HOUSE OF REPRESENTATIVES—*Tuesday, April 12, 1988*

The House met at 12 noon.

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

Just as we pray for ourselves and our immediate needs, O God, so this day our hearts reach out to those people whose lives are filled with frustration, fear, and pain. We pray for those suffering from hostilities and war that there may be peace; we pray for hostages everywhere whose lives are tormented by anxiety that they may return to their families; we pray for victims of persecution, for those who know not the freedoms we enjoy that they find justice and respect. Teach us, gracious God, to remember all Your people in our prayers that Your will may be done on Earth as it is in Heaven. 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.

APPOINTMENT OF CONFEREES ON H.R. 2616, VETERANS' ADMINISTRATION HEALTH-CARE AMENDMENTS OF 1987

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2616) to amend title 38, United States Code, to improve health-care programs of the Veterans' Administration, with the House amendments to the Senate amendments thereto, insist on the House amendments to the Senate amendments, and to agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? The Chair hears none, and appoints the following conferees: Mr. MONTGOMERY, Mr. APPLEGATE, Ms. KAPTUR, and Messrs. ROWLAND of Georgia, SOLOMON, and HAMMERSCHMIDT.

MILITARY CONTRACTING WITH PRIVATE FIRMS

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

Mr. ST GERMAIN. Mr. Speaker, for many years now, I and many of my distinguished colleagues have been engaged in a debate over the question of the military contracting with private firms for certain services.

Although the administration has argued that private contracts are the most cost-effective means of providing certain essential services—such as security and maintenance—I have steadfastly maintained the position that whatever dollars are saved in the short term are more than lost in the long. Often, quality service is sacrificed at the altar of cost efficiency, creating situations in which saving money is really no savings at all.

A perfect example of this has emerged in my district, where controversy has arisen between employees and the firm United International Investigative Services, which is under contract to provide security for the Naval Underwater Systems Center. In this case, many employees' paychecks have bounced, causing personal embarrassment and genuine hardship as workers have been unable to pay their rent or buy groceries.

Repeated efforts by my office to resolve the difficulties have met with resistance from both the firm and the Navy. No one seems to care. The Navy claims it has no jurisdiction in dealing with United International; United International has been intermittent in its responsiveness. Workers' calls to my office to complain die down for a time, then start up again shortly thereafter.

This kind of fiscal turmoil is quite naturally affecting the morale and, I presume, the performance of the employees. Given the importance of NUSC, security should—must—be of paramount importance at the facility. Yet with the ongoing troubles the company has meeting its payroll obligations on time and in full, the firm's ability to do its job is certainly deserving of doubt. Recently, for example, several guards walked off the job in protest of repeatedly bounced checks. I am not alone in my sense of both skepticism and frustration over this ludicrous situation.

Mr. Speaker, the pile of evidence that indicates that private contracting for certain types of service to the military is not the most cost-effective manner of handling such things as security and maintenance. Although the balance sheet may reflect a savings, the human price is not figured into that equation. Ultimately, there is even the possibility that the taxpayers will suffer; if the Government eventually must step in, the people will pay double for what could have been handled satisfactorily in-house.

I am not suggesting, Mr. Speaker, that all private contracts of this type awarded by the military are wrong. But I do believe that many of them possess serious enough drawbacks that we should carefully consider whether we want to continue to encourage this practice in the future.

SANDINISTA STRATEGY DOCUMENT

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

Mr. LAGOMARSINO. Mr. Speaker, reports were circulating last week about a Sandinista document laying out strategy to eliminate all opposition to their regime in Nicaragua. Sandinista government officials claim the document is a "crude falsification."

Whether it is real or fake, the document has the appearance of reality because it lays out in clear terms what is obvious: The Sandinistas are determined to stay in power by any means necessary.

The document reportedly states the lifting of press restrictions at the same time as freeing antigovernment prisoners creates an "exposive potential that is highly dangerous for revolutionary power." And although it says the "key task" is to defeat the Contras, the internal opposition is also a prime target. The document says, "we will take all available measures to divide and splinter the opposition. At these moments, we cannot renounce revolutionary terror." Cardinal Obando y Bravo is also mentioned in the document, which says he "will always be our enemy, and it is not convenient to maintain him" in the position as mediator of the cease-fire talks. Whether they wrote it or not, so far the Sandinistas seem to be following the script very closely.

MASSACHUSETTS PORT AUTHORITY COULD DEAL A DEATH BLOW TO GENERAL AND COMMUTER AVIATION

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

Mr. GLICKMAN. Mr. Speaker, it is time for Congress to step in and stop a proposal that poses serious problems for interstate commerce that would wreak havoc on general aviation and commuter airlines. The Massachusetts

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Port Authority wants to increase landing fees by up to 150 percent for commuter carriers and general aviation at Boston's Logan Airport. This proposal, if it is allowed to go into effect, will freeze these segments of aviation and thousands of air travelers out of the Boston airport. More troubling is the reality that it could be copied by airport after airport around the country. Can you imagine the effect on aviation and our constituents if general and commuter aircraft were effectively denied access to Chicago's O'Hare, Dallas-Fort Worth, Atlanta, Denver, St. Louis, and a whole slew of other airports in this country?

To deny travelers from less populated areas who are dependent on commuter airlines and general aviation for air service the right to fly into these airports by imposing prohibitive and discriminatory fees is blatantly unfair. It destroys the concept of a national air travel system and would seriously hurt rural areas whose people need access to major airports to carry out their business. I urge my colleagues to support H.R. 4074 that would block enactment of this discriminatory landing fee proposal until the Transportation Secretary could consider its full implications on the Nation's airway system, and also to sign a letter that the gentleman from Oregon [DENNY SMITH], and I are circulating asking that the FAA administrator delay this Massachusetts Port Authority decision.

SUSPEND MOST-FAVORED-NATION TRADING STATUS WITH YUGOSLAVIA

(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, there was an Iranian-Libyan arms exchange. Iran received sophisticated acoustic mines from Libya.

I find it shocking to note where Libya obtained these mines. They were purchased from Yugoslavia. Yet, Yugoslavia is one of only two Eastern bloc nations which enjoys unrestricted, most-favored-nation trading status from the United States.

They also ship an awful lot of Yugos over here, and we are supposedly counteracting communism. I think it is time, and I do not think we can find a stronger reason, to change our trading agreement with Yugoslavia. It is time we canceled that out.

I am asking today to suspend most-favored-nation trading status to Yugoslavia and to support legislation, H.R. 3577.

Finally, I think we should also look at their human rights violations. Yugoslavia certainly has an awful lot of them, and we should be challenging them.

UNITED STATES MUST RESIST FURTHER TRADE BARRIERS

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

Mr. GRANDY. Mr. Speaker, I realize that last night was Oscar night, but I hope the film that Members of this body have been watching was the one that was reviewed by the Washington Post this last Saturday. The headline reads, "Japanese Film Exacerbates Trade Tensions."

In the article by Ward Sinclair, and let me read the first two paragraphs to give you an idea what the plot of this little film is:

> Citrus is shown rotting on the docks at Yokohama, disfigured human fetuses float in laboratory jars, monkeys supposedly deformed by tainted food grovel in their pens, hospitalized children display mysterious skin diseases, airplanes spray clouds of chemicals on farm fields.
>
> The film's message is clear: Japan is being poisoned with imported foods. Then a blue-eyed baby doll flashes onto the screen. The narrator says, "Once you sent us this lovely gift of friendship and now you send us poison. . . . If Japanese consumers are being poisoned, is it good to have this open trade with the United States?"

The timing of this feature is interesting, Mr. Speaker. It coincides with the end of the beef and citrus agreement on March 31 of this year. The Agricultural Central Union Cooperatives, Zenchu, is behind this to promote the lack of understanding, a lack of understanding between the United States and its Japanese trading partners on an agreement the Japanese have already agreed to; namely, to expand United States beef quotas into Japan.

I hope that the Members will not be taken in by this particular piece of propaganda at a time of high trade deficits. It is imperative that the United States resist further trade barriers against our products.

I have, to this end, introduced legislation which calls on the United States trade representative to pursue appropriate measures in order to liberalize the Japanese beef market, and I encourage my colleagues to cosponsor this legislation. Let us give the American producer a chance to expand his market share and, at the same time, eliminate foreign trade barriers and more lousy Japanese horror films.

THE LATE HONORABLE VERNON W. THOMSON

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

Mr. KASTENMEIER. Mr. Speaker, as dean of the Wisconsin delegation, it is my sad duty to announce to the House the passing of our former colleague, the Honorable Vernon W. Thomson of Wisconsin.

Vernon Thomson died on Saturday, April 2, at George Washington University Hospital in Washington, DC.

He was born in Richland Center, WI, some 82 years ago. He attended Carroll College and the University of Wisconsin Law School.

Vern began his career in public service as an assistant district attorney of Richland County. He also served as Richland Center city attorney from 1933 to 1940, and mayor of Richland Center from 1944 to 1950. In 1934, Vern was elected to the Wisconsin State Assembly and served until 1950. During his last three terms in the assembly, he served as speaker. In 1950, Vern was elected State attorney general and served until he was elected Governor of Wisconsin in 1956.

Although Vern was defeated for reelection in 1958, he was elected to the House of Representatives from Wisconsin's Third District in 1960 and served until 1974. He was in every sense one of Wisconsin's most memorable political leaders.

After leaving Congress, Vern was appointed by President Ford to serve on the Federal Election Commission and served as Chairman of the Commission in 1976–77 where he served with great distinction.

Mr. Speaker, I would like to extend my deepest sympathy to his family.

□ 1215

H.R. 3639, DIRECTING CENSUS BUREAU TO DEVELOP SEPARATE POPULATION FIGURES EXCLUDING ILLEGAL ALIENS

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

Mr. PETRI. Mr. Speaker, the Census Bureau has just issued some earth-shaking news: According to the Bureau, households with incomes of $50,000 or more are more likely to own a personal computer than households with incomes of $10,000 or less!

Now, clearly, this is vital and unexpected news from our friends at the Census. Unfortunately, however, while the Census Bureau is eager to count the numbers of personal computers in America, it refuses even to try to count the number of illegal aliens.

As a result, States with large illegal alien populations like California and Texas, will likely gain congressional seats after the 1990 census from States with small illegal alien populations—States like Pennsylvania and Iowa, for instance.

The Census Bureau is eager to count computers, outhouses, telephones, and so on, but not illegal aliens. The Census Bureau seems to think illegal

aliens deserve representation in the U.S. House of Representatives.

But I don't—which is why I urge my colleagues to support my bill, H.R. 3639, which would direct the Census Bureau to develop separate population figures excluding illegal aliens for purposes of reapportionment of seats in the House.

URGING GOVERNMENT OF JAPAN TO REVERSE THEMSELVES AND TO JOIN THE OTHER SIX COUNTRIES IN G-7

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

Mr. BEREUTER. Mr. Speaker, my colleague and neighbor, the gentleman from Iowa [Mr. GRANDY], just mentioned to you the outrageous film by Zenchu which has been shown in Japan at a time when we are at the end of a 4-year beef agreement after which, we had been led to believe, all quotas on imported beef would be dropped. Is it not interesting that the film is shown and negotiations are unsuccessful at a time when we have an omnibus trade bill pending? Is it not interesting that in fact the Japanese were able to delay consideration of beef quotas by GATT until May, at a time they expect to see that the trade bill will be enacted with or without the President's signature?

I wanted today, however, to concentrate my remarks specifically on another matter that happened just this last week in Japan. In the Japanese papers on Saturday the Economics Minister was quoted that he could not support the G-7 decision to push for changes in exchange rates of the newly industrialized countries [NIC's] Taiwan, South Korea, Singapore, and Hong Kong.

Now it is quite important and appropriate that in fact we have a solid front upon this exchange-rate requirement. In fact last year the projected trade deficit of the United States with these four countries was $38 billion.

With respect to the two with which the largest imbalance exists, South Korea and Taiwan, we also face incredible trade barriers against American products.

I ask the Japanese Economics Minister and the Government of Japan to reverse their recently announced position and to join the other six countries in the G-7 in pushing for appropriate changes in exchange rates by the four NIC's.

RALPH EUGENE CRAWSON: HE DREAMED THE IMPOSSIBLE DREAM

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, Robert F. Kennedy used to say, "Some men see things as they are and say why; I dream things that never were and say, why not."

Robert Kennedy would have liked Ralphie Crawson, who also dared to dream the impossible dream. The day Ralphie was born, his parents were told their little boy would never be able to run. As Ralphie grew up, he and his father Ralph didn't dwell on asking and reasking why he was born handicapped. Instead, they dreamed of and worked toward a day when he would be able to run, and said why not.

Ralphie did learn to run, and to swim, and to play volleyball, and to ski, and to play soccer. Working with his father, who is director of Montgomery County, MD's Special Olympics Program, Ralphie became a Special Olympics star. There have been 20 Special Olympics, and Ralphie Crawson participated in 19 of them. He was proudest of the gold medal he won as a member of the world championship volleyball team at the 1983 International Special Olympics.

But Ralphie didn't just love sports, he loved people, too. His "bear" hug was famous and every night before he went to bed he said prayers for his fellow Special Olympics athletes.

Tonight, his fellow handicapped athletes from all over Montgomery County will have a memorial service for Ralphie, who passed away last Friday. They, together, will continue to work at Ralphie's dream, will continue to move beyond "why this" and instead ask: why not?

TRIBUTE TO THE LATE HONORABLE VERNON W. THOMSON

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

Mr. GUNDERSON. Mr. Speaker, it is my sad duty to inform the House of the passing of former Wisconsin Third District Congressman Vernon W. Thomson during the recent Easter recess on April 2.

Vern Thomson spent almost all of his adult life in the public service of his city, county, State, and Nation. Born on November 5, 1905, he assumed the dual role of city attorney for Richland Center, WI, and the assistant district attorney for Richland County immediately following his graduation from the University of Wisconsin Law School in 1932.

First elected to the Wisconsin State Assembly in 1934, he was a member of that legislative body for eight consecutive terms (1935-51), serving as its speaker from 1939-45. It's no small accomplishment that, at a time when the average age of a member of the Wisconsin Assembly was close to 60, Vern Thomson was elected its speaker at 34.

In April 1944, Vern was also elected mayor of Richland Center, a position he held along with this assembly post until he was sworn in as Wisconsin's attorney general in 1951. During his tenure as attorney general and as a member of the Wisconsin Judicial Council, he presided over the first complete revision of Wisconsin's substantive criminal code as well as the modernization the State's children's code.

After serving three terms as attorney general, Vern Thomson was elected Governor of Wisconsin in 1956. Among other things, his term as Governor was marked by the passage of new, tighter lobby-control legislation which underscored the progressive political traditions of the State of Wisconsin through absolute prohibitions on gifts to State officers and employees.

Vern Thomson was subsequently elected as the Representative of Wisconsin's Third District to the U.S. Congress in 1960. He was elected to a total of seven consecutive terms and served on the Foreign Relations, Small Business, and the District of Columbia Committees during his 14-year tenure in the House.

Following his public service in the House, Vern Thomson was appointed by President Gerald Ford to a 5-year term on the newly revitalized Federal Elections Commission in 1975. He served as FEC Chairman from 1976-77.

Throughout his political career, Vern was not only known as an orator who could stir the passions of his colleagues and constituents, but as a man of vision as well. He warned us about deficits long before deficit spending became an annual occurrence. He worked to protect American workers long before we had a trade deficit. He was an environmentalist long before such preservation was fashionable.

This latter designation was particularly important to those of us who call western Wisconsin "home" for, even on his last day in Congress, Vern Thomson was working on fully funding his dream of making the lower St. Croix River a permanent part of our Nation's Wild and Scenic River System. In fact, with the passage of that legislation, the gentleman from North Carolina [Mr. TAYLOR] who was one of the floor managers of the bill commented that, with its passage, the lower St. Croix would forever be a monument to Vernon Thomson.

And it is a most fitting memorial to this avid fisherman who, more than any other man I have known, made public service an honorable profession for the rest of us to enter. We will

miss his wisdom and insight. His example, however, will remain with us forever.

COMMUNICATION FROM HON. BOB McEWEN, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. PICKETT) laid before the House the following communication from the Honorable BOB MCEWEN:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 11, 1988.

Hon. JIM WRIGHT,
Office of the Speaker,
H204 Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L(5) of the Rules of the House of Representatives, that an employee in my office has been served with a trial subpoena issued by the Common Pleas Court of Ross County, Ohio.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

BOB MCEWEN,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

DAN DANIEL ARMED FORCES RECREATION CENTER

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4155) to designate the Armed Forces Recreation Center at Fort DeRussy, HI, as the "Dan Daniel Armed Forces Recreation Center."

The Clerk read as follows:

H.R. 4155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Armed Forces Recreation Center at Fort DeRussy, Hawaii, shall be known and designated as the "Dan Daniel Armed Forces Recreation Center".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes and the gentleman from New York [Mr. MARTIN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Virginia, Dan Daniel, died on January 23 of this year. He was a close friend to a number of us here in the Congress and one of this country's great patriots.

Dan was an inspiration to all of us because of his devotion to a strong national defense. He worked hard as chairman of the Armed Services Readiness Subcommittee, and it is because of his love for country and his commitment to our military that we are here today.

I hope my colleagues will join me in support of this legislation to name the Armed Forces Recreation Center at Fort DeRussy after Dan Daniel. This bill does not appropriate any money and it does not change the name of Fort DeRussy itself. It simply renames the recreation center there in honor of our former colleague by adding two words.

Dan was always aware of the dedication of the military men and women who serve under difficult conditions all around the world. He also had a genuine concern for their morale.

Naming this recreation center after Dan Daniel will ensure that his work to keep morale high, and to provide for the recreational interests of our military personnel will be remembered in the years to come. This center will be used by our military stationed throughout the Far East Command, as well as the people of Hawaii.

This is a very small gesture of appreciation for Dan's lifetime of commitment to a strong national defense, but it is a fitting tribute, because it means his legacy will live on with the men and women he worked so hard for our Armed Forces.

I urge my colleagues to support H.R. 4155 in tribute to our friend and colleague from Virginia Dan Daniel.

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

Mr. MARTIN of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Mississippi for introducing this bill, and I urge my colleagues to support naming this recreation center after Dan Daniel.

All of us who knew Dan remember him for his most remarkable attributes of kindness and compassion for people. Dan had a special place in his heart for the welfare of the millions of soldiers, sailors, airmen, and marines who devote themselves so unselfishly to the defense of our Nation.

His support for the well-being of the military man and woman was repeatedly manifested in his unswerving support for resources to support the continuing effort to provide for an adequate quality of life for the American military.

On many occasions we witnessed Dan Daniel rising on the floor to speak out for the welfare of the military community. He also worked hard behind the scenes at every opportunity to guarantee our military the benefits to which they deserve and are entitled.

The Armed Forces Recreation Center in Hawaii had a special meaning for Dan Daniel. He fought hard to make it the kind of place that our military could enjoy and be proud of. Today, the Armed Forces Recreation Center at Fort DeRussy provides deserved rest and relaxation for hundreds of thousands of military people, reciprocating for their devotion to duty.

Dedicating this center to Dan Daniel would salute his passionate support for our military personnel and allow those who visit this area reason to pause and reflect upon the memory of our dear colleague.

Mr. Speaker, on a personal note, the gentleman from Virginia [Mr. Dan Daniel] was one of the true gentlemen I have ever had the privilege of serving with in any capacity.

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON] who also serves on the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, this bill is certainly a fitting tribute to one of the real gentlemen of the U.S. House of Representatives.

Dan Daniel, the gentleman from Virginia who recently passed away, was a member of the Committee on Armed Services and as chairman of the Subcommittee on Readiness spent a great deal of his time to ensure that the men and women of the Armed Forces were maintained properly and that their recognition and welfare had a high priority.

He also felt very strongly about equipment and facilities being in good shape and properly maintained for these people.

Naming this Fort DeRussy Recreation Center after Dan Daniel is a proper thing because of his interest in the soldier and the sailor and the marine and the airman and their welfare.

□ 1230

Dan Daniel was a good friend. He not only worked with us, he shared his advice and his thoughts freely. Having a distinguished career in the Virginia House of Delegates, former chief of the American Legion of the United States, a World War II Navy veteran, he brought his expertise and his ability to get things done in the U.S. Congress to this place and made it all the better, not just for the fighting men

and women, but for those of us who worked with him.

Mr. Speaker, as years go by those of us who knew him will remember him well, but those who will not have the opportunity to have known of him and as they go to Fort DeRussy and see the Dan Daniel Recreation Center there, they will at least know his name and have a part in the memory of a great American.

Mr. MARTIN of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Speaker, I thank the gentleman for yielding this time.

Mr. Speaker, I would like to join my colleagues in support of H.R. 4155, which will designate the Armed Forces Recreation Center at Fort DeRussy, Hawaii, as the "Dan Daniel Armed Forces Recreation Center."

This is a fitting tribute to our late colleague. Dan Daniel was a gentleman and a patriot. As the chairman of the Readiness Subcommittee and as a member of the Armed Services Committee, he was a leading voice for strength in our Nation's defense, as well as for the readiness of our conventional Armed Forces.

I had the pleasure of serving on the Readiness Subcommittee under the able leadership of the gentleman from Virginia, Mr. Daniel. He was always fair and evenhanded. In particular, Dan Daniel was interested in seeing that those of us who were new to the committee were fully part of the process and involved to the greatest possible extent.

The Dan Daniel Armed Forces Recreation Center will be a small remembrance of the leadership and the service which he provided to the people of Virgina and to our entire Nation during his almost 20 years and a Member of this body. As one of my colleagues said, he will be greatly missed, but never forgotten.

Mr. MONTGOMERY. Mr. Speaker, I yield as much time as he might consume to the gentleman from Alabama [Mr. BILL NICHOLS], who gave the eulogy at Dan Daniel's funeral in Danville, VA, and it was one of those eulogies that we will never forget, those who were there.

Mr. NICHOLS. Mr. Speaker, I thank my colleague from Mississippi for introducing this bill and urge my colleagues on both sides of the aisle to join with me in enacting this bill.

There are few in Congress who rivaled Dan Daniel in his commitment to a strong national defense. I can recall so vividly the forceful and eloquent statements so often made by Dan Daniel to underscore his belief that this great Nation remain forever strong.

The country has lost a great patriot. Congress has lost a very fine Member. He did all he could to assure that our dedicated men and women in uniform had all they needed in resources and equipment to do the vital work we have entrusted to them. But our dear friend from Virginia also believed very strongly that our military should be provided with an adequate quality of life. He worked hard on the Armed Services Committee and in the Congress to ensure that our military people and their families were treated well.

The Armed Forces Recreation Center in Hawaii has long served as a restful place for American military forces from the rigors of service in the Pacific theater and around the world. Our military people built this facility with their own money—from the proceeds of their patronage of military exchanges. It also represents a reward and recognition from the American people for their service to our Nation.

No one worked harder or felt stronger about preserving this recreation area for our military than Dan Daniel.

I believe that I am correct in saying that Dan was present many years ago when we broke ground for the servicemen's hotel, the Halla Koi Hotel, at Fort DeRussy.

Over the years Dan personally intervened and sought the support of Congress toward assuring that this area would long serve these deserving men and women who earned it.

I was a close friend and a colleague of Dan Daniel for most of his 19 years in Congress, and I know that he would be honored as will his family and all who knew him for this fitting memorial.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. MARTIN of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I rise in strong support of H.R. 4155.

Dan Daniel was truly a great American, a great patriot. He loved his country. He loved his family. When you visited his district, you could tell how the people he represented had such great affection for him and loved him and had confidence in the things that he did and that he tried to accomplish.

He believed that we needed a strong national defense and he worked throughout his congressional career to provide for our Nation's defense.

He believed in the institutions that made this country great.

For that reason, I think it is only fitting that the Armed Forces Recreation Center at Fort DeRussy, HI, be named the Dan Daniel Armed Forces Recreation Center. I only wish it could be a larger institution than it is, because certainly as a great patriot and a great American he deserved it.

Mr. MONTGOMERY. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York [Mr. SAM STRATTON], a member of the Armed Services Committee and chairman of the Subcommittee on Procurement and Military Nuclear Systems.

Mr. STRATTON. Mr. Speaker, I thank the gentleman for giving me this time.

Certainly H.R. 4155 which would designate the Armed Forces Recreation Center at Fort DeRussy in Hawaii as the Dan Daniel Armed Forces Recreation Center is a worthy tribute to our great colleague. No higher tribute could be made because Dan Daniel in his responsibility as a member of the Armed Services Committee and one who had recognized the value of the Fort DeRussy recreation area in Hawaii, which had been originally created for the use of troops coming from other areas, from Southeast Asia and also from the United States, Dan Daniel realized that unless the Armed Services Committee and the Congress itself would insist that Fort DeRussy not be used by just any visitors coming into the Hawaii area. He realized that this was a major concern for American forces, and as a result the committee went along with him. Congress also went along with him.

Fort DeRussy is going to stand for a long time as a real tribute to Dan Daniel and the American troops who have served so well under his leadership.

Mr. Speaker, I urge that this suspension be unanimously agreed to.

Mr. MONTGOMERY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. LEATH], also a member of the Armed Services Committee.

Mr. LEATH of Texas. Mr. Speaker, I rise in strong support of this bill.

During his tenure in Congress, Dan Daniel had a special interest in the Armed Forces Recreation Center, HI. As chairman of the morale, welfare, and recreation panel of the Armed Services Committee, Dan led the way on continual advocacy and oversight of this facility. He was determined to ensure that the recreation center at Fort DeRussy remain an area that could continue to be enjoyed by our dedicated men and women in uniform.

Dan Daniel cleared the way for funds to be allocated for construction of facilities in the early 1970's. In 1979, Dan Daniel conducted an intensive review which resulted in the continued financial solvency and viability of this facility, thus assuring that it would remain available for use by our military personnel. More recently, Dan was instrumental in assuring that the open space at Fort DeRussy remain accessible for military personnel and the residents of Hawaii.

Dan Daniel took this cherished recreation area under his wing. He

helped to create it, preserve it, and foster it. It is therefore most fitting that we dedicate this program to our late colleague.

Mr. MARTIN of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield back my time, I would like to point out, and I speak with the greatest of confidence, that not only do I support H.R. 4155, but all the Members on this side of the aisle who serve on the Armed Services Committee not only support this measure, but support it wholeheartedly and with vigor.

Mr. PRICE of Illinois. Mr. Speaker, today, the House of Representatives will consider H.R. 4155 to name the Armed Forces recreation center at Fort DeRussy, HI, as the Dan Daniel Armed Forces Recreation Center.

Mr. Speaker, as you know, Congressman Daniel served on the Armed Services Committee, and chaired the Morale, Recreation and Welfare Panel. I sincerely believe that this is a most appropriate tribute to the late Congressman and I support this suspension.

Mr. DICKINSON. Mr. Speaker, I rise today in strong support of H.R. 4155, to designate the Armed Forces recreation center at Fort DeRussy, HI, as the Dan Daniel Recreation Center.

Dan Daniel was an honorable man, and a tireless supporter of a strong national defense. But more importantly, he was a friend and advocate of the soldier and his family.

As a member of the Armed Services Committee, and chairman of the Subcommittee on Readiness, Dan spent a great deal of time and effort in promoting the concerns and needs of our military personnel.

As far back as I can remember, a concerted effort has been made to sell off this property for commercial development purposes. Dan Daniel was instrumental in staving off this relentless effort, so that well deserved military personnel will have the use and benefit of this recreation center in the future. I hope that with the approval of this legislation, this matter will be put to rest once and for all.

I can see no better way to show our gratitude and appreciation for Dan's hard work, than to name this center for him, as a tribute to a great American and patriot.

Mr. MARTIN of New York. Mr. Speaker, I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 4155.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4155, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

INDEPENDENT SAFETY BOARD ACT AMENDMENTS OF 1987

Mr. DE LUGO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11) to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990, and for other purposes, as amended.

The Clerk read as follows:

H.R. 11

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 "Independent Safety Board Act Amendments of 1988".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 309 of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1907) is amended by adding at the end the following: "There are authorized to be appropriated for the purposes of this Act not to exceed $25,400,000 for the fiscal year ending September 30, 1988; $27,000,000 for the fiscal year ending September 30, 1989; and $28,600,000 for the fiscal year ending September 30, 1990. Such sums shall remain available until expended.".

(b) ESTABLISHMENT OF EMERGENCY FUND.—Section 309 of such Act is further amended by inserting "(a)" after "309." and by adding at the end the following new subsection:

"(b) An emergency fund of $1,000,000 is authorized for expenditure by the Board to be available for necessary expenses, not otherwise provided for, of the Board for accident investigations. There is authorized to be appropriated such sums as may be necessary to establish the emergency fund under the preceding sentence and to replenish the fund annually. Such sums are authorized to remain available until expended.".

SEC. 3. ELIMINATION OF CERTAIN NOTICE REQUIREMENTS.

(a) REPORTS.—Section 304(a)(2) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1903(a)((2)) is amended by striking "and to cause notice of the issuance and availability of such reports to be published in the Federal Register".

(b) SAFETY RECOMMENDATIONS.—The last sentence of section 307(a) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1906(a)) is amended to read as follows: "The Board shall make copies of each such recommendation and response thereto available to the public at reasonable cost.".

SEC. 4. TRAINING SCHOOLS.

Section 304(b) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1903(b)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

"(10) The Board may at any time utilize on a reimbursable basis the services of the Transportation Safety Institute of the Department of Transportation (established for the purpose of developing courses and conducting training in safety and security for all modes of transportation) or any successor organization. The Secretary shall continue to make available such Institute or successor organization (A) to the Board for safety training of employees of the Board in the performance of all their authorized functions, and (B) to such other safety personnel of Federal, interstate, State, local, and foreign governments and non-governmental organizations as the Board may from time to time designate in consultation with the Secretary. Utilization of such training at the Institute or any successor organization by any designated non-Federal safety personnel shall be at a reasonable fee to be established periodically by the Board in consultation with the Secretary. Such fee shall be paid directly to the Secretary for the credit of the proper appropriation, subject to the requirements of any annual appropriation, and shall be an offset against any annual reimbursement agreement entered into between the Board and the Secretary to cover all reasonable direct and indirect costs incurred for all such training by the Secretary in the administration and operation of the Institute or any successor organization. The Board shall maintain an annual record of all such offsets. In providing such training to Federal employees, the Board shall be subject to chapter 41 of title 5, United States Code (relating to training of employees).".

SEC. 5. PAYMENT FOR GOODS AND SERVICES.

Section 304(b)(6) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1903(b)(6)) is amended by striking "and" before "(G)" and by striking the period at the end and inserting the following: "; and (H) require payment or other appropriate consideration from Federal agencies, and State, local, and foreign governments for the reasonable cost of goods and services supplied by the Board and to apply the funds received to the Board's appropriations.".

The SPEAKER pro tempore (Mr. MONTGOMERY). Is a second demanded?

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from the Virgin Islands [Mr. DE LUGO] will be recognized for 20 minutes and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from the Virgin Islands [Mr. DE LUGO].

□ 1245

Mr. DE LUGO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 11 authorizes appropriations for the National Transportation Safety Board for fiscal years 1988, 1989, and 1990. Although the amounts involved are small, this is important legislation. The NTSB has critical responsibilities for ensuring the safety of our transportation system by investigating and determining the probable causes of accidents in all modes of transportation.

Budget cuts in recent years have forced the Board to cut its staff and

have made it extremely difficult for the Board to carry out its important safety responsibilities. For example, lack of staff has caused delays in preparing accident investigation reports. The authorizations in the bill now before us would permit the Board to stabilize its staff at 347 positions. This staffing level, which has been found by the Congress to be the minimum needed for the Board to carry out its important responsibilities, is well below the Board's 1980 staffing level of 401 positions.

The remaining provisions in the bill are designed to help the Board improve its efficiency or to obtain small amounts of additional funding. The bill would relieve the Board of some obligations which serve no useful purpose, such as the requirement of publishing notice of issuance of NTSB decisions in the Federal Register when issuance of these decisions is widely publicized in the media.

The bill would also permit the Board to charge fees for services provided voluntarily by the Board in assisting State, local, and foreign governments. The Board would receive these fees as part of its appropriations. In addition, the Board would be permitted to charge fees to persons attending its accident investigation schools. These fees would be used to offset the expenses incurred by NTSB in training its own employees.

Mr. Speaker, the bill now before us is a compromise between the bills reported by the Committee on Public Works and Transportation and the Committee on Energy and Commerce. I appreciate the cooperation of the Energy and Commerce Committee in working out the relatively minor differences between the two bills.

Mr. Speaker, the bill we are considering will be of great importance in ensuring transportation safety. I strongly urge my colleagues to join me in passing this legislation.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, shortly before it adjourned, the 99th Congress passed and sent to the President a bill to authorize appropriations for the National Transportation Safety Board [NTSB]. Unfortunately, the President chose to pocket veto this measure. The NTSB did receive its appropriation for fiscal years 1987 and 1988 so its vital work could continue. Nevertheless, authorization legislation should be pursued both as a way to reaffirm the importance of the job that the NTSB is doing as well as to make certain changes in its governing statute.

Therefore, I am pleased to join with my colleagues on the Energy and Commerce Committee in this bill to authorize funds for the NTSB. The bill we bring before this body today is very similar to the one we approved in 1986. It would authorize appropriations for the NTSB for 3 years. It would also make changes in its governing statute involving Federal Register notice requirements and NTSB training sessions.

The NTSB plays a crucial role in transportation safety generally and in aviation safety in particular. It is responsible for investigating accidents, determining their cause, and making recommendations to prevent such tragedies from occurring again.

Although some may not realize it, the record shows that the airline accident rate has been declining during the past few years. In no small measure, this is due to the vigilance of the NTSB, both its staff and its members, and to the recommendations they make to improve safety.

The performance of the NTSB is all the more remarkable since its staff has steadily declined. In 1980, it had a staff of about 400. This dropped to slightly more than 300 in 1982 and 1983. It has since returned to the 320 range.

The funding authorized in the bill is designed to enable the Board to retain its current staff and even increase it somewhat. This is the minimum necessary for effective functioning of the Board. The previous cutbacks had caused a reduction in the number of nonaviation accident reports that the NTSB issued. The cutbacks also led to delays in the issuance of accident reports. This bill will ensure that the Board continues to have the ability to fully carry out its mission in a timely manner.

Another element that is critical to safety is the independence of the NTSB. The Board, under its fine Chairman, Jim Burnett, has not hesitated to criticize or make recommendations to other Government agencies when it believed that was necessary. This bill will continue the NTSB as a strong independent body. It therefore ensures that this agency can continue to carry out its important watchdog role.

In sum, I believe this is a good bill that reauthorizes a small but important agency. I urge my colleagues to support it.

Mr. DE LUGO. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. ANDERSON], the acting chairman of the Committee on Public Works and Transportation.

Mr. ANDERSON. Mr. Speaker, I rise in support of the bill to reauthorize appropriations for the National Transportation Safety Board for fiscal years 1988, 1989, and 1990. The National Transportation Safety Board is a small agency in terms of staff and budget, but it has very important responsibilities for promoting the safety of all modes of transportation. The Board is a world leader in the techniques of accident investigation. A high percentage of the recommendations which the Board has made after its investigations have been accepted. These recommendations have saved many thousands of lives.

The funding levels in the bill now before us are reasonable. They will stabilize the Board's staffing at 347 positions. This is a reduction of more than 50 positions from the Board's staffing at the start of the Reagan administration. Three hundred and forty-seven positions is the minimum needed for the Board to carry out its responsibilities.

I urge favorable action on this important legislation.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas [Mr. WHITTAKER], the ranking member of the Subcommittee on Transportation, Tourism, and Hazardous Materials of the Committee on Energy and Commerce.

Mr. WHITTAKER. Mr. Speaker, I wish to express my strong support for the reauthorization of the National Transportation Safety Board, as reflected in this bipartisan bill. I commend my colleagues on the two committees having jurisdiction over this bill for their cooperative effort to provide for the future activities of this important safety agency.

The NTSB is a small but highly effective agency. Its expertise in analyzing transportation accidents and recommending measures to prevent future mishaps is literally worldwide. The reauthorization measure we are considering today will continue this agency's excellent work and modernize some aspects of its governing statute.

For example, the redundant paperwork associated with mandatory Federal Register publication of Board recommendations will be eliminated by this measure. The public and the transportation community will still receive prompt notification of NTSB actions, but in more cost-effective ways. Similarly, the bill will end the requirement that all of the responses of the Department of Transportation to Board recommendations be printed in the Federal Register at the Board's expense.

The authorization levels contained in the bill are the bare minimums needed to allow the agency to fulfill its statutory mission. For each of the 3 fiscal years covered, the amounts to be authorized are below the levels requested by the NTSB. I believe that the committees have made a determined effort to be fiscally responsible, but without short-changing essential safety programs.

In considering the authorization levels, we should maintain some perspective on the Board's tremendous cost-effectiveness as a safety agency. Here is an organization of fewer than

350 people, with an annual budget of about $25 million. But the numerous areas where the Board has championed important safety measures involve the prevention of huge potential losses of life and property—automatic train control for passenger trains, improved alcohol and drug testing, and better safety equipment for aircraft. And all of these detailed accident investigations and professional safety recommendations come from an agency that spends each year only about one-half the cost of a single jumbo jet. The taxpayers are clearly getting their money's worth from the NTSB, and I am confident that the efficiency and productivity demonstrated by the Board's current leadership will continue in the future.

Mr. MINETA. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. THOMAS A. LUKEN], the distinguished chairman of the Subcommittee on Transportation, Tourism, and Hazardous Materials of the Committee on Energy and Commerce.

Mr. THOMAS A. LUKEN. Mr. Speaker, the main purpose of H.R. 11, the Independent Safety Board Act Amendments of 1988, is to reauthorize the activities of the National Transportation Safety Board. The NTSB's last authorization expired on September 30, 1986. Yet this agency has continued to perform vital safety functions which we believe should be reauthorized.

The NTSB's responsibilities include investigating and determining the probable cause of transportation accidents of all kinds. Following its investigations, the Board makes recommendations to Federal, State, and local agencies to prevent recurrence of accidents. Mr. Speaker, the NTSB's performance in these areas has been a great help to our committee in investigative and oversight hearings during this Congress, and in previous years. More importantly, investigations by the NTSB to determine the cause of rail, air, motor vehicle, and pipeline accidents have helped in many instances to prevent similar occurrences. Reauthorization at the levels provided for in this bill will mean that the Board will be able to continue making a valuable contribution to our public safety.

The NTSB is a unique agency in that it has broad oversight and investigative responsibility, but no regulatory powers. The only way NTSB can correct a serious safety problem is to publicize it—to expose hidden problems to the bright light of public scrutiny—and to argue, cajole, or nag others into taking action. This can be an enormously frustrating process. Yet the NTSB has earned a remarkable record for impartiality, accuracy, and farsightedness.

For example, the NTSB has been recommending for some time that the Department of Transportation require the installation of automatic train controls on all locomotives. Automatic train controls are not some new, exotic equipment—they've been available since the 1930's. Yet it was not until 6 months ago that DOT proposed to require this equipment on trains operating just in the crowded Northeast corridor. Had the earlier warning and recommendation by NTSB been heeded, serious rail accidents might have been avoided, including the fatal Amtrak crash in Chase, MD, just a little over a year ago.

Mr. Speaker, I join my colleague Mr. MINETA in urging the House to pass this bill. The NTSB's important work must continue.

Mr. MINETA. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. SMITH].

□ 1300

Mr. SMITH of Florida. Mr. Speaker, I thank the distinguished chairman of the subcommittee for yielding me this time.

Mr. Speaker, I would like to say that while I am a strong supporter of the NTSB and certainly hope that the authorization bill currently being discussed will ultimately be supported and passed by this body, I would like to bring to the attention of the body and to the attention of the NTSB one issue which I think needs to be discussed and is of rather significant concern. For years there have been a number of us in this House and many many hundreds of thousands if not millions of people around this country who have been concerned with the question of the lack of seatbelts on schoolbuses.

The acting chairman of the Committee on Public Works and Transportation has been kind enough to work with me in trying to get some tests done to determine whether or not those are valuable life-saving tools or injury-saving tools. The problem is there have been no crash tests done or any other kinds of tests done in this country over the last number of years, and as we go down the road to determine whether or not our children could be made safer in schoolbuses there is no doubt in anyone's mind that the question of seatbelts is an important question. Whether or not there is a validity for them in schoolbuses cannot be determined solely by reviewing facts and circumstances of existing accident reports. We need crash testing.

I would urge the NTSB during this period when they are now being reauthorized to get into the question of whether or not crash testing, that is sideswipe and rollover tests, not just front end crash testing which was done in Canada over 10 years ago, is the way to go to determine whether seatbelts are an appropriate part for the schoolbus and should be installed at the time of manufacture so that children can use them.

Mr. Speaker, I urge this be done. There are millions of people out there who want to know whether seatbelts should be installed in schoolbuses to save injuries and save lives.

Mr. MINETA. Mr. Speaker, I would also say to my colleague, the gentleman from Florida [Mr. SMITH], that that may be within the jurisdiction of the National Highway Transportation Safety Administration as well. So I am quite sure that the gentleman from California [Mr. ANDERSON], who chairs our full committee, would be more than happy, as would the gentleman from Arkansas [Mr. HAMMERSCHMIDT], to work with the gentleman from Florida on that issue.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. MINETA. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MINETA] that the House suspend the rules and pass the bill, H.R. 11, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990, and for other purposes."

A motion to reconsider was laid on the table.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce and the Committee on Public Works and Transportation be discharged from further consideration of the Senate bill (S. 623) to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1988, 1989, and 1990, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Independent Safety Board Act Amendments of 1987".

SEC. 2. Section 304(a)(2) of the Independent Safety Board Act of 1974 (49 App. U.S.C. 1903(a)(2)) is amended by striking "and to cause notice of the issuance and availability of such reports to be published in the Federal Register".

SEC. 3. Section 304(b)(6) of the Independent Safety Board Act of 1974 (49 App. U.S.C. 1903(b)(6)) is amended—

(1) by striking "and" after "intangible);"; and

(2) by inserting immediately before the period at the end thereof the following: "; and (H) require payment or other appropriate consideration from Federal agencies and State, local, and foreign governments for the reasonable cost of goods and services supplied and to apply the payment or consideration received to the Board's appropriations".

SEC. 4. Section 304(b) of the Independent Safety Board Act of 1974 (49 App. U.S.C. 1903(b)) is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting immediately after paragraph (9) the following:

"(10)(A) The Board may conduct a school or schools for the purpose of training employees of the Board in those subjects necessary for the proper performance of all authorized functions of the Board. The Board may also authorize attendance of other governmental personnel, personnel of foreign governments or personnel from the transportation industry at courses given in such school or schools, except that, if the attendance of such persons increases the cost of operation of such school or schools, the Board may require the payment or transfer of sufficient funds or other appropriate consideration to offset such increased costs. In providing any training to employees of the Board or other agencies of the Federal Government, the Board shall be subject to the provisions of chapter 41 of title 5, United States Code.

"(B) Funds received by the Board under this paragraph shall be credited—

"(i) to appropriations current at the time the expenditures are to be or have been paid;

"(ii) to appropriations current at the time such funds are received; or

"(iii) in part, as provided under clause (i) and in part, as provided under clause (ii) of this subparagraph.".

SEC. 5. The last sentence of section 307(a) of the Independent Safety Board Act of 1974 (49 App. U.S.C. 1906(a)) is amended to read as follows: "The Board shall make copies of each such recommendation and response to each such recommendation available to the public at reasonable cost.".

SEC. 6. Section 309 of the Independent Safety Board Act of 1974 (49 App. U.S.C. 1907) is amended—

(1) by inserting "(a) GENERAL AUTHORIZATION.—" immediately after SEC. 309.";

(2) by adding at the end of subsection (a), as so designated by paragraph (1) of this section, the following:

"There are authorized to be appropriated for the purposes of this Act not to exceed $26,200,000 for the fiscal year ending September 30, 1988, $27,500,000 for the fiscal year ending September 30, 1989, and $28,800,000 for the fiscal year ending September 30, 1990, such sums to remain available until expended."; and

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

"(b) EMERGENCY FUND.—An emergency fund of $1,000,000 is authorized for expenditure by the Board to be available for necessary expenses, not otherwise provided for, of the Board for accident investigations. There is authorized to be appropriated such sums as may be necessary to establish such emergency fund and to replenish such fund annually. Such sums shall remain available until expended. Whenever the Board determines to expend any sums in the emergency fund, the Board shall notify the appropriate committees of the Congress of such determination, together with an identification of the activity for which sums will be expended, a justification for using such sums for such activity, and reasons why such activity could not be performed under the amounts made available by any act providing annual authorization and appropriations of funds provided for other activities of the Board.".

MOTION OFFERED BY MR. MINETA

Mr. MINETA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MINETA moves to strike out all after the enacting clause of the Senate bill, S. 623, and to insert in lieu thereof the provisions of the bill, H.R. 11, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "An act to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 11, was laid on the table.

GENERAL LEAVE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1600

Mr. SMITH of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1600.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4230

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 4230.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1158

Mr. THOMAS A. LUKEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1158.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1900, CHILD ABUSE PREVENTION, ADOPTION, AND FAMILY SERVICES ACT OF 1988

Mr. OWENS of New York. Mr. Speaker, I call up the conference report on the bill (H.R. 1900) to amend the Child Abuse Prevention and Treatment Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Family Violence Prevention and Services Act to extend through fiscal year 1991 the authorities established in such acts.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of March 30, 1988.)

The SPEAKER pro tempore. The gentleman from New York [Mr. OWENS] will be recognized for 30 minutes and the gentleman from Texas [Mr. BARTLETT] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the passage of the Child Abuse Prevention, Adoption and Family Services Act of 1988 makes clear a continuing commitment on the part of Congress to respond to the growing crisis affecting America's families. To say that the effort is not enough, is not in any way to belittle the hours of work that went into this bipartisan effort. In this regard I want to congratulate my colleagues, Mr. STEVE BARTLETT, and Mr. PAT WILLIAMS, as well as Mr. FORD for the spirit of cooperation they have shown in working to get this conference agreement to the floor today.

The funding for this legislation does not come anywhere near to the levels necessary to realistically respond to the huge increases in the numbers of children and family members who are daily the victims of abuse. Between 1981 and 1985 the number of children reported to have been abused or ne-

glected rose 54.9 percent; 1,200 children died in 1986 as a result of child abuse and neglect. Perhaps if each one of these cases attracted the same kind of media attention as the case of Lisa Steinberg, we might today be in a different position in terms of the overall funding for our Federal child abuse efforts.

We need to create an establishment like the Pentagon to really effectively deal with the problems of child abuse and family violence in America today. An agency charged not with building armies for wars that should never be fought but one authorized to recruit the civilians to fight the daily battle on behalf of the abused children of our land. Such a force would not need patriotic songs to rouse them or Rambo like visions of heroism to sustain them, just the slightest familiarity with the horrors of child abuse would be enough to galvanize thousands of men and women into the most effective peacetime army this country could assemble. In order for this effort to take place we need leadership within the Congress and in the White House. I propose that the next administration whoever is elected, acting in concert with the Congress, fund both the child abuse prevention and treatment title at 100 percent, instead of the approximately 50 percent that it is now. In addition we should fully fund the domestic violence title, instead of the current appropriation which is a small fraction of the current authorization. There should also be a resolve to at least restore the title XX block grant back to the fiscal year 1981 level so that this major funding source for State and local child protective programs, will begin to reflect the scale of the increased incidence of child abuse and neglect.

It is clear that our efforts thus far have not begun to keep pace with the dramatic increases in child abuse and neglect. According to statistics from the recent, Select Committee on Children report on the problem and those provided by the Children's Defense Fund the incidence of child abuse and neglect has been expanding at a time many States and localities have been forced to cut back on child protection staffing levels. Largely, due to savage cuts in title XX block grants, many agencies are understaffed, and contain undertrained and overwhelmed personnel. For example, Oregon was forced to deal with over a 500-percent increase in the number of confirmed cases of child abuse and neglect rise—from 1,867 to 12,000, between 1981 and 1985—without the addition of any new staff. Kentucky lost 141 social workers and 152 other vital child protection staff positions at a time when reports of child abuse doubled. In my own city of New York, it might be possible to better understand why so many Lisa Steinbergs can "slip" through the system when the implications of the following statistics are understood: A 67-percent turnover among protective and diagnostic workers in 1986; an increase of 14 percent in abuse and neglect reports in just 1 year; a fivefold increase in the average number of workers each month responsible for case loads of 50 or more, from 24 to 118 workers. Furthermore, for those families actively seeking help tremendous barriers exist to prevent successful outcomes, as the New York State Coalition for Domestic Violence reports while 6,000 victims of family violence were sheltered during 1986 an additional 8,500 victims were turned away. There are few things more pathetic than troubled and abused families having to return to the same or increased levels of violence, because there are no more spaces at a refuge.

Child abuse and family violence is no longer, largely due to the efforts of the media, a dirty little secret but one affecting thousands of families in crisis. We need to recognize it as a reality and provide the kinds of resources necessary to respond to the scale of the problem. In the reauthorized bill that we are passing today we identify as a paramount thrust the need for greater efforts at prevention. The bill also identifies children with handicaps as a population in need for earlier prevention efforts. The legislation would also do more to gain accurate statistical data from the States and localities concerning the incidence of child abuse and neglect. All of these efforts will take place within a revised administrative structure designed to make more effective use of resources.

New initiatives are also proposed in the area of adoption reform: the amended act will do more to speed the adoption of minority children by proposing more focused outreach efforts to identify and recruit minority families. Also included within the same bill is an initiative to provide greater professional support for families who adopt special needs children, in order to make possible the success of a larger number of such adoptions. In the Family Violence Prevenion and Services Act, amendments to existing demonstration programs are proposed to provide sensitivity training to a greater range of professionals who come into contact with incidents of family violence. There is also a provision for an abused family member to receive documentation of the abuse should it be requested.

Legislation of this kind can make a difference, in a recent survey States identified 19 programs which according to evaluations, have successfully prevented child abuse, improved family functioning, and avoided costly treatment. States also identified 15 treatment programs, which according to evaluations enhanced parent child interaction and prevented placement of children in foster care.

I request your support not only in voting for the conference report and agreeing to its speedy passage but also for future efforts that will be necessary to help provide the realistic resources necessary to help save the children and families of this country from violence.

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

Mr. BARTLETT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in bringing this conference report authorizing the child abuse and neglect, adoption opportunities and domestic violence programs, I want to begin by commending the bipartisan leadership of the gentleman from New York, MAJOR OWENS, chairman of the subcommittee. It has been a pleasure to work with him on this legislation, and I think we come to the House floor with good legislation as a result of his leadership.

This conference report authorizing the Child Abuse and Neglect, Adoption Opportunities and Domestic Violence Programs concentrates on prevention of abuse and provides Federal support to ongoing State and local initiatives.

Recent studies in the area of child abuse have determined that adults who abuse children were abused themselves. The Federal role, therefore, should be to support State and local efforts to prevent child abuse and neglect. In the area of prevention, this legislation authorizes a hospital demonstration project which will allow the hospital to provide information to parents on community resources and support groups in an effort to prevent abuse and neglect at the earliest possible opportunity. This information is provided only if the parent requests it and will be information based upon the needs and circumstances of the child and the family. The key to reducing child abuse and neglect is prevention and providing information to families on community support groups is the first step toward reduction. I want to especially thank the Association for Retarded Citizens and the American Academy of Pediatrics for their support and hard work in this particular area.

The authorization levels in this conference report are at the House passed levels with the exception of the domestic violence program. This program is authorized at the Senate level of $26 million for fiscal year 1988 which is the current authorization level for this program. As my colleagues may recall, the House language will allow these programs to be funded at a level determined by the appropriations committees for fiscal years 1989–91.

However, in fiscal year 1988, the Child Abuse and Neglect Program is authorized at $48 million and the Adoptions Opportunities Program is authorized at $12 million. I commend the chairman for supporting these levels in the conference and believe these programs will be funded adequately.

The authorization for the domestic violence program represents the growing need to address this problem. Historically, the majority of domestic violence shelters and support services have been funded through private sources. In fact, the private nonprofit community recognized the need for domestic violence shelters long before the Federal Government provided seed money for these programs. Through such primary, private assistance, domestic violence shelters have increased throughout the country and there are now approximately 1,200 nationwide.

While Federal grants and shelters do have benefit, the real deterrent to domestic violence is through local law enforcement. Assault is a crime, whether it is domestic or not, and spousal and child abuse should be treated as a crime. Arrests should be made, convictions obtained, and stiff sentences enacted in order to reduce domestic violence in this country.

In the Adoption Opportunities Program, two new initiatives have been added. The first one is designed to increase the adoption of minority children by placing a special emphasis on recruiting minority families. Statistically, minority children have lingered the longest in foster care situations and are the hardest to place in adoptive family homes. The second initiative will provide postadoption services to families who adopt special needs children. This followup placement service will ensure that both the family and the child make a smooth transition after the adoption.

The Federal role through these programs has been to support innovative demonstration and research activities that assist State and local service providers. Identifying and disseminating model programs leads to decreases in child abuse, neglect and domestic violence and to increases in the adoption of special needs children. This legislation improves these programs by emphasizing prevention and targeting resources to the neediest populations.

I support this conference report and urge my colleagues to pass this legislation.

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Mr. OWENS of New York. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 1900, the Child Abuse Prevention, Adoption, and Family Services Act of 1988.

This important legislation is long overdue. I want to commend and thank our distinguished colleague and friend, MAJOR OWENS, for his leadership and perseverance, which has brought this bill to a vote today.

I want especially to note the reauthorization of the Child Abuse Prevention and Treatment Act. This legislation will strengthen Federal efforts to deal with the terrible tragedies of child abuse and neglect. For example, it will correct some of the deficiencies of the current review process for applications for Federal grants for programs aimed at preventing and treating abuse and neglect. The grant review process was the subject of an investigation conducted by the Government Operation's Subcommittee on Human Resources and Intergovernmental Relations, which I am priviledged to chair. In its report on the subject, the Government Operations Committee concluded that grants were often awarded to inferior projects, while many worthwhile programs that applied for Federal funds were turned away. Our report recommended that steps be taken to remedy this situation, and that is exactly what this legislation attempts to do.

The legislation also addresses problems in the administration of the National Center on Child Abuse and Neglect, by specifying that the Director of NCCAN should have experience in the field of child abuse and neglect, and that the NCCAN Director should not be burdened with other administrative responsibilities. This is not a radical idea, and yet our experience of the last few years shows that it is necessary to be very specific about the director's expertise and responsibilities if we want the office to function effectively.

Millions of American children are abused and neglected every year. The Child Abuse Prevention, Adoption, and Family Services Act of 1988 will revitalize our efforts to prevent abuse and assist the victims of abuse.

Again my commendation to Chairman OWENS and his subcommittee.

