volunteers provide a great deal of assistance in maintaining the ranges there. They provide a valuable service that enhances the quality of life for military personnel on that base, and I would like to clarify that there is no statutory bar to the continued utilization of these volunteers.

Mr. MONTGOMERY. I concur with the gentleman's interpretation that the authority to accept volunteer services was not meant to be all inclusive. Congress instead wanted to make certain that there was no problem with respect to family support programs which were growing rapidly in conjunction with service efforts to upgrade the quality of life for military personnel and their families.

Mr. HUNTER. I thank the gentleman for his assistance.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCloskey] having assumed the chair, Mr. GRAY of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

#### PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization and period of home convalescence, I was unable to

attend the session of the House on Monday, May 11.

If I had been present:

On rollcall No. 102, I would have voted "yea."

On rollcall No. 103, I would have voted "yea."

On rollcall No. 104, I would have voted "yea."

On rollcall No. 105, I would have voted "yea."

On rollcall No. 106, I would have voted "yea."

#### GENERAL LEAVE

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill H.R. 1748.

The SPEAKER pro tempore (Mr. McCloskey). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 93. Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990.

The message also announced that the Senate insists upon its amendments to the concurrent resolution (H. Con. Res. 93) "Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990," and requests a conference with the House on the disagreeing votes of the two Houses thereon.

#### PERMISSION FOR SUBCOMMITTEE ON AVIATION OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT ON TUESDAY, MAY 12, 1987, DURING THE 5-MINUTE RULE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Subcommittee on Aviation of the Committee on Public Works and Transportation be permitted to sit on Tuesday, May 12, 1987, while the House is reading bills under the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

**PERMISSION FOR SUBCOMMITTEE ON SPACE SCIENCE AND APPLICATIONS OF COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY TO SIT TUESDAY, MAY 12, 1987, DURING THE 5-MINUTE RULE**

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Subcommittee on Space Science and Applications of the Committee on Science, Space, and Technology be permitted to sit Tuesday, May 12, 1987, in order to mark up the fiscal year 1988 NASA authorization bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

**NATIONAL HOME REMODELING MONTH**

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 163) designating May 1987 as "National Home Remodeling Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. 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, I yield to the gentleman from Kentucky [Mr. HUBBARD] who is the chief sponsor of House Joint Resolution 163 designating May 1987 as National Home Remodeling Month.

Mr. HUBBARD. I thank the gentleman from Maryland.

Mr. Speaker, I am proud to sponsor and speak for and on behalf of House Joint Resolution 163, which would designate the month of May 1987 as "National Home Remodeling Month."

The United States of America is a nation steeped in traditional values. One of these fundamental values is the pride taken in individual home ownership. A source of both personal and national pride, it is the realization of the American dream.

As we strive to provide shelter for every American, let us not forget however the importance of maintaining and preserving our existing housing stock. The members of the National Association of the Remodeling Industry, in their role as leaders of the industry, are to be commended for the part they play in upgrading of our Nation's housing.

The National Association of the Remodeling Industry is committed exclusively to the service of the professional

remodeling industry. In addition to improving the homes of America, the professional remodeling industry is a source of great economic strength as a provider of jobs to hundreds of thousands of skilled workers in over 40,000 small businesses across our country. In my home State of Kentucky, there are 80 remodeling businesses which are members of the National Association of the Remodeling Industry and collectively employ thousands of people doing several million dollars' worth of business per year.

In commemorating May 1987 as "National Home Remodeling Month," we praise an industry that indeed deserves our recognition and respect.

Mr. Speaker, I would especially like to thank Representative MERVYN DYMALLY and Representative CONNIE MORELLA for their cosponsorship and support of this measure. I would also like to thank my many colleagues who expressed their support through their cosponsorship of House Joint Resolution 163, and I urge my colleagues to recognize this month as "National Home Remodeling Month." House Joint Resolution 163 has a total of 207 cosponsors.

Again, Mr. Speaker, I ask my colleagues to join me in the House passage of House Joint Resolution 163.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I would like to thank the gentleman from Kentucky [Mr. HUBBARD] for sponsoring this important legislation.

Mr. Speaker, we as a nation have always been proud to be homeowners. Presently, there are an estimated 56 million owner-occupied homes. In recent years, because of the high cost of obtaining money, more homeowners have opted to remain in their homes and remodel them to fit their life styles. In 1986 the annual rate of home improvements was up to \$54.2 billion. It is estimated, that because of the availability of home equity loans there will be a 14-percent annual growth for remodeling by 1990, bringing the amount up \$65.4 billion.

Extending the life of our homes by improving, upgrading and remodeling and, by living in these homes for longer periods of time, we become part of a community and establish stable relationships with neighbors and friends. There was a time when we moved out to move up. Now we stay and elevate.

Our historic homes would have become rubble decades ago except for remodeling and conservation. These are not only tourist attractions but privately owned homes that have all the amenities of modern homes without detracting from their historic appeal.

We are becoming more energy conscious. The remodeling industry has made great advancement in building

materials which help to conserve energy.

Mr. Speaker, not only is remodeling good for the industry but it is good for the value of the property, the community and for one's spirit.

I am a cosponsor of this resolution. Mr. Speaker, I encourage our colleagues to join the 207 Members who have cosponsored House Joint Resolution 163, designating May 1987 as "National Home Remodeling Month."

□ 1735

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. McCLOSKEY). Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution, as follows:

**H.J. RES. 163**

Whereas home remodeling improves the structure, appearance, and usefulness of an existing home, and thereby enhances its value;

Whereas home remodeling extends the life of an older home, and thereby helps protect the existing housing stock in the United States from decay;

Whereas homeowners can help conserve energy by increasing insulation, upgrading windows and doors, and modernizing kitchens and baths in their homes;

Whereas homeowners throughout the United States are increasingly willing to protect and improve their homes through remodeling; and

Whereas the National Association of the Remodeling Industry is a national membership organization comprised of professional remodeling contractors, suppliers, and manufacturers and cooperates in the development of industry standards to improve the home remodeling industry and protect homeowners who deal with the home remodeling industry: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 1987 is designated as "National Home Remodeling Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate programs and activities.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**NATIONAL CATFISH DAY**

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 178) designating April 4, 1987, as "National Catfish Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.



The SPEAKER pro tempore. 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 the House to know that the minority has no objections to the legislation now being considered.

Mr. Speaker, further reserving the right to object, I yield to the chief sponsor, the gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Mr. Speaker, I appreciate the opportunity to speak in support of House Joint Resolution 178, a resolution I introduced which would designate June 25, 1987, as "National Catfish Day" a special day to recognize a new and developing industry in our country. The farm-raised catfish industry now employs more than 25,000 people nationwide, with about 16,000 of those workers in my district. These workers perform jobs in production, processing, shipping, and a number of complementary or supplementary jobs.

National Catfish Day is not simply a ceremonial or commemorative bill, but a small part of a bigger picture for me and my district. Since my district, the Second District of Mississippi, produces nearly 85 percent of the U.S. domestic market, this alternative crop is especially important. Our faltering farm economy requires us to develop new agricultural products that fit our abundant resources of land and water. And when the national unemployment rate stands at 6.3 percent, my district suffers from an unemployment rate of more than 17 percent. In the longer text, National Catfish Day means jobs.

Mr. Speaker, we have now converted more than 80,000 acres of land into catfish ponds in Mississippi, and nationwide more than 1 million acres have been converted. I believe we are creating permanent new jobs in the catfish industry and many more are around the corner. In 1970, Mississippi led the Nation with an annual harvest of 5.7 million pounds of farm-raised catfish, and this year during the week of April 18, Mississippi produced 6.2 million pounds.

In 1985 when Mississippi catfish farmers grossed \$140 million on the sale of whole, live catfish, and the State's processors packaged nearly 200 million pounds of catfish, the industry generated more than \$125 million in revenues for the State.

Mr. Speaker, I believe National Catfish Day will bring due recognition to the new image of catfish and the growing industry of farm-raised catfish. The farm-raised catfish is not a bottom dweller as was its ancestors, but a superior fish, fed soybean meal, corn, fish meal, vitamins, and minerals in clean, freshwater ponds. It is the third highest volume finned fish consumed in the United States. Any only

last week I spoke with Secretary of the Army John Marsh who reported that the Army had purchased 90,000 pounds of catfish in the past 3 months, compared to a Department of Defense annual purchase of 109,000 pounds last year.

I must thank 220 of my colleagues who have joined me on this resolution to help highlight the growing popularity of the superior farm-raised catfish, and the rediscovery of a true American delicacy that will generate thousands of new jobs in the years ahead.

Mr. Speaker, I am appreciative of the assistance provided to me by the gentleman from California and the gentlewoman from Maryland, on this important resolution designating June 25, 1987, as National Catfish Day.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I would like to compliment the prime sponsor of the resolution and tell the gentleman that I learned a great deal about catfish that I did not know before and that I will remember.

I yield to the chairman of my subcommittee, the distinguished member, the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I trust the gentlewoman from Maryland has given me the distinction of having to support my friend, the gentleman from Mississippi [Mr. ESPY].

Mr. Speaker, at first glance, some Members thought this was a frivolous resolution, but as the gentleman from Mississippi has stated, it is a very important resolution, and it focuses on the question, not only of a very edible product, but jobs for the people of the Second District of Mississippi in particular, and the State of Mississippi in general, and indeed, across the country.

There are a number of reasons why this resolution should be taken very seriously. I compliment the gentleman from Mississippi for his perseverance, his commitment in gathering these 220 signatures of Members of the House who support him in his effort to focus attention on this very important product.

I have learned, since he has been here, of the importance of catfish, and I am prepared now, Mr. Speaker, to come out of the closet and state that I do eat catfish.

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 Clerk read the joint resolution, as follows:

#### H.J. RES. 178

Whereas catfish comprised the third highest volume of finned fish consumed in the United States in 1986;

Whereas 99 percent of all catfish consumed in the United States are now farm-raised catfish;

Whereas the farm-raised catfish is not like its bottom-feeding ancestors, but is surface-fed soybean meal, corn, fish meal, vitamins, and minerals in clean freshwater ponds;

Whereas the farm-raised catfish is the product of state-of-the-art methods in aquaculture;

Whereas the production of farm-raised catfish increased by 1200 percent between 1975 and 1985 and is expected to continue to increase in 1987;

Whereas the accompanying growth of the catfish processing industry creates thousands of permanent year-round jobs;

Whereas the cost of producing farm-raised catfish is very stable and averaged only 65 cents per pound over the past eight years;

Whereas catfish is an American delicacy and can be cooked in many delicious ways, and consumption of catfish is growing in popularity; and

Whereas farm-raised catfish do not contain cholesterol, are a low-calorie source of protein, and are a nutritious addition to the general diet of the people of the United States: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 4, 1987, is designated as "National Catfish Day", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day with appropriate ceremonies and activities.*

#### AMENDMENT OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DYMALLY: Page 2, line 3, strike "April 4" and insert "June 25".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. DYMALLY].

The amendment was agreed to.

The joint resolution was ordered to be engrossed.

#### AMENDMENT TO THE PREAMBLE OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. DYMALLY: Page 2, in the last clause of the preamble, strike "do not contain" and insert "are low in".

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from California [Mr. DYMALLY].

The amendment to the preamble was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

#### TITLE AMENDMENT OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. DYMALLY: Amend the title to read as follows: "Joint resolution designating June 25, 1987, as 'National Catfish Day'."

The **SPEAKER** pro tempore. The question is on the amendment to the title offered by the gentleman from California [Mr. DYMALLY].

The title amendment was agreed to. A motion to reconsider was laid on the table.

□ 1745

#### 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 joint resolutions just passed.

The **SPEAKER** pro tempore. (Mr. McCloskey). Is there objection to the request of the gentleman from California?

There was no objection.

#### PROPOSAL TO ESTABLISH AN INDUSTRIAL COMPETITIVENESS DIVISION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. RITTER] is recognized for 5 minutes.

Mr. RITTER. Mr. Speaker, I am pleased to provide my colleagues with the following materials regarding my proposal (H.R. 2068) to establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and rename the bureau the National Bureau of Standards and Industrial Competitiveness [NBSIC]. Enclosed you will find a "Dear Colleague," and a statement regarding the proposal:

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 7, 1987.

HELP AMERICAN INDUSTRY GET OUT FROM  
BEHIND THE EIGHT BALL—COSPONSOR H.R.  
2068 TO ESTABLISH THE NATIONAL BUREAU  
OF STANDARDS AND INDUSTRIAL COMPETI-  
TIVENESS

DEAR COLLEAGUE: Manufacturing is still critical to our nation's economy and will continue to be critical to future economic success and stability. America's industries are confronting strong competition in both domestic and world markets. If this nation does not significantly improve its competitive ability to develop and manufacture innovative, quality, and consumer desired products, we cannot help but witness a decline in the American standard of living. Recent studies link the best of the service jobs with our manufacturing base.

H.R. 2068 will help American manufacturing industries' ability to compete worldwide. The bill would establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and rename the bureau the National Bureau of Standards and Industrial Competitiveness (NBSIC).

The bill is designed to focus the federal government's efforts on the issue of industrial competitiveness in a cost-effective way by better utilizing and expanding the horizons of this nation's preeminent industrial national laboratory, the National Bureau of Standards (NBS).

It is a modest but meaningful effort to deal with opportunities in science and technology which do not, and perhaps should

not, be included within the confines of DoD, DoE, etc. It does not entail the kind of major bureaucratic reorganization which often is a cure worse than the disease.

Of all the government's laboratories, NBS has the most experience in pooling industry resources to solve problems and meet new technological challenges. NBS has been a flagship laboratory for America, but in recent years has run aground on budget rocks.

This new division would:

(1) Promote collaborative private sector initiatives to capitalize on advanced technology;

(2) Identify government-sponsored R&D efforts which offer the potential of industrial applications;

(3) Promote, through cooperative efforts between industries, universities, and government laboratories, the most promising R&D products, which can be optimized for commercial and industrial applications; and

(4) Promote shared risks, accelerated development, commercialization time, and pooling of skills to strengthen manufacturing industries.

NBSIC will be guided by an Advisory Board composed of 3 government and 7 industry and private sector representatives. The Board will review and approve programs, budgets, and operations of the Bureau's Industrial Competitiveness Division, similar to the authority and functions of the National Science Board in relation to the National Science Foundation.

It is expected that this effort will be successful and will contribute to improved U.S. industrial competitiveness. The proceeds derived from royalties and other income generated from NBSIC will be placed in a trust fund to make the Industrial Competitiveness operation as self-supporting as possible. To provide a strong foundation for this program, funds are authorized at \$20 million for the first year, \$30 million for each of the next two fiscal years, and \$50 million for each of the following five years.

Join with me and Congressmen Walgren, Boehlert, Brown (CA), Glickman, and Morrison (WA) in helping to keep America's manufacturing industries competitive. If you would like to cosponsor this bill or have any questions about it, please contact Beth Fisher or Brent Rosenkranz in my office at #5-6411.

Sincerely,

DON RITTER,  
Member of Congress.

Mr. Speaker, this past week I testified before the Subcommittee on Science, Research and Technology of the Committee on Science, Space and Technology regarding legislation I recently introduced to establish an Industrial Competitiveness Division within the National Bureau of Standards. I wish to include for the RECORD the body of my testimony and the text of H.R. 2068, the National Bureau of Standards and Industrial Competitiveness:

H.R. 2068—THE NATIONAL BUREAU OF STANDARDS AND INDUSTRIAL COMPETITIVENESS—  
MAY 6, 1987

Mr. Chairman, I am pleased to testify today before the Subcommittee on Science, Research and Technology regarding legislation recently introduced by myself as well as you (Congressman Walgren), and Congressman Boehlert, Brown (CA), Glickman, and Morrison (WA) entitled the National

Bureau of Standards and Industrial Competitiveness.

I believe that manufacturing is still the foundation of our nation's economy and will continue to be critical to future economic success and stability. If this nation cannot significantly improve its ability to develop and manufacture innovative and quality products, we cannot help but witness a decline in the American standard of living.

In the past, America's greatest strength was derived from our ability to take research results and produce innovative technological products for the world. Over the last few years, however, the rest of the industrial world has learned how to capitalize on our government's and private sector's R&D investment for new product development—in many cases faster and better than us.

America's ability to compete on an uneven playing field has been the banner waved on international trade issues, but in too many industries we are just not winning the race to commercialize our own scientific innovations. The U.S. requires 3 to 5 years to commercialize developments that only take 2 to 3 years in Europe, and 1 to 2 years in Japan. VCR's were invented here, but developed to commercial dominance in Japan, as were just about all the major innovations in consumer electronics. We've seen what has happened to large scale semiconductors. Will biotechnology and superconductivity be next? The race is already on to develop superconducting materials and products. The Japanese MITI (Ministry of International Trade and Industry) coalition met 8 days after researchers at the University of Houston announced their breakthrough on superconductivity, and began formulating strategies for applying this science to new products.

To address this problem of the American manufacturing industry's ability to compete worldwide, I have introduced H.R. 2068. The bill is designed to focus the federal government's efforts on the issue of industrial competitiveness in a cost effective way by better utilizing and expanding the horizons of this nation's preeminent industrial national laboratory, the National Bureau of Standards (NBS).

Of all the government laboratories, NBS has the most experience in pooling industry resources to solve problems and meet new technological challenges. NBS has been a flagship laboratory for America and leads in such important fields as manufacturing automation, robotics, and materials development.

The bill would establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and redesignate the Bureau as the National Bureau of Standards and Industrial Competitiveness (NBSIC).

This division would: act as the Government's focal point for industrial competitiveness programs; evaluate, on a continuing basis, the long-term impact of Government-sponsored research and development investments on industrial competitiveness; with the assistance of other agencies, promote the most promising research and development which can be optimized for industrial applications; encourage and participate in cooperative programs, with industry, universities and other Government laboratories, which are designed to transfer advanced technology to small business and industry engaged in production and manufacturing; stimulate the development of proprietary products and processes that will expand in-



dustrial competitiveness in the U.S.; provide seed funds to further the formation of cooperative programs; support and encourage the adoption of advanced and flexible manufacturing concepts by American industry; create a national clearinghouse of "best practice" information and techniques for continuous improvement of industrial quality and productivity, including those successful quality improvement strategies and programs that have received special government or industry recognition; (Legislation has been introduced to create a "Deming" Quality Award to recognize successful strategies and programs which private industry has implemented to improve product quality.) identify regulatory and other barriers to increased productivity, product commercialization and competitiveness; and initiate work on the concept of Competitiveness Impact Statements, which could serve as an additional tool to study the potential impact major actions of federal agencies have on international trade and the ability of U.S. firms to compete in domestic and foreign markets. (The Energy and Commerce Committee approved an amendment offered by Congressman Florio and myself to the Trade Bill to devise a way in which such a concept can be initiated.)

To ensure a responsive and effective program, the Industrial Competitiveness effort at NBS would be guided by an Industrial Competitiveness Board. The advisory board would be composed of 3 government representatives and 7 members from the private sector representing a cross-section of America's industrial base, including small business. Industry is best able to know what it needs, therefore an industry oriented Board is most appropriate. The Board would review and approve programs, budgets, and operations of the Bureau's Industrial Competitiveness Division, similar to the authority and functions of the National Science Board in relation to the National Science Foundation.

It is expected that this effort will be successful and will contribute to improved U.S. industrial competitiveness. The proceeds derived from royalties and other income generated by NBSIC will be placed in a trust fund to make the Industrial Competitiveness operation as self-supporting as possible. To provide a strong foundation for this program, funds are authorized at \$20 million for the first year of operation, \$30 million for the next two fiscal years, and \$50 million for the following five fiscal years.

In the past, research and development sponsored by the Department of Defense has often served as a catalyst for advances in private sector manufacturing such as those witnessed in semiconductors, and computers, and aerospace. But, as MIT's Charles Ferguson notes, "commercial markets for semiconductors outpaced military demand, which became financially less important and lagged behind commercial technology".

Given the pace of technological advances, this scenario has probably been repeated in many other industries. Yet because of funding inadequacies, we are still willing to let DOD take the initiative concerning many commercial technologies. This is apparent with the Defense Science Board's recommendation to establish a semiconductor manufacturing institute. By not having a focal point for non-defense industrial technology, we will continue to see this void filled by DOD, which does have a legitimate interest in a strong manufacturing base. However, DOD's needs are clearly different

than those of the commercial marketplace. I, along with Congressman Florio, sponsored an amendment to fund the semiconductor industry's Sematech proposal through the Department of Commerce primarily because I believe it is appropriate to have an emphasis on private sector needs.

Further, high technology has become interdisciplinary, with scientific advances applying to product development in many fields and industries. This is another reason to provide a focal point for coordinating and promoting new technological developments with potential industrial applications. For example, the Department of Energy has primary authority over superconducting materials research. Does DOE have the ability to help industries formulate strategies for applying recent breakthrough in superconductivity to new products?

While our federal research and development organization has worked effectively in the past, it is evident that it is not sufficiently responsive to the private sector's needs. With the advent of a new global economy, it is necessary for us to fine-tune the federal government's role in advising and assisting private industry to help it endure this economic transition.

I believe my approach to better utilize the existing, and successful, entity of the NBS in addressing our nation's manufacturing problems is a modest, cost-effective and responsive approach. NBS has a good track record, but budget cuts and a lack of federal recognition of the importance of manufacturing to the American economy has resulted in our virtually ignoring perhaps the best federal resource which could contribute to improved industrial competitiveness. Some of the other bills introduced to address the problems facing American industry create new and large bureaucracies which could conceivably require years to organize and respond effectively to American's need. I believe my legislation could provide an appropriate and rapid response to the new global challenge.

#### THE MOTHER'S DAY PROTEST AT THE SOUTH AFRICAN EM- BASSY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS. Mr. Speaker, yesterday's third annual Mother's Day protest at the South African Embassy here in Washington illustrates the need for a change in our foreign policy toward South Africa—a government which jails and tortures children.

As I watched the televised report of this protest yesterday, I couldn't help but admire the 12-year-old boy, I believe his name is Carrington, who chose to be arrested in order to dramatize the plight of thousands of black children in South Africa who are incarcerated.

I recently introduced legislation, House Resolution 141, which will send a clear signal to Pretoria that the United States does not condone this brutality.

More than 25,000 people have been detained under South Africa's state of emergency since June 12, 1986. According to the Detainees' Parents'

Support Committee of South Africa, 40 percent of these are children, some younger than 10 years old.

Many of these 10,000 children have been subjected to extreme abuse. Black Sash, a human rights monitoring organization in South Africa, has documented cases of children being beaten, whipped, threatened, and subjected to electric shock while in the custody of security forces.

The International Commission of Jurists reported recently that South African "children are being subjected to widespread physical abuse and torture." They stated that electric shocks and tear gas were being used and that some children had been "seriously injured and have died as a result."

In many cases, parents of the detained children are kept totally ignorant of their fate and are often not even informed of their whereabouts.

No nation has the right to abuse children. Pretoria's actions violate the most basic standards of human rights and dignity.

My resolution calls on South Africa to immediately release all children detained under the state of emergency. Pending this release, it calls for parental access to the jailed children, publication of the children's names, providing them with adequate food and clothing, and international verification of their health and safety.

I want to take this opportunity to thank Senator MIKULSKI for introducing companion legislation in the Senate. She has always stood in the forefront of the fight for justice and human rights, and I am pleased to have worked with her on this important resolution.

Mr. Speaker, Congress must demonstrate, in no uncertain terms, its abhorrence at the torture of children. As a nation we must state, clearly and emphatically, that we will not stand silently while this barbarity continues. My resolution sends a clear signal to Pretoria and I urge my colleagues to support it.

#### RULE ON H.R. 2360—PUBLIC DEBT LIMIT EXTENSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to serve notice to my colleagues that, pursuant to the rules of the Democratic Caucus, I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of H.R. 2360, to provide for a temporary increase in the public debt limit.

## TEXAS CITY DISASTER RECALLED

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 5 minutes.

Mr. DE LA GARZA. Mr. Speaker, few Texans will ever forget the morning of April 16, 1947, when a freighter loaded with 2,300 tons of ammonium nitrate caught fire and touched off one of the single most disastrous events in U.S. history.

As you remember, this took place at the huge petrochemical refining port in Texas City, TX. The survivors still talk of the magnitude of this catastrophe, and one of my constituents—now living in the Washington area—has reminded me that his mother was among the survivors that day—and that she still grieves for the loss of her husband on that fateful day.

In the memory of Genaro Garza, I would like to share with my colleagues an article written for the McAllen Monitor newspaper in my congressional district. The article tells the story of Genaro's work for Monsanto Chemical Co. and the day on which his wife, Maria Collegio Garza, bid her 33-year-old husband a last farewell as he went off to work on the morning of April 16, 1947.

The article follows:

[From the Valley Monitor, Apr. 12, 1987]

### TEXAS CITY DISASTER IS RECALLED BY SURVIVOR

(By Patty Sandoval Bazzani)

Maria Collegio Garza welcomed the morning of April 16, 1947, just as she had welcomed every morning during the previous five months.

The post-World War II economy in Texas City was thriving and her 33-year-old husband, Genaro, was working as a shipping hand on the Monsanto Chemical Co. docks.

On that particular Wednesday morning, breakfast had been served and her husband had already gone to work.

It was 8:45 a.m.

A dark cloud of smoke was visible from the direction of the docks, causing Mrs. Garza to start worrying.

As if he sensed her concern, her husband came home to reassure his family. He told his wife "not to worry . . . it's only a fire on one of the boats."

This act of compassion would be his last.

Forty years of painful recollection dance in the eyes of Mrs. Garza, a 73-year-old McAllen woman, as she spoke about what some have called the worst disaster in the history of the nation.

On the morning of April 16, the French freighter *Grand Camp* loaded with 2,300 tons of ammonium nitrate fertilizer caught fire. Amid innocent spectators, including a number of school children, the vessel exploded at 9:12 a.m. with a force later described as worse than the atomic bomb dropped on Nagasaki, Japan, prior to the end of World War II.

Buildings and homes within a radius of a mile were instantly flattened and windows were shattered as far as 250 miles away.

The official tally was 576 dead with another 178 reported missing. Approximately 4,000 people were injured and total property damage was estimated at between \$50 and \$67 million.

The misery of that day 40 years ago and its aftermath still tug at Mrs. Garza's

heartstrings. In her modest home in northwest McAllen, she recalled the ordeal that not only claimed her husband's life, but threatened her with the loss of her children—and her very sanity.

Speaking only in Spanish, Mrs. Garza said her last glimpse of her husband alive was at the end of the road that morning. "I saw him walking back to the docks. And then I saw the stove fall over. I heard nothing. My first thought was the children," she said.

Three-year-old Holga was at the piano when the first of two explosions hit. Her right hand was severely injured by a torpedo-like steel rod.

Little Abiel, who was only 21-months-old, was playing next to a window. He and his sister were pelted with broken glass.

In an adjacent room, two-month-old Oziel lay asleep. A steel beam had ripped through the ceiling, coming within inches of his tiny body.

Miraculously, he was only slightly cut by the glass.

"I ran to get Oziel. He was covered with blood and glass. When I went back into the main room, two neighbors had come inside. . . . One had picked Holga up and the other had Abiel. Abiel had a large gash right above his left knee and all the skin on his leg had been scraped off. I was in a daze. My children were all so bloody," she said.

Once Mrs. Garza and her two neighbors escaped from the pile of rubble that had once been her home, she saw that the woman who had been holding Holga had fallen.

"I turned back and noticed Louisa was not there. I went back and picked Holga up and now I had both Oziel (two-month-old) and Holga in my arms. . . . I turned back again, but I couldn't see my other neighbor. I went back and they (neighbor and Abiel) were not there. She had been carrying my son," said Mrs. Garza as she struggled to recount the details.

With two bleeding children in her arms and no way of knowing the fate of her husband or their first son, Mrs. Garza, who didn't speak English, made her way through the twisted wreckage and past mangled bodies as she sought help.

She vividly recalled seeing the body of a small child she had noticed shortly before the explosion.

"She had been drawing on the ground. . . . Then I saw what was left after the iron rod fell on her," said Mrs. Garza. "Many people died that way and worse."

Holga was running a high fever and both children were covered with glass fragments.

When Mrs. Garza arrived at a pasture that was being used for an infirmary, she finally found someone to help her with the children.

"A man came up and gave me some fresh milk for the baby and helped me make the children more comfortable. I don't know who he was but I still remember him," she said.

After a few hours of waiting, a Red Cross unit arrived and immediately cleaned up Oziel. The paramedics could not treat Holga's injuries at the site because of the risk of infection.

For three days following the explosion, Mrs. Garza heard rumors a baby boy had been taken to John Sealy Hospital and efforts were being made to contact his mother or father.

"I just knew it was Abiel," she said. "Fifteen other people had come before me to claim him but the doctors required papers. I walked in with Holga at my side and the

moment she saw Abiel, she said, 'Oh mama, it's Abiel.' The doctor knew I was his mother," she said.

Mrs. Garza sobbed silently as she described how she felt some 40 years ago upon seeing her son alive. She wiped the tears from her face and said, "What can a mother say she feels about her children . . . it was my son . . . my little boy."

Following the three-day ordeal of getting treatment and locating her third child, Mrs. Garza began the quest to determine her husband's fate.

She was taken to the home of a Galveston woman and then was later told of her husband's death by a relative who had been trying desperately to contact her.

Mrs. Garza acknowledged that at least she knew what had happened to her husband. Many others were not that lucky.

"There were many people who were never found," she said. "When they buried some people, they took parts that would make up a body and bury them together. They would take a head, an arm and a body and bury it. People gathered at the large funerals to pay their respects just in case one of their lost ones was there. No one knew."

Her husband had been mortally wounded in the explosion and had subsequently died in a nearby hospital. She only vaguely remembers what he looked like at the funeral although she did see his face.

"I was so dazed by the pills the Red Cross had given me," she said. "But I just had to see his face and I did. It was him."

The Red Cross had treated her with tranquilizers and because of the effects of the pills, some of the human services organization representatives tried to talk her into giving up her children for adoption.

Mrs. Garza said the supervisors felt she could not maintain a family in her condition, especially because she could not speak English and because she was extremely nervous.

"I fought for my children," she said, "Just to think about giving them up made me change the way I had been before the explosion. I was very naive and quiet but God makes things happen for a reason. My need was to follow His orders . . . something would come from this."

As Texas City citizens began to rebuild their lives and restart businesses, Mrs. Garza said many men came to court the widows, hoping to marry and squander the financial aid given to them by the chemical company and the government.

Although she never remarried, Mrs. Garza said many women were fooled by these fortune hunters. "I could see right through it . . . Anyway, I had no business having a boyfriend with three children to care for," she said.

Although the small baby sustained no serious physical injury at the time of the disaster, two months later he had to be hospitalized for blisters and boils caused by exposure to the chemicals.

Through the years that followed, Mrs. Garza worked 16-hour days to support her three children. When she moved to the Valley in 1955, she worked as a babysitter/housekeeper for many years, doing sewing jobs at night.

She also suffered a stroke and was temporarily paralyzed.

Throughout her life, Mrs. Garza said she kept the Word of the Lord and fulfilled her life-long goal of seeing her children graduate from college.

Unlike most other disaster survivors, Mrs. Garza placed the \$15,000 company compen-



sation in three separate savings accounts to help pay for the college education of her children.

All three graduated from North Texas State University in Denton and all three now have successful careers.

"What's most important to me is that my children love each other," she said. "We must pass on to each generation the love we have and our faith in the Lord because in the end, nothing else matters."

#### A NEW REPORT ON THE ACQUIRED IMMUNE DEFICIENCY SYNDROME [AIDS]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, this will be our weekly or bi-weekly report on the AIDS virus or epidemic. My colleague, the gentleman from California [Mr. DANNEMEYER], I anticipate, will be here very shortly, and we will discuss in some detail some of the problems we are facing with the AIDS virus.

To bring my colleagues up to date, we have somewhere between 2 million and 4 million to 6 million people who have the AIDS virus in the United States today, and that number is doubling every 10 to 12 months. Without accurate testing of the entire population, we do not really know exactly how many people have the virus, but the figure we have heard is 1.5 million to 2 million, and the highest figure is up to 6 million to 8 million. But I think it is safe to guess that we have approximately 4 million people anyhow who have the AIDS virus, and according to scientific research and scientists' views around the country, approximately half of those people are definitely going to get full-blown AIDS and die.

That means that the United States of America very likely has 2 million people who in the next 10 years or so will end up with the full-blown AIDS disease and die from it.

The cost for each person who gets the AIDS virus, the full-blown AIDS virus, and lives for a period of 1 to 2 years is approximately \$147,000 in medical bills. Now, by 1991 they estimate we will have approximately 300,000 people dying of AIDS in the United States of America. That translates into at least \$40 to \$60 billion in health care costs, not to mention the tremendous load it is going to put on our health care facilities. We have 1.3 million hospital beds in the United States of America, and by 1991 about one-fourth of those are going to be filled with AIDS patients, and some people feel it will be a great many more.

Today we have over 32,000 or 34,000 people dying from the AIDS virus, and we have approximately 10 times that number suffering from the AIDS-re-

lated complex, or ARC, and some of those diseases that are AIDS-related are dementia. The AIDS virus gets into every body fluid in the human being's body, and one of the first areas it attacks is the brain. It is believed by many scientists that Alzheimer's disease, which is very common among older Americans, is exacerbated or the figures are exacerbated by the AIDS-related diseases. Many people believe that some of the individuals who are dying from what is believed to be Alzheimer's disease are not really dying from that at all but from AIDS-related diseases of the brain.

The problem we have with the AIDS virus is that well over 90 percent, probably more like 97 percent or 98 percent, of the people who have the virus do not know they have it, and they continue to spread it. So we have 2 to 4 million people who have the virus today, and that means we have somewhere between 1.8 million and 3.5 to 4 million people that have the virus who are actually continuing on their same path throughout life and giving it to a lot of unsuspecting human beings.

That is why I have introduced legislation to mandate that everybody be tested for the AIDS virus, because until we know who has it we cannot adopt the battle plan that will deal with this virus. If we have 4 million people with the AIDS virus and 3.7 million of them do not know they have the virus and they are spreading it because they continue to go through life without changing their ways, then there is an awful lot of innocent people being killed each day in the United States.

In fact, the figures that we have right now is that if we have 2 million AIDS patients or people with the AIDS virus, that means we are getting 5,000 new people infected a day, and if we have 4 million people with the virus, we have 10,000 people being infected per day.

Here in Washington, DC, according to a Howard University study that is still going on, so far they have been testing the prostitutes on a voluntary basis to find out how many have the virus, and to date of those that have been tested approximately 50 percent have the virus. That is true in other cities in this country. I think it is true in Miami, FL, in New York City, and elsewhere.

In the gay community the figures range anywhere from 40 percent up to 70 percent of the population in various cities of this country.

So the problem we have is that we have a virus that is lethal, a virus that is spreading very rapidly throughout the population, and most of the people who have it, well over 90 percent who have it, do not know they have it, and they continue to contaminate other human beings.

That is not all of it. We have, according to many scientists, problems with the way the disease is communicated. It has been believed and it has been stated by the Centers for Disease Control in Atlanta, GA, that it is being communicated through blood contact, through needles, through sexual contact, and through hemophiliacs getting it through blood transfusions, but that has been reduced dramatically since they started testing the blood supply and blood donors before they gave blood to various blood banks around the country.

One of the things that concerns me and, I think, my colleague, the gentleman from California [Mr. DANNEMEYER], who just walked into the Chamber, is that many scientists, as I said before, believe it can be communicated in other ways.

There is a book that has been published by Ignatius Press, and the author is a man named Gene Antonio. Everything in the book is documented by scientific explanation by scientists and doctors. It is not some book that has been conjured up in some person's mind to scare the population. There is documented evidence in fact behind everything that is said in this book.

I started reading it about 3 or 4 weeks ago, and I became very concerned about some of the various passages in the book. So I called the scientists who were quoted in this book, and on a periodic basis the gentleman from California [Mr. DANNEMEYER] and I and others will be relating to our colleagues in the Chamber and our friends around the country what we found from these statements and these reports.

On page 105 of this book they talk about insect transmission of hepatitis B and A, and I would like to just briefly read that to the Members so they will understand what I am talking about.

A 1984 study published by the American Society of Tropical Medicine explains the prevalence of hepatitis B infection in northern Zaire in Africa. It states that in addition to other means, factors of the high incidence of hepatitis B infection there include common practices of traditional healers using scarification of the skin for treatment of all kinds of pain. The instruments used for the scarification, mostly razor blades, are cleaned with water but never sterilized in any way.

So they cut each other in these tribal functions over there, and the diseases spread through unclean razor blades.

No. 2, the high promiscuity in polygamy. In recent years polygamy has been generally advocated and is practiced throughout the country of Zaire.

But No. 3 is the thing that disturbed me the most. It said this:

The enormous abundance of blood-sucking anthropods, insects. It has been discussed that blood-sucking anthropods may

transmit hepatitis B infection. The fact that malaria is wholly endemic throughout the region and the spleen index in the population is well above 75 percent gives support to this assumption.

But then comes the quote in this book that concerned me the most:

These latter findings support the contention of Dr. Mark Whiteside and Dr. Caroline McLeod, researchers at the Institute of Tropical Medicine in Miami, FL, that mosquitoes appear to be a vector in the outbreak of AIDS in the impoverished community of Belle Glade, FL.

After I read that, I called Dr. Whiteside and had a conversation with him, and he said that he believed indeed that mosquitoes were a contributing factor to the spread of the virus in Belle Glade, FL, and in order communities, including Little Haiti in Miami, FL.

I would like to read to the Members a statement or an opinion paper that he sent to me.

Mr. DANNEMEYER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. DANNEMEYER. Mr. Speaker, I want to commend my colleague, the gentleman from Indiana, for taking this special order. The possibility of the transmissibility of the virus AIDS by insects such as mosquitoes is something that should be talked about in the country.

Mr. BURTON of Indiana. Certainly.

Mr. DANNEMEYER. This Dr. Whiteside is one reputable scientist who suggests that as a real possibility, and the larger picture is that of the 35,000 cases of AIDS in America, there is 3 to 4 percent of them, according to the CDC in Atlanta, that the CDC, the Centers for Disease Control, cannot tell the American people what the source of the virus that led to the AIDS and the death of the person was. They do not know. That main sources are three in number: sex, blood, and intravenous drug use. But in the category of "don't know," that is a lot of people.

Mr. BURTON of Indiana. That is right.

Mr. DANNEMEYER. And it is appropriate to talk about this because too many public health officials in America are saying to the people of our country that the only means of transmissibility are sex, blood, and drugs.

□ 1800

The fair way to say it is the main means of transmissibility is sex, blood, and drugs, but there may be other means that we really do not know about.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for his comments.

Abraham Lincoln said, "Let the people know the facts and the country will be saved," but there seems to be a

move on the part of some health officials to keep some of these opinions and facts under wraps.

Let me just read to you what Dr. Whiteside had to say. This is a letter that he wrote to Kenneth Robin regarding proposition 64 in California, the gentleman's home State:

INSTITUTE OF TROPICAL MEDICINE,  
INTERNATIONAL HEALTH RESEARCH  
FOUNDATION, INC.,

Miami, FL, August 4, 1986.

KENNETH ROBIN, Esq.,  
San Francisco, CA.

DEAR MR. ROBIN: I, Mark Whiteside, M.D. hereby declare that although I do not endorse California Proposition 64, I do feel obligated to express my opinion about the role of environmental factors in transmission of the Acquired Immunodeficiency Syndrome (AIDS). I personally believe that AIDS is an environmental (probably insect-transmitted) disease in the tropics with secondary transmission by other blood mechanisms; i.e. transfusion, contaminated needles, and sexual practice that leads to breaks in skin or mucosa. The role of environmental factors, e.g. blood-sucking insects, sores rubbing together in crowded places, etc. has been unfortunately neglected. These issues have great significance for prevention and control of AIDS.

AIDS is becoming a world-wide disease, with an increase in Africa, the Caribbean, South America (e.g. Brazil), and among persons with a risk factor for blood contamination in the United States and Europe. The national figures on the breakdown of AIDS by "risk group" are not applicable to the State of Florida. The percentage of "unknowns," or no-identifiable risk (NIR) AIDS ranges from 22% of cases in Florida to 30% of cases in Miami to 50% of cases in Belle Glade, Florida.

Now, what my colleague from California pointed out a moment ago was 2 to 4 percent of the people of this country that have the AIDS virus are not in any high-risk group. They do not know how they got it, but in Florida, Dr. Whiteside says that 22 percent of the people who are infected with the AIDS virus in Florida do not know how they got it. In Miami it is 30 percent, and in Belle Glade, FL, it is 50 percent; 50 percent of the people in Belle Glade, FL, according to this research, are not prostitutes, intravenous drug users or people who got it from blood transfusions, such as a hemophiliac. This is very distressing.

He goes on to say:

In this subtropical environment we are seeing men and women, heterosexuals, without the usual risk factors associated with AIDS. It is my opinion that most of the NIR-AIDS is not explained by sexual contact with members of high risk groups.

Now, I am not going to read all this, but I would like to read a couple more paragraphs:

AIDS corresponds to the insect belt in many parts of the world. Before modern-day AIDS, the region of greatest density of Kaposi's sarcoma (a tumor associated with AIDS) was on the border of Zaire and Uganda. Such tropical tumors as Kaposi's sarcoma and Burkitt's lymphoma were always linked to environmental conditions

of climate, rainfall, and altitude. The distribution of these tumors correlated with malaria and the insect-borne virus (arbovirus) infections. Even more recent studies show a correlation of antibodies to HTLV-III/LAV (HIV)—

That is the AIDS virus—and antibodies to malaria.

Today AIDS is increasing in men and women in Central Africa with some spread to both East and West Africa. Potential co-factors in African AIDS include malaria infection parasites, malnutrition, genetic factors, poor sanitation, and hepatitis B. Many scientists accept hepatitis B (serum hepatitis) as a model or transmission of AIDS. Several studies suggest insect transmission (mosquitoes, bedbugs) of Hepatitis B in the tropics. A significant percentage (15-22%) of AIDS in Africa is found in children. How can this possibly be called a sexually transmitted disease?

You are talking about kids and 15 to 22 percent of them have it.

The introduction of AIDS into the Caribbean in the late seventies corresponded with epidemics of mosquito-transmitted virus infections. For example, Dengue Type 1 (mosquito virus) was introduced for the first time in 1977, causing hundreds of thousands of people to get sick and in 1981-82 several hundred people died from Dengue Hemorrhagic Fever. There is every indication that AIDS has a broad base in the Caribbean, from Cuba on over to Puerto Rico. AIDS was never limited to Haiti, although Haiti happens to be the poorest country in the Caribbean.

Several years ago we began to see Haitian patients at Jackson Memorial Hospital in Miami with unusual tropical diseases. Many people had never heard of these unusual parasitic infections, but they are all described in textbooks of Tropical Medicine. Studies showed Haitians were heterosexual, with relatively few lifetime sexual partners, and no obvious means of acquisition of AIDS. We noticed that most of the Haitians we interviewed come from poor conditions in their own country to poor conditions in the United States. We visited the homes of our patients in Little Haiti (in Miami) and documented serious public health problems, e.g. inadequate housing, overcrowding, open wastes, and high mosquito and rat populations. We conducted our first environmental survey in Miami and brought this technique with us to Belle Glade, Florida.

Belle Glade is the best example of the tropical pattern of AIDS in the U.S. Belle Glade has the highest rate of AIDS in the U.S. (2.5/1000 population). Over one-half of the AIDS in Belle Glade is in men and women born in the U.S. (20%) or the Caribbean (30%) who do not fit into the usual risk groups.

That is a total of 50 percent that do not fit into the usual AIDS groups—

The final striking observation is that nearly all persons with AIDS and persons with tuberculosis lived in the central economically depressed (slum) sections of Belle Glade. An untreatable sexually-transmitted disease (like Herpes) does not confine itself to a single poor neighborhood.

There are more than 50 confirmed AIDS cases in Belle Glade, but because of lack of diagnostic facilities and few autopsies in the past, AIDS is assumed to be under-reported by a factor of 3:1. We will know what the "iceberg" is in Belle Glade since we are



keeping track of persons with AIDS, ARC (AIDS-related illness or complex), and who are sick with HTLV-111/LAV antibody positive individuals. Independent surveys (by the CDC and Institute of Tropical Medicine) have documented a 9-11% seroprevalence of antibodies to HTLV-111/LAV—

#### That is AIDS—

Among a largely heterosexual control population living in one of two centrally depressed neighborhoods in Belle Glade. The majority (60-70%) of these antibody positive individuals did not have an identifiable "risk factor" for AIDS. Results of studies in Belle Glade will affect all communities in South Florida and hopefully will be used to help prevent the disease.

I could go on and on and read the rest of this, but I think that most of my colleagues who are paying attention to this get the message.

Mr. DANNEMEYER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague from California.

Mr. DANNEMEYER. Mr. Speaker, I think probably the most important fact to bring to the attention of our colleagues in the House and to the American people about this whole issue is the fact that the gentleman is a Member from the State of Indiana, I am a Member from the State of California. We are elected Representatives pursuing congressional responsibilities.

This system of ours in America for controlling public health has been in existence for decades and the power that we have delegated to public health officials all over the country—the only word to describe it is awesome.

For instance, in my State of California under existing law, any county health officer can quarantine any person that he chooses to do so, or she chooses to do so, for 58 reportable diseases. That power is there. It is not used often, but the power is there.

The reason I think it is appropriate for us to put this issue in perspective is why is it that elected Members of Congress of the United States are talking about controlling a communicable disease, why?

The answer is that so far as we have been able to determine, this is the first politically protected venereal disease in the history of this Republic.

Mr. BURTON of Indiana. And it is deadly.

Mr. DANNEMEYER. I will repeat that. The first politically protective venereal disease in the history of our country. The actions that we are receiving, we American citizens, from the collective group of public health officials in America is absolutely reprehensible. They have permitted a small group of people in our society who happen to represent the large group of those with the virus, male homosexuals, to literally turn the public health care system of this country on

its head in order to avoid pursuing normal customary routine responses for controlling communicable disease, and because our public health officials have not been pursuing normal routine customary practices, such as reportability of those with the virus, because of that elected officials, like the gentleman and I, have to take on the task of bringing this issue to the attention of the American public and in effect kicking some people in the fanny who ought to know better.

I want to commend my colleague, the gentleman from Indiana, for taking this special order and bringing this issue to the Members of Congress, because like all of us, we are busy with many issues. We have heard a lot about this issue. We would like to know more, but we are just delighted for this opportunity of sharing some light on this important issue today.

Mr. BURTON of Indiana. Well, there is nothing more important than this virus because it threatens every man, woman, and child in the country.

I would like to ask the gentleman just to point out, because I thought the gentleman was going to do that, how communicable diseases in California, such as syphilis, have to be reported by public health agencies, but AIDS does not have to. I wish the gentleman would just elaborate on that point.

I yield to my colleague, the gentleman from California, to elaborate on that.

Mr. DANNEMEYER. Mr. Speaker, I thank my colleague from Indiana [Mr. BURTON] for yielding.

I think this issue can be described best by just relating to our colleagues what practice exists in the law for controlling communicable disease in America. When any of us complain of symptoms, we go to our family physician and that family physician, frankly, is the first line of defense to control communicable disease in the country, because when the doctor listens to us, he or she may prescribe medicine, an operation or what have you, and incidentally, this relationship between a doctor and a patient is confidential. What we tell our doctor cannot even be extracted from that doctor in a court of law except for very limited circumstances, generally speaking almost not at all. In other words, it is a confidential relationship, and it should be. It is just nobody else's business, except whenever that doctor encounters a patient with a communicable disease, by law that doctor is required to report it to public health authorities. Now, that is also in confidence, as it should be, and the doctor reports the name of the patient to the public health authorities.

In order to control communicable disease, public health officials sometimes conduct contact tracing to find out with whom a particular person

with a communicable disease has had contact. That is done in confidence, but as you can see, we do breach that confidential relationship between the patient and the doctor for good public policy reasons; namely, to control communicable disease.

Now, my State of California which happens to have 22 percent of the national total of America's AIDS cases, we have a list of reportable disease, 58 in number. Included in that 58 are 6 venereal diseases. Among those six are syphilis and gonorrhea. AIDS itself has been a reportable disease since March 1983, but not the virus for AIDS.

So when you contrast where we are, you can describe it this way. When a doctor in California or any place in the country encounters a communicable disease in a patient, that doctor is required by law to report it to public health authorities, that is, a curable communicable venereal disease, such as syphilis or gonorrhea.

□ 1815

But on the other hand if that doctor encounters a case of a noncurable communicable venereal diseases such as the virus for AIDS, the doctor is not required to report it except in eight States of the Union that require reportability. And if you can believe this amazing statement, in my State of California, by a special act of the legislature called A.B. 403, in the spring of 1985, those with the virus, male homosexuals, have such tremendous political clout that they got the legislature to adopt and the Governor of California to sign a bill which gives that group nonaccountability to the public health care system at all, because if that doctor would report a person with the virus for AIDS in California, he or she commits a crime.

I will put the contrast again. If a doctor in California encounters a case of a curable communicable venereal disease, the doctor is required by law to report it.

Mr. BURTON of Indiana. Such as syphilis.

Mr. DANNEMEYER. Correct, syphilis or gonorrhea.

If on the other hand the doctor encounters a case of a noncurable communicable venereal disease such as the virus for AIDS, if the doctor reports it, he commits a crime.

Now when people hear that, they scratch their heads and say, "How can that be? Who in the world could possibly justify that?"

Well, believe it or not, we have some people in California today who enjoy the reputation of being responsible public health officials who at this late date are still attempting to defend nonreportability for the virus for AIDS. But let me say, Mr. Speaker, that is changing. The pendulum is

swinging back to the center of treating this issue as a public health issue rather than a civil rights issue, and I am happy to see that that action is taking place.

Surgeon General Koop of the United States, who is the chief health officer of the Federal Government, in a report to the President last October, in his report defended nonreportability of those with the virus, but now Dr. Koop is changing his tune. Dr. Koop, in a hearing before the Health and Environment Subcommittee a week ago Friday here in Washington said that if we had confidentiality and counseling for those with the virus he, Koop, would support reportability for this virus, and I believe that it is a normal routine, customary response that we have not been pursuing at the Federal level. Forty-two States of the Union do not require it. Those States should require it, and I think what my colleague from Indiana is doing today in this special order is raising the attention level of our colleagues in Congress to this whole issue whereby we should be adopting a public health response to this AIDS epidemic rather than treating it as a civil rights issue.

Mr. BURTON of Indiana. I thank my colleague.

Mr. Speaker, the bottom line is that the epidemic is spreading virtually unchecked. The Center for Disease Control in Atlanta, GA, maintains that it cannot be communicated through casual contact, and yet they sent out a litany of 10 things that should be done by any medical professional dealing with an AIDS patient, including wearing masks, gloves, outerwear, if they just go into the room where an AIDS patient is. But they tell us that it cannot be communicated through casual contact.

They tell us that it cannot be communicated through insect vectors such as mosquitoes, and yet Dr. Whiteside of the Center for Tropical Diseases in Miami, FL, says that 50 percent of the people in Belle Glade, FL, are not from any high-risk group, and he is convinced, along with his colleague down there, Dr. MacLeod, that it is communicated in that manner.

These are things that we need to find out. Maybe the doctor is wrong in Florida. Maybe the Center for Disease Control is wrong in Atlanta. But the fact of the matter is that there is a great deal of doubt, and every day that we linger on this issue and are consumed with inaction in this body, another 5,000 to 10,000 people are infected, and at least one-half of them are going to die. And it is doubling every 10 to 12 months.

If this continues from now through the end of 1991 and we only have 2 million today, that means that we will have 4 million, 8 million, 16 million, 32 million infected with the disease or the virus by 1991. And today if we

have 4 million, that means 1 in every 60 Americans has the virus and they do not even know it.

Mr. DANNEMEYER. Mr. Speaker, if the gentleman would yield further, to interject the fact that nobody knows in his country how many people have the virus, the reason that we do not know is because we have not been reporting those with the virus to public health authorities as routinely we should have been at least the last 3 or 4 years. And because we do not know, we make estimates. The estimates are between 1 and 4 million people, take your pick.

A year ago public health authorities would tell us that of those with the virus, 20 percent would go to develop AIDS and die. Today the current estimate is 50 to 60 percent, and some researchers are saying that that percentage is as high as 70 to 80 percent who will get AIDS and die.

What is even more disturbing about this whole thing is that it is estimated that 90 percent of those with the virus do not know that they have it—90 percent do not know that they have it.

I believe that it is important for all of us that those who have the virus know that they have it, because I believe that a lot of people who have the virus, although that is a terrifying thought to contemplate, I believe that most people will act responsibly and avoid transferring bodily fluids to other humans so that they do not transfer that fatal virus to another human.

But right now our society has not even mustered the political courage to say as a matter of law that any person with the virus with knowledge of that fact who knowingly transfers the virus to another human through a transfer of bodily fluids commits a crime or a criminal offense. I believe that we should say that as a matter of statement, a standard that we ask our citizens to observe.

We have not done that yet, and I will draw the contrast to California, my State, again. In California we have a law which says that if you have a venereal disease—which has been on the books since 1957—if you have knowledge of that fact, when it is in an infectious state, you commit a criminal offense to have sexual relations—that is, if you have syphilis or gonorrhea. Those two are among the six defined as venereal diseases.

Would you believe that in March of 1983 when the chief health officer of California added those with AIDS to the list of reportable diseases, that health officer did not recommend to the legislature that we modify the definition of venereal disease to include AIDS? So get this. If you have a curable communicable venereal disease in California, it is a crime for you to have sexual relations with another human. If on the other hand you have a non-

curable communicable venereal disease, such as the virus for AIDS, or even AIDS, there is no proscription on your conduct at all.

I believe that when the public figures this out, they are going to be outraged at this irresponsibility on the part of our public health officials, because—I will say this again, I think, because it needs saying, that a lot of us believe that if 73 percent of the people in this country who have the virus for AIDS had gray eyes or brown eyes, a group of highly disorganized people in America, our public health officials would probably have quarantined that group 2 years ago. But because 73 percent of the AIDS cases come from one special-interest group in America, male homosexuals, that group has been successful in intimidating public health officials from taking the action that they routinely, normally have taken to control communicable disease in America.

That is a message that I think we should get across to the people of this country, because certain public health officials in America should begin treating it as a public health issue rather than as a civil rights issue.

Mr. BURTON of Indiana. I thank the gentleman for those remarks.

I would just like to followup. The gentleman mentioned California. There was an article in the Boston Globe about 3 or 4 weeks ago about a police officer who at 2 o'clock in the morning arrested a lady of the evening getting into a Mercedes Benz, and he took her down to the station house to book her, and when he was booking her—this is a true story—when he was booking her, he noticed that she had a plastic band on her wrist.

He asked the lady, "What's the plastic band?"

She said, "Well, I was in the hospital and I just walked out."

The officer said, "Well, what were you in the hospital for?"

She said, "Well, I have AIDS."

He said, "My gosh, don't you realize that you could kill somebody?"

She said, "I don't care; I needed a fix."

Well, I will not go into the sordid details, but she did not just have the AIDS virus, she had full-blown AIDS with open lesions that were draining on her legs, and made one of the officers so sick that he vomited. This lady was booked and she was taken before the judge the next day, was released on \$250 bond, and went right back to the red-light district and probably killed some other human beings.

That is intolerable. If that woman had taken a gun and shot somebody, they would have put her in jail for murder. But she goes out and infects a man who may go home and take it to his wife or his girlfriend or somebody



else and kill more than one individual, and we do not do anything about it.

The gentleman is right. The health system is turned on its head, and our legal system is turned on its head, when people can knowingly commit murder and get away with it, and many of these people are doing just that, knowing full well that they have the AIDS virus.

If we have 50 percent of the prostitutes in Washington, DC, with the AIDS virus and they continue plying their trade down on 14th Street, 14th and K and that area, what are they doing? They are infecting people and killing them.

I want to tell a real quick story. I was in a restaurant here in Washington, DC, the day that that Howard University study hit the front page of the Washington Post, and about three tables away from me in a restaurant where I was eating I heard this fellow make a comment about some activity that he had been involved in the night before with a lady here in Washington.

□ 1825

He said to this fellow, "I really feel bad about that. I haven't been married that long. I really love my wife and I feel kind of guilty." The other fellow says, "Well, you're only young once. Sow your wild oats."

I was thinking to myself, I hope that guy did not go down to 14th Street, because he may have been infected with AIDS the night before. And as the conversation progressed—normally I do not eavesdrop—but as the conversation progressed, there came to my attention that the young man had been down on 14th and K Streets, and this was a lady-of-the-evening pickup. If those statistics were borne out, he had a 50-50 chance that the prostitute had the AIDS virus, and this was a newly married young man, and if he did contract it, then he probably went home and infected his wife.

We cannot allow these things to go on, and yet it is going on in the Nation's Capital, it is going on in California, it is going on in Boston, MA, and New York City and elsewhere, and that is why this body needs to come to grips with this legislation, to deal with people who knowingly transmit or have sexual contact with people who do not have the AIDS virus. It is extremely important.

I would just like to comment on the fact that my colleague has five bills pending before the Congress that he cannot even get a hearing on that would deal with this problem. I have one that would mandate blood testing so we can find out who has the virus and let them know they have it, and get the body of evidence necessary to deal with this problem on a nationwide basis, and we cannot even get a hearing on these bills because the

committee chairmen do not agree with our position.

All I can say is if we are correct, then it is criminal what these people are doing. And if we are not correct, at the very least it ought to be investigated. We ought to have hearings on it and get the people in, the scientists in who have varying points of view on the subject.

I am happy to yield to my colleague from California.

Mr. DANNEMEYER. If the gentleman will yield on that point, some people, when they hear the story of this tragic epidemic in our society and in the world ask themselves if they are a member of this special interest group and what are their chances of getting AIDS or the virus from AIDS. If any of our colleagues here in the House of Representatives believe that since they are not an intravenous drug user, and they are not homosexual, and they did not get any blood as a result of transfusions from a blood bank, that they are home free, they can forget that. The reason is that the growth curve of the incidence of AIDS in the heterosexual community in America today is about where that growth curve was 4 years ago with the homosexual community. The reason is because it takes a certain latent period in which the virus works to destroy the immune system so as to manifest itself into a case of AIDS. And the genesis of the disease, and I think this is an important fact to bring out, is promiscuous or perverse sex. Anyone in our society who is engaging in promiscuous or perverse sex, heterosexual, homosexual, is at increased risk for AIDS.

This Member from California has introduced H.R. 338 which makes it a Federal crime to knowingly donate blood, semen, or organs which was referred to the Committee on Energy and Commerce;

H.R. 339, which requires States receiving Federal funds for education, treatment, or counseling of AIDS victims to institute programs for tracing and counseling, which was referred to the Committee on Energy and Commerce;

H.R. 334, which requires the Federal Government to institute mandatory testing for immigrants and Federal prisoners, which was referred to the Judiciary Committee;

H.R. 345, which makes it a Federal crime for a person with AIDS or one who tests positive to knowingly transfer body fluids, which was referred to three committees, the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee Post Office and Civil Service;

House Joint Resolution 16, a D.C. resolution of disapproval which was referred to the District of Columbia Committee; and

House Concurrent Resolution 8, which is an omnibus bill that relates to certain steps that States should be taking on this issue.

These bills were introduced earlier in this year, and would you believe that none of them have been set for hearing by any of the committees to which they have been referred. This Member has written to the chairmen of those committees and, frankly, we are being stonewalled. They do not want to hold any hearings on these bills at all.

It is a tragedy that the many witnesses around this country working in public health jobs, State public health positions, county public health positions, members of academia, professors of university medical schools who have called our offices and called me, and they say, Congressman, when will we have an opportunity to come to Washington and testify about the magnitude of this risk and the failure of the American Government to take action to deal with this as a public health issue. When they call and ask me about that, I can just refer them to the fact that we do not control the agenda in the House of Representatives. Our Democrat colleagues do. They run the shop, they are the ones that decide when, if ever, these bills will be heard. I only hope that by the pressure that we can generate through a special order such as we are doing today that we can increase the awareness of our Democrat colleagues who run the House of Representatives and set the agenda for when these bills will be heard, that they will be willing to at least give us a hearing on it.