Mr. OWENS of New York. Mr. Speaker, I yield 3 minutes to the gentleman from California, [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Speaker, I rise in strong support of the conference report on the Child Abuse Prevention, Adoption, and Family Services Act.

As a member of the Select Committee on Children, Youth, and Families, I am painfully aware of the horrible situations faced by abused and neglected children. I am reminded of a young boy in Los Angeles who was kicked to death by his mother's boyfriend for defecating in his pants. Or the 3-year-old girl in Kansas City, who at age 2, was placed in a foster home after cigarette burns, bruises, and healed fractures had been found on her body. After 6 months, she was returned to her parents and the abuse continued. Five months later she was dead.

These tragic cases evoke a strong sense of outrage in all of us. But where do we turn that rage? Do we place the blame on the parents? On the social welfare system? On the schools? Or on ourselves for the failure to prevent it.

Mr. Speaker, the incidence of child abuse and neglect has become increasingly acute between 1981 and 1986. Reports of child abuse and neglect have increased by a staggering 90 percent. Yet during this same time period Federal resources for prevention and treatment have fallen further and further behind the demand. Between 1981 and 1985 monies going to States for child abuse prevention programs were cut by $135 million. How can we claim to be concerned about the problems of child abuse and simultaneously ask for cuts in preventive programs?

Mr. Speaker, our crime against children are also present in our failure to provide adequate funding for programs for poor families. It is no coincidence that a rise in reported cases of child abuse come at a time when more and more families and children are falling below the poverty line. Since 1979, the number of poor families with children has grown from 4.1 million to 5.5 million. That is a 35-percent increase in 9 years.

We cannot expect to let so many families slip into economic desperation without some painful repercussions. Last year, in a report gathered by the Select Committee on Children Youth and Families. Three-fifths of the States reported that deteriorating economic conditions faced by many families were the primary contributor to the increases in child abuse.

Before we can deal with the problem, we must begin to see the connection between poverty and child abuse. Instead, the present attempts to curb child abuse have been weak and not based on reality. I can almost hear it now, "just say no to child abuse."

But as Members of this body we have an obligation to serve those who truly need our assistance? It is our responsibility to speak for the helpless and the innocent. We start today by approving this conference report and tomorrow by correcting the failed policies of the past.

Mr. OWENS of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I want to rise in support of this conference report and commend the conferees and the Committee on Education and Labor for their work on this matter.

Mr. Speaker, I sponsored various portions of this bill.

It has been brought to my attention just recently, it was brought home in my district where we had an incident where a child was repeatedly brought to a hospital but the fact is it was not alerted to the fact that the child had been injured repeatedly, alleged to have been injured repeatedly. And of course, the child finally died of those injuries.

There is an area here I think where very often health care professionals have really no framework within which to work and to avoid the type of injury that can occur to children in child abuse circumstances.

But even in a State like ours where significant resources have been available, I think there is a greater need to understand this and to have national programs which not just give us advice but reach out with some real help in terms of dollars and some indepth types of studies of the problems that are affecting families which are in trouble.

That is what this legislation really addresses itself to, families that are in trouble.

Across this Nation, as we look at those circumstances in our own communities in the areas we represent, repeatedly we see that.

The community in which I was raised, the predominant majority community, almost half of the families there have single heads of households today. That is the case. Half the kids in elementary schools featured on our national paper here in our Nation's Capital, the Washington Post, have single heads of household. Frankly, it is out of this frustration and out of this type of environment that many problems affect our community.

What is being affected is the children in our community. Those are the poor in our community, the children.

So often we look at families today, where both parents are working, in those communities and in those areas they do not necessarily have the difficulties we have today in our inner cities and other areas. This legislation will go a long way toward focusing and helping those who cannot help themselves, the kids in our society.

I commend the committee and look forward to effective implementation of this legislation.

Mr. BARTLETT. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. OWENS of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman for his observations and his very supportive remarks.

In conclusion, I would like to say that the problem of child abuse has probably been with us since the beginning of humankind. Charles Dickens documented in dramatic terms the nature of child abuse in his age.

Child abuse is probably not on the increase necessarily in this country but the reporting of child abuse is increasing. That is a sign of the evolution of our society, the fact that we take more seriously these crimes against children.

It is very important that a message be sent by this legislation and all the activities within this legislation that we do consider our children important and we will not tolerate abuse of children, we will not tolerate neglect of children; we intend to nurture our children.

This civilization recognizes that our children are our major resources and any lives wasted represent a loss to the Nation.

Mrs. LLOYD. Mr. Speaker, I rise in strong support of the conference report on the Child Abuse, Prevention, Adoption, and Family Services Act of 1987.

This critical legislation reauthorizes the Child Abuse Prevention and Treatment Act for 5 additional years. The revisions to existing law can be categorized within four major areas: First, improving the quality of the administration of the National Center on Child Abuse and Neglect [NCCAN], including provisions for improving the quality of funded programs; second, strengthening coordination efforts between NCCAN and other Federal agencies to facilitate a more unified approach to guiding national child abuse policies; third, expanding the list of specified activities to be performed by the National Clearinghouse; and fourth, emphasizing the importance of identification and prevention efforts within State and National grant programs, by expanding the number of eligible activities in this area.

There is a general consensus that child abuse is a critical and growing problem and I am committed as a Member of Congress to enacting significant legislation to address it head on. The history and need for such legislation is clear. During the 1960's and early 1970's, there was growing recognition that child abuse and neglect could be devastating for the child and costly to society. Some studies have found that abuse children are more likely than the general population to suffer from social and psychological problems. In addition, some victims of child abuse have been found to exhibit physical trauma. Child abuse may manifest itself in both short and long term problems such as emotional and learning disorders, poor school performance, and in suicidal and delinquent behavior. In addition, there is some evidence that children who are abused are more likely than nonabused children to become abusers, creating a cycle of abuse through generations of families. These outcomes represent both social and economic costs for society as well as for the children.

Several major Federal initiatives relating to child abuse have already been enacted in Congress with my strong support. The victims of Crime Act of 1984 (Public Law 98–473) established several programs for victims of crime, including a State grant program which emphasized services for victims of child abuse, spouse abuse, or sexual assault. The programs authorized under this act are funded through fines collected from those convicted of certain Federal crimes. The act was amended in the 99th Congress to authorize, among other things, use of a portion of the fines collected in the crime victim fund for a new program under the Child Abuse Act for improving the handling, investigation, and prosecution of child abuse cases, especially those involving sexual abuse. Another Federal program, authorized as part of the fiscal year 1985 continuing appropriations (Public Law 98–473) provides funds in the form of challenge grants to encourage States to establish funding mechanisms to support child abuse and neglect activities. Another program enacted in the 99th Congress as part of the Children's Justice and Assistance Act of 1986 (Public Law 99–401) authorizes a State demonstration program to provide crisis nurseries for abused and neglected children and children at risk of abuse or neglect.

The passage of the Child Abuse Prevention, Adoption, and Family Service Act of 1987 today will signify yet another major stride toward preventing and treating child abuse. I will continue to do everything I can to strengthen Federal programs to address this critical problem.

Mr. RANGEL. Mr. Speaker, a vicious disease is infecting our borders. Scores of our children are increasingly being abandoned, neglected, and abused. Domestic violence against women persistently plagues our American homes as well. For too long we have remained on the sidelines—somehow expecting these victims to rescue themselves from the emotional and physical snares of evil with help from no one. I, therefore, rise today in defense of our children, our families, and our future as a great Nation. I urge each of my colleagues to join me in expediently adopting the conference report on the Child Abuse Prevention, Adoption and Family Services Act.

Each day, the number of children and women who are physically and sexually abused in their own homes rises. We cannot just divert our eyes and ignore the facts. Each day, the number of children left neglected—without enough food, clothing, personal care, or love, grows and grows. Their parents are, sadly, incapable of giving them the attention they require to become healthy, productive citizens. We can no longer turn our backs to their need. Each day, the number of children left in foster care and adoption agencies, begging for the care and opportunity to contribute and survive that each child deserves, escalates. Moreover, the population of these children is increasingly composed of minority youngsters. We can not afford to pretend that they do not exist or that racial bias does not compound the suffering of these young ones.

No sector of our society is free from the ugliness and destructiveness of this disease that is killing our families. Every American is affected when we consider the fact that the average stay of youngsters in foster homes, group homes or child care institutions is approaching 2 years. Every American is hurt when about 1.8 million women are victims of family violence each year and about 2.2 million children were reported abused and neglected in 1986. Every American suffers when data from just

34 States reveals that an estimated 1,200 child abuse and neglect fatalities occurred in 1986. When experts tell us that these figures are underestimates because many such tragedies go unreported, we see that the impact of this disease on each of us is even greater.

The Members of this Congress are making some important steps toward enabling our families and, thus, our Nation to preserve itself and its future with enactment of the Child Abuse Prevention, Adoption, and Family Services Act. I am proud to be a part of this House of Representatives that chose to protect its families from the unfortunate tragedies of violence and disenfranchisement. I am proud that we recognized the need to for better data on and improved services for these U.S. citizens, for enhanced efforts toward minority youngsters and continued funding to aid our families in this vital area. In the Senate, our colleagues have also recognized that our children and families are in danger and that our national future depends on their safe and healthy development. They too have seen that without remedies for American children and families, our Nation faces great moral, social and economic damage. I am, therefore, confident that we will act in the same spirit that led both Houses of Congress to pass this bill last session and adopt the conference report on the Child Abuse Prevention, Adoption, and Family Services Act immediately. We will demonstrate again that it is too costly to be complacent. We will protect our children and our families and, thus, protect America itself.

Mr. DREIER of California. Mr. Speaker, I rise in support of the conference report on H.R. 1900, the Child Abuse Prevention, Adoption, and Family Services Act. This bill addresses three very important issues—child abuse, adoption, and family violence, and I am happy to see Congress respond with such strong support.

As a member of the Congressional Coalition on Adoption, I am especially pleased about the provisions in the bill addressing adoption. The bill provides grants to States to increase the number of minority children placed in adoptive families. These are children who are legally free to be adopted, yet who often wait many years before being placed in a permanent home. In 1983, 46 percent of these children were minority—black, Hispanic, and Indian. These children almost spend much longer in foster care than their white counterparts. Some are never adopted. It is tragic that the spirit of these children is often broken in the foster care system. H.R. 1900 proposes a stepped up effort to recruit permanent families, particularly minority families, for these children.

The bill not only seeks to place minority children that are legally free to adopt, but to place all foster care children free for adoption by providing grants for improving State efforts to increase placement. About 36,000 children are legally free for adoption. Many of these children are special needs children that require special effort to place.

Another obstacle for adopting children is the lack of counseling services following adoption of special needs children. These are children who may be physically, emotionally or mentally handicapped, siblings, older children, or minorities. Some of these children have been abused, others have experienced the death of parents at a young age, still others have suffered emotionally from foster care. H.R. 1900 authorizes funds for post legal adoption services for families who have adopted special needs children. This is a very important issue for these families and children. Some of these children remain institutionalized, wards of the State, or living lives of disruption going from foster home to foster home because a permanent family, although willing, cannot afford the necessary counseling services following an adoption. Federal assistance in these cases is in the best interest of the family, the child, and the Federal and State governments.

In addition to the adoption provisions, H.R. 1900 seeks to curb child abuse and family violence. Even with the increased attention being focused on child abuse, child abuse fatalities in this country increased by at least 23 percent during 1985 and 1986. Many of these incidences are preventable.

H.R. 1900 provides for a Presidential commission to study child and youth deaths; a National Center on Child Abuse and Neglect to conduct research, and disseminate information and grants; a national clearinghouse for information relating to child abuse; and an interagency task force to ensure greater coordination among Federal agencies. H.R. 1900 also provides for a number of Federal studies and grants for child abuse prevention and treatment programs, programs relating to the investigation and prosecution of child abuse cases, grants to local law enforcement agencies for family violence prevention and services, and funds for programs that shelter and counsel battered spouses and their children.

H.R. 1900 recognizes that children are this country's greatest natural resource. This bill is an investment in their health and well being. I applaud the good work of the House Committee on Education and Labor and the many people across the country who invest their lives in the backbone of civilization—the family.

Mr. MILLER of California. Mr. Speaker, I rise to support the conference report to H.R. 1900, a bill to reauthorize the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, and the Adoption Reform Act, and urge my colleagues to join me in approving this favorable and critically needed agreement.

While the conference committee was deliberating, the fatal beating of 6-year-old Lisa Steinberg by her adoptive father—and his brutal battering of Lisa's adoptive mother, Hedda Nussbaum—brought home to Americans the crucial need for expanded resources to prevent and treat child and spouse abuse.

In 1986, 2.2 million children were reported as abused or neglected—up a staggering 12 percent from 1985. This increase, reported by the American Home Association, comes on top of a 55-percent increase in child abuse reports between 1981 and 1985 found by the Select Committee on Children, Youth, and Families in a national survey. According to the National Committee for Prevention of Child Abuse, at least 1,200 children died at the hands of their parents or guardians in 1986—a 23-percent increase from the previous year.

In California, the number of reported cases of child abuse and neglect rose from 73,473 in 1982 to 342,001 in 1986, a 365-percent increase. In my own community of Contra Costa County, reports of child maltreatment nearly doubled between 1981 and 1985.

While heightened awareness and better reporting measures have contributed to the rise in reports, there has been an actual increase in the number of victims. Moreover, "the children reported are only a small proportion of all children suffering from abuse and neglect," according to AHA.

Similarly, over 2 million women were victims of domestic violence last year. One in twelve was beaten while pregnant. More than half of completed rapes and other violent crimes against women last year—including one-third of female homicides—were committed by men the women knew. For the most part, though, spouse abuse continues to be hidden behind closed doors.

Unfortunately, the sharp rise in child and spouse abuse victims has not been met with a parallel rise in resources. In over half the States, as documented by our survey, resources either fell or failed to keep pace with the escalating child maltreatment reports, taxing an already overburdened foster care system and resulting in staff shortages, inadequate training, and high personnel turnover.

High caseloads and meager resources have also led to a "crisis" mentality. Too often, caseworkers are forced to "just find a bed for the kid," leading to inappropriate, multiple and overcrowded placements. In San Francisco, for example, caseloads are "unmanageable" and "ultimately services to children must fall by the wayside," reports the Little Hoover Commission. Or, for lack of placement, a disturbing number of children are left in dangerous homes—as the death of Lisa Steinberg so tragically shows.

Resources to aid victims of spouse abuse are equally scarce. The National Coalition Against Domestic Violence reports that only 1,200 safe homes and shelters for battered women and their children exist across the country. In far too many communities, victims have nowhere to go to escape an abusive situation.

Legal protection against domestic violence is just as inadequate. As the select committee learned at its hearing, "Women, Violence and the Law," the police are still reluctant to come to the aid of battered women. Only a handful of States have mandatory arrest laws for domestic violence, even though research shows that arrest is a strong deterrent to abuse.

To the extent that laws exist, they are seldom enforced. Seventy percent of police officers in one study said they wrote up reports of domestic violence in less than 20 percent of cases; 13 percent said they never reported family disturbances. It was the consensus of our witnesses that better training was needed for those involved in investigating, prosecuting, and treating family violence.

By accepting this conference report, which sets the fiscal year 1988 authorization level for the Child Abuse Prevention and Treatment Act at $48 million, a $4.9 million increase over last year, we have the opportunity to preserve and expand upon programs which prevent

child abuse, improve family functioning and bring relief to a greater number of victims. I am pleased that the conferees supported funding of community-based respite care and crisis nurseries, which I initiated, regardless of whether or not they are supervised or administered by hospitals. These cost-effective programs are known to alleviate family stress and prevent child abuse.

As agreed upon, this legislation will authorize research on the incidence of child abuse and neglect, particularly among high risk groups, such as handicapped children and children in drug or alcohol abusing families and on the legal and judicial response to child abuse cases. It also sets up a Presidential Commission on Child and Youth Deaths to study accidental and suicide related deaths among youth. Such data is sorely needed if we are to develop and better tailor programs to protect those in need.

I am especially pleased that the conference agreement authorizes $26 million for the Family Violence Prevention and Services Act, which I authored in 1984, and that it adopts a new family violence grant program to train those involved in identifying and responding to domestic violence, including police officers, hospital and social services personnel, and education counseling staff.

I would like to commend Congressman MAJOR OWENS for his able leadership in putting together a comprehensive, sensible bill which goes far in answering the Nation's cries for better protection and assistance to victims of child abuse and domestic violence.

Mr. DINGELL. Mr. Speaker, I rise in strong support for H.R. 11 with the amendment jointly offered by the Committee on Public Works and Transportation and the Committee on Energy and Commerce. I particularly want to commend the Public Works Committee for their fine cooperation in bringing this matter to the floor today. I also want to compliment subcommittee Chairman LUKEN and the ranking minority member, Mr. WHITTAKER, for the leadership in working out this legislation. It has been a pleasure working with these able gentlemen and their fine staff.

Mr. Speaker, I am aware that only a few days ago the Office of Management and Budget expressed some concern about the authorization levels in this bill and about the disposition of fees received by the National Transportation Safety Board in connection with safety training to be provided to non-Federal safety personnel.

As to the authorization levels, I can only point out that the funding level for this very important safety agency is at rock bottom and in fiscal year 1988 it is near or very close to the actual appropriation.

Many agencies in this city far exceed the funding of this Board and have far less direct and personal effect on all of our people who use public transportation facilities in this Nation. Most think of the NTSB as investigating aviation and railroad accidents and forget that the Board's authority is far broader as noted by our committee in its report on H.R. 11 (H. Rept. 100–158, part 2). Members of Congress who regularly travel from their congressional districts know the importance of ensuring that this agency is not underfunded. Our very lives depend on the work of this and other safety agencies. Let us not forget that.

Yet no one can say that this bill will adequately fund this agency. Even if the full levels of the authorizations are realized, the Board will be underfunded and it will have to scrape and scrimp to maintain a level of staff necessary to handle the increasing safety workload of the Board. That is not fair, but given our general budget concerns it is reasonable. What is not reasonable, is the OMB knee-jerk reaction to these authorization levels. This is not pork-barrel. This is not waste. It is safety in transportation. It is crucial to the public's well-being and peace of mind for all travelers. I hope that OMB's Jim Miller will realize this. I hope that President Reagan and the Vice President will realize it. I hope they will think safety first.

As to the fee issue, let me say that I generally believe all fees should go to the Treasury as miscellaneous receipts. That was my original reaction to the very broad provisions of section 4 of H.R. 11 as introduced. But we modified section 4. We narrowed it to one training school that is existing today. That school now trains Board employees, as well as non-Federal safety people. Section 4 merely confirms existing practices. It is fashioned after existing law that applies to the Federal Aviation Administration which operates this school and which is allowed the crediting that OMB objects to in the case of the Board.

In this case, the fee does not go to the Board. Rather it goes to the Department of Transportation for credit to the proper appropriation. It is subject to an annual appropriation and it is an offset against the Board's contract price with the DOT. Most importantly, section 4 ensures that these non-Federal users pay a proper and reasonable fee. They cannot get a free ride. They must pay their way. That is an improvement over the introduced bill. In my view, the fee issue is a non-issue. It is peanuts.

Before closing, I want particularly to call to the attention of the House the committee's discussion about the failure of the Reagan administration to issue an Executive order concerning the use of seat belts in Federal areas. This matter has been pending for years at DOT and OMB. It has been stonewalled. DOT has even refused to release a so-called legal discussion of these matters. That is hardly leadership in safety on the part of the administration. I hope the administration will reconsider and issue the Executive order.

I urge adoption of the amended bill.

Mr. GOODLING Mr. Speaker, I rise in support of the Child Abuse Prevention, Adoption, and Family Services Act of 1987, H.R. 1900.

No matter how we work the statistics on child abuse and neglect, the fact of the matter is that approximately 1 million cases of child abuse and neglect are substantiated each year.

These children are our future. Unless they are helped, unless the abuse and neglect is stopped, they will be ill prepared to meet the daily challenges of living. Their self-esteem will be low; they will be at great risk of educational failure; they might become runaways; and they will probably grow up to be adults who abuse their children.

Through the research and programs funded by this act, we in the Congress are doing our part to assist children who are now being abused and neglected and to prevent the abuse of future generations of children.

The reauthorization of the Child Abuse Prevention and Treatment Act is but one part of H.R. 1900. Unfortunately, another important section of this legislation, affecting another group of children who need our help, many times goes unnoticed. These are children who need loving homes, children who are up for adoption. I am a member of the Congressional Coalition on Adoption and have a long-standing interest in securing homes for adoptable children. This year, I am pleased to say, we have added two additional sections to current law which will assist in finding homes for hard-to-place children.

The post-legal-adoption opportunity program provides assistance such as individual, group, and family counseling to individuals who adopt special needs kids.

The minority adoption opportunity program is directed at increasing the number of minority adoptions. Historically, minority children spend longer periods of time in foster homes and institutional settings. Most of these children really need and want the love and security of a permanent family. Hopefully the enactment of this law will help a large number of these children realize their dream.

Mr. Speaker, I urge my colleagues to pass the conference report to H.R. 1900. In doing so, we are securing a future for many of our Nation's children and providing assistance to families in stress.

Mr. OWENS of New York. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OWENS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 1900, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

BIG CYPRESS NATIONAL PRESERVE ADDITION

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 90) to establish the Big Cypress National Preserve Addition in the State of Florida, and for other purposes, with Senate amendments to the House amendments thereto, and concur in

the Senate amendments to the House amendments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments, to the House amendments as follows:

Senate amendments to House amendments:

Page 9, lines 18, 19, and 20 of the Senate engrossed bill, strike out "appropriate wildlife protection, and, where appropriate, hunting, fishing, frogging, and other recreational opportunities" and insert "wildlife protection, hunting, fishing, frogging, and other traditional recreational opportunities".

Page 9, lines 21 and 22, of the Senate engrossed bill, strike out "not more than 3" and insert "Three".

Page 2, lines 12 and 13, of the House engrossed amendment, strike out "tion and such sums as may be necessary for development."." and insert "tion. There is hereby authorized to be appropriated such sums as may be necessary for development in the Addition.".".

Mr. VENTO (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments to the House amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Minnesota?

Mr. LEWIS of Florida. Mr. Speaker, reserving the right to object, I yield to the gentleman from Minnesota [Mr. VENTO] for an explanation.

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is the third time in this Congress that the House has considered the Big Cypress National Preserve addition legislation. There was strong bipartisan support for its enactment during our initial consideration of the bill and I am pleased that there is even stronger support for its enactment today. The Senate amendments to the House amendments, although technical in nature, are important to many of those interested in the preservation and use of the area in and around the Big Cypress National Preserve. We now have the complete agreement of certain third parties who worried that there could be some misinterpretation of the intentions of the legislation.

The concurrence by the House today will complete the legislative process for this legislation and provide a giant step forward in the protection of lands critical to the unique ecosystem of southern Florida.

Mr. LEWIS of Florida. Mr. Speaker, further reserving the right to object, I support S. 90, the Big Cypress National Preserve Addtion.

This bill is the Senate version of legislation I am proud to have sponsored in the House of Representatives to expand the Big Cypress National Preserve in Florida.

This is the fourth time in the last 2 years that the House will consider Big Cypress legislation. I do not know if that is some kind of record but now it is just moments away from being on its way to the President.

The Big Cypress addition bill provides the unique opportunity to acquire and protect a large south Florida area. The bill has received widespread praise for more than 3 years and it continues to enjoy broad, bipartisan support.

This area is of unquestioned environmental importance. There is no doubt it is worth preserving and enhancing for its unique and wild beauty.

But this is more about protecting water—drinking water—for more than 4 million south Florida residents. That water filters through this land we wish to add to protected Federal lands as it does through all of the Big Cypress Preserve.

Mr. Speaker, because of the continuing public benefit associated with acquisition of this land and I urge passage of S. 90.

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of concurring in the Senate amendments to S. 90 and approving the bill.

I am pleased that the House is taking final action on this bill to add 146,000 acres to the Big Cypress National Preserve in Florida. The bill has already been approved by this body twice, but it appears that previous problems have finally been resolved on all sides.

The amendments we are accepting today would make minor technical corrections in the bill and clarify the intent of the legislation with respect to the continuation of traditional recreational activities within the preserve addition, particularly hunting and fishing. It will insure that these activities, which have always been allowed in the existing preserve, will also be permitted in the addition. Although there have been disagreements over management policies for these activities at the preserve, hopefully this clarification in the bill and an open dialog between the National Park Service and the interested parties, will address the problem to everyone's satisfaction.

I would like to again commend the sponsor of the House bill, Mr. LEWIS from Florida, for his continued work on this legislation. The committee chairman, Mr. UDALL, and the subcommittee chairman, Mr. VENTO, also deserve praise for their hard work and diligence on this important issue.

Mr. Speaker, I would urge that we move forward on S. 90 to protect and preserve this area which is so critical to the Florida Everglades ecosystem. This bill has been finely tuned and is widely supported. Therefore, I urge my colleagues to approve S. 90.

Mr. LEWIS of Florida. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES GUIDELINES FOR CONSIDERATION OF DEPARTMENT OF DEFENSE AUTHORIZATION, FISCAL YEAR 1989, AND FAIR LABOR STANDARDS AMENDMENTS OF 1988

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

Mr. MOAKLEY. Mr. Speaker, I rise to alert the House to the guidelines which the Committee on Rules intends to use in granting rules of procedure for the consideration of two important bills: The Department of Defense authorization for fiscal year 1989 and the Fair Labor Standards Amendments of 1988.

As the chairman of the Committee on Rules has announced in recent "Dear Colleague" letters sent to all Members, the Committee on Rules intends to meet on these two issues next week.

The chairman of the committees reporting those two measures have requested that the Committee on Rules grant modified open rules for these measures, with only specified amendments being made in order.

So that the Committee on Rules can provide a fair and orderly procedure in its deliberations on these matters, in the event that the committee does grant modified open rules relating to their consideration, the following procedure should be adhered to:

Any Member wishing to offer amendments to H.R. 4264, the Department of Defense authorization bill, should submit those amendments to the Committee on Rules office, H-312 in the Capitol, by no later than 5 p.m., Thursday, April 14.

Any Member wishing to offer amendments to H.R. 1834, the fair labor standards amendments, should submit those amendments to the Committee on Rules office, H-312 in the Capitol, by no later than 5 p.m., Friday, April 15.

Mr. Speaker, I ask the Members' attention to these standards, and thank them for their cooperation.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from Texas.

Mr. BARTLETT. Mr. Speaker, I thank the gentleman for yielding.

I note in the gentleman's request, the Rules Committee request, that the amendments to the Fair Labor Standard Acts amendments and the minimum wage increase be offered by this Friday at the close of business, is that the gentleman's intent?

Mr. MOAKLEY. The gentleman is correct.

If the gentleman will allow me, Senator PEPPER, the chairman of the committee, has sent out a "Dear Colleague" letter to all the Members to this effect. My role here is just informing some of those Members who probably have not gotten around to reading the "Dear Colleague," so nobody will be shut out from offering any amendment that they propose at that time.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield further?

Mr. MOAKLEY. I yield to the gentleman from Texas.

Mr. BARTLETT. The question is, in the gentleman's opinion, would it be the intent of the Rules Committee and the Rules Committee chairman then to permit a rule that does permit any amendments that had been offered by Friday afternoon at the close of business, assuming that they are otherwise germane, if they have been submitted then in writing to the Rules Committee or filed in the RECORD, would it be the intent of the Rules Committee then to allow those amendments to be offered on the floor?

Mr. MOAKLEY. This gentleman can only speak for himself. I do not know what the procedure will be. All I am saying is that all amendments will be allowed before the Committee on Rules, and what the Committee on Rules does will be up to the majority of the members of the Committee on Rules.

Mr. BARTLETT. Mr. Speaker, if the gentleman will yield further, the gentleman is the second ranking member of the committee. Does the gentleman know generally what the committee members will do?

Let me rephrase it. The chairman of the Committee on Education and Labor, the gentleman from California [Mr. HAWKINS], whom we all respect a great deal, and the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MURPHY], who we also do, have stated throughout the process that they would seek an open rule when we come to the House floor.

It does seem to me with an issue this important that the House should have an open rule.

I am not certain I even agree to a closed rule, as the gentleman has described, but at least to allow those amendments that have been submitted to be offered on the House floor.

Mr. MOAKLEY. Well, if I may answer the gentleman, the Rules Committee has a letter from Chairman HAWKINS asking for a modified open rule.

Mr. BARTLETT. Will the gentleman yield further?

Mr. MOAKLEY. I am glad to yield to the gentleman from Texas.

Mr. BARTLETT. I am not certain, I know what a modified closed rule is, but I am not certain I know what a modified open rule is. Could the gentleman enlighten us?

Mr. MOAKLEY. It is one that allows the Committee on Rules to chose among those amendments or adopt all those amendments brought before the committee.

Mr. BARTLETT. Mr. Speaker, if the gentleman will yield further, I would hope the House floor would be allowed to adopt amendments or not adopt them as proposed to them in the rule.

I suppose my purpose in asking is essentially, is there a purpose for Members to turn their amendments in, and what is the purpose, that those amendments would then be allowed to be offered on the House floor?

Mr. MOAKLEY. I would just repeat that the procedure of the Rules Committee is to have all amendments printed and submitted to the Rules Committee by April 15 in order that the committee can then avail themselves of all those amendments, and then how the committee acts on them, of course, it is up to the majority of the committee.

Mr. BARTLETT. Mr. Speaker, I thank the gentleman for his patience.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will reserve the right when the gentleman from California [Mr. DYMALLY] gets here to take up commemorative resolutions. The gentleman from California is on the way, but the Chair will recognize Members for special orders and then go back to these resolutions.

RESOLUTION TO HONOR THE AMERICAN CULINARY FEDERATION AND THE NATIONAL RESTAURANT ASSOCIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I rise today to introduce a resolution to honor the American Culinary Federation [ACF] and the National Restaurant Association for their contributions to American cuisine and for their support of the 1988 American Culinary Olympic Team which will be competing in Frankfurt, Germany, this October. The American Culinary Federation is a professional, educational, and fraternal organization of chefs and cooks. The federation was founded in 1929 in New York and since that time has grown to over 17,000 members nationwide with nearly 200 chapters. The ACF provides the means for chefs and cooks to receive education, training, and experience in the culinary profession.

Not only is the American Culinary Federation the oldest nationwide professional association of cooks and chefs, but the ACF is also a joint sponsor with the National Restaurant Association of the U.S. culinary team. Over the years that the United States has been competing in the international culinary competition the team has done increasingly well in competition. This is illustrated by the contrast between the 1968 team, which won no medals and the 1984 team, which won gold medals in both the hot and cold food competitions. The 14-member 1988 team has been preparing for over 2 years for the competition in Germany. This year's entries will reflect the trend in the United States toward lighter, more healthy foods and will feature new creations developed by the team members. This years competition promises to be very exciting.

In addition to the culinary competition team, the ACF also provides many educational opportunities to chefs and cooks across the country. First, there is the American Culinary Federation Educational Institute [ACFEI], which recognizes superior culinary schools through an accreditation program. The ACFEI also sponsors the national apprenticeship training program for cooks, a program recognized by the U.S. Department of Labor. The program consists of a 3-year earn-as-you-learn program combining classroom instruction and employment with a certified chef. Successful completion of the program allows participants the opportunity to enter the culinary field as a certified cook. Presently 84 apprenticeship programs are in operation across the country. A chef certification program is another one of the activities performed by the ACFEI. Certification ranges from certified cook or certified pastry chef to certified executive chef. Through the ACFEI a chef can be recognized as a certified master chef.

The ACFEI offers financial assistance to qualified culinary students to pursue their education and educational seminars are a large part of the activities at the annual ACF convention, which over 700 members attended last year. The American Academy of Chefs is the honor society of American chefs which is associated with ACF. In addition to the Olympic team sponsored by the ACF, the federation also sponsors many culinary competitions during the year. These competitions are the first experience many chefs have in culinary competition.

The ACF and the NRA are dedicated to the preservation and expansion of the culinary profession in the United States. These organizations have succeeded in allowing American chefs to successfully compete against European chefs. The accomplishments of the American culinary team are commendable. I find the accomplishments of the ACF and NRA of particular interest, as my parents operated a restaurant in Monterey after their arrival in the United States. I know first hand the work and dedication needed in the culinary profession. The men and women who make up the American Culinary Federation and the National Restaurant Association deserve to be recognized for their contributions. I urge my colleagues to join me in sponsoring the resolution I am introducing today to honor the American Culinary Federation and the National Restaurant Association.

H. RES. 426

Resolution honoring the American Culinary Federation and the National Restaurant Association for their contributions to American culinary art and for their support of the 1988 United States Culinary Team

Whereas the American Culinary Federation is the oldest and the only national professional association of cooks and chefs recognized by other leading food service associations;

Whereas the National Restaurant Association is the oldest national professional association of food service operators and represents all segments of the food service industry;

Whereas the American Culinary Federation and the National Restaurant Association offer opportunities for their members to gain experience, training, education, and fellowship with their colleagues;

Whereas the membership of the American Culinary Federation increased from approximately 6,000 members in 1981 to approximately 17,000 members in 195 chapters in 1988, an increase in membership of 275 percent in 7 years;

Whereas the National Restaurant Association has a membership of 125,000 food service establishments;

Whereas there are presently 357 cooks, 884 working chefs, 1,324 executive chefs, and 31 master chefs in the Nation who are certified by the American Culinary Federation;

Whereas the American Culinary Federation and the National Restaurant Association have joined together to form the 1988 United States Culinary Team;

Whereas the United States, in competiton with teams from 28 other countries, won a gold medal in the International Culinary Competition in the hot food competition in 1980 and in both the hot and cold food competitions in 1984;

Whereas the United States Culinary Team has consistently received recognition and acclaim in international competitions and has focused international attention on the high quality of American cookery;

Whereas the United States Culinary Team will represent the United States in the International Culinary Competition in Frankfurt, Germany in October 1988: Now, therefore, be it

Resolved, That the House of Representatives honors the American Culinary Federation and the National Restaurant Association for their contributions to American culinary art and for their support of the 1988 United States Culinary Team.

TRIBUTE TO HAYWARD CITY MANAGER DON BLUBAUGH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. se Speaker, it is with both pride and sadness that I bring the accomplishments of Hayward city manager Don Blubaugh to the attention of my colleagues. While I am proud to say that Don has been an excellent city manager for the past 9 years, implementing innovative and exciting changes within the government of Hayward, I am sad to say that he will soon be leaving us to start his new position as city manager of Walnut Creek.

Don is the kind of constituent every Member of Congress dreams of. He not only participates in the governmental process, he has dedicated himself to improving the process itself, transforming Hayward into an efficient, well-run city that could serve as a model for the reorganization of city governments throughout the country.

Concentrating on long-term plans and yet never forgetting the smallest details, Don has streamlined Hayward's government, saving both money for the citizenry and aggrevation for the participant. He has been hailed for his forsight in his implementation of a new general plan and the institution of a 5-year capital improvement program. Among his many other contributions to the city are his improvements to the Hayward Airport, the expansion of the Hayward Main Library, the many streets and boulevards that he has facilitated the improvement of, and his efforts at enhancing the image of the city as a whole.

Never content with the great strides he has already taken, Don will soon be moving on to a new challenge, having accepted the position of city manager of Walnut Creek. I join many others in professing my gratitude for Don's dedicated service to both the city and the people of Hayward. Good luck to both the city and the people of Hayward. Good luck in your future endeavors Don—we will truly miss you.

NATIONAL EATING DISORDERS AWARENESS WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 272) designating the week of April 24, 1988, through April 30, 1988, as "National Eating Disorders Awareness Week," 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. Reserving the right to object, Mr. Speaker, the minority has no objection to this legislation being considered.

Mr. Speaker, I yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I want to thank WILLIAM FORD, chairman of the Committee on the Post Office and Civil Service, MERVYN DYMALLY, chairman of the Subcommittee on Census and Population, and CONNIE MORELLA ranking Republican on the subcommittee for their courtesy. They have shown here, Mr. Speaker, House Joint Resolution 272, designates April 24-30 as "National Eating Disorders Awareness Week." This bill was introduced by our former colleague from Louisiana. Buddy Roemer, before he resigned to become Governor of Louisiana. I am delighted that the House will have the opportunity to pass this resolution, and again I thank Mr. FORD, Mr. DYMALLY, and Mrs. MORELLA.

Mr. Speaker, several million boys, girls, men, and women suffer from eating disorders. These disorders are best treated if detected early. But that is not always easy, since the person with the disorder may be a model student, with good grades and good behavior.

Mr. Speaker, on personal note, a member of my family was 15 when she developed anorexia and later bulimia. Her disease went undiagnosed for 1 full year. Then she was hospitalized and underwent a 4-year life-and-death struggle. She won that struggle. Today, 15 years later, she has a husband and a young child and is leading a full and active life.

Her suffering would have been far less had her disorder been diagnosed earlier. That is where this bill can help. Awareness week aims to increase preventive efforts and to educate the public and professionals, such as teachers and coaches.

Nonprofit support groups throughout the country have organized activities for this week. Their theme: "It's What's Inside That Counts." Through conferences, speaking in schools, and on television and in print, these groups will focus on early intervention and will seek to puncture the myth that being thin necessarily means being happy and in control of one's life.

Mr. Speaker, I look forward to action in the Senate, where BARBARA MIKULSKI has introduced a companion bill, Senate Joint Resolution 259.

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. 272

Whereas Anorexia Nervosa ("starvation sickness") and Bulimia ("binge-purge syndrome") are emotional disorders that can lead to serious physical illness and even death;

Whereas experts estimate that 1 out of every 100 women between the ages of 12 and 25 suffers from Anorexia Nervosa, that 1 out of every 7 women in that age group develops Bulimia, and that nearly 10% of all patients who are referred to eating disorder clinics are men;

Whereas recently there has been a dramatic increase in the number of reported cases of Anorexia Nervosa and Bulimia, and the need to provide effective treatment to the victims of these disorders is thus greater than ever; and

Whereas public awareness about the personal and familial tragedies caused by Anorexia Nervosa and Bulimia must be raised in order to promote continued research into the causes and treatments of these and other eating disorders: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 24, 1988, through April 30, 1988, is des-

ignated as "National Eating Disorders Awareness Week," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that week 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.

CRIME VICTIMS WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 234) designating the week of April 17, 1988, as "Crime Victims Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mrs. MORELLA. Reserving the right to object, Mr. Speaker, I have no objection to this resolution.

Mr. Speaker, I yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I thank my friend, the gentlewoman from Maryland, for yielding.

Mr. Speaker, I am most pleased to rise in support of the Senate companion bill (S.J. Res. 234) of legislation I introduced in the House of Representatives to designate the week beginning Sunday, April 17, as "Crime Victims Week." Before proceeding further, I want to take a moment to express my personal appreciation to BILL FORD, chairman of the Committee on Post Office and Civil Service, for his courtesy to me in allowing this legislation to be brought to the floor so promptly. In addition, I also want to express my appreciation for the assistance of Subcommittee Chairman DYMALLY and subcommittee ranking Republican, CONNIE MORELLA, for their courtesy and assistance in this effort.

For many years, as a member of the House Judiciary Committee, I have been involved in efforts to bring about the Federal recognition of the plight of innocent crime victims. To me, simple justice requires as much compassion for the victim as it does due process rights for the perpetrator. These efforts led to the enactment of the Crime Victims and Witness Protection Act in 1982 and, ultimately, the landmark Victims of Crime Act enacted in 1984. That 1984 statute established, for the first time, a program of Federal financial assistance to State victims compensation programs. Legislation is currently pending in the Subcommittee on Criminal Justice of the House Judiciary Committee which will provide for the reauthorization of this important Victims of Crime Act. As a member of that subcommittee, I am, of course, fully prepared to support reauthorization.

Next week, April 17-April 23, marks the sixth anniversary of the establishment of the President's Task Force on Victims of Crime. That task force, dedicated to restoring greater balance to the criminal justice system, began its work on April 23, 1982. The final report of the President's task force called upon the Congress to enact legislation providing Federal moneys to assist State crime victims compensation programs. Since its establishment in 1984, $208 million has been collected in the Crime Victims Fund. These moneys have helped countless thousands of crime victims in readjustment and rehabilitation. The funds are for victims assistance, for compensation, and training assistance for service providers.

The Senate has already acted favorably on this legislation on February 26, 1988, under the leadership of Senator THURMOND. President Reagan has traditionally proclaimed the week of April 17 as "Victims of Crime Week." I am hopeful that the House of Representatives will join in focusing America's attention on the plight of crime victims. We all should reflect on the fact that the responsibility of crime lies with those who commit it and not with those who endure it.

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Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I am happy to speak today on behalf of House Joint Resolution 420, and Senate Joint Resolution 234 which will designate April 17-23, 1988, as "National Crime Victims Week." This resolution helps to promote the issues and concerns of victims of crime throughout the United States.

Maryland has been in the forefront in affording victims their rights.

While in the Maryland State Legislature, I was involved in strengthening the Criminal Injuries Compensation Program and in moving successful legislation to require that Maryland crime victims be informed of their rights. In Maryland, also, there is the victims assistance network [VAN], which is a coalition of agency and organization representatives dedicated to assuring the rights of victims. Inspiration for this network was provided by the Stephanie Roper Committee and Foundation, which has provided leadership in this area of crime victims rights. With its director, Roberta Roper, the committee has achieved major legislative goals and given direct services to crime victims and, indeed, to all citizens of Maryland. I am proud that the State of Maryland has taken the lead in this area of crime victims rights, and I urge my colleagues to pass House Joint Resolution 420, which will focus attention on crime victims rights.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 234

Whereas millions of Americans are victims of crime each year;

Whereas many of those crime victims are traumatized further by the physical, psychological, and financial burdens resulting from their victimizations;

Whereas the sensitivity of our Nation's criminal justice system must be improved when working with crime victims and their families;

Whereas much progress has been made to correct these injustices by implementing in the Federal, State, local, and private sectors the recommendations of the President's Task Force on Victims of Crime; and

Whereas continuation of these efforts must be encouraged to ensure the restoration of balance to our Nation's criminal justice system and the fair and compassionate treatment of crime victims and their families: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 17, 1988, is designated as "Crime Victims Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL TRAUMA AWARENESS 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. 373) to designate May 1988 as "National Trauma Awareness Month" and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from California?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, the minority has no objection to this legislation.

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. 373

Whereas more than nine million individuals in the United States suffer traumatic injury each year;

Whereas traumatic injury is the leading cause of death of individuals of less than forty years of age in the United States;

Whereas every individual is a potential victim of traumatic injury;

Whereas traumatic injury can occur without warning;

Whereas traumatic injury frequently renders its victims incapable of caring for themselves;

Whereas past inattention to the causes and effects of trauma has led to the inclusion of trauma among the most neglected medical conditions;

Whereas the people of the United States spend more than $100,000,000,000 annually on the problem of trauma;

Whereas the problem of trauma can be remedied only by prevention and treatment; and

Whereas the people of the United States should be educated in the prevention and treatment of trauma: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 1988 is designated as "National Trauma Awareness Month", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies 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.

RECOGNIZING SIGNIFICANT SYMBOLS OF THE "YEAR OF NEW SWEDEN"

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. 347 recognizing the identical plaques initiated by Sami Bandak, created by Margareta Hennix and Ginvanni Bizzini, and depicting the *Calmare Nyckel,* the ship that brought the first Swedish settlers to North America, as significant symbols of the "Year of New Sweden"; and providing for the placement of one of such plaques at Fort Christiana in the State of Delaware, 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, the minority has no objection to this legislation, and it gives me great pleasure to yield to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, I thank the gentlewoman from Maryland [Mrs. MORELLA] for yielding.

Mr. Speaker, 350 years ago the first Swedish settlers to set foot in the New World landed at "the Rocks" on the Christina River at what is now Wilmington, DE. The landing of the Dutch pinnace *Calmare Nyckel* in Wilmington marked the beginning of what has become a long and fruitful relationship between the American and Swedish people. The colony of New Sweden was the first permanent settlement in the State of Delaware, and marked the beginning of our Government, Religion, Education, agriculture, commerce, and industry.

Those original Swedish settlers were small in number, but the contributions of their descendents helped shape a great nation. Three signers of the Declaration were of Swedish ancestry. Descendents of New Sweden helped draft the Constitution and John Hanson of Maryland, a man of Swedish descent, presided as President of the Continental Congress from 1781 to 1782.

Today, there are over 4 million Americans from throughout the United States who are of Swedish ancestry. To celebrate the contributions of Swedish-Americans, and the centuries-old kinship between the United States and our European cousins, Congress has declared 1988 "the Year of New Sweden." Tomorrow, their Majesties, the King and Queen of Sweden, will visit Wilmington, DE, and stand on the rocks where those first Swedes stood 350 years ago.

As part of the celebration of this trisusquicentennial, the royal couple will dedicate the plaque we authorize today to the memory of those brave pioneers. The plaque, designed by Margareta Hennix and Ginvanni Bizzini togther with the House of Gustavsberg, depicts the *Calmere Nyckel* and bears the seal of his Majesty Carl Gustaf XVI, the King of Sweden. It has been donated by Sami Bandak on behalf of the House of Gustavsberg in Sweden.

Mr. Speaker, Wednesday's dedication of this plaque is part of a nationwide celebration of Swedish heritage. I'm proud to join the sponsor of this bill, the gentleman from California [Mr. BATES], in supporting House Joint Resolution 347, and I wish to extend a warm welcome to the King and Queen of Sweden on behalf of the people of the State of Delaware.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I wish to compliment the gentleman from Delaware [Mr. CARPER] for the excellent tribute to the resolution that he just offered.

Mr. Speaker, I yield to the gentleman from California [Mr. DYMALLY], the chairman of the Subcommittee on Census and Population.

Mr. DYMALLY. Mr. Speaker, I thank the gentlewoman from Maryland for yielding.

Mr. Speaker, I note with some interest that the King and Queen will visit Los Angeles on Monday, and there will be a dinner to celebrate their presence there. We Californians, especially those of us from southern California and Los Angeles County and of course the 31st District, extend a warm welcome to the King and Queen of Sweden to California.

Mr. BATES. Mr. Speaker, House Joint Resolution 347 recognizes identical plaques depicting the *Calmare Nyckel,* the ship that brought the first Swedish settlers to North America in 1638, as significant symbols of the "Year of New Sweden."

The original plaque bearing the signature of His Majesty Carl XVI Gustaf, the King of Sweden, will be presented to King Carl Gustaf and Queen Silvia by Congressman TOM CARPER at a dedication ceremony in Fort Christina, DE, on April 13, 1988. The plaque will then be put on public display in Wilmington, DE, at the Old Swedes Holy Trinity Church for all Americans to view.

House Joint Resolution 347 was introduced to recognize the valuable contributions Swedes have made in the 350 years they have inhabited North America. Their influence has greatly enriched the culture of the United States.

Mr. Speaker, I hope the Congress of the United States will join the millions of Swedish-Americans in celebrating this important anniversary.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MONTGOMERY). 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. 347

Whereas, in Public Law 99-304 (100 Stat. 439), the Congress designated 1988 as the "Year of New Sweden" to commemorate the 350th anniversary of the arrival of the first Swedish settlers in North America;

Whereas such Swedish settlers sailed aboard the *Calmare Nyckel,* established New Sweden as their first settlement in North America in what is now Wilmington, Delaware, and built Fort Christiana to defend their settlement;

Whereas Fort Christiana is designated as a National Historic Landmark and will be the site of several activities to observe the "Year of New Sweden";

Whereas, as part of the celebration of the "Year of New Sweden", the artists Margareta Hennix and Ginvanni Bizzini, together with the House of Gustavsberg in Gustavsberg, Sweden, created a limited number of identical plaques depicting the *Calmare Nyckel;*

Whereas such plaques are painted in silver and bear the seal of His Majesty Carl Gustaf XVI, the King of Sweden; and

Whereas a part of the proceeds from the sale of such plaques will be donated to charities that help the handicapped: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RECOGNITION OF CALMARE NYCKEL PLAQUES.

The identical plaques initiated by Sami Bandak, created by Margareta Hennix and

Ginvanni Bizzini (together with the House of Gustavberg), and depicting the *Calmare Nyckel*, the ship that brought the first Swedish settlers to North America, are hereby recognized as significant symbols of the "Year of New Sweden".

SEC. 2. ACCEPTANCE AND PLACEMENT OF PLAQUE.

The Secretary of the Interior shall—

(1) accept as a gift from Sami Bandak on behalf of the House of Gustavsberg one of the plaques referred to in section 1, and

(2) with the consent of the owner of Fort Christiana in the State of Delaware, place such plaque at such site to commemorate the 350th anniversary of the establishment of New Sweden.

AMENDMENT OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DYMALLY: Page 3, line 4 and 5, strike "Christiana" and insert "Christina".

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment of the joint resolution.

The joint resolution was ordered to be engrossed.

AMENDMENTS TO THE PREAMBLE OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer amendments to the preamble.

The Clerk read as follows:

Amendments to the preamble offered by Mr. DYMALLY:

In the first clause on page 2, strike "Christiana" and insert "Christina".

In the second clause on page 2, strike "Christiana" and insert "Christina".

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 so as to read: "Recognizing the identical plaques initiated by Sami Bandak, created by Margareta Hennix and Ginvanni Bizzini, and depicting the *Calmare Nyckel*, the ship that brought the first Swedish settlers to North America, as significant symbols of the 'Year of New Sweden'; and providing for the placement of one of such plaques at Fort Christina in the State of Delaware.".

The title amendment was agreed to.

A motion to reconsider was laid on the table.

JEWISH HERITAGE WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 527) to designate the week of April 17, 1988, through April 24, 1988, as "Jewish Heritage Week," 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, the minority has no objection to this legislation.

Mr. Speaker, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman from Maryland for yielding.

Mr. Speaker, I am pleased to rise in strong support of House Joint Resolution 527, legislation that declares the week of April 17 to 24, 1988, as "Jewish Heritage Week." I commend my colleague, the gentleman from New York [Mr. SCHEUER], for his leadership in sponsoring the measure this year, which recognizes the 40th anniversary of the independence of the State of Israel, as well as other important dates on the Jewish calendar. House Joint Resolution 527 also notes the contribution made by the Jewish cultural traditions to the rich fabric of American society.

Indeed, the months of March, April, and May mark several important dates on the Jewish calendar. Each year at this time we celebrate Passover, when the Jewish people were released from bondage in ancient Egypt due only to divine intervention, subsequently being led by Moses to the Promised Land. We acknowledge the valiant stand taken by the brave Jews in the Warsaw ghetto uprising just a few decades ago. Fighting for their very lives against the Nazi terror, determined that were they to be shipped to concentration camps in Poland they would do so only after every street battle had been fought, the courageous Jews of the Warsaw ghetto epitomize the ideals of the American dreams of freedom and our willingness to fight for those ideals.

We also acknowledge the continued struggle of our brethren in the Soviet Union, who fight for religious and cultural survival on a daily basis. Glasnost notwithstanding, the Soviet Union has not been a hospitable place for the Jewish soul, and for other minorities, and our efforts in Congress on their behalf will continue unabated until each and every Jew who desires to emigrate has had the chance to do so. Religious and cultural freedom can only flourish in an open society.

Yet the hallmark of this legislation is clearly the 40th anniversary of Israel's independence. In Israel, the day prior is commemorated as Memorial Day, when all of Israel somberly recalls the heavy casualties of its armed services over the past four decades. It is a country in which every family has lost someone to one of Israel's battles for survival. The independence celebration begins in the evening as Israelis flood the streets with music, dancing, and general merriment. The next morning brings additional festivities, including all manner of picnics and parties.

Unfortunately, Mr. Speaker, the threat to Israel's very existence has never waned. We in the United States are miles away from many of the world's trouble spots. Sometimes we find it hard to understand the reality of living in a place where terrorism and violence are a daily threat, and where one's attitudes and world view are colored by such an atmosphere. Let us, therefore, reflect upon the many accomplishments of this small nation, one that has made the desert bloom and which serves as a haven for Jews throughout the world in times of trouble.

The rich cultural tradition of American Jews has contributed significantly to this Nation as well, one which we all appreciate as part of our American melting pot. Accordingly, I urge my colleagues to vote for House Joint Resolution 527, and to celebrate these important dates in the appropriate manner.

□ 1400

Mrs. MORELLA. Mr. Speaker, continuing with my reservation of objection, I yield to the gentleman from California [Mr. DYMALLY], the chairman of the subcommittee.

Mr. DYMALLY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I reflect with fond memories as a boy in secondary school where I first had my contacts with Jewish students whose parents had left Nazi Germany and come to some of the British colonies. I recall so very well playing soccer with them in Queens Park Savannah in Port of Spain, Trinidad. Later on, as a teacher in the Los Angeles school system where I had the privilege of being a counselor at the Jewish Community Center on Olympic Boulevard in Los Angeles, I had great interest in matters affecting Jews here and abroad.

As a Member of Congress, it was my experience to visit Moscow where I had a very moving meeting with many of the Soviet Jews who are attempting to migrate to Europe, to Israel, and to the United States. We call them refuseniks, but they are very brave and courageous people who dare to challenge the system in Soviet Russia and who long for human rights in Russia, the freedom to express their points of view, and to worship as they see fit.

So I think it is most appropriate, Mr. Speaker, that we observe the heritage of this great people. Last month, this month, and next month will be significant days in the lives of Jews all over the world. They will observe Passover and the anniversary of the Warsaw

ghetto, Soviet Jewry, Solidarity, and other significant observances in Jewish life.

So it is a good time, Mr. Speaker, to commend the heritage of Jewish persons worldwide and particularly in the United States, and I join my colleagues, the gentleman from New York [Mr. GILMAN], the gentleman from New York [Mr. SCHEUER], and my fellow committee member, the gentlewoman from Maryland [Mrs. MORELLA], in commending the Jews of this country and all over the world for the significant contributions they have made to public life.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I commend the gentleman from California [Mr. DYMALLY] and the gentleman from New York [Mr. GILMAN] for their eloquent statements with regard to this resolution. I rise personally in support of the resolution to designate April 17, 1988, as "Jewish Heritage Week."

The month of April, as has been pointed out, is most significant in the Jewish community. First of all, it is the 40th anniversary of the independent State of Israel. In addition, the Jewish calendar contains such major events as Passover, the anniversary of the Warsaw ghetto uprising, Solidarity Sunday for Soviet Jewry and Jerusalem Day.

It is fitting not only to recognize the events which would occur in the month of April but also to bring them to the attention of the people of this Nation. Throughout our Nation's history, the Jewish community has contributed to every facet of American life. It is, therefore, fitting and appropriate that the week of April 17 through April 24, 1988, be designated as "Jewish Heritage Week," and I urge my colleagues to approve this resolution and recognize publicly the major role the Jewish people have played in contributing to our American heritage.

Mr. Speaker, I withdraw my reservation of objection.