Mr. BURTON of Indiana. I am glad the gentleman mentioned that. In fact, I am confident that most of my colleagues on both sides of the aisle, Democrat and Republican, if these bills were to get to the floor would be voting in favor of them because they realize the magnitude of the problem.

But in order to educate our colleagues even more, these special orders will continue. We are going to use the Chinese water torture method and bring these facts to the floor as frequently as possible. I know the gentleman from California [Mr. DANNEMEYER] will continue to do that, and we are trying to figure out a way to get this book, "The AIDS Cover-Up," by Gene Antonio, which has documented evidence regarding conclusions drawn by various scientists and doctors as respects the spread of the AIDS virus around the country, we are going to try to get a copy of this to every Member of the House. I know we have an enormous amount of reading material that we have to deal with in the Congress of the United States. But I submit to my colleagues that there is nothing more important to this Nation, and yes, to the whole

world than this AIDS virus epidemic, and we must come to grips with it.

If my colleagues have any doubts about what the gentleman from California [Mr. DANNEMEYER] or I have said tonight, I hope they will take a look at this book when we send it to their offices and just scan it. I am confident if they scan it they will start reading. If my colleagues start reading, the hair on the back of your necks will stand up and you will decide that the actions are warranted and we will get down to the nitty-gritty of getting some legislation passed to deal with this.

The problem is growing very rapidly. We have an invisible force fire spreading across this country. Hospital officials and health officials are saying there is such a thing as safe sex when it does not exist. These devices they are talking about using, and they are telling young people to use to keep them from getting the AIDS virus may cut down their risk, but it will not eliminate the risk. They will be playing Russian roulette with maybe one fewer bullet in the chamber.

Mr. DANNEMEYER. On that point, I want to share with my colleagues what we have experienced in this country in terms of bringing sex education to the people of America as it relates to reducing the incidence of pregnancy and reducing abortions in our country. It is relevant because Surgeon General Koop, his main thrust up until now of dealing with this epidemic is education. That is how we are going to educate the American public to reduce the incidence of AIDS. Dr. Koop is essentially rejecting any public health options or policy alternatives that he should be pursuing.

But on the point of what experience we have had and the money we have spent on family planning, in 1971 we spent about \$80 million on family planning activities and the incidence of pregnancies per 1,000 in women 15 to 19 was 64. By 1980, that sum for family planning had increased by almost a factor of four, a little less than \$300 million. Would my colleagues believe that the pregnancies per 1,000 in the age group 15 to 19 went up from 64 to 95? In other words we quadrupled the expenditures for family planning, and we increased by a factor of 50 percent the incidence of pregnancies in teenagers in the group 15 to 19.

On the growth of abortions in that same age group, 15 to 19 per 1,000, it went from 19 to 42. In other words the more money the Federal Government spent for sex education, and family planning in America, the more was the increase in the incidence of abortions and pregnancies in teenage children in America.

I cite that as relevant to the suggestion that we can control the AIDS epidemic by just spending hundreds of

millions of dollars to educate the American public as to the problem and danger of irresponsible sex, as a means of showing that those who engage in irresponsible sex are increasing their risk of getting AIDS.

□ 1835

I think it will have just the opposite effect. The more money the Government spends for sex education, the more sexual promiscuity we are going to have in our society and increased chances we are going to have of people getting AIDS. The tragedy of the irresponsible approach that Dr. Koop has taken is this idea that there is such a thing as safe sex; it is fair to say that there may be safer sex but a condom used in anal intercourse has a very high failure rate, some researchers say 40 to 50 percent, and even in vaginal intercourse a failure rate of 6 to 10 percent.

So the suggestion that if we only arm ourselves with condoms we Americans can avoid AIDS is the height of irresponsibility.

Another feature about the deficiency of Dr. Koop's report is the tragedy of the chief health officer of this Nation failing to recognize and affirm the inseparable link between human sexuality and morality and ethics. That is a tragic failure on the part of Dr. Koop.

Dr. Koop recognized that from the standpoint of the family influence on the issue but Dr. Koop ignored totally, when he released his report to the Nation last October, that inseparable relation between human sexuality, morality, and ethics. I think that was a basic defect in his approach.

My concern is that if we pursue this course of so-called spending hundreds of millions of dollars for education and not at the same time talk about affirming the heterosexual ethic as a foundation of our Western civilization, that the ideal in our society of human sexuality as expressed within the confines of a marriage between a man and a woman, that is the ideal and we should not apologize to anyone in America for affirming that as the ideal. But some of our chief officials at the Federal level, Dr. Koop for one, and others in State governments around the country are not willing to affirm that basis today. And it is a tragedy as a part of the overall approach which is needed by this Nation to deal with this epidemic.

I thank my colleague from California.

Mr. BURTON of Indiana. I thank my colleague for his comments.

Let me end up by saying that we need, as a nation, to declare war on AIDS. Some of my colleagues believe that education is the tool we should employ. Well, so be it.

Some of my colleagues believe that we should have laws that would con-

demn and even put people in jail who knowingly infect another person. Like my colleague from California, I co-sponsored that legislation. Some people believe we should have massive testing of everybody so we find out who has the virus, inform them they have it so they will not spread it any further and then get the body of evidence necessary to come up with programs to deal with it. To find out how it is spreading, where it is spreading, who is spreading it and then we will have some idea of where we are going.

We need to declare war on this terrible plague facing not only America but the world.

Now 40 million people in this country have genital herpes. I remember just a few years ago, 10, 12, 14 years ago you never had heard of that. We started an education program when that first came to light and everybody said "we are going to be careful, we are going to take a different tack in dealing with sex because genital herpes is going to be with you forever if you get it." Yet today we have 40 million. So if that same line of thinking prevails as far as AIDS is concerned and we get 40 million people infected with AIDS we are going to have a major catastrophe, healthwise, economic-wise, and in every way you can conceive.

So it is extremely important that we come to grips with this problem and come to grips with it very, very rapidly because as we speak other people are being infected with this virus. It is not going to go away. The Congress of the United States, the health agencies of this country need to declare war on this virus and get on with it, not wait any longer.

Mr. SPEAKER, I yield back the balance of my time.

#### WILLIAM J. CASEY: A REMARKABLE LIFE OF SERVICE AND ACHIEVEMENT

The SPEAKER pro tempore. (Mr. McCloskey). Under a previous order of the House the gentleman from New York [Mr. WORTLEY] is recognized for 60 minutes.

Mr. WORTLEY. Mr. Speaker, over the past weekend, in the quiet town of Roslyn Harbor, NY, the life and memory of William Joseph Casey were celebrated. Bill Casey was a good friend, a person devoted to his family, a distinguished public servant, a believing and practicing Roman Catholic, a man of remarkable achievement.

We remember Bill with amazement for his wide and varied accomplishments and interests in law, business, history, religion, and politics. Although the scope of his activities seem unlimited, he was remarkably proficient in each.

But his leadership and enthusiasm did not end with the things of this



world. He was also a steadfast and respected member of his church and his family, and he was a friend to many. Bill was a good and benevolent individual.

Bill was not afraid to commit himself to a course of action that he believed was correct. He was a patriot who felt no apologies were necessary when it came to encouraging the preservation of American ideals, values and institutions.

He wanted to promote our Nation's founding principles around the world while there was yet time to fend off the sterile wasteland produced by totalitarian regimes. Unlike a majority of politicians past and present who merely point in whatever direction the political winds happen to be blowing, Bill was not afraid to sail straight into the winds if that was where he was convinced the proper course lay. He knew instinctively that sooner or later those winds were going to change.

He was bold and firm in his resolve, a tenacious fighter for the causes he believed in. He has been aptly and accurately remembered by his President as having a "passionate commitment to the cause of freedom and an unhesitating willingness to make personal sacrifices for the sake of that cause and his country."

Mr. Speaker, does the gentleman from New York [Mr. LENT] who has been a long and dear friend wish me to yield to him?

Mr. LENT. Yes.

Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join my colleagues today in mourning the death of William Joseph Casey of Roslyn Harbor, NY, Director of the Central Intelligence Agency. Bill Casey and I were friends—we both came from Nassau County, NY—and I deeply regret the loss of this man whose passionate dedication to the good of our country guided his illustrious career. Bill Casey was noted for his analytical mind, tenacious will and a capacity to generate high morale among his staff. He used these skills consistently throughout his long and distinguished career in law and government.

Throughout his lifetime, Bill Casey was a regular supporter of the Nassau County Republican Party. In 1966, he suspended his thriving law practice to run for the House of Representatives. This was possibly the only time during a long and successful career that he was unsuccessful in his objective, although he waged a spirited campaign.

In 1971 Bill was appointed by President Richard Nixon as chairman of the Securities Exchange Commission and was credited with many innovations and improvements in the workings of the Commission, particularly

tightening enforcement procedures. He also served in the Nixon administration as Under Secretary of State for Economic Affairs and was president of the Export-Import Bank before returning to New York to resume the practice of law.

In 1981, President Ronald Reagan called upon Bill to take over the reign of the Central Intelligence Agency.

Bill Casey is credited with restoring the vitality and effectiveness of our intelligence capability. His significant contributions to the restoration of America's national security stands as a monument to his leadership and integrity.

It has been said that "only by a deep patriotic devotion to one's country can there be a hope of the kind of protection of the whole planet, which is necessary for the survival of the people of other countries \* \* \*." If this is true—and I believe that it is—then Bill Casey did much in his lifetime to promote the protection of our world. We pay tribute to Bill Casey's spirit of patriotism. We remember him for his efforts on our behalf and give our condolences to his wonderful wife, Sophia, who shared her life with him, and to his talented and lovely daughter, Bernadette.

Mr. WORTLEY. I thank the gentleman from New York, who has been a long and dear friend of Director Casey, for sharing in this special order today.

Mr. Speaker, former United Nations Ambassador Jeane Kirkpatrick remembered her friend during services this last weekend as a man who had "lived his life to the hilt and left it in the spirit of man who was ready \* \* \* he was a bold, committed man in an age of controversy."

Bill's long tenure as 13th Director of the Central Intelligence Agency gave him a window to the world and clear view of the dangers and threats challenging the United States and its allies. He was keen in his preception and understanding of the key drama of this century, the struggle between democracy and totalitarianism. He had the facts and he had the determination to act. In 1985 he noted in *Time* magazine that some 80 terrorist operations were preempted because of his Agency's work.

It says a lot about Bill that he had the complete trust and confidence of the President he served. Bill enjoyed almost unprecedented access to the President as an adviser on matters concerning national security. He was, in fact, the first Director of Central Intelligence to be given Cabinet rank.

Bill's accomplishments span the decades. Born in New York City on March 13, 1913, Bill graduated from Fordham University in 1934 and received a law degree from St. John's University in 1937. A large part of his subsequent fortune was created through his publi-

cation of books on taxes, real estate, law and business, and his earnings as a practicing attorney and educator. "A lawyer has a ringside seat at the human comedy," he once said.

□ 1845

Ultimately, he was the distinguished author of over 40 books, including a notable history of the American revolution.

From 1941 to 1946, Mr. Casey served with the Army Intelligence and the Office of Strategic Services. His direct responsibility involved penetrating Nazi Germany with secret agents who served the allies and helped bring a victorious end to that conflict. For his service he won the Bronze Star.

Looking back, Bill humorously remarked that "All we could do was pop a guy into Germany with a radio and hope to hear from him." Historian Joseph Persico wrote of him during this period that, "In Casey, OSS had a man with an analytical mind, tenacious will, and a capacity to generate high morale among his staff." After the war, he became associate general counsel at European headquarters of the Marshall plan during the rebuilding of Europe.

Bill's first major entrance into politics was in 1940 when he wrote speeches for Wendell Wilkie, the Republican Presidential candidate for that year. Since then, Bill was a top adviser to each Republican Presidential candidate culminating in the position of President Reagan's campaign manager in 1980.

Following a stint as a member of the advisory council of the Arms Control and Disarmament Agency, Bill headed the Securities and Exchange Commission from 1971 to 1973. An economics writer for the *New York Times*, described Casey's leadership as including "much toughness \* \* \* he has forced stockbrokers to live by somewhat stricter rules than many of them really wanted."

Bill's next step was to the State Department where he served as Under Secretary. Bill then moved on to head the Export-Import Bank where he invigorated and expanded its role in facilitating exports of American goods and services.

Bill's last public service position at the CIA, which only a few weeks ago he had to relinquish because of his fatal illness, is noted for a restoration and professionalism that was trampled during the previous decade. Morale and funds both were significantly increased. Intelligence collection and analysis have improved as a result. His scholarly curiosity and imposing intellect led him to play an integral, hands-on role in the CIA as he actively edited and directed the Agency's intelligence reports and activities.

Bill's passionate stands on various issues did encounter their share of controversy, and no man is cut from the cloth of infallibility. But Bill was above all a premier patriot who kept his sights on the really important matters of faith and family. The world is less now that we are missing Bill's company and talents, and the cause of freedom has truly lost a champion.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. WORTLEY. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I thank my fellow New Yorker for yielding, and I also thank him for taking this special order this evening.

The gentleman in the well has never been one who would turn tail and run, who would hide or otherwise avoid what could be construed as a controversial issue, and certainly our good friend, Bill Casey, having served in the capacity he has in recent years, could be considered as controversial.

Mr. Speaker, our hearts go out to the family of a great patriot who has passed from the American scene. In a sense, I'm almost relieved that William J. Casey will no longer be around to witness the ongoing assault on the foreign policy of the country he loved and served so long, and so well.

Although Bill Casey had a lifetime of public service behind him when President Reagan brought him back to Washington in 1981, he was relatively unknown to the general public. His dedication to public service included no hunger for fame. He was the ideal choice to resurrect the Central Intelligence Agency, which had undergone a destructive decade of self-doubt throughout most of 1970's.

By the time Bill Casey took over the reins of the CIA, things had deteriorated so badly that few foreign intelligence officials would even talk to us. And no wonder. No secret, no matter how sensitive, could be kept off the front page of the next morning's Washington Post. A misplaced zeal for total disclosure gave this body excessive oversight privileges that were translated into instant leaks. Our covert operations ability was mired in a mindset that set unrealistic standards no great nation could or would want to meet. As a result, when the shah of Iran fell, we were unprepared. When the Soviet Union invaded Afghanistan, we were unprepared. And so it went, all over the world. This great country, the hope of the rest of the free world, was acting like a giant determined to pluck out his own eyes.

And that's what we were with a blinded CIA, a giant stumbling about in confusion.

When a nation suffers so many self-inflicted wounds, it takes a man like Bill Casey to heal those wounds. Mr. Speaker, only in the fever swamps of the blame America first crowd is the

CIA still blamed for all the problems of the world. We have Bill Casey to thank for that.

In 1981 I authored an amendment to the Intelligence Identities Protection Act. That overall act made it a felony to expose the names of our CIA agents throughout the world. I'll always value the thank you letter I received afterwards from Bill Casey. As gracious as he was tough minded, as far-seeing as he was patriotic, he recognized the need to call treason by its proper name.

He was a scholar, an attorney, an investment expert, an author, a war hero, and a dedicated civil servant, in the best, most self-sacrificing sense of that term. Rarely have we seen a man who so easily combined the best parts of man of vision and man of action.

And above all, he was an anti-Communist to the bone, a great American who would never let his country down, no matter what!

And now Bill Casey is gone. We won't see his equal again soon.

Mr. WORTLEY. Mr. Speaker, the gentleman from New York [Mr. SOLOMON] has said it so well.

To Sophia, Bill Casey's loving wife, and to Bernadette, his admiring daughter, and to the other members of Bill Casey's family, we extend our profound sympathies.

□ 1855

Mr. Speaker, I and many of my colleagues have lost a friend. America has lost an able and dedicated public servant. May he rest in peace.

Mr. McGRATH. Mr. Speaker, I would like to take a few moments to memorialize the late William Casey, a good friend of 20 years and leader, whose life spanned some of the most turbulent periods in history. Bill was never a spectator in his 74 years. From his younger days when he was given the nickname "Cy-clone," through his service to our Nation during World War II and his most recent work as Director of the Central Intelligence Agency, Bill spent every moment at the center of the arena of our national life.

Bill Casey earned the trust and admiration of everyone with whom he dealt, whether in business or government. He was far more than a tough corporate attorney, financier, and self-made millionaire. Bill was a man who sought challenges at every point in his life and overcame obstacles to achieve success that most of us cannot imagine. Whether he was planning missions behind the lines in Nazi Germany or raising funds for a local hospital four decades later, Bill worked tirelessly to meet the demands of his day.

I know that a biographer will some day reveal the true scope of activity and energy that Bill displayed each and every day. I am honored to have known a man with the fortitude and spirit of William Casey. His legacy of service to others will stand next to many of history's great leaders who never tired or gave up in the crucible of public life. His belief in human freedom and his efforts to ensure the rights of residents of every corner of the globe

will remain a symbol of the finest tradition of American political courage.

I know Bill will be missed in Nassau County where he taught me many valuable lessons in politics. Perhaps most important, I know he will be missed as a loving father and husband, and I extend my deepest condolences to his wife, Sophie, and his daughter and son-in-law. I hope every Member of this body will spend a moment of prayer and reflection on the meaning of service to others and the example which Bill Casey set for all of us.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRENNAN (at the request of Mr. FOLEY), for today, on account of illness in the family.

Mr. COMBEST (at the request of Mr. MICHEL), for today, on account of injury.

#### 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. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. RITTER, for 5 minutes, today.

(The following Members (at the request of Mr. ESPY) to revise and extend their remarks and include extraneous material:)

Mrs. COLLINS, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. BROWN of California, for 60 minutes, on May 18.

Mr. BROWN of California, for 60 minutes, on May 12.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BONIOR of Michigan, prior to the vote on the Nichols amendment on contracting out in the Committee of the Whole, today.

Mr. WILLIAMS, immediately preceding the vote on the Young of Florida amendment in the Committee of the Whole today.

(The following Members (at the request of Mr. BURTON of Indiana) and to include extraneous matter:)

Mr. YOUNG of Alaska.

Mr. HYDE.

Mr. DORNAN of California in two instances.

Mr. RHODES in two instances.

Mr. RUSELL.

Mr. SOLOMON.

Mr. KONNYU.

Mr. GREEN in two instances.

Mr. SWINDALL.

Mr. CRANE.



Mr. ROWLAND of Connecticut.  
 Mr. JEFFORDS.  
 Mrs. JOHNSON of Connecticut.  
 (The following Members (at the request of Mr. ESPY) and to include extraneous matter:)  
 Mr. NELSON of Florida.  
 Mr. SOLARZ in two instances.  
 Mr. PANETTA.  
 Mr. STARK.  
 Mr. FRANK.  
 Mr. GUARINI.  
 Mr. ROE.  
 Mr. FROST in three instances.  
 Mrs. COLLINS.  
 Mr. ANDERSON in 10 instances.  
 Mr. GONZALEZ in 10 instances.  
 Mr. BROWN of California in 10 instances.  
 Mr. ANNUNZIO in six instances.  
 Mr. JONES of Tennessee in 10 instances.  
 Mr. BONER of Tennessee in five instances.  
 Mr. DYMALLY.  
 Mr. TRAFICANT.  
 Mr. WYDEN.  
 Mr. COLEMAN of Texas.  
 Mrs. BOXER.  
 Mr. LANTOS.  
 Mr. KOLTER.  
 Mr. TOWNS.  
 Mr. RAHALL.  
 Mr. RODINO.  
 Mr. MAZZOLI.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978, and

H.J. Res. 67. Joint Resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

#### ADJOURNMENT

Mr. WORTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 12, 1987, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1368. A letter from the Acting Secretary, Department of Agriculture, transmitting the annual report on the enforcement and administration of the Animal Welfare Act, fiscal year 1986, pursuant to 7 U.S.C. 2155; to the Committee on Agriculture.

1369. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-19, "Constitution for the State of New Columbia Approval Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1370. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-20, "D.C. Income and Franchise Tax Conformity and Inheritance and Estate Tax Revision Act of 1986 Amendment Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1371. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-21, "D.C. Statehood Constitutional Convention Initiative of 1979 Amendment Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1372. A letter from the Administrator, Environmental Protection Agency, transmitting the ninth annual report of the Agency's activities on information gathering, new chemicals, and existing chemicals under the Toxic Substances Control Act, pursuant to 15 U.S.C. 2608(d); to the Committee on Energy and Commerce.

1373. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Denis Lamb, of Virginia, Ambassador-designate as the Representative to the Organization for Economic Cooperation and Development [OECD], and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1374. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1375. A letter from the Chairman, Federal Election Commission, transmitting a copy of the Commission's annual report for calendar years 1985 and 1986 on its activities under the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1376. A letter from the Chairman, National Labor Relations Board, transmitting a report of the Board's activities under the Freedom of Information Act during calendar year 1986, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1377. A letter from the Assistant Administrator, Administration and Resources Management, Environmental Protection Agency, transmitting notification of a proposed new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1378. A letter from the Records Officer, U.S. Postal Service, transmitting notification of a proposed new computer matching

program between the Postal Service and the State of Utah Department of Social Services, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1379. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the decision granting defector status in the case of Momcilo Vladeta Selic, pursuant to 8 U.S.C. 1182(a)(28)(i); to the Committee on the Judiciary.

1380. A letter from the Attorney General of the United States, transmitting notice of certification of the region specified in paragraph 581(a)(12) of title 28, United States Code, comprised of the Federal judicial districts for the States of Minnesota, Iowa, North Dakota, and South Dakota to the Circuit Court of Appeals for the Eighth Circuit, pursuant to Public Law 99-554; to the Committee on the Judiciary.

1381. A letter from the Executive Director, Naval Sea Cadet Corps, transmitting the annual audit report of the Corps for the year ended December 31, 1986, pursuant to 36 U.S.C. 1101(39), 1103; to the Committee on the Judiciary.

1382. A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting a copy of the report on the age 65 presumption, pursuant to Public Law 98-543, section 302(a) (98 Stat. 2747); to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROSTENKOWSKI: Committee on Ways and Means, H.R. 2360. A bill to provide for a temporary increase in the public debt limit. (Rept. 100-88). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARMEY:

H.R. 2359. A bill to repeal the provisions of the Tax Reform Act of 1986 which limit the deductibility of contributions to individual retirement accounts and to allow the deduction for such contributions to be computed for married individuals on the basis of their combined compensation; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself and Mr. DUNCAN):

H.R. 2360. A bill to provide for a temporary increase in the public debt limit; to the Committee on Ways and Means.

By Mrs. BYRON:

H.R. 2361. A bill to amend the Internal Revenue Code of 1986 to reinstate the exclusion for qualified transportation provided by employers; to the Committee on Ways and Means.

By Mr. CARPER:

H.R. 2362. A bill to extend the temporary duty suspension on O-Benzyl-p-chlorophenol; to the Committee on Ways and Means.

By Mr. CHANDLER (for himself, Mr. STENHOLM, Mr. MORRISON of Washington, Mr. ROEMER, and Mr. MILLER of Washington):

H.R. 2363. 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; to the Committee on Rules.

By Mr. FRENZEL:

H.R. 2364. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to exempt from preemption under such title any provision of law of the State of Minnesota which requires employers to provide health coverage for employees and which is not inconsistent with the requirements of such title; to the Committee on Education and Labor.

By Mr. FRENZEL (by request):

H.R. 2365. A bill to amend the foster care and adoption assistance programs under part E of title IV of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEN:

H.R. 2366. A bill to require the Federal Deposit Insurance Corporation to pay interest on certain certificates issued by the Golden Pacific National Bank of New York, NY, which have been determined to be insured deposits in any judicial action or agency proceeding; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KASICH:

H.R. 2367. A bill to extend for 2 years the authority of the Internal Revenue Service to offset against tax refunds the amount of certain debts owed the Government; to the Committee on Ways and Means.

By Mrs. LLOYD (for herself, Mr. SCHEUER, and Mr. McCURDY):

H.R. 2368. A bill to authorize appropriations to the Department of Energy for civilian energy research and development programs for fiscal year 1988; to the Committee on Science, Space, and Technology.

H.R. 2369. A bill to authorize appropriations to the Department of Energy for civilian energy programs for fiscal year 1988; jointly, to the Committees on Energy and Commerce; Interior and Insular Affairs; and Science, Space, and Technology.

By Mr. OWENS of Utah (for himself and Mr. HANSEN):

H.R. 2370. A bill to provide for the establishment of an economic development plan for, and Federal services and assistance to, the Northwestern Band of the Shoshoni Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAXTON:

H.R. 2371. A bill to amend Public Law 874 of the 81st Congress relating to entitlement to impact aid payments; to the Committee on Education and Labor.

By Mr. SHARP:

H.R. 2372. A bill to exempt natural gas liquids from the minimum price requirement for petroleum produced from the naval petroleum reserves; jointly, to the Committees on Energy and Commerce and Armed Services.

By Mrs. VUCANOVICH (for herself, Mr. DORNAN of California, Mr. LAGOMARSINO, Mr. STUMP, and Mr. GRAY of Pennsylvania):

H.R. 2373. A bill to amend the Federal Mine Safety and Health Act of 1977 to permit State administration and enforcement of Federal mine safety and health standards, and for other purposes; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 2374. A bill to provide relocation assistance to certain Coast Guard employees; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of New Jersey (for

himself, Mr. GARCIA, Mr. BLILEY, Mr. ANDERSON, Mr. ANTHONY, Mr. BADHAM, Mr. BATEMAN, Mr. BENNETT, Mrs. BENTLEY, Mr. BERMAN, Mr. BEVILL, Mr. BLAZ, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, Mr. BORSKI, Mr. BOUCHER, Mr. BOULTER, Mrs. BOXER, Mr. BROOKS, Mr. BURTON of Indiana, Mr. BUSTAMANTE, Mr. CALLAHAN, Mr. CARPER, Mr. CHANDLER, Mr. COELHO, Mrs. COLLINS, Mr. CONTE, Mr. CONYERS, Mr. CROCKETT, Mr. DANIEL, Mr. DAUB, Mr. DE LA GARZA, Mr. DE LUGO, Mr. DEWINE, Mr. DIOGUARDI, Mr. DORNAN of California, Mr. DOWDY of Mississippi, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. DYSON, Mr. EVANS, Mr. FAZIO, Mr. FEIGHAN, Mr. FLIPPO, Mr. FOLEY, Mr. FRENZEL, Mr. FROST, Mr. GALLO, Mr. GILMAN, Mr. GOODLING, Mr. GRAY of Illinois, Mr. HALL of Texas, Mr. HAMMER-SCHMIDT, Mr. HANSEN, Mr. HATCHER, Mr. HEFNER, Mr. HENRY, Mr. HORTON, Mr. HOWARD, Mr. HUGHES, Mr. HUNTER, Mr. HUTTO, Mr. HYDE, Mr. IRELAND, Mr. KASTENMEIER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEWIS of Florida, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mrs. LLOYD, Mr. LOWRY of Washington, Mr. LUNGREN, Mr. McDADE, Mr. McEWEN, Mr. McGRATH, Mr. McHUGH, Mr. MARTIN of New York, Mr. MARTINEZ, Mr. MATSUI, Mr. MINETA, Mr. MOLINARI, Mr. MOORHEAD, Mr. MRAZEK, Mr. OBERSTAR, Mr. PASHAYAN, Mr. PERKINS, Mr. RINALDO, Mr. RITTER, Mr. RODINO, Mr. ROE, Mr. SAXTON, Mr. SHAW, Mr. SHUMWAY, Mr. SIKORSKI, Mr. SKEEN, Mr. SOLARZ, Mr. SPENCE, Mr. STALLINGS, Mr. STOKES, Mr. SUNIA, Mr. SWEENEY, Mr. TALLON, Mr. TOWNS, Mr. TRAFICANT, Mr. TRAXLER, Mrs. VUCANOVICH, Mr. WATKINS, Mr. WEBER, Mr. WOLF, Mr. WORTLEY, Mr. YATES, and Mr. YATRON):

H.J. Res. 274. Joint resolution to designate the week beginning November 22, 1987, through November 28, 1987, as "National Adoption Week"; to the Committee on Post Office and Civil Service.

By Mr. GREEN:

H. Res. 164. Resolution expressing the sense of the House of Representatives that the NASA Distinguished Service Medal should be taken away from Arthur Rudolph; to the Committee on Science, Space, and Technology.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

65. By the SPEAKER: Memorial of the Legislature of the State of South Carolina, relative to the National Agricultural Pesticide Impact Assessment Program [NAPIAP] and the Interregional Project 4 [IR-4] Program; to the Committee on Agriculture.

66. Also, memorial of the Senate of the State of Alaska, relative to Canadian devel-

opment of oil reserves in the Arctic; to the Committee on Foreign Affairs.

67. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to a memorial for the soldiers who served during the Korean war; to the Committee on House Administration.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. JEFFORDS, Mr. PENNY, Mr. ST GERMAIN, Mr. MOODY, Mr. ANDERSON, Mr. HOWARD, Mr. DE LUGO, Mr. FORD of Michigan, Mr. SOLARZ, Mr. MFUME, Mr. TALLON, Mr. AKAKA, Mr. FAUNTROY, Mr. DWYER of New Jersey, Mr. BOUCHER, Ms. KAPTUR, Mr. LEVIN of Michigan, Mr. WALGREN, Mr. KLECZKA, Mr. STARK, Mr. BIAGGI, Mr. JOHNSON of South Dakota, Mr. SIKORSKI, Mr. FAZIO, Mr. HUGHES, Mr. SABO, Mr. DE LA GARZA, Mr. DURBIN, Ms. OAKAR, Mr. MRAZEK, Mr. BLAZ, Mr. FRANK, Mr. TOWNS, Mr. SCHUETTE, Mr. BROWN of California, Mr. GUNDERSON, Mr. MORRISON of Connecticut, Mr. ORTIZ, Mr. ACKERMAN, Mr. CLARKE, Mr. FISH, Mr. LEVINE of California, and Mr. FOGLIETTA.

H.R. 20: Mr. COLEMAN of Texas, Mr. SIKORSKI, Mr. MARTINEZ, Mr. GONZALEZ, Mr. VENTO, Mr. MORRISON of Connecticut, Mr. SISISKY, Mr. BIAGGI, Mr. EDWARDS of California, Mr. BROWN of California, and Mr. McCLOSKEY.

H.R. 21: Mr. COLEMAN of Texas, Mr. SIKORSKI, Mr. MARTINEZ, Mr. GONZALEZ, Mr. VENTO, Mr. MORRISON of Connecticut, Mr. BIAGGI, Mr. EDWARDS of California, Mr. BROWN of California, and Mr. McCLOSKEY.

H.R. 38: Ms. OAKAR, Mr. DELLUMS, and Mr. KLECZKA.

H.R. 107: Mr. ARCHER and Mr. CRAIG.

H.R. 267: Mr. BILBRAY.

H.R. 281: Mr. GUARINI, Mr. PASHAYAN, Mr. KOSTMAYER, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. ATKINS, and Mr. WILSON.

H.R. 401: Mr. SKEEN.

H.R. 544: Mr. ROWLAND of Georgia, Mr. TOWNS, Mr. SCHUETTE, Mr. DURBIN, Mr. PEPPER, and Mr. HORTON.

H.R. 567: Mr. THOMAS of California, Mr. CRANE, Mr. HERGER, Mr. McEWEN, Mrs. SMITH of Nebraska, Mr. JONTZ, Mr. KOLTER, Mr. FIELDS, Mr. SKEEN, Mr. HALL of Texas, Mr. McCLOSKEY, Mr. HERTEL, Mr. MARLENEE, and Mr. WISE.

H.R. 603: Mr. GONZALEZ, Mr. STRATTON, Mrs. BYRON, Mr. ERDREICH, Mr. MRAZEK, Mr. SKEEN, Mr. HANSEN, Mr. HOCHBRUECKNER, and Miss SCHNEIDER.

H.R. 618: Mr. CARDIN.

H.R. 810: Mr. MARLENEE.

H.R. 918: Mr. CROCKETT, Mr. SOLARZ, Mr. FAUNTROY, Mr. GARCIA, Mr. GRAY of Illinois, Mr. CRANE, Mr. LEHMAN of Florida, Mr. OWENS of New York, Mr. DELLUMS, Mr. ACKERMAN, and Mr. TOWNS.

H.R. 925: Mr. MATSUI, Mr. STUDDS, and Mr. KENNEDY.

H.R. 956: Mr. GONZALEZ.

H.R. 1101: Mr. PRICE of Illinois, Mr. SWINDALL, Mr. FORD of Michigan, and Mr. SWIFT.

H.R. 1195: Mr. HAMMERSCHMIDT, Mr. RAVENEL, Mr. NOWAK, Mr. MORRISON of Washington, Mr. EDWARDS of Oklahoma, Ms. SNOWE, Mr. ROWLAND of Georgia, Mr. SPENCE, and Mr. MARTINEZ.

H.R. 1201: Mr. HOCHBRUECKNER, Mr. JONTZ, Mr. MARTINEZ, and Mr. WILLIAMS.



H.R. 1280: Mr. MINETA, Mr. TALLON, Mr. MOAKLEY, Mr. FOGLIETTA, Miss SCHNEIDER, and Mr. AKAKA.

H.R. 1281: Mr. MINETA, Mr. TALLON, Mr. MOAKLEY, Mr. FOGLIETTA, Miss SCHNEIDER, and Mr. AKAKA.

H.R. 1313: Mr. EDWARDS of Oklahoma, Mr. ARMEY, Mr. RAVENEL, Mr. SYNAR, Mr. BARTON of Texas, and Mr. YATES.

H.R. 1352: Mr. OWENS of New York, Mr. WEBER, Mr. RAY, and Mr. LaFALCE.

H.R. 1393: Mr. LEWIS of Florida, Mr. OBERSTAR, Mr. FAZIO, Mr. KLECZKA, Mr. LEACH of Iowa, and Mr. SMITH of Iowa.

H.R. 1413: Mr. CHAPMAN, Mr. CLINGER, Mr. TOWNS, Mr. JONTZ, Mr. SCHUETTE, Mr. DAUB, Mr. ESPY, and Mr. EMERSON.

H.R. 1451: Mr. ROTH, Mr. GUARINI, and Mr. DAVIS of Michigan.

H.R. 1504: Mr. BROWN of California.

H.R. 1566: Mr. MARTINEZ and Mr. McMILLAN of North Carolina.

H.R. 1582: Mr. CROCKETT.

H.R. 1619: Mr. HOCHBRUECKNER.

H.R. 1620: Mr. DIOGUARDI.

H.R. 1678: Mr. TOWNS.

H.R. 1697: Mr. SIKORSKI, Mr. HALL of Ohio, and Mr. OBEY.

H.R. 1729: Mr. McCOLLUM, Mr. SAXTON, Mr. DENNY SMITH, Mr. YOUNG of Alaska, Mr. WELDON, Mr. EDWARDS of Oklahoma, Mr. McGRATH, and Mr. RINALDO.

H.R. 1801: Mr. BURTON of Indiana, Mr. VISCLOSKY, Mr. DWYER of New Jersey, Mr. PURSELL, Mr. BONIOR of Michigan, Mr. MAVROULES, Mr. SMITH of Florida, Mr. BUECHNER, Mr. JEFFORDS, Mr. GUARINI, Mr. WOLPE, and Mr. HUCKABY.

H.R. 1823: Mr. CARDIN.

H.R. 1885: Mrs. BYRON.

H.R. 1936: Mr. REGULA, Mr. LAGOMARSINO, Mr. FRENZEL, Mrs. JOHNSON of Connecticut, Mr. BADHAM, and Mr. SMITH of New Jersey.

H.R. 1966: Mr. STUDDS, Mr. KOLTER, and Mr. GILMAN.

H.R. 1986: Mr. OWENS of Utah, Mr. BUSTAMANTE, and Mr. TOWNS.

H.R. 1994: Mr. LEHMAN of California and Mr. DARDEN.

H.R. 2038: Mr. FORD of Michigan.

H.R. 2057: Mr. TAUKE, Mr. BRYANT, Mr. FAZIO, Mr. WEBER, Mr. OWENS of Utah, Mr. VENTO, and Mr. GLICKMAN.

H.R. 2114: Mr. VANDER JAGT.

H.R. 2120: Mr. GLICKMAN.

H.R. 2200: Mr. INHOFE and Mr. ENGLISH.

H.R. 2284: Mr. FAWELL.

H.R. 2310: Mr. BUSTAMANTE.

H.R. 2312: Mr. DeFAZIO, Mr. ATKINS, and Mr. EDWARDS of California.

H.R. 2320: Mr. LEWIS of Georgia and Mr. MORRISON of Connecticut.

H.J. Res. 13: Mr. EDWARDS of Oklahoma.

H.J. Res. 40: Mr. KOLTER, Mr. GUARINI,

Mr. SPENCE, Mr. HAMMERSCHMIDT, Mr.

McMILLAN of Maryland, Mr. BILBRAY, Mr.

PETRI, Mr. MFUME, Mr. MORRISON of Wash-

ington, Mr. McHUGH, Mr. TAUKE, Mr.

GEKAS, Mr. SMITH of New Jersey, Mr.

HANSEN, Mr. LEWIS of California, Mr. LEWIS

of Florida, Mr. MILLER of California, Mr.

BUECHNER, Mr. ANDERSON, Mr. KENNEDY, Mr.

KEMP, Mr. KASTENMEIER, Mr. DeFAZIO, Mr.

ERDREICH, Mr. BROWN of California, Mr.

CONYERS, Mr. LaFALCE, Mr. McCOLLUM, Ms.

OAKAR, Mr. TALLON, Mr. ENGLISH, and Mr.

HOCHBRUECKNER.

H.J. Res. 48: Mr. SMITH of New Jersey and

Mr. SCHUETTE.

H.J. Res. 50: Mr. ROEMER, Mr. HUCKABY,

Mr. OBEY, Mr. KLECZKA, Mr. KOLTER, Mr.

GOODLING, Mr. HOLLOWAY, and Mr. BATES.

H.J. Res. 90: Mr. DURBIN.

H.J. Res. 106: Mr. McCOLLUM, Mr. GREEN,

Mr. GILMAN, Mr. BERMAN, Mr. BLAZ, Mr.

JONES of North Carolina, Mr. KASICH, Mr.

FUSTER, Mr. YOUNG of Alaska, Ms. OAKAR,

Mr. PEPPER, Mr. PERKINS, Mr. MILLER of

Ohio, Mr. TALLON, Mr. TRAFICANT, Mr.

BORSKI, Mr. GEPHARDT, and Mr. TAUKE.

H.J. Res. 143: Mr. CRAIG.

H.J. Res. 163: Mr. SCHEUER, Mr. SKELTON,

Mr. MOAKLEY, Mr. HUCKABY, Mr. MOODY,

Mr. SKEEN, Mr. BROOMFIELD, Mr. DONALD E.

LUKENS, Mr. HUNTER, Mr. PACKARD, Mr.

PARRIS, Mr. SLAUGHTER of Virginia, Mr.

GRAY of Pennsylvania, Mr. DANNEMEYER,

Mr. MORRISON of Connecticut, Mr. BURTON

of Indiana, Mr. GILMAN, Mr. STANGELAND,

Mr. RANGEL, Mr. TAUKE, Mrs. BENTLEY, Mrs.

BOXER, Mr. GINGRICH, Mr. COYNE, Mr. SHU-

STER, Mr. McCLOSKEY, Mr. SAWYER, Mr.

HASTERT, Mr. CHENEY, Mrs. MARTIN of Illi-

nois, Mr. FORD of Michigan, and Mr. HAM-

MERSCHMIDT.

H.J. Res. 176: Mr. PANETTA and Mr. JONTZ.

H.J. Res. 180: Mr. McCLOSKEY, Mr.

SCHUETTE, Mr. ROTH, Mr. KOLTER, and Mr.

LUJAN.

H.J. Res. 207: Mr. VISCLOSKY, Mr. HEFNER,

Mr. HUTTO, Mr. STRATTON, Mr. NATCHER, Mr.

RUSSO, Mr. MacKAY, Mr. BILBRAY, Mr.

OBEY, Mr. DURBIN, Mr. HAYES of Illinois,

Mr. LEWIS of Georgia, Mr. SCHEUER, Mr.

SLATTERY, Ms. SLAUGHTER of New York, Mr.

PICKLE, Mr. SMITH of Iowa, Mr. NAGLE, Mr.

DeWINE, Mr. MATSUI, Mr. GUNDERSON, Mr.

MACK, Mr. BUNNING, Mr. DIOGUARDI, Mr. ROTH, Mr. NIELSON of Utah, Mr. SPENCE, Mr. ROBERT F. SMITH, Mr. PETRI, Mr. ROBERTS, Mr. YOUNG of Alaska, Mr. HOLLOWAY, Mr. FISH, Mr. CRANE, Mr. DeLAY, Mr. SWEENEY, Mr. HUNTER, Mr. COBLE, Mr. EMERSON, Mr. STUMP, Mr. CLINGER, Mr. BALENGER, Mr. CALLAHAN, Mr. FIELDS, Mr. LUNGREN, Mr. ENGLISH, Mr. GARCIA, Mr. TOWNS, Mr. MFUME, Mrs. COLLINS, Mr. AuCOIN, Mr. LELAND, Mr. MURTHA, Mr. KOLTER, Mr. HORTON, Mr. HOWARD, Mr. CROCKETT, Mr. MOAKLEY, Mr. LaFALCE, Mr. DINGELL, Mr. BIAGGI, Mr. CARDIN, Mr. DONALD E. LUKENS, Mr. LANTOS, Mr. DORGAN of North Dakota, Mr. DELLUMS, Mr. LEVINE of California, Mrs. MEYERS of Kansas, Mr. LEACH of Iowa, Mr. DANNEMEYER, Mr. IRELAND, Mr. TAUKE, Mr. St GERMAIN, Mr. BONIOR of Michigan, Mr. FLIPPO, Mr. McHUGH, Mrs. KENNELLY, Mr. MORRISON of Connecticut, Mr. FOGLIETTA, Mr. KANJORSKI, Mr. VANDER JAGT, Mr. PORTER, Mr. RITTER, Mr. PACKARD, Mr. HASTERT, Mr. BUECHNER, Mr. KOLBE, Mr. THOMAS of California, Mr. MILLER of Washington, Mr. CRAIG, Mr. WALGREN, Mr. PRICE of Illinois, Mr. RICHARDSON, Mrs. MORELLA, Mr. NEAL, Mr. BOEHLERT, and Mr. THOMAS A. LUKEN.

H.J. Res. 224: Mr. McGRATH, Mr. DeWINE, Mr. MARTINEZ, Mr. SHUMWAY, Mrs. KENNELLY, and Mr. JOHNSON of South Dakota.

H. Con. Res. 5: Mr. SAWYER.

H. Con. Res. 6: Mr. GUNDERSON.

H. Con. Res. 57: Mr. DYSON, Mr. FROST, Mr. GOODLING, Mr. LEWIS of Georgia, Mr. ROE, Mr. EVANS, Mr. ASPIN, Mr. GARCIA, Mr. LANCASTER, Mr. RAHALL, Mr. DeFAZIO, Mr. BOUCHER, Mr. TRAXLER, Mr. BOLAND, Mr. BARNARD, and Mr. GREEN.

H. Res. 141: Mr. BLILEY, Mr. MARTINEZ, Ms. KAPTUR, Mr. VENTO, Mr. WISE, Mr. LEHMAN of California, Mr. FRANK, Mr. MOODY, Mr. LELAND, Mr. LEWIS of Georgia, Mr. NEAL, Mr. KOSTMAYER, Mr. KASTENMEIER, Mr. SUNIA, Mr. LEVINE of California, Mr. PORTER, Mr. FOGLIETTA, Mr. FROST, Mr. HOCHBRUECKNER, and Mr. ATKINS.

## 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. 1930: Mr. PERKINS.

## EXTENSIONS OF REMARKS

MARIEL CUBANS DETAINED IN  
THE UNITED STATES

HON. PATRICK L. SWINDALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SWINDALL. Mr. Speaker, yesterday, the Atlanta Journal-Constitution newspaper ran an editorial I wrote about the 3,000 Mariel Cubans being detained in the United States.

As the ranking minority member of the Subcommittee on Immigration, Refugees, and International Law, I have investigated this matter and believe it deserves action by Congress.

Thus, I commend this editorial to my colleagues and urge them to cosponsor House Concurrent Resolution 112 which demands that Cuba accept their citizens being kept in our detention facilities.

The editorial follows:

CASTRO IS REAL CULPRIT IN CUBAN DETAINEE  
CRISIS

(By Congressman Pat Swindall)

We Americans frequently display a remarkable and somewhat perplexing propensity to blame ourselves first for circumstances for which we bear little, if any, responsibility.

Certainly this is the case with the roughly 3,000 detainees from the 1980 Mariel Cuban boatlift who are now held at the Atlanta Federal Penitentiary and other U.S. prison facilities.

Recently, there has been an avalanche of criticism focused on the way the situation has been handled by the Reagan Administration in general and the Immigration and Naturalization Service (INS) in particular. Those same critics have failed to level any blame or criticism at the real culprit in this case—Fidel Castro.

When 129,000 refugees fled from the Cuban port of Mariel and landed in South Florida in 1980, President Jimmy Carter responded by making all of them "temporary residents" eligible, after meeting certain requirements, to become U.S. citizens.

More than 97 percent of these individuals have been law-abiding citizens and, to date, over 90,000 have adjusted their legal status to that of legal residents. In the next several months, another 10,000 are expected to adjust their status under the provisions of the new immigration control law passed by Congress last year. Only 3,000—less than 3 percent of those who came in the 1980 boatlift—are being held in U.S. prisons and halfway house facilities. Roughly 1,500 of those are being kept in the Federal penitentiary here in Atlanta.

The prison population in Atlanta is constantly changing. Approximately 50 Cuban detainees are being added each month as a result of parole violations, and an equal number, based on INS reviews, are being released into our society.

U.S. taxpayers have already spent over \$240 million to house the prisoners in Atlanta with annual costs hovering around \$40 million.

None of the Mariel Cubans brought with them records that would disclose their past histories. Despite this and the challenge of processing 129,000 unexpected immigrants, with hardened criminals and mental patients mixed in, the INS has responded with exceptional efficiency, fairness, and expertise.

All 129,000 Mariel Cubans have been screened and processed by the INS, resulting in an extraordinarily small number—212 to be exact—having been continuously detained. Of those, more than two-thirds have histories of serious mental illness.

With the exception of these 212, all of the present detainees have at some time been released into American society and been given a chance to stay here. They are now locked up not because of government recalcitrance but because of crimes they have committed in this country. These Cubans are charged with an assortment of offenses: 993 are detained because of drug abuse and trafficking, 529 because of murder, 504 because of robbery, 326 because of assault, 185 because of sex-related crimes, and the rest for a number of other charges ranging from damaged property to weapons offenses. It is these individuals who are deportable under current immigration laws because they have violated the terms of their conditional acceptance into this country and because their re-release would pose a serious threat to the safety of law-abiding American citizens.

U.S. law requires the federal government to deport the detainees to Cuba, but Castro refuses to accept them in spite of an agreement he signed on December 14, 1984 to take back all the deportation agreement, approximately 200 Mariel Cuban detainees were returned to Cuba, but the transfers ceased in May 1985 after Castro suddenly broke off the agreement. His reason for that action was the commencement of our Radio Marta broadcasts into Cuba, but Castro knew those broadcasts were to begin when he originally signed the deportation agreement.

In a nut shell, Castro has been playing politics with these detainees and it is he, rather than the United States government, that has been guilty of bad faith.

Rather than blame ourselves for this situation, Congress and the American people should state explicitly our belief that Castro should live up to the promises he made in the deportation agreement he signed with the Reagan Administration. That message is not getting through to the Cuban government, in part because of many individuals who choose to blame America first.

As the ranking Republican member on the House Judiciary Subcommittee on Immigration, I have offered a resolution in the House expressing the sense of Congress that Castro bares ultimate responsibility for the Mariel Cuban detainees and that we expect him to abide by the agreement which he signed in December, 1984.

We know from Castro's history that he pays close attention to American public opinion and the actions of Congress. By passing my resolution, Congress will increase pressure on Castro to solve this problem by taking back the Mariel detainees. There are those who believe it is unrealistic to think that Castro could be pressured into

taking back the Cuban prisoners. High-ranking State diplomats have told me that this resolution will help them immensely, and that the worst thing we can do is to send Castro a message that we accept responsibility for these citizens of his country.

As a result of a request I made in January of this year, the Immigration Subcommittee will soon hold hearings on this issue. Paramount in our considerations will be maintaining pressure on Castro to live up to the 1984 deportation agreement, the safety of law-abiding citizens in this country, and fundamental fairness in processing alien criminals. We must also avoid any action which would encourage other third world countries to view America as an international jailhouse for their most dangerous criminals.

The American public should know that their government is working diligently to treat the Mariel Cubans fairly and to end any injustices which may exist at the Atlanta Federal Penitentiary and other immigration detention centers holding Cuban prisoners. They should also know that the real injustice respecting the Mariel Cubans is being perpetrated not by anyone in Washington but by the cigar-chomping communist dictator in Havana who created this mess in the first place.

CONGRESSIONAL SALUTE TO  
C. JUSTIN HILL

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. JONES of Tennessee. Mr. Speaker, I would like to take this opportunity to recognize a well respected and highly regarded citizen of Oklahoma, Mr. Justin Hill, who is retiring after 22 years as executive director of the Oklahoma Restaurant Association. A man of great wisdom, wide experience, personal warmth, good humor, and strong leadership skills, Mr. Hill has distinguished himself as one of the premier authorities and advocates of the hospitality industry in the Sooner State.

Justin began his career as manager of the Lido Cafeteria in Little Rock, AR, in 1950. After making a name for himself there, he went on to become the director of the Arkansas Restaurant Association. In 1960, he became deputy executive director of the Oklahoma Restaurant Association, and then, in 1965, he assumed the responsibilities of the executive director.

During his tenure as executive director, Justin helped build the Oklahoma Restaurant Association into the dynamic organization that it is today. To his credit, the association has become an influential force in the State's capital. Because of his tireless efforts on behalf of the hospitality industry, the association has never lost a legislative issue directed specifically to the food service or hospitality industries.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Among his many accomplishments, Justin has helped establish national criteria for food service certification and helped create a nationally recognized restaurant site evaluation program. He is a recipient of Hospitality magazine's Hall of Fame Award and an honorary member of the Oklahoma State University's College of Home Economics.

Justin has also served as president of the International Society of Restaurant Association Executives and president of the Oklahoma State Association Executives. He has also been active in National Restaurant Association activities, as well as chamber of commerce matters.

I wish only the best for Justin as he enters his retirement. He has done a superlative job representing the interests of restaurant operators in Oklahoma and I wish him the best in future endeavors. He has been an inspiration to all of us who have known him.

## MANAGUA CRACKS DOWN ON MOTHER'S GROUP

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DORNAN of California. Mr. Speaker, I rise today to offer credible evidence that the Sandinista regime in Nicaragua is engaged in the systematic violation of human rights as standard government policy. For years the Nicaraguan Communists have enjoyed the benefit of the doubt by liberals and appeasement minded individuals who refuse to believe that the Sandinistas hold thousands of political prisoners.

I am sure, Mr. Speaker that there will always be disputes about the number of Nicaraguan citizens imprisoned in their growing gulag archipelago but it is now very difficult to deny their existence. Groups like Amnesty International, Nicaragua's Permanent Commission on Human Rights and the International League for Human Rights—in existence since 1942 and operating in a consultative status with UNESCO—have all documented extrajudicial or summary executions, torture, religious intolerance and suspensions of civil and human liberties.

Today Mr. Speaker, I offer another piece of evidence to this growing list of Sandinista inspired atrocities. I believe that this effort is important because of the need to clarify that United States policy in Nicaragua is motivated not only by our national security interests but also out of a moral obligation to oppose human rights violations wherever they may occur. A New York Times newspaper article dated April 5, 1987, effectively articulates some of the realities of life under the Nicaraguan Sandinista regime. This article provides some insight for doubting Thomases in this country about the systematic persecution of an organization called the "January 22 Movement of Mothers of Political Prisoners." I commend it to your attention, Mr. Speaker, and offer it as a small contribution to an accurate accounting of Nicaraguan history.

## MANAGUA CRACKS DOWN ON GROUP THAT PRESSES FOR PRISONERS' RIGHTS

(By Stephen Kinzer)

MANAGUA, NICARAGUA, April 4.—On Tuesday afternoon, calmly and quietly, Concepción Salazar González sat with this reporter explaining the new movement she and other relatives of prisoners have recently formed.

Mrs. Salazar talked of her imprisoned son, Domingo, and complained that the security police were harassing her and other activist mothers of detainees.

Suddenly, as Mrs. Salazar was speaking, her pregnant daughter, Neira, 23 years old, burst through the door in hysterics.

After being calmed by her mother and others, Neira Salazar began to blurt out her story.

"The security, they came back to the house," she said between heaving sobs. "They took Fanor away, threw him on the floor of their jeep. I was holding on to him and yelling why don't they just kill the whole family at once and get it over with."

Fanor de los Angeles Salazar, 21 years old, was apparently the latest victim of a police crackdown on the two-month-old movement for amnesty and prisoners' rights.

When Mrs. Salazar went to inquire about her newly arrested son on Wednesday, she said the next day, the police told her she would never see either Fanor or Domingo again unless she stopped her activity in the movement and signed a confession admitting to collaborating with rebels. She refused and was released several hours later.

### THREATS AND PUNISHMENT

Other founders of the movement said in interviews that they had been harassed and threatened. They also said their activism had led to punishment for their imprisoned relatives.

At a news conference today, Interior Minister Tomás Borge said the new movement "does not represent the will of family members." He said most relatives of prisoners considered the Sandinista Government to be a protector, not an adversary.

"Who is more interested in prison conditions that we are?" he asked. "There has been an effort by a group of politicians to form this organization, but it has not received real support from the relatives."

More than 1,500 Nicaraguans have joined the new movement. Most have relatives jailed on charges of collaborating with rebel groups. The movement's leaders said they met each other while waiting in lines to see imprisoned relatives or Interior Ministry officials.

The Government has not faced a challenge of this nature since 1984, when parents of draftees and draft evaders tried to organize. Police actions in many communities prevented them from carrying out major protests, and no mass anti-draft movement materialized.

In interviews and printed statements, the relatives of prisoners say they will risk reprisal to organize themselves into local and regional chapters.

Since a state of emergency was imposed here five years ago, hundreds and perhaps thousands of Nicaraguans have been jailed for violating security laws. Advocates for those who have been jailed say the state of emergency is unconstitutional and charge that the people's tribunal that has sentenced many of the prisoners is illegally constituted.

### EMERGENCY IS REIMPOSED

Debate over the state of emergency continued in the National Assembly on Tues-

day, when a measure was introduced to designate Jan. 9, the day the new Nicaraguan Constitution was promulgated, as Constitution Day. Several hours after signing the Constitution that day, President Daniel Ortega Saavedra reimposed the state of emergency, which suspends many of its guarantees.

"On Jan. 9 itself, the Constitution was violated by the imposition of the state of emergency," said Rafael Cordova Rivas, a prominent conservative legislator.

Joaquin Mejia of the Independent Liberal Party said, "It would be better to declare a day of mourning for the Constitution."

A Sandinista legislator, Orlando Pineda, rejected such statements as "disrespectful to the heroism and struggle of our people."

### BORGE DEFENDS JAILINGS

In an interview last month, Interior Minister Borge said the state of emergency "is not felt by anyone except those who violate revolutionary laws."

"There are no strictly political detainees," Mr. Borge said. "No one is in jail for holding a point of view. A prisoner may be a labor union member or part of the Social Christian Party, but he is a prisoner because he broke the law in one way or another."

Mr. Borge said that there were 9,691 prison inmates in Nicaragua and that only 109 were being held in security prisons where access is restricted.

For the first time, Mr. Borge indicated that he was considering reversing his policy of keeping the most disreputable prison, El Chipote in Managua, off limits to investigators. He said he might agree to allow an inspection by the International Committee of the Red Cross.

One of the activist mothers, who asked that her name not be used, said in an interview this week that on Feb. 11 she was taken to El Chipote, held in a closed cell for eight hours and then interrogated about the new organization. She said interrogators wanted to know names of its leaders and other information about it.

### REBELS ATTACK POWER LINES

Since the beginning of 1987, rebels backed by the United States have begun a campaign of economic sabotage by blowing up power lines in several parts of the country. There was a failed attempt to destroy an electric tower in Managua on March 16, the first such attack ever.

Mr. Borge said the day after the Managua blast that he interpreted it as "an alarm bell telling us we have to intensify our work." It is not known, however, if increased vigilance resulting from the blasts is directly related to the campaign against the newly organized relatives of prisoners.

When Mr. Borge and other Sandinistas were imprisoned in the 1970's, relatives and supporters staged hunger strikes and other public campaigns on their behalf. Recalling the political success of those demonstrations, the Sandinistas, now in power, are anxious to assure that the same tactic not be used against them.

"A hunger strike of 200 mothers in a church would be really great," an organizer of the new movement said this week. "That's what the Sandinistas want to prevent."

### DETAINEES PUT AT 10,000

Members of the organization, which is called the Jan. 22 Movement Mothers of Political Prisoners, put the number of political detainees in Nicaragua at about 10,000. They include in that number all prisoners

convicted of collaborating with rebels and several thousand former members of the deposed National Guard.

Mothers of prisoners first joined together at the beginning of this year to draw up a letter addressed to the Secretaries General of the United Nations and the Organization of American States, who visited Managua on Jan. 19. The letter, carrying 96 signatures, said the Nicaraguan prison system was "unjust and cruel, despite official propaganda to the contrary."

Three days later, the signers and others drew up a charter for the new movement. It is not legally recognized, however.

In their letter and in other statements, the mothers have asked for a general amnesty, something diplomats consider highly unrealistic, especially as long as war continues here.

On March 8, International Women's Day, several hundred mothers assembled at the headquarters of the Social Christian Party and planned to march through the nearby streets carrying placards. But the police arrived and told them such a march would not be tolerated.

#### AGENTS VISIT AN ORGANIZER

According to a complaint filed in a Managua court last week, security agents visited one of the group's organizers, Silvia Aleman Mejia, at her home in Ticuantepe on March 21.

Mrs. Aleman said in her complaint that the agents came "to threaten and intimidate me into stopping my participation in the activities of the Jan. 22 Movement of Mothers of Political Prisoners, or else I would be arrested."

"They also told me that in compliance with higher orders, they were warning me not to attend meetings of the committee," she said.

Several of the movement's organizers are members of the Social Christian Party, which opposes Sandinista rule and refused to take part in the 1984 national election. They say they want to keep the movement nonpartisan, but some members fear the party is trying to use it for political ends.

One of the group's principal legal advisers is Enrique Sotelo Borgen, an outspoken anti-Sandinista lawyer who is a member of the National Assembly representing the Conservative Party. He has defended many prisoners accused of working with rebels, including Eugene Hasenfus, the American air cargo handler who was captured in October while on a clandestine supply mission and who was later convicted, pardoned and released.

During the Hasenfus trial, President Ortega said he believed that Mr. Sotelo was connected to American intelligence agencies.

#### COULD BECOME "VERY IMPORTANT"

Mr. Sotelo said this week that the movement of prisoners' relatives "could suddenly explode into something very important in this country." He said mothers who gathered at prisons on visiting days were being warned not to take part in the movement if they wanted to assure good treatment of their jailed sons.

Several mothers said in interviews that they believed their sons had been singled out for harsher treatment in jail because news of the movement's activities had reached jailers. The movement is preparing a list of cases, which it says will also include "names of some of the prison authorities who take cruel reprisals in the jails."

Nicaraguan officials have denied that prisoners are physically abused, and Mr. Borge

said last month that cells like the tiny one in El Chipote where he was once kept chained to the floor were no longer in use.

#### DISTINGUISHED SERVICE MEDAL SHOULD BE TAKEN AWAY FROM ARTHUR RUDOLPH

#### HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. GREEN. Mr. Speaker, today in France an historic trial is beginning—the trial of Klaus Barbie, a former Nazi SS lieutenant known as the Butcher of Lyons. It is fitting then that today I am introducing a resolution expressing the sense of the House that the NASA Distinguished Service Medal should be taken away from Arthur Rudolph.