Mr. MAVROULES. Mr. Speaker, today I wish to encourage all of you to support House Joint Resolution 527, a resolution that would designate the week of April 17, 1988, as Jewish Heritage Week. Like so many other ethnic groups, the Jewish people came to America to take advantage of the opportunities which this country promised. The Jewish population in the United States has continually celebrated their freedom, not only from religious persecution, but also from regulated and restricted lifestyles. We designate this week to recognize and appreciate the Jewish culture, traditions, and their rich contributions to American society.

April has been chosen to recognize Jewish heritage because of the various days of observance for Jews this time of year: Passover, the anniversary of the Warsaw Ghetto Uprising, Solidarity Sunday for Soviet Jewry, and Jerusalem Day. April 21, 1988, is the 40th anniversary of the founding of the State of Israel. Passover, one of the most significant holidays on the Jewish calendar, is a celebration of freedom. To Jews around this country, Passover not only celebrates the freedom from slavery in Egypt, but the freedom that Jews and other ethnic groups enjoy in the United States. The Jewish community has been able to take advantage of this freedom and opportunity to produce some of our most prominent and successful citizens.

Throughout history, Jewish citizens have been active in many professions and fields. In entertainment, Milton Berle led the way as the "father of television." Following him, among others, were actors Mel Brooks, Zero Mostel, Lauren Bacall, and Dustin Hoffman. Musicians George Gershwin and Richard Rodgers contributed greatly to the music history of our country. On the business side, there are Jewish origins in major department stores such as Bamberger's, Altman's, Gimbels, and Abraham & Straus. In politics, Louis Brandeis was the first Jewish Supreme Court Justice. Other political figures include: Henry Kissinger, Secretary of State under Richard Nixon; Arthur Goldberg, U.S. Ambassador to the United Nations; Herbert Lehman, Governor and Senator of New York; Ed Koch, mayor of New York; and Golda Meir—originally of Milwaukee, WI—Prime Minister of the State of Israel. In fields such as medicine, law, and journalism, Jews continue to be active participants.

In America, the Jewish culture adds to the "great American melting pot" for which this country is known. Each nationality adds to the diversity of American life. One of the unique aspects of America is the wide variety of food that is available to the public. Italian, Mexican, Chinese, Greek * * * food from all nationalities around the world. The Jewish people also brought with them a different type of cuisine. In restaurants around the United States, "Jewish" food is always available: chopped liver, gefilte fish, pastrami, and bagels and lox are eaten by the general public. Each Jewish holiday also brings different customs: lighting the candles and eating potato latkes for the celebration of Channukah, holding a Passover sedar with matzoh and other traditional tokens, and of course reciting prayers, drinking a cup of wine, and cutting the challah.

Once again, I urge my colleagues to join me in this worthy celebration of the Jewish heritage. The United States of America would certainly be missing a taste of the world had it not been for Jewish contributions and their rich culture and customs. Let us appropriately recognize their contribution and set-aside a week for a worthy celebration.

The SPEAKER pro tempore (Mr. MONTGOMERY). 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. 527

Whereas April 21, 1988, marks the fortieth anniversary of the founding of the State of Israel;

Whereas the months of March, April, and May contain events of major significance in the Jewish calendar—Passover, the anniversary of the Warsaw Ghetto Uprising, Solidarity Sunday for Soviet Jewry, and Jerusalem Day;

Whereas the Congress recognizes that an understanding of the heritage of all American ethnic groups contributes to the unity of our country;

Whereas intergroup understanding can be further fostered through an appreciation of the culture, history and traditions of the Jewish community and the contributions of Jews to our country and society: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 17, 1988, through April 24, 1988, is designated as "Jewish Heritage Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States, State and local government agencies, and interested organizations to observe the week with appropriate ceremonies, activities and programs.

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.

CONGRATULATING UNIVERSITY OF KANSAS ON WINNING NCAA BASKETBALL CHAMPIONSHIP

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the resolution (H. Res. 425) congratulating the University of Kansas on winning the NCAA Basketball Championship, and ask for its immediate consideration.

The Clerk read the title of the 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, the minority has no objection to this legislation. I congratulate the team.

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 resolution, as follows:

H. RES. 425

Whereas, the University of Kansas has richly earned its reputation as one of America's great basketball schools;

Whereas, its first coach was the man who invented the game, Dr. James Naismith;

Whereas, that great tradition continued this year thanks to the brilliant coaching of Larry Brown and a true team effort by the Kansas Jayhawks;

Whereas, America was treated to a thrilling final four because of the outstanding play of Duke, Arizona, Oklahoma, and Kansas; and

Whereas, K.U.'s stunning march to the championship shocked the experts and thus proved that no dream is ever too big to dream: Now, therefore, be it

Resolved, That the House recognizes and congratulates the University of Kansas for its outstanding achievement in winning the 1988 NCAA Basketball Crown.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the several resolutions just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THANKING MEMBERS FOR THEIR PATIENCE

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

Mr. DYMALLY. Mr. Speaker, I apologize for being late today to present these resolutions, but I had anticipated there would be a vote, and I was awaiting the 15-minute leave time. I was caught off guard, so to speak, but I appreciate the Chair's indulgence, and I am glad to be here to present these resolutions.

The SPEAKER pro tempore. I thank the gentleman from California for his explanation.

TRIBUTE TO THE LATE HONORABLE HAROLD T. "BIZZ" JOHNSON

The SPEAKER pro tempore (Mr. SAWYER). Under a previous order of the House, the gentleman from California [Mr. EDWARDS] is recognized for 60 minutes.

Mr. EDWARDS of California. Mr. Speaker, it was with much sadness that we learned of the death on March 16 of our former colleague and dear friend, Harold T. "Bizz" Johnson.

Bizz served here in the House of Representatives from 1959 through 1980. It was my great privilege to serve with Bizz for most of that time. I knew him as one of the hardest working and most gracious Members of Congress with whom I have had the pleasure of working.

Most of us know of Bizz' legendary accomplishments as a Member of the Public Works and Transportation Committee, and as its chairman from 1977 to 1980. In that role, he worked tirelessly not only for the needs of Californians but for jobs and progress throughout the country. He never forgot the needs of the people of his district. They were always his most important priority. Yet, he was always willing to listen to the needs of the constituents of other districts and to lend a helping hand to their Representatives whenever possible.

Bizz served for 4 years as the dean of the California delegation here in the House, and it was my honor to assume this position when Bizz left the Congress. His were big shoes to fill. He did much to bring together the diverse factions of our delegation, encouraging Democrats and Republicans to work together for the good of California. Despite representing one of the broader ideological spectrums of any congressional delegation, we continue to come together to work on issues of importance to our State, whether it be the protection of our California coastline or ensuring that California gets its fair share of Federal spending. We have Bizz to thank for demonstrating to us time and again the importance of delegation unity and cooperation.

I remember when Bizz left the House in 1980, and many of us took time to wish him well in his retirement from Congress. Member after Member paid tribute to Bizz and to his outstanding record of legislative accomplishment. But what stands out in my mind is the people who mentioned Bizz' accessibility, his willingness and eagerness to talk with anyone who needed his help. They spoke of his fairness in exercising his responsibilities as chairman of a powerful committee and of his gentlemanly nature. He set a powerful example for all of us, an example that can continue to give us direction.

We will miss him greatly.

Mr. Speaker, I yield to the gentleman from California [Mr. ANDERSON], a long time friend of Bizz Johnson's.

Mr. ANDERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to pay homage to an outstanding individual who not only served the public and our great Nation in the U.S. House of Representatives, but also contributed greatly to humanity. I speak of former Congressman Harold T. (Bizz) Johnson.

Bizz Johnson faithfully served California's First District for over 20 years in the House. During his many years as a California Congressman, Bizz managed to harness his intense energy into serving his fellow man with a sincerity that is rarely equalled. I had the pleasure of working alongside Bizz for many years on the House Public Works and Transportation Committee, which he chaired until 1980. Bizz Johnson was instrumental in the fight for public works projects in California and the rest of the Nation.

Bizz Johnson served his community, State, and Nation well during his long and respected political career. He was a member of the city council of his home town of Roseville, CA, for 8 years before being elected to the California State Senate in 1948. After 10 years in the State legislature, Bizz was elected to Congress where he served for 22 years, utilizing every effort and opportunity to help those he represented. His expertise, and great understanding of our Constitution and legislative process is reflected in the many years Bizz was elected to public office.

Mr. Speaker, the passing of an individual such as Bizz Johnson will be keenly felt by the district he served in California, the U.S. Congress, and indeed the Nation. I, along with my colleagues in the U.S. House of Representatives will miss Bizz Johnson. However, it is comforting to know that Bizz contributed so much to our society that these contributions will serve as an enduring tribute to a great American. My wife, Lee, and I extend our deepest condolences to Bizz' son Robert and his daughter Lorraine.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentleman from California [Mr. ANDERSON] for his very eloquent statement.

Mr. Speaker, I ask unanimous consent that at this point in the RECORD the remarks of our late colleague, the Honorable James J. Howard, of New Jersey, be inserted in the RECORD. Mr. Howard delivered these remarks to me several days before his unfortunate passing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The statement referred to follows:

Mr. HOWARD. Mr. Speaker, Harold T. "Bizz" Johnson, my long-time friend and associate, was a legislator par excellence who had a distinguished career in public service. He began his career on the city council in the city of Roseville, CA. In 1941 and for 7 of the 8 years he served he was mayor. He then moved on to become a distinguished member of the California Senate where he rose to become chairman of a major committee. He was elected to the U.S. House of Representatives in 1958 to the 86th Congress. He served for 22 years; for the last 4 years of his service he was chairman of the Committee on Public Works and Transportation. Harold T. "Bizz" Johnson was the same from the beginning to the end—a quiet, unassuming individual who was dedicated to the growth of the resources of this country. During his long career he worked energetically as one of the last New Deal Democrats in the House to bring to his country, his State, and his district the needed programs in the development of water resources, highways, airports, and mass transit. He was a strong supporter of the Clean Water Program, the Economic Development Program which helped this Nation so much and the Appalachian Regional Development Program that came into being under the late President John F. Kennedy.

It can truly be said of Bizz Johnson that he was a friend to all and all were friends of Bizz Johnson. He brought with him a combination of gentleness and of strength. He was a small-town man who retained that wonderful small-town charm as he moved on first to Sacramento and then to Washington.

Men of the caliber of Harold T. "Bizz" Johnson are men who helped make this country what it is. As we move on to further

develop our Nation's infrastructure needs we can truly say "Bizz" helped carry this process forward.

I was proud to serve with him. I was proud to call him a friend. I regret his passing and extend to his family my heartfelt condolences.

Mr. COELHO. Mr. Speaker, I would like to join my fellow Californians in paying tribute to our friend and former colleague, Harold T. "Bizz" Johnson.

Bizz Johnson was first elected to the House of Representatives in 1958, and admirably served the people of California's First Congressional District until 1980. Throughout virtually his entire tenure in the House, he sat on the Committee on Interior and Insular Affairs and the Committee on Public Works, where he also served as chairman.

Bizz was loved and respected by his constitutents and colleagues alike. Shy of media attention and not widely known outside of his district, he was a quiet but effective force in the House of Representatives. Attentive to the needs of his district and dedicated to his constitutents, Bizz rarely missed a vote. Over the years, his leadership had a national impact as well, as the result of legislation he initiated on issues concerning economic development, disaster relief, public works, the Interstate Highway System and flood control. He was also instrumental in bringing the 1960 winter Olympics to Squaw Valley, CA, and proudly represented the United States in presenting the U.S. flag which was flown during the games.

Having served at the local and State levels of government prior to his election to Congress, Bizz Johnson literally devoted his entire career to public service. He was a dedicated and honest man, and a loving husband and father, and Bizz will be missed by all who knew him.

Mr. MOORHEAD. Mr. Speaker, I was very sorry to hear the news about the death of Bizz Johnson.

He was a highly respected Member of Congress and the California congressional delegation. He was always willing to listen to all points of view. He labored hard and constructively for solid, productive legislation.

As the chairman of the Public Works and Transportation Committee, he was effective in bringing to California many projects that were the best in the Nation.

Bizz Johnson was a gentleman. He was a good friend. My memories of him will always be fond. He will be missed.

Mr. MILLER of California. Mr. Speaker, I rise to pay tribute to the late Harold T. Johnson, with who, I had the honor to serve in this House. As the Members of the House know, Bizz Johnson passed away on March 23, 1988.

Bizz was legendary in California politics, and in the history of the House of Representatives. He served in this body for many distinguished years, during which he rose to senior positions on both the Committee on Public Works and Transportation, which he ultimately chaired, and the Committee on Interior and Insular Affairs, where he chaired the Subcommittee on Water and Power Resources, which I now have the honor to chair.

Bizz will be remembered for his cordiality, his assistance to Members, his expertise, and his absolute devotion to the House of Representatives.

Many will take the floor today to salute Bizz Johnson's many contributions. He was an historic figure, a man who used his powerful positions effectively to shape modern California. Throughout our State are the monuments to his effectiveness and his vision: highways, ports, dams, canals, airports, and hundreds of thousands of acres growing valuable crops which, before Bizz Johnson, were arid wasteland.

To some, these are the products of government largesse. That is the conclusion of those who have not faced the awesome responsibility to construct a modern nation. Indeed, it is the product of Bizz Johnson's vision that has made California the eighth wealthiest nation on the face of the Earth, and the most productive State of the union.

It seems simple, in 1988, to regard the edifices constructed through Bizz Johnson's efforts as "pork barrel." But when he began his career of public service one needed extraordinary vision to anticipate what California—what America—could become.

Bizz Johnson had that vision, and he had the political skills to translate that vision into reality. All Californians, and all American enjoy the benefits of the breadth of his visions, and we are all in his debt for the skill with which he transformed the Nation.

Mr. LANTOS. Mr. Speaker, I would like to join my distinguished fellow Californian, Mr. EDWARDS, in paying tribute to the memory of our distinguished former colleague, Harold T. "Bizz" Johnson, who passed away just a few days ago in Sacramento. Bizz was a great Congressman, who served his congressional district and the people of California, for 22 years in this House.

Freeways and transit systems, sewer and water facilities throughout the State of California are a living tribute to his farsighted abilities. As chairman of the Committee on Public Works and Transportation, Bizz showed great foresight and understanding in assuring that the essential infrastructure for our nation was in place to serve the needs of our economy and the American people.

As a tribute to the lasting contribution of Bizz Johnson, the major interchange of U.S. Highway 101 and California Highway 92 in the heart of San Mateo County was named in his honor in the fall of 1985. This interchange, which required 4 years of construction to complete and cost over $34 million, is a fitting memorial to a man whose congressional career was devoted to assuring the development of our highways and other such facilities.

Mr. Speaker, I join my colleagues in paying tribute to this outstanding former Member of this House, and express my condolences to his family.

Mr. SHUMWAY. Mr. Speaker, I deeply appreciate having this opportunity to pay tribute to our late colleague and very dear friend, Harold T. "Bizz" Johnson, and to bid him farewell.

When I learned that Bizz had passed away, I was reminded of the great feelings of trepidation I harbored when I first met him. In 1978, when I first sought this seat, I ran against one of Bizz' best friends. Consequently, I did not expect him to befriend me when I arrived in Washington. I could not have been more wrong! When we met, my fears proved to be unwarranted. He took me by the hand and introduced me to those with whom I would be working, in Congress, in the bureaucracy, and in whatever Hill capacity he knew would prove helpful to me. We were from different parties; we had very different philosophies. He became a very good friend to me when he did not have to be. I have always viewed his warmth as a measure of the man. Unlike some, Bizz was never cloaked in partisan biases. He was always easy to approach and to talk to. He offered advise and, when it was needed, he could be counted on to generate support from his side of the aisle. Bizz Johnson was a statesman in a way that few individuals can claim to be. I will never forget that.

On a more personal note, my wife and I were both very fond of both Bizz and his late wife, Albra. She was a very dear person, and a good friend to my wife. Once, she confided that she had some concerns about being alone when Bizz was away. We made it a point to ensure that she was escorted home safely from functions she attended alone, and over time a strong bond of friendship was forged. They were both very fine people who epitomized all that is good about couples who seek and hold public office. They will both be missed.

Bizz Johnson accomplished so much in his impressive career that he will not be forgotten. Ironically, I have a legacy from Bizz in my own district, a project he did not accomplish which keeps him all the more in the forefront of my own mind: Auburn Dam. Knowing that even he, with his wisdom, leadership, and statemanship, did not bring that project to fruition is a lesson in itself. He taught me so much about Congress, about winning and losing, and, most of all, about being a gentleman. He took a back seat to no man when it came to being a gentleman from California.

I appreciate this opportunity to pay tribute to a very great man, and a true friend.

Mr. HERGER. Mr. Speaker, as the current holder of the congressional seat so ably represented by Congressman Bizz Johnson during his 22 years in the House, I rise today to express the profound sorrow of his former constituents, who will miss, and remember him with warmth and appreciation.

We in northern California will long remember Bizz Johnson. His love for our area and his simple dignity were characteristic traits. After completing his career in the Congress, Bizz returned to Placer County, to live in his two-bedroom house he owned in Roseville.

I know that the city of Roseville held a special place in Bizz Johnson's heart. Bizz served on the City Council of Roseville in the 1940's, as mayor most of that time. His son Robert is postmaster there, and his daughter Lorraine Alexander teaches school in Roseville.

Despite his ascending to congressional leadership during his tenure in Washington, serving as chairman of the Public Works Committee, Bizz Johnson never lost touch with his roots in his rural community.

Among his many accomplishments in the House were his sponsorship of the legislation which brought the winter Olympics to Califor-

nia's Squaw Valley in 1960, and his tireless efforts to promote construction of the Auburn Dam.

Congressman Johnson will long be remembered by Californians for the role he played in the development of the State's water resources, and his support for road and highway development throughout northern California.

Like many of us who have come to Congress from northern California, Bizz Johnson's career began in local government. Bizz served on the school board before his election to the Roseville City Council. Bizz also served as a member of the California State senate for 10 years prior to his election to Congress.

Bizz Johnson was a conscientious public servant, who strove to respresent his area to the best of his ability. He was known for his effort to keep in close touch with the many varied communities within his sprawling multicounty congressional district, which still remains the largest geographic congressional district in California.

Mr. Speaker, I know I speak for my constituents when I express my sincere sympathy to Congressman Bizz Johnson's family in this sad time for them. I know they will be comforted to learn of the affection so many people had for Bizz, and of the enduring legacy of respect which is his reward for the many years of public service to northern California and to our Nation.

Mr. FAZIO. Mr. Speaker, Bizz Johnson was a dear friend and a monumental figure in California politics, first as a State senator and then a Member of Congress. Bizz was probably more responsible than any other man for the infrastructure and public works in California. As chairman of Public Works and ranking Democrat on Interior, Bizz worked ceaselessly for California water development and transportation needs.

While representing the Northern most counties of the State effectively, from national parks to timberlands, he never lost sight of his responsibility to all of California. His work for urban freeways and transit systems, sewer treatment and water facilities throughout the State, remain a testament to his farsighted bipartisan approach.

Originally from Yolo County, now in my district, Bizz and his lovely and devoted wife Albra began their political life in Roseville. Bizz continued to represent the people in far larger districts throughout the remainder of his career with the same kind of personal rapport and sincere dedication that he first exhibited as mayor of his home city of Roseville.

As one who had the opportunity to serve just one term with Bizz, during which he was dean of our delegation, I came to see Bizz Johnson as the epitome of what a northern California Congressman should be. He has served as a model for me and the service I've been privileged to render since.

Our deepest sympathies to his son and daughter and his grandchildren who we've come to know better in recent years.

Bizz was a great man and a great Congressman and he'll be missed by many friends throughout this country, but particularly the people from the Siskyous and the Sierras to the delta and valleys beyond.

Mr. Speaker, I insert the following article from the Press Tribune:

[From the Press Tribune, Mar. 17, 1988]

"BIZZ" JOHNSON: EX-CONGRESSMAN SPEARHEADED MANY SOUTH PLACER PROJECTS

(By Jim Janssen)

ROSEVILLE.—Former South Placer Congressman Harold T. "Bizz" Johnson—who spearheaded the Auburn Dam project and federal funding for Interstate 80 and the Highway 65 bypass—died early today at Mercy General in Sacramento.

Services are pending at Roseville's Chapel of the Roses funeral home, said Doug Swenson, a mortuary spokesman.

Mr. Johnson, 80, represented South Placer in Congress for 22 years following a political career that started in the late 1930s with his election to the Roseville City School District board.

From there, he vaulted on a high vote by the people of Roseville to become their major when the city was experiencing unprecedented growth and development in the post World War II years.

Mr. Johnson—praised throughout the years for playing a key role in making Roseville competitive for industrial jobs—was one of the principals involved in obtaining Central Valley Water Project electricity and water for Roseville. He also is credited with helping establish Roseville Community Hospital, turning dirt roads into paved streets, and with making major improvements in the city's water treatment system.

The former congressman was born in Broderick in Yolo County, but was reared and educated in Roseville public schools. He started as a political science major at the University of Nevada in Reno, but was never able to finish. The Depression hit, forcing him to seek full-time employment.

He followed in his father's footsteps and went to work for Pacific Fruit Express in Roseville, where he worked for nearly 30 years, rising to a position of foreman.

Mr. Johnson became a union leader in the 1940s and traveled throughout the western United States representing his fellow workers. He got his first taste of the nation's capital while lobbying for railroad workers.

Elected to the California State Senate in 1948, Mr. Johnson served in the upper house of the Legislature for 10 years, earning a reputation as an outstanding advocate for the development of an adequate public school system from primary grades through the university level.

He also was considered a leader in the development of an adequate state highway program and an expert in the field of conservation and utilization of the state's natural resources.

Mr. Johnson entered Congress in January 1959 after being elected on his first try at becoming the representative of the sprawling 1st Congressional District. He was reelected 10 times before he was defeated in 1980 by former state Assemblyman Gene Chappie, one of many Republicans swept into office when Ronald Reagan won the presidency.

While in Congress, Mr. Johnson devoted his time and efforts to the responsibility of representing the people of Northern California.

He used the experience and knowledge gained in his earlier legislative career to win further recognition, especially in the field of water, power, timber and other natural resource conservation.

From early on to his final rise to the top position as one of the most powerful leaders in the House of Representatives, Mr. Johnson was recognized by his colleagues and six presidents under whom he served to have the ability to assume and handle any position of leadership that came his way.

His political career brought him into contact with every president from Dwight Eisenhower to Jimmy Carter. He worked on legislation with notables such as former House Speaker Tip O'Neill and Sen. Edward Kennedy.

The former congressman was tireless in working on legislation for his district, and picked up friends in both houses of Congress by constantly helping his colleagues with their problems, as well as taking care of his own.

His rise in stature led him to being elected in 1977 to serve as chairman of the powerful House Committee on Public Works and Transportation, a post he maintained until the close of his career.

He had served as a member of the committee for many years and participated actively in all of the areas of the committee's jurisdiction, including aviation and airport development, economic development, public buildings and grounds, highway programs, mass transit projects, water and flood control programs, and water quality control efforts.

Mr. Johnson also served as a member of the House Interior and Insular Affairs Committee and chaired its Subcommittee on Water and Power Resources for several years. On this committee he aided in drafting key legislative bills in the areas of national parks, recreation, public lands, and water resources, including the Colorado River Project Bill—the largest reclamation program ever authorized in a single piece of legislation.

His expertise on water resource issues gained him national recognition as the champion of water programs and the architect of California's water policy.

He established a long outstanding record of support for public works programs at the national level by helping draft key bills such as river and harbor flood control acts; acts providing for design and construction of dams, soil erosion prevention devices, irrigation, drainage, municipal and industrial water supply; and an act providing for a national program for inspection of dams.

He was instrumental in the passage of the Water Quality Improvement Act of 1970, which established federal controls on oil pollution and strict liability for oil shippers; extension of the Deep Water Port Act, clearing the way for construction of offshore facilities to accommodate new supertankers; and the Clean Water Act of 1977, which brought about far-reaching reforms of the federal water pollution program, including an intensified attack on toxic pollutants in the nation's waterways.

He also served as a member of the Select Committee on Real Property Acquisition; the Special Committee on Federal Aid Highway Programs; the U.S.-Mexico Interparliamentary Conference; and the Subcommittees on Public Lands, Economic Development, Surface Transportation, and National Parks.

He was vice chairman of the U.S.-Canada Interparliamentary Conference; and chairman of California Democrats in Congress.

Above his political career, Mr. Johnson was always a devoted husband and father. His enthusiasm for his late wife, Albra Johnson; son, Robert Johnson; daughter, Lorraine Johnson Alexander; and grandchildren knew no bounds.

An election night at the Johnson household would find the congressman in shirt sleeves, roasting turkeys and meats and cut-

ting them up for sandwiches and hors d'oeuvres, serving refreshments, and operating generally as the leader of the family unit and the political leader of his district.

He never seemed to be impressed with public importance during his tenure in Congress, but did love public activity—to get the project done, not only for his district, but for the entire country.

His love of Northern California and the 1st Congressional District was an ongoing emotional experience for him, freshened everytime he toured his district—which was practically every visit home.

Mr. Johnson was honored by the Roseville '87 Committee on May 7, 1987 for his contribution to the economic growth of South Placer County.

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to one of our former California colleagues, Harold "Bizz" Johnson.

I first met Bizz upon coming to the Congress in 1971. From the outset he treated me with courtesy and respect, both as a human being and as a colleague. I appreciated it then, and I treasure it now with fond memories.

During the decade that we served together in the House we sometimes differed on issues, but on many others we were in strong agreement. Bizz was a stalwart in promoting the development of California, and the State highway system owes much to him in that regard. Unlike some others, he continued to champion the cause of California, even after he left the Congress following the 1980 election.

Bizz Johnson served the people of California and the Nation in Congress for 22 years. He gave of himself to others, in friendship and understanding. He was missed when he left the Congress. He is missed even more, now that he has departed this earthly vale.

Mr. HAMMERSCHMIDT. Mr. Speaker, it was with great sadness that I learned of the passing of my good friend and former colleague, Congressman Harold T. "Bizz" Johnson.

His was an enormously productive 22-year career in this body, and he did it his way—quietly, effectively, and outside the bright lights of publicity.

It was a pleasure to serve with Bizz in the House and on the Public Works and Transportation Committee for so many good years. He demonstrated as well as anyone ever could how to effectively blend strong advocacy with cooperation and compromise. He was a master of the legislative process and while victorious in pressing his issues, he was always the consummate gentleman.

Under his 4 years of able leadership as chairman of our committee, we produced some truly landmark legislation, including regulatory reform of the aviation and trucking industries, and the Local Public Works Capital Investment and Development Act, an antirecession measure designed to help revitalize our national economy.

Few in this body have ever demonstrated greater expertise in water resource development than Congressman Bizz Johnson. In addition to his important service with the Public Works and Transportation Committee, he was for many years chairman of the Water and Power Resources Subcommittee of the Interior and Insular Affairs Committee. It is not surprising that he played a major role in all water-related legislation considered during his more than two decades in Congress.

I remember him best, however, for his comment about the mission of the Committee on Public Works and Transportation—he said: "We do things for people." This comment, in my judgment, reflects what Bizz Johnson sought to do not only for the people who elected him to 11 terms in Congress, but for America.

Bizz Johnson will be greatly missed by his many friends in this body and those back in California. Virginia joins me in extending deepest sympathy to his fine family on their great loss.

Mr. MINETA. Mr. Speaker, I rise to join my colleagues in honoring a great member of the California congressional delegation, and a true "gentle man," Harold Johnson. It was with great sadness that I heard of his death on March 16.

Mr. Johnson, or "Bizz," as he was called, served 22 years in this fine body. For 4 of them, during the 95th and 96th Congresses, he was chair of the Public Works and Transportation Committee, which gave me the honor of working closely with him on issues very important to the country and the State of California.

I remember well his dedication, his vision, and his strong leadership on the committee. The face of this Nation was changed and improved due to the actions of the Public Works and Transportation Committee under his guidance.

I am proud to have worked at his side. I know that my colleagues at the time, and my colleagues today, share the great respect I have for Bizz.

I hold him in the highest esteem and admiration.

His many contributions to his district, to the State of California, and to the Nation shall not be forgotten. I mourn his passing.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RAY (at the request of Mr. FOLEY), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BUNNING) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes, today.

Mr. SWINDALL, for 60 minutes, on April 13.

(The following Members (at the request of Mr. RICHARDSON) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BUNNING) and to include extraneous matter:)

Mr. MARLENEE.

Mr. DREIER of California.

Mr. BROOMFIELD.

Mr. LEWIS of California.

Mr. BUNNING.

Mr. COURTER.

Mr. ROTH.

(The following Members (at the request of Mr. RICHARDSON) and to include extraneous matter:)

Mrs. BOGGS.

Mr. ATKINS in two instances.

Mr. FRANK.

Mr. MAZZOLI.

Mr. PANETTA.

Mr. STOKES in two instances.

Mr. SOLARZ.

Mr. HOYER.

Mr. LANTOS.

Mr. STARK in four instances.

Mr. RAY.

Mr. CROCKETT.

Mr. LEHMAN of Florida.

Mr. RODINO in two instances.

Mr. DOWNEY of New York.

Mr. BATES.

Mr. MURTHA.

Mr. MRAZEK.

ADJOURNMENT

Mr. EDWARDS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 14 minutes p.m.) the House adjourned until tomorrow, Wednesday, April 13, 1988, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3369. A letter from the Deputy Director, Office of Management and Budget, reporting that the appropriation to the Veterans' Administration for "compensation and pensions" and "readjustment benefits" for fiscal year 1988 has been reapportioned on a

basis that indicates the necessity for a supplemental estimate of appropriations, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

3370. A letter from the Assistant Secretary of Defense (Force Management and Personnel), transmitting a report on the review of the adequacy of pay and allowances for members of the uniformed services, pursuant to 37 U.S.C. 1008(a), 1009(f); to the Committee on Armed Services.

3371. A letter from the Assistant Secretary of Defense (Comptroller), transmitting the Department's supplemental contract award report for the period May 1, 1988, to June 30, 1988, pursuant to 10 U.S.C. 2431(b); to the Committee on Armed Services.

3372. A letter from the Deputy Secretary of Defense, transmitting a report on NATO conventional defense, pursuant to 22 U.S.C. 1928 notes; to the Committee on Armed Services.

3373. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize appropriations under title III of the Stewart B. McKinney Homeless Assistance Act, pursuant to 31 U.S.C. 1110; to the Committee on Banking, Finance and Urban Affairs.

3374. A letter from the Secretary of Education, transmitting a copy of final regulations for family educational rights and privacy, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3375. A letter from the Secretary of Education, transmitting the Department's 12th annual report on the distribution of State-administered Federal education funds, pursuant to section 406A, General Education Provisions Act, as amended; to the Committee on Education and Labor.

3376. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting a copy of the agency's "Annual Energy Outlook 1987" report, pursuant to Public Law 95-91, section 205(c); to the Committee on Energy and Commerce.

3377. A letter from the Director, Office of Legislative Affairs, Agency for International Development, transmitting the fiscal year 1987 report on the operations of Agency's minority resource center, pursuant to section 133 of the International Development and Food Assistance Act of 1977; to the Committee on Foreign Affairs.

3378. A letter from the Assistant Director, U.S. Information Agency, transmitting the annual evaluation of the Cuba service of the Voice of America, pursuant to 22 U.S.C. 1465g; to the Committee on Foreign Affairs.

3379. A letter from the Assistant Secretary for Health, Department of Health and Human Services, transmitting a copy of the Health Resources and Services Administration's matching program report, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

3380. A letter from the Acting President, Inter-American Foundation, transmitting a report of the Foundation's activities under the Freedom of Information Act during calendar year 1987, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3381. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3382. A letter from the Director, National Institute of Justice, transmitting the report of the Institute on its activities under title I of the Omnibus Crime Control and Safe Streets Act for the period 1986-87, pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

3383. A letter from the Assistant Attorney General (Civil Division), Department of Justice, transmitting Department's view concerning the constitutionality of section 630 of Public Law 100-202; to the Committee on the Judiciary.

3384. A letter from the Executive Director, Federal Highway Administration, Department of Transportation, transmitting a report on the feasibility and cost of establishing a public ferry boat service on the Missouri River in the vicinity of Nebraska and South Dakota, pursuant to Public Law 100-17, section 171(c) (101 Stat. 217); to the Committee on Public Works and Transportation.

3385. A letter from the Deputy Administrator, Federal Highway Administration, transmitting a report on the Kansas City, MO, to Shreveport, LA, multi-State highway feasibility study, pursuant to Public Law 100-17, section 166(c) (101 Stat. 215); to the Committee on Public Works and Transportation.

3386. A letter from the Acting Administrator, General Services Administration, transmitting informational copies of various prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

3387. A letter from the Secretary of Commerce, transmitting a report on Federal Government activities to obtain, translate, abstract, and disseminate Japanese technical literature, pursuant to 15 U.S.C. 3704(d); to the Committee on Science, Space, and Technology.

3388. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the draft of a proposed new section to be added to the fiscal year 1989 NASA authorization bill which authorizes NASA to lease a commercially developed space facility (Ex. Com. No. 3071), pursuant to 31 U.S.C. 1110; to the Committee on Science, Space, and Technology.

3389. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the draft of a proposed new section 7 to be added to the draft fiscal year 1989 NASA authorization bill (Ex. Com. No. 3071), pursuant to 31 U.S.C. 1110; jointly, to the Committees on Science, Space, and Technology and the Judiciary.

3390. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend title 38, sections 5002(d) and 5004(a)(4), United States Code, to raise the Veterans' Administration's minor construction cost limitation from $2 million to $3 million and for other purposes; to the Committee on Veterans' Affairs.

3391. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend title 38, United States Code, and other provisions of law, to extend the authority of the Veterans' Administration [VA] to continue major health-care programs, and to revise and clarify VA authority to furnish certain health-care benefits, and to enhance VA authority to recruit and retain certain health-care personnel; to the Committee on Veterans' Affairs.

3392. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report on abnormal occurrences at licensed nuclear facilities for the fourth calendar quarter of 1987, pursuant to 42 U.S.C. 5848; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

3393. A letter from the Executive Director, U.S. Holocaust Memorial Council, transmitting a draft of proposed legislation to authorize appropriations to carry out the programs of the U.S. Holocaust Memorial Council, pursuant to 31 U.S.C. 1110; jointly, to the Committees on House Administration, Interior and Insular Affairs, and Post Office and Civil Service.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. FRANK: Committee on the Judiciary. H.R. 3617. A bill for the relief of the Coushatta Tribe of Louisiana; referred to the Committee on Interior and Insular Affairs for a period ending not later than June 3, 1988 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X (Rept. 100-565 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FRANK (for himself, Mr. FISH, Mr. SHAW, and Mr. WOLF):

H.R. 4358. A bill to amend title 28, United States Code, to provide for an exclusive remedy against the United States for suits based upon certain negligent or wrongful acts or omissions of U.S. employees committed within the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER:

H.R. 4359. A bill to provide for a comprehensive analysis of Department of Defense capabilities to detect, prevent, and treat abuse and neglect of children on military installations and to provide for recommendations for the improvement of such capabilities; to the Committee on Armed Services.

H.R. 4360. A bill to amend title 5, United States Code, to prohibit reimbursement by the United States of costs incurred by contractors in connection with proceedings relating to violations of laws or regulations; jointly, to the Committees on Government Operations and the Judiciary.

By Mr. RAY (for himself, Mr. BATEMAN, Mr. BENNETT, Mr. BEVILL, Mr. BIAGGI, Mr. BLAZ, Mrs. BOXER, Mr. CARDIN, Mr. CLAY, Mr. DEFAZIO, Mr. DE LUGO, Mr. DELLUMS, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. DYSON, Mr. ERDREICH, Mr. FASCELL, Mr. FAZIO, Mr. FROST, Mr. GONZALEZ, Mr. GRAY of Illinois, Mr. HANSEN, Mr. HORTON, Mr. JENKINS, Mr. JONES of North Carolina, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LEWIS of Georgia, Mr. MONTGOMERY, Mr. MURPHY, Mr. NICHOLS, Mr. OBERSTAR, Mr. OWENS of New York, Ms. PELOSI, Mr. PEPPER, Mr. PETRI, Mr. ROBINSON, Mr. SIKORSKI, Mr. SISISKY, Mr. SOLOMON, Mr. SUNIA, Mr. TAUKE, Mr.

THOMAS of Georgia, Mr. WHITTEN, and Mr. YATES):

H.R. 4361. A bill to amend chapter 83 of title 5, United States Code, to provide that unless individuals who are entitled to civil service retirement benefits receive their initial annuity payments promptly, such individuals shall be entitled to receive interest on the delayed payments; to the Committee on Post Office and Civil Service.

By Mr. UDALL (for himself, Mr. LEHMAN of California, Mr. RICHARDSON, Mr. CAMPBELL, Mr. DEFAZIO, Mr. YOUNG of Alaska, Mr. MARLENEE, Mr. CHENEY, Mr. PASHAYAN, Mr. CRAIG, Mr. HANSEN, Mr. RHODES, Mrs. VUCANOVICH, and Mr. COELHO):

H.R. 4362. A bill to amend section 3 of the act of June 14, 1926, as amended (43 U.S.C. 869-2), to authorize the issuance of patents with a limited reverter provision of lands devoted to solid waste disposal, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BILBRAY:

H.J. Res. 531. Joint resolution designating May 1988 as "Motorcycle Safety and Awareness Month"; to the Committee on Post Office and Civil Service.

By Mrs. BOXER:

H.J. Res. 532. Joint resolution proposing an amendment to the Constitution of the United States prohibiting the President from granting a pardon to an individual who has been employed by the Federal Government during such President's term of office; to the Committee on the Judiciary.

By Mrs. BOXER (for herself, Mr. RANGEL, Mrs. MORELLA, Mr. MILLER of California, Ms. PELOSI, Mr. ATKINS, Mr. SHAYS, Mr. LEHMAN of Florida, and Mr. GILMAN):

H.J. Res. 533. Joint resolution directing the President to declare war on IV drug abuse and AIDS by implementing those recommendations regarding intravenous drug abusers made by the President's Commission on the HIV Epidemic which are capable of being implemented under existing law; to the Committee on Energy and Commerce.

By Mr. STANGELAND (for himself and Mr. ROE):

H.J. Res. 534. Joint resolution designating the week beginning April 24, 1988, as "Handicap Awareness Week"; to the Committee on Post Office and Civil Service.

By Mrs. BOXER (for herself, Mr. MOAKLEY, and Mr. KENNEDY):

H. Con. Res. 277. Concurrent resolution expressing the sense of the Congress that the primary emphasis of United States assistance for El Salvador should be shifted from support for the war effort to promoting economic development and reducing human suffering; to the Committee on Foreign Affairs.

By Mr. PANETTA:

H. Res. 426. Resolution honoring the American Culinary Federation and the National Restaurant Association for their contributions to American culinary art and for their support of the 1988 U.S. Culinary Team; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII,

306. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to foods that contain tropical fats; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MORRISON of Connecticut introduced a bill (H.R. 4363) for the relief of Ivan Lendl; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 696: Mr. PRICE of Illinois, Mr. KONNYU, Mr. LAGOMARSINO, Mr. CAMPBELL, Mr. DORNAN of California, Mr. SWINDALL, Mr. OWENS of New York, Mr. MCGRATH, Mr. INHOFE, Mr. COBLE, Mr. SMITH of New Hampshire, Mr. DAVIS of Illinois, and Mr. HERGER.

H.R. 772: Mr. PENNY and Mr. RANGEL.

H.R. 1242: Mr. CHAPMAN and Mr. OWENS of New York.

H.R. 2517: Mrs. BOXER.

H.R. 2532: Mr. MURPHY and Mr. FISH.

H.R. 2670: Mr. UDALL.

H.R. 2787: Mrs. BOXER.

H.R. 2793: Mr. ATKINS and Mrs. BOXER.

H.R. 3064: Mr. CONTE and Mr. FIELDS.

H.R. 3250: Mrs. MORELLA.

H.R. 3312: Mr. KONNYU and Mr. MINETA.

H.R. 3343: Mr. LOWRY of Washington.

H.R. 3410: Mr. GILMAN.

H.R. 3553: Mr. PEPPER and Ms. PELOSI.

H.R. 3620: Mrs. BOXER, Mr. DORNAN of California, Mrs. KENNELLY, and Mr. WOLF.

H.R. 3719: Mr. HAMMERSCHMIDT, Mr. MCMILLEN of Maryland, Mr. BORSKI, Mrs. VUCANOVICH, Mr. TRAFICANT, Mr. JACOBS, Mr. HAYES of Illinois, Mr. COURTER, Mr. SOLARZ, Mr. WEISS, Mr. PASHAYAN, Mr. FORD of Tennessee, Mr. CONYERS, Mr. ORTIZ, Miss SCHNEIDER, Mr. TORRES, Mrs. JOHNSON of Connecticut, Mr. HAMILTON, Mr. BROOKS, and Mr. DEFAZIO.

H.R. 3782: Mr. FOGLIETTA.

H.R. 3878: Mr. CLAY and Mr. DYSON.

H.R. 3883: Mr. HUTTO, Mr. DELLUMS, Mr. CHAPPELL, Mr. PEPPER, Mr. MACK, Mr. MILLER of Washington, and Mr. VOLKMER.

H.R. 3892: Mr. BUNNING, Ms. SLAUGHTER of New York, and Mr. STUMP.

H.R. 3914: Mr. ESPY and Mr. FAZIO.

H.R. 3919: Mr. COBLE, Mr. HUGHES, Mr. MCGRATH, Mr. MICHEL, Mr. MOLINARI, Mr. PEPPER, Mr. RANGEL, and Mr. RAVENEL.

H.R. 3954: Mr. STAGGERS.

H.R. 3988: Mr. BADHAM.

H.R. 4066: Mr. VALENTINE and Mr. YATRON.

H.R. 4088: Mr. ECKART.

H.R. 4213: Mr. CHAPMAN, Mr. KASTENMEIER, Mr. GORDON, Mrs. BENTLEY, and Mr. HAWKINS.

H.R. 4221: Mr. MINETA.

H.R. 4231: Mr. DE LUGO, Mr. FAWELL, Mr. MANTON, Mr. COURTER, Mr. DYSON, Mr. WEISS, and Mr. SMITH of Florida.

H.R. 4247: Miss SCHNEIDER, Mr. HAYES of Illinois, Mr. STAGGERS, Mr. MATSUI, Mr. DOWDY of Mississippi, Mrs. COLLINS, Mr. BONKER, Mr. CLARKE, and Mr. SWIFT.

H.R. 4308: Mr. BLILEY, Mr. DIOGUARDI, and Mr. HYDE.

H.R. 4325: Mr. HAYES of Illinois, Mr. MATSUI, and Mrs. COLLINS.

H.J. Res. 50: Mr. MORRISON of Washington.

H.J. Res. 138: Mr. LANTOS, Mr. SISISKY, Mr. GAYDOS, Mr. SOLOMON, Mr. QUILLEN, Mr. MAZZOLI, Mr. PORTER, Mr. KOSTMAYER, Mr. WHEAT, Mr. CHANDLER, Mr. CONTE, Mr. CONYERS, Mr. BERMAN, Mr. BIAGGI, Mr. BONIOR of Michigan, Mr. FAWELL, Mr. DELLUMS, Mr. DOWDY of Mississippi, Mr. LIVINGSTON, and Mr. WYDEN.

H.J. Res. 344: Mr. HORTON, Mr. HARRIS, Mrs. MARTIN of Illinois, Mr. WHITTAKER, Mr. HUGHES, Mr. ACKERMAN, Mr. VANDER JAGT, Mr. BRENNAN, Mr. DAUB, Mr. FISH, Mr. SHUMWAY, Mr. CALLAHAN, Mr. BORSKI, Mr. MADIGAN, Mr. BOLAND, Mr. ROBERT F. SMITH, Mr. HOCHBRUECKNER, and Mr. LOWERY of California.

H.J. Res. 354: Mr. CONYERS, Mr. HORTON, Mr. CARPER, Mr. HOYER, Mr. SMITH of Florida, Mr. DYMALLY, Mr. LELAND, Mr. CAMPBELL, Mr. HEFNER, Mrs. VUCANOVICH, Mr. HAWKINS, Mr. MILLER of California, Mr. CHAPPELL, Mr. SPENCE, Mr. INHOFE, Mr. FAZIO, Mr. PASHAYAN, and Mr. CRAIG.

H.J. Res. 420: Mrs. MORELLA, Mr. DORNAN of California, Mr. HILER, Mr. LUNGREN, Mr. DENNY SMITH, Mr. SLATTERY, Mr. FROST, Mr. STALLINGS, Mr. HANSEN, Mr. VANDER JAGT, Mr. BRYANT, Mr. BOULTER, Mr. KASTENMEIER, Mr. FAZIO, Mr. WILSON, Mr. WOLPE, Mr. CLARKE, and Mr. BENNETT.

H.J. Res. 432: Mr. GUARINI, Ms. KAPTUR, Mr. KEMP, Mr. ANDERSON, Mr. TAUZIN, Mr. CLEMENT, Mrs. SAIKI, Mrs. BENTLEY, Mr. DYSON, Mr. RODINO, Mr. LELAND, Mr. SKELTON, Mr. TRAFICANT, Mr. MCHUGH, Mr. MRAZEK, Mr. WAXMAN, Mr. ASPIN, Mr. BRENNAN, Mr. BUNNING, Mr. COOPER, and Mr. GRANDY.

H.J. Res. 452: Mr. LEWIS of Florida, Mr. STRATTON, Mr. DEWINE, Mrs. BENTLEY, Mr. PACKARD, and Mr. LIVINGSTON.

H.J. Res. 464: Mr. STAGGERS, Mr. HALL of Texas, Mr. GRADISON, Mr. DAVIS of Illinois, Mr. LAFALCE, Mr. MCEWEN, Mrs. BENTLEY, Mr. HAMMERSCHMIDT, Mr. ST GERMAIN, Mrs. MEYERS of Kansas, Mr. JONES of Tennessee, Mrs. KENNELLY, Mr. YOUNG of Alaska, Mr. ORTIZ, Mr. DIOGUARDI, and Mr. TAUKE.

H.J. Res. 508: Mr. RITTER, Mr. MAVROULES, Mr. SOLOMON, Mrs. BYRON, Mr. GILMAN, Mr. KANJORSKI, Mr. SMITH of New Jersey, Mr. HERTEL, Mr. LIPINSKI, Mr. MOODY, Mr. GALLO, Mr. SMITH of New Hampshire, Mr. BURTON of Indiana, Mr. EVANS, Mr. FOGLIETTA, Mr. HAMMERSCHMIDT, Mr. HANSEN, Mr. HOYER, Mr. MAZZOLI, Mr. MOLINARI, Mr. BUECHNER, Mr. RHODES, Mr. GRANDY, Mr. SLAUGHTER of Virginia, Mr. STUMP, Mr. BUNNING, Mr. LIGHTFOOT, Mr. MOORHEAD, Mr. NIELSON of Utah, Mr. SWINDALL, Mr. LEVIN of Michigan, Mr. HILER, Mr. LUNGREN, Mr. MCCANDLESS, Mr. MONTGOMERY, Mr. MORRISON of Connecticut, Mr. BROWN of Colorado, Mrs. MARTIN of Illinois, Mr. CAMPBELL, Mr. LANTOS, Mr. BRYANT, Mrs. MEYERS of Kansas, Mr. WYDEN, Mr. MCHUGH, Mr. DAVIS of Illinois, Mr. KOLBE, Mr. GEKAS, Mr. GEPHARDT, Ms. OAKAR, Mr. TORRICELLI, Mr. SAWYER, Mr. SKEEN, Mr. STENHOLM, Mr. PANETTA, Mr. GORDON, Mr. MOLLOHAN, and Mr. CONTE.

H.J. Res. 527: Mr. NATCHER, Ms. OAKAR, Mr. BUNNING, Mr. BENNETT, Mr. SUNDQUIST, Mr. RAY, Mr. DE LA GARZA, Mr. PANETTA, Mr. LOTT, and Mr. MCMILLEN of Maryland.

H. Con. Res. 237: Mr. ANDERSON, Mr. MARKEY, Mr. HOLLOWAY, Mr. RANGEL, Mrs. MEYERS of Kansas, Mr. HILER, Mrs. MARTIN of Illinois, Mr. DIOGUARDI, Mr. COUGHLIN, Mr. TAUKE, and Mr. OBERSTAR.

H. Con. Res. 261: Mr. FRANK, Mr. MORRISON of Washington, Mr. BEREUTER, and Mr. WELDON.

H. Res. 379: Mr. LANCASTER.

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. 1158: Mr. THOMAS A. LUKEN.
H.R. 1600: Mr. SMITH of Florida.
H.R. 4230: Mr. LEHMAN of Florida.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

S. 858

By Mr. DAVIS of Michigan:

—On page 5, line 13, strike the period and substitute a semicolon.

On page 5, after line 13, insert the following clause (5):

"(5) promote the safety of diving activities, including the display of a divers flag (traditionally recognized as a bright or fluorescent red flag having a diagonal white stripe).".

On page 7, after line 18 of S. 858, insert the following new subsection:

"SEC. 8. RECREATIONAL DIVING SAFETY.

"(a) It is the sense of Congress that—

"(1) the regulation of diving activities, including the display of a divers flag (traditionally recognized as a bright or fluorescent red flag having a diagonal white stripe), by the States—

"(A) increases the level of safety of the maritime community in waters within a State's jurisdiction;

"(B) best considers the needs of local diving environments;

"(C) is fully consistent with the Federal inland navigation rules;

"(D) should be coordinated among the States to make diving safety regulations as uniform as possible;

"(E) should be included in guidelines relating to historic shipwrecks under this Act;

"(F) should prohibit interference with commercial vessel traffic unless properly permitted with adequate notice to mariners; and

"(2) the United States Government should propose consideration of the international recognition of the divers flag as a safety measure by the International Maritime Organization as soon as possible.

"(b) The Inland Navigational Rules Act of 1980 (33 U.S.C. 2071) is amended as follows:

"(1) In section 2, add a new subsection (e) to rule 1 of part A as follows:

'(e) Nothing in these Rules shall interfere with the regulation of diving safety by a State within its waters, including the display of a divers flag (traditionally recognized as a bright or fluorescent red flag having a diagonal white stripe), if that regulation prohibits interference with commercial vessel traffic unless the diving activity is properly permitted with adequate notice to mariners. The regulation of diving safety by a State is not inconsistent with, or a substitute for, the requirements of these Rules.'.

"(2) In section 3—

"(A) designate the existing first sentence as subsection (a);

"(B) designate the existing second sentence as the remainder of the existing section as subsection (b); and

"(C) amend the last sentence in subsection (b) (as redesignated by paragraph (2)(B) of this section) by striking ', including local pilot rules.' and substituting ', including local pilot rules and a compendium of States' regulations of diving safety'.".

H.R. 4264

By Mr. DORNAN of California:

—At the end of Part C of title IX of division A (page 159, after line 21), insert the following new section:

SEC. 924. RESERVATION OF NAVAL VESSEL MODERNIZATION, OVERHAUL, REPAIR, AND MAINTENANCE PROJECTS FOR PUBLIC SHIPYARDS.

(a) IN GENERAL.—Subsection (b) of section 7299a of title 10, United States Code, is amended—

(1) by striking out "The assignment" and inserting in lieu thereof "(1) Subject to paragraph (2), the assignment"; and

(2) by adding at the end the following:

"(2)(A) The Secretary of the Navy shall assign projects for the modernization, overhaul, repair, or maintenance of naval vessels to the shipyards described in subparagraph (B) as may be necessary to maintain the skills, facilities, tools, and equipment at such shipyards at the same levels as existed at such shipyards during the base year.

"(B) The shipyards referred to in subparagraph (A) are the public shipyards located at—

"(i) Portsmouth, New Hampshire;
"(ii) Philadelphia, Pennsylvania;
"(iii) Portsmouth, Virginia;
"(iv) Charleston, South Carolina;
"(v) Long Beach, California;
"(vi) Vallejo, California;
"(vii) Bremerton, Washington; and
"(viii) Honolulu, Hawaii.

"(C) This paragraph shall not be considered to prohibit the award to a private shipyard of any contract for a project involving the modernization, overhaul, repair, or maintenance of a naval vessel if such project is not assigned to a public shipyard pursuant to subparagraph (B).

"(D) In this paragraph, the term 'base year' means fiscal year 1988.".

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress a report describing the Secretary's plans for assigning projects for naval vessel modernization, overhaul, repair, and maintenance to public shipyards in compliance with section 7299a(b)(2) of title 10, United States Code (as amended by this Act).

SENATE—*Tuesday, April 12, 1988*

(Legislative day of Monday, April 11, 1988)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable BOB GRAHAM, a Senator from the State of Florida.

PRAYER

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

Let us pray:

O Lord, our God, Gracious Savior and Shepherd, with profound gratitude we thank Thee for the hope and encouragement promised in Your comforting word.

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

Thank You, Shepherd Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 12, 1988.

To the Senate:

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

JOHN C. STENNIS,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

THE CHAPLAIN'S PRAYER

Mr. BYRD. Mr. President, I especially thank the Chaplain for his prayer today, and for including in his prayer the 23d Psalm. That is one of my favorite passages of Scripture, and it was the favorite passage of the Scripture of my grandson whom God, in his infinite wisdom and in his infinite love, took from us 6 years ago this morning.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the Republican leader is recognized.

Mr. DOLE. Mr. President, I reserve my time.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 11:30 a.m., with Senators permitted to speak therein.

The Senator from Wisconsin is recognized.

WHY WE NEED A SUPER BUDGET SURPLUS

Mr. PROXMIRE. Mr. President, mark down Thursday, April 7, 1988. That is the day that an article appeared in the Wall Street Journal that should bring a new and different understanding of the Federal budget. If that understanding permeates to a majority of the Congress, it can set the stage for congressional adoption of budget policies that can save this great American economy from an economic catastrophe.

This crucial article was written by Herbert Stein. Dr. Stein was Chairman of the Council of Economic Advisers in the Nixon and Ford administrations. Stein drafted a statement for the Committee on Economic Development in 1947 that helped persuade the Congress to reverse this country's original decision to keep the Social Security accounts out of the budget. Stein recommended a cash consolidated or unified budget that included Social Security. In his April 7 Wall Street Journal article Stein writes that among those who thought about the budget in economic terms, this became the standard budget. Indeed, in 1969, a commission set up by President Lyndon Johnson recommended that the unified budget become the budget policy of this country. It has been since 1969.

Until the 1980's this was no problem. The Social Security accounts were generally in rough balance. But in 1982 a blue ribbon Social Security panel recommended and the Congress adopted a radical change in the Social Security Program. The panel proposed and Congress enacted a massive increase in the Social Security payroll tax. The Congress found this payroll tax increase necessary because of an anticipated vast increase in retirements caused by the postwar baby boom. These retirements will reach a tidal wave level about 30 years from now. So Congress enacted tax increases to build up a truly king size Social Security surplus to prepare for the anticipated retirements. How massive will the Social Security reserve become? Hold on to your hat. By the year 2020 the projected Social Security account will show a balance of about $10 trillion. Some calculations show that in a single year—at its apex—in about 2010 or 2015—Social Security could bring in $500 billion, that is, half a trillion dollars more than it pays out.