For those who are not familiar with the case of Arthur Rudolph, in the fall of 1984, Rudolph, developer of the Saturn V rocket for NASA, renounced his American citizenship and returned to his native West Germany rather than face deportation charges stemming from allegations of the Office of Special Investigations.

The Justice Department charged that Arthur Rudolph was responsible for working thousands of slave laborers to death while supervising the production of V2 missiles for the Nazis during World War II. This is the same Arthur Rudolph who in 1969 was awarded the National Aeronautics and Space Administration's Distinguished Medal for his Saturn V work.

Despite the revelations of Rudolph's dark past, NASA has refused to revoke his medal saying "to rescind the medal would serve no useful purpose since it has nothing in common with the allegations against him." I strongly disagree. It would serve a useful purpose for the families of those who perished and it would be an important affirmation by the United States and its agencies that moral outrages shall not go unpunished.

One additional point: I had introduced a similar resolution in the 99th Congress but was mistakenly led to believe that a Justice Department agreement with Rudolph provided that no action would be taken against Rudolph should he leave the United States and renounce his citizenship. I now have a copy of this agreement and it states only that in return for his departure, there will be no action taken to limit his "receipt of federal retirement, health care, and/or Social Security benefits." It does not mandate that he be allowed to keep his Distinguished Service Medal and I believe that allowing him to do so soils this award.

I am, therefore, reintroducing this resolution, expressing the sense of the House of Representatives that the NASA Distinguished Service Medal be taken away from Arthur Rudolph. It is one more important portion of a message to the world that the Arthur Rudolphs and the Klaus Barbies and the Karl Linnases will not go unpunished.

#### WILLIAM H. WILSON: SMALL BUSINESS LEADER

#### HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. NEAL. Mr. Speaker, to observe Small Business Week, the U.S. Small Business Administration today is honoring an outstanding small business entrepreneur from every State. One of those honored is my constituent, William H. Wilson, who is North Carolina's "Small Business Person of the Year."

Mr. Wilson is president and founder of the Pioneer/Eclipse Corp. in Sparta, NC, which produces some of our Nation's most advanced and efficient high-speed floor cleaning and buffing equipment. Mr. Wilson's accomplishment in the floor-care industry and his contributions to his community have been impressive; furthermore, at age 36, he is just getting started.

At this point, I would like to share with my colleagues a summary of Mr. Wilson's career that appears in "Small Business: America's Growth Industry," published by the SBA. The article says:

William Wilson started his first company, a floor care service, in 1971, when he was 20. Five years later, after moving to Sparta from West Virginia, Wilson developed a high-speed system of floor cleaning, using specialized buffers and chemicals. He reorganized and renamed his company as Pioneer/Eclipse in 1981, to concentrate on producing and distributing his unique products which have significantly changed the floor-care industry.

Sales in 1980 totaled \$360,000; last year sales topped \$16 million. Pioneer/Eclipse employs about 145 persons, including sales representatives around the country. Wilson recently started another firm to produce and market a new electric hair dryer. Last June, Wilson started construction of a new factory and office complex four times as large as the present facilities. Those facilities include a solar-heated office building.

Wilson has contributed funds for a county industrial loan program and has funded a scholarship awarded annually to an outstanding student of business education.

Mr. Speaker, small businesses create two of every three new jobs in the United States. At a time when our Nation's ingenuity and competitiveness are being severely tested, small businesses are creating some of our most innovative and useful products. At Pioneer/Eclipse, William Wilson provides a good example of what a hard-working, imaginative businessman can do. We are extremely proud of this young man and his employees.

#### TRIBUTE TO ALAN AND JEAN KAHN

#### HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. COLEMAN of Texas. Mr. Speaker, on May 12, 1987, the National Jewish Center for Immunology and Respiratory Medicine will



honor two of west Texas' leading citizens, Alan and Jean Kahn of El Paso.

Between the two of them, they have been involved in the Chamber of Commerce, the Armed Services YMCA, the National Conference of Christians and Jews, the United Way, Renaissance El Paso, and a host of other civic and charitable organizations.

Alan Kahn is a prominent businessman and a former president of the El Paso Chamber of Commerce, and he is credited with revitalizing the chamber and its role as the representative of the business community. Last year, he served as the chairman of the capital fund drive of the Armed Services YMCA, and he is a national trustee of the National Jewish Hospital-National Asthma Center in Denver.

Jean Kahn is the president of the Independent Management Corp., which specializes in research and development and public relations. She was recognized as the Woman of the Year in Health by the El Paso Womens Political Caucus, and served on the Governor's Commission on Human Relations. She is a member of Leadership Texas, serves on the board of the National Conference of Christians and Jews, and was the chairman of the board of the Greater El Paso Civic, Convention, and Tourist Center.

As a friend of the family for many years, though, I would also like to point out the universal thread of these accomplishments, and that is the compassion and concern by Alan and Jean Kahn for their fellow human beings. It has marked and inspired their involvement in these myriad activities, and El Paso can only benefit from their future involvement.

Mr. Speaker, it is this unique human element that distinguishes this couple. They are involved in activities and civic concerns that benefit everyone, rich and poor, Anglo and Hispanic alike. It is this kind of selfless generosity that has marked the contributions of Alan and Jean Kahn and have so improved our daily lives in El Paso.

Mr. Speaker, I am proud to bring their accomplishments to the attention of my colleagues here in this House to commemorate their honor for outstanding community service by the National Jewish Center for Immunology and Respiratory Medicine on May 12.

#### A BILL TO PROVIDE RELOCATION ASSISTANCE TO CERTAIN COAST GUARD EMPLOYEES

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. YOUNG of Alaska. Mr. Speaker, the bill I am introducing today would allow certain Coast Guard employees who must relocate as a result of the Coast Guard's recent realignment initiative to receive governmental assistance when they sell their homes. The bill also ensures that jobs created by Coast Guard contracts carried out in States where the unemployment rate exceeds the national average will go to qualified local workers.

Section 2 of this bill would extend the coverage of a Department of Defense housing relocation assistance program to include certain

Coast Guard employees. Under the Department of Defense program, if the Secretary of Defense determines that, as a result of a military base closing or a reduction in scope of operations at a base, there is no present market value for the sale of property in the area on reasonable terms and conditions, the Secretary may give assistance to DOD employees who sell their homes in order to relocate as a result of a job transfer. The Secretary may compensate those employees for certain losses they incur when they sell their homes, purchase the employees' homes under certain conditions, or pay the amount owing as the result of a foreclosure.

Section 3 of this bill would require the Coast Guard to hire qualified local workers, if available, when carrying out contracts in States where the unemployment rate exceeds the national average. This section will ensure that Coast Guard personnel whose jobs are lost in the Coast Guard realignment process will be able to take advantage of any new Coast Guard job opportunities created locally.

Early enactment of this bill is necessary to minimize the hardships experienced by Coast Guard employees who must change jobs or residences as a result of the Coast Guard's upcoming realignment of operations.

#### CONGRESSIONAL SALUTE TO DONALD QUINN

**HON. ED JONES**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. JONES of Tennessee. Mr. Speaker, I would like to bring to the attention of my colleagues an outstanding member of the Denver community, Mr. Donald Quinn, who is retiring from his position as executive director of the Colorado-Wyoming Restaurant Association. Don's knowledge of the restaurant and hospitality industry and his high standards of professionalism have earned him respect throughout the community, and we certainly wish the best for him during his retirement.

Under his leadership, the Colorado-Wyoming Restaurant Association [CWRA] doubled its membership, increased its budget fourfold and saw its annual convention become a major regional food industry trade show. More importantly, CWRA expanded its professional service to its members and grew in influence among the business community, government agencies, allied associations, the news media and the public.

One of the most notable accomplishments on behalf of the restaurant and hospitality industry has been the major gains CWRA has earned in the Colorado and Wyoming Legislatures due to Mr. Quinn's tireless efforts and political skills. His dedication to building CWRA's leadership role was recognized in 1986 by the association's board of directors when they presented him with a special bridge builder award.

In 1981, he was chosen Man of the Year by the Colorado Chefs de Cuisine Association. And, in January of this year, he was inducted into CWRA's Food Service Hall of Fame, which recognizes individuals who have made

outstanding contributions of the food service industry and their communities.

Mr. Quinn is also a past president of the International Society of Restaurant Association Executives and an active member of numerous professional associations.

Before his association work, he had a distinguished career in journalism as a reporter, writer and editor for the Associated Press, the Washington Post, the St. Louis Review and other newspapers where he earned many awards.

Mr. Speaker, I want to express my gratitude for all of the contributions Mr. Quinn has made to our community. His retirement is well-earned, and we thank him for a job well done.

#### POLICE MEMORIAL DAY

**HON. ROBERT K. DORNAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. DORNAN of California. Mr. Speaker, I have proudly and gratefully spoken many times of those select few who serve in the Armed Forces protecting this country. But that term, pride and gratitude applies to another group which also protects this country—our men and women in blue on the front lines of our communities.

By an act of Congress, Friday, May 15, has been designated Police Memorial Day—a day to remember and honor these men and women who have given their lives in the line of duty. These men and women have made the ultimate sacrifice in their unending effort to protect and serve the people of our great Nation. They deserve all our prayers and our undying gratitude.

I know that I am particularly proud of my district's police forces in Santa Ana, Buena Park, Garden Grove, Anaheim, Westminster, Stanton, and those in the Orange County Deputy Sheriffs, Los Angeles County Deputy Sheriffs and Latino Police Officers Association. It has been an honor to come to know so many of these men and women personally. Day in and day out they put up with it, all of it, the darkest side of human nature. And they do so, honorably, bravely, patiently and courteously. They are our friends and protectors—the thin blue line that very often means the difference between civility and anarchy.

Since 1960, Mr. Speaker, more than 2,600 police officers have died in the line of duty serving their communities. This is testimony to the bravery and dedication that our police officers bring to their work daily.

It is therefore very important that we here in Congress work with the police to make their job safer and their work more effective. After all, an attack on a police officer is an attack on all of us. Congress must recognize this and pass laws that provide our police with adequate tools to fight crime. We must also enact laws that enable us to put criminals away with speed and certainty.

I urge all my colleagues to join me in observing Police Memorial Day this May 15. A policeman's lot is often a thankless one. Recognizing their fallen comrades will bring an en-

hanced appreciation to the tremendous job they do for all of us.

# TENANT TAX EQUITY ACT OF 1987

**HON. BILL GREEN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. GREEN. Mr. Speaker, according to the Bureau of the Census, over 35 percent of households nationwide rent housing; and with some counties in urban areas the figure for renter-occupied housing is as high as 90 percent. For that reason, I thought that my colleagues might be interested in knowing about legislation that I recently introduced that would greatly benefit their constituents who rent housing.

One of the major tasks of the 99th Congress was to reform the current Tax Code in an effort to make our tax system more equitable. A major example of discrimination in the Internal Revenue Code is that homeowners are allowed to deduct real estate taxes and mortgage interest paid during the taxable year in determining their taxable income, but renters, who pay a portion of the local and/or State real estate taxes indirectly through rent, are not allowed to receive any tax benefits for having paid their proportionate share of the same expenses allowed to homeowners. This discrimination was continued in the Tax Reform Act of 1986 by limiting tax benefits previously available for construction of new rental housing and denying to renters certain deductions granted to homeowners. For example, under the new tax law, homeowners can deduct the interest on loans secured against the equity in their home to pay expenses for health care and education—a deduction denied nonhomeowners who borrow directly for identical purposes.

For those reasons, Mr. Speaker, I recently introduced the Tenant Tax Equity Act of 1987—legislation that is designed to correct in part that inequity by amending the Internal Revenue Code of 1986 to permit tenants to take a tax deduction for real estate taxes they now pay indirectly through their rent. If State or local law provides that the landlord is the real estate collection agent for his or her tenants, then this legislation would allow the deduction above the line, that is, as a deduction from gross income in determining adjusted gross income as opposed to itemizing the deduction. This would benefit those tenants who do not itemize their deductions as well as those who do.

Passage of the Tenant Tax Equity Act of 1987 would make our current tax system more equitable for a greater number of taxpayers. For example, my legislation would reduce the tax burden on low-income taxpayers. According to the Department of Housing and Urban Development, in 1983 over two-thirds of all household rental units were occupied by families with incomes of under \$20,000. Clearly, passage of this legislation would be a welcome relief to those low- and middle-income taxpayers.

In addition, passage of this legislation would enable individuals to decide whether to pur-

chase or rent housing without undue economic bias. The current preferential tax treatment of homeowners distorts the individual's choice between buying a home and renting housing. This bias constitutes clear interference with economic efficiency.

These advantages would make it easier for individuals to live in rental housing and, to some degree, mitigate the need for housing subsidies. Just as important, the correction of this inequity would help stem the flight of families to the suburbs—a trend which is responsible, in part, for the economic deterioration of our major urban centers.

I urge the Committee on Ways and Means to hold hearings on the Tenant Tax Equity Act of 1987 as soon as possible, and I also urge my colleagues to cosponsor this important legislation. Below, I have submitted the text of my bill in the RECORD for review by my colleagues:

H.R. —

*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 "Tenant Tax Equity Act of 1987".

## SEC. 2. TENANT OF RESIDENTIAL RENTAL PROPERTY ALLOWED DEDUCTION FOR CERTAIN REAL PROPERTY TAXES.

(a) IN GENERAL.—Section 164 of the Internal Revenue Code of 1986 (relating to deduction for taxes) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"(g) REAL PROPERTY TAXES IMPOSED ON TENANTS.—

"(1) IN GENERAL.—If under any State law—

"(A) a person (hereinafter in this subsection referred to as the 'tenant') renting residential real property from another person (hereinafter in this subsection referred to as the 'landlord') is treated as having an interest in real property,

"(B) a tax is imposed on such interest based on the assessed value of the residential real property being rented,

"(C) the tenant is personally liable for the tax imposed on such interest, and

"(D) the landlord is treated as an agent of the State or local government for purposes of collecting the tax imposed on the interest of the tenant,

then such tax collected from the tenant in accordance with such State law shall be allowable as a deduction under subsection (a) to the tenant.

"(2) TREATMENT OF LANDLORD.—In any case to which paragraph (1) applies, no amount shall be included in the gross income of the landlord by reason of any taxes collected by the landlord as an agent of the State or local government."

(b) DEDUCTION ALLOWED IN COMPUTING ADJUSTED GROSS INCOME.—Subsection (a) of section 62 of such Code (defining adjusted gross income) is amended by adding after paragraph (12) the following new paragraph:

"(13) REAL PROPERTY TAXES IMPOSED ON TENANTS.—The deduction allowed by section 164(a) to the extent attributable to section 164(g)."

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act.

## PLAYING ABOUT ON TRADE

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. FRANK. Mr. Speaker, there has been a good deal of very loose talk about the Gephardt amendment adopted by the House, which talk has very little in fact to do with the Gephardt amendment. Particularly in vogue these days have been wholly in opposite comparisons between some of our recent actions and the Smoot-Hawley tariff.

The following article from the Boston Globe by Dean Lester Thurow of the Sloan School of Management at MIT very effectively points out the error of many of these arguments. I voted for the Gephardt amendment, and I therefore do not agree with everything Dean Thurow says. But the general thrust of his article is excellently reasoned and not only rebuts many of the somewhat shrill anti-Gephardt amendment arguments, but also makes very clear why someone ever thought it was absolutely necessary for the amendment to pass.

As Les Thurow points out in this article, had Ronald Reagan been doing the job he ought to have been doing as President of the United States with regard to international economic affairs, the Gephardt amendment would not only not have been passed, it would not have been offered. Our colleague Mr. GEPHARDT responded because the President of the United States has failed to fulfill his responsibilities to our economy in this regard.

## PLAYING ABOUT ON TRADE

(By Lester C. Thurow)

With the passage of the Gephardt amendment in the US House, charges of protectionism are in the air. To drive that charge home, the Gephardt amendment is frequently compared with the Smoot-Hawley tariff of the 1930s. Since that comparison is so frequently made, it is necessary to clear out the Smoot-Hawley underbrush.

Whatever it is, good or bad, the Gephardt amendment is not another Smoot-Hawley tariff. The Smoot-Hawley measure, enacted in June 1930, was a tariff placed on imports by a country that had the world's largest balance of payment surplus—exports exceeded imports by more than 20 percent in 1929 and 1930. In contrast, the Gephardt amendment threatens to tax foreign exports into the American market if foreign countries do not expand their imports. The Gephardt amendment is primarily an effort to expand world trade, although it secondarily threatens to contract it if the rest of the world does not respond in a positive way.

In 1987 the United States is running the world's largest trade deficit. It could not "do a Smoot-Hawley" if it wanted to. If Japan, the world's largest net surplus nation, were to enact a tariff keeping imports out, it would be "doing a Smoot-Hawley." But as a trade deficit nation the United States doesn't have the right circumstances to do a Smoot-Hawley.

Efforts by a deficit nation to control its balance of payments are not equivalent to efforts by a surplus nation to reduce imports. If anything designed to reduce imports is Smoot-Hawley protectionism, then a falling dollar, for example, is Smoot-Hawley



protectionism since it, too, is designed to reduce imports by making them more expensive for Americans to buy. All policies to correct the U.S. balance of payments become "Smoot-Hawley" protectionism, since all of them will reduce U.S. imports.

What is wrong with the Gephardt amendment is not to be found in the amendment itself, but in the very fact that it is needed. If the Reagan Administration had been doing its job in international trade, the American balance of payments would not have gotten so massively out of balance in the first place and the Reagan Administration would be aggressively working to open foreign markets without having to be prodded by a blunderbuss from Congress. Congress cannot carry out foreign policy in a subtle way. The Gephardt amendment is not subtle. It is the job of the president of the United States, however, to be diplomatically subtle, but he is unwilling or unable to act.

One can rightly charge that the Gephardt amendment is a crude instrument for attaining a legitimate end, but it is then the responsibility of those that make such charges to design and enact less-crude instruments. What is their solution to the problem?

To just allow the American balance of payments deficit to drag on is to let the United States fall into international debt to an extent that will be far worse for both the United States and the rest of the world than any damage caused by the Gephardt amendment. As a huge debtor nation, the United States will have to run very large trade surpluses to earn the money to pay those debts. The rest of the world will, as a consequence, either have to adjust their economies to accept those exports or watch us default on what we owe to their citizens. Small changes in trading patterns are now much better than massive changes in the future.

It is important, however, that Americans understand that when the words "open markets" are used they are not being used in an American context. In America markets are closed by identifiable laws—tariffs, quotas, marketing restrictions. Abroad, foreign markets are often closed by culture and social organization. Close semi-ownership relations between Japanese producers and their suppliers, for example, make it virtually impossible for American parts suppliers to break into the Japanese market. The big Japanese makers of semiconductors also just happen to be the big users of semiconductors. Japanese cars are sold by company-employed door-to-door salesmen and not by auto dealers. Finding American dealers to sell their cars is easy for Japanese auto companies. Setting up national door-to-door sales networks in Japan is almost impossible for foreign car manufacturers.

There is a problem of openness in Japan, not because they have more legal restrictions on imports than we do—they don't, but in the fact that no one—even the world's very best exporters such as the Germans or the Koreans—can crack the Japanese market. No manufacturing nation exports successfully to Japan. As a recent article in the Korean Business World put it, "Selling to Japan: It Ain't Easy."

Hopefully, the Japanese would have recognized that to sell, they must buy and it would not be necessary to hit them over the head. But they, and they are not the only ones, have not done so. Hopefully, the president of the United States would have entered into subtle international negotiations to obtain what must be obtained. But he has

not done so. Given both of these failures, Congress has stepped into the fray and is admittedly flaying about. But what would one expect, given these circumstances?

(Lester C. Thurow is the Gordon Y. Billard professor of economics and management at MIT. His column appears monthly on this page.)

#### LINE-ITEM VETO

### HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. CHANDLER. Mr. Speaker, it was Charles Dudley Warner, and not Mark Twain, who noted that "everybody talks about the weather, but nobody does anything about it."

With that observation in mind, I am pleased to introduce legislation today to give line-item veto authority to the President of the United States when continuing resolutions are presented for his signature.

This proposal is identical to a bill offered in the other body by the distinguished senior Senator from Washington State, DANIEL J. EVANS.

The need for this measure is obvious. Last year, Congress failed to enact any of the 13 regular appropriation bills and instead rolled them into a single, half trillion dollar continuing resolution.

Had this measure been in effect then, the President could have vetoed individual line items, without jeopardizing the Government's ability to keep operating.

This proposal would apply only to continuing resolutions consisting of two or more appropriation bills and it would be implemented only on 2-year trial basis.

Our increasing reliance on continuing resolutions to keep the Government in operation has diminished the accountability of both Congress and the President. A line-item veto would restore a good deal of that accountability.

More importantly, however, the proposal is needed to help us put the brakes on a Federal budget that's produced an ocean of red ink. A line-item veto, of course, would not cure the problem of overspending by itself, but no one can doubt that it would help. It would be a tool for deleting excessive and unnecessary spending items from an overblown budget.

Some of my colleagues have expressed reservations about the effect that an unlimited line-item veto would have on the separation of powers, and I understand their reservations. A strength of this proposal is that Congress can make sure the President never has the chance to use the line-item veto. All we have to do is pass the appropriations bills on time.

I would suggest that it is the current state of affairs—rolling appropriations into one mammoth resolution and playing "chicken" with the White House as the Government is about to shut down—that represents a perversion of the separation of powers. The public is tired of rhetoric about the need for fiscal austerity in Government. Maybe we can't do anything about the weather, but we can do something about the way we spend the taxpayers'

money. And giving the President authority to veto line items in continuing appropriations would be a pretty good place to start.

Mr. Speaker, I would like to insert the text of the bill at this point in the RECORD.

H.R. —

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

#### SECTION 1. ENROLLMENT OF CERTAIN JOINT RESOLUTIONS.

##### (a) IN GENERAL.—

(1) Notwithstanding any other provision of law, when any joint resolution making continuing appropriations is agreed to by both Houses of the Congress in the same form, the Secretary of the Senate (in the case of a joint resolution originating in the Senate) or the Clerk of the House of Representatives (in the case of a joint resolution originating in the House of Representatives) shall cause the enrolling clerk of such House to enroll each item of such joint resolution as a separate joint resolution.

(2) A joint resolution that is required to be enrolled pursuant to paragraph (1)—

(A) shall be enrolled without substantive revision,

(B) shall conform in style and form to the applicable provisions of chapter 2 of title 1, United States Code (as such provisions are in effect on the date of the enactment of this section), and

(C) shall bear the designation of the measure of which it was an item prior to such enrollment, together with such other designation as may be necessary to distinguish such joint resolution from other joint resolutions enrolled pursuant to paragraph (1) with respect to the same measure.

(b) PROCEDURES.—A joint resolution enrolled pursuant to paragraph (1) of subsection (a) with respect to an item shall be deemed to be a bill under Clauses 2 and 3 of Section 7 of Article 1 of the Constitution of the United States and shall be signed by the presiding officers of both Houses of the Congress and presented to the President for approval or disapproval (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

(c) DEFINITION.—For purposes of this section, the term "item" means any numbered section and any unnumbered paragraph of any joint resolution making continuing appropriations.

(d) APPLICATION.—The provisions of this section shall apply to joint resolutions agreed to by the Congress during the two-calendar-year period beginning with the date of the enactment of this section.

#### SANCTIONS ONLY LEAD TO TRAGEDY

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. CRANE. Mr. Speaker, I would like to call your attention to a recent article, "Sanctions Only Add to Tragedy," by Alan C. Brownfeld. Half a year ago, Congress debated the issue of sanctions toward the South African Government. I was directly opposed to these sanctions due to my fear that they would have a negative effect on the very people that the

sanctions were supposed to help. It now appears that my fears may be substantiated.

In the above-mentioned article, a black Episcopal bishop of Washington, DC, John Walker, is currently trying to persuade United States corporations to remain in South Africa. He believes that U.S. companies, rather than pulling out, should stay and provide more training for their black employees. He also pointed out that many American firms have had a very positive effect, and a beneficial influence in South Africa.

Instead of placing sanctions against the very people we are trying to assist, we must recognize the power of example. When American firms are able to provide a harmonious and prosperous work environment, they can alleviate some of the major problems the average black South African faces. It is far more beneficial to the black South African to set a positive example than it is to try and assert pressure by means of sanctions.

Congress needs to reevaluate the implications and net impact of imposing economic sanctions upon the black South African. Reverend Gugucha, director of a private black religious outreach program in South Africa, predicted: "As soon as the American people impose sanctions, they will pat themselves on the back and turn their attention to other trouble spots in the world, and blacks in South Africa will be left to pick up the pieces." Let's remove the sanctions against South Africa before it is too late.

I urge my colleagues to read Mr. Brownfeld's article. The article is as follows:

SANCTIONS ONLY ADD TO TRAGEDY  
(By Allan C. Brownfeld)

Now that sanctions have been imposed upon South Africa, a number of spokesmen, both black and white, have started to express skepticism about their impact upon conditions in that country.

The Episcopal Bishop of Washington, D.C., John Walker, who is black, is trying to persuade U.S. corporations to remain in South Africa. He believes that U.S. companies, rather than pulling out of Africa, should provide more training for their black employees. He states: "I don't see why liberals think there's only one way of going about accomplishing what you want to accomplish."

Bishop Walker, pointing out that many American firms have had a beneficial influence in South Africa by providing integrated workplaces and by training and promoting black employees, states: "If the alternative is to simply pull out and turn over their operations to the South African government or someone who is not in concert with the notion of the destruction of apartheid, then I'd say I'd rather have them stay because we can work with you."

The respected black columnist of *The Washington Post*, William Raspberry, notes that, "General Motors' pullout from South Africa, widely hailed by anti-apartheid activists here might end up doing more harm than good. . . . Actions undertaken with the goal of hurting white South Africans do not necessarily help black South Africans and may turn out to do them unintended harm."

Raspberry laments that, "There was a time when serious efforts by the South African government to improve the lot of blacks—improved education, better job opportunities, equal pay for equal work, a limited franchise—would have been embraced

as important steps. Now anything short of one-man/one-vote is kissed off as 'merely cosmetic.' There was a time when a serious effort at integrating blacks into the then-booming economy, leaving implicit the promise of full citizenship rights, would have had us flashing the triumphant 'V.' Now the acceptance of black labor unions, of black workers in supervisory positions, of desegregated restaurants, hotels, movie houses and sports competition are ridiculed as too little, too late. American influence on developments in South Africa would be painfully limited, even if we could agree on what we want. But as long as we still have some influence, doesn't it make sense to spend some time on the obvious questions: What do we want? How can we help it to happen?"

Sanctions and U.S. business withdrawal from South Africa have made things worse, not better, for black South Africans. On his recent visit to the U.S., Zulu leader Mangosuthu Gatsha Buthelezi reported that these economic measures have reduced income to black workers and farmers. "There was great anxiety when the sanctions were announced," he said. "Now black people are losing more and more jobs. The sanctions have been devastating."

The departure of U.S. companies from South Africa means, in many cases, that they are selling out either to their South African managers or to South African companies. Thus, controls shift to white South African hands. In fact, black workers in General Motors' assembly plant in South Africa reacted to GM's pullout by going on strike, demanding "severance" benefits, pension-fund payouts, and a say on the new management board. Incidentally, GM's new South African management has indicated that it will no longer feel constrained by a U.S. presidential order that barred sales of its vehicles to the South African government, police, or military.

Other U.S. departures have meant an end to the companies' social-aid programs. Marriott Corporation has recently turned over its airline-catering business to the South African Fedics Company. Marriott, says a Fedics official, has given a leave of absence to allow one of its American executives to stay behind and help run things. When asked about the company's commitment to the Sullivan Code of fair employment-practice principles, the Fedics official replied: "I don't think this really applies to us."

Those who truly seek a more equitable society in South Africa recognize sanctions and disinvestment will lead in an opposite direction. On a recent visit to the U.S., Alan Paton, the 83-year-old writer who for more than 40 years has opposed apartheid, reiterated his opposition to sanctions.

Paton, who came to the U.S. to receive an honorary degree from LaSalle University in Philadelphia, told the awards ceremony that, "The idea of putting people out of work, making their wives and children go hungry, my Christian morality just simply does not allow that." It is Paton's view that President P.W. Botha "was and is sincere in his desire to redress back grievances."

The advocates of sanctions in the U.S. know very well that the economic isolation of South Africa will make life more difficult for blacks. That, after all, is their goal—to radicalize blacks and drive them into the arms of the pro-Soviet terrorists of the African National Congress (ANC).

In a recent lecture at the University of Houston, Randall Robinson, leader of TransAfrica, the militant lobbying group

that led the campaign for sanctions, admitted that the economic isolation of South Africa would "cause widespread turmoil and bloodshed, but it is the only hope to change the country."

It may be the only way to "change" South Africa in the direction of Marxism-Leninism, which seems to be Robinson's goal. As it is, South Africa is in the midst of dramatic change—with blacks having seen a host of racial barriers crumble. Finally, blacks can join labor unions, own property in the urban areas, hold any job for which they are qualified and marry across racial lines. Hotels, restaurants and other public places are integrated. Thousands of blacks now attend universities which were once reserved for whites. Although there is much that remains to be done in South Africa, it is clear that reform is now under way.

Black economist Thomas Sowell places all of this much-needed perspective: "The West has no more right to encourage futile uprising in South Africa today than in Hungary 30 years ago. Having largely ignored apartheid at its worst, Western intellectuals and the media have now become aroused about it only after it has been visibly eroding and starting to crumble in recent years."

What will promote progress is more not less U.S. economic involvement in South Africa. Before we go too far down the road of sanctions and disinvestment, let us turn back and become a force for progress—not violent upheaval.

#### THE 1987 BISHOP O'CONNELL HIGH SCHOOL FRESHMEN GIRLS SOFTBALL TEAM

#### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. HYDE. Mr. Speaker, Bishop Denis J. O'Connell High School in Arlington, VA, freshmen girls softball team has just completed a very successful season. The team played 11 games against Washington area high schools and came away with 8 victories. With spirit, enthusiasm and a determined drive to succeed, these young women proved that they are valuable assets to their families and school. The future for these young women will no doubt be bright.

The 1987 Bishop O'Connell High School freshmen girls softball team: Kathy Bishop, Debbie Brosnihan, Laurel Burney, Jenny Carrier, Jenny Coleman, Kelly Collins, Colette Crottean, Melissa Czarnelki, Marta Fernandez, Colleen Hatch, Joan Heishman, Patti Horan, Gina Leitzinger, Terri Maxon, Jean Tegtmeyer, Coach Jim O'Donnell, Coach Leo Cabralas, Coach Anthony Hyde.

#### THE RELIGIOUS APPAREL AMENDMENT

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLARZ. Mr. Speaker, I rise to offer an amendment to the Defense Department authorization bill which would ensure that mem-



bers of the Armed Forces will not be forced to choose between their sincere religious beliefs and a desire to serve their country.

I am offering this amendment with my esteemed colleague from Colorado, PAT SCHROEDER, chairwoman of the Armed Services Subcommittee on Military Personnel.

Our amendment would allow a member of the Armed Forces to wear religious apparel while in uniform provided that the apparel is neat and conservative and that it not interfere with the performance of the member's military duties. This is identical to the amendment which passed the House last Congress as part of the 1987 Defense Authorization Act. A similar measure—sponsored by Senators LAUTBERG and D'AMATO—is pending in the Senate.

The need for congressional action rose in response to the case of Capt. Simcha Goldman. An orthodox rabbi, he was disciplined for wearing his yarmulke while on duty because it was a violation of the Air Force dress code. That code prohibits the wearing of headgear while indoors. Orthodox Jews, by the dictates of their religion, are required to cover their heads at all times. Rabbi Goldman did not want to choose between his religious convictions and the desires to serve his country, so he appealed the judgment against him. Although the district court found in his favor, the U.S. Court of Appeals and the Supreme Court ruled against him. The Supreme Court's decision—by the narrowest of margins, 5 to 4—ruled that the Air Force's perceived need for uniformed dress overrode Goldman's first amendment right. It is worth noting that the 5 to 4 decision would have been the reverse if the case had been heard after Justice Anton Scalia joined the Court. While sitting on the court of appeals, Scalia voted to uphold Captain Goldman's right to wear his yarmulke.

Opponents of this amendment argue that it would threaten uniformity and reduce military cohesion. But there are many precedents which undermine that position. The Air Force regulations themselves explicitly state:

Neither the Air Force nor the public expects absolute uniformity in appearance \* \* \*. Each Member has the right, within limits, to express individuality \* \* \*. However, the image of a disciplined service member who can be relied on to do his or her job excludes the extreme, the unusual, and the fad.

A yarmulke is a symbol of religious conviction. It is not extreme, is not unusual, and is certainly not a fad. Air force regulations, while disallowing the wearing of a yarmulke, permit individuality in the wearing of up to three rings and one identification bracelet of nonuniform design. These items can be worn if they are "neat and conservative." We are asking that these exact standards be applied to the wearing of religious apparel as well.

In addition to cases of jewelry, there are numerous other examples of exceptions to uniformity. The 22d Bomb Wing, stationed at March Air Force Base in California—the same base as Simcha Goldman—set a record in 1981 for on-time takeoffs of airplanes. The crew chief of this operation wore a lucky green and white garter during every launch, with, obviously, no adverse effect on the mission at hand. If the military tolerates this type

of superstition, it should tolerate a sincerely held religious belief.

The Air Force has argued that wearing of religious apparel would diminish discipline and thus have an adverse affect on the morale and fighting spirit of our Armed Forces. I can point to examples where the exact opposite has occurred.

Jacob Goldstein, an Orthodox Jewish chaplain serving in the National Guard—and a resident of my district in Brooklyn—was sent to Grenada while our forces were engaged in hostilities there. Had Rabbi Goldstein—who wore his yarmulke at all times—undermined military discipline, he surely would not have received a citation from the Department of the Army which praised him for "meritorious achievement" and "unique dedication to duty."

In his dissent to the Supreme Court ruling, Justice Brennan stated: "a yarmulke worn with a U.S. military uniform is an eloquent reminder that the shared and proud identity of U.S. servicemen embraces and unites religious and ethnic pluralism." I can think of no finer illustration of the Justice's words than an event that occurred in the wake of the tragic destruction of our Marine barracks in Beirut. Lt. Comdr. Arnold Resnicoff, a Navy chaplain, was present at that disaster. Allow me to read you a portion of his account:

Working with the wounded—sometimes comforting, and simply letting them know help was on the way, sometimes trying to pull and carry those whose injuries appeared less dangerous than the approaching fire or the smothering smoke—my kippa (the Hebrew word for yarmulke) was lost. The last I remember it, I had used it to mop someone's brow. Father Pucciarelli, the Catholic chaplain, cut a circle out of his cap which would become my temporary head covering. Somehow we wanted those marines to know not just that we were chaplains, but that he was Christian and that I was Jewish. Somehow, we both wanted to shout the message in a land where people were killing each other based on the differences in religion among them that we Americans still believed that we could be proud of our particular religions, and yet work side by side when the time came to help others, to comfort, and to ease pain.

President Reagan, and Marine Commandant P.X. Kelly—two men who have strong feelings about military discipline—have publicly commended Rabbi Resnicoff for his bravery. Kelly often uses this example as the textbook case of military cohesiveness under fire—a direct rebuttal of the Air Force's argument.

Rabbi Resnicoff is an active chaplain. Just 2 weeks ago, he officiated in a ceremony in the Capitol rotunda, a ceremony attended by many of the distinguished Members of this body. In his full uniform, and wearing his yarmulke, Rabbi Resnicoff delivered the benediction at the National Civic Commemoration of the Days of Remembrance—the official Holocaust memorial ceremony of the U.S. Congress.

Mr. Speaker, I have described these examples in detail because I believe that they clearly show that permitting the men and women of our Armed Forces to wear religious apparel that does not interfere with their duties will not lessen the effectiveness of our military. Let me further add that the United

States would not be alone if we adopted this amendment. In Canada, New Zealand and in India, Sikh and Jewish soldiers are permitted to wear religious headgear. In the United Kingdom, the regulations of the Royal Air Force, which require all personnel to remove their headgear before a judge or magistrate, specifically exempts members of the Jewish faith or other religions which require the head to be covered. And finally, the Israeli defense forces have employed thousands of soldiers who have distinguished themselves in battle while wearing religious apparel. The IDF—universally regarded as one of the finest armed forces in the world—has certainly not been adversely affected by this practice.

In conclusion, Mr. Speaker, let me say that our amendment will not in any way hinder the effectiveness of our military. The Secretary of Defense would be fully empowered to forbid the wearing of any apparel which he felt would reduce a member's military capabilities. Furthermore, this amendment goes beyond the tenets of any one religion. It concerns the right of people of all faiths to serve their country without having to forsake their religious beliefs. That is what this country is all about. I strongly urge my colleagues to approve this amendment.

#### LEVANIEL WOOTEN CELEBRATES HIS RETIREMENT

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. TOWNS. Mr. Speaker, I wish to call the attention of my colleagues to one of my constituents, Mr. LeVaniel Wooten, who is retiring after 25 years of employment with the New York Metropolitan Transit Authority.

Mr. LeVaniel Wooten was born to Mr. and Mrs. Ezechial Wooten on October 28, 1918. He was orphaned by the age of 2, his mother having passed away when he was only 8 months old, and his father having been killed by the Klu Klux Klan shortly thereafter.

Mr. Wooten was raised by various relatives until he joined the U.S. Army in 1937, where he served for a period of 16 years. In addition to being a veteran of two wars, World War II and the Korean war, Mr. Wooten is also a past prisoner-of-war as well as a survivor of a Sherman Tank explosion.

The occasion of Mr. Wooten's retirement is being celebrated at a retirement party being given by his six children on Saturday, May 9, 1987 at his home.

Finally, Mr. Speaker, I am certain that my colleagues will want to join me in congratulating Mr. Wooten on his courage in the face of adversity and for reaching yet another great milestone in his life—the celebration of his retirement.

# **RICK HALBERSTEIN: EXTRAORDINARY CITIZEN-LAWYER**

## **HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. STARK. Mr. Speaker, the May 1 issue of the Hill Rag carries a report on Mr. Rick Halberstein, one of the most public-spirited individuals I have ever had the pleasure to know.

The article does an excellent job of explaining what a very special citizen Rick Halberstein is. I first met Rick when he worked for a fellow member of the Ways and Means Committee. We have become good friends over the years and I always stand in awe of Rick's sense of "giving" to those less fortunate and capable.

For those who do not yet have the good fortune of knowing Rick, I commend the following article:

[From the Washington, DC, Hill Rag, May 1, 1987]

### **RICK HALBERSTEIN—AN UNSELFISH LAWYER WHO IS NOT ONLY AFTER THE BUCKS** (By Maura Shannon)

When you think of Washington lawyers, do you think of K Street? Power lunches? Expense accounts? Many people on Capitol Hill think of Rick Halberstein, a city lawyer, whose success has not gotten in the way of small-town values.

Soft-spoken, with thick, white hair falling over his collar, Halberstein practices tax and real estate law from his office near Eastern Market. His townhouse is modest, but cozy, furnished with an odd assortment of antiques and oriental throw rugs that give it the look and feel of a turn-of-the-century law office.

His Office is definitely not the sumptuous surroundings of a modern Washington firm. Rather, it evokes an earlier, simpler time, when most lawyers worked for their neighbors and friends, handling the everyday legal matters of making a will, buying a business, or selling a home.

Indeed, the modest surroundings provide a perfect clue to a man who has quietly and diligently worked for his neighbors and friends on Capitol Hill for the last ten years. And Halberstein takes his neighborhood duties very seriously. In fact, in a city where it is often easy to shirk community work, Halberstein takes on much more than this share.

His clients are generally not wealthy. Many are small-business owners who are just starting out. He also spends nearly half his time doing free legal work or volunteering in the community. During tax season he spends two nights a week helping low-income people fill out their tax returns through a program sponsored by the Group Ministry, an association of churches on Capitol Hill.

Mr. Halberstein is also on the board of directors of Friendship House, a non-profit, social service agency located on D Street, SE, which serves elderly and low-income residents. His activities include organizing building repairs and tutoring children. He thinks it is a nice way to live and he wishes more young lawyers would do the same.

"I think it is a good way to practice law. I like to encourage young lawyers just starting out that they can make a living and help

other people at the same time. I tell them not to be afraid to do it. I think every professional should spend part of their time working for people who can't afford their services."

Rick Halberstein is also quick to point out that not all lawyers can spend the amount of time in the community that he can. But because he does not have a family to support or the rental of a downtown office, he is able to give more. "It's fun," he says. "I think most lawyers would do the same thing, but they can't afford it."

In his professional life, Rick Halberstein's specialties are taxes, real estate and probate. Although the three pose different problems, he enjoys all three for the same reason—he has the chance to help people with seemingly impossible bureaucratic problems. "I like helping people cut through red tape, whether it's with banks, big companies, or the government," he says. "Many clients, even extremely intelligent ones, can have a difficult time. I can get them out of trouble, or pull together loose ends, or save them some money."

Originally from Ohio, Rick Halberstein received his law degree from the University of Michigan at Ann Arbor in 1967, then clerked at the US Court of Appeals in Cincinnati, Ohio, for two consecutive chief justices, first a Democrat, and then a Republican. "I liked being exposed to two viewpoints," he says. "They were both good at what they did."

While in Cincinnati, he found himself meeting a lot of lawyers from Washington and he became interested in federal government work. So, in 1971, he came to DC as a tax attorney for the Justice Department, eventually moving to Capitol Hill when he worked for Rep. Joseph E. Karth (D-MN), of the staff of the Ways and Means Committee. During this time, he got a masters degree in tax law from Georgetown University.

Although he is no longer involved in tax legislation, he has carefully looked over the new tax reform bill and is afraid that middle-income people are being misled. "I think a lot of people are going to find their taxes are going to go up and they've been led to believe that they're not. I think we're going to be seeing a lot of angry people."

Mr. Halberstein says he has enjoyed each of his jobs, but he never really considered any of them in terms of a permanent career until he started working for himself. Although he does not make as much money as his fellow lawyers on K Street, he does not regret his decision. On the contrary, he has found many tradeoffs: he makes his own hours and he has the luxury of choosing his own clients.

"I don't work for dishonest people," he says. "You have to be very careful about that, especially in the tax area. I usually make a judgment to work for someone based on their motives. I think it's okay to disagree with a client, but as long as I think their motives are good, I will work for them."

In 1971, he moved from Cincinnati to DC. He has had his practice on the Hill for ten years. He was initially attracted to the integrated neighborhoods, the small-town atmosphere, and the convenience to the city—the same reasons he started his practice here.

"I like being close to the Capitol and downtown. But it's also a very comfortable neighborhood. I like the attitude of the people here," he says.

Once, years ago, Rick Halberstein was offered a lucrative position in a large, down-

town firm. Does he ever have second thoughts about refusing it? "I would have never fit in," he says "This is exactly where I want to be."

## **TRIBUTE TO DAVID S. HOUCK, OHIO'S SMALL BUSINESSMAN OF THE YEAR**

### **HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. TRAFICANT. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to an outstanding individual who runs a steel company in my congressional district, Mr. David S. Houck.

Mr. Houck is the president and founder of the McDonald Steel Corp., located in McDonald, OH. Mr. Houck was recently named Ohio's Small Businessman of the Year by the Small Business Administration [SBA]. He will be in Washington this week to represent Ohio at a White House ceremony on May 13 honoring National Small Business Week. This high honor is the most recent of a string of honors this remarkable businessman has received. Last year he was named Mahoning Valley Businessman of the Year.

In 1979, United States Steel shut down its plant in McDonald, OH. At the time, Mr. Houck was superintendent of four hot-rolled bar mills and in charge of 32 supervisors and 800 hourly workers. With a never-say-die attitude, David went ahead with a bold business plan to revive the plant, getting financial backing from local investors. Houck's plan called for utilizing the best of the old technology and melding it with new, emerging technologies.

Mr. Houck made use of modern production techniques, installed computer-aided designs and used all of his business savvy to launch a new business enterprise that is the envy of many in the State. McDonald Steel has branched out to meet new market demands and is still looking for new markets to enter. The plant now employs 137 workers and produces approximately 240 unusual steel bar shapes.

Mr. Houck is especially proud of the fact that he started his venture without any financial assistance from Government agencies. Despite the tough times facing the Mahoning Valley and the steel industry, David Houck has made McDonald Steel into a thriving small business. His operation is widely admired throughout the small business community and I'm sure a lot of small businessmen can learn a lot from examining how David Houck has made McDonald Steel a viable enterprise.

Mr. Speaker, tough time has hit the steel industry and no where has the decline of the steel industry been felt more than the Mahoning Valley. But the successes of David Houck and his willingness to stay in the valley and tough it out serve as an inspiration to all of us. I am honored to pay tribute to David Houck and I congratulate him on being named SBA's Small Businessman of the Year in Ohio.



TRIBUTE TO BOB O'CONNOR, ASSISTANT DISTRICT MANAGER, SOCIAL SECURITY OFFICE, PASSAIC, NJ

### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. ROE. Mr. Speaker, this Nation's Social Security Offices are one of the most vital and direct links between the American people and their Government. For countless millions of those who receive regular Social Security benefits, an efficiently run Social Security office is absolutely critical to their very survival.

In this regard, the people of my Eighth Congressional District in New Jersey in particular, and of the northern New Jersey-New York metropolitan area in general, have been indeed fortunate to have Robert Thomas O'Connor as a manager with the Social Security Administration, an institution he served for 25 years, the last six as assistant district manager of the SSA office in Passaic, NJ.

Mr. Speaker, during his quarter of a century of service to the people of this Nation through his work and leadership with the Social Security Administration, Bob O'Connor proved himself time and time again to be an outstanding manager who cares deeply both about the people who work for him and the vast population he served in such exemplary fashion. Every office in which he served was much the better for him having worked there, and the entire system benefited enormously.

On April 30, 1987, Mr. O'Connor officially retired. His quarter century of outstanding service to the people of this Nation will be recognized with a dinner in his honor on Friday, May 15, 1987, at the Sevilla in Passaic, NJ.

Robert Thomas O'Connor was born in Brooklyn, NY, on December 26, 1931. He graduated Alexander Hamilton High School in January 1950. In 1952 he enlisted in the U.S. Marine Corps, where he received training as a control tower operator—air traffic controller—and served in this capacity until his honorable discharge in January 1954. His college studies began at Pratt Institute in Brooklyn in 1955 and he graduated with a bachelor of arts degree from St. John's University in June 1961, having studied at night for 5 years.

Bob began his career with the Social Security Administration in the Boro Hall District Office on January 22, 1962, as a claims representative trainee. He subsequently served with distinction as a claims representative in the Bushwick, Newark and Passaic district offices. In January 1967, Bob was promoted to the field representative position in the downtown, New York district office. He was shortly thereafter promoted to operations supervisor and served exemplary tours of duty in the uptown, New York and Hackensack, NJ, district offices.

As recognition for his innovative and humane management practices which were very effective in achieving high levels of quality and production while at the same time maintaining very excellent employee morale, Robert T. O'Connor was promoted in 1974 to assistant district manager in the Morristown

district office. In July 1981 Bob was reassigned to the Passaic district office and continued his fine record of achievement there until his retirement from the Federal service on April 30, 1987.

Commissioner of Social Security Dorcas Hardy in a recent letter stated that Bob should be proud of his career and especially his record of accomplishments. She said that people like Bob "has given the Social Security Administration a fine reputation as an organization and as a place to work." Regional Commissioner Peter P. DiSturco has stated that Bob's "dedication and commitment to SSA through the years have been of great value to the region" and that "the kind of managerial abilities Bob has consistently demonstrated have helped SSA discharge its responsibilities to the public."

During his quarter of a century of exemplary service with the Social Security Administration, Bob O'Connor received numerous awards. Included among those were the Sustained Superior Performance Award in 1985 and the High Quality Increase Award in 1986.

In his long career Mr. O'Connor had the opportunity to counsel and guide many talented employees up the promotional ladder to rewarding Government careers in positions of trust and responsibility. He personally possesses the highest level of integrity, dedication, administrative ability and leadership, and is a perfect example of the ideal public servant who has spent the greater portion of his life in helping to meet some of the most vital needs of the American people.

Bob O'Connor and his wife, Mary Lou, have three children, Robert J., Suzanne, and Matthew Sean, and reside in Gladestone, NJ.

I would like to take this opportunity to wish Robert Thomas O'Connor all the best in his future endeavors, and to commend him in the highest terms for an outstanding career during which he has rendered an invaluable service to his community, his State and his Nation.

### LEGISLATION PROVIDING A FEDERAL CHARTER TO THE NON COMMISSIONED OFFICERS ASSOCIATION, MAY 12, 1987

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLOMON. Mr. Speaker, I was pleased to join the chairman of the Veterans' Affairs Committee in introducing legislation providing a Federal charter to the Non Commissioned Officers Association of the U.S.A.

NCOA has distinguished itself as a fine professional organization for noncommissioned and petty officers in the Nation's Armed Forces. Throughout its long history, NCOA's patriotic, fraternal, and benevolent efforts have lacked the recognition they truly deserve.

In 1987, more than 15,000 service members and veterans will participate in NCOA's Employment Assistance Program, and thousands of other veterans will be assisted by NCOA veterans' service officers in obtaining services

and benefits from the Veterans' Administration. Moreover, neither of these programs require the veterans to be members of NCOA to obtain benefits or employment assistance.

Over the past few years hundreds of children of noncommissioned and petty officers have benefited from NCOA scholarships. And, NCOA has long been a supporter of the Special Olympics Program at both the national and chapter levels.

Mr. Speaker, almost 80 percent of NCOA members are on active duty in the Armed Forces. They are the professional enlisted community of the services. They are the people who train the new recruits; who serve as instructors in the technical schools important to military training; who keep our ships afloat; and, who keep our aircraft flying. They man the line units in Korea, Germany, Panama, and hundreds of other locations throughout the world to insure the security of our Nation. They deserve this recognition.

I urge other of my colleagues to join as cosponsors of the bill.

### THE FACTS ABOUT THE BRADLEY

### HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. WYDEN. Mr. Speaker, over the last few days there has been a great deal of discussion about the Bradley fighting vehicle. To insure that the members have access to all appropriate information before this week's vote on the Bradley, I made available last week some previously unreleased documents regarding the Bradley's performance.

For me, the information contained in these documents was stunning to say the least. An article in today's addition of Defense Week (May 11, 1987) summarizes several of the key documents in succinct fashion, and I would like to share it with my colleagues.

Moreover, I invite my colleagues who would like to see these documents in full to contact my office at their convenience.

### FMC SOUGHT TO DELETE BRADLEY SWIM REQUIREMENT

(By Paul Bedard)

The maker of the troubled Bradley, after deciding that the personnel carrier could not safely ford waterways, asked the Army nearly two years ago to kill the requirement that the vehicle be able to "swim," according to newly released documents.

Since the request was made, several Bradley's have sunk and, in a recent accident, one soldier drowned in a submerged Bradley Fighting Vehicle.

FMC Corp., the maker of the \$1 million Bradley, recommended during a July 1985 "critical design review" that the swim requirement be eliminated, according to internal company documents, released last week by Rep. Ron Wyden (D-Ore.).

Under a section of the review titled "Buoyancy," FMC asked the Army to "consider deletion of [the] swim capability." Such a move would save money, simplify maintenance and allow for the enhancement of armor on the front and sides of the vehicles, according to the documents.

The Army rejected FMC's recommendation and kept the swim capability requirement. However, in light of the recent Bradley sinkings, the Army is reviewing the vehicle's swim specifications.

FMC spokesman Bill Highlander said the documents were only providing one of several proposed changes to the Bradley.

The Bradley has been attacked by members of Congress who claim the vehicle is not safe. Wyden is one of a handful of Democratic legislators who this week are expected to ask the House to halt further funding of the Bradley until the Army fixes the problem-plagued vehicle. "At this point in its development, the Bradley is hell on wheels," Wyden said of the tracked vehicle. "Congress must act to force the Army to make the Bradley safe and workable."

The documents released by Wyden also point to other problems with the Bradley. For example, an FMC safety official said the vehicle should not cross streams at speeds above 2 mph—even though the Army requires it to go twice that speed, according to the documents. "It is the opinion of the [Bradley Fighting Vehicle Safety Review Board], that water operation in stream speeds above 2 mph constitutes a very hazardous situation," wrote then board-chairman Keith Baker.

Meanwhile, the Army itself has issued at least nine safety notices over the past 17 months to soldiers who ride in Bradleys, the Army's front-line personnel carrier—including one limiting the swim speed to 2 mph.

According to the most recent issue of the Army's "Countermeasure" safety magazine, soldiers have encountered many new problems with the Bradley. For example:

Soldiers have been warned that a bracket on the vehicle's parking brake "may break." The safety warning blames poor welding techniques. Should the bracket break, "This will be obvious when the parking brake is applied. The actuating lever will be loose and the brake pedal will not remain depressed." The magazine encourages soldiers to park Bradleys with broken parking brakes "on flat ground with the tracks blocked."

When operating the vehicle's turret in "high temperatures or for extended periods, excessive heat builds up within the traverse motor. As a result, a screw loosens and allows an open electric connection, overloading and burning out" an electrical device. That could lead to a "runaway turret."

Vibration in the Bradley's engine can induce cracking of the oil cooler. The coolers are being replaced.

The Army magazine also described a recent Bradley fire caused by chafing wires. The wire in the vehicle's power unit chafed and shorted, "igniting diesel fuel in the bottom of the power unit compartment." The fire department had to be called in to extinguish the fire.

### THE SALT RIVER PROJECT

#### HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RHODES. Mr. Speaker, the phenomenal growth and prosperity of central Arizona would not have been possible if it were not for the vision and foresight of the pioneers in Arizona who created the Salt River project, and for the continuing vision and foresight of those who

have carried on the work of those pioneers in the development and growth of that project. One of the persons who had dramatically contributed to the growth and development of the project, and, consequently, of central Arizona has been Reid W. Teeple. In 1948, following his service in the U.S. Navy during the war, and after completion of his education, Mr. Teeple went to work for the project as an engineer. During a remarkable 39 year career with the project, he retired in 1987 having risen to the position of associate general manager for water, responsible directly to the general manager in that extremely important function of developing and preserving Arizona's water resources.

In addition to his responsibilities and activities within the organization, Mr. Teeple has been extremely active in other organizations and associations which have had dramatic impact on Arizona and the West. He has been an officer and director of the Agri-Business Council of Arizona, and the National Water Resources Association, as well as serving in advisory capacities to the Arizona Irrigation District, in the Maricopa County Flood Control District.

In addition to his tireless devotion to the Salt River project and to the development of our resources, Mr. Teeple and his wife Sue have raised a family of five children, and contributed many hours and years of selfless work in their community and their church.

It is difficult to measure the impact of a single individual on the growth of a dynamic area such as central Arizona, but there is no question in the minds of anybody who has been associated with that growth, and with Mr. Teeple's that his dedication to his profession and his love for Arizona and the West, have an immeasurable impact on the growth and prosperity of our home, and our region. It is my privilege and pleasure to join with countless others to wish Reid a happy and prosperous retirement in the community which he has helped to build.

### BILL AMOS—A GREAT LABOR LEADER

#### HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. PANETTA. Mr. Speaker, I would like to bring to the attention of my colleagues an upcoming dinner in my district honoring Clarence William Amos—Bill Amos—who is president of local 839 of the United Food and Commercial Workers Union.

Bill is leaving our area for Chicago, where his wife, Sarah, is working for the UFCW International Union, and his friends and colleagues are paying him this tribute for his many years of dedicated service to his fellow workers. I certainly hope I will be able to attend the dinner, but in any event, I want to help the tribute along through this statement to my colleagues in the House.

Bill was born in Indiana in 1937 and came to California as a boy. For a number of years, he worked for several food outlets in the Monterey County area—Seaside Market, Kilpatrick's Bakery, and Montemar Market.

In 1963, Bill was hired as an organizer by local 839. In 1964, he was hired as an organizer by the Retail Clerks Organizing Committee, and in 1966, he became an organizer for the UFCW International Union. Then, in 1971, Bill became the business representative of local 839, and in 1977, he was elected president of local 839. He has remained president to this day.

Along with his other union work, Bill has been a member of the Valley Clerks Joint Council since February 1977; has served as special representative to the UFCW International Union for the past 8 years; and has served as a drug trustee, a specialty store trustee, and a food pension trustee to the northern California retail clerks pension funds.

Bill and Sarah Amos have four children. My wife, Sylvia, and I have had the pleasure of knowing Bill and Sarah for more than 10 years. Their friendship means a great deal to us, and we share the sorrow of their other friends and colleagues over their impending departure for Chicago.

Bill plans on retiring when he moves to Chicago, and Sylvia and I certainly wish him the best of luck in whatever he chooses to do.

Thank you, Mr. Speaker, for this opportunity to say a few words about a wonderful man.

### PERSONAL EXPLANATION

#### HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RAHALL. Mr. Speaker, on Friday, May 8, 1987, I missed six votes on the floor of the House due to my attendance of an economic development seminar in Bluefield, WV, which had been on my schedule for 6 months. Due to the amount of planning that went into this seminar, which I organized and sponsored in my congressional district, it was not possible for me to reschedule or forego this event.

Had I been present, I would have voted "yea" on rollcall votes 96, 97, 98, 100, and 101, and "no" on rollcall vote 99.

### SAMUEL W. McALLISTER, A CAREER OF SERVICE TO LABOR

#### HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DYMALLY. Mr. Speaker, on April first of this year Samuel McAllister retired from Teamsters Union Local 572 after 28 years of service within the Teamsters organization. I want to take a moment and inform my colleagues about the long and distinguished service of this outstanding individual who has done so much for organized labor in southern California.

Sam was born in Panama City in the Republic of Panama on January 21, 1927. His working life began there when he went to work for the U.S. Air Force as a publication clerk. He migrated to Los Angeles in 1959 and by April of that year had joined Teamsters



Local 357 and had begun working for Southern California Freight Lines, which now is known as O.N.C. Freight Lines. Within 3 years of his joining the union, his leadership abilities had been recognized by his fellow workers. They elected him chief steward at O.N.C. Freight Lines in May 1962.

It was not long afterward that Sam met his wife to be, AnnaLou. They were married in February 1965 and in the ensuing years have built a beautiful family of five children. They in turn have given Sam and AnnaLou seven grandchildren in whom they take constant joy.

Sam did such a sterling job as chief steward that he came to the notice of the late Barney Volkoff, who was at that time secretary-treasurer of local 357. Volkoff appointed him business representative for the local. With that appointment, Sam was officially into his career in labor relations.

Sam was interested not just in doing the job but in knowing something about its formal aspect. He wanted to be as good at what he did as he possibly could. So, he enrolled at UCLA and through extension work was formally trained in labor relations. After his graduation in June 1968, Sam began working for Jim Peck, public relations director of Joint Council 42. Through that work, Sam became well known to the major figures in California politics as he worked in the election campaigns of Mayor Tom Bradley, Governor Pat Brown, Vice President Humphrey, State Treasurer Jesse Unruh, Assemblyman Curtiss Tucker, to mention just a few. I personally owe Sam a debt of gratitude for the help he has given me over the years.

In May 1972 Sam began to work for Teamsters Local No. 572. For 15 years now he has done what needs to be done. He is an organizer par excellence, a tough contract negotiator, and above all he is a totally dedicated representative of working men and women. This working for the people that is part and parcel of Sam's life is not confined to his professional life. He has given willingly of himself for a myriad of community enterprises. He is a member of the Urban League, the NAACP, the Frontier Democratic Club, the Crenshaw Neighborhood Association. He is president of the Leimert Park Block Association and president of the Los Angeles chapter of the A. Phillip Randolph Institute. Organized labor is losing a seasoned champion. But none of us expects Sam to fade into the background. We look forward to Sam lending his great leadership to the many civic organizations that have just been waiting for him to retire so he can get to work for them. Sam, your friends wish you the best, and we look forward to all our future opportunities to continue working with you.