This would mean that the part of the Federal budget that is exclusive of the Social Security accounts could show a deficit of half a trillion dollars, and yet the unified budget would report a balance. Of course, such a situation would be momentary, painfully momentary. After the year 2020 Social Security will begin to pay out more than it takes in. Social Security will draw down its massive reserve. At that traumatic time, the Congress, after a 30-year binge of spending far more in the budget—exclusive of Social Security—will either run consolidated deficits of mammoth proportions or will have to enact truly radical reductions in spending and far and away the biggest tax increase the country has ever seen.

So what does Dr. Stein recommend? Keep in mind this is the same economic expert who recommended the inclusion of Social Security in the consolidated budget in 1947. In 1969, Dr. Stein had a change of heart, he recommended that the Government's basic policy should be to run a budget surplus equal to the Social Security surplus. This would mean that exclusive of Social Security, the Federal budget would be in balance. This would solve the transition problem in about 2020

when Social Security accounts will move from surplus to deficit.

Wouldn't this mandate huge Government surpluses for the next 30 years that would retard the economy? Stein writes that his realization that counterbalancing monetary policy could keep the economy on a high employment level, liberated him from the fear that a series of big consolidated surpluses would depress the economy.

Stein does not discuss the colossal impact that budget deficits exclusive of Social Security and counterbalancing the Social Security surpluses would impose on building an out-of-sight national debt. The $2 trillion $600 billion present national debt would, even in the consolidated balanced budgets, climb to more than $12 trillion by the year 2020. That could impose an annual gross trillion-dollar-plus interest burden in 1988 dollars on American taxpayers even in the unlikely event that the consolidated budget were in net balance during the next 30 years. Dr. Stein's proposal to strive for a balanced budget exclusive of Social Security accounts, would, if achieved, prevent this interest burden catastrophe.

The Stein approach would also require a fairer and more balanced tax burden for Americans in the next 30 years. The regressive Social Security tax today constitutes five times as large a proportion of Federal taxes as it did in 1950. That is a necessary burden to support our vital Social Security system. But with mammoth deficits in the budget—exclusive of Social Security—offset by equally mammoth Social Security account surpluses—it means that an entire generation of Americans will endure an overall tax distribution of unprecedented regressiveness.

Mr. President, I ask unanimous consent that the article by Dr. Herbert Stein to which I referred be printed at this point in the RECORD.

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

[From the Wall Street Journal, Apr. 7, 1988]

THE "THREAT" OF A BUDGET SURPLUS

(By Herbert Stein)

If it isn't one thing it's another. I see by the papers that people are worried about the coming budget surplus. The worries are of two kinds. One is that we will have the surplus but shouldn't. The other is that we should have the surplus but won't.

This "threat" results from the present and prospective excess of Social Security contributions over benefit payments. This excess is about $37 billion in fiscal 1988. Since the rest of the budget is in deficit by about $184 billion, we have a combined deficit—in the "unified budget"—of about $147 billion. By 1993, according to Office of Management and Budget estimates, the Social Security surplus will be $93 billion, the remaining deficit about $116 billion and the combined deficit only $23 billion. But the annual Social Security surplus is projected to go on rising to about $500 billion, so that unless the deficit in the rest of the budget rises enormously there will be a large combined surplus.

TWO THINGS TO WORRY ABOUT

The two worries are these:

1. The economy will not be able to operate at full employment if the government runs a large surplus, because the government will be extracting much more from the private-income stream in taxes than it is putting back in expenditures.

2. The accumulation of the surplus is needed to provide the resources from which to meet the big increase in Social Security benefit requirements that is going to occur when the baby-boom generation retires, after the year 2020, but the political temptation to spend the surplus will be irresistible, so that these future benefits will be payable only, if they are paid, out of much higher taxes.

The first of these worries is economic. The second is political. But they are connected, because the first worry provides some of the cover of the political action of spending the surplus.

This issue has a 50-year history. Since I observed much of it and participated in some of it. I will summarize the story.

When the Social Security System was established in 1935 its receipts and expenditures were placed outside the budget, on the theory that the receipts did not belong to the government but were held in trust for future beneficiaries. In the first year of its full operation, 1937, the system began to run a surplus, because contributions were being collected and few people were receiving benefits. This surplus was part of the plan for the system, but little thought had been given to its short-term economic consequence. The emergence of the unanticipated surplus coincided with the recession of 1937. It also coincided with the first popularizing of elementary Keynesianism. Many observers concluded that failure to take account of the Social Security surplus as part of the government's fiscal action was a cause of the recession.

Subsequent amendments to the Social Security Act reduced the projected surplus, but some remained. The question of how to treat the surplus in federal budgeting was submerged during the war but came back as the war was ending.

The Committee for Economic Development, a private organization of businessmen, faced this question in trying to formulate a postwar budget policy and dealt with it in its 1947 statement, "Taxes and the Budget: A Program for Prosperity in a Free Economy" (which I drafted). The recommendation on this point was to base budget policy on the "cash-consolidated" budget, which would integrate the Social Security accounts with what was then called the "administrative" budget. The argument was the basically Keynesian one that from the standpoint of "prosperity," or high employment, which was the main objective, the combined flow into and out of the government was of paramount significance. That was my view at the time. More important, it was the view of Beardsley Ruml, a leading member of the Committee for Economic Development, who had been an adviser to Roosevelt in 1937-38 and who had strongly fixed in his mind that the emergence of the Social Security surplus had contributed to the recession of that time.

The committee view was somewhat influential but certainly not unique. Among people who thought about the budget in economic terms, the idea that it is the consolidated budget—including Social Security—that matters became the standard doctrine. The rationale of the Kennedy tax cut was that it was consistent with balancing the consolidated budget at high employment. A commission on the definition of the federal budget set up by President Lyndon Johnson recommended that the consolidated or, as it is now called, the unified budget, be the basic concept, and that advice was followed beginning in the budget for fiscal 1969.

At the same time, economic analysis was moving. As money came to play a larger role in thinking about the overall performance of the economy, it became clear that there was no unique size of consolidated surplus or deficit that was necessary for, or consistent with, high employment. Sharp year-to-year changes in the size of the surplus might be disturbing, but the economy could achieve high employment with a stable surplus or deficit of any size, if it was accompanied by a suitable monetary policy. This meant that we could live with a surplus in the consolidated budget equal to the surplus in the Social Security accounts, which would presumably change over time but only gradually.

This reasoning liberated me from my Committee of Economic Development ideas of 1947. In 1969, as a member of the Council of Economic Advisers, I joined with an assistant secretary of the treasury and an associate director of the bureau of the budget to write a memo suggesting the basic policy should be to run a surplus equal to the surplus in the Social Security account. However, the permanent economic staff of the Bureau of the Budget insisted such a surplus would be an intolerable burden on the economy, and the director could not be induced to sign on to our recommendation.

Fourteen years later, the Commission on Social Security Reform (Greenspan commission) recommended Social Security funds be "taken out of the budget." If that means anything (a real question), it means that in thinking about the size of "the deficit" we should be thinking about the deficit in the rest of the budget aside from Social Security. I suppose that is how the president thinks when he says, in press conferences, that cutting Social Security benefits will not reduce the deficit.

But despite the Greenspan commission, thinking about the deficit is thinking about the unified budget. The Gramm-Rudman-Hollings Act of 1985 made a Solomonic decision, only it really did cut the baby in half. As the 1987 budget read (and presumably the drafter wrote it with a straight face), "The receipts and disbursements of Social Security (the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds) are excluded from the budget totals. However, their outlays and receipts are used in calculating the deficit amounts under this law" (p. 6b-7). You must get 300 pages into the budget before finding a table with the surplus in Social Security and the deficit in the rest of the budget shown separately.

The reason for thinking only about the unified deficit is simple. Thinking about the on-budget deficit can give you a headache. If you look at the unified budget you can think that by a combination of good economic growth and moderate expenditure restraint you can ooze into budget balance in five years, or if not five, then six or seven. But if you are looking at the budget exclud-

ing the Social Security accounts, balance by this route looks discouragingly far off.

THE "POLITICAL QUESTION"

The economics is pretty clear. We can achieve high employment with a unified budget surplus equal to the Social Security surplus. Doing this, as compared with balancing the unified budget, will mean more national saving, more national investment and higher future national income out of which to support the growing number of retired people.

The "political" question is more difficult. The question is not about "politicians" or about "inside the Beltway." It is about us. It is about how we bring ourselves collectively to make decisions for the sake of our collective future. That is a question that applies to a lot more than Social Security. And I don't know how to answer it except by talking about it.

Mr. PROXMIRE. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.

Mr. WALLOP. Mr. President, I thank the Chair.

THE INF TREATY'S VERIFICATION PROVISIONS

Mr. WALLOP. Mr. President, in a closed session of the Senate last month we took a detailed look at the capability to and likelihood that the Soviet Union would maintain a covert deployment of SS-20 intermediate-range nuclear missiles. The total unverifiability of such a covert force, combined with strong incentives to cheat, especially in a post-START strategic environment, make that problem a crucial verification concern.

It is not, however, the only verification concern. I would like this morning to review some of the other verification deficiencies of the INF Treaty and offer some suggestions on how the verification regime might be improved.

From a verification standpoint, the Soviet acceptance of the United States zero option position made verification easier than it would be in an agreement that merely placed limits on certain types of weapon systems. Indeed, Soviet acceptance of that position has been used to justify some fairly substantial last minute changes in United States verification positions, such as falling off the requirement for suspect site verification.

The inadequacy of the INF verification regime to monitor numerical limits, as opposed to total elimination, has been recognized by the Intelligence Committee. It laid down a strong marker that the INF Treaty verification procedures would be wholly inadequate to the task of verifying limits of a START agreement.

Mr. President, the zero option, in theory, creates what might be called a "binary situation." Compliance or noncompliance are made clear cut. If a single SS-20 is seen after the reductions to zero, it is a violation. What concerns me, Mr. President, is that the INF Treaty contains important exceptions to this clear cut, binary situation.

Such exceptions will increase what our intelligence analysts call the "background noise" in the Soviet Union with respect to this treaty. This noise will make it much harder for the United States to render judgments about Soviet activities and might also create compliance problems needlessly, with no easy solutions.

What are the treaty provisions that muddy the waters of the verification picture, denying us clear evidence of violations? First, Mr. President, is the problem with data.

Not only is there a large discrepancy between United States intelligence estimates and Soviet data provided in the treaty, but the data provided up front, last December, is totally meaningless as far as the treaty is concerned because it is not the data that will be used to verify compliance with the treaty; 30 days after the treaty is signed the United States and the Soviet Union will exchange new data for that purpose.

If any changes have occurred in the data from the original memorandum of understanding, the United States will have no right to inspect, via the treaty's agreed procedures, whether the destruction of Soviet missiles and launchers that are no longer in the database were actually eliminated. Moreover, the INF Treaty is silent on the rights of the parties if a discrepancy between the two data exchanges emerges.

Mr. President, administration officials have assured the Senate that large discrepancies would "send a shock wave from Moscow to Washington," This Senator is not confident that after the Senate has given consent to the INF Treaty and it has been ratified by the President, that we would do anything about such a data discrepancy.

We have seen before that the Soviets have falsified data with respect to arms control negotiations in order to maintain a unilateral advantage over the United States; there is no reason to believe that this could not happen again. We have in effect handed them an already signed treaty with a blank for them to fill in whatever numbers they please after ratification.

Second, Mr. President, the INF Treaty allows the Soviet Union to continue production of the first stage of the SS-20 and, due to a drafting error, the second stage as well. Although the SS-20 per se is banned, this allowance for production of missile stages that are similar to the SS-20 will make it virtually impossible to monitor whether these components are being produced and then assembled outside of areas where the United States has inspection rights. In the hearings, one administration official was asked if an SS-25, which can be produced legally, was seen leaving the production facility at Votkinsk with only two stages whether that would be a violation of the treaty. The answer was no, but again we were assured that it would send a shock wave from Votkinsk to Washington.

Mr. President, shockwaves were sent back to Washington in 1974 when the Soviet Union began flight-testing two new heavy ICBM's contrary to and in circumvention of the United States understanding of the SALT I agreement. Nothing was done then, and I am far less sanguine than administration officials that something would be done today.

Third, Mr. President, the Soviets are allowed to keep intact hundreds of their mobile missile launchers for alleged civilian use. This could make it increasingly difficult to determine if those launchers, when seen, are for military or the civilian purposes the Soviet say they are for. If we were to challenge the Soviets, they could always claim that they were for civilian use.

This problem is further exacerbated by the similarity between the SS-20 launcher and the SS-25 launcher. The quality of our intelligence data would make it extremely difficult to render a firm judgment on this question. Additionally, the Soviets have the right to maintain SS-25 bases which have an infrastructure similar to and compatible with former SS-20 bases.

This will further raise the background noise that the intelligence community must filter through.

Fourth, the Soviets could potentially maintain a force of ground-launched cruise missiles because of the allowances in the treaty for nonarmed cruise missiles.

Remotely piloted vehicles, such as those used for reconnaissance behind enemy lines, could in fact be armed with warheads in time of war. Under the treaty, we have absolutely no inspection rights with regard to these forces.

The INF Treaty does not define what constitutes a different type of cruise missile other than those presently in the Soviet inventory, nor does it establish what criteria will permit us to determine if a cruise missile is unarmed. As a practical matter, it is impossible for us to determine whether Soviet cruise missiles have ranges that fall within the prohibited limits.

As a matter of fact, as we have seen with Iraqi scub missiles, we have no practical means of determining ballistic missiles ranges either.

This points out a problem inherent to the arms control process since its inception. We can count on the Soviet Union stressing to its limits—and beyond—its rights to modernize its

forces, in this case, all manner of cruise missiles.

We can also count on the United States unilaterally limiting itself not just in the cruise missile area, but in any technology that is similar to cruise missiles, such as remotely piloted vehicles and target drones. I have heard stories of contractors already beginning to pull back on programs that are functionally similar to the cruise missiles limited in the INF Treaty.

Finally, there is the limitation on our ability to conduct onsite inspections. The INF Treaty is heralded as having the most intrusive inspection rights ever negotiated with the Soviets. That is true, especially since we have never had any inspection rights beyond national technical means. The more important question is, How useful are they?

First of all, the United States is limited to very few onsite inspections, initially 20, then declining to 15 and later 10. What is more, the United States for practical purposes may not use more than half of those in the Soviet Union. That means that we are really limited to 10, 8, and then 5 inspections per year.

Another more crucial problem is the lack of inspections for suspect sites. Only those sites identified in the memorandum of understanding are subject to inspection. There are facilities that have been identified by the intelligence community as SS-20 facilities that are not on the Soviet list.

Moreover, in the rush to complete the treaty prior to the summit many of the actual procedures for inspection were left vague or simply were not worked out. General Lajoie, the head of the U.S. inspection team, is having to negotiate those details even as we in the Senate head toward a vote on consent to ratification. Right now, today, Mr. President, these details remain to be negotiated. Yet the administration is asking the Senate to proceed.

Mr. President, there is one other aspect of the verification problem that troubles me, and that is the already perfidious effect this agreement has had on the U.S. intelligence community. The first evidence of this, revealed in the closed session, was the DCI's failure to provide a consensus figure on the number of SS-20's produced.

Even more troublesome, I am told, is that there has been an effort to strong-arm members of the intelligence community by high-ranking U.S. officials to change their assessments of the number of treaty-limited items. Reports in the Washington Times indicate that General Perroots was raked over the coals by the Chairman of the JCS and the Secretary of Defense for his agency's position on the number of SS-20's.

If there is indeed an attempt to suborn the intelligence community, it will not be the first time. Senators who were here in 1979 and 1980 will remember well the pressure placed on the intelligence community to revise its estimates of the Soviet threat prior to the SALT II debate.

RECOGNITION OF THE REPUBLICAN LEADER

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

BICENTENNIAL MINUTE

APRIL 12, 1945: HARRY TRUMAN LAST PRESIDES OVER THE SENATE

Mr. DOLE. Mr. President, on April 12, 1945, 43 years ago today, Vice President Harry S. Truman sat in the Presiding Officer's chair and performed his functions as President of the Senate for the last time, unaware that President Franklin D. Roosevelt had died that afternoon in Warm Springs, GA.

Harry Truman had spent "the happiest 10 years" of his life in the Senate before he was unexpectedly chosen to run for Vice President with Franklin Roosevelt in 1944. During the first 3 months of his new responsibilities, Truman dutifully presided over Senate debates—as Vice Presidents did routinely in those days. "I enjoyed my new position as Vice President," he reported, "but it took me a while to get used to the fact that I no longer had the voting privileges I had enjoyed for 10 years as a Senator."

That afternoon, while Truman listened to a "windy Senator making a speech on a subject with which he is in no way familiar," he spent his time writing a letter to his mother and sister back in Missouri. When the Senate adjourned, the Vice President sauntered over to the House side of the Capitol to join Speaker Sam Rayburn and other congressional friends in the "board of education" room, as Rayburn called it, for a little bourbon and political talk. But when Truman arrived he received an urgent message. The voice on the phone told him to come directly to the White House. No explanation was given, but Truman sensed the urgency of the request. Darting past his Secret Service agent, Harry Truman ran the length of the Capitol back to his limousine on the Senate side, and raced downtown.

As he entered the White House Eleanor Roosevelt took him aside and told him, "Harry, the President is dead." "Is there anything I can do for you?" he asked. "Is there anything we can do for you?" she replied. "For you are the one in trouble now."

I reserve the remainder of my time.

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

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

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

Mr. BYRD. Is morning business closed?

The ACTING PRESIDENT pro tempore. Morning business is closed.

CONGRESSIONAL BUDGET RESOLUTION FOR 1989

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of Senate Concurrent Resolution 113, which the clerk will report.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 113) setting forth the congressional budget for the United States Government for the fiscal years 1989, 1990, and 1991.

The Senate resumed consideration of the concurrent resolution.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, how much time remains on the resolution?

The ACTING PRESIDENT pro tempore. Forty hours.

Mr. BYRD. Forty hours.

Mr. President, I ask unanimous consent that the time for the recess today be charged against both sides equally on the resolution.

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

The Senator from New Mexico.

Mr. DOMENICI. Let the record reflect that I am present and I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, the record shall so reflect.

Mr. BYRD. Mr. President, I thank the distinguished Senator. I suggest the absence of a quorum. I ask the time be charged equally against both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as if in morning business for a period of time of 5 minutes or until the manag-

ers of the budget want the floor, but for no longer than 10 minutes.

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

Mr. BYRD addressed the Chair.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. BYRD. Would the Senator agree to charge the time that he uses against his side or equally against both sides? It is only 5 or 10 minutes.

Mr. GRASSLEY. It does not matter to me.

Mr. BYRD. I make that request.

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

(The remarks of Mr. GRASSLEY pertaining to introduction of legislation appear later in today's RECORD under Statements on Introduced Bills and Joint Resolutions.)

Mr. GRASSLEY. Mr. President, I think it would be appropriate for me to note the absence of a quorum and I ask that the time be equally charged to both sides.

The PRESIDING OFFICER (Mr. ROCKEFELLER). Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SASSER. Mr. President, I yield to myself such time as I may require off of the resolution itself.

Mr. President, I rise in support of the 1989 budget resolution that was recently reported by the Senate Budget Committee by a vote of 18 to 3.

This bipartisan budget resolution marks yet another milestone with regard to the recent economic summit. Essentially, this resolution completes the second year of the summit agreement.

It provides for a 2-year deficit agreement to reduce the deficit by some $79 billion, the largest deficit reduction ever recorded since the Congressional Budget Act was adopted. Indeed, the resolution as reported actually provides for about $3 billion more in deficit reductions than was actually called for in the economic summit.

The resolution provides for fiscal restraint in virtually all parts of the budget.

The resolution adheres to the appropriations spending caps for national defense and domestic discretionary programs.

Defense spending, in terms of budget authority, is capped at $299.5 billion, yielding some $1.4 billion in savings from the CBO defense baseline.

Indeed, in real terms defense spending is reduced about 1 percent. And here I might add that Secretary Carlucci has done a masterful job in putting together a 1989 defense budget that adheres to the economic summit. He has proposed terminations of selected major weapons systems, he has proposed selective reductions in force strength. But overall he had developed a defense budget that will enable our country to maintain the military readiness that we need in meeting our national security obligations around the globe.

The domestic side of the budget also receives spending caps under the terms of this resolution.

Domestic discretionary programs are capped at $148.1 billion, yielding a savings of some $1 billion from Congressional Budget Office [CBO] baseline levels.

The resolution also calls for an additional $3.5 billion in asset sales in a continuing effort to adhere to the summit agreement and also meet the terms and conditions of the Gramm-Rudman-Hollings Act.

I commended the administration for submitting a budget that met the dictates of the economic summit, and I commend the Senate Budget Committee on which I serve and for reporting out a budget resolution that provides for continued long-term deficit reduction policies.

A number of my colleagues on the Senate Budget Committee participated most directly in the economic summit. Senator CHILES, our distinguished chairman; Senator DOMENICI, the very able ranking member; and Senator JOHNSTON, of Louisiana, worked long and hard to fashion a strong bipartisan economic summit agreement.

Now we have before us a resolution that insures that the deficit reduction goals of the summit will be met.

This resolution has other virtues as well.

It sends a strong signal to the business community that the Congress is serious about its role in reducing the budget deficit. Indeed, if the economic projections underlying this budget recommendation hold, the deficit as a percent of gross national product [GNP] will fall from 3.8 percent of gross national product in 1988 to 2.2 percent of gross national product in 1991.

That is very substantial progress, any way you measure it. It says to the business community and to the American taxpayer that we are going to turn away from the spend and borrow policies that have marked the present administration.

We are going to restrain spending, and reduce the deficit. And we are not going to bring down the deficit by relying on major tax or revenue increases.

As members of the Budget Committee also know, the resolution also complies with the dictates of the Gramm-Rudman-Hollings legislation.

It provides that the deficit for 1989 shall be $136 billion. That is what the Gramm-Rudman-Hollings Act calls for. Indeed, the Gramm-Rudman-Hollings "sequester" does not even become activated until the 1989 budget deficit reaches $146 billion. So in its present form, this budget resolution enables us to adopt a budget that will be free of the "sequester" process.

Let me also say that there are other important benefits to this resolution as it affects our legislative business now and in the future.

If we enact this resolution, keeping the economic summit intact, I am confident that we can go ahead and pass a large number of authorization and appropriations bills.

The House of Representatives has a June 30 deadline to complete action on all 13 appropriations measures. With prompt passage of this resolution, I know that they will meet that deadline. And as chairman of the Military Construction Appropriations Subcommittee, I am committed to expeditious action on the appropriations side. I believe that the chairmen and ranking members of the other 12 appropriations subcommittees will also handle their bills with dispatch also.

So, if all goes according to schedule, I see no reason why the bipartisan spirit that put the summit into being and helped bring this resolution to the floor cannot continue through the appropriations process as well.

The other important ramification of this budget resolution may very well be a 2-year budget cycle for the future.

A good deal of this deficit reduction package was enacted last year by the terms and conditions of the 1988 reconciliation bill.

Additional deficit reduction had to be accomplished this year, but all within the framework of the summit agreement.

I believe that the summit agreement enabled the Budget Committees to complete their work in record time. Both committees bent to their work in a spirit of relative harmony. In the House and in the Senate, the markups were characterized by cooperation rather than confrontation.

The House committee passed its budget resolution by a unanimous vote. The Senate Budget Committee passed its resolution by an 18-to-3 vote.

This augurs well, I believe for a 2-year budget process. It may well be that, in the future, we can have a wide-ranging budget debate in the first session of every Congress, set forth forceful budget policies that will be put into place over a 2-year period, and use the rest of our time in committee to have more searching and in-depth hearings on budget issues of

long-range national importance—such as the impact of long-term health care policies on the budget process.

So for a variety of reasons, on the fiscal and legislative front, I commend this budget resolution to my colleagues.

Again, I want to commend our able and distinguished chairman, Senator CHILES, and his equally able and distinguished colleague and ranking member, Senator DOMENICI, for their work in bringing this resolution together. I most certainly hope that my colleagues will support this resolution without major amendment.

Mr. President, I suggest the absence of a quorum and ask that the time be equally divided with regard to the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CHILES. Mr. President, I understand there is a unanimous-consent agreement that has been agreed to by both sides.

This is to provide for a correction of printing errors in the budget resolution. There are some minor typographical errors in the printing of Senate Concurrent Resolution 113 in the version printed in the RECORD of March 31, 1988, with respect to antidrug funding.

To correct these errors, I send to the desk a copy of the printed version of Senate Concurrent Resolution 113 which has been corrected to show corrections. This corrected version has been cleared with the ranking member and makes purely typographical changes.

I ask unanimous consent that Senate Concurrent Resolution 113 be amended to reflect these typographical changes and that a corrected version be printed in the RECORD.

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

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

S. CON. RES. 113

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1989 is established and the appropriate budgetary levels for fiscal years 1990 and 1991 are set forth.

MAXIMUM DEFICIT AMOUNTS

SEC. 2. The following levels and amounts in this section are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, as amended by the Balanced Budget and Emergency Deficit Control Act of 1985 and the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987, whether the maximum deficit amount for a fiscal year has been exceeded, and as set forth in this concurrent resolution, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1989: $964,600,000,000.
Fiscal year 1990: $1,043,200,000,000.
Fiscal year 1991: $1,123,200,000,000.

(2) The appropriate levels of total budget authority are as follows:

Fiscal year 1989: $1,231,000,000,000.
Fiscal year 1990: $1,302,800,000,000.
Fiscal year 1991: $1,385,000,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1989: $1,100,600,000,000.
Fiscal year 1990: $1,158,100,000,000.
Fiscal year 1991: $1,215,700,000,000.

(4) The amounts of the deficits are as follows:

Fiscal year 1989: $136,000,000,000.
Fiscal year 1990: $114,900,000,000.
Fiscal year 1991: $92,500,000,000.

RECOMMENDED LEVELS AND AMOUNTS

SEC. 3. (a) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1989: $706,100,000,000.
Fiscal year 1990: $760,800,000,000.
Fiscal year 1991: $817,200,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1989: $0.
Fiscal year 1990: $0.
Fiscal year 1991: $0.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1989: $63,400,000,000.
Fiscal year 1990: $68,200,000,000.
Fiscal year 1991: $73,400,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1989: $972,500,000,000.
Fiscal year 1990: $1,020,300,000,000.
Fiscal year 1991: $1,079,000,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1989: $886,700,000,000.
Fiscal year 1990: $932,900,000,000.
Fiscal year 1991: $979,000,000,000.

(4) The amounts of the deficits are as follows:

Fiscal year 1989: $180,600,000,000.
Fiscal year 1990: $172,100,000,000.
Fiscal year 1991: $161,800,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1989: $2,825,400,000,000.
Fiscal year 1990: $3,065,300,000,000.
Fiscal year 1991: $3,289,500,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1988, October 1, 1989, and October 1, 1990, are as follows:

Fiscal year 1989:
(A) New direct loan obligations, $28,300,000,000.
(B) New primary loan guarantee commitments, $110,600,000,000.
(C) New secondary loan guarantee commitments, $92,850,000,000.

Fiscal year 1990:
(A) New direct loan obligations, $27,100,000,000.
(B) New primary loan guarantee commitments, $122,900,000,000.
(C) New secondary loan guarantee commitments, $0.

Fiscal year 1991:
(A) New direct loan obligations, $26,700,000,000.
(B) New primary loan guarantee commitments, $132,100,000,000.
(C) New secondary loan guarantee commitments, $0.

(b) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1989 through 1991 for each major functional category are:

(1) National Defense (050):

Fiscal year 1989:
(A) New budget authority, $299,500,000,000.
(B) Outlays, $294,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:
(A) New budget authority, $312,300,000,000.
(B) Outlays, $304,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:
(A) New budget authority, $325,000,000,000.
(B) Outlays, $316,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1989:
(A) New budget authority, $16,600,000,000.
(B) Outlays, $16,200,000,000.
(C) New direct loan obligations, $5,900,000,000.
(D) New primary loan guarantee commitments, $9,500,000,000.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:
(A) New budget authority, $17,700,000,000.
(B) Outlays, $16,000,000,000.
(C) New direct loan obligations, $6,000,000,000.
(D) New primary loan guarantee commitments, $9,900,000,000.
(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:
(A) New budget authority, $17,200,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $6,100,000,000.
(D) New primary loan guarantee commitments, $10,300,000,000.
(E) New secondary loan guarantee commitments, $0.

(3) General Science, Space, and Technology (250):

Fiscal year 1989:
(A) New budget authority, $13,400,000,000.
(B) Outlays, $13,000,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $13,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $14,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(4) Energy (270):
Fiscal year 1989:
(A) New budget authority, $4,900,000,000.
(B) Outlays, $4,200,000,000.
(C) New direct loan obligations, $2,000,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $5,400,000,000.
(B) Outlays, $4,300,000,000.
(C) New direct loan obligations, $2,100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $5,200,000,000.
(B) Outlays, $3,700,000,000.
(C) New direct loan obligations, $2,200,000,000.
(D) New primary loan guarantee commitments, $100,000,000.
(E) New secondary loan guarantee commitments, $0.
(5) Natural Resources and Environment (300):
Fiscal year 1989:
(A) New budget authority, $14,600,000,000.
(B) Outlays, $14,900,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $15,500,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $15,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(6) Agriculture (350):
Fiscal year 1989:
(A) New budget authority, $27,000,000,000.
(B) Outlays, $23,200,000,000.
(C) New direct loan obligations, $15,600,000,000.
(D) New primary loan guarantee commitments, $6,700,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $25,200,000,000.
(B) Outlays, $21,900,000,000.
(C) New direct loan obligations, $14,200,000,000.
(D) New primary loan guarantee commitments, $6,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $22,200,000,000.
(B) Outlays, $19,900,000,000.
(C) New direct loan obligations, $13,600,000,000.
(D) New primary loan guarantee commitments, $6,900,000,000.
(E) New secondary loan guarantee commitments, $0.
(7) Commerce and Housing Credit (370):
Fiscal year 1989:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $9,100,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $63,700,000,000.
(E) New secondary loan guarantee commitments, $92,850,000,000.
Fiscal year 1990:
(A) New budget authority, $15,100,000,000.
(B) Outlays, $8,100,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $67,200,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $3,600,000,000.
(C) New direct loan obligations, $2,800,000,000.
(D) New primary loan guarantee commitments, $74,000,000,000.
(E) New secondary loan guarantee commitments, $0.
(8) Transportation (400):
Fiscal year 1989:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $27,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $28,900,000,000.
(B) Outlays, $28,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $29,600,000,000.
(B) Outlays, $30,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(9) Community and Regional Development (450):
Fiscal year 1989:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $6,500,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $6,900,000,000.
(B) Outlays, $6,800,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $300,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $7,100,000,000.
(B) Outlays, $6,400,000,000.
(C) New direct loan obligations, $1,100,000,000.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1989:
(A) New budget authority, $36,600,000,000.
(B) Outlays, $35,300,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $10,400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $37,900,000,000.
(B) Outlays, $36,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $10,800,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $38,700,000,000.
(B) Outlays, $37,800,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $10,800,000,000.
(E) New secondary loan guarantee commitments, $0.
(11) Health (550):
Fiscal year 1989:
(A) New budget authority, $49,900,000,000.
(B) Outlays, $48,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $54,400,000,000.
(B) Outlays, $54,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $400,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $59,500,000,000.
(B) Outlays, $58,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $400,000,000.
(E) New secondary loan guarantee commitments, $0.
(12) Medicare (570):
Fiscal year 1989:
(A) New budget authority, $103,700,000,000.
(B) Outlays, $86,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:

(A) New budget authority, $113,200,000,000.
(B) Outlays, $97,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $124,100,000,000.
(B) Outlays, $108,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(13) Income Security (600):
Fiscal year 1989:
(A) New budget authority, $176,200,000,000.
(B) Outlays, $138,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $181,000,000,000.
(B) Outlays, $145,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $213,000,000,000.
(B) Outlays, $152,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(14) Social Security (650):
Fiscal year 1989:
(A) New budget authority, $5,300,000,000.
(B) Outlays, $5,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $5,400,000,000.
(B) Outlays, $5,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $4,300,000,000.
(B) Outlays, $4,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(15) Veterans Benefits and Services (700):
Fiscal year 1989:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $28,400,000,000.
(C) New direct loan obligations, $900,000,000.
(D) New primary loan guarantee commitments, $19,600,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $30,900,000,000.
(B) Outlays, $29,900,000,000.
(C) New direct loan obligations, $800,000,000.
(D) New primary loan guarantee commitments, $27,500,000,000.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $31,400,000,000.
(B) Outlays, $30,500,000,000.
(C) New direct loan obligations, $700,000,000.
(D) New primary loan guarantee commitments, $29,700,000,000.
(E) New secondary loan guarantee commitments, $0.
(16) Administration of Justice (750):
Fiscal year 1989:
(A) New budget authority, $8,900,000,000.
(B) Outlays, $8,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $9,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $10,300,000,000.
(B) Outlays, $10,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(17) General Government (800):
Fiscal year 1989:
(A) New budget authority, $9,500,000,000.
(B) Outlays, $9,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $10,100,000,000.
(B) Outlays, $10,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $10,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(18) Net Interest (900):
Fiscal year 1989:
(A) New budget authority, $161,600,000,000.
(B) Outlays, $161,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $171,700,000,000.
(B) Outlays, $171,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $176,800,000,000.
(B) Outlays, $176,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(19) Allowances (920):
Fiscal year 1989:
(A) New budget authority, $0.
(B) Outlays, $0.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, $0.
(B) Outlays, $0.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, $0.
(B) Outlays, $0.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 1989:
(A) New budget authority, −$33,000,000,000.
(B) Outlays, −$45,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1990:
(A) New budget authority, −$34,100,000,000.
(B) Outlays, −$46,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.
Fiscal year 1991:
(A) New budget authority, −$35,400,000,000.
(B) Outlays, −$36,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than April 29, 1988, the committees named in subsections (b) through (i) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction sufficient to increase contributions $1,494,000,000 in fiscal year 1989.

(c) The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction sufficient to increase contributions $970,000,000 in fiscal year 1989.

(d) The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction sufficient to increase contributions $326,000,000 in fiscal year 1989.

(e) The Senate Committee on Small Business shall report changes in laws within its jurisdiction sufficient to increase contributions $710,000,000 in fiscal year 1989.

HOUSE COMMITTEES

(f) The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to increase contributions $1,494,000,000 in fiscal year 1989.

(g) The House Committee on Banking, Finance and Urban Affairs shall report changes in laws within its jurisdiction sufficient to increase contributions $970,000,000 in fiscal year 1989.

(h) The House Committee on Education and Labor shall report changes in laws within its jurisdiction sufficient to increase contributions $326,000,000 in fiscal year 1989.

(i) The House Committee on Small Business shall report changes in laws within its jurisdiction sufficient to increase contributions $710,000,000 in fiscal year 1989.

SALE OF GOVERNMENT ASSETS

SEC. 5. (a) It is the sense of the Congress that—

(1) from time to time the United States Government should sell assets to nongovernment buyers; and

(2) the amounts realized from such asset sales will not recur on an annual basis and do not reduce the demand for credit.

(b) For purposes of allocations and points of order under section 302 of the Congressional Budget and Impoundment Control Act of 1974, the amounts realized from asset sales or prepayments of loans shall not be allocated to the committee and shall not be scored with respect to the level of budget authority or outlays under a committee's allocation under section 302 of such Act.

(c) For purposes of this section—

(1) the term "asset sales" does not include asset sales authorized by law before September 18, 1987, and routine, ongoing asset sales and loan payments at levels consistent with agency operations in fiscal year 1986; and

(2) the term "prepayment of a loan" shall have the same meaning as under section 257(12) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987).

FUNDING FOR THE WELFARE REFORM AND CATASTROPHIC INSURANCE INITIATIVES

SEC. 6. (a)(1) In the Senate, it is assumed that budget authority and outlays for fiscal year 1988 or 1989 (or both) shall be allocated to the Senate Committee on Finance to provide for the welfare reform and medicare catastrophic health insurance initiatives, and the aggregates for fiscal years 1989, 1990, and 1991 in sections 2 and 3 of this resolution shall be adjusted accordingly, when the Committee on Finance, the committee of conference on the welfare reform initiative, or the committee of conference on the catastrophic insurance initiative reports legislation that will, if enacted, make funds available for such initiative and ensure that such legislation will not increase the deficits for fiscal years 1988, 1989, 1990, and 1991.

(2) Upon the reporting of legislation pursuant to paragraph (1), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. Such revised allocations, functional levels, and aggregates shall be considered for the purposes of such Act as allocations, functional levels, and aggregates contained in this resolution, and the Committee on Finance shall report revised allocations pursuant to section 302(b) of such Act for the appropriate fiscal year (or years) to carry out this section.

ANTIDRUG FUNDING

SEC. 7. It is the sense of the Congress that anti-narcotics activities, including law enforcement, drug interdiction, drug treatment, and substance abuse education, are vital to the Nation's future and should be among the top funding priorities in the fiscal year 1989 budget. All authorizing and Appropriations Committees and subcommittees are urged to examine programs within their jurisdictions to enhance their participation in the anti-drug effort and to give top priority to this effort in allocating their share of the funds available under this budget resolution.

Mr. CHILES. Mr. President, similarly, there were some minor errors in the report to accompany the concurrent resolution, so I send corrections to the desk and ask unanimous consent that they be printed in the RECORD.

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

On page 2 of the resolution, line 12, insert a period at the end of the line.

On page 5 of the resolution, line 11, strike "$0" and insert "$92,850,000,000".

On page 13 of the resolution, line 20, strike "$0" and insert "$92,850,000,000".

On page 29 of the resolution, line 20, change "(—)" to "(i)".

On page 33 of the resolution, line 8, change "antinarcotics" to "anti-narcotics".

On page 33 of the resolution, line 15, change "antidrug" to "anti-drug".

On page 4 of the report, paragraph 3, line 3, change "$2.5 billion" to "$2.3 billion".

On page 5 of the report, in table 1, change the deficit estimate in 1990 from "114.8" to "114.9".

On page 5 of the report, in table 1, change the deficit estimate in 1991 from "92.4" to "92.5".

On page 10 of the report, paragraph 3, line 29, change "mark" to "Mark".

On page 11 of the report, paragraph 3, line 1, change "it's" to "its".

On page 11 of the report, paragraph 4, line 5, change "GRM" to "GRH".

On page 11 of the report, paragraph 4, line 8, change "Administrations" to "Administration's".

On page 15 of the report, in the Committee Revenue Recommendation chart, change "19990" to "1990".

On page 19 of the report, paragraph 1, line 4, delete "the" and insert "multilateral financial institutions, funding for U.S. embassies and".

On page 24 of the report, paragraph 5, line 1, change "recommendations" to "recommendation".

On page 25 of the report, paragraph 2, line 8, change "purchase" to "purchases".

On page 29 of the report, the Function 370 Spending Projections chart, under "Appropriations for past losses", outlays for 1991, change "0.31" to "0.3".

On page 29 of the report, the Function 370 Spending Projections chart, change "recommendations" to "recommendation".

On page 29 of the report, in paragraph 3, line 1, change "assumnes" to "assumes".

On page 31 of the report, paragraph 3, line 3, delete "for".

On page 32 of the report, paragraph 4, line 4, change "$3.0" to "$0.3".

On page 35 of the report, paragraph 1, line 2, change "selfsupporting" to "self-supporting".

On page 35 of the report, paragraph 4, line 1, change "spending" to "pending".

On page 37 of the report, Function 550 Spending Projections chart, under "Discretionary programs (excluding past losses)", outlays for 1988, change "11,9" to "11.9".

On page 37 of the report, Function 550 Spending Projections chart, under "Discretionary programs (excluding past losses)", outlays for 1989, change "13,2" to "13.2".

On page 38 of the report, Function 550 Credit Projections, under DL for 1991, change "(*)" to "+(*)".

On page 53 of the report, paragraph 4, line 5, change "on" to "in".

On page 69, paragraph 3, line 3, change "1989" to "1988".

On page 71 of the report, in the table entitled "Senate Committee Budget Authority and Outlay Allocations", change the totals for the Appropriations Committee from "609,700" in budget authority and "623,675" in outlays to "609,710" in budget authority and "623,683" in outlays.

On page 71 of the report, in the table entitled "Senate Committee Budget Authority and Outlay Allocations", change the Veterans' Affairs Committee totals for "Entitlements funded in annual appropriations" from "15,525" in budget authority and "15,494" in outlays to "15,533" in budget authority and "15,502" in outlays.

On page 71 of the report, in the table entitled "Senate Committee Budget Authority and Outlay Allocations", change the totals for "Not allocated to Committees" from "(236,869)" in budget authority and "−246,625" in outlays to "−236,878" in budget authority and "−246,633" in outlays.

On page 75 of the report, line 6, of the table entitled, "The President's 1989 Budget Request", change "13.3" to "13.1".

On page 75 of the report, line 5 of the table entitled, "The President's 1989 Budget Request", change "16.8" to "17.1".

On page 77, under "INTERNATIONAL AFFAIRS: Function 150", change "16.6" to "18.1".

On page 77, under "INTERNATIONAL AFFAIRS: Function 150", change "16.2" to "16.1".

On page 77, under "INTERNATIONAL AFFAIRS: Difference", change "−1.5" to "0.0".

On page 77, under "INTERNATIONAL AFFAIRS: Difference", change "0.1" to "0.0".

On page 80, in the heading, change "1989" to "1988".

On page 80, in the heading, change "1990" to "1989".

On page 179, paragraph 1, line 6, change "Total FTEE Add-On = 5917" to "Total FTEE Add-On = 5,479".

On page 186, paragraph 1, line 6, change "Total FTEE Add-On = 5917" to "Total FTEE Add-On = 5,479".

On page 333, paragraph 2, line 2, change "In" to "It".

On page 333, paragraph 3, line 8, after "billion" add "while revenues are estimated to increase by only $56 billion".

On page 334, paragraph 1, line 4, change "gutter" to "gutted".

On page 334, paragraph 5, line 5, change "People" to "people".

On page 335, paragraph 5, line 6, change "the" to "this".

On page 337, paragraph 2, line 6, insert a period at the end of the line.

On page 339, paragraph 4, line 6, change "services" to "service".

On page 339, paragraph 6, line 1, delete the comma following "specific".

Mr. CHILES. Mr. President, we will be recessing shortly for our caucuses. At those caucuses, I am sure both sides will get an opportunity to discuss the budget resolution. When we return, which I understand will be at 2:30, we hope to begin debate in earnest on any amendments.

I see the distinguished Senator from Tennessee on the floor. I heard that he spoke recently on the budget and made some kind remarks about the ongoing chairman. I thank him for those remarks. I am sorry that I did not get a chance to hear him. I look forward to reading the RECORD.

We certainly look forward to the leadership we know he is going to provide as he leads us out of the wilderness of the budget morass and brings us into the promised land.

Moses never got to cross the river, but Joshua carried the children across. Maybe Joshua was a Tennesseean, and that could have been short for "James" or "Jim." I trust that next year, the waters will part and Joshua will lead the tribes across to the land of milk and honey.

Mr. SASSER. Mr. President, if the Senator will yield, I thank him for his kind remarks.

I shall endeavor to follow in the footsteps of my distinguished friend and colleague from Florida, who has done a marvelous job in guiding the Budget Committee for the last 2 years, and if this cup will not pass from me, and there is some chance that it could, but if this cup shall not pass from me, I shall pattern my behavior after my friend from Florida. And if I do that, I think all will come out well in the end.

I thank my friend.

Mr. CHILES. Mr. President, when we return at 2:30 I think we will begin to debate in earnest. I do not anticipate that there will be a rollcall vote before 4 o'clock. As that time arrives I hope then, and even before then, Members who have amendments will come to the floor at 2:30 prepared to discuss those amendments. Nothing would be better from our standpoint on the Budget Committee than if we could pass this resolution today this evening, and then we could get about the work of our conference. We will have to go to conference with the House. Our budget resolutions will be different in some respects. So there will be a conference that hopefully will not take too long but we need to get started. That will be helpful.

When we return, one of the points of discussion will be a sense-of-the-Senate resolution that I will propose and that would speak to the issue that we now find ourselves dealing with in Social Security and the Social Security surplus. Under the present scoring of Gramm-Rudman-Hollings, Congress credits itself with the Social Security surplus, and that masks the true deficit.

All of us remember that a few years back we had a nonpartisan, high-level commission sit down to work out the problems of Social Security. We recognized the fact that we were going to have some years in which we had a large work force by virtue of the war babies swelling that work force. But as those war babies retire—and that begins sometime in the year 2012, or after that—then we will have a much smaller work force coming on. That means that there will be a tremendous drag on Social Security as we begin to have to pay the benefits of those retiring workers. Of course, the system was already in trouble and we were worried before about when it could go busted.

So as a result of that commission and legislation that was enacted we had a three- or four-step increase. Some of the increases are still going to go in on the payroll tax, raising the amount of coverage and raising the tax. Therefore, we are anticipating and are building a surplus in the Social Security trust fund. That surplus is all going to be used. In fact, it will not be enough totally to cover but it is a wonderful hedge, and I think it was a very wise and prudent move on the Congress.

I have always been one for true budgeting, to want to be able to look at the Social Security numbers in our overall budget numbers because they do affect the economy. There is no way that you can get a true economic picture of what the plusses and drags are on our economy if you exclude this major source of taxation, the payroll tax, and the major source of funds in this instance is the surplus. So you need to be able to look at those and tie those in.

I do not think, though, it is very prudent for us to go along on the basis that we are balancing the budget by counting that surplus as it gets very big and telling ourselves, "Oh, boy, we are doing a good job," because we are using that to reduce the deficit. That surplus is $40-something billion this year. So what that means, Mr. President, is rather than looking at a deficit that we are hoping under the most favorable figures to get down to $136 billion, the true picture is the Federal funds deficit is at least $40-something billion higher than that.

If you really look at it in sound economic ranges with the Federal funds deficit, we are looking at, at least a $200 billion deficit. It is that big every year into the outyears and, if anything, it is growing some. Yet that surplus will go from $40 to $60 billion to higher. In fact, by the year 2010 it will be $2 trillion.

Assume that you do not have some major changes, which you could have, in inflation and you had high COLA's. It might never reach that. We might need it earlier. But under the best of circumstances, it could be as high as $2 trillion.

Mr. President, I think you can imagine the tragedy if we spent that $2 trillion and this reminds me so much of Joseph's interpretation of the Pharaoh's dream. There were seven healthy cows and there were seven lean cows and eventually the lean cows ate the healthy cows, and then there were seven stalks of strong grain and seven weak and the same thing happened. Joseph finally interpreted that there were going to be 7 good years in Egypt and 7 years of famine, and the Pharaoh built storehouses and they stored in the good years, and they saved their population because they stored the grain. We are doing that with Social Security.

But, on the other hand, we are eating the grain now. We are beginning to take it out of the barn because this is all done with the full faith and credit of the United States. So we now have Government bonds and Government bills, which we are borrowing back and paying interest on. But if we are spending that money in our deficit at that time we will need to cash those bonds or bills, which will begin after 2010 or 2013, and begin to use that to pay off. That is a double hit. That will be a double hit and that might be something about which some of us could get out of town, and I guess all of us will.

But, Mr. President, if the whole system is busted in the year 2030, I am going to be just as mad as hell, and I will be 100 years old then, and I am not going to enjoy that. Even the distinguished Senator from West Virginia will no longer be a boy then, and he probably would not feel that that would be prudent either.

So what we do about this, Mr. President, is I am going to propose a sense-of-the-Senate resolution which says we should stop the scoring, we have to make adjustments, we have to recognize that, and I am going to propose that we turn this around and over 5 years we come to a balance taking out the surplus.

Now, Mr. President, there is no magic to 5 years. Someone said to me that is unrealistic. It may take 8. It may. And we have been known to change years before.

It seems the point is pretty valid if we do not stop quickly. Let us readjust the Gramm-Rudman-Hollings formula. If we have to recognize that, yes,

we could make up that other $40 billion this year. We would have a sequester the likes of which would put us into a recession.

I am not proposing we do that but let us do not keep doing what we are doing. The whole purpose of Gramm-Rudman-Hollings was to rachet down. Let us say that we are going to start and we are going to bite off so much of this year and bring it down. Maybe we have to change the number again. But let us not fool ourselves by the fact that we have this surplus that grows and before long we would be able perhaps to say if we did not spend it too fast look where we are at a balance and the balance, according to my calculations, would come to about the time the surplus reached $200 and some billion.

Maybe our spending would be below that or only that high. So we could say we balanced when our Federal funds deficit would show us way in excess of $200 billion.

The interest on the national debt today is over $150 billion, and it will grow every year as we borrow this surplus and that again will just make it more and more difficult for us to get out of the woods.

One of the reasons that I think we need to do this, Mr. President, is that it is awfully important that Social Security have the confidence of the people who are paying into it, the work force. I think many of us remember that about the time we were having the commission and the report there was a lot of trepidation out there and people were saying: "I do not believe there is going to be anything there when I retire. So why am I being withheld on? Why am I paying this tax?" And all the employers were saying that, as well: "Why are we seeing a major portion of the payroll withheld to go to this tax when there is not going to be anything there?"

Well, we have to have that confidence. The only way we can have that confidence is that that surplus is truly going to be there. So I think that is something that we definitely must deal with.

Mr. President, I do not know if anyone else has any remarks to make on the budget right now. As I say, we will take up on this issue when we return. I understand that we will go into access at 12:45, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 2:30 P.M.

The PRESIDING OFFICER. Under the previous order, the hour of 12:45 p.m. having arrived, the Senate will stand in recess until the hour of 2:30 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. MELCHER].

CONGRESSIONAL BUDGET RESOLUTION FOR 1989

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. In my capacity as a Senator from Montana, I suggest the absence of a quorum, and the time will be charged equally against each side.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MELCHER. Mr. President, I ask unanimous consent that I might have 1 minute and that it be charged against our side.

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

(The remarks of Mr. MELCHER pertaining to the introduction of legislation appear later in today's RECORD under Statements on Introduced Bills and Joint Resolutions.)

Mr. MELCHER. Mr. President, I suggest the absence of a quorum, and ask that the time be charged equally against each side.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. MITCHELL pertaining to the submission of a resolution appear later in today's RECORD.)

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum with the time to be equally charged.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MIKULSKI). Without objection, it is so ordered.

Mr. HEINZ. Madam President, in a short time the Senate will be voting on the budget resolution for fiscal year 1989. When we conclude its consideration that resolution would complete the 2-year bipartisan budget agreement, reducing the deficit by $76 billion in fiscal years 1988 and 1989. In addition, using the Office of Management and Budget's technical and economic assumptions, the pending resolution would meet the Gramm-Rudman-Hollings target of $136 billion in deficit spending.

Thus, I anticipate voting for the resolution unless it is changed by some of the amendments that I do not now anticipate. I will do so in that anticipation, Madam President, in part because last November we made a commitment. That commitment was to bring the budget deficit under control and our ability to make good that commitment by fulfilling the budget summit requirements is a test that we dare not fail. Failure to enact the further savings required would in my judgment risk sending both our own economy and the world economy a devastating message—one which would say that the United States is not serious about its finances, is heedless of the consequences of a $2.3 trillion national debt, and cares little about escalating the liability our children and grandchildren must bear.

I have, along with most of my colleagues, supported across-the-board spending restraint as the most equitable method to reduce the deficit. The bipartisan budget agreement, which I also support, envisions just that by setting caps on defense and discretionary spending.

Before we move to a vote on the resolution, however, it is important that we review the priorities it contains. The Senate Budget Committee in my judgment has not applied the mandatory spending caps uniformly throughout the budget. The superconducting super collider, for instance, received a 25-percent increase in funding, and is now a $1 billion program which benefits few at the cost of many. Function 250—general sciences—overall received more than a $1 billion increase—more than 8 percent—over the already generous House-passed level. At the same time, function 450, Community Development, has been asked to take a 6-percent cut in discretionary funds. In my judgment that is neither across-the-board restraint nor fair.

In fiscal year 1981, general sciences programs were funded at $6.6 billion. This resolution would provide $13 billion, a 100-percent increase in 7 years. Now, what about community development programs in contrast? In fiscal year 1981, community development programs received $9.9 billion in budget authority. This resolution would provide only $7.1 billion, or

almost a 30-percent decline. Community development has already borne its share of deficit reduction, while function 250 has been exempted, and then some.

Madam President, in human terms, what does this imbalance mean? It means we have embarked on a policy of fend-for-yourself federalism. Community development programs support local services such as housing, infrastructure, local transportation, and economic development. It is the means by which our constituents receive the most basic services. Continued such cuts in community development will force local governments, on top of the large other cuts in similar kinds of programs, ultimately into a fiscal "Custer's Last Stand," which will force local government to cut back services, raise taxes to the statutory limit, or go into default.

In this connection, as I look at the budget resolution overall, I really do not believe that the Senate intends to exempt the NSA and DOA contractors from deficit reduction while forcing, in some instances, near-budget local governments to shoulder the burden of the bipartisan budget agreement.

Indeed, what I see in this budget resolution is a resolution that is going to conference with the House of Representatives. Unless I have lost my ability to interpret signals, signs, and whispers, I believe we all understand that there is something of an open secret that the Senate conferees have an understanding that these inequities will be balanced in conference.

I trust that the conferees are on notice that any further support for this resolution from me and from those who share my concerns—and we will have a conference report on this resolution—is contingent on balanced, across-the-board restraint, not posturing.

Madam President, I look forward to working with my colleagues on a resolution which is equitable and contains the ongoing process of deficit reduction.

Mr. CHILES. Madam President, I spoke earlier, before we recessed for the respective conferences, and said that upon our return I would submit a sense-of-the-Senate resolution dealing with the issue of the Social Security surpluses, and I intend to send it to the desk shortly.

I will say for the benefit of Senators in their offices that in a conversation I had with the majority leader, he asked that we inform Senators that there will not be any rollcall votes until 4 o'clock; but, beginning at 4 o'clock, we will initiate rollcalls. We would like to finish the bill early evening or into the night, if possible.

I reiterate that there will not be any votes until at least 4, but we would like to have Senators submit their amendments.

I understand that under the Humphrey-Hawkins bill, there is a time for the Joint Economic Committee to have a discussion. Maybe that will not take place today, but I think other Senators have statements.

AMENDMENT NO. 1928

(Purpose: to call for more truthful disclosure of the deficit)

Mr. CHILES. Madam President, I send to the desk a sense-of-the-Senate resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Florida [Mr. CHILES] for himself, Mr. RIEGLE, Mr. SANFORD, Mr. HEINZ, Mr. CONRAD, Mr. METZENBAUM, and Mr. GRAHAM, proposes an amendment numbered 1928.