#### THE BENEDETTO CROCE EDUCATIONAL SOCIETY

#### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RODINO. Mr. Speaker, this Friday it will be my great privilege to be the recipient of the Benedetto Croce Educational Society Out-

standing National Leadership Award, presented to me at the society's annual dinner at Biase's Restaurant in Newark.

This award means a great deal to me because it is bestowed by an organization that has stood at the forefront in championing the rights of immigrants, an organization I have been privileged to work with closely over many years. This honor is also gratifying because I have devoted my career to helping make the American dream a reality for new immigrants and their families.

Mr. Speaker, I would like to take this opportunity to give a word of special thanks and recognition to the officers of the Benedetto Croce Educational Society: Mr. Arthur Cafaro, president; Mr. Frank DeMaria, president elect; Pat Raimondo, vice president; Mr. John Lupo, treasurer; and Mr. Vance Melillo, secretary. Their great dedication to making the transition to American life smoother for immigrants enriches our community many times over.

The Benedetto Croce Educational Society was founded in 1931 to assist Italian immigrants in the Newark area assimilate into the American mainstream. For over 50 years the society has recognized that education plays a vital role in that effort, and today the society consists of educators from throughout Essex County who are committed to the improvement of not only Italian Americans, but all individuals through education.

Once again, I salute my good friends at the Benedetto Croce Educational Society and the fine work they have done to assist immigrants. I am truly honored to receive the Outstanding National Leadership Award, and I look forward to continuing my work in Congress and in New Jersey on behalf of our Nation's newest Americans in the many years to come.

#### OUR COMPETITIVE DISADVANTAGE

#### HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RHODES. Mr. Speaker, in the continuing debate over American trade deficits, and productivity, we all too frequently forget to ask ourselves the following question: "How many overseas producers spend money for clean air, clean water, water treatment, waste control, waste disposal, OSHA training, fume abatement, ear and eye protection, fire extinguishers, respirators, chemical handling safety equipment, self-contained breathing apparatus, evacuation route signs, emergency exits, wheelchair bathrooms, emergency lighting, safety showers, ground fault detection, audible back-up signals, and caution-danger warning-hazard signs by the carload?"

In the backs of all of our minds we know that, out of concern for the safety, well being, comfort and financial stability of our work force, we have imposed overhead costs on American producers which put them at a first-stage competitive disadvantage with their overseas competition. These are social decisions that have been made over the course of time, and which contribute to the American quality of life, but which also contribute direct-

ly to the cost of all goods produced in this country, and which contribute significantly to our competitive disadvantage in the international marketplace.

I have recently come across an eloquent reminder of these elements of industrial overhead in an editorial by Michael O. Flatt, chairman of the board of Continental Circuits Corp. in Phoenix, AZ. I am including a copy of this comment in the RECORD at this point.

I am pleased to share his observations with my colleagues, and commend his thoughts to them:

**HOW MANY OVERSEAS PCB PRODUCERS HAVE TO SPEND MONEY FOR CLEAN AIR AND WATER, HAVE TO COMPILE ANNUAL ACCIDENT REPORTS, AND HAVE TO PAY SOCIAL SECURITY, REAL ESTATE AND PERSONAL PROPERTY TAXES?**

I recently heard a Federal bureaucrat pontificating on the sorry state of American industry, and he, in essence, was saying that all of our collective ills would be magically cured if we (industry) would only wise up, improve productivity, and (you guessed it) automate.

As one industrialist, I'm getting very tired of shouldering the bulk of the responsibility for the trade deficit, the loss of American jobs, the image deterioration, and all the other attendant negatives that come with this particular territory.

One hand of the government seems to be waving the "Automation-is-Wonderful" banner, while the other hand is deleting the Investment Tax Credit, thus creating a disincentive to spend the dollars to automate. It makes me wonder. . . .

I wonder if the people in government who are enamored with using industry as the national whipping boy have stopped to consider some of the "invisible" items that put our particular industry between the proverbial rock and the hard place when it comes to competing with overseas producers.

For instance, I wonder how many overseas producers of printed circuit boards spend money for clean air, clean water, water treatment, waste control, waste disposal, OSHA training, fume abatement, ear and eye protection, fire extinguishers, respirators, chemical handling safety equipment, self-contained breathing apparatus, evacuation route signs, emergency exits, wheelchair bathrooms, emergency lighting, safety showers, ground fault detection, audible backup signals, and caution-danger warning-hazard signs by the carload.

I wonder how many overseas producers of printed circuit boards have to record every accident, compile annual accident reports, prepare hazardous waste manifests, report yearly hazardous waste activity, prepare safety training, keep training records, file Affirmative Action Plans, prepare Emergency Contingency Plans, maintain effluent records, and respond to a myriad of federal, state and municipal information requests.

I wonder how many overseas producers of printed circuit boards pay unemployment insurance, industrial accident insurance, social security, real estate taxes, personal property taxes, municipal effluent testing fees, county air quality equipment use fees, air emissions testing fees, not to mention liability insurance premiums and federal, state and city income taxes (should there happen to be any "income").

I wonder how many of the rock-throwing, finger-pointing, nay-saying bureaucrats and law makers have taken an introspective, re-

sponsible look at how much of American industry's income dollars go for mandated entities.

I personally believe the vast majority of the required spending is well justified and well intentioned; I do, however, have a problem with people who overlook these mandated costs and throw the blame for national economic woes at our feet and proclaim self-righteously that we should be able to do as well or better than the overseas competitors by automating and (thus) improving our productivity.

I wonder how we've managed to come as far as we have.

### FATHER JERZY POPIELUSZKO—A MODERN DAY MARTYR

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. SOLARZ. Mr. Speaker, it is not often that I have the privilege of paying tribute to a man as beloved as Father Jerzy Popieluszko. Father Popieluszko, murdered by the Polish Secret Police on October 19, 1984, has become a symbol of the Polish people's struggle for national liberation.

As the first chaplain of the Huta Steelworks near Warsaw, he provided guidance and leadership during the birth and development of the Solidarity Labor Union. He later became an honorary member of the Solidarity presidium.

As a priest at St. Stanislaw Kostka Church in the Zoliborz section of Warsaw, he celebrated a monthly "Mass for the Homeland" which was dedicated to those who were imprisoned or driven underground by the Polish military regime. Thousands of people from all over Poland came to hear Father Popieluszko condemn the acts of oppression by the Government and encourage the Polish people to stand firm in their commitment to justice and truth.

Today, nearly 3 years after his death, Father Popieluszko remains as a shining example for people everywhere who yearn to know freedom. In the Greenpoint section of my district, thousands of Polish-Americans witnessed the dedication of Father Jerzy Popieluszko Square on October 19, 1986. The square has become a gathering place for families and individuals who go there to remember the valiant struggle that Father Popieluszko waged during his life, and to pray for those that continue to battle for peace in Poland. The square will become a cultural center devoted to good will and harmony among all community residents and a place honoring those committed to protecting human rights. It will forever be a monument to a man who was killed for expressing his beliefs.

St. Stanislaus Kostka Church in Greenpoint, the namesake to Father Popieluszko's church in Poland, has the largest Polish congregation in Brooklyn. The church has long been in the forefront of spiritual and community activities in Greenpoint, and has become a driving force behind keeping Father Popieluszko's legacy alive.

Father Popieluszko's lifelong work continues to teach people forgiveness instead of

hatred and the importance of courage and truth, even years after his death. Shortly before he was killed, Father Popieluszko observed that "Hope can never be killed." The hope that one day every person will be able to live free of persecution is one that Father Popieluszko gave his life trying to protect.

It is with deep respect and humility that I offer this tribute to Father Popieluszko, and to those that are working to keep his memory alive.

### PERSONAL EXPLANATION

#### HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. SYNAR. Mr. Speaker, I was unavoidably absent on Friday, May 8, and as a result missed four rollcall votes on amendments offered to H.R. 1748, the 1988 Defense authorization bill. Had I been present, I would have voted "no" on the Mrazek amendment, roll No. 98; "no" on the AuCoin amendment, roll No. 99; "aye" on the Montgomery amendment, roll No. 100; and "aye" on the Smith amendment, roll No. 101.

### DR. JANET L. NORWOOD RE-NOMINATED TO HEAD LABOR STATISTICS BUREAU

#### HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. JEFFORDS. Mr. Speaker, I rise today to honor Dr. Janet L. Norwood, who has recently been renominated by the President to her third consecutive 4-year term as Commissioner of Labor Statistics.

By retaining Dr. Norwood as only the 10th Commissioner in the 102-year history of the Bureau of Labor Statistics [BLS], the President has assured the Nation that he intends to preserve and continue the high standards of professionalism, ability, and integrity which have been the hallmark of and distinguished Dr. Norwood's tenure in that key office.

Dr. Norwood's distinguished career in BLS began in 1963, when she went to work as an economist in the Bureau's Office of Foreign Labor and Trade. As she progressed through various assignments, her excellence was steadily recognized, first with the Secretary of Labor's Award for Distinguished Achievement in 1972, then with a Secretarial Special Commendation in 1977 when she was already serving as Deputy Commissioner, and finally in 1979 with the Philip Arnow Award, the Department of Labor's highest award for a career employee.

I should add that the recognition conferred by her agency has been echoed by numerous professional organizations in the United States and abroad. In 1982, the National Capital Area Chapter of the American Society for Public Administration selected her to receive the prestigious Elmer B. Staats Award for Outstanding Public Service, and later that same year her professional colleagues around the

world extended her the signal honor of unanimously electing her to chair the 13th International Conference of Labor Statisticians.

It would be unfair to me to list her accomplishments without adding a word about the fact that Dr. Norwood recently celebrated the arrival of her first grandchild. To have a successful professional and personal life deserves admiration and respect.

Those of us in this body both sides of the aisle who have had the privilege of knowing and working with Dr. Norwood join Secretary of Labor Brock in praising this renomination and in congratulating her for a job extraordinarily well done.

### REV. MSGR. GEORGE A. O'GORMAN CELEBRATES 50 YEARS OF ORDINATION

#### HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. GUARINI. Mr. Speaker, this month an outstanding servant of God and man, Rev. Msgr. George A. O'Gorman will celebrate his 50th year of ordination as a Roman Catholic priest.

Because of Monsignor O'Gorman's community service during the years of war and peace America has been involved in, a testimonial dinner in his honor is being tendered on Saturday, May 16, 1987, at 6:30 p.m. at Schuetzen Park, North Bergen, NJ.

Helen Gonyou, Ruth Matash, and Janet Benzoni are members of the dinner committee that have invited Archbishop of Newark Theodore McCarrick and Archbishop Emeritus of Newark Peter L. Gerity and Msgr. Franklyn Casale, as well as relatives and community groups. In addition, Monsignor O'Gorman will be given a special salute by veterans' groups for his service as a chaplain in the U.S. Army, having retired with the rank of colonel from the U.S. Army Reserves just a few years ago.

Born in Jersey City, NJ, Monsignor O'Gorman was ordained into the priesthood on May 22, 1937, after his education at Seton Hall University and Immaculate Conception Seminary, two great institutions of higher learning in the Garden State. After his ordination he was assigned to St. Brigid's Parish in North Bergen where he also served as chaplain for the township police and fire departments.

When World War II came upon us, Monsignor O'Gorman answered the call and enlisted in the U.S. Army as a chaplain. Because of his tremendous courage and leadership on the fields of battle, Monsignor O'Gorman earned the nickname of "Beachhead" O'Gorman. His involvement in the invasions of Leyte and Okinawa earned him five battle stars. After his release as a major in 1946, Monsignor O'Gorman continued to serve New Jersey and his Nation as a chaplain in the Army Reserves until his retirement.

In 1946 Monsignor O'Gorman resumed his religious duties at All Saints Parish in Jersey City where he remained until 1963. It was in that year that the late Archbishop Thomas A. Boland assigned Monsignor O'Gorman to



North Bergen to erect a church and found the parish of Our Lady of Fatima.

Over the years, Monsignor O'Gorman has served with distinction on the military staff of two Governors of New Jersey, as State Chaplain of the Veterans of Foreign Wars, moderator for the South Hudson and North Hudson Councils of Catholic men, a member of the Planning Board of North Bergen, and as Chaplain of Pope John XXIII Knights of Columbus. Monsignor O'Gorman was also a member of the Advisory Board of the Military Ordinate to which he was appointed by the late Terrance Cardinal Cooke, a member of the U.S. Council on Aging, Washington, DC, and a member of the Edward McDowell Post, Veterans of Foreign Wars, North Bergen, NJ. He was also appointed to the Building and Site Committee of the Archdiocese of Newark of Archbishop Emeritus Peter L. Gerety.

On May 21, 1986, he was made a prelate of honor of his holiness at the Cathedral of the Sacred Heart, Newark, NJ. Monsignor O'Gorman resides at the St. John Vianney Residence for Retired Priests in Rutherford, NJ. Monsignor O'Gorman continues to help out at various parishes in the Diocese when needed.

Monsignor O'Gorman's sister, Mrs. Kermit Sidle, resides in Westerly, RI. His nephew John lives in Grand Island, NE, and his nephew William resides in Columbus, OH, with his wife, Philomena.

Monsignor O'Gorman's life work echoes the words of His Holiness, Pope John Paul II when he visited Philadelphia on October 4, 1979, and said in his homily to those priests in attendance: "The priesthood is not really a task which has been assigned; it is a vocation, to be heard again and again. To hear this call and to respond generously to what this call entails is a task for each priest." Monsignor O'Gorman's career exemplifies: "Tu es sacerdos in aeternum—Priesthood is forever. We do not return the gift once given. It cannot be that God who gave the impulse to say 'yes' now wishes to hear 'no.'"

According to Helen Gonyou, past New Jersey President of the Ladies' Auxilliary of the Veterans of Foreign Wars, and a members of the dinner committee:

This year during the 200th anniversary of the Constitution of the United States this golden anniversary celebration of Monsignor O'Gorman's ordination is extra significant. His entire life has been dedicated to the freedom of spirit and religion and opportunity which our forefathers outlined so carefully in the priceless document which is the envy of the entire world.

Let us not rest all our hopes on parchment and on paper. Let us strive to build peace, a desire for peace, a willingness to work for peace, in the hearts and minds of all our people. I believe that we can. I believe the problems of human destiny are not beyond the reach of human beings.

Monsignor O'Gorman has been a leader all his life, leading his religious flock, leading the community in all causes just, tending to and leading the men who served him in battle. Those who were with him in the dark days of World War II speak of his tremendous stamina, faith, and courage.

One former serviceman quoted the following in describing "Beachhead" O'Gorman's combat leadership, a statement often expressed by President John F. Kennedy: "With-

out belittling the courage for which men have died, we should not forget those acts of courage for which men have lived."

Monsignor O'Gorman's life should inspire all of us who must be reminded that the cost of freedom has always been expensive. Monsignor O'Gorman's life echoes these words:

For of those to whom much is given, much is required. And when at some future date the high court of history sits in judgement on each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage? Second, were we truly men of judgement? Third, were we truly men of integrity? Finally, were we truly men of dedication?

Monsignor O'Gorman's life befits the October 6 message delivered by Pope John Paul II when speaking about our Nation and the people who made it great and what we stand for:

It is also a country marked by deep veneration for those values without which no society can prosper: love of freedom, cultural creativity, and the conviction that common endeavors for the good of society must be guided by a true moral sense. My own spiritual and religious mission impels me to be the messenger of peace and brotherhood, and to witness the true greatness of every human person. This greatness derives from the love of God, who created us in his own likeness and gave us an eternal destiny. It is in this dignity of the human person that I see the meaning of history, and that I find the principle that gives sense to the role which every human being has to assume for his or her own advancement and for the well-being of the society to which he or she belongs. It is with these sentiments that I greet in you the whole American people, a people that bases its whole concept of life on spiritual and moral values, or a deep religious sense, on respect for duty and on generosity in the service of humanity—noble traits which are embodied in a particular way in the nations' capitol, with its monuments dedicated to such outstanding national figures as George Washington, Abraham Lincoln and Thomas Jefferson.

I am certain that my colleagues here in the House of Representatives wish to join me in this salute to Monsignor George O'Gorman—a great priest—a great American.

#### MERIDIAN HOUSE—GATEWAY TO AMERICA

#### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. LANTOS. Mr. Speaker, it gives me great pleasure today to recognize Meridian House International [MHI] here in Washington, DC. Founded in 1960, Meridian House is dedicated to promoting international understanding. They welcome visitors from countries throughout the world and are, in the words of their President John Jova, "a Gateway to America."

Meridian House International offers a range of activities. In Washington the staff coordinates a wide variety of programs for the inter-

national community. Seminars provide a chance for an indepth examination of American society and, for U.S. citizens, an introduction to other cultures. MHI also has five affiliated organizations providing a variety of services from a language bank staffed by volunteer interpreters to orientation programs for foreign visitors to the United States.

I would like to pay a special tribute to one of these affiliates, the National Council for International Visitors [NCIV] comprising 92 local volunteer groups in communities throughout the United States. They provide hospitality to an estimated half million foreign visitors each year. Although these trips are Government sponsored, they are free of Government influence. They provide a unique insight into the United States and visitors return to their homelands with impressions of the United States which may endure for a lifetime. This is a valuable way of introducing influential foreigners to our country. The State Department estimates that 44 current foreign heads of state or government came to the United States under the auspices of this program since 1960.

I believe that programs such as the NCIV play a significant role in countering anti-Americanism that is found in many parts of the world. Another function served by NCIV is to help educate Americans about foreign countries and cultures. We live in an insular environment, and organizations such as MHI broaden our horizons—they should have our full support in their objectives.

#### CHURCH OF THE ASCENSION SERVING GOD AND MAN FOR 140 YEARS

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLARZ. Mr. Speaker, I would like to pay tribute to the Church of the Ascension, located in the Greenpoint section of my district, which is currently celebrating its 140th anniversary. The Church of the Ascension has long been in the forefront of spiritual and community activities since its founding in 1846.

The church has been located on several different sites during the past century, but has always been a gathering place for religious, cultural, and civic groups. The Reverend Walter Bentley, the church rector from 1905 to 1920, founded the Church Actor's Alliance, one of the finest groups in the country to minister to the theatrical community. Among the church's more prominent members was Thomas Fitch Rowland, one of the founders of the Green Point Savings Bank and the owner of the Continental Iron Works, where the iron-clad warship the *Monitor* was built.

The church continues to be a center of activity in the thriving Greenpoint area it serves. Despite having been ravaged by a fire nearly 2 years ago, the church has continued to provide leadership and guidance to hundreds of parishioners. In the true spirit of commitment and determination, the Reverend Walter E. Hartlove is leading the drive to restore the

church to its original beauty. Father Hartlove has also played a major role in planning the redevelopment of the Greenpoint waterfront, and protecting the Greenpoint area from the damaging effects of pollution caused by neighborhood businesses and traffic congestion.

The Church of the Ascension has long held the philosophy that community service goes hand-in-hand with religious service. It has established a tradition of community involvement that will continue to benefit Greenpoint residents for decades to come. Today, Ascension Day, May 28, 1987, I am proud to honor the Church of the Ascension as one of the finest religious and community organizations in my district.

## DRUG AWARENESS DAY AND THE CITIZENS OF NEW BRITAIN, AIN, CT

**HON. NANCY L. JOHNSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mrs. JOHNSON of Connecticut. Mr. Speaker, I would like to take this time to congratulate the citizens of New Britain, CT, for undertaking the tremendous and admirable task of putting together a citywide effort to combat substance abuse, and proclaiming May 13, "Drug Awareness Day."

This week's communitywide drug fair will feature guest speakers, poster contests, display, and health advisories on the subject of substance abuse. Students from 19 schools in the city as well as 10 community organizations have given their time and talents to make this event a success.

Lonise Bias, the mother of the late basketball star Len Bias, and "Rob the Drummer" Gottfried, a dynamic antisubstance abuse performer, are both scheduled to make appearance at the fair during the day.

Substance abuse is a nationwide epidemic, and one of the causes is the unfortunate fact that many people are completely unaware of the risks involved in using, and abusing drugs and alcohol. The only way to remedy this situation is to raise the awareness of people through education.

Therefore, I commend Mayor William McNamara, his 21-member task force on substance abuse, the students and all of the citizens of New Britain for taking steps to educate their community about the dangers of drugs, and by doing so, bringing this Nation a little bit closer to solving the deadly problem of substance abuse and teaching our children to "just say no."

## RESULTS ON STRATEGIC DEFENSE INITIATIVE POLL

**HON. ERNEST L. KONNYU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. KONNYU. Mr. Speaker, since coming to serve in this body, I have heard much conflicting information and observed great misunder-

standing regarding the strategic defense initiative and the public's support for SDI. I would like to begin to correct this situation and would like to submit for the record the results of a national poll conducted by Penn & Schoen Associates during the period of April 3 through April 5 of this year.

This survey shows that the American people are very informed on some issues and want to be better informed on others, but do not have access to the same information we do. I hope that my colleagues will keep these facts in mind as we continue to discuss and debate this important issue of strategic defense and arms control. I would like the RECORD to include the following summary of the poll.

To: The Committee on the Present Danger.  
From: Penn & Schoen Associates, Inc.  
Re: National Poll on Arms Control.  
Date: April 17, 1987.

This memo summarizes the highlights of a national poll conducted by Penn and Schoen Associates Inc., for the Committee on the Present Danger. The 1004-interview poll was conducted on April 3rd through April 5th at our telephone interviewing facility in New York City.

Overall, the poll shows that the public:

- (1) Continues to strongly favor the development of the Strategic Defense Initiative;
- (2) Believes now that the Soviet Union is spending more on its arms than the United States and that the Soviet Union has a stronger military than the U.S.
- (3) Continues to overestimate expenditures on defense and the growth in defense equipment. Almost always, the public presumes the U.S. has defenses and capabilities that are not necessarily in place.
- (4) Does not support cuts in the defense budget. Most would either increase it or keep defense spending the same.

### DETAILED DISCUSSION OF QUESTIONS

#### Support for SDI

The public is firm in its support for the concept of the Strategic Defense Initiative. By 77% to 20%, the respondents said that they favor "a research program to develop a system to destroy incoming nuclear missiles before they reach their targets."

Furthermore, if such a system could be developed, by 74% to 19%, the public sampled would favor setting up the system in the United States.

People do not see the SDI as a new weapon, but rather as a way to limit the usefulness of nuclear weapons. In a question on this, 29% said that they see the system as a new weapon while 60% saw it as a way to counter other weapons.

It is precisely because they see it as defensive that the public overwhelmingly supports SDI. They also believe that SDI will make the world safer. By 49% to 8%, the public overwhelmingly said that SDI will make the world safer rather than less safe. Forty per cent, however, said it would not make much difference in world safety.

#### Who has a stronger defense?

The public now believes that the USSR has a stronger military and a stronger nuclear force than the United States. They also believe that the Soviets are continuing to spend more on their military forces than we do in this country.

Fifty per cent said that the Soviets have a stronger military than the U.S. while 36% said this country's military was stronger. Fourteen per cent were unsure.

There were some clear differences on this issue by education and age. Younger people and lower educated respondents said that the U.S. has a stronger military than the Soviets. In contrast, by 27-56%, college educated Americans said they believed in Soviet military superiority.

When asked about nuclear forces, the public gave similar answers, but was less certain. Forty-four per cent said the U.S. has stronger nuclear forces while 37% said U.S. forces are stronger. Nineteen per cent expressed no opinion.

#### True/false: What does the public know about defense?

In order to gauge whether the public tends to overestimate or underestimate the U.S. defense capabilities, we asked the sample a series of true/false questions.

The public's score on defense knowledge was limited.

For example, 64% said it was true that the U.S. currently has a system to defend against nuclear missile attack. In truth, the U.S. relies on deterrence and does not now have any such system in place.

People overwhelmingly believed that the U.S. has more nuclear weapons today than 20 years ago, and that the nuclear weapons we have today have more explosive power than U.S. weapons 20 years ago. About 90% agreed with each of these statements.

According to CPD research, neither of these statements is true.

Most people also overestimated the percentage of the country's total economic output that goes to defense. In fact, less than 10% of total output goes to defense while 87% of those sampled estimated the figure at over 10%.

The public, however, was very uncertain as to how much of the federal budget now goes to defense. Twenty-three per cent got the right answer—21-30%, while 26% underestimated it and 41% overestimated the figure.

The public did get right three questions about the Soviets. By 33% to 56%, the public rejected the proposition that the U.S. spends more on strategic defense than the Soviets. They also correctly guessed that the Soviets have not pulled their troops out of Afghanistan. By 8% to 86%, they rejected as false the statement that the Soviets had pulled out of that country. Sixty-seven per cent thought that the Soviets now have a system to defend against nuclear attack. According to CPD, the Soviets do have a system which protects Moscow and the capital region.

#### Overview of the project/methodology

Penn and Schoen was commissioned to undertake a national poll of 1004 U.S. residents on attitudes toward defense, the SDI and related issues. The firm drew a national, random probability sample of U.S. households in the continental United States and conducted the detailed survey by telephone. The questionnaire was designed in conjunction with the Committee on the Present Danger to cover a wide range of areas fully and fairly. All interviewing was done by our professional interviewers out of our offices in New York between April 3rd and April 5th, 1987.

The results have an overall statistical accuracy of plus or minus three percentage points at the 95% confidence interval. The exact text of the questions asked and their full results accompany this report.



## GENERAL SUMMARY CPD NATIONAL—No. 1063

**Question 1.** Now I would like to ask you some questions about defense. I would like you to tell me if you think the statement is true or false: The United States currently has a system to defend against nuclear missile attack. Do you think that is true or false?

True..... 64  
False..... 31  
Don't know..... 5

**Question 2.** The Soviet Union currently has a system to defend against nuclear missile attack. Do you think that is true or false?

True..... 67  
False..... 29  
Don't know..... 4

**Question 3.** The United States spends more on strategic defense than the Soviet Union. Do you think that is true or false?

True..... 33  
False..... 56  
Don't know..... 11

**Question 4.** The Soviets have pulled their troops out of Afghanistan. Do you think that is true or false?

True..... 8  
False..... 86  
Don't know..... 6

**Question 5.** The United States has more nuclear weapons today than it did 20 years ago. Do you think that is true or false?

True..... 89  
False..... 8  
Don't know..... 3

**Question 6.** The U.S. nuclear arsenal has more explosive power than 20 years ago. Do you think that is true or false?

True..... 91  
False..... 6  
Don't know..... 2

**Question 7.** Who has the stronger nuclear force—the United States or the Soviet Union?

U.S..... 37  
U.S.S.R..... 44  
Don't know..... 19

**Question 8.** Which country spends more on its military forces today—the United States or the Soviet Union?

U.S..... 31  
U.S.S.R..... 59  
Don't know..... 10

**Question 9.** Who has a stronger military right now—the United States or the Soviet Union?

U.S..... 36  
U.S.S.R..... 50  
Don't know..... 14

**Question 10.** What percentage of this country's total economic output do you think now goes to national defense—under 10%, 10 to 20%, 21 to 30%, 31 to 40%, 41 to 50%, or over 50%?

<10 percent..... 5  
10 to 20 percent..... 23  
21 to 30 percent..... 24  
31 to 40 percent..... 18  
41 to 50 percent..... 10  
Over 50 percent..... 12  
Don't know..... 7

(The correct answer is: <10 percent.)

**Question 11.** What percentage of every dollar the Federal government spends goes to defense—under 10%, 10 to 20%, 21 to 30%, 31 to 40%, 41 to 50%, 51 to 60%, 61 to 70% or over 70%?

<10 percent..... 6

10 to 20 percent..... 20  
21 to 30 percent..... 23  
31 to 40 percent..... 18  
41 to 50 percent..... 12  
51 to 60 percent..... 6  
61 to 70 percent..... 3  
Over 70 percent..... 2  
Don't know..... 10  
(The correct answer is: 21 to 30%.)

**Question 12.** In general, do you think that spending on defense should be increased, decreased or kept the same?

Increased..... 27  
Decreased..... 31  
Kept same..... 39  
Don't know..... 3

**Question 13.** The Strategic Defense Initiative, or SDI, is a research program to develop a system to destroy incoming nuclear missiles before they reach their targets. Do you favor or oppose the U.S. going ahead with the research and development phases of the SDI?

Favor..... 77  
Oppose..... 20  
Don't know..... 3

**Question 14.** If such a system could be developed, would you favor or oppose setting up the SDI system in the United States?

Favor..... 74  
Oppose..... 19  
Don't know..... 7

**Question 15.** Do you see the SDI as a new weapon or as a way to limit the usefulness of nuclear weapons?

New weapon..... 29  
Limit..... 60  
Don't know..... 11

**Question 16.** Do you think that the SDI should be used primarily to protect cities from attack, primarily to protect our missiles from attack or for both purposes equally?

Cities..... 16  
Missiles..... 4  
Both..... 75  
Don't know..... 6

**Question 17.** In general, do you think the Strategic Defense Initiative would make the world safer, less safe, or would it not make much difference?

Safer..... 49  
Less safe..... 8  
No difference..... 40  
Don't know..... 3

NOTE.—Penn & Schoen Associates is a leading, independent, national polling organization which has conducted polls for, among others, former Vice President Walter Mondale, Senator Edward Kennedy of Massachusetts, Senator Frank Lautenberg of New Jersey, Mayor Edward Koch of New York City and Mayor Marion Barry of the District of Columbia, as well as a broad spectrum of corporate clients and public interest groups.

## PERSONAL EXPLANATION

## HON. BILL NELSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. NELSON of Florida. Mr. Speaker, I was unavoidably absent for rollcall vote No. 92 on Thursday, May 7, 1987. Had I been present, I would have voted "aye" to agree to the Hunter amendment that expressed the sense

of Congress that the Krasnoyarsk radar in the Soviet Union is in violation of the ABM Treaty.

## TRIBUTE TO GENEVIEVE MARINO

## HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. KOLTER. Mr. Speaker, today I rise to pay tribute to a constituent of the Fourth District of Pennsylvania who has been very active in community service.

Genevieve Marino was honored as the First Lady of New Castle at a recognition dinner for the 40th annual event. Mrs. Marino was honored by her friends and coworkers for her volunteer work and contributions to the community.

The recognition dinner was given by Xi Gamma Psi Chapter of Beta Sigma Phi and was held at the New Englander in New Castle. There were 16 former First Ladies in attendance.