Mr. CHILES. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the resolution add the following:

SOCIAL SECURITY TRUST FUND SURPLUSES

SEC. 8 (a) FINDINGS.—The Congress finds that—

(1) under current law, surpluses (and deficits) in the Social Security trust fund are included in calculations of the deficit for purposes of comparison with the maximum deficit amount under the Balanced Budget and Emergency Deficit Control Act of 1985 and for purposes of determining across-the-board cuts under that Act;

(2) the inclusion of the Social Security trust fund in the calculation of the Gramm-Rudman-Hollings targets creates the illusion that the budget deficit is being brought into balance when in fact the operating deficit is continuing to grow;

(3) the accumulation of Social Security surpluses is intended to be the basis for honoring the benefit claims of future retirees, at a time when yearly benefit expenditures will exceed yearly receipts;

(4) Social Security surpluses are currently being lent to the Treasury to finance the operating budget deficit, which is primarily dedicated to current consumption;

(5) the use of the Social Security surpluses for current consumption denies their intended purpose of increasing national savings, investment, productivity, and gross national product;

(6) without such increases in national output and wealth, future workers will be unable to honor the claims of retirees without a significant increase in taxes or reduction in Social Security benefits;

(7) the use of Social Security surpluses as a source of national savings would bolster the economic capacity of the United States, allowing Social Security benefit claims to be honored at the same time future workers enjoy an increased standard of living;

(8) the intended and legitimate purposes of the Social Security trust fund could best be protected by excluding it from the calculation of any deficit reduction targets.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the Congress should enact legislation that makes the definition of the deficit exclude the surplus (or deficit) from the Social Security trust fund for all purposes; and

(2) the Congress should enact legislation that would within five years eliminate the deficit when calculated to exclude the surplus (or deficit) from the Social Security trust fund.

Mr. CHILES. Madam President, the sense-of-the-Senate resolution I have sent to the desk on behalf of myself and the Senator from Pennsylvania [Mr. HEINZ], the Senator from Michigan [Mr. RIEGLE], the Senator from Ohio [Mr. METZENBAUM], the Senator from Florida [Mr. GRAHAM], the Senator from North Dakota [Mr. CONRAD], the Senator from North Carolina [Mr. SANFORD], and there may be some others who wish to cosponsor it.

Madam President, one of the ways a predator can survive in nature is to hide itself in the landscape. It sort of blends into the background so it is harder to see.

Our biggest economic predator, right now, is the Federal deficit and—even though it is an animal you can hardly miss, it is still not easy to see the whole thing. Why? Because it is partially hidden inside the geography of the budget.

Its true size is obscured by the Social Security surplus; and today I am offering an amendment to clear off the haze so we can see all the deficit, and deal with it head-on.

This amendment calls on Congress to pass legislation to exclude Social Security and its surpluses from the Gramm-Rudman-Hollings targets.

Even though we took Social Security off-budget in 1986, we still figure it in to see if we are meeting the G-R-H deficit reduction goals.

The amendment also calls on Congress to come to grips with our true deficit problem by reducing the Federal-funds deficit—the deficit which excludes Social Security—to zero in a 5-year period.

Right now, we are kidding ourselves and the American people about the extent of our deficit problem. The deficit is heading up, not down.

The chart behind me shows that when we exclude the growing Social Security surpluses from the deficit picture, the Federal-funds deficit actually rises during the coming years, and we end up with deficits of over $230 billion as far as the eye can see.

If you look at this chart, you will see that these figures—these are all Congressional Budget Office figures. They are slightly different from those of the Office of Management and Budget. For 1987, we are looking at a deficit of $168 billion. If you look to 1988, it is $198 billion; 1989, $223 billion. But that is the old budget deficit.

The Social Security surplus is $20 billion in 1987, $37 billion in 1988. The year we are dealing with now, $46 billion. So our true Federal-funds deficit

is some $46 billion higher than we are showing.

Why should we worry if the Federal-funds budget is in deficit, as long as we have a Social Security surplus to offset it? One trouble is that the Social Security surpluses are only temporary.

The next chart shows that Social Security will be building large annual surpluses up until about 2015. But after that when the baby-boom generation moves out of the work force and into retirement, the situation reverses. Social Security will be paying out more in benefits than it takes in.

So we see these surpluses moving up in Social Security. They reach about $2 trillion. That is how large that surplus will build.

Then it starts coming down in 2005, 2010. But by the year 2030, 2035, we run into huge deficits.

Madam President, if we spend this money now—and that is what we are doing, in effect, when we are counting it as part of the surplus—this chart will look twice as bad, because we will get a double whammy.

Indeed, Social Security experts tell us that over a 75-year period, Social Security is no longer in close actuarial balance. It looks like it will be at least 5 percent out of balance over the 75-year horizon in this year's or next year's annual Social Security reports, and that is bad news.

That is only part of the long-run problem we are looking at. Health care costs for Medicare and long-term care are expected to keep increasing. So let us see where we could end up if we do not get the Federal-funds deficit under control. The next chart shows that by the year 2030, the combined Federal funds and Social Security deficits could reach 7.4 percent of GNP. That is over a full percentage point greater than the historically high deficit in the depths of the last recession.

The bottom line is that we must get the Federal-funds deficit under control. The accumulation of Social Security surpluses is intended to be the basis for honoring the benefit claims of future retirees, when expenditures will far exceed receipts.

But right now, Social Security surpluses are being lent to the Treasury to finance the Federal-funds budget deficit, which is primarily dedicated to current consumption.

Borrowing from Social Security to finance our current deficit and consumption means that the funds are not available to increase national savings, investment, productivity, and gross national product.

Without these increases in national output and wealth, future workers are going to be unable to honor the claims of retirees without a very significant increase in taxes or reduction in Social Security or other benefits.

The use of Social Security surpluses as a source of national savings would bolster the economic capacity of the United States for the future. It would allow Social Security benefit claims to be honored at the same time future workers would enjoy an increased standard of living.

That will happen only if we curb the national funds deficit. We need to set the Social Security surpluses aside. We need to exclude them from our deficit targets, and then we need to drive the Federal funds deficit toward zero. This amendment calls on Congress to do just that.

Madam President, since raising this issue, I have been ribbed a little about leaving behind a deficit larger than we would like to admit to.

No one likes to be the bearer of unpleasant news. But I remember a time when a lot of people were willing to use a short-term windfall from tax reform to show a cut in the deficit, even though we knew it was fantasy.

This is an "opportunity" amendment. It gives us the chance to make sure the Social Security funds serve the role for which they were intended. It means that the funds could help generate investment and economic growth, that they could be the surplus funds. They would be working for this country while they are waiting to meet the demands of retirees some years down the road.

We want to keep improving the standard of living in this country. We want to assure a high standard of living for our retirement-age population, and we want to go after the Federal deficit with our eyes wide open.

These are the motives behind this amendment. I think it deserves the approval of the Senate.

I believe that it gives us a true picture of what the deficit actually is. Madam President, I think it is crucially important that the Congress and the Government maintain its credibility with the people and even when they find out, and they are beginning to, that we are taking these surplus moneys and we in effect are spending them and double-counting them and using them now. Then I think again they could get very shaky as to whether there are going to be funds there for their retirement, and that, of course, could hurt our whole system.

So why should we worry if the Federal fund is in deficit as long as we have a surplus to offset it? Because this surplus is only temporary. We know that the Social Security will be building up large annual surpluses, until we reach the years of around 2010, and then those surpluses go off very quickly and we see them falling in huge numbers, and that means at that time we will have to take additional action.

But be like Joseph when he interpreted Pharaoh's dream. Pharaoh saw in his dream seven fat cows and seven lean cows and the seven large stalks of corn dwindle and seven weak stalks of corn took over the strong. Joseph said that the Lord told him that that dream said that Egypt was going to enjoy prosperity for 7 years and he told Pharaoh he ought to build storehouses and barns and he ought to store the surplus food because there was going to be a famine for 7 years. Fortunately, Pharaoh heeded that and did, and the Egyptians were saved and also the children of Israel who happened to be there at the time and were brought in there.

But imagine what would happen if they were building those storehouses but somebody in Pharaoh's council was taking the grain out of the back door during the 7 good years. That is what we are beginning to do here. We are taking the grain out. We are taking $46 billion this year and telling ourselves that we are reducing our deficit by this $46 billion. Next year it would be $58 billion, the next year $71 billion, the next year $81 billion, and the next year $97 billion that we would be taking out.

You can see that the years of the grain going into the warehouse continue to where we are going to put about $2 trillion worth of grain in the warehouse. But before it is over we are going to need a lot more than that because the lean years come when the retirees, the war babies, begin to retire. We made a very prudent decision in setting this money aside and we can have good national savings because of this $2 trillion. It can mean more investment, more plant capacity, a higher standard of living for our workers if we are not spending it. But if we turn around and spend it and through a charade that says that we have Gramm-Rudman-Hollings that is going to bring us down to zero when in effect we are doing it off a payroll tax that is on workers today and taking their money, that would be something that would be wrong.

Mr. RIEGLE. Madam President, will the Senator yield at that point?

Mr. CHILES. I am happy to yield.

Mr. RIEGLE. I appreciate his yielding.

I first of all commend the chairman of the committee for his leadership on this issue.

We had a very important hearing in the Budget Committee just a short time ago that focused on this issue which the chairman called and headed. The problem that was illuminated at that hearing, and which the chairman is now demonstrating on this chart, is a critically, important issue for the country and for us to understand. If we are successful with this amendment, I want to make a formal statement a little later that this will be one of the most important achieve-

ments that the Senator from Florida will leave behind as he concludes his career in the Senate this year.

I am struck by the fact, in looking at this chart, that for fiscal year 1988, which is the year we are presently in, if you look at the actual budget deficit, taking away the Social Security surplus which hides the size of the deficit, our deficit is really $198 billion and it goes up in 1989 to $223 billion, in 1999 it is $228 billion, and it stays at those $200 billion-plus levels.

The fact by itself is not generally understood by the country as a whole and by the financial markets. I think people have tended to be generally misled by the way the accounting document is put together, to not fully comprehend the size of the actual operating deficit. The only way I see to bring this under control is precisely the way the Senator has recommended. If we do not set aside these Social Security surpluses and keep them totally out of the budget calculation, we are going to fool ourselves into thinking our deficit is really smaller than it is. And we are going to find ourselves, I think, with a real budget crisis on our hands far faster than anyone might imagine.

So I just conclude by saying that it seems to me there are two vital points illustrated here. One is the need to protect the money in the Social Security fund so it is not squandered in some way through an accounting technique and, secondly, that we face up to the size of our true budget deficit problem and go to work to fashion a new answer for that, because the problem is striking in its own right in a way far beyond what we are presently admitting the true facts to be.

So I commend the Senator for his efforts and I want to be sure that he adds me as a cosponsor to his amendment.

Mr. CHILES. The Senator is a cosponsor. I thank him for his remarks. He certainly has had a concern for Social Security and its protection over a period of time.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. HEINZ. Madam President, I am pleased to join with my friend and colleague, the Senator from Florida, in cosponsoring this amendment.

The subject that it deals with is by no means new to many of us, particularly those of us who served on the National Commission on Social Security Reform, but it is, admittedly, a somewhat obscure subject. It is obscure because we tend to look only at the numbers that are printed in the press. And the numbers that are printed in the press are not always the reality that we know it to be. The press often looks at the bottom line. And the bottom line includes subtotals, before you get to the bottom line. And one of those subtotals is the surplus or deficit in the Social Security system.

I particularly commend the Senator from Florida, as I say, for bringing this issue to the Senate floor. He has demonstrated, I think, again, his foresight and leadership in bringing this difficult issue to our attention. And, as he points out, it is easy for this critter to get lost in the field, but there are some very good reasons why we should not lose sight of it.

One of the reasons, as both the Senator from Michigan, in his brief colloquy, and the Senator from Florida made clear a moment ago, is that we are currently understating the Federal budget deficit by subtracting out of it the surplus in the Social Security trust fund. If you assumed that we were never going to spend the surplus or we did not need to spend the surplus in the Social Security trust fund, I suppose you would have a better, although in my mind, not a very convincing argument for doing that.

The reason I do not think it is a very convincing argument is that in the fall of 1985 we debated this issue for nearly 2 weeks. I offered an amendment to Senator SIMPSON's immigration reform bill. The amendment was aimed at truth in budgeting and borrowing. The amendment was aimed at separating the Social Security trust fund from the unified budget.

That amendment was enacted later that year as part of the budget deficit reduction measure appended to the debt ceiling bill and we created what is known today as Gramm-Rudman-Hollings. Gramm-Rudman-Hollings basically said we are going to do this both ways. For the purposes of reporting, we are going to continue to have the Federal Government do what we said that we wanted them to do as part of the 1983 Social Security Amendments. That is, instead of waiting until 1993 for them to report the Social Security trust fund off budget, we are going to accelerate that date and the Office of Management and Budget and the President's Economic Report are going to treat the Social Security trust funds, with the exception of HI, as if they were off budget. But for the purposes of Gramm-Rudman-Hollings, we are going to do it the same old way that we have been doing it since 1968.

And so built into Gramm-Rudman-Hollings, which I support, is, nonetheless, a lie. And the lie is that we are not as good as we would like to think we are.

What will happen as a result of that lie—or maybe more accurately, since we are bringing the budget deficit down, half-truth—is that when Gramm-Rudman-Hollings goes out of business at the end of 1993 and we get the budget deficit down to zero, as I think we will and I hope we will, there will, nonetheless, be a very nasty surprise. Because assuming that all goes right—that we do not have to extend Gramm-Rudman-Hollings, that we do get the budget deficit reported under Gramm-Rudman-Hollings down to zero—one second after that is done, the budget deficit will be reported not as zero, but, given current projections, as $116 billion. That is a $116 billion surprise in just one second. That is why we really need to give this issue the kind of attention proposed by the Senator from Florida, Senator CHILES.

Now, we could talk about the long-run effects of continuing to ignore this problem, about how many years hence we will find a very large bill coming due as we continue to misrepresent the size of the annual deficit and, about how, as a result, spend much more money than we are actually taking in in general revenues, creating a much larger deficit and national debt than we really intend.

But, frankly, Madam President, I tried that on many occasions since 1982 and it falls on deaf ears for one very important reason: When those bills start coming due, it is going to be somewhere around the end of the first quarter of the 21st century, around the year 2020 or 2030 or even 2040. And no matter how optimistic most of our colleagues are, very few of them are planning to be here then. As a result, there have developed a number of rationalizations as to why what we are doing right now is just fine, why it is fine to live with a half-truth or a whole lie.

One of the arguments is going to be: Well, if we were to tell it like it is, it is an automatic vote for a tax increase. If we were to tell the truth, it means the deficit would be so big that we would have to raise taxes.

I do not know whether that is true. But if the whole idea of making public policy is that you have to lie in order to avoid taking action—whether it is reducing spending or increasing taxes are the two alternatives we have, and they are both pretty unpopular, depending on whose ox is being gored—but if the choice is we have got to cover up the truth, we cannot tell it, we have got to lie about the way things are, then public policymaking in this country has sunk to a new low.

Another argument—and I have a little more respect for it—says: Well, this is a trust fund. We should treat all the trust funds—the Highway trust fund, the Airport trust fund—alike. And I suspect there will be an effort in the form of an amendment to do that. As I say, I have more respect for that, because there is at least an apparent consistency there and, in my judgment, there have been unwarranted efforts to restrain the spending of essential moneys from those trust funds.

But, nonetheless, I think we ought to face facts. There are very different

kinds of trust funds. Those trust funds do not fund entitlement programs.

They fund grant programs and those grant programs are controlled by the Appropriations Committees of the Congress.

The Airport trust fund is controlled in its spending. The Highway trust fund is controlled in its spending, unlike the Social Security System which is an entitlement program and where the spending, as an entitlement, is established by law and, in that sense, is not in our control unless we change the law.

The fact, therefore, is that those trust funds are very different, indeed, from Social Security.

A more sophisticated argument still is that having the Social Security System take in, through the payroll tax, a big surplus, lend it to the General Treasury and have the General Treasury spend it somehow makes the large payroll tax which we have to pay for Social Security a form of compulsory savings. And that since Americans do not save enough, that saving is good for us.

I certainly agree that Americans do not save enough. We need a good deal more in the way of savings, and if we had it, we would be able to see a significant decline in real interest rates as well as nominal interest rates.

I fail to grasp, however, how anybody can argue that piling up a surplus on paper in the Social Security trust fund and then spending that money, because it has been lent to the General Treasury, is savings. That looks to me like spending, and anybody who has looked at the way we are increasing our spending, commensurate with the way we are increasing our debt to the Social Security trust fund, would be hard put to come to an alternative conclusion.

Then there is the argument, which I am sure somebody will make, that what we are doing is good for the economy. It is good for the economy because we are spending a lot of money and we are not noticeably raising taxes, except payroll taxes on working people, which are fairly regressive. That argument is simply an argument for more deficit spending.

I have heard enough arguments on the floor of the Senate over the last 5 years to be convinced by my colleagues, if I was not before, and, frankly, I was, that deficit spending is terrible; that it is bad; that it is awful; that it is too great; that it is ruining the country; that we are mortgaging our country; it is bad for our children; it is bad for our grandchildren. Here is something that is not only bad for our children and grandchildren but our great-grandchildren as well.

I expect we will hear from some people that deficit spending is terrible; that is why we have to have the Social Security System in the Gramm-Rudman-Hollings targets; that is why we have to amend the debt ceiling bill, saying this is some kind of good debt increase; for some reason it is good because it is not in the general fund of the Treasury, as we think of it—it is owed to the Social Security System.

I do not like that for all kinds of reasons. I do not like the intellectual dishonesty of those arguments. I do not like the inconsistency of those arguments, but there is one reason I like it even less, and that is because if we get to a point where the Social Security trust fund continues to finance all our other programs—as it is well on its way to doing so—and something untoward should happen, all of a sudden we are going to find that we are out of cash to pay Social Security benefits. At that point we would need massive additional borrowing from the General Treasury to pay the benefits. This could potentially happen at a very dangerous or inconvenient time.

We do not know. But it is not too hard to imagine a scenario where the economy gets into trouble 10 years from now, for reasons we do not understand: There is high inflation; there is high unemployment; Social Security benefits go way up; Social Security revenues go way down; the Federal budget deficit, leaving Social Security aside, goes way up. Because of those factors, interest rates go way up and the Federal Government is having to scramble for money to pay increased Social Security benefits when Social Security revenues are hard to find. To get the money from the so-called paper Social Security surplus, they have to go to the general fund of the Treasury, which is broke, and borrow on top of whatever the Treasury has to borrow to finance the operating deficit.

Madam President, no issue has more significance for our ability to control Federal budget deficits than this question of how to account for Social Security's rapidly mounting surpluses. Right now, Social Security is technically off-budget. But it really is not off-budget because we are including Social Security's $45 billion surplus when we calculate the budget deficit. We are kidding ourselves if we think we will have a deficit of only $136 billion in our fiscal year 1989 budget. We really have a deficit of $181 billion—we are spending $181 billion more than we are raising in general revenues to pay for it. And we are borrowing another $45 billion from Social Security.

We need to be absolutely clear about what we are consciously and willingly doing to pay for our $967 billion in non-Social Security spending. We are raising only $786 billion in revenues and we are borrowing $136 billion from the public and $45 billion from Social Security. We are going to have to pay this $181 billion back in the future, Madam President. This is not a free ride—in 34 years we are going to have to raise taxes or raise the debt to pay this money back, plus interest. Our children are going to have to dig deep into their pockets to bail the country out of the financial hole we are digging today.

And this problem only gets worse. Four years from now, we are going to borrow $92 billion from Social Security—and by the time Social Security is officially removed from the budget deficit total in 1994, we will have borrowed more than $400 billion from Social Security.

Madam President, this is the extent of the problems that we will face if we do not get a real dose of sunshine on this issue. That is why I commend the Senator from Florida. It is why I am a cosponsor of his amendment. It is why I hope his amendment succeeds, and it is my hope that the Congress does not ignore his amendment, that Congress adopt it, that people take a look at the debate and that we start acting as the responsible legislators that I think we want to be, not just posturing.

I ask unanimous consent that a table I have illustrating the deficit calculations both with and without the Social Security trust funds be printed in the RECORD.

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

THE FEDERAL DEFICIT CALCULATED WITH AND WITHOUT THE SOCIAL SECURITY TRUST FUNDS

[In billions of dollars]

Fiscal year	Social Security surplus	Deficit with Social Security	Deficit without Social Security
Past:			
1986	6	221	227
1987	20	150	170
1988	37	147	184
3-year total	63	518	581
Future:			
1989	45	136	181
1990	58	115	172
1991	69	93	162
1992	79	51	130
1993	92	23	115
5-year total	343	418	760

[1] CBO and Social Security Administration, Office of the Actuary, February 1988. Estimates are based on current law operations of the OASDI trust funds. The Medicare trust funds are excluded.

[2] Deficit calculations are OMB estimates of the Senate Budget Resolution for fiscal years 1989–91, and of the President's Budget for fiscal years 1992–93.

Madam President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. SANFORD. Madam President, how much time do we have left?

The PRESIDING OFFICER. The Senator from North Carolina has 28 minutes and 8 seconds.

Mr. SANFORD. I yield myself about 3 minutes, if I may.

I rise to support my good friend, Senator CHILES, and I think he offered a sense-of-the-senate resolution which is going to have an excellent effect removing the Social Security trust funds from the Gramm-Rudman-Hollings calculation of the deficit.

I am sure when the Gramm-Rudman-Hollings pattern was developed that it was not anticipated that this surplus in the trust funds would amount to this much money, but these trust funds represent not only about a quarter of the whole Federal budget, but the most important program ever enacted in this country.

Protecting the fairness and the integrity of the Social Security trust fund is certainly one of the highest priorities of the Senate, Congress and certainly is one of my highest priorities.

You have heard me say before, and you will hear me say again, let us keep the security in Social Security, and let us keep the trust in the trust funds.

In keeping with my priority, recently I introduced a bill on the floor, S. 2211, the deficit disclosure bill which will remove the Social Security trust fund from the calculations of the deficit under the Gramm-Rudman legislation.

That bill, which Senators CONRAD and SYMMS joined me in sponsoring, is similar in most respects to the resolution introduced by Senator CHILES. I proposed that bill because I believe we are not being wholly honest when we say that we are going to balance the budget is 1993, and because I believe we need to ensure the protection of the trust funds and the people who depend on them.

What has bothered me about the deficit reduction targets of the Gramm-Rudman-Hollings legislation is like saying we need to vault that 16-foot wall to get out of this fiscal prison, but if I only jump 8 feet twice, that is good enough.

When the trust funds are included in the deficit calculation, that gives us the false sense of freedom not to balance the budget. I do not think we should make it easier for us not to do our jobs.

Finally, I want to urge my colleagues to join me in voting for this amendment which my esteemed chairman, Senator CHILES, has offered.

Madam President, I yield 10 minutes to the Senator from New York.

Mr. NICKLES addressed the Chair.

Mr. SANFORD. Five minutes.

The PRESIDING OFFICER. Has the Senator from North Carolina concluded his remarks?

Mr. SANFORD. I have concluded, and I have yielded time to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. NICKLES. Madam President, point of inquiry. I think the Senator from New York is certainly entitled to be recognized in his own right. I do not think the Senator from North Carolina is able to delegate time.

Mr. SANFORD. Madam President knows I am controlling the time.

The PRESIDING OFFICER. The Senator from North Carolina is controlling the time. The time under the Budget Act is controlled.

Mr. NICKLES. I understand. Point of inquiry. Is the Senator from North Carolina able to recognize a seated Senator?

The PRESIDING OFFICER. The Senator has that right.

Mr. NICKLES. I question the Chair. I think the present Presiding Officer of the Senate is able to recognize succeeding Senators.

The PRESIDING OFFICER. In the interest of fairness and giving the Senator from Oklahoma an accurate comment from the Chair, the Chair will consult with the Parliamentarian.

Mr. NICKLES. I thank the Chair.

The PRESIDING OFFICER. The Parliamentarian has advised the Chair that under the rules for the consideration of the Budget Act, when there is controlled time, the Chair is somewhat constrained, that is, the Senators who are managing the bill and controlling time are in a position to yield time to another Senator. So under this particular parliamentary situation, the Senator from North Carolina does have the authority to yield to the Senator from New York.

Mr. SANFORD. If it is going to be quite a time, I apologize, but the Senator indicated to me he was ready to speak.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Madam President, I rise in my capacity as chairman of the Subcommittee on Social Security and Family Policy of the Committee on Finance first to state that I will support this amendment, which I think will be generally approved by the body, but also and more importantly to draw the Senate's attention to the quite extraordinary change in our circumstances—or in any event, Madam President, the perception of our circumstances—with regard to the Social Security trust funds in the last 8 years.

It was not 7 years ago that the then newly appointed Director of the Office of Management and Budget in the newly elected administration was declaring with respect to the trust funds that the world's most devastating bankruptcy was months away. Now, Madam President, we find ourselves dealing with the prospect of surplus amounts never previously contemplated.

There was an intervening event, the Social Security Amendments of 1983, which were worked out beginning in a conversation on this floor between the distinguished Republican leader, Mr. DOLE, and myself. He was chairman of Finance; I was ranking member on the subcommittee, and in January 1983 we put together the present arrangements which have produced these surpluses.

I call attention of the Senate to the fact that the surpluses were not simply deliberate. They were desired for a specified purpose, which is to say a half-century of derision and belittlement and perhaps misunderstanding had left the American public uncertain about the security of Social Security.

As recently as 1985, the distinguished public opinion survey firm of Yankelovich, Skelly & White did a 50-year report card on Social Security, and, Madam President, if you will believe—and you would know, of course—a full 66 percent, two-thirds, of nonretired adults thought it almost certain they would receive no Social Security benefits when their retirement age was reached—two-thirds. People had no trust in that system. And so what we had in mind when we put these agreements together—and we knew these forecasts; they are better than we expected, but not that far off—we wanted to see a surplus appear in the trust funds that could be pointed to as a reserve for those who wondered what is the situation. Today we have a surplus of about $65 billion, a large amount of money, but that accounts, Madam President, for 4 months' outlays. It will not be until 1992 that we will have a surplus that is equal to 1 year's outlays. I think it is a general judgment that a year to a year and a half is probably what you ought to have just to point to so people will know it is coming.

Finally, Madam President, may I suggest that we have in this surplus that stretches out into the next century a true chance to increase our rate of national savings, an issue that has eluded every administration for the last 30 years. If we reach a point where our true budget is balanced, and we can commence to reduce national debt, retire debt through this surplus, we will by definition increase savings, an effort as I say which has eluded every President since President Eisenhower to my knowledge, every Congress since the times that it became evident that we had the lowest rate of savings of any industrial nation—a quarter that of Japan. We might begin to turn that around.

I would like to suggest, Madam President, that in those 2 weeks—it took 12 days in 1983—we may have built better than we knew, and I hope that the word might go forth from

this Chamber that we are in surplus, we will stay in surplus, the system is secure, and the promises made a half-century ago are being kept.

Thank you, Madam President. I thank the distinguished Senator from North Carolina for yielding to me this time.

Mr. EVANS and Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SYMMS. How much time does the Senator need?

Mr. NICKLES. Ten minutes.

Mr. SYMMS. I yield 10 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I thank the Chair and my friends from New York and North Carolina.

I would like for my friend from New York to catch part of this comment, and if he disagrees with it I would like to know. We have heard a lot of talk about the Social Security surplus and how large it is growing. I appreciate the Senator's comment, the fact that the accumulated surplus to date on the books would basically equal about 4 months. In other words, we are talking big figures; a lot of money goes in and a lot of money goes out. Right now we have more money going in than goes out. But I think there is a misconception among the American people and maybe among Members of Congress. When we talk about Congress, they assume we have an enormous amount of money in the Social Security fund when in reality what we have done is to have spent that money. The trustees of the Social Security Trust Fund, I guess, have invested that money in Government bonds—in other words, in a Government IOU. They have exchanged the surpluses for the Government promise to pay that money back.

I am a trustee of a private pension plan, and we have invested in Government bonds and the Government has always made good on those bonds and paid them back. Correct me if I am wrong, but every time the Government has paid the bonds back, the way they have paid them back has been by issuing more debt, borrowing from somebody else. If the Government owes $1,000, what it has always done is it has gone deeper in debt to pay off that $1,000 bond. They have gone out and borrowed another $1,000.

Mr. MOYNIHAN. Was that a question from my distinguished friend?

Mr. NICKLES. Or if the Senator disagrees with me.

Mr. MOYNIHAN. I do not disagree.

But I would like to make one point, if I may. The Treasury bonds which are purchased by Social Security funds are very special bonds, and unique for this purpose. The value may never fall below the face value. That is something that is not generally known, but it is true. Otherwise, the Senator is correct.

Mr. NICKLES. I appreciate the answer. The point I am trying to make—and the Senator from North Carolina has. I think, made this in the past as has the Senator from Florida—is that these bonds are going to come due. We are talking about enormous amounts of money supposedly accumulated in the Social Security Trust Fund but really there are going to be enormous amounts of Government bonds that are going to be coming due in the year 2000, 2010, or 2020.

So the Government will have to borrow a lot of money to retire those bonds.

So the private system, or the savings system or the taxpayers who are paying interest on that system—at least that concerns this Senator. We are building up an enormous amount of money that we say is in the Social Security system and in the Social Security Trust Fund when really what we have is enormous amounts of Government IOU's which says the Government is going to pay the money back when most of us in here realize what the Government's track record has been. To say that we will pay you back really means we will go out and borrow more money to pay you back.

Mr. SYMMS. Will the Senator yield for a question?

Mr. NICKLES. I am happy to yield for a question.

Mr. SYMMS. Does the Senator think it is possible that, if we had an honest accounting system, it might make it better? If we paid the right amount of taxes on Social Security, and the right amount in the general funds, we would not get into the problem that the Senator foresees.

Mr. NICKLES. That may be.

Mr. SYMMS. In other words, what we are saying is we have a dishonest accounting system because the Senator is saying that they have already spent the money for other Government programs. When we come back in the year 2010, we will have to go back and reissue new debt to buy back the money so we will have cash to pay the people in Social Security.

Mr. NICKLES. It is a very confusing system, and it is one that is very misleading. It is one that really distorts the reality. Maybe the solution would be to reduce the taxes, as some people would suggest, or to try to further make it an off budget item.

Mr. SYMMS. The question I am asking the Senator is this: Is he for or against this amendment?

Mr. NICKLES. I plan to support the amendment of the Senator from Florida.

Mr. SYMMS. I thought the Senator was making an argument for it but I was not certain.

Mr. NICKLES. I am not finished. Let me proceed a little bit further.

I think the amendment of the Senator from Florida makes the point, and the point needs to be made. I think we really need to go a lot further because we are talking about Social Security surpluses, and how that maximizes the deficit. I will tell my colleagues that the real size of the deficit is much bigger than this, and my good friend from South Carolina has pointed this out.

We have a $60 billion surplus in other trust funds. That is $60 billion, and not only counting Social Security. Social Security in 1988 is supposed to have a surplus of $36.8 billion. But in other trust funds it totals $60.7 billion for a total of over $97 billion. Next year, other trust funds will have a surplus of $67 billion, and Social Security will have a trust fund of $45 billion, for a total surplus from the various trust funds of $112 billion. I do not know why we would just be talking about Social Security. Maybe we should be talking about all the trust funds. We have enormous surpluses in other trust funds.

Madam President, I have made this speech on the floor in the past. I have made it several times. I will not repeat it all. I will make just a couple of comments.

In the military retirement fund, they paid an estimated $33 billion this year, in 1988, and paid out $19 billion. That is a surplus of $14 billion. In the unemployment trust fund, there is a surplus of $9 billion; in the health insurance trust fund, they are paying in more than they take out. It pays in $102 billion, and will pay out $87 billion; highway trust fund, it pays in $15.5 billion and pays out $14.2 billion.

The Senator from Idaho has worked on that. It has a surplus of $1.3 billion. The airport trust fund pays in $4.2 billion, and pays out $3 billion for a surplus of $1.2 billion. The Senator from Kansas has worked hard on the airport trust funds. So we have a lot of trust funds that are having surpluses.

I left out one, which is civil service. Civil service paid in $46 billion in 1988, and the estimated payout is $27 billion.

But the concern I have is, yes, more money is going in than is going out, but we have enormous liabilities for the civil service retirement fund.

We have enormous liabilities with the Social Security Trust Funds. People are paying taxes in. Yes. Maybe they are paying in more than is going out today, but we have enormous liabilities for tomorrow. What are we going to have to pay? Are we accumulating this money for civil service? No. We are not. All of this money goes into the same pot that we distribute every other dollar from. The same thing is true with Social Security. Do

we really accumulate money for Social Security to pay Social Security benefits in the year 2010? No. We do not. Social Security checks are written from the same pot as any other pot in the Government, and the same thing is true with civil service and military retirement.

There is only one big pot of money. We can use the paper accounting, and say it is a separate trust fund. The same thing goes with highways, and the same thing with airports, the same thing with black lung, or any of the other trust funds. But it is all going in the same pot. It all comes out of the same pot.

But the point is we are accumulating enormous liabilities. The biggest liability would be in the Social Security Trust Fund, and probably the next one would be in civil service, military retirement, and so on.

So I hope when we talk about having truth in budgeting, if we are going to take all of these so-called trust funds and have a balanced budget, a net operating balanced budget, we will say wait a minute, we have all of these other trust funds.

If you take of them, would it make sense? I am not sure that would be the right thing to do either. So maybe I would have to be a little ambiguous with my good friend from Idaho. We have about a dozen trust funds over here. If we are going to take them all off, I know some people think that is the solution, how are we really going to know how much money the Federal Government is spending, and how much the total amount of taxes are? I will tell my good friend, the Senator from North Carolina, that I have been on the business side. I have been on the self employment side. I have paid taxes for a long time. Social Security taxes cost me as an employer just like an income tax.

But maybe the false conception is that a lot of people think I am saving for my Social Security. My money is going to be there. Maybe we should be honest and tell the American people that Congress is spending that money before it even gets it. It is not saving and accumulating and growing. There are some real misconceptions out there. There really are some serious misconceptions if you go to talk to people about Social Security, or if you talk to them about civil service retirement. And I know they have a lot in Maryland and other areas. They think, "Oh, I have saved for this. I have built up my account" when the truth is the Congress has spent the money actually the same year. Actually we have spent all the money from all of the trust funds, and yet we still have to go out and borrow another $150 billion. That is this year. We are looking at borrowing next year at least $136 billion.

So maybe we need a little different accounting system. I think we also need to get some credit for some of the liabilities that are accumulating. That does not show up. When we talk about civil service, or when we talk about military retirement or talk about Social Security, we are always talking about the amount of money going in and the amount of money going out. We never really talk about the accumulated liabilities that we owe.

I will tell you. If you are an actuary, a trustee of a pension plan, or a fiduciary of a pension plan, you are liable, responsible, and you are held accountable for coming up with the money to pay the liabilities that you promise.

The PRESIDING OFFICER. The Senator has spoken for 10 minutes.

Mr. NICKLES. I ask unanimous consent for another 4 minutes from the manager.

Mr. SYMMS. I would be happy to yield 4 minutes. The amendment that will be offered to this amendment will include the highway and airport trust funds. So we know that is coming.

I yield 4 more minutes.

Mr. NICKLES. Madam President, I thank the Senator, my friend from Idaho.

The point I am trying to make is yes, we have surpluses in Social Security. But we also have surpluses in the balance of all of the other trust funds of $60 billion. The surplus in Social Security is $36 billion.

I think the amendment that just deals with Social Security really does not go far enough. Maybe the Senator's amendment would help make it a little bit better. But I really think maybe we should be looking at other trust funds as well, because those trust funds have incurred liabilities.

I know the Senator from Idaho has worked hard on the highway program. He says these funds—the 9-cents per gallon that is paid to the Federal Government—are supposed to be committed for highways. Likewise, the Senator from Kansas says every time you buy an airline ticket a percentage of that money is allocated. It is supposed to go for airports and airport safety.

I know those civil servants, when they pay in their 8 percent, say "I am saving for my retirement." And the facts are the Congress has spent all of that money the people think they are saving for a variety of causes. We spend it all plus $150 billion.

So maybe we can use this type of amendment. This is a sense of Congress. It does not do anything. If we come up with legislation that really tries to make some of these changes we are talking about, at that time we may make some of the difficult decisions we have not made in the past.

We have been running net operating deficits of about $240 billion for some time, and probably will in the future, unless we can be more responsible.

I hope we will take account of the legislation, as well as the amount of money coming in and money going out—but take account of the actuarial liabilities we are incurring on a year-to-year basis, and not saddle future generations with enormous debt for the future.

I ask unanimous consent that the tables dealing with budget funds and the Federal deficit be printed in the RECORD.

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

OUTLAYS AND RECEIPTS OF TRUST FUNDS

[In millions of dollars]

Description	Outlays			Receipts		
	1987 actual	1988 estimate	1989 estimate	1987 actual	1988 estiamte	1989 estimate
On-budget:						
Railroad retirement trust funds	8,620	8,967	9,335	9,277	9,815	9,678
Black lung disability trust fund	643	613	729	642	610	729
Veterans life insurance trust funds	1,074	1,115	1,167	1,408	1,437	1,440
Federal employees retirement funds	26,046	27,587	29,568	44,029	46,563	48,810
Military retirement fund	18,078	19,123	20,320	31,919	33,563	35,060
Unemployment trust fund	20,527	17,500	18,500	27,613	26,200	26,100
Health insurance trust funds	81,640	87,657	94,491	90,532	102,728	117,024
Highway trust funds	13,476	14,219	14,705	14,310	15,506	15,527
Airport and airway trust fund	2,631	3,007	3,858	3,940	4,238	4,580
State and local government fiscal assistance trust fund	76					
Foreign military sales trust fund	9,910	8,572	8,204	8,504	8,417	8,062
Other trust funds (nonrevolving)	2,151	3,050	3,623	3,750	4,244	4,140
Trust revolving funds	−2,037	1,222	−830			
Subtotal	182,836	192,632	203,672	235,925	253,322	271,149
Intrafund receipts from on-budget	−10	−1	−1	−10	−1	−1

OUTLAYS AND RECEIPTS OF TRUST FUNDS—Continued

[In millions of dollars]

Description	Outlays			Receipts		
	1987 actual	1988 estimate	1989 estimate	1987 actual	1988 estiamte	1989 estimate
Intrafund receipts from off-budget	−2,614	−2,890	−3,009	−2,614	−2,890	−3,009
Proprietary receipts from the public	−16,656	−18,913	−20,228	−16,656	−18,913	−20,228
Total on-budget	163,556	170,827	180,434	216,645	231,517	247,910
Off-budget:						
Federal old-age, survivors, and disability insurance trust funds	208,070	220,537	234,544	227,640	257,310	279,682
Interfund receipts from on-budget	−14,205	−17,411	−21,201	−14,205	−17,411	−21,201
Proprietary receipts from the public	−33			−33		
Total off-budget	193,832	203,126	213,342	213,402	239,899	258,481
Total	357,388	373,953	393,776	430,047	471,416	506,391

Source: OMB budget for fiscal year 1989, p. C–13.

BUDGET FUNDS AND THE FEDERAL DEBT—TRANSACTIONS BY FUND GROUP

[In billions of dollars]

	1987 actual	1988 estimate	1989 estimate	1990 estimate	1991 estimate
Receipts:					
On-budget:					
Federal funds	537.8	560.8	593.2	644.8	697.3
Trust funds	216.6	231.5	247.9	261.4	276.8
Interfund transactions	−113.7	−123.0	−134.9	−144.4	−155.6
Total, on-budget receipts	640.7	669.3	706.2	761.7	818.5
Off-budget (trust funds)	213.4	239.9	258.5	282.4	306.0
Total, Federal Government receipts	854.1	909.2	964.7	1,044.1	1,124.4
Outlays:					
On-budget:					
Federal funds	760.9	805.0	835.3	873.1	914.0
Trust funds	163.6	170.8	180.4	195.6	209.2
Interfund transactions	−113.7	−123.0	−134.9	−144.4	−155.6
Total, on-budget receipts	810.8	852.8	880.9	924.2	967.6
Off-budget (trust funds)	193.8	203.1	213.3	224.1	236.1
Total, Federal Government outlays	1,004.6	1,055.9	1,094.2	1,148.3	1,203.7
Surplus or deficit (−):					
On-budget:					
Federal funds	−223.1	−244.2	−242.2	−228.3	−216.7
Trust funds	53.1	60.7	67.5	65.8	67.6
Total, on-budget surplus or deficit (−)	−170.0	−183.5	−174.7	−162.5	−149.1
Off-budget (trust funds)	19.6	36.8	45.1	58.3	69.9
Total, Federal Government surplus or deficit (−)	−150.4	−146.7	−129.5	−104.2	−79.3

Source: OMB budget for fiscal year 1989, p. 6d–19.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. REID). Who yields time?

Mr. SYMMS. I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, I thank the Senator from Oklahoma for a very excellent statement.

One thing I want to reemphasize is that he is correct in terms of a unified budget, but we are not being honest with the American people about the accounting system in Washington.

If any mayor of a city or county commissioners or city council people ran their accounting system the way we are doing it here, someone would be subject to criminal penalties for spending money from one account into another account—not that the Federal Government should not have a general budget.

On the other hand, if people are paying user fees for highways, airports, or a Social Security program, the money should be dedicated to that account, and then our priorities should be established. So, I think the amendment makes a lot of sense.

Mr. President, how much time does the Senator from Washington wish?

Mr. EVANS. Ten minutes.

Mr. SYMMS. I yield 10 minutes to the distinguished Senator.

The PRESIDING OFFICER. The Senator from Washington is recognized for 10 minutes.

Mr. EVANS. Mr. President, I have been astonished by two things in listening to the debate this afternoon: First, that we are suddenly discovering this great problem that is out in front. The warning signs and the red flags have been up for not just months, but years. It is not anything new, anything just discovered, anything that came as a big surprise to anyone in this Chamber.

The second thing that astonishes me is that we are speaking with such extraordinary specificity about not just 1 year in advance or 2 or 5 or 10, but 30 to 50 years in advance. We bring out charts and we show projections as if they were going to be right on the mark 10, 20, or 30 years from now, when we know very well, from past practice, that we cannot even predict worth a darn 6 months from now.

We have our budget which we will put into effect in a short period of time. It will set forth the precise amount of deficit that we will have on September 30, 1989. We will have several interim measurements of that budget deficit; and if past practice is any experience, we will find when we get there that we missed the mark by a pretty substantial margin.

Mr. President, it is ridiculous for us to think that we can look 20, 30, or 40 years out with such specificity, to know what in the world is going to happen.

I think this has been a very useful proposal by the Senator from Florida, to open up the debate not just on Social Security but, as the Senator from Oklahoma just did, to expand it

to other trust funds. Let me carry that process a couple of steps further.

In what we call a budget—it really cannot be called that, because we keep our books at the Federal level in a cruder way than any business of any consequence in the United States, a much cruder and less sophisticated way than any of the 50 States of the Nation and of all but perhaps a small handful of villages in this country. We make no assumptions about the difference between capital and operating expenses. No company in this country would do so.

We ought to recognize that there is an extraordinary difference between making an investment today for a capital outlay that will be good for the next 50 years, as opposed to making an outlay for operations that will be used up or eaten up during the course of the fiscal year.

There has been much talk about the surpluses that exist, not just in the Social Security trust fund but in the various retirement funds in the Federal Government. Let us put it another way: Over the past, we have simply been paying out too much to recipients of retirement programs than the amount they put in deserved. You could not go out in the private sector and, with the payments made over the past years by current recipients of Social Security, buy, under any circumstances, the kind of retirement program those people are now receiving.

In fact, it has been estimated that the average current retiree under Social Security uses up in retirement benefits all the dollars he or she produced in taxes during the entire time of their employment for, say, a 30-year period, in less than 3 years. Who pays for the continued retirement benefits after that 3-year period? Those who are paying into current Social Security taxes. So it is today's generation paying for yesterday's generation's Social Security benefits. We do not have a system where everything is nicely calculated and oriented precisely toward the generation affected.

Let me turn to this marvelous capacity we have to estimate precisely what is going to happen in the future. Let me take two views of the long-term validity of the Social Security trust fund.

It is my understanding that we have four different alternative futures on which to base the size of the Social Security trust fund; and we use for our projection purposes what we call the second most pessimistic outlook. That second most pessimistic outlook produces for us an almost $13 trillion surplus by the year 2030, and then it starts to erode and erode rather rapidly.

What if, by some chance, we had a second most optimistic future rather than a second most pessimistic future? Let me tell you what the differences are. They are not very large.

It is suggesting that the Consumer Price Index over the years goes up at 3 percent, rather than 4 percent; that average annual wage increases are 5 percent, rather than 5.5 percent; and that annual interest rates are 5.5 percent instead of 6 percent.

Those do not sound like very big differences, but what does it do for the Social Security trust fund in the year 2030? Instead of $12 trillion, it will be $15.5 trillion. In the year 2035, it will be $17.5 trillion. I would judge—although that is as far as they have made this calculation—that if those second most optimistic figures were to be carried on into the long-term future, we would find that the Social Security trust fund would never come down. It would continue to grow and grow, and we would pay all the benefits we are now suggesting for the future, without having anything happen to that Social Security trust fund balance.

Mr. President, what I am trying to point out is that this amendment does one thing. It takes one step, perhaps, toward honesty in budgeting, but it is an incomplete step; and if it is the only thing we do, we will be fooling ourselves and the people.

We ought to be adding, as the Senator from Oklahoma suggested, all the other trust funds. We ought to be putting in our budget system and our balance sheet each year the unfunded liabilities of the various pension plans outside of Social Security. We ought to distinguish between capital outlays and operating expenses.

A recent analysis was done by a distinguished professor from Stanford, Michael Boskin. In his paper, he showed how the balance sheets or the profit and loss statements of various companies would compare if, instead of using generally accepted accounting procedures, they had used the Federal Government's way of keeping books, with some remarkable results.

In 1984, for example, he concluded that if General Motors had used Federal accounting procedures, they would have shown a net loss of $4.82 a share. Yet, General Motors that year reported, under GAP accounting, a profit of $14 a share. That is an extraordinary difference, just in the way you keep your books.

Mr. President, we are a long way from going far enough in this amendment; and, in fact, by adopting it, I think we would perhaps deceive ourselves more than we benefit ourselves.

We have to do a thorough overhaul of the Federal budget and its bookkeeping and accounting procedures. We now have 154 separate accounting systems in the Federal Government. They are inconsistent. They are sometimes irreconcilable. Virtually none of them live up to the fundamental general and accepted accounting procedures that are required for virtually every private company and which most States have now adopted.

Mr. President, I am a little bit at sea. I do not think I will support this amendment because I think that it is terribly incomplete. Perhaps there will be other amendments that will make it more complete. But in the final analysis, it will not change things very much.

The Social Security System will continue to invest in Government bonds, and all that will be there when the time comes to pay is a promise to pay, regardless of whether we adopt this amendment or do not adopt it. I do not think it makes very much difference whether we take it off the budget or on the budget. We are only to go so far as a Congress in terms of our courage in doing what is going to be necesary to bring that red ink down and I think there are simply three and only three things that can be done.

First, we ought to devise for ourselves a sophisticated accounting system.

Mr. President, I ask for 2 additional minutes from the Senator from Idaho.

Mr. SYMMS. I am happy to yield to the Senator 2 additional minutes.

The PRESIDING OFFICER. The Senator from Washington is recognized for 2 additional minutes.

Mr. EVANS. We can do just three things. The first we ought to do under any circumstance, and that is to as quickly as possible develop a sophisticated, up-to-date, modern accounting system for our Federal Government that matches those of major corporations and matches those of other States.

Second, we have to recognize that if we are truly going to move forward to what I believe ought to be a balanced budget, but under honest accounting, we have to cut a lot deeper into our current spending plans than we have dreamed of doing up to now and whether we put Social Security on budget or off budget is not going to change that one iota.

Third, we are going to have to start talking about revenue increases, and let us just say the naughty "T" word—taxes, if we are going to meet these responsibilties. Unless we are willing to be far more serious than any of us have shown any courage to be up to now and cut away at our current spending levels, there, Mr. President, h'aint no other ways to do it.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield 10 minutes to the distinguished Senator.

Mr. HOLLINGS. I thank our distinguished chairman.

Mr. President, I rise to make clear the reservations I will hold in voting

for this sense-of-the-Congress resolution admonishing Congress that it should enact legislation to exclude the Social Security trust fund from the Federal budget. I agree with that end objectives. Congress should enact legislation that would within 5 years eliminate the deficit while also excluding Social Security from the budget.

I must say, however, that it is very, very misleading to enact big increases in the 1989 deficit, while congratulating ourselves for saying we "should" deal with the deficit and the trust fund accounting within 5 years.

I remind my colleagues that we went through this exercise in 1980 with the Byrd amendment—that was Harry Byrd of Virginia—and we said the budget should be balanced the following year. We only gave ourselves a year at that time.

Now, we are backtracking. From the perspective of history, we are backtracking by now giving ourselves 5 years. Of course, in principle, I do not disagree with that time span. If you tried to balance the budget in 1 year, you would throw the economy into a tailspin. My difficulty is with the approach of this particular resolution. It claims to call for "more truthful disclosure," but in calling for more truthful disclosure of the deficit in essences we observe and shadow and shade the truth. The truth is that the budget now before the Senate does not comply with the Gramm-Rudman-Hollings deficit targets.

It is not difficult to be honest in this Chamber, but it sure is difficult to appear honest because if you sit quitely, then the perception is that all that has been said and all that is on the record is true. But this is not the case at all.

I hear that when Gramm-Rudman-Hollings was enacted it was not contemplated that significant Social Security trust fund surpluses would be available. Yet I have heard the contrary three times on the floor, and the distinguished former chairman of the Budget Committee from New Mexico knows that those contrary assertions are not accurate. We went at deficit-cutting in a draconian fashion. After our Republican colleagues had voted to freeze all spending in 1985 and the President cut the ground out from under them along with Speaker O'Neill, then we got together on Gramm-Rudman-Hollings on a compromise basis. We did the best we could do and in so doing we acknowledged that we needed to include the $10 billion Social Security 1986 trust fund surpluses.

As you remember we reduced the deficit by some $70 billion in 1987, and everybody now is bragging about how well Gramm-Rudman-Hollings has worked.

As one of the authors, I bragged, too, but the truth of the matter is we have not kept the faith. It was contemplated that we would have these surpluses. The House was particularly intent that we use more and more and more of these surpluses so we would have less and less and less to cut.

So, permit me as one of the cosponsors and authors of Gramm-Rudman-Hollings to say this is true. Do not cite those who voted against us and opposed us and say it was not contemplated. The Social Security surpluses were definitely contemplated and we are not now suddenly discovering them.

Incidentally, I have an amendment on the desk, but I will join my colleague from Idaho, Senator SYMMS, and he has included not only the airport and airway trust fund, but also the highway trust fund, and I agree with any effort to eliminate the trust funds from being computed in the deficit. I agree because we have tried our best to say trust funds mean what they say. They are in trust and to be used exclusively for the stated purpose, whether that be Social Security, highways, airways, or whatever.

I have a particular responsibility as chairman of the Commerce, Space, and Transportation Committee responsible for authorizations for the airport and airways trust funds. In our hearings and speaking to groups that come to Washington interested in airport safety and development, we repeatedly point out that, yes, we right now have close to $6 billion bucks in the trust fund and we cannot spend it.

And, of course, they are savvy to the fact that the budgeteers and CPA's in Washington are using the trust funds to paper over the profligacy and deficits in other programs that they are not willing to pay for. So we had a $5.5 billion airport and airway trust fund surplus at the end of 1987 and, yes, we will bring in another $4 billion in 1988. We will spend $3 billion, and so we will be back at around the $6 billion level.

I do not want the $6 billion to be computed in the budget in order to hide the true deficit. I do not want any trust funds computed in the budget. So when I heard this debate, I rushed to the floor and prepared an amendment. But I will gladly join in the amendment of the distinguished Senator from Idaho and anyone else who says, "Let's get trust funds off budget and in trust so we can look at the actual picture."

Now, let us look at this actual picture. Do you know how much we spend in this so-called budget? Look at this green book, I say to the Senator. He is on the Budget Committee.

The Congressional Budget Office says if you adopt this budget resolution, you will be spending 281 billion bucks more than you take in. That is exactly what the deficit will be—$281 billion—if you use honest Congressional Budget Office economic projections.

If you look at the numbers year in and year out, you will find that our own nonpartisan Congressional Budget Office has been closest to on target.

The CBO projects a $281 billion deficit because the baseline is $176 billion and we will have a little over $100 billion in all the trust funds.

So why should we now come to the people of America as a responsible group of grown men and women and talk about what we "should" do 5 years from now? Why engage in that game?

When you look at the chart displayed by the sponsor of the amendment, you see right now you would have to add to the deficit the $46 billion that we are lifting from the trust funds. Even if you accept his figure of $136 billion, you still have got a deficit of $182 billion and it is not in conformance with Gramm-Rudman-Hollings.

I feel a duty and responsibility to point that out to our colleagues. I remember as a freshman law student, when we studied and were taught the definition of fraud, they would go down the six elements of fraud: That a representation was made, that the representation was false, that it was intended to be relied upon, that it was relied upon, that it was material to the damage, and that it did cause damage. On each and every one of those six points, this budget resolution stands convicted of fraud. It was intended to be false, it is false, it is material to the subject that we are dealing with, it is being depended upon by your constitutents and mine, the people of America, and it will cause them damage.

For the seventh year in a row, we are putting some $200 billion on the backs of our children and grandchildren and then indulging in the charade of a sense-of-the-Senate resolution entitled "To Be More Truthful." Of course, what the chairman is really saying is "to be more truthful" after I leave town, having retired from the Senate. He is on the way home and wants to get his Social Security.

Yes, Congress should enact legislation that excludes the trust fund surpluses. But why not do it today? Let us vote on it now.

In the Budget Committee, I felt as a matter of conscience that I should submit a budget alternative that would comply with Gramm-Rudman-Hollings. I prescribed a budget freeze combined with new revenues. You must include new taxes. People are afraid to pronounce the word "taxes." Instead, we get sidetracked in the old litany about what is regressive. I do not know of a tax in the world that is not regressive. Do not give me that nonsense about regressive.

Mr. SYMMS. I will be happy to yield 2 minutes from this side.

Mr. HOLLINGS. I might need more.

Mr. SYMMS. I yield 5 more minutes to the Senator.

The PRESIDING OFFICER. The Senator has been yielded 5 more minutes.

Mr. HOLLINGS. I thank my distinguished friend from Idaho.

I proposed a spending freeze. It is not a new idea. If you are a mayor of a city in Nevada, you could not print dollars like we do in Washington. You would go to your city council and you would say, "Look, fellas, we did all right this past year. Let's just take the same budget for next year."

If we did that this year in Washington, we would immediately save about $60 billion. But we did not do it. Instead, we invoked the summit agreement, threw up our hands, and said, "a deal is a deal." Instead of saving $60 billion, we increased spending by $68 billion.

The Secretary of the Treasury, Jim Baker came to Congress and pronounced, "A deal is a deal. The summit agreement reduces the deficit and sets us in the right direction."

Wrong. It increases the deficit and he knows it.

The Chairman of the Federal Reserve Board, Alan Greenspan, tells us "A deal is a deal. This is a fine thing. Let's go forward with the summit agreement because it reduces . . . ." He knows differently.

And then I was challenged by my distinguished friend from New Mexico. He looked at my budget alternative and he said, "My heavens above, look at the taxes." I have included a 5-percent value added tax, an oil import fee, and a 1-year delay in indexing. So my distinguished colleague from New Mexico sent me to the ramparts. He said, "Look at all those taxes. Add all those taxes up, the revenue changes over the 5-year period, and you get $370 billion. Do you think we are ready to vote for $370 billion in new revenues?"

Well, my answer to my dear friend, is to point out that his alternative would mean a $1.5 trillion add-on to the Federal debt within 5 years. The debt will be approximately $2½ trillion by the end of 1988, and the Congressional Budget Office tells us that by 1993 the debt under this plan will grow to $4 trillion.

So, yes, my solution is traumatic. I did not say it was easy. But it is not regressive.

I remember when we imposed a sales tax in South Carolina for education. When I think back on it, it was the most progressive thing we ever did. The people are willing to pay for needed government. But we have been constantly getting reelected and reelected, saying, "I'm against taxes; I'm against taxes." Then we come up here with this fraud of a budget that increases the deficit, telling people it decreases the budget. Then we assuage our consciences with nonbinding, feel-good resolutions saying we "should" be more truthful about the Social Security trust fund. This is not a sense of Congress. This is a nonsense of the Congress.

They act like the budget is something way out yonder somewhere, that we do not have any relation whatsoever to it. Nonsense. We are the Congress. We are responsible. We are seated here in a quorum, expected to do our duty. But we do not do it. Instead, we talk about what we "should" do in 5 years.

Mr. President, I ask unanimous consent to have printed in the RECORD my submission in the Budget Committee of the 5-year plan of the budget proposal that gets us in the black within a 5-year period.

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

HOLLINGS BUDGET PROPOSAL—5-YEAR PLAN

[In billions of dollars]

	Fiscal year—				
	1989	1990	1991	1992	1993
CBO Baseline deficit	177.0	170.0	159.0	154.0	139.0
Spending changes (outlays):					
Defense (1-year freeze)	−5.2	−8.9	−10.5	−11.5	−12.2
Nondefense (1-year freeze)	−2.6	−4.0	−5.1	−5.3	−5.6
Nondefense initiatives	+2.6	+2.5	+0.8		
1-year COLA freeze (exempt means-tested programs)	−8.8	−11.8	−11.9	−11.9	−11.7
1-year freeze in Medicare reimbursement rates	−1.6	−2.0	−2.1	−2.3	−2.6
1-year pay freeze (civilian agencies)	−1.0	−1.6	−1.7	−1.8	−1.9
Asset sales (summit agreement)	−3.5				
Interest savings	−1.8	−8.0	−17.8	−28.9	−40.6
Total reductions	−21.9	−33.8	−48.3	−61.7	−74.6
Revenues:					
1-year delay in indexing	3.7	6.1	6.6	7.1	7.6
$10 oil import fee	16.2	16.0	15.3	14.0	13.1
5 percent VAT (exempt food, housing, and medicine)	0	44.3	67.2	73.2	79.8
Total revenue change	19.9	66.4	89.1	94.3	100.5
Total deficit change	−41.8	−100.2	−137.4	−156.0	−175.1
Remaining deficit/surplus	−135.2	−69.8	−21.6	+2.0	+36.1
Deficit/surplus under OMB economics and technical assumptions	−99.2	−16.8	+39.4	+82.0	+122.1

Note.—Surplus will be used solely to reduce Federal debt.

Mr. HOLLINGS. Mr. President, five members on the Budget Committee supported my alternative this year—I got eight votes last year—but the line was, "No, not this year." And the Chiles resolution now comes in saying, "No, not this year, but we should in future years."

And so, since we live with 20-second bites on the television, nobody cares about your record of performance, it is only what you say and not what you do. That is why there is such confusion in politics. The pollsters will tell you what's hot, and they will admonish you "Don't do anything else. Don't solve problems. Focus your concerns on what's hot."

And so now we can go along with this particular resolution and say, "I'm concerned because I got up and voted for a resolution that says we will take the Social Security Trust Fund off budget and, within 5 years, we will eliminate the deficit." It is a fraud.

I thank the distinguished gentleman for yielding me the time.

Mr. SANFORD. Mr. President, I rise today in support of the Senate budget resolution now under consideration. This year, under the summit agreement, we did not have the flexibilities normally available to us. We are limited by that summit agreement on overall discretionary spending, as well as on the revenue side.

Certainly it is never easy to cut programs, reduce spending, and in some cases, to freeze spending. This is a compromise budget proposal that, while not acceptable to everyone in every respect, is I believe nevertheless fair. Many of us would like to increase or decrease spending levels in the various functions. However, given the restrictions placed on us by the summit agreement, this is a reasonable proposal that deserves our support.

Mr. President, I want to commend Senator CHILES for making more room in this compromise proposal for economic development programs. I am pleased that it allows an increase in education higher than that proposed by the President. I am pleased that this resolution continues funding for programs that President Reagan has tried for so long to eliminate—programs like the Appalachian Regional Commission, which has been extremely important to North Carolina over the years.

I wish we could increase spending for education more than we are. I wish we could increase funds for other programs, such as those that impact our rural economies. I wish we could allow more room in this budget for welfare reform and catastrophic health insurance. I wish we could vote on a balanced budget resolution. But I understand this is not possible this year.

I want to join my distinguished colleagues in expressing my appreciation for the work done by our distinguished chairman, LAWTON CHILES. Under his leadership we have made some very tough decisions—decisions that have not always been popular but that have been necessary to move us toward a more responsible budget; excellent job he has done to bring this resolution to the Senate floor for consideration.

Mr. President, my distinguished colleague from Florida assumed the chairmanship during a very difficult time. His task has been a difficult one, to be sure, and more often than not has been utterly thankless. As a member of the Budget Committee,

this Senator would like to acknowledge with appreciation and respect, the Senator from Florida's leadership, his patience, and his graciousness. When he retires from the U.S. Senate at the end of this year this will be a lesser body than the one he found when he arrived here.

Mr. President, I introduced 2 weeks ago, after working with and considering the budget, a piece of legislation I designated "The Deficit Disclosure Act." The deficit is worse than we are telling the public. We use the surpluses of the trust funds to cover up a part of the deficit. The best that can be said for this is that we are deceiving the public to the extent of $50 billion and more.

We need to keep trust funds out of the operating budget. They are not a part of it, and the funds cannot be used for general purposes.

Our chairman, Senator CHILES, has introduced a sense of the Senate resolution to the same effect. We should pass that resolution to show our honesty in talking about the size of the deficit, and then later pass the bill that makes such honesty permanent.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President. How much time remains on the amendment?

The PRESIDING OFFICER. The Senator from New Mexico has 28 minutes, and the Senator from Florida has 6 minutes.

Mr. DOMENICI. And how much time remains on the bill?

The PRESIDING OFFICER. The Senator from New Mexico has 18 hours, and the Senator from Florida has about 17½ hours.

Mr. DOMENICI. I thank the Chair.

Mr. President, I yield myself as much time as I need, and I yield it off the time remaining on the amendment.

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

Mr. DOMENICI. Mr. President, I understand and would like the Senators to know, in the same general area, I am aware of removing trust fund balances from consideration as part of the unified budget in trying to see what the deficit is and that there are a number of additional amendments.

I understand the distinguished junior Senator from Idaho wants to address something which has been dear to his heart for years, and that is the Highway Trust Fund; is that correct?

Mr. SYMMS. That is correct. If I understand the parliamentary situation correctly, we have about 30 minutes to go before we can go to that.

Mr. DOMENICI. I think that is correct.

Mr. HOLLINGS. Will the Senator yield? Does it also include the Airport and Highway Trust Funds?

Mr. SYMMS. Yes. The distinguished Senator from the Commerce Committee already mentioned that. If the Senator wants to offer the airport separately——

Mr. HOLLINGS. I would just as soon join the distinguished Senator as a cosponsor.

Mr. SYMMS. I have prepared an amendment that includes highways and airports.

Mr. DOMENICI. I was going to then add, and I apologize for not doing that, either the distinguished Senator HOLLINGS or the distinguished Senator KASSEBAUM was going to offer an amendment in reference to the Airport Trust Fund, and the Senator is going to do that perhaps with the Highway Trust Fund.

Mr. HOLLINGS. I will do it together with the distinguished Senator.

Mr. DOMENICI. I understand when we have completed that the distinguished senior Senator from Alaska wants us to consider taking all of the postal activities off budget because, as he will discuss it himself, they are self-sufficient. He thinks they ought to be off, too.

I assume there are other trust funds with surpluses that Senators perhaps on both sides are considering taking out of this unified budget.

Having said that, Mr. President, let me talk a little bit. First, I thought my good friend, in discussing my response to his proposal in the Budget Committee with reference to value-added tax, was going to say if we accomplish this proposal that is here and had to reach the balanced budget that he proposed, and I compliment him for the courage—whether I agree with him or not, he is courageous—I thought maybe he was going to suggest come 1992, by using the value-added tax that he had suggested to get to a balanced budget, we would need about $40 billion more in the value-added tax, which I think is about right.

So whatever one would think about the value-added tax he has just described, this whole assumption that we ought not be using the trust funds in a unified budget to see where we really stand, we would have to add somewhere between $30 and $40 billion more in the VAT-type taxes discussed by the Senator from South Carolina.

Mr. HOLLINGS. Will the Senator yield?

On the chart we submitted, by 1993, there will be a $36.1 billion surplus. So we do comply with the Social Security getting off the trust fund and still bring the Government back in the black. With that 5 percent value added tax exempting housing, health care and food, it still adds—I think the distinguished Senator from New Mexico was furnished a copy of this at the time of the budget hearings, and it discussed the $36.1 billion surplus.

Mr. DOMENICI. I thank the Senator. Mr. President, I would just like to make a couple of points.

First of all, I hope that Senators, senior citizens and the American people do not take too seriously the discussions that have taken place on the floor of the Senate about truth in budgeting, about there being something about the way we are doing our budget as being deceitful or intentionally misleading.

As a matter of fact, the unified budget went into effect in Lyndon Johnson's day, and some of us have even, with political rhetoric—I have heard it from the President, the White House, this one and have heard it from others—felt that Lyndon Johnson had some ulterior motive for a unified budget.

I had a very good opportunity to discuss many of these issues with the very distinguished former Federal Reserve Board Chairman, Arthur Burns, who we have all known, loved and respected.

During those periods of time when this unified budget concept was actually put into effect for the United States, unified budget meant placing everything that the Federal Government does, whether it is a trust fund, whether it is an open account of the Government, whatever you charge taxes for, put it all on this one ledger account of the U.S. Government. Of those who looked at how much the Government was taking from the people and how short are they in their commitment, how much are they taking by way of taxes, whatever they be, some have accused Lyndon Johnson of covering up a big budget.

The truth of the matter is, Arthur Burns, then a middle-aged expert on American fiscal policy, told this Senator that he had been advocating a unified Federal budget from the standpoint of good economics and a good picture of what was going on in America, Government versus private sector, for 7 years before Lyndon Johnson was able to suggest to the Congress that we do it.

I do not think the distinguished Arthur Burns had in mind in those days that we would be at this point in the fiscal evolution of America's budgeting process. But the point of it is, if we can all read, if we all listen, if we can pay attention, we can all understand that as a matter of fact, if you have a unified budget, the Social Security surpluses, the aviation surpluses, the highway program surpluses are all in there.

If you want to know what they are, you can ask. If you want to know how we budget it now, we even set Social Security as a separate function of Government so there will be no confu-

sion about it. It is not mixed with anything else. There it sits. For anyone who wants to know what the deficit of the United States of America is without the Social Security surplus under a unified budget concept, all we have to do is subtract the amount of the surplus out of that budget and that much will be added to the unified deficit.

So let me suggest that I do not believe that anyone, including our senior citizens who are very concerned, are really concerned about whether Social Security is listed in the total ledger of the U.S. Government in terms of her activities. I do not think they are concerned about the fact that that surplus is taken into consideration when we look at the deficit. What I think they are concerned about is that they do not want the budget in the future balanced by cuts in Social Security.

Mr. President, I am really not taking a position on the Chiles proposal here. I am merely stating another way of looking at where we are, because I would not like the message to go out that we are perpetuating some kind of deceit on the American people.

The Gramm-Rudman-Hollings current automatic sequester, as a forcing mechanism for deficit reduction, actually says in 1994, for all purposes, you are going to take Social Security off budget. But what it says about Social Security in the meantime is exactly what the Social Security recipients of this country wanted us to do.

It says for purposes of meeting those targets, I say to my friend from South Carolina, that any savings that you might get by reducing in any way the Social Security payments, under current policy, cannot be considered in achieving the Gramm-Rudman-Hollings target.

That means there is no incentive to reduce Social Security benefits in order to reach the targets. I think that is a pretty fair and understandable approach. But to stand up here and suggest that because we have since Lyndon Johnson's day at the recommendation of distinguished conservative economists like Arthur Burns and many like him that we ought to put all of the accounts of Government which have an impact upon our well-being as a nation in the overall economic sense, that we ought to put them all on one budget, and when we do that we are deceiving someone is to me missing the point.

When you talk of American working men and women paying for Social Security, we do not have to tell them about that tax because right now well over half of working men and women in the United States of America are paying more in social insurance taxes than they are in income taxes. You cannot stand around and tell them that is not taxes when they have income tax withholding of $22.80 and Social Security taxes of $36, the sum total of which comes out of their weekly paycheck. You go tell them that is not taxes.

If, in the functioning of the American economy, based upon whether taxes are a drag on the economy or good for the economy, you tell those who look at the American economy that there is a difference between the two and you find one that says there is a difference, one is a tax and one is withholding for Social Security, then it would seem to me they have added a new lack of credibility to the ever-growing doubt about whether they know what they are talking about. If you are going to take $50 billion out of the American economy from the working men and women and their employers in Social Security and you are going to take $50 billion out in income taxes, there may be an empirical difference in some kind of progressivity—one might be less onerous to the economy than another, but no one is suggesting that the way we withhold and take out for Social Security and Medicare is not a very onerous burden on the economy of the United States, all of which we are glad to pay because it is for Social Security.

But the point I am making, Mr. President, to the Members of the Senate is that this kind of activity of the Federal Government belongs in the overall ledger of the American Government activity so that we know how much we are taxing the American people. How apt are we to have reached some saturation point? How much are the surpluses that are around? As a matter of fact, the surplus that is around in Social Security is a very important economic surplus, not because it is a forced savings in the sense that some want to use it. It is a very confusing account 15 years from now, if it works, when it may have more surplus than the entire debt of the United States past and current. So it is kind of confusing as to what this surplus means.

But can there be any doubt from the standpoint of the American people knowing what we are doing, that if you want to take it off budget you have to put it back on budget to understand what is happening. You have to set up two sets of books and then every time you want to look at where are we taxwise, how much more can we tax if we are going to do so without harming the economy, then, we will just put it back on and consider the effect of the Social Security withholding tax along with the other taxes that we have.

So first I would like to say I do not believe we are being in any way deceitful toward the people of this country. The deficit in terms of the budget of the United States is precisely as my friend, the chairman, has expressed it. If you want to have two columns and say this one column in blue is the deficit without taking into account the surplus in Social Security, and then superimpose some red column on top of it and say, however, the deficit will be this much bigger if you were not taking Social Security into account, fine. If you want to figure some new public relations way of making sure everyone knows, fine. I believe the issue that the senior citizens want to be assured of is that we do not look to the Social Security system and the Social Security surplus for two reasons—first, as a pie that we can start cutting in order to reduce the deficit. That is the benefit side. And I have already explained that under Gramm-Rudman-Hollings, if you do that, it cannot be considered as counting toward the deficit reduction.

Second, is they do not want us obligating it for new programs. That is, if there is a surplus sitting around and there are some new social demands imposed upon the Congress of the United States, because we think we want to do them, clearly our seniors do not want that account being used to pay for those new programs on the promise that someday we will pay it back.

In conclusion as to this set of my remarks, let us remember that the Social Security surplus can only be used for one thing, and that is to buy Treasury bills of the United States of America. Then the United States of America pays interest to the Social Security fund at the current rate stated on those Treasury bills. As a matter of fact, that has turned out to be very secure for them, as secure as the strongest Nation on Earth is secure, and it has yielded revenues to that fund that have been pretty healthy. There may be some who will come around and say, "Why didn't we speculate with it instead of using it for Treasury bills of the United States of America?"

Well, would it not have been neat if we had had about half of that trust fund invested in the stock market on that October Monday? We would have been impeached. They would have thrown us out one at a time because they would have said 2-years ago, "Isn't it great; that fund is really booming," but then when the crash occurred and their money went down to perhaps one-third of what it was, they would have said, "Why didn't you have it invested in Treasury bills at a 5⅞ guarantee?"

So everybody ought to understand we do not try to deceive anyone.

There is a legitimate economic reason for having it in there. I hesitate to use the word macroeconomic reason, macro meaning looking at the broad picture of what is going on in America. But there is a reason for having Social Security on that overall budget.

And last but not least, Gramm-Rudman-Hollings right now in existence, is moving us toward a balanced budget, just as surely if not more surely, I might comment, than the amendment offered by the senior Senator from Florida. Gramm-Rudman-Hollings will get you there because you will have sequesters if you do not get there, and in the meantime you cannot consider as deficit reduction savings that accrue because of changes in the current policy of Social Security.

I do not think that is all too bad for this particular moment in history. I also want to close by saying it is interesting that we have Gramm-Rudman-Hollings getting us to a balanced budget with an automatic sequester and at the same time we have asked the National Economic Commission of 12 Americans—I was almost going to say distinguished Americans, but I do not want to say that. Since I was lucky to get appointed, I will just say 12 Americans selected by leadership in this country—are going to recommend how to get to a balanced budget, what we ought to do to accumulate capital for American business, and that we do all of that without taking advantage of those who are most needy.

Now, frankly, I am a little bit concerned, not enough yet to say that we should not be doing this. Maybe everybody wants to adopt this amendment. After all, it just says somebody ought to do something later on. They cannot make them do it if Congress does not want to do it. Maybe they will wait around for the National Economic Commission anyway before they do it. But I do believe when we have that commission in place and when we have asked them to give us a new blueprint, bipartisan in nature, we ought not to come right up on top of that and say, "Here, have a balanced budget in 5 years and take Social Security off the budget as you do it."

Having said that, for Senators who want to know the numbers, I just give you these. If you think meeting the Gramm-Rudman-Hollings targets with the conditions that I have just told you about here today, if you think that is going to be somewhat difficult, my best numbers will indicate that you are going to have to find $46 billion more in 1989 than you currently have to find, $73 billion more in deficit reduction in 1990, $100 billion more in 1991, $124 billion more in 1992, and $147 billion more in 1993.

Frankly, when we are finished today and we have taken the surpluses in the highway trust fund off so you cannot count it even though it is sitting there, and the others, then we will do the arithmetic so everyone will know how much we really have to do in deficit reduction in order to get to this glory day.

Mr. SYMMS. Will the Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. SYMMS. I really enjoyed, as usual, the Senator's very lucid explanation of all of this. The thought occurred to me sitting here listening to my good friend that maybe the commission members—I would say the distinguished Americans, and he is one of them—should recommend that if this unified budget concept is so good then we should include State and local governments in it and then the budget would be balanced right now. I, of course, say that with tongue in cheek.

Mr. DOMENICI. Of course. I am glad the Senator said it so I would not have to say it for him.

Frankly, I think we have enough difficulty keeping tab on what we are doing. I think it would be even more difficult if we try to keep tab on the States. As a matter of fact, the States are invited to have a variety of taxing measures and a variety of initiatives because we still have the concept of sovereign States. So they do that on their own. They put everything on budget too. They even have capital investment type programs that are on their budget, as my friend from Washington will tell you, in a different way than we do.

So we have enough to take care of our own, as I see it. But let me suggest to my friend. I am not suggesting at all that there is not a great risk in having an operational budget that is big and growing, and relying upon a dedicated surplus to reach some kind of balance. I am only suggesting that it is not necessarily devious, it is not necessarily deceptive, and from the standpoint of an awful lot of very good thinking Americans it is probably prudent.

Mr. SYMMS. Will the Senator yield again?

Mr. DOMENICI. I would be pleased to.

Mr. SYMMS. Just one more observation: I hear clearly what the Senator is saying. But from my viewpoint, a budget should be a planning document, not some kind of an economic report. We should look at the budget as a planning document and we should have some kind of integrity in the funds dedicated to certain programs. I agree with the distinguished former Governor of Washington about projecting up to the year 2005 or 2000 how much money may come into the Social Security trust fund. But the highway trust fund and the airport trust fund are not based on projections. They already have the Byrd amendment applied to them. They already have a balanced budget concept applied to them. The fact is, if the highway program ends, there is enough money to fund the program for 2 more years. The tax goes on 2 years past the end of the authorization period. So the surplus just keeps getting bigger and bigger.

To my way of thinking, it is totally dishonest to the highway users of America to continue this charade and have these political fights where the President says, "You are overspending on the highways." I was just in my State last week. Everywhere I went, someone wanted another road for economic development. They need more roads. The roads are wearing out. We are sitting on a trust fund down here. I think it is time we address that issue.

Mr. EVANS. Will the Senator yield?

Mr. DOMENICI. Let me comment, and I will sit down. I will be pleased to yield time. Could I finish an observation on the last point? Then I will yield.

Frankly, if we are going to mandate a balanced budget within 5 years or say Congress should pass such a law in the future, what the distinguished Senator from Florida is asking—and do not misunderstand this Senator. I think there is just as much reason to take the surpluses in the highway fund off for that purpose, too. I might also suggest that there is less reason for accumulating that surplus and then crediting it to the deficit than there is for Social Security because, as a matter of fact, you have no alternative on Social Security. If you are going to pay your bills later, you have to have a surplus at some point in time.

So even in that regard there is a qualitative difference. If you want to put it on either side, there is less of a reason for doing it with reference to airports and highways than there is Social Security. On the other hand, my only point is if there is a surplus, and if you are not persuasive enough as an advocate of highway users—and you are a great one—if you are not persuasive enough to have us spend everything in there, and you have gotten to a point because of a President who said let us keep the surplus, and many other Senators and others think perhaps he is right for one reason or another, then all I am saying is you ought to count the surplus as being revenues that are around in the coffers of the Federal Government as a part of the unified budget. That is all I have been saying to this point.

There is just as much reason for doing that as for doing it on Social Security, and probably less reason to have the surplus there which means perhaps at some point we ought to stop doing that. But if it is there it ought to be accounted for. It is taxes on the American public that are there and they are being used for something.

At this point they are being invested just like other money that is around that is being invested.

I would be pleased to yield.

Mr. EVANS. I would like to respond to the Senator's very interesting comments because I think it bears on the strange things we are doing today in this amendment and the amendments that will come forward. The incompleteness of all of it is when the Senator from Idaho suggested if we just added the States and local communities in that we could balance the whole budget immediately. Let me say to the Senator from Idaho if the States—it makes a very interesting point—all of whom brag about their long history of balanced budgets kept their books in the way we keep our books at the Federal level virtually every State would show a huge and growing deficit.

How is it for instance that in the last 8 years since 1980 while we have seen this huge growth in the Federal deficit, and during that same period of time we keep pointing to the States, say they are paragons of virtue, and say they have balanced budgets, during that same 8-year period the total debt of State governments has grown by $700 billion. How can that be if they all have balanced budgets? It is because every single one of them has a capital budget. They keep their books differently. So you can get a $700 billion swing just in the way you keep your books.

I frankly would say to the Senator from Idaho and the Senator from New Mexico that they keep their books in a lot more rational way than we do. It makes more sense, and it is very much the same way that the average citizen keeps his or her books. If you buy a house in a year, there are very few citizens who can afford to pay cash for that house. But they do not consider that they unbalance their budget during that year if they had sufficient——

Mr. DOMENICI. I yield 5 additional minutes off the bill.

The PRESIDING OFFICER. The Senator from Washington may proceed for 5 minutes.

Mr. EVANS. The citizen would not consider that his or her budget was unbalanced because they bought a new house and they could not pay for it in cash. As long as they could pay the debt service, the mortgage payments every month and it was comfortable for them to do so, they would consider that they still had a rational, balanced budget.

So what we are dealing with here, much more fundamentally than the amendment in front of us, is the very integrity of the bookkeeping and accounting system. That is where I think we ought to begin our change.

Mr. DOMENICI. Mr. President, I yield myself 3 minutes.

Mr. President, I want to summarize my points. Frankly, I am not at all sure that we ought to be mandating here today that we do two things: that we not count Social Security in the unified budget and that we achieve a balanced budget without it in 5 years. I have no quibble with the principal goal, what I see at least as a principal goal of my friend, the chairman of the Budget Committee. He would like very much to drill into our consciousness that the ongoing day-to-day operational budget of U.S. Government absent Social Security—which is the point he is making, that one trust account is indeed larger than the deficit—be taken into account under our budget process. I think we can never do too much to convince our people that that is the case.

Frankly, with Gramm-Rudman-Hollings in place—that is, as I have described it, with a National Economic Commission that is charged with giving a report by March 1989, I do not know that it is going to be the end of the world if we vote for this today. Maybe everybody should vote for it; maybe we should take everything off budget and all of us vote for it—I do not know that we are close to being sure that that is a good economic game plan for this country for the next 5 years.

I think that is why the National Economic Commission is going through an in-depth evaluation of where we are, where we are going, what the international markets look like, what international money looks like, what it means to become a debtor in the world, what it means to become a borrower from foreign countries. All these things will be looked at in depth.

For that reason, I rose today to give my reason why a unified budget for the United States makes sense, so long as you do not use it as an instrument to deceive. I do not believe we do, and I do not think I have ever been part of that.

The PRESIDING OFFICER (Mr. BREAUX). Who yields time?

Mr. CHILES. Mr. President, I ask unanimous consent that the names of the Senator from California [Mr. CRANSTON] and the Senator from North Dakota [Mr. CONRAD] be added as cosponsors of the pending amendment.

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

Mr. CHILES. Mr. President, how much time does the Senator from Florida desire?

Mr. GRAHAM. Ten minutes.

Mr. CHILES. I yield 10 minutes to the Senator, off the bill.

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. GRAHAM. I express my appreciation to my distinguished colleague from Florida for the time he has afforded me.

Mr. President, this has been a very enlightening debate. I think the experience which those of us who have been in the Chamber for the last hour have shared, underscores the potential for serious deliberation on serious public issues, which should be the norm in the U.S. Senate. I wish to extend my congratulations to all those who have elevated our appreciation of this issue.

I also share the feeling of the Senator from New Mexico that this is not a time when the debate is advanced by using pejoratives. We are all here seekers after truth, as we define that truth to be. I think that a beginning point for this discussion is this: What is it that we are trying to accomplish? What are our objectives? I believe they are fairly and simply stated.

We are trying to understand reality. We are trying, to the best of our ability, to present in numbers what is the reality of our fiscal status.

We can then take the second step of applying intelligible and hopefully intelligent policy decisions to those realities.

I agree with the Senator from Washington, a distinguished colleague, with whom I had a unique opportunity in the past few days to discuss exactly these issues, that the proposal offered by the senior Senator from Florida is not the millenium. It does not deal with the full panoply of issues with which we need to eventually come to grips. But I believe that, accepting its incompleteness, it is an important and fundamental beginning step around which other decisions might be rallied in order to achieve a fuller public policy statement of reality and a response.

I say to my friend from New Mexico that I would agree with his historical analysis, but I believe there are some occurrences over the past 2 decades which, had Americans as distinguished as Arthur Burns been called upon to respond to, might have changed their earlier opinion.

No one contemplated in the 1960's that, within a period of less than 7 years, we would more than double the Federal deficit. No one contemplated that we would ever run deficits of the scale that we have been running in this decade of the 1980's.

It was probably not a contemplation that we would have arrived at a mixture of financial accounting in which we would be placing under an accrual system items in the Federal budget as substantial as Social Security, while we continued to deal with other enormous aspects of Federal financial responsibility on a cash basis.

Earlier today, during morning business, the Senator from Wisconsin [Mr. PROXMIRE], submitted for the RECORD an article by Herbert Stein, which appeared in a recent edition of the Wall Street Journal, in which Mr. Stein, an earlier advocate of the unified Federal

budget, stated why he has reversed his position.

So, while history may be instructive, it should not be enslaving in terms of how we look at this question. I suggest that the current process of including the Social Security surpluses in the determination of the extent of our Federal fiscal deficit misstates reality in the following ways: It misstates it economically. It masks the reality of the financial problems and the financial challenges which our Nation is facing.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Social Security Surpluses Said to Mask Size of Deficit," which appeared in the March 5, 1988, Washington Post.

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

[From the Washington Post, Mar. 5, 1988]

SOCIAL SECURITY SURPLUSES SAID TO MASK SIZE OF DEFICIT

(By Paul Blustein)

Sen. Bob Packwood couldn't believe his ears.

The witness at a Senate hearing several weeks ago was saying that the Social Security system was starting to build huge surpluses that will total trillions of dollars over the next 30 years in order to pay the cost of retirement benefits for the Baby Boom generations early in the 21st century.

Shocked at the magnitude of those projections, the Oregon Republican phoned the chief actuary of the Social Security administration a few days later to confirm the data. The actuary "sounded just like Jimmy Stewart," Packwood recalled. "He said, 'Yup. That's correct. Those are the figures.'"

The surging growth of the Social Security surplus, which so surprised Packwood, sounds as if it ought to be a welcome development, and in a way it is.

But it also poses some deeply troubling ramifications for the rest of the federal budget, experts warn, and the long-range consequences could undermine Social Security. "We could have a catastrophe waiting," said Sen. Donald L. Nickles (R-Okla.), one of a number of lawmakers who have begun to focus on the issue.

Because of the surpluses, President Reagan's successor will inherit a far bigger budget deficit problem than is commonly realized, experts say.

The surpluses make the overall federal deficit seem smaller than it otherwise would—already by tens of billions of dollars a year and, in the 1990s, by amounts approaching $100 billion a year.

The Social Security system took in $19.6 billion more than it needed to pay current benefits in 1987, and the surplus is expected to be about $37 billion this year.

These surpluses "are nuts we should be storing away to feed the Baby Boom generation when it retires," said Robert Reischauer, a Brookings Institution scholar. So they are "hiding unpleasant realities," he said.

The unpleasant reality, according to Reischauer and other analysts, is that the long-range gap between federal spending and revenue is so wide that the government could undergo a fiscal crisis of unprecedented magnitude when the Baby Boomers retire and start to collect benefits. The result could be warfare between the generations over the explosive issue of whether to honor Social Security's implied commitments.

Avoiding such an outcome will require sizable spending cuts or tax increases or both. "This is *the* budget issue of the 1990s," said Carol Cox, president of the Committee for a Responsible Federal Budget, a group of former lawmakers and other prominent citizens.

Behind the problem lies a decision made in 1983 to put Social Security on a solid long-range footing by trimming benefits and raising payroll taxes so that surpluses would start to mount in the late 1980s.

Although the surpluses are growing as expected, the overall federal budget is in the red and is projected to remain so for the foreseeable future. This means that a serious shortfall exists between general tax revenue and government spending on activities other than Social Security—defense and law enforcement, for example.

"All of the medical research that we support, and all of the dam construction and education and agricultural programs that we fund—all of this is being supported by a smaller and smaller portion of taxes, and a greater and greater proportion of borrowing," said Stephen Bell, a former top Republican staffer in the Senate who heads the Washington office of Salomon Brothers, the investment firm.

The situation contains the seeds of disaster, according to Bell and other experts, because the Social Security surplus is being used, in effect, to provide much of the financing for those dams and farm spending and other non-Social Security programs.

The surpluses are, by law, placed in the Social Security trust fund, where they are invested in Treasury bills and bonds—in other words, lent to the government. They are projected to exceed $100 billion a year late in the next decade, assuming modest growth in the economy, so they will provide a major source of financing for the government. And meanwhile, the trust fund will be accumulating a massive pile of assets in the form of Treasury securities.

But a severe crunch could come when the system's annual surpluses turn to deficits, probably between the years 2010 and 2020.

At this point, if nothing has been done to bring the rest of the budget closer to balance, the entire government will be deeply in the red and forced to borrow staggering amounts. A dispute would likely erupt over whether to raise hundreds of billions of taxes on workers or cut the Baby Boomers' retirement benefits.

Under current policy, "the burden on taxpayers when the Baby Boom generation reaches retirement is going to be extraordinary," Cox warned.

What is of concern right now, experts say, is the fact that it is difficult to summon much of a sense of urgency about the problem. Part of the reason for this is the Social Security surpluses cause the official deficit projections issued by the White House and Congress to seem less ominous than they are.

"The budgetary hole that we've dug for ourselves is deeper than the official projections imply," said Reischauer, the Brookings scholar.

Deficit projections are already notorious for their unreliability, but the Social Security issue adds a major new dimension to the problem.

The estimates issued by the White House Office of Management and Budget, for example, have been ridiculed as hopelessly optimistic by critics in part because they are based on a forecast that the economy will continue to grow through 1993, without recession, at an average annual pace of 3.2 percent, generating enough new tax revenue to shrink the deficit to $23 billion five years from now.

But even assuming that the administration's economic forecast proves accurate, the "real" deficit—the deficit excluding the Social Security surplus—will remain stuck well above $100 billion throughout the period, according to OMB figures.

The projections of the Congressional Budget Office show a similar trend. CBO forecasts a less buoyant economy; it projects that the overall federal deficit will bounce up from $157 billion in the current fiscal year to $176 billion in fiscal 1989, then narrow to $134 billion in 1993.

With the Social Security surplus excluded, the "real" deficit soars above the $220 billion level in the 1990s, according to CBO's reckoning.

But more significant is the long-range threat to the nation's financial health.

"What is at stake is the implicit social contract between generations, in which each generation bequeaths a higher income to its children, in return for which it expects to be supported in its old age," writes Isabel V. Sawhill in a new study published by the Urban Institute.

The compact is in danger of being broken, Sawhill suggests, by the policy of using Social Security surpluses to fund deficits in the remainder of government, instead of reducing the deficits—thus easing the future strain on the Social Security trust fund.

Mr. GRAHAM. Mr. President, this misstatement of reality is compounded by the mixture of accrual and cash accounting. Let me use as one example the current status of our Federal Savings and Loan Insurance Corporation, the Corporation which is intended to provide security behind the savings of millions of Americans in our thrift institutions.

By a rather arbitrary and not particularly economically driven set of rationales, this particular program is treated within the Federal funds budget, but it is treated on a cash basis. The reality is that there are substantial accrued deficits in this program which are not being reflected in our current Federal funds budget and which are being masked because they are not separated, as is the companion Federal Deposit Insurance Corporation, which provides the same function for commercial banks in a separate trust fund.

So this current system of mixing accrual and cash accounting serves to mask the reality of the economics. It also serves to mask the reality of the politics.

Last year, there was almost an effort made to cast those who would not look to a restriction of Social Security as a means of solving the Federal deficit—to place those people in a pariah status; that in some way you were less than patriotic if you did not accept the fact that reduction in these enti-

tlement programs was a prerequisite to honestly facing the steps necessary for reduction of the Federal deficit.

I suggest that that very attempt to place in that negative category was itself a dishonest statement that there was no contribution which would have been made by reducing the Social Security funds toward the objective of reducing the overall Federal deficit.

Mr. President, I will not offer it for the record because it already appears in the CONGRESSIONAL RECORD of December 20, 1987, but I would suggest to the reading of my colleagues an item from the Washington Post of December 16, 1987, which is entitled "Bite the Deficit, Not Social Security," as evidence of the political masking.

Finally, there is a masking of our generational responsibility. What happened in 1983 was a very sound decision, that is, we were going to look at Social Security on a three-generational basis for 75 years and we would attempt to arrive at an actuarially sound basis over those three generations. The significance of those for those of us in the generation of the 1930's, representing a relatively small portion of America's population, we were going to live through a period in which there would be relatively modest demands made on Social Security and therefore the system would pay out substantially less than would be paid into the fund.

All of that is in preparation for our children. My oldest child was born in 1963. When she arrives at the point that Social Security will be looked to for her economic well being she will be one of millions and millions of that war baby boom and postwar baby surge of population in this country.

We are building up these surpluses in order to meet my daughter's and her peers' financial needs upon retirement. We are creating a generational clash by taking these surpluses which are intended for that very legitimate actuarial purpose and using them to reduce our current responsibility to manage the Federal budget in a responsible manner.

Mr. President, I believe that this debate that we are having today is an important one. It is by no means the last one. We need to deal with the question that the Senator from Idaho is going to discuss, that is, how in a similar although on a lesser manner, the treatment of other trust funds, the highway trust fund, the aviation trust fund, have a similar masking issue.

We need to deal with the question of how our ability to carry out intelligible public decisions such as how to meet our transportation needs through a user-based funding mechanism are being distorted by this process of unified Federal budget.

We need to deal with the issue that has been raised by the Senator from Washington and that is how do we segregate the question of Federal capital budgets from our main operating budgets which is the principal reason that the statistics that he cited on a major American corporation and the allusions that he made to how State and local budgets would be so different if they were under our accounting system is explained.

It is because most other entities, public and private, distinguish between their capital expenditures which are intended to last for multiple years from those expenditures that are intended to be absorbed within a single budget cycle.

All those are the kinds of issues I hope will be sparked by this debate by the adoption of the very thoughtful amendment offered by my colleague from Florida.

Mr. President, we have much work to do. Today we take a step toward fulfilling our task.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Who yields time?

Mr. SYMMS. Mr. President, is all the time of the Senator from Florida and the Senator from Idaho used up?

The PRESIDING OFFICER. The Senator from Florida has 6 minutes remaining.

Mr. CHILES. I would like to find out if the distinguished Senator from North Dakota would like to speak before we vote on this amendment. If so, I will yield him time off the bill.

Mr. CONRAD. I would prefer to speak before we go to a vote.

Mr. CHILES. How much time would the Senator like me to yield?

Mr. CONRAD. Twenty minutes.

Mr. CHILES. I yield 20 minutes off the bill to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator has that right.

The Senator from North Dakota will be recognized for 20 minutes.

Mr. CONRAD. Mr. President, I wanted to take a few minutes to try to put in perspective the importance of the debate that we have been engaged in for the last several hours. The importance of this debate is that it has real world effects on the economy—that all of us are affected by in this country.

When we look at the question of the budget that is in front of us and the specific amendment of the chairman, I think we have to put in perspective where we are today. I brought several charts to outline where we are, where we are going, what the effects are on all of us in this economy and why we might want to make some fundamental changes such as the one proposed by the chairman.

Mr. President, this first chart shows the Federal spending and revenue pattern from 1980 to the present. The top line is the spending line of the U.S. Government. The bottom line is the revenue line. In red are the deficits that we have accumulated.

I think it is abundantly clear. The spending line goes up at a steady pace; the revenue line, which had been tracking closely with the spending line of the U.S. Government, took a U turn with the 1981 Tax Act. The result was that the deficits of this country absolutely exploded. We went from $50 billion a year of deficit to $200 billion a year of deficit for as far as the eye could see.

Mr. President, I am asked repeatedly by my constituents where is all the money going, where are we spending all of this money? This chart shows the composition of Federal spending for fiscal year 1987, and it shows that 28 percent of our money is going for defense, about 20 percent for Social Security, 7 percent for Medicare, and 14 percent for interest on the debt.

We have heard repeatedly in the last 2 years: We cannot touch Social Security. We cannot touch defense. In fact we have to give defense a big increase. Obviously we cannot touch interest on the debt. The trick in Medicare is to hold down the increase.

Mr. President, just those four areas are 70 percent of all Federal spending. Some have said we can cure the deficit problem just by cutting spending. If you accept the notion that all four of these areas are out of bounds, you cannot touch them, then what we are left with is about 30 percent of all Federal spending, or about $300 billion.

The deficit last year was $150 billion.

So, Mr. President, if we are to accept the notion that we cannot touch Medicare, Social Security, defense, or interest, we would have to cut every other Federal program in half; every agriculture program, every education program, every veterans' program, every highway program, every parks program, every other Federal program would have to be cut in half.

What is the result of the spending pattern that I have described? The result is that the public debt of this country has gone from less than $800 billion in 1977 to $2.8 trillion in 1989. In 12 years, we will have more than tripled the public debt.

My constituents ask, so what? What difference does that make to me?

Very simply the difference is this: this next chart I have prepared shows what has happened to what we call long-term real interest rates. Real interest rates are the difference between the interest rate that you pay and the level of inflation.

Mr. President, this chart shows over a very long period, from 1962 to 1987 what has happened to real interest rates. Real interest rates are what really matter, because they are what

dictate the economic effects in the real world.

As you can see, this chart discloses from 1961 to 1981 real interest rates averaged just over 2 percent. From 1982 to 1986, as we accumulated this enormous public debt, real interest rates exploded and averaged 6.2 percent over that period.

Mr. President, the important thing historically is that real interest rates, which absolutely skyrocketed at the same time we started accumulating this enormous public debt, and put pressure on our economy. In fact, these real interest rates reached record levels of nearly 8.5 percent in 1984 and 1985. They have come back some now but are still are record levels.

Now what difference does that make? Well, Mr. President, it was the combination of the fiscal policy that piled up these enormous deficits, and the monetary policy of tight money—because the Federal Reserve Board saw the Congress and the President doing nothing about fiscal policy and so they kept the screws on the monetary supply of this country. That drove up the interest rates. And what did that do? At the very same time, the public debt was increasing, forcing up interest rates, the value of the dollar skyrocketed. And it skyrocketed because we had the record high real interest rates to attract the foreign investment dollars.

So, Mr. President, we can see what happened to the value of the dollar. It, too, absolutely exploded and went up nearly 100 percent in value from 1980 until the peak in 1985.

What difference did that make when the dollar skyrocketed in value against the currencies of other countries of the world with whom we do business? Well, the effect was predictable. Our ability to compete in the international marketplace collapsed. Our trade deficit started growing like a cancer. And, in fact, in 1987, the trade deficit was greater than the total of all the trade surpluses accumulated since World War II.

And so, Mr. President, in 1 year, we were able to eliminate all of the trade surpluses accumulated since World War II. We hear some say, "Well, it does not really make any difference. Everything is OK. If we are like State governments, we would be running surpluses."

Oh, no, Mr. President. Everything is not OK. There is a real world price to pay for the nonsensical policy we have pursued for the last 8 years. And the bill will be paid. The chickens are coming home to roost. And anybody who doubts that only has to study the trade deficit numbers.

Mr. President, what difference does it make when we start running these massive trade deficits? Well, the final outcome of an economic game plan that does not add up and does not make sense is that we have gone from being the largest creditor Nation in the world to being the largest debtor Nation in the world. We have done that in a remarkably short period of time.

In 1982, we were the largest creditor Nation on the face of the globe. In 1984, we crossed the line and became a debtor Nation. By 1986, we were the largest debtor Nation on the face of the globe.

Mr. President, there is a real world effect when you go from being creditor to debtor. Everyone who owes money at a bank understands that. Because you are treated much differently when you have a big deposit versus when you have a big liability at the bank. All of a sudden that banker has a lot more to say about your future and what you are going to be doing.

And, Mr. President, unfortunately our banker is no longer our neighbors. Today our banker is our friends in Japan, our friends in Western Europe, our friends in the Gulf States. Those are the people from whom we borrow the money in order to finance this enormous debt.

Mr. SYMMS. Will the Senator yield for a question?

Mr. CONRAD. I am happy to yield.

Mr. SYMMS. I think your numbers on the trade deficit are very interesting. The question I would propound is a hypothetical question, so if you do not have any idea, then we will drop the subject.

But the question is: What do you think the trade deficit or surplus is in North Dakota? Do you think North Dakota buys as much in dollar value as it exports, or is it vice-versa?

Mr. CONRAD. Well, North Dakota would be somewhat of a special case, because, as you know, we are an export economy.

Mr. SYMMS. Probably a surplus?

Mr. CONRAD. We would probably have somewhat of a trade surplus, although it would be marginal.

Mr. SYMMS. The reason I asked that question is that States like North Dakota and Idaho and South Dakota and other commodity producing States where the economy has struggled in the past years—our economy in Idaho has now turned around, but, for a few years, it was very difficult as worldwide commodity prices remained low. Most of those countries do have trade surpluses that have slow economies, and the countries that have stronger economies have trade deficits. I just wondered how the Senator would handle that with the proper perspective here.

Mr. CONRAD. Well, ultimately we earned debtor status. The situation has to reverse itself. What does that mean? That means we are going to have to consume less in this country and save more.

Mr. SYMMS. Are we going to have to have a recession to fix this trade deficit? Is that what the Senator is saying?

Mr. CONRAD. I certainly hope not. I think the sooner we take action the less draconian the solution. The longer we delay, the worse the situation gets.

As the Senator well knows, the situation is more serious than it appears because of what we face with the Social Security surpluses being used to mask the real size of the deficit, which is my final point.

These deficits, which we have told the country are being reduced, in fact, are being increased. We know the numbers. CBO, which we have used for years in the Congress to give us a meaningful look at the deficit numbers, says in 1987, the deficit was $150 billion. In 1988, the fiscal year we are in now, they are projecting $161 billion; in 1989, $165 billion. That is a deficit that has been increasing, not being reduced. And the real size of that deficit is being masked by the fact that Social Security surplus, which was $20 billion in 1987, is $37 billion in 1988 and $46 billion in 1989.

Now, we can continue to play this game. And the Senator from New Mexico says we are not misleading anyone. To the contrary. The American people are being misled. I know my constituents are being misled because I asked them. Their conclusion is that we are saving money for the Social Security trust fund for the time when we will have the baby-boom generation come along and the surpluses will turn to deficits.

Mr. President, this chart shows very clearly the predicament that we are in. Those Social Security surpluses that we are using to reduce the size of the deficit, you can see the magnitude of those surpluses will continue until approximately 2015.

Mr. SYMMS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will please be in order.

Mr. CONRAD. I thank the Senator from Idaho.

You can see what happens as these surpluses continue to mount in Social Security, but then turn to deficits. Because starting in about the year 2015, the Social Security surpluses which have run up to $75 billion a year turn to deficits; deficits of $50 to $150 billion a year and, boy, will the baby-boom generation be surprised then. They are expecting those trust fund surpluses to have been set aside to be ready for the time when they are read to draw Social Security.

But you know what they are going to find, Mr. President, when they go to collect Social Security? They are not going to find surpluses that have been socked away in preparation for the

time when they are ready to draw Social Security. Oh, no.

They are going to find bookkeeping entries; bookkeeping entries that say we will pay. Then, Mr. President, the chickens are going to come home to roost and then we will see the most incredible struggle between generations for Federal dollars that we have ever witnessed. And that, Mr. President, is why if we are to be honest with the American people and honest with ourselves, we must take Social Security off budget so that it cannot be used to calculate the deficits, to mask the true size of the deficit, and to mislead not only us but the rest of the American people as well.

For that reason, Mr. President, I would urge support for the amendment proposed by the chairman of the Budget Committee. But I would also urge that we just say "no" to the budget resolution because, as I have outlined, we are not reducing the deficit, we are increasing the deficit. If you look at the Social Security surpluses in combination with the other trust funds the hard reality is we are stuck at an operating deficit of $240 to $280 billion a year for as far as the eye can see and all of the propaganda that we have put out to the contrary notwithstanding, the deficit is not going down as a result of the summit agreement, it is going up.

We should not submit and surrender to the summit agreement. We should stand up and make the tough decisions that will get this economy back on track.

Mr. President, with that I want to conclude my remarks and thank the chairman for yielding me this time and yield the floor.

The PRESIDING OFFICER. The Senator yields the floor. Who yields time?

Mr. SYMMS. Mr. President, I yield myself 1 minute off the bill.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, I am prepared to offer my amendment but I believe the parliamentary situation is that there are 6½ minutes left for the majority; is that correct?

The PRESIDING OFFICER. The Senator is correct. There are 6 minutes remaining.

Mr. SYMMS. Six minutes remaining for the majority and the way the rules are on the budget resolution my amendment will not be in order until that 6 minutes has either been yielded back or has been consumed by the majority.

The PRESIDING OFFICER. The Senator from Idaho is correct.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have been asked to serve as temporary manager of the bill and in that capacity I yield myself an additional 2 minutes until the manager returns to the floor.

Mr. President, let me just resume the argument that I was making before I yielded the floor. To repeat the point: We are not reducing the Federal deficit with this budget resolution today. The deficit is increasing and it is increasing at a time when we can ill-afford to allow that increase. This budget calls for $68 billion of increased spending. Mr. President, that strikes me as inappropriate at a time we are adding to the budget deficits, deficits that are already too large, deficits that are already taking a toll on this economy.

I think the conclusion is inescapable, Mr. President, that public enemy No. 1 is the public debt. We have an obligation as elected officials in this country to face up to the economic problems that we confront in this society.

Mr. President, I just returned from a trip to the Soviet Union and one of the things that gnaws at me as we review the events of that trip was that the Soviet Union confronts very serious problems of their own, far more serious than anything we face because they have a system that does not work.

Mr. President, the Soviets at least acknowledge the problems that they face and they are attempting to change. The thing that disturbed me the most about my trip to the Soviet Union was that when I returned home, we are not facing up to our most serious problem. We are not yet engaged in an all-out fight to slay public enemy No. 1. We have not yet engaged ourselves in the struggle that must be fought and must be won.

So, Mr. President, I remain hopeful, as we look to next year, that somehow we will find the political courage to make the difficult choices that must be made and I, along with others of my colleagues, will be forming a balanced budget caucus in an attempt to start to put together the alternatives that we will need to have before us in order to solve these problems as we face the difficult challenges Congress and the new President will confront next year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator has yielded the floor. Who yields time? The Senator from Florida has 4 minutes remaining.

Mr. CHILES. Mr. President, some 3 weeks ago, the Budget Committee held a hearing on the exact issues addressed in this amendment. First, that the Social Security surplus currently masks the size of the real deficit. Second, that these surpluses are supposed to be set aside to pay the retirement benefits of the baby boomers. Third, that without major changes in budgetary policies, the Federal Government will be running both a large operating deficit and a Social Security deficit starting around the year 2015.

Perhaps the most critical problem we dealt with was addressed by our two chief witnesses, Dr. Barry Bosworth of the Brookings Institution and Dr. John Palmer of the Urban Institute, two of the country's foremost experts on this subject. The message from both Bosworth and Palmer's testimony was clear: We are not saving the Social Security surpluses and we are going to be in a lot of trouble because of this when the baby boomers retire.

Bosworth told the committee that rather than saving the surpluses and using them to enlarge the Nation's capital stock and increase future national income, the surpluses are being used today to finance consumption. In no way are we passing on funds or resources to future generation. Bosworth's conclusion: "We simply cannot get ourselves to pay for our own consumption today out of our own taxes, and we are trying to borrow from our pension funds to sustain our consumption * * * what we are doing today is creating an enormous problem for the future, where one group, one generation, is going to claim that they deserve it, when, in fact, they never saved it."

Palmer echoed Bosworth's analysis. Palmer told the committee that if Social Security reserves are to help ease the future financial burden when the baby boomers retire, they must help enhance economic growth in the interim. These reserves cannot be used simply to offset the current deficits resulting from other expenditures.

Both Bosworth and Palmer warned the committee of the risks of low national savings rates. We are simply consuming too much and saving too little. We are doing it in the private sector and the public sector. The Government is borrowing from the future to pay for today's consumption.

All of our hearing witnesses—Dr. Bosworth, Dr. Palmer, and our third witness, Robert Myers, former Chief Actuary of the Social Security Administration, urged that the Social Security balances be removed from the Gramm-Rudman-targets. All three encouraged Congress to face up to the real budget deficit by not counting the Social Security surpluses and setting them aside for their true purpose: To pay for retirement benefits.

Mr. METZENBAUM. Mr. President, I strongly support the amendment offered by my distinguished colleague from Florida, Senator CHILES. Back in March 1982, I introduced legislation in the Senate designed to safeguard the Social Security System from being misused for political purposes. At that time I said that the bill would prevent this administration or any other from balancing the budget on the backs of the elderly. My legislation called for the removal of the Social Security

trust funds from the unified budget, thus keeping financial transactions in Social Security completely separate from other Government income and expenses.

The Senate moved in this direction in 1983 when it passed legislation to remove Social Security from the unified budget by fiscal year 1993. It accelerated that schedule in 1985 by moving Social Security off-budget in fiscal year 1986.

Mr. President, there have been those who have proposed cutting Social Security to reduce the deficit. Such recommendations do not merit serious consideration. The Social Security trust funds represent a sacred trust for generations of Americans who have contributed to the program in hopes of a safe and secure retirement. Proposals to cut Social Security to reduce the deficit represent a fundamental breach of that trust, a willingness to sacrifice long-term commitments for short-term gains.

Today we make the point yet again in a different way. This amendment puts the Senate on record that Social Security should not be involved in the Gramm-Rudman deficit calculations. In my view, this is simply a matter of fairness, and common sense.

Mr. GRAMM. Mr. President, I want to address this issue about what are we going to do about Social Security. I will begin by saying it is a happy issue. Can you imagine, prior to 1983, the U.S. Congress worrying about what we were going to do about the surplus funds in Social Security? In fact, I remember vividly when my mama called me, having read in the paper that they were not going to send out her Social Security check, she wanted to know what I was going to do about it.

The plain truth is, we did something about it. Quite frankly, there were a lot of things in the bill that I did not like, but the bottom line was we put Social Security back in the black. We made fundamental changes to the program.

My mama got her check, and so did a lot of other Americans. Since that time in 1983, we have been building up the Social Security trust fund for the first time in a quarter of a century.

I will begin my comments by pointing out that we are debating a happy subject today. What are we going to do about the fact that the Social Security trust fund is back in the black with money in the bank with the security of our senior citizens being enhanced every day? This surplus has been created partly as a result of 14 million Americans who have gone to work since 1982 in the private sector of the economy, more jobs than all of our trading partners combined have created since 1982, and partly because in 1983, we took action to begin balancing Social Security actuarially. We made changes that had to be made to deal with the crisis in Social Security.

Having pointed out that we are dealing with a happy subject, let me relate that subject to the budget. I think there may be some confusion in this debate, and I want to make sure nobody is confused. Under the Gramm-Rudman-Hollings law, we specifically made it illegal to count changes made in Social Security that are aimed at reducing the deficit from counting toward meeting the Gramm-Rudman-Hollings deficit targets.