Mrs. Marino commented, "If you're not a volunteer, you're not alive."

She has been described by her friends and colleagues as someone who loves people and communicates this by her actions. She has been further described as an enthusiastic person who is an achiever.

Mrs. Marino has made outstanding contributions to the New Castle area through her volunteer work and community service. I am proud to share with my colleagues the contributions of Genevieve Marino.

## THE NORTHWESTERN BAND OF THE SHOSHONI NATION AT WASHAKIE, UT

## HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. OWENS of Utah. Mr. Speaker, today I am introducing a bill on behalf of the Northwestern Band of the Shoshoni Nation of Washakie, UT. The purpose of the legislation is to authorize the Secretary of the Interior to undertake a feasibility study for the formulation of an economic development plan. The proposed legislation requires the Secretary to consult with State and local officials in order to assure that State and local interests are not prejudiced by the plan. The Secretary would have 2 years from the enactment of the legislation to develop a plan, and to submit it to Congress.

The band is a party to two treaties with the United States. The Treaty of Box Elder of 1863 was entered into to secure the peace and friendship of the Northwestern Band after the Bear River massacre wherein approximately 250 Indians, more than in any other battle in U.S. history, were killed by troops under the command of Col. Patrick Connor. In 1868, the band was party to the treaty of Fort Bridger wherein title to vast acres of lands, was extinguished by the United States.

After losing all their land to the settlers in the 1800's, the Northwestern Band received 40 homestead patents for a total of approximately 4,800 acres of land. All but four remain in Indian ownership as the rest were sold for taxes by the county or in anticipation of a tax sale.

The band has approximately 300 members, most of whom live in northern Utah and southern Idaho. The tribe is governed by a tribal council elected by the tribal membership. Most members originally resided at Washakie, UT, on a church farm. In, the 1950's most left the area to look for work. In 1984, 184 acres of land, which was returned to the Northwestern Band of the Shoshoni by the Church of Jesus Christ of Latter-Day Saints, was placed in trust for the band by the United States. This land is currently leased to a local Box Elder County farmer.

Historically, the band has not received significant Federal services such as have been available to other tribes. The United States did not establish a reservation for the Western Band of the Shoshoni and it is only in the last few years that the Bureau of Indian Affairs has provided services to the band. Like many Native Americans, the Northwestern Band of the Shoshoni members suffer from high unemployment. Because funds have not been available, the health needs of the band are undoubtedly not being met; no housing is available on the land of the Washakie.

Because the tribal council has determined that the band wishes to reside at Washakie and many of the tribal members live in my district it is appropriate to introduce legislation which will authorize the Secretary of the Interior to formulate an economic development plan for the tribe to the Congress, including a review of Federal services being provided to the tribe.

H.R. 2370

*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 "Economic Development Plan for the Northwestern Band of the Shoshoni Nation Act".

#### SEC. 2. ECONOMIC DEVELOPMENT.

(a) **PLAN FOR ECONOMIC DEVELOPMENT.**—The Secretary shall—

(1)(A) enter into negotiations with the tribal council with respect to establishing a plan for economic development for the tribe, including (but not limited to) the provision of Federal services to the tribe; and

(B) in accordance with this section and not later than 2 years after the date of the enactment of this Act, develop such a plan; and

(2) upon the approval of such plan by the tribal council (and after consultation with the State and local officials pursuant to subsection (b)), the Secretary shall submit such plan to the Congress.

(b) **CONSULTATION WITH STATE AND LOCAL OFFICIALS REQUIRED.**—To assure that legitimate State and local interests are not prejudiced by the proposed economic development plan, the Secretary shall notify and consult with the appropriate officials of the State and all appropriate local governmental officials in the State. The Secretary shall provide complete information on the proposed plan to such officials, including the restrictions on such proposed plan im-

posed by subsection (c). During any consultation by the Secretary under this subsection, the Secretary shall provide such information as the Secretary may possess, and shall request comments and additional information on the extent of any State or local service to the tribe.

(c) **RESTRICTIONS TO BE CONTAINED IN PLAN.**—Any plan developed by the Secretary by the Secretary under subsection (a) shall provide that—

(1) any real property transferred by the tribe or any member to the Secretary shall be taken and held in the name of the United States in trust for the benefit of the tribe;

(2) any real property taken in trust by the Secretary pursuant to such plan shall be subject to—

(A) all legal rights and interests in such land existing at the time of the acquisition of such land by the Secretary, including any lien, mortgage, or previously levied and outstanding State or local tax; and

(B) foreclosure or sale in accordance with the laws of the State pursuant to the terms of any valid obligation in existence at the time of the acquisition of such land by the Secretary;

(3) any real property transferred pursuant to such plan shall be exempt from Federal, State, and local taxation of any kind; and

(4) the territorial jurisdiction of the tribe shall be limited to real property taken or held in trust by the Secretary for the tribe or individual members of the tribe.

(d) **APPENDIX TO PLAN SUBMITTED TO THE CONGRESS.**—The Secretary shall append to the plan submitted to the Congress under subsection (a) a detailed statement—

(1) naming each individual and official consulted in accordance with subsection (b);

(2) summarizing the testimony received by the Secretary pursuant to any such consultation; and

(3) including any written comments or reports submitted to the Secretary by any party named in paragraph (1).

#### SEC. 3. DEFINITIONS.

For the purposes of this Act the following definitions apply:

(1) The term "Constitution" means the Constitution and Bylaws of the Northwestern Band of the Shoshoni Nation in effect on the date of the enactment of this Act.

(2) The term "member" means those persons eligible for enrollment under the Constitution of the Northwestern Band of the Shoshoni Nation.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "State" means the State of Utah.

(5) The term "tribe" means the Northwestern Band of the Shoshoni Nation.

#### PRAISE FOR BELLFLOWER MAYOR JOSEPH E. CVETKO AS HE ENDS HIS TERM AS MAYOR OF THE CITY OF BELLFLOWER

**HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DYMALLY. Mr. Speaker, each year in the city of Bellflower, as in other local governments, the city council reorganizes to appoint a new mayor and mayor pro tem.

Mayor Joseph E. Cvetko was first elected to the Bellflower City Council in April 1984. In

April 1985, Joseph E. Cvetko was honored by his city council colleagues and appointed as mayor pro tem of the "friendly city of Bellflower."

In April 1986, Joseph E. Cvetko was selected to serve as mayor. During his tenure, he has fought vigorously to maintain and improve the beauty of the friendly city of Bellflower. Close to his heart is a proposed program to improve the Southern Pacific Railroad right-of-way with trees and shrubbery along the entire stretch of track through the city of Bellflower.

Another one of Mayor Cvetko's programs was to assist local youngsters to have the willpower and knowledge to say no to drugs. Bellflower's Red Ribbon Week reached thousands of youngsters that hopefully now have the courage and the determination to resist the perils of drug abuse.

Mayor Cvetko opens each city council meeting with the phrase, "We are glad you are able to attend this evening's meeting. This is your city council meeting." Mayor Cvetko truly believes this and is always available to meet with residents to discuss matters of mutual concern whether it be in city hall or at that person's house at virtually any time of day. Mayor Cvetko is a man that truly believes in a representative government and maintains an open door policy which has become a trademark of the friendly city of Bellflower.

Mayor Cvetko has been married to his wife Marie for 40 years. The couple celebrated their 40th wedding anniversary at a gala celebration on Sunday, March 12, at the Bellflower Women's Club.

On April 13, 1987, Joseph E. Cvetko concluded his term as mayor of the city of Bellflower. I wish to join his city council colleagues, his family, and the residents of the city of Bellflower and congratulate him on his successful term as mayor and wish him the best of luck with the future.

#### CONGRATULATIONS TO THE B.C.C. B.P.W.

**HON. CONSTANCE A. MORELLA**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mrs. MORELLA. Mr. Speaker, I am proud to honor the Bethesda-Chevy Chase Business and Professional Women as they celebrate their fifth year. These women are entrepreneurs, managers, and leaders. They began as the "nontraditional," but increasingly became the "traditional" in our work force.

Five years ago, these business and professional leaders came together as "women helping women." Now they are working together to bring improvements to the community and to the lives of other women. As part of both a State and a national organization, they increasingly communicate with those of us in government, and we are hearing from them just as we hear from the chamber of commerce, the AFL-CIO, the National Federation of Independent Business, and the Sierra Club.

I congratulate the members, the past officers, and the new officers led by Pat Cornish. May they continue to "reach out and make a difference."



The BPW is truly making a contribution to the welfare of all of us. I wish them a future that will meet their highest expectations.

# TRIBUTE TO ARTHUR M. WALTERS

## HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. MAZZOLI. Mr. Speaker, on May 14, 1987 the people of Louisville and Jefferson County will celebrate "Arthur M. Walters Day" to honor one of our most outstanding citizens for his lifetime of commitment to public service.

Arthur Walters is stepping down as executive director of the Louisville Urban League after nearly 25 years of distinguished service with the organization, which was preceded by 20 years of service in the U.S. Army, retiring at the rank of lieutenant colonel.

During his tenure with the Urban League, Arthur has earned many accolades from civic and professional groups for his work on behalf of disadvantaged residents of Louisville and Jefferson County. These awards are testament to the respect and admiration we all hold for him as an individual and for his contributions to our community.

I commend to the attention of my colleagues the accompanying news article and editorial which appeared recently in the Courier-Journal about Arthur Walters' remarkable career.

We know that Arthur's retirement will not really end his very active involvement in our community's activities. But this occasion affords us all an opportunity to say thanks and to offer our appreciation. If the measure of a community's spirit and pride in itself can be reflected in the leadership qualities, integrity, and willingness of its people to become involved citizens, then we have an outstanding model in Arthur.

I join with Arthur's many friends and colleagues in congratulating him for his outstanding record of service to his country, our community and its people. And, I wish Arthur, and his wife Noralee, much health and happiness in the years ahead.

### WALTERS PASSING BATON OF LEADERSHIP AT URBAN LEAGUE

(By Everett J. Mitchell II)

Art Walters has been a long-distance runner in the race for racial justice.

On May 31, after 24 years with the Louisville Urban League, the past 17 as executive director, Walters will pass the baton of leadership.

In honor of his achievements, next Thursday has been deemed "Art Walters Day" in Louisville.

Activities will include a parade, luncheon and recognition programs sponsored by government and civic groups. Robert Tinnin, director of the Minority Business Development Agency in Louisville, described Walters as "one of the most resourceful, quiet diplomats."

"He doesn't necessarily have to stand up on a soapbox and stomp to get people's attention, to let them know what course he would suggest for them to follow," Tinnin said.

Walters, 68, who is married and has two daughters and one son, was born in Magnolia, Ky., in LaRue County.

Though diminutive in stature, Walters is tough, according to the Rev. Louis Coleman, who worked under Walters at the Urban League from 1970 to 1978.

Coleman, now executive director of the Presbyterian Community Center, said that, as an administrator, Walters is "tops in the whole Urban League movement."

"He is strictly a business person. . . . He is firm, fair and doesn't play favorites," Coleman said.

Betty Fox, director of the Kentuckiana Minority Suppliers Development Council, praised Walters' support of blacks in business.

"He has been the liaison person needed for the black entrepreneur in Louisville," she said. "He is the type to not close his door if you need some type of assistance to enhance your personal business growth."

Art Walters' leadership style is quiet, philosophical and analytical. He often works behind the scenes.

His style was evident 16 years ago during an Urban League forum at Grace Presbyterian Community Center to discuss allegations of racism and brutality toward blacks by members of the Louisville Police Department.

A news account described the meeting as heated and one during which "younger and more vocal" blacks "battled for control."

But Walters prevailed.

"What we need to do here tonight is to make an effort to recruit blacks for the force. . . . Let's go away from here tonight with some understanding and some plans for positive, progressive change."

Walters has been a catalyst, an organizer and an initiator of programs designed to improve the quality of life for black Louisvillians.

During the 1960s, he helped open doors for blacks to get skilled jobs. He designed Kentucky's first federally funded, on-the-job training program. He helped lay the foundation for the integration of local labor unions and initiated programs to help reduce the number of youths dropping out of school.

Walters experienced discrimination firsthand. He was drafted into a segregated U.S. Army, where he served 20 years and was active in World War II and the Korean war.

Walters, who rose to the rank of lieutenant colonel, played a crucial role in helping to desegregate the U.S. armed forces.

"After two wars of putting my life on the line trying to make the world safe for democracy, I came back to Louisville and was refused service in 60 percent of the public accommodations," Walters said last week.

He joined the Urban League in 1963, seeing it as yet another way to continue his efforts to dismantle racism and segregation.

In his first job as industrial-relations secretary, Walters said, "I had people seeking jobs who didn't have anything to sell, who didn't have a marketable talent. Yet they were persons who had financial obligations, who were heads of households."

"These people could not afford to sit in a classroom and do without an income while they learned as skill that was not going to pay them much of an income even after they learned it."

Those experiences were what caused Walters to develop the on-the-job training program.

After seven years, Walters was named the league's executive director.

In the top spot, Walters said, he found "a broader opportunity to put my own style and thoughts about how you proceed. . . ."

"I don't believe that the soapbox is necessarily the answer to how you solve things. The squeaking wheel gets grease, but there must be the ability to move beyond the agitation and to sit in the boardroom and talk about policy, not just in solving the particular issue at hand, but issues that are correlated."

Walters' successor is expected to be named early next week. His admirers say his shoes will be tough to fill. But, Walters said:

"Nobody should be looking for an Art Walters. Whoever replaces me stands on a platform and rung that Art Walters put on the ladder."

"Art Walters Day" activities will include a parade at 8 a.m. from Urban League headquarters at 2600 Broadway to Plymouth Congregational Church at 1630 W. Chestnut St.; a government program at 10:30 a.m. in the Fiscal Court Room at the Jefferson County Courthouse; a noon luncheon in the Archibald Cochran Room at the Galt House, and a civic recognition program at 2 p.m. in the Bomhard Theater at the Kentucky Center for the Arts.

### BRIDGE-BUILDER

(By Clarence Matthews)

Arthur M. Walters remembers white children aboard school buses shouting racial insults at him, his brother and sister as they walked eight miles each day from their farm home near Magnolia to a segregated black school in Buffalo, KY.

There was no local high school for black students. So Walters later moved in with relatives to attend all-black Bond-Washington High School in Elizabethtown.

Like many blacks who grew up under similar conditions in the South, Walters persevered. He went on to earn degrees from Colorado College and the University of Louisville. He also served as an Army officer in World War II, the Korean conflict and peacetime duty in Europe.

But nothing had changed years later when retired Lt. Col. Walters—fresh out of uniform—returned to Kentucky in the midst of the 1960's civil-rights movement. He was denied service at Louisville restaurants, theaters and lunch counters.

Walters could have become bitter. Instead, he became a bridge-builder among ethnic, racial and religious groups as executive director of the Louisville Urban League and one of Kentucky's best known and respected civil-rights leaders.

Now Walters will retire May 31, ending 24 years service with the agency, the last 17 as executive director. Community leaders and organizations last month began a series of tributes to him in recognition of his work on behalf of minorities and the disadvantaged.

"He listens carefully and knows how to treat people," said the Rev. Edgar S. Goins, president of the Interdenominational Ministerial Coalition, at last month's monthly meeting of the influential religious organization.

Similar praise by officials of the National Urban League, local government and civil-rights leaders is expected at receptions and programs planned in honor of Walters later this month.

The tributes are well deserved, but they probably will fall short of reflecting Walters' achievements or his importance to the community, black and white.

Besides working to bring ethnic, religious and racial groups together, Walters has been the chief architect of Urban League job training, employment and educational programs that have helped minorities and the disadvantaged to better their lives.

He has not done it alone. The league's board, staff and volunteers, plus funds from Metro United Way, government, memberships and private sources have contributed in major ways.

But it has been Walters' calm, straightforward leadership style, coupled with a common-sense approach to problem-solving, that propelled the local league from an anemic agency to an efficient social-service organization that has been held up as a model by the league's national leaders.

When Walters joined the league as industrial relations secretary in 1963, the organization had a staff of five—three professionals, a secretary-receptionist and a part-time secretary—and an annual budget of about \$55,000.

These numbers were about the same in 1970 when Walters became executive director. The agency also was under fire from the National Urban League for failing to meet standards set by the parent organization. Walters set out to involve more of the community, black and white, in the resurgence of the league.

It worked.

The league staff has since grown to 25, including 19 professionals, and the annual budget has soared to more than \$900,000. Meantime, the agency now offers a variety of assistance through its divisions of education and youth, economic development and employment, housing and family services.

More than 5,000 people were helped last year by the league. Persons hired after receiving assistance from the agency's job training programs added \$4.3 million in purchasing power to the local community and \$315,600 in new tax revenue, according to the league's annual report.

"I'm extremely proud of the distance we have come," Walters says. "Our expanded resources have meant more money for staff and diversified services, such as educational assistance for disadvantaged students, money to help families threatened with foreclosures, and economic development."

What will Walters do in retirement?

"I'm not the type to just sit in a rocking chair," he says. Indeed, he already has committed himself to consulting and volunteer work in several local educational programs for disadvantaged youths.

Walters says he also might write a book based on his Army and league experiences.

"I might call it 'Making the World Safe for Democracy: In Search of Equal Opportunity,'" he says. "But I will always be an Urban leaguer."

#### FIRST PRESBYTERIAN CHURCH OF JAMAICA CELEBRATES 325TH ANNIVERSARY

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. ACKERMAN. Mr. Speaker, on May 15, the congregation of the First Presbyterian Church of Jamaica, in Queens County, NY, will gather to recall the past and to celebrate the future. The purpose of this get-together is to commemorate the 325th anniversary the

oldest continuously worshipping Presbyterian congregation in the United States.

This church was established in 1662, but did not have a place to call home until 1699, when the first building was erected. In 1813, a new structure was built on the same site, which today is known as Jamaica Avenue. In 1920, the entire building was lifted from its foundation and moved to where it presently sits on 164th Street in Jamaica. The worshiper here are certainly proud of the history of their church, and they remember the past. A plaque bearing the name of every minister to have served this congregation rests inside the building! This represents a living link to years gone by.

For over three centuries, the First Presbyterian Church of Jamaica has been serving the needs of the Queens community. The church has programs to meet the needs of all, from juveniles to senior citizens. The youth program encourages adolescents to become involved in their community, and to take an active interest in affairs that concern them. Adults have the opportunity to learn such diverse skills as Spanish, oil painting or sewing. The Jamaica Service Program for Older Adults, one of the most prominent and respected senior citizen organizations in the State, was founded at this church. First Presbyterian also plays a very active role in the Greater Jamaica Improvement Association.

The First Presbyterian Church of Jamaica, under the able leadership of the Reverend Raymond E. Swartzback, serves as a role model for peace, love, and understanding. This church is a microcosm of the melting pot that is New York. The members of this congregation come from all over the globe, 32 nations in all. These worshipers speak 14 languages, yet there is harmony within the congregation. If the rest of the world could cooperate like these people do, this would be a much healthier planet.

I am sure that this outstanding institution will be around for generations to come, making the Jamaica of the future an even better community, just as the church has made all of Queens a better place today.

Mr. Speaker, I call on all of my colleagues in the U.S. House of Representatives to join me in celebrating this joyous and historic occasion, the 325th anniversary of the First Presbyterian Church of Jamaica.

#### TRIBUTE TO SHELL'S WILMINGTON MANUFACTURING COMPLEX

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. ANDERSON. Mr. Speaker, it is an honor for me to pay tribute to the Shell Oil Co.'s manufacturing complex in Wilmington.

The Shell Oil Co.'s manufacturing complex has something to be very proud of. The 700 employees of the complex set an all-time manufacturing location record of the most consecutive hours worked without a lost time injury, namely 6,687,758 hours.

The Wilmington complex's incredible safety record began on November 18, 1982, and has

continued since then to the present day. This comes out to 1,625 consecutive flawless days.

Because of the commitment and hard work demonstrated by both management and labor at the Shell manufacturing complex in achieving a high level of safety, the complex recently received for the second consecutive year, Shell's Prestigious Products Safety Award. This award recognizes the complex's excellent health and safety performance, as well as being the safest refinery in the Shell system.

A commitment to safety is nothing new for the Wilmington Shell manufacturing complex. In 1985, it received the National Safety Council's highest commendation, the Award of Honor. Additionally, the National Petroleum Refiners Association awarded the Shell manufacturing complex in Wilmington with the Distinguished Safety Award, a highly respectable award that was given to three refineries in the entire country.

It is with great pride that I pay tribute to the Shell Oil Co.'s Wilmington manufacturing complex. Its safety record is no doubt something it should be proud of. I am confident that the complex will keep up the good work.

#### RALPH BUSTRUM RECOGNIZED FOR 50 YEARS OF SERVICE TO THE BOY SCOUTS OF AMERICA

**HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 11, 1987*

Mr. DYMALLY. Mr. Speaker, on Monday, March 9, 1987, members of the Bellflower City Council honored Bellflower resident Ralph Bustrum for 50 years of service to the Boy Scouts of America. During this 50 years, Mr. Bustrum received the coveted Bellflower-Somerset District Scouters Award and the prestigious Silver Beaver Award presented by the National Council of the Boy Scouts of America.

Mr. Bustrum, a Bellflower resident since 1924, recently retired after 33 successful years as supervisor of patient accounts at Rancho Los Amigos Hospital in Downey, CA.

For the last 2 years, Mr. Bustrum has been a member of the Bellflower Planning Commission.

It gives me great honor to join with members of the Bellflower City Council in honoring Ralph Bustrum for his many years of outstanding service to the local Bellflower youth through the Boy Scouts of America.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when sched-



uled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 12, 1987, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## MAY 13

9:30 a.m.

Banking, Housing, and Urban Affairs Securities Subcommittee

To hold oversight hearings to review the proposed budget request for the Securities and Exchange Commission.

SD-538

Commerce, Science, and Transportation Consumer Subcommittee

To hold hearings on proposed legislation authorizing funds for the Consumer Product Safety Commission.

SR-253

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

Environmental Protection Subcommittee Hazardous Wastes and Toxic Substances Subcommittee

To continue joint hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.

SD-406

Judiciary

Patents, Copyrights and Trademarks Subcommittee

Business meeting, to mark up S. 568 and S. 573, bills to protect patent owners from importation into the United States of goods made overseas by use of a United States patented process.

SD-562

10:00 a.m.

Appropriations

Legislative Branch Subcommittee

To hold closed hearings on proposed budget estimates for fiscal year 1988 for the Legislative Branch.

SD-124

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988, to receive public testimony on certain programs of the Departments of Commerce, Justice, State, the Judiciary, and related agencies.

S-146, Capitol

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportation and related agencies.

SD-138

Judiciary

To hold hearings on drug testing issues.

SD-226

Labor and Human Resources

Business meeting, to consider pending calendar business.

SD-430

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on ocean and coastal programs.

SR-253

Governmental Affairs

Business meeting, to discuss certain trade proposals.

SD-342

Judiciary

Antitrust, Monopolies and Business Rights Subcommittee

To hold hearings on S. 443, to provide that rail common carriers shall not be immune from private suits for damages or injunctive relief under the antitrust laws.

SD-562

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:30 p.m.

Judiciary

To hold hearings on pending nominations.

SD-226

## MAY 14

8:00 a.m.

Judiciary

Constitution Subcommittee

Business meeting, to mark up S. 558, to revise the procedures for the enforcement of fair housing under title VIII of the Civil Rights Act of 1968.

SD-226

9:00 a.m.

Governmental Affairs

Federal Services, Post Office, and Civil Service Subcommittee

To hold joint hearings with the House Committee on the Post Office and Civil Service's Subcommittee on Census and Population to review the 1990 census questionnaire.

SD-342

Rules and Administration

To consider a request from the Committee on Agriculture, Nutrition, and Forestry for supplemental funds for the fiscal year ending September 30, 1987, and to hold hearings on an alternative to the Senate subway system.

SR-301

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume markup of S. 512, to promote the export of U.S. agricultural commodities.

SR-332

10:00 a.m.

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportation and related agencies.

SD-138

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

Environment and Public Works

Environmental Protection Subcommittee Hazardous Wastes and Toxic Substances Subcommittee

To continue joint hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.

SD-406

Judiciary

To hold joint hearings with the House Select Committee on Narcotics Abuse and Control on S. 789, to provide the framework necessary to pursue a coordinated and effective national and international narcotics control policy.

SD-226

Labor and Human Resources

Education, Arts, and Humanities Subcommittee

To resume hearings on S. 373, authorizing funds for programs of the Elementary and Secondary Education Act.

SD-430

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

10:15 a.m.

Veterans' Affairs

Business meeting, to consider proposed legislation providing employment assistance to veterans, and proposed legislation relating to VA construction.

SR-418

1:00 p.m.

Judiciary

Courts and Administrative Practice Subcommittee

Business meeting, to mark up S. 548, Retiree Benefits Security Act.

SD-106

2:00 p.m.

Environment and Public Works

Nuclear Regulation Subcommittee

To hold hearings to review allegations of improper influence on the Nuclear Regulatory Commission's Shoreham adjudicatory licensing proceeding.

SD-406

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

## MAY 15

9:00 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on S. 970, authorizing funds for a research program for the modification of plants and plant mate-

rials to develop new marketable industrial and commercial products.

SR-332

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee  
To hold hearings on S. 506, Digital Audio Recorder Act.

SR-253

Governmental Affairs

Oversight of Government Management Subcommittee

To hold hearings to examine activities of the Food Safety and Inspection Service of the Department of Agriculture.

SD-342

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Housing and Urban Development, and independent agencies.

SD-124

Labor and Human Resources

Business meeting, to resume consideration of S. 538, to implement the recommendations of the Secretary of Labor's Task Force on Economic Adjustment and Worker Dislocation, and other pending calendar business.

SD-430

2:00 p.m.

Labor and Human Resources

To resume hearings to review Federal efforts in AIDS research.

SD-430

## MAY 18

10:00 a.m.

Finance

Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee

To hold hearings on the status of the Pension Benefit Guaranty Corporation (PBGC), and on proposals to increase the PBGC premium and to change the rules governing minimum plan funding.

SD-215

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings on pending nominations for the Board of Directors of the Corporation for Public Broadcasting.

SR-253

Energy and Natural Resources

To hold hearings on proposed legislation to expand the clean coal technology program.

SD-366

## MAY 19

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on atmosphere and satellite programs.

SR-253

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1145 and H.R. 278, bills to provide Alaska Natives with certain options for the continued ownership of lands and corporate

shares received pursuant to the Alaska Native Claims Settlement Act.

SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Commerce, Science, and Transportation

To resume hearings on S. 907, to further United States technological leadership by providing for support by the Department of Commerce of cooperative centers for the transfer of research in manufacturing.

SR-253

Governmental Affairs

Business meeting, to consider S. 328, Prompt Payment Act Amendments of 1987, the nomination of Norma Pace, of Connecticut, to be a Governor of the U.S. Postal Service, and proposed trade legislation.

SD-342

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

## MAY 20

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume oversight hearings on the implementation of the Federal Insecticide, Fungicide, and Rodenticide Act, focusing on pesticide residues in domestic and imported food.

SR-332

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Governmental Affairs

Business meeting, to continue markup of trade legislation.

SD-342

10:00 a.m.

Appropriations

Military Construction Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for Army military construction programs.

SD-192

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Judicial Conference, Commission on the Bicentennial of the Constitution, U.S. Sentencing Commission, and the State Justice Institute.

S-146, Capitol

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Energy and Natural Resources

To hold oversight hearings to review energy security issues.

SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

## MAY 21

8:45 a.m.

\*Veterans' Affairs

To hold hearings on S. 6, Veterans' Health Care Improvement Act, S. 216, to increase the per diem rates paid to States for providing care to veterans in State homes, S. 631, to improve the procedures for the procurement of medical and pharmaceutical supplies by the VA, S. 713, to facilitate the recruitment of registered nurses by the VA, proposed Veterans Administration Health Care Personnel Act of 1987, and other related proposals, and proposed legislation approving VA construction of major medical facilities.

SR-418

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

1:15 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on H.R. 799, to designate a segment of the Kings River, California, as a wild and scenic river, and H.R. 626, to convey certain Federal public lands in Cherokee, DeKalb and Etowah Counties, Alabama, to any trustee who will convey such lands to the current owners of record.

SD-366

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

## MAY 27

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building



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## EXTENSIONS OF REMARKS

11969

MAY 28

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition  
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition  
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 29

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition  
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition  
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

JUNE 2

9:30 a.m.

Energy and Natural Resources  
To hold hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 4

9:00 a.m.

Office of Technology Assessment  
The Board, to meet to consider pending business.

EF-100, Capitol

9:30 a.m.

Commerce, Science, and Transportation  
Business meeting, to consider pending calendar business.

SR-253

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 5

9:30 a.m.

Energy and Natural Resources  
Water and Power Subcommittee

To hold hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 8

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 10

9:30 a.m.

Veterans' Affairs

To hold hearings on S. 9, Service-Disabled Veterans' Benefits Improvement Act, S. 453, to improve the standards for determining whether a radiation-related disease is service-connected, and other related proposals.

SR-418

JUNE 11

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 17

10:00 a.m.

Veterans' Affairs

To hold oversight hearings on the implementation of the Veterans Administration loan guaranty program, and on proposed legislation relating to the VA loan guaranty program.

SR-418

JUNE 18

9:30 a.m.

Energy and Natural Resources  
Water and Power Subcommittee

To resume hearings on current water-related programs of the U.S. Geological

Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 30

9:30 a.m.

Veterans' Affairs

Business meeting, to consider S. 6, Veterans Health Care Improvement Act, S. 9, Service-Disabled Veterans Benefits Improvement Act, proposals providing VA compensation, pension, education assistance, home loan, and other related benefits, and proposed legislation providing for disability payments based on nuclear-detonation radiation exposure.

SR-418

## CANCELLATIONS

MAY 12

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for certain export financing programs.

S-126, Capitol

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 84, authorizing funds for the Land and Water Conservation fund, and S. 735, relating to the distribution of revenues received under the Land and Water Conservation Fund Act.

SD-366

MAY 13

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for foreign assistance programs.

S-126, Capitol

JUNE 23

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings to review proposed budget estimates for fiscal year 1988 for the Department of State.

SD-192