Let me be sure that everybody understands that. Under the Gramm-Rudman-Hollings balanced budget law, if Congress decided to reduce Social Security benefits, the savings from the denial of those benefits could not count toward meeting the deficit reduction target mandated by the Gramm-Rudman-Hollings law.

So we already have in place legal restrictions that prevent something that we all know has been talked about in every election held since 1980, and that has been balancing the budget on the backs of our senior citizens through Social Security.

I want Senators addressing this issue to understand that it is now the law of the land that Congress cannot reduce the deficit by cutting Social Security. If you vote for the sense-of-the-Senate resolution offered by Mr. CHILES, you are not voting to eliminate Social Security from deficit reduction. In fact, in terms of meeting the deficit targets set out by the Gramm-Rudman-Hollings balanced budget law, we have already done that. We have already eliminated Social Security from deficit reduction.

So if Members of Congress should suddenly go crazy and try to cut Social Security, they are not going to get credit for it in terms of the Balanced Budget and Emergency Deficit Control Act.

What we are talking about here is what do you do about a surplus being built up by the Federal Government. The distinguished Senator from Florida has come up with an idea. His idea is that not only should we comply with the requirements of the Gramm-Rudman-Hollings law, but also, we should not count the receipts and outlays of Social Security as Federal revenues and spending. The Gramm-Rudman-Hollings law says you cannot cut Social Security to balance the budget, you have to do that by dealing with on-budget items, because the truth is, Social Security is not part of the deficit problem. Social Security is a freestanding trust fund. It is in the black. Social Security is not contributing to the deficit problem and, therefore, we have already adopted into law a provision that says you cannot use it as a solution to the deficit problem.

But nobody ever said that we should not take into account that receipts from Social Security taxes and outlays from Social Security expenditures are not part of the Federal Government, that they are not part of the fiscal impact that the Federal Government in its operation has on the people of America.

To tell you the truth, I have not thought enough about the Chiles amendment. Even though it is a sense of the Congress amendment, I have not accumulated enough information in my own mind to know whether I think we ought to adopt this fiction where we say we should not take into account that Social Security is collecting taxes and making outlays in terms of an impact on the economy.

The Senator from Florida says we ought to pass legislation that would say we have to balance the budget without taking into account Social Security. Under current law we have to balance the budget between now and fiscal year 1993, which is calendar year 1992. The budget that is pending before us, if, God willing, the economy stays strong, is going to lower the deficit to $136 billion. That is down from $233 billion in fiscal year 1986. So we have already come a long way since 1986. Between now and calendar year 1992, we have to bring that deficit down to zero.

What Senator CHILES has proposed is that we do not reduce the deficit down to zero. That, in fact, since Social Security will be running a surplus of $97 billion in 1993, we should actually run a surplus of $97 billion in terms of the overall Federal Government's impact on the private sector of the economy.

That is, Senator CHILES has proposed that in 1993 the Government should take in $97 billion more than it spends. I have to admit, Mr. President, that as a fiscal conservative, while all these years I have dreamed of balancing the books, never once have I thought we might be running a $97 billion surplus.

We may want to do that. We may want to undertake the task of trying to achieve that goal.

I want to remind my colleagues that if we adopt the Chiles proposal, in order to meet the Gramm-Rudman-Hollings target in 1990 with our new President, we are going to have to either cut $58 billion more or raise that in taxes, and it is going to be an additional $71 billion in 1991; $81 billion in 1992; and then $97 billion in 1993.

Quite frankly, I believe we could do it. I believe that we could do it by reordering priorities, but it is very interesting that the same people I now hear talking about doing it are the people who do not want to eliminate subsidies to Amtrak, who do not want to terminate the beekeepers indemnity fund, who do not want to eliminate operat-

ing subsidies for mass transit. So I simply submit that we are biting off a lot here, and I am not sure Congress is ready to chew it.

But that is not the subject I want to address today, Mr. President. The subject I want to address is do we really know what we are getting ready to undertake? Have we ever lived through a period in American history where we were running these kinds of fiscal surpluses in the aggregate, that is, taking in more than we were spending?

I started thinking about this yesterday and it suddenly hit me that this has happened before. In fact we have done exactly this, and we did it in a period called the specie resumption period. And if my colleagues will forgive me for being a little professorial, I would like to try to present a little history lesson this afternoon. I think we ought to ponder history before we rush off and decide that we want to undertake a policy that is going to affect greatly our country and our people.

Now, the specie resumption period came about for the following reasons. In 1860, we had a war, the Civil War, and during that Civil War the Federal Government accumulated a $1 billion debt. Now, that was the Union government. In the South we ran a big debt ourselves but ended up repudiating the currency and never paid it back.

This billion-dollar debt created massive inflation, and it drove this country off the gold standard because the value of gold rose far above the dollar value to which it had been pegged.

At the end of the Civil War, there was a desire to go return to the old gold standard at $26.67 an ounce. As a result, the Government of the United States undertook a remarkable policy, which was to keep taxes high and to accumulate big fiscal surpluses. As taxes were paid in greenbacks, remarkable as it sounds in this era of free spending and deficit spending, we took those greenbacks and we burned them. We burned huge volumes of these greenbacks, and from 1866 to 1879, we literally bled that billion dollars out of the economy. In 1879 we resumed the gold standard at $26.67 an ounce. We basically continued that policy through the turn of the century.

You might be interested in knowing what happened as a result of these big fiscal surpluses. Well, what happened is that we now call the Consumer Price Index went right through the floor. Prices declined dramatically, nominal wages declined, and interest rates were virtually zero. For that period from 1866 to 1879, and in fact through the turn of the century, on average, prices fell by 1½ percent a year.

It all worked pretty well; 20 million immigrants came to this country looking for opportunity and freedom. They found both. Our economy was the envy of the world. But I want to submit to my colleagues, do we really want to undertake a policy today without any real debate, without any real analysis, that might bring the consumer price down year after year, that would mean every year wages would have to fall in nominal dollars? I am not sure, given the makeup of our modern economy, with the negotiations we have with public employee labor unions, with the fact that our industrial sector economy is largely unionized, given the rigidities of our system, given the cost-of-living increases that do not turn negative, that we want to do so. If we are running a $97 billion surplus and prices decline by 5 percent, are we going to cut Social Security benefits by 5 percent? No; we are not. In fact, the law does not provide for that. Everybody getting a fixed payment from Government would see a real rise in their income, and the economy would be put through a steady wringer.

Maybe we would adjust to it, but I submit to my colleagues that I do not think it is a good idea for us to be debating a policy to commit ourselves to a $100 billion surplus in terms of the fiscal operation of the United States in 1993 without having the foggiest idea of what that would do.

Quite frankly, I might like it. The problem is I do not know enough about it to make an informed decision. If we look at the period of specie resumption from 1866 to 1879, which is the only comparable period I am aware of in American history where this kind of policy that is being called for was undertaken, and we translate that experience to the economy of 1988, I am not sure it is going to work very well. I think we ought to know what we are doing before we go charging off and do this.

In addition, quite aside from the problem of these huge surpluses that we are talking about running where the Government would be taking $100 billion out of the economy in 1993 on net, I think it is clear from the amendment that is now pending, this is not going to be the end of the story. If Senator CHILES takes Social Security revenues and outlays from even counting as part of the fiscal operation of the Federal Government, remembering we have already outlawed changes in it to reduce the deficit to count toward the Gramm-Rudman-Hollings deficit targets, the distinguished Senator from Idaho is now prepared to take the airport and the highway trust funds off-budget. I do not doubt that there is some clever staff person even as we talk who has come up with some other things we could take off-budget and have a balanced budget today. In fact, we could vote to eliminate the Federal Government today by simply taking all parts of the Government off-budget. I would not be surprised if there is not someone who thinks we ought to take Congress completely out of the budget. That would in fact lower the deficit since Congress earns no revenues and spends almost $1 billion a year.

Mr. SYMMS. Trillion.

Mr. GRAMM. No, only $1 billion of the trillion dollar Federal budget is spent on Congress. In any case, I submit, Mr. President, that we really do not understand what we are doing. We are talking about a megachange in fiscal policy. We are talking about a policy that is going to institute the macroeconomic circumstances that we have not seen in this country in over a century. I think there is a reasonable way around this. I am quite surprised that it has not been agreed to.

I understand that the distinguished Senator from New Mexico is going to offer an amendment, and I want to commend it to our colleagues. He is going to offer a substitute which is going to say, first of all, that we ought to look at this issue. We already have an economic commission that has been set up by public law and one of the things we ought to ask them to look at is what we ought to do in terms of acting on Social Security; we ought to get their recommendations; we ought to hold extensive hearings. We ought to ask people who are experts in fiscal policy: What would a $100 billion Federal surplus do in terms of the impact the Government has on the private sector of the economy?

I submit, Mr. President, that when we have all the facts, we might decide we want to remove the Social Security Administration from counting as part of the Federal Government. But I for one, based on historical experience over 100 years ago and no comparable experience since, based on the fact that we are now having amendments to remove not just Social Security but the highway trust fund and the airport trust fund from the Federal Government, in terms of any unified budget, I submit that reason and prudence dictate that we study this problem. We need to know what we are doing before we undertake a policy that though it may be well-intended, it could end up creating a fiscal catastrophy for this country.

Finally, before I conclude, I want to go back and reiterate a point that I hope will not be lost on anybody when we vote on the Domenici substitute.

This amendment by Senator CHILES does not protect Social Security. Social Security is already protected. You cannot cut Social Security in order to meet the deficit reduction targets of the Gramm-Rudman-Hollings balanced budget law. What this amendment does is to say we will not even count Social Security's fiscal operations as part of the Federal Government. We may decide that is a pru-

dent policy. But I submit that we do not have enough information to make that decision.

Not in the last 100 years has the Federal Government implemented any policy that is remotely similar to the policy that is being proposed today. The last time we carried out this policy, prices fell by roughly 1½ percent a year for 35 years. I submit that some people might view that as a desirable outcome. But given the makeup of our Government, given the makeup of our Federal programs, given the rigidities that are built into our system; I submit that is probably not a workable situation. And it behooves all of us to know what we are doing before we rush off and do it.

I think the Domenici substitute offers us a reasonable approach to this issue. We should look to the commission that has already been set up to analyze the deficit problem. We should ask them to look at Social Security and the special problem we have with its surplus. We should have extensive hearings. We would get an idea of what the proposed policy would do, and then we can do something that Congress rarely does. We can act on the basis of hard information. I think that is prudent. I hope we will do it. I urge my colleagues to follow that course.

Mr. CHILES. Mr. President, I am ready to yield back any time that I have left on the amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Florida yields back his time.

Mr. CHILES. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays are requested. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1929 TO AMENDMENT NO. 1928

(Purpose: To call for more truthful disclosure of the deficit)

Mr. SYMMS. Mr. President, I have an amendment at the desk to the Chiles amendment. I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Idaho [Mr. SYMMS] for himself, Mrs. KASSEBAUM, Mr. HOLLINGS and Mr. MCCLURE, proposes an amendment numbered 1929.

Mr. SYMMS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 1, line 4, strike all after the word "SEC." and insert in lieu thereof:

"8 (a) FINDINGS.—The Congress finds that—

(1) under current law, surpluses (and deficits) in the Social Security trust funds, the Highway Trust Fund and the Aviation Trust Fund, are included in calculations of the deficit for purposes of comparison with the maximum deficit amount under the Balanced Budget and Emergency Deficit Control Act of 1985 and for purposes of determining across-the-board cuts under the Act;

(2) the inclusion of the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund in the calculation of the Gramm-Rudman-Hollings targets creates the illusion that the budget deficit is being brought into balance when in fact the operating deficit is continuing to grow;

(3) the accumulation of Social Security surpluses is intended to be the basis for honoring the benefit claims of future retirees, at a time when yearly benefit expenditures will exceed yearly receipts; and Highway and Aviation surpluses are intended to finance highway and aviation safety improvements;

(4) Social Security and Highway and Aviation trust fund surpluses are currently being lent to the Treasury to finance the operating budget deficit, which is primarily dedicated to current consumption;

(5) the use of the Social Security, Highway, and Aviation surpluses for current consumption denies their intended purpose of increasing national savings, investment, productivity, and gross national product;

(6) without such increases in national output and wealth, future workers will be unable to honor the claims of retirees without a significant increases in taxes or reduction in Social Security benefits and transportation and air safety services;

(7) the use of Social Security surpluses as a source of national savings and the use of Highway and Aviation trust funds for their intended purposes would bolster the economic capacity of the United States, allowing Social Security benefits claims to be honored at the same time future workers enjoy an increased standard of living;

(8) the intended and legitimate purposes of the Social Security trust funds, the Highway Trust Fund and the Aviation Trust Fund, could best be protected by excluding them from the calculation of any deficit reduction targets.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) The Congress should enact legislation that makes the definition of the deficit exclude the surplus (or deficit) from the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund, for all purposes; and

(2) the Congress should enact legislation that would within five years eliminate the deficit when calculated to exclude the surplus (or deficit) from the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund."

Mr. DOMENICI. Mr. President, I wonder if the distinguished Senator will yield 30 seconds.

Mr. SYMMS. I will be happy to.

Mr. DOMENICI. Mr. President, I would like to designate the distinguished Senator from Idaho as the Republican Member in control of time and ask at his earliest convenience if he will yield time to the junior Senator from Texas off the underlying resolution.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, I think in order to keep the debate in proper context on the floor, my amendment is pending, and I would just like to ask for the yeas and nays on the Symms amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. I yield myself 10 minutes off the pending amendment.

Mr. President, I offer this amendment on behalf of myself, Senator KASSEBAUM, Senator HOLLINGS, and Senator MCCLURE.

I thank the distinguished Senator from Texas for what I think was a very, very excellent explanation of the situation with respect to both the historical precedent of running surpluses and also where we are with respect to the Social Security Trust Fund Program. I think what he said is most likely true for the Social Security trust fund because the Social Security trust fund deals with future needs, if you will, or payments to future beneficiaries when those dollars are being saved now for the future.

The highway and airport trust fund, which is the pending amendment, deals with current needs. Mr. President, every one knows that the bridges and the roads are lagging behind on maintenance and construction. Those roads and bridges need to be fixed now, not sometime 30, 40 years in the future.

Everyone also knows, even though there may be some virtue in a unified budget for the overall planning of the operation of the Government as big as this Federal Government is, that we would be running approximately a $17 billion highway program right now as opposed to a $14 billion highway program without raising anyone's taxes if the trust fund surpluses weren't being used to reduce the apparent size of the deficit.

So there is a real logical argument for this amendment and a separate record vote on it.

So I offer this amendment on behalf of myself, my friend from Kansas, Senator KASSEBAUM, Senator HOLLINGS, and Senator MCCLURE. The amendment states that the sense of the Congress is that Congress should enact legislation that makes the definition of the deficit exclude the surplus or deficit from the Social Security trust funds, the highways trust fund, and the aviation trust fund.

I want to make it clear for the record that this amendment is intended to take the highway and aviation trust funds, the highway trust fund, Rudman-Hollings deficit calculations. Because of Senate rules regarding perfecting amendments, my amendment is worded exactly the same as the Chiles amendment but at every appro-

priate place I've added the words highway trust fund and aviation trust fund.

This amendment is the highway trust fund and the airport improvement trust fund. It is a sense-of-the-Congress resolution. In my judgment its time has come. I hope we will adopt this sense-of-the-Congress resolution so that next year when the 101st Congress convenes we will be able to address this issue properly. That is to appropriate the funds, return to the States, if you will, the moneys that they have already paid into these trust funds.

The cash balance in the highway fund is expected to be $10.1 billion by the end of the current fiscal year. The President's budget proposal would reduce the obligation limitation for the highway program to $11.4 billion for fiscal 1989. That would bring down highway spending significantly. It is a reduction from the current $11.8 billion obligation limitation which in turn was a reduction from the $12.35 billion annual obligation limitation included in the 1987 highway bill.

If the President's proposal were enacted and held constant throughout the remaining 3 fiscal years of the current highway program, the cash balance in the highway account will be $14.2 billion at the end of 1991 according to the Congressional Budget Office. That is $14.2 billion. Just this past week when the Senate was not in session, in the communities in my State, in Lewiston, in Emmett, in Arco, in Rupert and Burley, all of my meetings were about needed highway projects to help those communities develop their economies and transportation so they can get the products to the market. We are badly in need—Mr. President, could we have order in the Chamber, please?

The PRESIDING OFFICER (Mr. DASCHLE). The Senate will come to order.

Mr. SYMMS. I thank the distinguished Presiding Officer.

Mr. President, the question is why are we not funding the Federal Aid Highway Program at a higher level? That is the question I posed to my colleagues. Why are we not funding the highway program even at the levels authorized in last year's Surface Transportation and Uniform Relocation Assistance Act? Is it because the highways and bridge repairs needs have disappeared? Do you think that is it? No. Are we collecting more money from the Nation's highway users than we can efficiently spend? The answer to that is clearly no. Why are we not returning those dollars back to the State departments of transportation, to the county highway districts, to the city and rural highway districts, and to the State highway commissions? Why are we not returning those dollars? This is not a spending program. This is returning the dollars that highway users have paid in to fix roads and bridges.

We are not collecting more money than we need to meet the Nation's highway and bridge needs. In fact, we are not collecting any money to do the job.

Yet Congress has refused to spend, and the administration refuses to recommend the spending of the user fees already allocated and dedicated for use in the highway program.

According to the Federal Highway Administration's 1987 highway bridge needs estimates, $51.4 billion would be required to meet our bridge and repair replacement needs. Just to maintain 1983 conditions on the Federal Aid Highway System through the year 2000 will take an additional $315 billion—that's $19.7 billion per year. That does not include any additional capacity requirements which could bring the cost up to about $43 billion per year.

So I think the funding needs to maintain this element of our economic productivity and growth through the turn of the century are astounding, yet instead of preparing to meet those needs we are cutting back on spending on this important program.

Show me a community in this Nation, show me a production facility in this Nation, whether it would be a farm, a lumber mill, or whatever, that does not have a good road by it, and I will show you one that will go broke.

We can talk all we want about free enterprise system in this country, but without a good road, I submit that it is difficult for people in one part of the country to produce goods and services and deliver them to another part of the country.

Eighty-seven percent of everything produced in this country goes over a highway. So I think it is important that we start having some integrity in the accounting system of the Federal Government and return these dollars to the States.

In my State of Idaho, we could use a much bigger highway program very efficiently and do great things to improve the ability of our State to have a strong economy.

Lewiston is the highest seaport on the Columbia Basin. There is a beautiful port, but the road from southern Idaho down the river to Lewiston is not completed so that you can take the maximum-sized rigs on the highway. It is a connector between Interstate 90 and Interstate 80. It goes from the Canadian border to Oregon. This is rough country, with long distances.

In my judgment, it does not make sense. It is shortsighted public policy. I hope this amendment will be adopted, and I hope we have a strong vote on this amendment, separately, to make the case that the highways and bridges are wearing out in this country and we are not making the commitment to repair them, but we are asking the taxpayers to pay the taxes.

In recent testimony before the Environment and Public Works Committee, the Administrator-designate of the Federal Highway Administration said the current cash balance and revenues to the highway account of the trust fund would be sufficient to sustain a highway program of $16.75 billion per year through fiscal 1991 without triggering the Byrd amendment, which prevents deficit spending from the trust fund. In other words, the funds are available to support a much larger highway program and the needs far outpace even the available funds. Why are we not spending it?

The answer is very obvious to why we are here and why we are not spending it. It is becoming obvious to many of our constituents who pay highway taxes. The truth is, we do not spend those user-financed, dedicated trust fund dollars because the growing cash balance in the fund helps us more easily meet the deficit reduction targets under the Gramm-Rudman-Hollings law.

On that point, I want to elaborate. The reason we do not spend out the Social Security funds and are accumulating a balance there is that we are talking about building up the surplus for the year 2010, 2011, 2020, 2025. That is projected future needs. The reason we do not spend funds for the highway program now, today, when we do need to spend those funds, is because of budgetary mathematics and to help meet those deficit targets.

I would agree with the distinguished former chairman of the committee that since we have the funds there, we might as well take credit for it in the accounting process, except that is exactly the reason we are not spending the money. We are taking advantage of the surplus, and the citizens are beginning to understand it. We all understand that the true Federal deficit is much larger than shown in the budget resolution.

This amendment is to let the secret out of the bag and address the problem of the highway program, which has done a great deal of good for this country.

People talk about the Sun Belt. I recall driving from Quantico, VA, to Pensacola, FL, in 1960, and found it was difficult to get more than 200 or 300 miles a day, and you were lucky if you did not get two or three tickets going through the small towns.

In my opinion, one of the greatest things that ever happened to the Sun Belt and the economy of the United States was to have the interstate highway put into place, so that you could get through the country without getting stopped or bottlenecked and so that goods and services could flow and

transportation and communications could work through the Southeast and through the southern part of the United States. It was a great benefit to my State to improve the highways, and it is a great benefit to this country.

The same problem is true with treatment of the airport program. Senator KASSEBAUM will lend us a lot greater expertise on that than I can. But I note that while spending in the airport program is increasing slowly, the cash balance in the airport trust fund is growing at a faster pace. The cash balance was $9.9 billion at the end of fiscal 1988. It is estimated to be $11.2 billion at the end of this fiscal year; and under the President's proposal, the cash balance will be $11.9 billion at the end of fiscal 1989.

The administration and some of my colleagues will point out that those figures include funds already authorized but not yet spent. They will say, in fact, that the surplus balance in the airport trust fund was only $5.6 billon at the end of fiscal 1987, and that figure will grow to $6 billion at the end of this fiscal year and drop back to $5.6 billion at the end of fiscal 1989, under the President's proposal.

The truth is that we have authorized a great deal more spending than we have actually allowed in the airport program. By imposing some artificial spending limitations, we are able to say that we have supported significant funding in the airport program, but then we turn right around and prevent a portion of the funds from being spent. The bottom line is that will have $11.2 billion cash sitting in the airport trust fund at the end of this fiscal year which we will not allow to be spent. There is just one reason that cash is sitting in the trust fund and is expected to grow. It is sitting there because the growing cash balance in the trust fund is used to offset the growing deficit in other accounts, thereby, making it easier for us to meet the Gramm-Rudman-Hollings targets.

Mr. President, my friend, Keith Bronstein of Chicago, called me yesterday about this subject. He said it is small comfort to him to be flying in an airplane—his work requires him to do a great deal of travel—to read in the paper about the continual problems in air traffic safety, and yet to see that we are accumulating, a cash balance in the trust fund. There are more and more opportunities for accidents to happen because of more airplanes flying out of congested airports. Yet, Congress and the administration are sitting on these funds and not giving the best effort to make air travel as safe as possible.

Mr. President, I wish to insert in the RECORD a letter which I recently received from Ray Barnhart, the immediate past Administrator of the Federal Highway Administration. Mr. Barnhart testified before the Committee on Environment and Public Works with respect to the administration's fiscal 1989 budget proposal for the highway program, and he sent this letter as a followup to that testimony.

Ray Barnhart is the longest serving Federal Highway Administrator in the history of this country, and he has a keen understanding of the importance of our transportation infrastructure to the Nation's economic and political well-being.

I ask unanimous consent to have the letter printed in the RECORD.

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

RAY BARNHART,
Austin, TX, March 15, 1988.

Hon. QUENTIN BURDICK,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR SENATOR BURDICK: Thank you for permitting me to testify before your Committee regarding the Federal Highway Administration and the Administration's proposed 1989 budget. Although my comments may not have been pleasant for some individuals to hear, and may not have been welcomed in view of Federal budgetary problems, they none-the-less are factually indisputable. The lack of attention given transportation inadequacies seriously compromises the economy of the nation. The support you and your Committee give to this major issue has won my earnest respect and gratitude.

Senator Mitchell has asked that I respond to questions regarding the appropriate level of obligation authority for the highway program for FY 1989. Although I cannot supply precise figures right now because some of my papers are still in my Washington apartment instead of here in Austin, I offer the following comments:

Last year all non-defense budgets were reduced roughly 4½% to accommodate deficit reduction, but that was after those accounts had been increased 2%; all, that is, except the Federal Highway Administration which received No increase. Again this year the Current Services Budget provided for all those agencies to benefit from another 2% increase Except for the Federal Highway budget which received No increase. At a minimum, that discrimination should be corrected and the obligation authority increased.

Projections show that the highway program could be carried at a level of approximately $16 billion per year for the next five years without violating the Byrd Amendment. Obviously, in light of G-R-H that level is impossible to achieve politically, but it should be significantly increased above the proposed level.

In 1982 the Congress, in response to the urgent request of the Administration, increased the federal fuel tax $.05 per gallon on gasoline and instituted an additional $.06 higher differential on diesel fuel, for the promised purpose of rebuilding this vital transportation network. Regrettably, some people in responsible positions seem not always to act responsibly in honoring commitments once made, for the highway program has not benefited to the full extent of the promises; the obligation levels of the Federal-Aid program have constantly fluctuated since the dedicated fuel tax was increased.

Total Obligation Authority, (including Minimum Allocations, Emergency Relief, and Demonstration Projects): FY 83—$12.826 billion, FY 84—$13.037 billion, FY 85—$14.082 billion, FY 86—$14.227 billion, FY 87—$12.815 billion, FY 88—$13.340 billion, proposed FY 89—$12.450 billion.

Considering the lack of stability of funding levels from year to year, it is no wonder that the States are becoming impatient with the Federal-Aid program; they simply do not know what dollars they can definitely expect. Compounding that problem is the fact that some of the obligation authority they are given must be used on Congressionally-mandated projects rather than on projects which fit into their state-wide highway plans. The bottom line is less usable funding.

In view of the documented and uncontested highway needs, the reduction of roughly $1.8 billion in obligation authority from FY 86 to FY 89 in my estimation cannot be rationalized, even when considering G-R-H, a position validated by the National Council on Public Works Improvement report which calls for a 100% increase in spending on infrastructure.

Accordingly, I suggest that the '89 Highway obligation level be set at approximately $14 billion. This level will be minimally acceptable until such time as we can take the Trust Fund off budget, yet it will not undermine budget-balancing actions.

1. Approximately $500 million should be restored to compensate for the previously mentioned 2% increases which were denied to the highway program for each of two years.

2. The additional funds necessary to reach the $14 billion figure should be available as a result of changing the method of collecting fuel tax revenues. I am convinced that Treasury has grossly underestimated the revenue coming into the Trust Fund.

Frankly, I would recommend a review of tax collection mechanisms and also the methods used to project revenue receipts. I cannot rationalize, for example, the anomaly of increased miles of travel on the highway system, increased fuel sales, and greatly-increased sales of trucks during 86/87 with the $600 million reduction in estimated receipts. Perhaps there is a valid explanation, but I haven't found it logical.

Similarly, most state authorities with whom I have spoken have estimated that, prior to implementing the new tax collection process, the Trust Fund was losing 20–30 percent of the federal diesel fuel taxes it should have been collecting. That would mean the Trust Fund should gain $700 million to more than a billion dollars each year, in addition to the billion dollars which should be realized from stopping the gasoline tax evasion.

Realistically, then, at the very least a $14 billion obligation ceiling can be achieved without smoke and mirrors!

Thank you for asking my views on this important topic.

Very truly yours,

RAY A. BARNHART.

Mr. SYMMS. Mr. President, I thank Senator KASSEBAUM for her support, and I urge my colleagues to approve the amendment.

In order to save time, so that other colleagues can speak and so that we can get on with the vote, I will not

read Ray's letter. I know of no one in the country who has a better handle on highway needs, how the dollars are spent, what can be done to make a more efficient and better highway system for the American people to enjoy, than the former Administrator, Ray Barnhart, and his testimony speaks for itself.

Mr. President, how much time do I have remaining on the underlying amendment?

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. SYMMS. How much time would the Senator wish?

Mrs. KASSEBAUM. Six minutes.

Mr. SYMMS. I am happy to yield to the Senator 6 minutes and more if she needs it.

Mrs. KASSEBAUM. Mr. President, I am pleased to be a cosponsor of the amendment of the Senator from Idaho, Mr. SYMMS. I think he has made a number of extremely valid points regarding the nature of our transportation trust funds.

During the course of the afternoon, I believe some very interesting points have been made regarding our budget.

One this afternoon was by the Senator from Washington [Mr. EVANS], who suggested that we look to an overhaul of our budget accounting procedures.

Another was made by the distinguished ranking member of the Budget Committee, Senator DOMENICI, when he talked about the importance of a unified budget, and the comments that were made by the late distinguished former chairman of the Federal Reserve, Arthur Burns, to the effect that we needed that unified budget to show us, as a matter of fact, the overall scope of the Government activity, that we needed to have on record all the revenues and all of the expenditures, and I think that is a valid argument.

But prior to that, the distinguished chairman of the Budget Committee, Senator CHILES, had made the point, and I think very well, that Social Security should be removed from the unified budget and the very points he made in talking about removal of the Social Security fund I think can well be applied to the highway trust fund and to the aviation trust fund and to the other trust funds that exist in the budget.

But in particular, both the highway trust fund and the aviation trust fund have suffered because of the budget constraints.

We have authorized full funding of these trust funds but they have not been appropriated. In fact, I believe that a case for taking the transportation trust funds off-budget may be even stronger than the case for the Social Security trust fund. I would like to just offer five reasons why I believe that to be the case.

First, every dollar spent from the aviation and highway trust funds must be authorized by the Congress on a regular basis. In addition, before a single dollar can be obligated, that action must be approved through annual appropriations legislation. That is not the case for Social Security spending. Such spending is entitlement spending and, as such, it is subject to neither regulatory authorization nor annual appropriation.

Second, authorizations for the aviation and highway programs are affected only in the amounts and to the extent that they are funded by a revenue title or a separate revenue measure originated with the Finance Committee in the Senate and Ways and Means Committee in the House. Spending authorizations are dependent on this independent revenue-raising legislative action. In the Social Security programs, spending is prescribed by law, with or without revenue legislation.

Third, the transportation programs covered by the Symms amendment have a built-in antideficiency protection. The revenue titles for these programs extend well past the expiration dates of their associated spending authorizations. That means that revenue collection continues after spending authorizations expire. It also means that, when new revenue legislation is enacted, revenues can be sent at levels calculated to match already enacted spending legislation. This protection does not exist in other trust fund programs, including Social Security.

Fourth, transportation trust fund spending is 100 percent covered by revenues from program users. That cannot be said in total for the other trust funds.

Fifth, the aviation and highway trust funds have been financially sound and solvent since their inception. The Social Security trust fund has been beset by a number of financial problems and has been the subject of various financial rescue packages, the latest of those being the bipartisan commission recommendations which were enacted in 1983. Long-term solvency is a critical difference.

These are critical differences that I think exist between the Social Security trust funds covered by the Chiles amendment and the transportation trust funds covered by the Symms amendment.

If there is reason to enact I think the Chiles amendment, then there is certainly a reason to enact the Symms amendment, and for that reason I am a strong cosponsor and hope that others will support us in this effort.

Before I finish, Mr. President, in seeing the distinguished chairman of the Budget Committee on the floor, I would just like to address a question to him.

When Senator CHILES talked about wishing to have a balanced budget in 5 years, I wondered if he has contemplated just how he would achieve this balanced budget, particularly by his removal of the Social Security trust fund? Would the Senator from Florida care to respond to that question?

The PRESIDING OFFICER. The time of the Senator from Kansas has expired.

Mrs. KASSEBAUM. I wish to have another minute or two.

Mr. SYMMS. How much time is left on the underlying amendment?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. SYMMS. I yield to the distinguished Senator whatever time she needs on the amendment.

Mrs. KASSEBAUM. I was really addressing a question to the chairman of the Budget Committee. I was wondering if the distinguished chairman of the Budget Committee could respond, because he has wanted to have a balanced budget in 5 years, is that not correct, as part of this resolution?

Mr. CHILES. That is correct.

Mrs. KASSEBAUM. And I fully appreciate the efforts he has undertaken in his work as chairman of the committee to try to achieve just that.

I wondered if he had projected just how this could be accomplished, particularly in light of removing totally from the unified budget the Social Security trust fund during that period of time and beyond?

Mr. CHILES. I will say to my distinguished colleague from Kansas I think that you would have to recognize that we are talking about $40 billion this year and $50 billion something next year.

Certainly you would have to recast it if the amendments were adopted on the highway trust fund. I do not think we are talking about that kind of money and surpluses and those surpluses are growing. So personally I do not see them affecting the deficit as much. I am only one person in that. I have not felt they have been a problem in the airport or the other. They are not accumulating and growing and they are not a direct tax like the payroll tax.

One other argument I would make why they are different is we are using general tax dollars in highways and in airports. In fact, if you said you were going to fund all of the airways out of the trust funds they would be in deficit, not in surplus. I do not know. I do not know whether that is true of highways. It probably is not. But it is true of the airways if you did that.

So I have not felt that they were much of a problem. But I would say, yes, you would have to recast the numbers, and that is why I am putting in 5 years, so that you are not leaving yourself with 3 years to balance. You

would start back and have 5 years. At least it would be something that would be done on a more truthful basis and it would be done on a basis where you really are not making the deficits by these huge surpluses.

Mrs. KASSEBAUM. In further discussion a bit, it would remove the Social Security, which is a different type of trust fund from the highway and aviation trust funds, as I just pointed out. However, you are removing a substantial amount from the plus side of the budget.

Mr. CHILES. Absolutely.

Mrs. KASSEBAUM. Would that not have to be made up with additional revenues somehow?

Mr. CHILES. That is why I said you would recast the formula and you are starting and you are having 5 years and not left with 3 years. So I think that is what it would be.

Mrs. KASSEBAUM. Would you recast it by raising the revenue as a part?

Mr. CHILES. What is Gramm-Rudman-Hollings now? It does not say you cannot raise revenues. It says you have to balance in a period of years. It never said anything about revenues. It said a combination of spending cuts and/or revenues, so that would be no difference at all.

Mrs. KASSEBAUM. I thank the distinguished Senator from Florida. I yield back my time.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. I yield such time as the Senator from New York may need.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise in opposition to this proposal. I will not take a great deal of time to state the grounds of opposition because I would think not a great deal of time is required.

Mr. President, we are trivializing the budget process. We are acting as if there were tricks by which we could get ourselves out of the condition that we created in the 1980's. We act as if there were ways to avoid reality and act as if some leakage of reality has taken place in this Chamber.

I cannot believe that I hear from responsible—and I mean that—conservative Members of this body the kinds of proposals which they have always associated with certain kinds of irresponsible views at the other end of the spectrum.

I speak only to the subject of the highway trust fund. I am chairman of the Subcommittee on Water Resources, Transportation, and Infrastructure. We take our work seriously. There are those who think we do it well. In any event, in recent years we have shown our capacity to legislate. After a long period of inactivity in respect to water resources, the first such bill in 17 years was adopted in the last Congress. We began this Congress with a Surface Transportation Act which we had to carry over the veto of the President, which we did.

We are moving legislation on infrastructure through our committee. We are moving a regular biannual water resources bill which we hope to make a regular feature. We deal with the Federal Highway Program.

The highway trust fund, Mr. President, was established in 1956 by the Interstate and Defense Highways Act of that year at the behest of a fine combination of two eminently responsible public men. Speaker, JIM WRIGHT, of Texas, then a member of the Public Works Committee proposed this measure to President Eisenhower as a way of ensuring that the Interstate Program would go forward, inasmuch as the tax on gasoline levied in that bill would be put in a special fund to be used only for highways. It was confidence making with respect to the public. There was going to be a lag of some period, and there was, as the highways got decent, before they went forward and the trust fund built up. But they were guaranteed and they were not diverted. It was an eminently sensible form of public finance.

There are purists who object to such matters but realists always say, "Now, look, it worked. It built the Largest Public Works Program in the history of the world."

We now propose to take it off budget after it has been part of our budget for a third of a century. And we think somehow this will change something.

Well, part of it is mythology. Early in this decade the then chairman of the Office of Management and Budget said of the new Social Security trust fund, of the highway trust fund that we would soon see the most devastating bankruptcy in history and here we are talking about surplus.

Now, it happens that the flow into the highway trust fund and the flow out is running at a very stable level. I cannot speak to the airport trust fund. I am not an authority and I know the distinguished Senator from Kansas is. I would just like to distinguish the airport trust fund with what I say here.

In the Social Security fund, I am chairman of the Social Security Subcommittee of the Finance Committee, we look forward to a time when we would have about a 1 year's outlay as a reserve or surplus, whatever term you would like to have. We do not have that. Right now we have 4 months. We will get there by 1992.

But, Mr. President, in the highway trust fund, that is exactly what we have, a 1-year reserve; not quite 10 months, something like that. It is a stable $10 billion. It has been 9, got up to 10 once in the first part of the decade, goes on at about 10 in the future. Our outlays actually rise from $13.5 billion this year. We move slowly to about $15.3 billion in the fifth year out; a stable program. This will finish the Interstate Highway Program itself. It is a steady thing. And we have about $10 billion on the side as a reserve. A reserve against some contingency that Americans should suddenly stop driving automobiles and not pay gasoline tax? Not exactly, but it is there. There are ups and downs and it gives you a cushion and the industry knows the program will go forward. Nothing is more essential and stable to highway building and maintenance than predictability.

In about two-thirds of our country, weather is such that there are seasons when you cannot build, cannot repair, and you have to do your work during certain periods of time.

The distinguished Presiding Officer can speak with great clarity to that matter. There are times in the high plains when you can pour concrete and times when you cannot. So predictability is good. Letting them know, when the contracts go out, if it is a 3-year project, there will be 3-year funding. We have that. For a third of a century we have worked it out. We built wonderful highways. We are continuing to do so.

Mr. President, I see no reason whatever to do this trivializing exercise. It is called gimmickery. It is exactly that sort of thing which invites derision, invites the suspicion that something is not as it ought to be here.

If I might say, if you would like to know what the effect of this measure would be, it is that for one time there would be an increase in the deficit of $10 billion. After that, you would never see any effect on Gramm-Rudman-Hollings or anything like that. For one time the deficit would go up to $10 billion. Thereafter, you would not know what had happened, except that you would know that you had begun to use funny figures; you had begun to suggest the Federal Government was spending less than the Federal Government was actually spending.

If the purpose is to disguise the level of Federal spending, so be it. That is not my purpose, Mr. President. I do not see how this body would wish to associate itself with a measure like that. It is, at some level, Mr. President, less than open government. It suggests that you can conceal activities from the American people. And we have seen that tried in other ways in this decade and they have not worked, either.

Mr. President, I ask unanimous consent that a table be printed in the RECORD at this point showing the highway tax receipts, interest income, total revenue, outlays, and balance from the years 1982 to the current

year, and then to the projected years until 1993. These have been prepared by the Congressional Budget Office.

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

TABLE 1.—RESULTS FOR THE HIGHWAY ACCOUNT OF THE HIGHWAY TRUST FUND

[In billions of current dollars]

Year	Highway tax receipts	Interest income	Total revenue	Outlays	Balance
Actual:					
1982	6.7	1.1	7.8	8.1	9.0
1983	7.8	1.1	8.9	8.8	9.1
1984	10.5	1.0	11.5	10.4	10.2
1985	11.6	1.3	12.9	12.8	10.4
1986	12.3	1.1	13.3	14.2	9.5
1987	11.8	.9	12.7	12.8	9.4
Estimated:					
1988	13.0	.8	13.9	13.5	9.8
Projected:					
1989	13.2	.9	14.1	13.5	10.4
1990	13.3	.9	14.2	13.9	10.7
1991	13.6	.9	14.5	14.5	10.6
1992	13.8	.8	14.6	14.8	10.5
1993	14.0	.8	14.8	15.3	10.0

Source: Congressional Budget Office.

Mr. CHILES. Will the Senator yield?

Mr. MOYNIHAN. I am happy to yield.

Mr. CHILES. I just listened to the Senator's remarks. I think there are some distinctions between Social Security and the highway and aviation trust funds. I just ask the Senator if he would agree with this.

First, what we are talking about, Social Security, it is going to rise from $46 billion in 1989 to $97 billion in 1993.

Mr. MOYNIHAN. I hope it is more in 1993. I hope in 1993 it is about $300 billion.

Mr. CHILES. But that is the annual.

Mr. MOYNIHAN. That is the increase.

Mr. CHILES. I am giving you the annual increase.

In contrast, the annual surplus for the highways and aviation is only $2 billion in 1989 and it vanishes into a deficit of $800 million by the end of 1991. So there seems to be a clear difference in both the magnitude and growth pattern.

Mr. MOYNIHAN. Yes. Well, I do not recognize that data.

My clear understanding is that the highway trust fund proceeds, with our outlays that we expect, is a stable surplus, if you would like, of about $10 billion.

It does not run over. Nor should it. It is in reserve. It is there. Good management would decree it.

Mr. CHILES. I think, again, perhaps the difference in our figures is you are looking at a cumulative cash balance and I am looking at annual figures.

Mr. MOYNIHAN. Oh, that increment? Well, it may start running down toward $10 billion toward the end of that period.

Mr. CHILES. The point I am making is it is important to note what we are talking about here is offsetting the budget deficit by these large annual increases and that is not really true of the highway funds or the aviation fund.

Mr. MOYNIHAN. That is right. That is exactly right.

Mr. CHILES. The second point is it looks like a distinction. It looks like Social Security is a different type of program in that it is an entitlement program in which Congress has expressly provided some special protections. We have exempted it from reconciliation and we have decided that Social Security should not be used to reduce the deficit. Thus, the expenditures are largely given in terms of the deficit. But highways and aviation are clearly discretionary.

Mr. MOYNIHAN. Clearly.

Mr. CHILES. They are not accorded any special treatment. And each year in appropriations, Congress sets spending levels for both highways and appropriations.

Mr. MOYNIHAN. That is exactly so.

Mr. CHILES. And then finally, Social Security was designed and intended to build these huge surpluses. It was part of the intent of the Commission the distinguished Senator from New York served on, to be used in future years. We are building up a long-term reserve to pay for baby boomers when they retire and those current surpluses are designed to keep that fund actuarially sound over a long period. However, the transportation surpluses trust funds, they reflect decisions by Congress to spend less than raised through gasoline and aviation taxes for a variety of policy reasons.

Mr. MOYNIHAN. Yes. I think that was the case at one point. But I think our pattern now is simply to maintain that reserve at about $10 billion.

Mr. CHILES. But again the purpose is clearly different. In the one we are building up a surplus.

Mr. MOYNIHAN. Yes.

Mr. CHILES. I thank the Senator.

Mr. SYMMS. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator from Idaho has 4 minutes. The Senator from Florida has 17 minutes.

Mr. CHILES. I yield back my time.

Mr. SYMMS. I yield back my time.

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

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Illinois [Mr. SIMON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Colorado [Mr. Wirth], are necessarily absent.

I further announce that the Senator from Delaware [Mr. BIDEN], is absent due to illness.

Mr. SIMPSON. I announce that the Senator from New Hampshire [Mr. HUMPHREY] and the Senator from Vermont [Mr. Stafford], are necessarily absent.

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

The result was announced—yeas 85, nays 8, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—85

Adams	Garn	Mitchell
Baucus	Glenn	Murkowski
Bentsen	Graham	Nickles
Bingaman	Gramm	Nunn
Bond	Grassley	Packwood
Boren	Harkin	Pressler
Boschwitz	Hatch	Proxmire
Breaux	Hecht	Pryor
Bumpers	Heflin	Quayle
Burdick	Heinz	Reid
Byrd	Helms	Riegle
Chiles	Hollings	Rockefeller
Cochran	Inouye	Roth
Cohen	Johnston	Sanford
Conrad	Karnes	Sarbanes
Cranston	Kassebaum	Sasser
D'Amato	Kasten	Shelby
Danforth	Kerry	Simpson
Daschle	Lautenberg	Specter
DeConcini	Leahy	Stevens
Dixon	Levin	Symms
Dodd	Lugar	Thurmond
Dole	Matsunaga	Trible
Domenici	McCain	Wallop
Durenberger	McClure	Warner
Evans	McConnell	Weicker
Exon	Melcher	Wilson
Ford	Metzenbaum	
Fowler	Mikulski	

NAYS—8

Armstrong	Hatfield	Pell
Bradley	Kennedy	Rudman
Chafee	Moynihan	

NOT VOTING—7

Biden	Simon	Wirth
Gore	Stafford	
Humphrey	Stennis	

So, the amendment (No. 1929 to amendment No. 1928) was agreed to.

Mr. RIEGLE. Mr. President, I would like to engage the distinguished chairman of the Budget Committee in a colloquy. As the chairman knows, there is a problem resulting from the way the Federal matching rate is calculated for Medicaid and AFDC. The data that is used to determine this formula is several years old and reflects a different economic climate than many States, including my State of Michigan, are currently experiencing.

This year, 17 States will lose a total of $114 million under the recalculated matching rate. Michigan will lose $56 million in Federal assistance at a time when the State is experiencing increasing unemployment and a general economic downturn. Your State of Florida will lose over $3 million.

I am working on legislation with several of our colleagues to freeze the matching rate at fiscal year 1988 levels for States that will lose money under the recalculated rates. This would give us some time to examine the way the

rate is calculated so that current economic conditions are reflected more accurately.

I had hoped to have this accommodated in the budget resolution and would ask the chairman to address this problem.

Mr. CHILES. I thank the Senator for raising this issue and understand his concern. I would point out that this adjustment happens every couple of years and frequently causes problems. I would also say to my good friend from Michigan that we have noted this problem in the committee report. I believe it would be appropriate for the Finance Committee to look at this situation and I can assure him that there is nothing in this budget resolution which would prevent that committee from taking action to address the problem on a deficit neutral basis.

Mr. BYRD. Mr. President, there will be no more rollcall votes today but we would like to set the time for the first rollcall vote tomorrow morning.

AMENDMENT NO. 1931 TO AMENDMENT 1928

(Purpose: To express the sense of the Senate that the Postal Service should be removed from the Federal budget)

Mr. BYRD. I understand that Mr. STEVENS will lay down an amendment this evening. I am also advised by Mr. STEVENS, Mr. CHILES, and Mr. DOMENICI that they will be agreeable to vote on that amendment tomorrow at 11 a.m. We will begin on the amendment at 10.

Mr. STEVENS. Very well.

Will the Senator yield?

Mr. BYRD. Yes.

Mr. STEVENS. Does the majority leader intend that I will lay down the amendment and make a few remarks, tomorrow we will have more debate on it, and then vote no later than 11 tomorrow morning, or do we want it at 11?

Mr. BYRD. If we could set the vote at 11, all Senators would be aware of that and they could answer to a 15-minute rollcall vote. That would be very agreeable.

Mr. DOMENICI. Will the distinguished majority leader yield?

Mr. BYRD. Yes.

Mr. DOMENICI. Might I say that Senators on my side have inquired about amendments, and with the concurrence of the chairman, I have told them there may be two or three amendments on this subject, that is, to the Chiles amendment with reference to trust funds. I thought it was more appropriate that we get them out of the way before we take amendments to other parts of the budget. So I believe there are two or maybe three more on this subject and then we will move to other parts of the budget.

Mr. BYRD. Very well. That means there will be two or three other amendments to the Chiles amendment; am I correct?

Mr. DOMENICI. The Senator is correct.

UNANIMOUS-CONSENT AGREEMENT AMENDMENT NO. 1931

Mr. BYRD. Mr. President, I ask unanimous consent—the distinguished Republican leader is on the floor—that Mr. STEVENS be allowed to lay his amendment down, which he can do anyway, and that debate on it proceed this evening, at whatever length Senators care; that at 10 o'clock tomorrow morning the Senate resume consideration of the budget resolution, and that the Senate vote at 11 o'clock on or in relation to the amendment by Mr. STEVENS.

Mr. STEVENS. Will the majority leader yield?

Mr. BYRD. Yes.

Mr. STEVENS. Could we have an agreement on the division of that time tomorrow morning between 10 and 11?

Mr. BYRD. Yes. I ask unanimous consent that the time be divided in the usual form, Mr. STEVENS have half the time and, if the manager is opposed to his amendment, he have the other half; if the manager is not opposed to it——

Mr. CHILES. It is my understanding that in unanimous-consent requests all points of order under the Congressional Budget Act remain.

Mr. BYRD. And that all points of order under the Congressional Budget Act remain in force. That would mean that if the distinguished manager of the bill is supporting the amendment, the minority leader would be in control of the time against it. That is in accordance with the usual form. The vote will occur at 11 o'clock on or in relation to the amendment.

The PRESIDING OFFICER. Is there an objection? Hearing none, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on the amendment at this time.

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

Mr. STEVENS. I ask for the yeas and nays on the amendment I send to the desk now.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, there will not be any more rollcall votes tonight. I ask unanimous consent that the vote at 11 o'clock tomorrow be a 15-minute rollcall vote and that the call for the regular order be automatic at the expiration of 15 minutes.

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

Mr. BYRD. I thank all Senators.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Alaska (Mr. STEVENS), for himself and Mr. MCCLURE, proposes an amendment numbered 1931 to amendment numbered 1928.

Mr. STEVENS. Mr. President, I ask unanimous consent that further reading of the amendment be waived.

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

The amendment is as follows:

At the end of the pending amendment, add the following:

SEC. . It is sense of the Congress that—

(1) The Postal Service is a unique, self-financing entity with a mandate to meet operating and capital expenses through income and effective financial management;

(2) Since 1982, the Postal Service has received no appropriations for operating purposes, paying its expenses from its own revenues;

(3) The Postal Service in no way contributes to the deficit problems faced by the Federal Government;

(4) Subjecting the Service to the constraints of a congressional and executive budget process threatens its ability to maintain the service necessary to sustain the nation's commerce and lines of communication;

(5) In order to best serve the public interest, the Postal Service must remain a free and independent entity;

(6) Including the Postal Service in the Federal Budget has hindered the Postal Services' much-needed capital improvement program;

(7) Including Postal Service surpluses and deficits in the Federal Budget, distorts the fiscal accuracy of the Federal Budget;

(8) Congress' constitutional responsibility to oversee the Postal Service will be ongoing regardless of whether the Postal Service is included in the Federal Budget; and

(9) Therefore, the receipts and disbursements of the United States Postal Service should not be counted for purposes of determining the Federal deficit.

Mr. STEVENS. Mr. President, my amendment is an amendment in the second degree to the Chiles amendment, which has the purpose of stating, as a sense of the Senate that the U.S. Postal Service's budget also ought to be off budget. Let me state to the Senate the history of the Postal Service budget. In 1974, the President exercised his discretion under the Postal Service Reorganization Act to take the postal operations of the United States off budget. In 1985, the President's 1986 budget included the Postal Service on budget for the first time as part of his proposal to bring all Government entities on budget. In 1986, the Gramm-Rudman-Hollings amendment required that all Federal entities be included in the Federal budget except for Social Security to the extent that it is off budget, which brings us to the point now of what the Senate should say with regard to the future role of the Postal Service budget in relationship to the budget of the United States as we proceed toward the goal of reaching a balanced budget.

The problem that I have—and I would like to remind the Senate of that problem—is that last year on the floor of the Senate we had debate on

the agreement that was made on the 1988 budget. At that time we were faced with the agreement that was reached between the President and leaders of the Congress which determined that $850 million of the proposed expenditures for the fiscal year 1988 should be eliminated from the Federal Personnel System in order to achieve the goals of that agreement.

At that time I spoke at length in this Chamber, Mr. President, concerning the proposal because I opposed well over half of that amount coming from the Postal Service and I still oppose the concept of taking payments to the Postal Service to reach an objective of balancing the budget primarily which should deal with securing revenues based upon our tax laws.

Mr. President, I will speak at length on this subject tomorrow, but I want to state the reason I am raising this issue. I have served now on the Post Office-Civil Service Subcommittee and the old Post Office Committee longer than any Member of the Senate. I have lived through this concept of reorganization of the Post Office. I think it has worked. We created a system which has a Postal Rate Commission. They established the rates to be paid by the users of this system and those rates are to be such as to allow us to expand the system, to preserve the system, to meet our constitutional requirements, and I remind the Senate that the Constitution directs the Congress to maintain post offices and post roads. We did that in the postal reorganization of 1970 by establishing this organization which led us toward a total separation of the old post office from Federal taxpayers' money.

In the past, there was a substantial subsidy to the Post Office Department. Today, the U.S. Postal System needs not only operation moneys, but also capital for expansion, and modernization, and it comes from the amounts paid by those who use the system. I do not believe that this organization, which now has a business-type budget established in a semiautonomous unit of the Federal Government and still consistent with the constitutional requirements imposed upon Congress, should be affected by budget decisions made here with regard to how much money the Federal Government should spend. The Postal Service's income comes from ratepayers' money, but as a consequence of the decision we made last year the Postal Service had to seriously modify its services, its plan for improvements, including modernizations, and in my judgment that was wrong.

The Postal Service is different. This is the key point I am making. The Postal Service is different from the other Federal entities that Congress authorizes money for, limits the amount that they can spend, and asks the taxpayers to support. This system is supported by the postal ratepayers. And the ratepayers ought to know when they pay for a stamp or they pay for postal services, that they are going to have the facilities that are required to perform those services. That cannot be assured if in future years similar proposition or any proposition are enacted similar to last year.

I cannot remember a situation with regard to the budget where the people who were involved in the conference committee were so cognizant of the difficulties that were caused by the agreement that was reached between Congress and the executive branch last year. I do not know what the basic reason for crippling the Postal Service budget was. I have my own feeling. I will state it. My feeling is the Office of Management and Budget Director believes in privatization of the Postal Service and sought to achieve a portion of that goal.

In any event, whether I am right or wrong, and I could be wrong on that, it was wrong to be forced to do what we had to do last year, and that was to partially cripple the service which presents to this country the best postal system in the world. And I might add the postal system even after the last rate increase still has the lowest rates in the world in terms of the actual moneys spent by any government or ratepayer to support a postal service.

I hope that the managers of the bill will support this amendment that I have offered. I understand what the Senator from Florida is doing. I admire his situation with regard to stating now the sense of the Senate concerning the use of these moneys. I believe we ought to also state now that it is the goal of the Congress, and particularly of the Senate itself right now, that the receipts and disbursements of the U.S. Postal Service should not be counted for the purpose of determining the Federal deficit. That is the simple statement of my amendment. It is not binding I might say on the Congress. But it states a goal which I believe ought to be achieved.

Mr. President, I will continue my statement in the morning. I say to my good friend I would be happy to be here whenever he wishes me to be. If he wishes me to be here at 10 o'clock, I will do that. I will continue with my time at that time because I understand he has a problem downtown.

Mr. CHILES. I have a hearing here beginning at 9 o'clock in the Labor Subcommittee on Appropriations. I will say to my good friend somewhere in the neighborhood of around 10 o'clock I would hope we would be able to start.

Mr. President, I just want to make a couple of short remarks tonight and then we will continue this tomorrow.

The impact of the deficit taking the Postal Service off budget will vary from year to year because the post office account fluctuates year to year reflecting mainly the impact of rate increases. In years prior to a rate increase the account is always running at a deficit. In 1988, for instance, the account showed $1.2 billion in budget authority and $1.7 billion in outlays. That actually contributes to the deficit.

Just after the rate increase the Postal Service will run closer to a cash balance or usually even a surplus. For instance, the CBO projection for 1991 is a $0.2 billion in budget authority, and a negative $0.9 billion in outlays.

So taking it off budget does not have any real effect on Federal spending. However, depending on the year and being considered off budget status for the Postal Service can either increase or decrease the deficit.

While the Postal Service largely finances its operations and capital improvement from its own resources, there are many public sources of support including revenue foregone, certain retirement COLA's, and health benefits for workers that were hired prior to a certain time, and the Postal Service receives roughly about $2.5 billion from the Federal Government every year.

In addition, the Postal Service benefits both from the ability to borrow through the Government, therefore reducing their costs, and from the gift of a number of GSA-owned capital assets that were provided in the Postal Service reorganization in 1970.

While some of my colleagues will argue that the Postal Service does not contribute to the deficit, this is not exactly the case. As I have noted from my previous comments, in the years prior to the rate increase, the Service operates at a deficit. That adds to the Federal deficit. After the rate increase the Service operates at or near surplus. That decreases the Federal deficit.

Mr. President, I am of a mixed mind as to whether the Service, to tell you the truth, should be off deficit or not. There are some pretty good reasons perhaps that it should. I think the Committee on Governmental Affairs ought to be holding hearings on this. They are the authorizing committee. I really think it should go into a study for that.

For those reasons I will resist the amendment of my good friend from Alaska. I assume we will talk a little bit more about that tomorrow.

Mr. STEVENS. Mr. President, I shall talk a little bit about that tomorrow. I think the Senator has raised some interesting points. I will be happy to comment on them.

As a practical matter let me say that even if the Congress were to carry out the sense of the Senate that I wish to express, take it off budget, there still

would be items in the Federal budget that reflect the payments we make for decisions that have been made by Congress—for instance, the free mail that we provide to the blind and we provide assistance in other areas.

We have mandated special rates that the Postal Service must observe in setting its rates under the Postal Rate Commission. That is the revenue foregone that my friend has described. Congress can change those if it wishes to. It can also mandate that the rates of the Postal Service be such as to absorb those even within the recommendation that I make.

So I will speak on that tomorrow. I said here to my friend we will oppose this because I think it is one of the substantial things that is going to determine the future of the Postal Service. Those people who want privatization of the Postal Service ought to vote against my amendment. Those people who believe we must carry out the congressional mandate that is contained in the Constitution I hope will support it because it is a constitutional mandate that we support the postal system. We have a postal system. And I do not think we can do that on a Federal basis if we tell the Postal Rate Commission to establish rates and then we turn right around and tell the Postal Service it cannot spend the money that comes in from the revenues derived from the application of those rates in the manner in which it was budgeted and approved by the Postal Rate Commission as presented by the administration of the Postal Service.

I will go into that at length tomorrow. I have no more comments tonight.

Mr. BINGAMAN. Mr. President, as we consider the budget resolution, it is important to look at the effect of that budget on our long range economic goals. More than any other single piece of legislation, the budget is the reflection of the Federal Government's goals and priorities. In the near future, the Senate will take up the conference agreement on the Omnibus Trade and Competitiveness Act. It is, therefore, especially appropriate that we examine the budget resolution in the context of our efforts to improve America's economic competitiveness.

In recent months, the administration has all but proclaimed our competitiveness problem over. Yet, last year's historic trade deficit has not disappeared. Productivity growth in the United States lags behind that of our economic competitors. The United States is still the world's largest debtor nation. We continue to add to the $2.7 trillion Federal debt at a rate where interest payments on the Federal debt in fiscal year 1989 will by themselves exceed the total, combined budgets of the Departments of Agriculture, Commerce, Education, Energy, Interior, Labor, and Justice, the Veterans' Administration, the Environmental Protection Agency, the National Science Foundation, and the National Aeronautics and Space Administration.

The administration's rosy predictions notwithstanding, we still have not dealt with the stagnating standard of living for working Americans. Real wages are below where they were 10 years ago. The median real family income is stagnated. The recently released report by the Corporation for Enterprise Development entitled "Making the Grade: The 1988 Development Report Card" sums up the situation when it states:

> One of the most jarring impacts of the rapid restructuring of the American economy during the 1980s has been the decline of well-paid, low-skill jobs and the rise of low-paying, moderate-skilled jobs. Caught in between are people who once could support a family by their labor and now cannot.

In area after area—trade, technology, human resources, capital formation, and international economic policy—our competitiveness problems remain. This is not to say that we have not made progress, we have. But, contrary to the administration's claims, we still have a long way to go.

Mr. President, to begin to correct our problems, we must continue to make the restoration of our economic competitiveness, with the purpose of raising the standard of living, a major priority of our economic policy. Deficit reduction is important to improving our competitiveness, and the budget currently under consideration fulfills the deficit reduction commitment we made last year. In this regard, this budget is a major step toward solving our competitiveness problems. But, we should keep in mind it is only one step. As we consider the budget resolution and move through the budget and appropriations process, I urge my colleagues to continue to focus on the larger problem of sustaining our competitive position in the world economy.

FISCAL YEAR 1989 BUDGET RESOLUTION AND CIVILIAN PAY RAISES

Mr. GLENN. Mr. President, the White House-Congressional Budget Summit Agreement of November 20, 1987, reduced civil services and postal spending by $1.7 billion over 2 years. However, while these spending cuts have been enacted into law, they were taken from postal operating and capital cut-backs and Federal retirement benefits. They were not made through reductions in pay.

The budget summit agreement contained no specific assumptions with respect to fiscal year 1989 employee pay raises because it capped the aggregate level of discretionary appropriations that fund pay raises. Therefore, as the President's budget assumes, employee pay raises cannot increase total Government spending, whatever the rate of increase, under the terms of the appropriations cap.

Would the chairman of the Budget Committee clarify what assumptions for Federal pay raises are contained in the pending budget resolution?

Mr. CHILES. The situation concerning pay raises is highly unusual and different this year than in all previous years. This year, there are caps on the amount of funds that can be spent for domestic programs and for defense. The amounts for domestic pay raises are included under the domestic cap. Therefore, changing the civilian pay raise assumption will have virtually no effect on total spending or on the deficit. However, any increase in the pay raise assumption means that there is less money available for other domestic programs under the cap and any decrease in the pay raise assumption means there is more money available for programs under the cap. In addition, since the funding for pay is spread among all the programs under the cap, it was decided to show these amounts in each function and not to show the total separately in function 920. Therefore, there is no easily available amendment that could change the pay raise assumption. A Senator who offered an amendment would have to change every domestic function total. Similarly, there was no need nor any reason to reconcile the Governmental Affairs Committee for any pay savings this year.

There is a very small technical effect that the pay raise assumptions have on the deficit. Pay raises marginally affect the amounts included in function 950 for the employer contributions to the retirement funds. Thus, in putting together a budget resolution, it was necessary to make some assumptions about civilian and military pay raises. Until overturned, the President's proposal for a civilian pay raise would stand. At this point, it is presumed that the President will formally propose the same pay raise that he assumes in his budget—2 percent. Therefore, this is the assumption contained in the budget resolution.

However, if the budget resolution were passed, there is absolutely nothing to preclude any Senator from offering legislation that provides for a higher pay raise for civilian workers or which overturns the President's pay proposal—assuming that, in August, he proposes a 2-percent pay raise for civilians. No point of order would lie against such legislation, as long as the funds for the pay raise came under the appropriations cap. Thus, for example, this budget resolution could accommodate a higher pay raise for all Federal civilian workers.

Mr. GLENN. If I understand the Senator from Florida, a higher civilian pay raise would be consistent with the terms of the budget resolution.

Mr. CHILES. The Senator from Ohio is correct.

Mr. GLENN. I am gratified to hear that. While Federal civilian and military pay raises are linked under existing law, the committee reported budget resolution this year would continue President Reagan's proposals of "decoupling" and seeking less than inflation pay raises for Federal civilian employees. As a result of this policy, Federal civilian pay has declined in real terms in each of the last 7 fiscal years.

A 2-percent pay raise will do nothing to address the pay gap between Federal employees and their private sector counterparts. The President's pay agent reported in August 1987 that Federal pay lags behind comparable private sector wages by 24 percent and recommended—in light of Federal budget constraints—an 8 percent pay raise. The pay agent also reported that signs of strains of the current pay system were now being seen throughout the Federal Government, from the recruitment and retention of clerical support to senior executives. Every year for the last 12 years, Federal civilian employees have received a pay raise that has been less than the amount due to them under the Pay Comparability Act of 1970.

The Congressional Budget Office [CBO] baseline assumes that Federal pay will be adjusted by 4 percent, for inflation, in fiscal 1989. Using these assumptions, the purchasing power of Federal salaries would continue to be eroded with a less-than-inflation-rate 2-percent increase.

A larger pay raise for Federal civilian employees would, at least, provide minimal recognition of the position of Federal employees in relation to their private sector counterparts. Perhaps more significantly, it would help protect against the value of their salaries being further eroded by inflation. It is my hope that I will find agreement from my colleagues on this important issue.

What I understand the chairman of the Budget Committee to be saying is: the pay raise assumptions used in this year's Senate version of the budget resolution are not binding on subsequent legislative action this year. Am I correct?

Mr. CHILES. The chairman of the Governmental Affairs Committee is absolutely correct.

ENVIRONMENTAL PROGRAMS AND THE BUDGET RESOLUTION

Mr. MITCHELL. Mr. President, I would appreciate it if the distinguished chairman of the Budget Committee would enlighten us with regard to the assumptions in the proposed resolution regarding programs administered by the Environmental Protection Agency. As you know, many members of the Environment and Public Works Committee are particularly concerned about the inadequate level of funding proposed by the President for the sewage treatment construction grant and loan program in fiscal year 1989.

Mr. CHILES. I am happy to respond to questions and concerns of members of the Environment and Public Works Committee on funding for EPA programs. The concurrent resolution we are considering can accommodate a level of funding approximating fiscal year 1988 levels. Modest increases in the Superfund and Leaking Underground Storage Tank Program as well as the operating budget for the Agency are included.

Mr. CHAFEE. Is it correct to say that the Budget Committee agrees that the $1.5 billion proposed by the President for the Sewage Treatment Construction Grant and Loan Program in fiscal year 1989 is inadequate and that the President's request for the natural resources function is generally insufficient?

Mr. CHILES. The Senator is correct. In fact, the level in the budget resolution before us is $600 million above the President's request for discretionary programs in function 300.

Mr. LAUTENBERG. As you may be aware, I along with Senators MITCHELL and CHAFEE and other members of the Environment and Public Works Committee introduced a Senate resolution on March 1, 1988, on the matter of sewage treatment construction grants and loans. A total of 33 Senators have joined as cosponsors to express their opposition to the level of funding proposed by the President for this program. As a member of the Budget Committee, I have worked hard to assure an adequate budget for the Environmental Protection Agency. It should be noted that although function 300 has been decreased, the budget resolution assumes an increase in the overall EPA budget to accomplish an increase in Superfund, while rejecting the President's proposed cuts in the Construction Grants Program.

Mr. CHILES. I am aware of efforts of the Senator from New Jersey and his colleagues to maintain funding for the construction grant and loan program. As the Senator knows, I supported enactment of the Water Quality Act Amendments of 1987 and share the concern that funding for this program is not drastically reduced. The function 300 funding level represents a strong environmental budget and balances the needs for pollution control and resource protection programs.

Mr. MITCHELL. I appreciate the comments of the distinguished chairman of the Budget Committee.

Mr. RIEGLE. I would like to engage the chairman in a discussion about the Urban Development Action Grants [UDAG] Program and the Community Development Block Grant [CDBG] Program. As the distinguished chairman is aware, the budget resolution we are considering today cuts these programs by nearly 6 percent.

This is an area of major concern to me and to my State. These programs have already taken more than their fair share of funding cuts over the last several years. UDAG has been reduced by 68 percent and CDBG has been reduced by 22 percent since 1981. At the same time, the demands on these programs have increased.

There are very important programs for prompting economic and community development in distressed areas. UDAG's have been a helpful tool for attracting much-needed capital to revitalize urban areas. We have had a number of success stories in Michigan and across the country. I and other members of the Banking Committee have been working to make the program work better and more efficiently and I think we have been successful. CDBG is also a very important program which helps communities respond to urgent economic and human needs. Urban areas are still recovering from cuts in other programs including the loss of revenue sharing. Further cuts at this time with many areas facing uncertain economies, will be damaging.

I would also like to point out that we just passed a Housing bill which the President signed into law reauthorizing these programs at the fiscal year 1988 funding level. We should not make cuts in these programs after supporting the higher levels in the authorization bill.

Mr. CHILES. I thank the Senator for his comments and appreciate his concerns. We all know that we face a tight budget situation and many difficult choices as we live within the domestic spending caps negotiated as part of the budget summit agreement last year. We provide assistance to local communities in many parts of the budget. Some of these will be increased, some will be decreased, but overall, aid to State and local governments under this budget resolution will be increased by the substantial amount of $6.1 billion—5 percent.

I would say to my friend, the Senator from Michigan, a stalwart defender of these programs, that there are many steps ahead in the process before the particular levels for these programs. We have to go to conference with the House. The Appropriations Committee has to divide up its funds, and the HUD-Independent Agencies Subcommittee must divide up its money among specific programs. So there will be many opportunities to address this issue.

FOREIGN OPERATIONS SCOREKEEPING

Mr. INOUYE. I would like to ask my friend, the chairman of the Budget Committee about scorekeeping for international affairs programs. My un-

derstanding is that last year's summit agreement specified certain levels of funding for the international affairs functions of the budget.

Mr. CHILES. The Senator is correct. Discretionary funding levels for function 150 were set in last year's summit agreement at $18.1 billion in budget authority and $16.1 billion in outlays. This budget resolution follows through with the summit agreement allowing for modest growth in the foreign assistance and State Department operating programs.

When mandatory programs, income from loan programs and the level of activity in the foreign military sales trust fund are included, the function total comes to $16.6 billion in budget authority and $16.2 billion in outlays.

I consider these levels to be a floor as well as a ceiling.

Mr. INOUYE. Last year, it was decided that the foreign military sales guarantee reserve fund would be considered a mandatory program. As such, it is my understanding that this program is not contained within the discretionary levels assumed in the summit agreement. Furthermore, as a mandatory program, increasing demands against the guarantee reserve fund should not be traded-off against discretionary programs within the summit limits.

Mr. CHILES. The Senator is correct.

Mr. INOUYE. It is also my understanding that the Budget Committee will score $270 million in 1989 budget authority against the Foreign Operations Subcommittee for a debt reform measure included in last year's continuing resolution.

Mr. CHILES. The Senator is correct. The conference report on House Joint Resolution 395, the continuing resolution for fiscal year 1989, included an advance appropriation for interest rate reductions on existing foreign military sales loans. This appropriation becomes available in fiscal year 1989. Unless a change is made in the law, $270 million in budget authority will be scored against the subcommittee.

Mr. INOUYE. I thank the Senator.

FUNDING FOR REFUGEE RESETTLEMENT PROGRAMS

Mr. CRANSTON. Mr. President, I am happy to see that the committee has recommended that reimbursement for the Refugee Resettlement Program cover the first 31 months from entrance. This reimbursement was reduced to 24 months in fiscal year 1988. As a result of this reduction, my State alone will lose $6 million in fiscal year 1988.

The reduction of reimbursement for the Refugee Resettlement Program to 24 months is clearly inconsistent with congressional intent. The original statute which created the refugee resettlement program called for 36 months of coverage, and Gramm-Rudman-Hollings cuts required an adjustment of that coverage to 31 months. The committee's recommendation is, therefore, reasonable in light of budgetary constraints.

Mr. Chairman, I would also like to comment on another issue of concern which has arisen as a result of the immigration of Armenian refugees to this country, and one which must be addressed by the President. When the President sent up his budget, he indicated that only 51,000 refugees would be admitted. Later, the State Department raised the figure to 68,500. More recently, the President asked that an additional 15,000 refugees be admitted from Armenia. While the latest increase in the number of refugees means that a total of 83,500 refugees will be admitted to this country, the President's budget only asks for funds for 51,000 refugees. To assure the success of the refugee resettlement program, I urge President Reagan to request adequate funds to pay the costs of resettling the entire number, 83,500, he plans to admit this year.

Mr. CHILES. Senator CRANSTON, I am very glad you brought this new development to the attention of the Senate. I have always been a strong supporter of the Refugee and Entrant Assistance Program, and I will continue that support as long as I remain in the Senate. In addition, I strongly believe that it is inappropriate to limit assistance to refugees for 24 months. To do so we would be clearly contrary to the intentions of the authorizing legislation. That is why I have included sufficient funds so that assistance for refugees can be provided for more than 24 months. Finally, I am greatly concerned about the even larger numbers of refugees that the administration now recommends should be admitted to the United States in 1989. I would hope that the administration would soon clarify how this problem should be addressed for 1989.

FEDERAL EMPLOYEES PAY RAISE

Mr. RIEGLE. Mr. President, I rise today to join my colleagues in support of the 3-percent general pay raise for Federal employees as contained in the House-passed budget measure.

The hard work and dedication with which our Nation's Federal employees perform their jobs makes them very deserving of this raise. I was not pleased with the 2-percent raise advocated by the administration and contained in the Senate's budget package. By accepting the House-passed pay raise of 3 percent, we can send a message of support to our Federal workers.

I will continue to work to ensure that Federal employees receive adequate levels of pay. During these times of continued budget cuts to many important Federal programs, difficult decisions constantly need to be made. But, we must not forget our Federal employees who have so frequently been asked to bear the burden of cuts. I ask my colleagues to join me in support of the 3-percent pay raise.

HUMPHREY-HAWKINS COMPLIANCE

Mr. SARBANES. Mr President, the resolution before us with respect to the budget for fiscal year 1989 reflects the guidelines set forth in the agreement reached late last year on the fiscal year 1988 and fiscal year 1989 budgets. It reflects certain constraints. Nonetheless, it is important to recall that all budgets to some extent also reflect goals and priorities; and our consideration of the current resolution should reach to this broader issue.

In 1978, the Humphrey-Hawkins Act amended the Congressional Budget and Impoundment Control Act of 1974 to assure that such consideration would indeed take place. That act was named in honor of its principal sponsors: in the Senate, our late distinguished colleague, Senator Hubert Humphrey; in the House, Congressman AUGUSTUS HAWKINS, who serves with great distinction as chairman of the House Committee on Education and Labor.

It is as important as ever today to undertake the broader perspective called for by the Humphrey-Hawkins Act. It is in our interest to address the question of the underlying goals and long-term implications inherent in our budget decisions.

The economic environment has changed profoundly in the 1980's. Our standard of living now depends crucially on our successful participation in the world economy. Yet the United States has had a record trade deficit in each of the last 6 years, and as a consequence the United States, which was the world's largest creditor nation as recently as 1981, is today its largest debtor.

Setting out upon a steady and sustainable path to reduce the trade deficit and slow the growth of our foreign debt represents a difficult challenge. Paying off the debt and returning to creditor status without jeopardizing our standard of living presents an even greater challenge. To meet it, we must take the steps necessary to build a sound economy with strongly improving productivity, not only for the next few years but for the decades ahead.

Even while addressing the budget for the coming fiscal year, we keep in mind the challenge of assuring long-term economic growth. The critical budget and trade deficits confronting us today have been built up over the course of this decade. They will not be remedied overnight. Steady and sustainable economic growth will require prudent investments in critical areas—in our physical infrastructure, to repair decaying roads and bridges, to assure an adequate and safe air transportation system, and to improve anti-

quated water systems; in research and development programs, where for the first time other nations' match ours.

Above all we must invest wisely in our own people, on whose capacities the future direction of our economy will depend. Our workers will increasingly have to compete with their brains as well as their hands. We cannot afford a high school dropout rate of 15 to 25 percent, or a functional illiteracy rate among adults conservatively estimated at 13 percent. A future America where the prospect of a decent job at a decent wage is more a distant dream than a reasonable expectation will be very different from the America of the past.

More vigorous growth, a more competitive economy and expanding employment opportunities are objectives that can and must be sought together. Their achievement, however, will require a sober acknowledgement that the challenges of the present must be addressed in the broader context of our responsibilities for the future. As we confront current realities in the context of the budget for the next fiscal year, we must seek a route to credible and sustained deficit reduction which also pays adequate attention to the needed investments in our economic future.

Mr. PROXMIRE. Mr. President, once again, I want to applaud my distinguished colleague the senior Senator from Maryland, who chairs the Joint Economic Committee, for introducing into the CONGRESSIONAL RECORD a discussion of economic goals and policies. Of course, the Humphrey-Hawkins amendment to the Congressional Budget Act requires such a debate in conjunction with the First Concurrent Resolution on the Budget, but too often the Senate has failed to comply.

This requirement is part of a series of enactments which attempt to raise congressional and public consciousness about the importance of budgetary decisions. What we do when we adopt the budget affects not only spending for Government programs in a particular fiscal year. There are longer term effects that are arguably more important than what happens in any particular year. But too often the longer term effects are not adequately considered when budgets are proposed by a President and acted upon by Congress.

The budget is one of the principal tools by which the Government can influence economic activity. Inevitably, the budget does influence the economy, for better or for worse. Today, one senses a lack of urgency, or at least a diminished level of concern, about the economy. There are certain positive aspects to current economic performance. And there is a tendency to be satisfied so long as the traditional major indicators are moving in the right direction. We are in a period of sustained growth, relatively low inflation, and declining unemployment.

However, these indicators can be misleading. In the first place, growth over the past several years has been below the long-term average rate of growth of 3.5 percent and promises to stay below that level for the foreseeable future. Inflation is lower than it was in the 1970's but higher than it was before that period. Unemployment is still far too high.

More significant to me is the huge increase in the national debt, the fact that the Federal deficit is still much too high, and the enormous amount of corporate and consumer indebtedness.

Indeed, debt, rather than growth and real prosperity, may characterize the 1980's to future historians. The United States has an extraordinary trade deficit and is now the world's largest debtor nation. The weakness of the United States dollar abroad and the slow productivity growth at home, together with our Federal, private, and foreign indebtedness, are the real indicators of the state of the economy and of the nature of our economic problems.

When we consider acting on this year's budget, we ought to pause to reflect on whether we are facing up to these problems. My own judgment is that there is a much ducking as facing in this year's budget, as it is presently constructed. I view the budget and last year's budget agreement as an elegant Federal punt.

There are some important decisions implicit in the present proposal, but not enough of them. Footballs have a way of taking funny bounces and, by the fall, many people may be surprised at how the budget and the economy looks.

Mr. KERRY. Mr. President, I am pleased to again join those who wish to remind us of the importance of the Humphrey-Hawkins Act and the need to debate economic goals and policies. I commend the chairman of the Joint Economic Committee—the senior Senator from Maryland—for arranging this colloquy. I will again direct my remarks to our employment goals and the need to maintain full employment.

As I indicated last year nothing can contribute more to our economic well being and standard of living than providing jobs at decent wages for all those who want to work. The Humphrey-Hawkins Act, and its predecessor Employment Act of 1946, serve as important reminders of the need to promote economic growth and full employment. Failure to pursue full employment policies will push the economy below its potential to generate jobs and output and produce complacency so that less than satisfactory improvements are hailed as great success stories. Three items illustrate this tendency.

The Bureau of Labor Statistics [BLS] recently reported that the civilian unemployment rate for the month of March 1988 declined to 5.6 percent—the lowest level since May 1979. Behind this welcome news is, however, a story of the steep recession of 1981-82 which brought unemployment rates of more than 10 percent.

The growth in employment between 1980 and 1987 has been hailed as evidence of the job creation capacity of our economy. Yet employment grew by only 13 million jobs in this period-substantially less than the 15 million jobs created in the previous 7 year period—1973-80. In addition, as acknowledged by the BLS in testimony before the Joint Economic Committee, the slowdown in the growth in the labor force—due to the decline in birth rates and a slowdown in the increase of the number of women in the labor force—has made it easier to reduce the unemployment rate. Thus the decrease in the unemployment rate is in part related to demographic changes and not to a job creation machine.

As real hourly wages, in private nonagricultural industries, have declined almost every year since 1980—and are now 2 percent lower than in 1980—more members of each family have needed to enter the labor force in an attempt to maintain the family's standard of living.

While growing employment is a sign of an expanding economy, the items noted above illustrate that if you get too deep in the hole-through a big recession it takes a long time to pull yourself out of the hole. And now that we are almost out of the unemployment hole we must adopt budget policies that keep us out of the hole.

But Mr. President, although we are almost out of the unemployment hole, let us not forget the costs of recession—cost which are so large that they should be avoided. The budget and trade deficits, which our children will inherit, are, in part, related to our failure to generate a productive full employment economy. Equally important is the loss of current output over the past 7 years—output which we can never recover.

While precise calculations are difficult to make, it is useful to indicate the magnitude of lost output due to our failure to achieve full employment. Over the past 7 years unemployment has averaged almost 6.5 percent. Had the economy operated with 4.5 percent unemployment then, on average, in each of the past 7 years output—in 1988 dollars—would have been about $250 billion greater than it actually was. What would $250 billion of output in each of 7 years mean.

The annual output of $250 billion is enough to pay for the defense budget over this 7-year period.

This $250 billion represents about 40 percent of the annual budget of all State and local governments.

Over this 7-year period, $250 billion of annual output is enough to pay for the Social Security Program—including Medicare.

By not promoting full employment it is as if we had taken on average about 5 percent of our national output and thrown it way. But Mr. President that is precisely what we have done. There are people out there who want to work and cannot find jobs. The BLS estimates that there are 7 million workers looking for work but who cannot find employment. Furthermore, an additional 5 million persons are working part-time because they cannot find full-time jobs. Finally, there are 1 million workers who are so discouraged by the prospects for employment that they have stopped looking for work.

Mr. President, while I recognize that in a dynamic changing society we will never reduce the unemployment rate to zero, we need to have a growing economy so that we can provide jobs for the unemployed, jobs for the partially employed and jobs for the discouraged worker.

Mr. President, I am not suggesting that we take the $250 billion of output that we have literally thrown away and use it to pay for defense, or for State and local governments or for Social Security. These programs will be financed even if we do not achieve full employment. But I am suggesting Mr. President that the job of financing government and of providing food, clothing, and shelter for our families will be easier if we are at full employment.

Mr. President, let us recognize as we debate this budget resolution, that a growing economy providing jobs for all our citizens will do more to balance the budget than any other measure we will debate in the Senate this week. Indeed, if we were now at full employment the fiscal year budget deficit would be about $85 billion instead of $136 billion as currently estimated.

Mr. STEVENS. Mr. President, until I have determined what anyone wants to do, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to speak in morning business and that the time be equally charged against the budget resolution.

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

SENATOR ROBERT C. BYRD, MAJORITY LEADER

Mr. ROCKEFELLER. Mr. President, we had a rather extraordinary event today. ROBERT C. BYRD, our leader of the Democratic Party and the majority leader of the U.S. Senate, came before our Democratic caucus and said that he was going to relinquish his position at the end of this year in order, as he put it, to better serve the people of West Virginia.

That happened only a number of hours ago; and if one looks back over the Senate career of a man like ROBERT C. BYRD, who has served this institution for 30 years, for him to relinquish a position which he certainly could have had once again, had he chosen to ask for it, is remarkable.

It is historic within the context of the Senate. I think it is historic as a touchstone for the people of West Virginia.

Not many people know ROBERT C. BYRD that well, although many have worked with him for a long time. I include myself in that very lucky group.

It seems to me that it would be almost impossible to divine somebody who is more committed to public service, to his State, to his country, and to this institution, the U.S. Senate, than ROBERT C. BYRD.

Reference is often made to his mastery of the lessons of the Senate, the procedures of the Senate, and of course all that is true. A number of times I have been to his office, and he is reading all the rules and precedents of the Senate, and I think he does that every year. There is no one in this body who can outwit him, who can outmaneuver him. But I do not think that is his purpose. I think his purpose in knowing the rules and procedures and being a master of parliamentary procedure is, rather, to be able to serve better the Senate that he loves so much.

I think he wants the Senate to operate smoothy, fairly, in a timely manner, perhaps with a discipline which has diminished somewhat in recent years, but always conscious of the Senate as being the upper body, the deliberative body, the body that stands back from the great issues of the day and tries to make wiser decisions.

Senator BYRD has been very kind to me and has been so for many years. I cherish our relationship, and am grateful for the advice he has given me over many years.

I am very moved by his career. Probably there are many of us here who have not had to come up with such difficulty as has ROBERT C. BYRD. He has literally had to do everything by virtue of his own wits, his own intelligence, his own hard work, and his commitment. He is driven to excellence, and he has reached it.

He has never really cared about money. He has never had any to care about.

His work, his life, has been the Senate and his wife, Erma. Last year, we celebrated the 50th wedding anniversary of ROBERT and Erma Byrd. Many Senators who were there—and most were—felt that it was one of the most emotional experiences they had had in the U.S. Senate, to see ROBERT C. BYRD and Erma celebrating their 50th wedding anniversary, which is in fact a statement about what is best among married couples. Fifty years is a lot of time.

Erma has sacrificed just as ROBERT C. BYRD has sacrificed for State and for Nation.

So he has had a very tough life. He went through law school when he was a Member of the U.S. Congress. Nothing has been given to him. Everything has been earned by him and I feel that is why he does so well in West Virginia.

He has been away from West Virginia physically for 30 years but has been in the bosom of West Virginia for all of his life. People identify with him, coal miners' sons, farmers, steelworkers. They look at ROBERT C. BYRD and they see what hard work, determination, discipline, and self-sacrifice can do and they would like their sons to be like he is, and that makes sense because he is a truly remarkable man.

We will not have him as majority leader in 1989, and I wonder if the Senate will run as well.

I have been told by those who have been here for a long time that the Senate is very much a changed place, that it has lost its discipline, that it has lost some of its comity and its sense of collegiality.

I think that pains Senator BYRD. He has spoken of that to me on several occasions almost sadly in a way, saying just literally the Senate is not what it used to be. But that is because times have changed. The 1970's and the 1980's have brought enormous change to our institutions, including the Senate, and he understands that. So he was one of the leaders to bring television into the Senate, to open the Senate up to public scrutiny to be a part of the changing nature of our country and of this body that he loves so very deeply.

He has accomplished so much, Mr. President, that I cannot do justice to even mentioning the areas of energy policy, of coal, all by itself, coal research, clean coal research, which he is the author of, black lung, air safety, veterans, health care, the passionate commitment to fair trade.

Everybody who lives in West Virginia today and all over the county has

been touched one way or another by the life and the work of ROBERT C. BYRD.

He has an abiding commitment to make America a stronger country not only militarily but economically and morally. He is a person of very, very deep and stern moral values. I happen to treasure his values.

When everybody else goes home, the light in his office is still on. So, in a sense, he shields the Senate through the strength of his work and the dominating commitment of his mind.

I would suppose the culmination of his career came when he was elected majority leader and that is where he has been, except for a brief time as minority leader, up until the present moment and now he will be, by his choice, the chairman of the Appropriations Committee.

West Virginia, like Senator BYRD in his earlier days, is a State that has many difficulties, and I am convinced that in fact it makes you wonder why, if a man is so good at being majority leader and so skillful in doing its work, would he give that position up voluntarily? And the only answer can be and indeed the only answer is that he feels that he can do more to help his people from West Virginia and all across this county by being on the Appropriations Committee. I cannot argue that.

Personally, I would like to have seen him stay as majority leader, but that would be natural for his junior colleague to feel that way. I respect his decision and I respect above all his fairness.

The Senate has many egos, many vanities, and many proclivities, and we all look to the majority leader as the person who will accommodate us, who will make our lives easier.

In fact, that probably is one of the problems with the Senate today, that is is difficult to get people to concentrate on the business of the Senate.

ROBERT C. BYRD's mind is always focused on the business of the Senate and yet at the same time he accommodated in a very gracious way both sides of the aisle.

In presiding like the distinguished Senator from Michigan is at this moment, I would often watch and will continue to the end of this year Majority Leader BYRD. A great battle is going on. People are not showing up to put down amendments. People are being slow, divisive, sometimes partisan, and you can just feel the tension in him, and yet the manner is always gracious and easy.

After a battle is won or after a battle is lost a smile comes across his face because there is always tomorrow's work.

He spans so many decades of public service. He has served in virtually every legislative office—well, he has in every legislative office, the House and the Senate in West Virginia, the House and the Senate in the United States of America.

What he means to West Virginia is symbolized, I would suppose, by the size of the vote that he gets whenever he runs. He always runs as if he were going to lose but, of course, he never does. His majorities were enormous because the respect of the people of West Virginia for ROBERT BYRD is enormous.

So, Mr. President, on this remarkable day I wish to congratulate Majority Leader BYRD as a public servant, as a human being, as a husband, a father, somebody who has been through great hardship, through great heartbreak, and has ascended to the highest level of public service in the land.

The majority leader of the U.S. Senate, I have always said and will continue to say as I introduce him at various functions around the State, is the second most powerful office in the land. He has carried that position with great distinction, firmness, and knowledge, respected by all and he has done all of his work with grace.

There will be many times for myself and others to praise ROBERT C. BYRD before the end of this year, and after all, he is going to be reelected and he will be chairman of the Appropriations Committee and there will be many reasons to talk with ROBERT C. BYRD, but on this particular evening, as a West Virginian, I want to express particular pride in the career, in the nature, in the manhood of ROBERT C. BYRD.

I yield the floor.

Mr. STEVENS. Mr. President, I am delighted to have been here at the time my good friend, Senator ROCKEFELLER, has made the statement he has made concerning his senior colleague. He is right about the fact that he will have occasions to make comments about Senator BYRD's service at another time.

But on the basis of my long friendship with Senator BYRD, let me state that as a former assistant leader on the Republican side of the aisle, and I have been assistant leader both when we were in the minority and in the majority, I have had the unique privilege of spending many long hours with Senator BYRD.

I have many memories of those and those days and hours during the long period of time, for instance, when our hostages were held in Iran, the times we spent at the White House together and in trying to find ways to assist, the secrets we shared at that time. In fact, some of our hostages were held by the Canadians and other things were going on which left me with a firm fixed feeling of the depth of gravity of feelings that Senator BYRD has. And I know of his background, as Senator ROCKEFELLER has stated so well.

I think it is important for us to realize that the announcement that was made today was made by the Senate majority leader, not just by the Democratic leader, and on that basis, even though I am on this side of the aisle, I want to state that I think it was a decision that took great courage. It always takes courage to yield power and to make the determination that one can best serve his State and the Nation in another capacity.

As such, I think those of us here who have talked to Senator BYRD today have told him we admire his courage and we admire the fact that he decided to make the announcement early to eliminate speculation and to let the Senators on his side of the aisle prepare for the decision that they have to make. That decision will affect us all.

But I do believe that we should recognize, as I said, the courage that was involved in that decision. I personally have explained my feelings to him with regard to that decision. I think that it is not a time to be sad about it because I will tell you those of us on the Appropriations Committee will welcome his participation in the future and I know that he has a great role to play in the future of our country.

SENATOR DENNIS CHAVEZ

Mr. DOMENICI. Mr. President, today there is a very special wreath-laying ceremony in the United States.

This ceremony is in honor of the 100th anniversary of the birth of the late Senator Dennis Chavez of New Mexico.

The Senate's commemoration of Senator Chavez is one of many such events being conducted to honor New Mexico's Senator. Last weekend, I attended a dinner in his honor in Albuquerque. Last week, President Reagan signed Senate Joint Resolution 206, introduced by the senior Senator from New Mexico, to declare April 8, 1988 as "Dennis Chavez Day."

Senator Chavez will forever be remembered as a man of great ambition and strength of character. His story is symbolic of the opportunities available to every American and is worthy of our tribute.

Dennis Chavez was born in an adobe home in Los Chavez on April 8, 1888. His father worked land that had been deeded to his direct ancestor by Phillip II of Spain in 1597. Dennis left school in seventh grade to take a job working 12 hours a day driving a grocery wagon, as well as caring for the horses and stable. Yet with no high school or college education, he later passed a special examination to attend Georgetown University Law School.

Senator Chavez had a strong desire to serve his fellow citizens, and in 1935 he became the first native-born Hispanic to serve as a U.S. Senator. He

served 27 years until his death on November 18, 1962. Before he came to the U.S. Senate, Senator Chavez served in the U.S. House of Representatives for 4 years. He was the highest ranking Hispanic in the Federal Government for over 30 years.

Never forgetting his roots, Senator Chavez was a champion for the poor and oppressed. In the Senate, he led the fight to establish the first food stamp program. As a member of the New Mexico Legislature, Senator Chavez introduced the first bill to provide free textbooks to New Mexico's school children.

Senator Chavez was also keenly interested in our Nation's foreign affairs. He believed in a strong national defense and was an advocate for the development of nuclear submarines and nuclear-powered aircraft carriers. He was also President Roosevelt's chief spokesman for the President's Good Neighbor policy in Latin America.

Dennis Chavez was truly the embodiment of the American dream. Through hard work, he lifted himself from the humble adobe dwelling in Los Chavez to serve as a national legislator. Despite his rise to power, Senator Chavez's thoughts were always of the people of New Mexico. He refused to leave those people behind. This attitude and his achievements still inspire young Hispanics struggling to achieve recognition, and are a constant reminder of what a privilege it is to live in this land of opportunity.

COMMEMORATION OF SENATOR DENNIS CHAVEZ

Mr. BINGAMAN. Mr. President, I rise today to inform my colleagues of an important wreath laying ceremony which took place in the U.S. Capitol this afternoon.

This ceremony was to honor Senator Dennis Chavez on the centenary of his birth. Senator Chavez is one of the few Americans who has been honored with a statue in the Capitol.

As the first American-born Hispanic to serve in the U.S. Senate, Dennis Chavez is an inspiration to all Americans and an example of just how far one can advance in this country with determination, courage, and hard work.

Born in his family's dirt-floor adobe home in Los Chevez and too poor to attend high school, he rose to become the first American-born Hispanic elected to the U.S. Senate. His 28-year tenure as a U.S. Senator is the longest in New Mexico history and exceeds all but 49 of those who have served in this body.

The accomplishments of Dennis Chavez' Senate career pervaded the fields of human rights, natural resources conservation, health care, national defense, and public works construction. As chairman of the Senate Committee on Public Works, he oversaw the development of the Interstate Highway System and the construction of Inter-American Highway.

Although he rose to great prominence in the Senate, he never forgot his humble roots and was a champion for those who were oppressed and discriminated against. To this end, he was instrumental in the establishment of a permanent Fair Employment Practices Commission, and a national health insurance program which served as a model for Medicare.

He was also a leader of exceptional personal courage, raising his voice against the anti-Communist paranoia and the suppression of civil liberties at the height of the McCathyite hysteria. Indeed, many of his colleagues felt his speech on the Senate floor on May 12, 1950, against "the curtailment of liberties" and the shackling of "the growth of men's mind" was instrumental in turning the tide against McCarthyism.

In commemoration of Senator Chavez's outstanding achievements, I joined Senator DOMENICI in cosponsoring Senate Joint Resolution 206, a joint resolution designating today, April 8, 1988, as "Dennis Chavez Day". I am pleased to report that this measure has passed both the Houses of Congress and was enacted into law by the President.

The outstanding accomplishments of Senator Chavez are an inspiration for us all, and I am honored to have been part of this important ceremony.

THE INEQUITY OF THE "NOTCH" PROBLEM

Mr. METZENBAUM. Mr. President: I am today joining Senator SANFORD in cosponsoring S. 1830, a bill to address the inequity of the Social Security "notch" problem.

Mr. President, retirees born between 1917 and 1921 may receive as much as 22 percent less in benefits than those with identical earnings records born in 1914.

Why?

Because in 1977 Congress enacted Social Security amendments which have not worked as intended. The amendments were designed to reduce the costs of a 1972 benefit formula.

The 1977 changes were to be phased in, so as not to substantially reduce the expected benefit levels for those near retirement age. Congress intended that the 1977 change result in a benefit reduction of no more than 5 percent.

But those born between 1917 and 1921 saw their anticipated benefits drop by as much as 20 percent.

Mr. President, the 1977 changes do not work as we intended.

Simple fairness requires that we not continue to penalize the notch retirees simply because they were born in the wrong years.

S. 1830 increases the annual Social Security benefits for notch babies by an average of $500.

It also provides a one-time retroactive payment of up to $1,000 as compensation for past low benefit levels.

If we are to maintain public confidence in the Social Security System, we can do no less.

I urge my colleagues to support Senator SANFORD's bill to correct the notch inequity.

VERMONT LT. GOV. HOWARD DEAN

Mr. LEAHY. Mr. President, Vermont and Nebraska are the only States with popularly elected women Governors. So we are in pretty select company.

However, I would wager that Vermont is the only State with a Lieutenant Governor who makes house calls as a practicing physician.

And whenever the work schedule around here keeps the Senate in late hours—or has us running from committee to committee and back to the floor for votes—I think of the schedule that Lt. Gov. Howard Dean of Vermont keeps on a daily basis.

He is ex-officio president of the Vermont State Senate, which means he presides over that body when the legislature is in session. He travels about the State in a pickup truck, speaking to schoolchildren and civil groups—and still manages to see his patients at the Shelburne medical practice shared by his wife, Dr. Judith Steinberg.

An article in the Burlington (VT) Free Press—March 6, 1988—chronicles the busy lifestyle of Lieutenant Governor Dean, and I would like to introduce my colleagues to this remarkable Vermonter by asking that the article by James E. Bressor be printed in the CONGRESSIONAL RECORD.

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

[From the Burlington (VT) Free Press, Mar. 6, 1988]

LIEUTENANT GOVERNOR GETTING COMFORTABLE

(By James E. Bressor)

MONTPELIER.—Presiding over a joint assembly of the Legislature that met last week to elect a new sergeant-at-arms, Lt. Gov. Howard Dean scolded a Republican House member who tried to leave the chamber during the voting and told him to return to his seat.

A few moments later, Dean reprimanded his friend House Majority Leader Paul Poirier, D-Barre, who had left his seat to chat for a few moments with House Speaker Ralph Wright, D-Bennington. A chagrined but grinning Poirier walked back to his seat amid chuckles from his colleagues.

"Gaveling errant members back to their seats—I probably wouldn't have done that a year ago." Dean said afterward. That he did

last week indicates how comfortable Dean has grown with his job.

A 39-year-old Burlington Democrat who moved to Vermont in 1978, Dean divides his time between serving as president of the state Senate and working at his Shelburne medical practice, which he shares with his wife, Dr. Judith Steinberg. He also has kept himself busy speaking around the state, working on a presidential campaign and generally striving to remain visible in the public eye.

Dean's first few weeks in the Senate last year were rocky, particularly his relationship with President Pro Tempore Peter Welch, D-Windsor. Arriving as a former two-term House member and buddy of Wright—who has had a series of run-ins with Welch—Dean came to the Senate as an outsider and also as a potential candidate for higher office.

Dean, Welch and many others in the chamber agree that the animosity has faded away.

"Howard keeps a low profile as far as the caucuses are concerned. But he's working well with the Democrats," Welch said. "We have established a very solid working relationship."

That low profile within the Legislature has kept Dean relegated as something of an outsider in the Senate. Most senators agree that he has not been so involved in legislative matters as his predecessor, Republican Peter Smith.

"He's an invisible entity around here," said Sen. Vincent Illuzzi, R-Essex/Orleans.

Dean himself admitted that he focuses on only a few bills.

"(The job) gives me a lot of freedom to concentrate on issues I think are important without getting bogged down in committee work," he said.

Unlike Smith during his final term in office, and unlike Madeleine Kunin during the four years she served as lieutenant governor, Dean has been in office at a time when a governor of the same party was in power. Therefore, instead of serving as a chief spokesman for his party on legislative issues, he has had to work to keep his name in the news outside of the Statehouse.

In doing that, he has put 23,000 miles on his Chevy pickup since August, most of that traveling around the state to speak at schools and civic groups.

In addition, Dean has appointed a task force on teen suicide and has traveled with Kunin around the state for a series of breakfasts with businessmen to plug day care. He continues to be host for a weekly cable television talk show seen in several Vermont communities, including Burlington.

He also has become an outspoken opponent to the proposed Maple Tree Place shopping mall in Williston. In a November Free Press column, Dean called the mall "a significant threat to orderly and well-planned growth. It is also a threat to continuing efforts to preserve farmland, agriculture and open space in our most congested county."

More recently, he called for a freeze on the mall's permit process until a New York investigation into alleged illegal campaign activities by Pyramid Cos. is complete. He admitted there was no legal basis for such a moratorium, but maintained that major corportations such as Pyramid have the financial resources to run roughshod over Vermont.

"They could easily overwhelm us," he said.

Dean has put some distance between himself and Kunin on a few issues. He testified before the Senate Finance Committee against the governor's proposal for increasing the gasoline tax and creating a weight-distance tax on trucks.

"I don't believe we should be increasing taxes when we don't know our priorities," he said.

Dean also differed with the governor over which presidential candidate to support. He backed Rep. Richard Gephardt, D-Mo., while Kunin went with Massachusetts Gov. Michael Dukakis, who easily won Vermont's non-binding primary.

"You just have to call them as you see them. We don't run together. I agree with her 90 percent of the time," Dean said of the governor.

JIM HOWARD—A GREAT FRIEND AND A GREAT CONGRESSMAN

Mr. KENNEDY. Mr. President, I want to take a few moments to pay tribute to our colleague and friend who died suddenly last month, Congressman Jim Howard of New Jersey.

It seems like only yesterday that President Kennedy was saying, "Ask not what your country can do for you—ask what you can do for your country."

In the years since then, those words have touched millions of Americans in every section of the country. But no one was touched more deeply, or answered President Kennedy's summons to public service more enthusiastically, or accomplished more for the country in his own brilliant career than the young Irish schoolteacher from Wall Township, NJ, who became the man we all respected and loved in Congress as Mr. Chairman, Mr. Highways, and Mr. Public Works.

He was proud of all those titles. But he was even prouder of his title as commodore of the Shark River Yacht Club—which is where he learned to tame all the Potomac River sharks.

As Jim Howard told me many times, the spark of public service was first kindled in him, not in 1960, but 4 years earlier. As a young man in New Jersey, he had been fascinated by the television coverage of the 1956 Democratic Convention across the river in Philadelphia, and he had been touched by my brother's losing battle for the Vice Presidential nomination.

But it was in June 1960 that the permanent bond was forged. The primaries that year had ended, and in his quest to clinch the nomination, my brother flew into New Jersey to address a meeting of Democratic leaders and seek the support of delegates from the Garden State.

George Howard, Jim's father, knew many of the leaders there from Monmouth County, and he was well aware of the emerging interest of his son in politics. And so George Howard arranged for Jim to stand in the receiving line. It was the briefest of moments, the briefest of words, the briefest of touches, but it changed Jim Howard's life—and all of ours too.

In the years that followed, Jim generously fulfilled his public trust. He was a valiant defender of the environment. He changed the face of transportation and public works. He brought jobs and hope to communities and people in every region of America.

More than anyone I knew, he lived on the edge in politics—never sure of the next election. But year in and year out, he always seemed to win, because his appeal was broader than any party line.

In September of every election year, the call would come in to me from Jim like clockwork. He would tell me how lovely it was at this time of year in Long Branch, Asbury Park, and Spring Lake on the Jersey shore—nicer than Cape Cod, he said—and wouldn't I like to join him at a fundraiser here or a campaign stop there, to help in his re-election.

And I liked to remind Jim of the famous telegram that my father sent to Jack before the West Virginia primary in 1960. "I'm glad to help out," Dad wired, "But I'll be darned if I'm going to help you pay for a landslide."

No Kennedy ever had a better friend or a more effective and loyal supporter than Jim Howard. He was there for all of our campaigns—as a young volunteer for Jack in 1960, then for Robert Kennedy in 1968, and for me in 1980, when he chaired my successful New Jersey campaign that year. Whatever the odds in other States, we always felt that we could count on New Jersey, because Jim Howard knew the Garden State, and we knew that he would never let us down.

It was a privilege to work with Jim in Congress—and sometimes it was an ordeal, because Jim knew how to say no as well as yes.

In recent years, after he became Mr. Chairman, working with him was a learning experience for the rest of us in the use of power in the public interest. JIM WRIGHT may have had more clout than Jim Howard in the House of Representatives, but most of us were never sure.

As we all knew, Jim had great power—and a reputation for power even greater than the power itself.

On the second floor of this Capitol Building, there is a long, wide, straight corridor that connects the House Chamber to the Senate Chamber. I used to call Jim Howard on the telephone from the Senate cloakroom, and ask if I could see him for a moment about a bill.

And before I could begin, he'd be asking why I only ever called him when a transportation bill was on the floor—and why couldn't I get those special interest Massachusetts provisions included in the bill on the Senate side—and why was Boston

sending its waste to New Jersey beaches—and did I want Hyannis Port paved over with concrete.

But I said I loved him anyway, even if his family was from County Clare. And whenever I asked to see him he'd always relent and say he'd come right over.

And when I hung up the telephone and my blistered ear had healed, I would walk off the Senate floor and wait for Jim Howard to come into view at the other end of the corridor. Fifty yards away, he would throw open his jacket, and show off the symbol of the bond that forever tied him to President Kennedy and our family—the bond that was his pride and joy—his PT-109 tie clip. There were only two things he cherished more, he said—his family and the Jersey Shore.

And each time Jim showed me that tie clip filled with so many memories, I quietly decided that I should have requested even more funds for that water project in Boston Harbor.

People often ask me what it is that attracts young men and women into public service. What is it that persuades them to endure the pressure, the frustration, the sacrifice of privacy, the lack of time with family and friends, the loss of income that is sure to follow. Ambition—perhaps. Excitement—certainly.

But it is also something more—an ideal that often takes its root in youth in people like Jim Howard, and that guides them all their lives—the challenge to give something back to America in return for all it has given us.

It is the simple, profound, enduring, American belief that individuals can make a difference, and that government can make a difference too. Survival of the fittest may be the law of the jungle, and of some people in public life. But it was not the law by which Jim Howard lived, and so long as people like John F. Kennedy and James J. Howard are willing to enter public life, it will never be the law of the United States.

My brothers left us too young, and so did Jim. But I suspect that the three of them are already with each other once again, lining up delegates for the next celestial primary, taking time out to sail together, to laugh and sing in Irish song, or play one more game of touch.

And if I know Jim, just as surely as he did God's work here on Earth, he's busy up above as well—putting up 55-mile-an-hour speed limit signs on all the highways of Heaven.

He could be tough, as well, in work or play. In all those happy times at Hickory Hill in the 1960's, I remember Jim as the one who always voted to play tackle. And that's the way he played the game of legislation too, which is one of the reasons we loved him most.

Like my brothers, Jim Howard was a sailor. And there is no more fitting way for me to close this tribute to our friend than with the verses of John Masefield that President Kennedy loved about the sea:

I must go down to the seas again, to the lonely sea and the sky,
And all I ask is a tall ship and a star to steer her by;
And the wheel's kick and the wind's song and the white sail's shaking,
And a gray mist on the sea's face, and a gray dawn breaking.

I must go down to the seas again, for the call of the running tide
Is a wild call and a clear call that may not be denied;
And all I ask is a windy day with the white clouds flying,
And the flung spray and the blown spume, and the seagulls crying.

I must go down to the seas again, to the vagrant gipsy life,
To the gull's way and the whale's way where the wind's like a whetted knife;
And all I ask is a merry yarn from a laughing fellow-rover,
And quiet sleep and a sweet dream when the long trick's over.

I know that if President Kennedy and Robert Kennedy were here today, they would join me in saying, "Well done, Jim, and sleep well." In the words of the ancient Irish prayer, "May the sun shine warm upon your face, Jim, and until we meet again, may God hold you in the palm of His hand."

Mr. President, I ask unanimous consent that a collection of articles on Congressman Howard and his distinguished career may be printed in the RECORD.

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

[From the New York Times, Mar. 26, 1988]

JAMES HOWARD, CONGRESSMAN, IS DEAD AT 60

SERVED DISTRICT IN JERSEY FOR OVER TWO DECADES

(By Clifford D. May)

WASHINGTON, March 25—Representative James J. Howard, a New Jersey Democrat who served more than two decades in Congress, died this afternoon at the Washington Hospital Center, a day after suffering a heart attack. He was 60 years old.

Mr. Howard was stricken while playing golf in suburban Maryland before the day's proceedings on the House floor began. He never regained consciousness.

He suffered previous heart attacks in 1974 and 1978.

Mr. Howard, who represented the Third Congressional District, including parts of Monmouth, Ocean and Middlesex Counties, served since 1981 as chairman of the House Public Works and Transportation Committee. He was considered an authority on the highway system, mass transit and other areas of public transportation.

ROLE IN ENVIRONMENTAL ISSUES

He also played an active role on environmental issues, particularly in efforts to clean up New Jersey's beaches and coastal waters.

After the retirement of Representative Peter W. Rodino Jr., Democrat of Newark, N.J., this fall, Mr. Howard would have been the senior member of the state's delegation to Congress.

Under New Jersey law, Governor Kean must order a special election to fill Mr. Howard's seat. However, it could be scheduled for as late as November, to be held at the same time as the general election.

Although he never achieved widespread national recognition, Mr. Howard was known on Capitol Hill for his mastery of the strategies of the Congressional power game. In 1985, for example, when Massachusetts was considering dumping sludge from Boston at an ocean site off New Jersey, a rumor spread that he would use his power as committee chairman to try to cut off funds for a long-planned Boston highway project.

The Congressman called The Boston Globe to assure everyone that he would do no such a thing. Instead, he said, he would move to cut off $100 million for Boston's sewage treatment plant.

"If they're going to dump that stuff off New Jersey," he said, "they don't need the money. We'll need it in New Jersey to clean up the beaches."

More recently, Mr. Howard fought for legislation to prohibit all ocean dumping off New Jersey and New York.

Senator Frank R. Lautenberg today praised Mr. Howard as "a leader and a devoted public servant." The New Jersey Democrat said that Mr. Howard "fought to protect our state's environment" and "tirelessly led efforts to rebuild our nation's infrastructure—our highways, bridges and roads."

The state's other Democratic Senator, Bill Bradley, said Mr. Howard was responsible for "some of the most far-reaching legislation affecting our cities and states."

Governor Kean said, "He served with dedication and always placed New Jersey's interests first."

Mr. Howard was born July 24, 1927, in Irvington, N.J., and grew up in Belmar on the Jersey shore. In World War II he served with the Navy in the South Pacific.

From 1952 until 1964 Mr. Howard was a teacher and then acting principal of the West Belmar Elementary School in Wall Township. He also served in that period as a member of the delegate assembly of the New Jersey Education Association and as president of the Monmouth County Education Association.

He first ran for the House in 1964, in New Jersey's Third Congressional District, then considered a Republican stronghold. But President Johnson's overwhelming victory over Senator Barry Goldwater that year was seen as helping Mr. Howard overcome his opponent.

In 1973 and 1974, Mr. Howard served as chairman of the Subcommittee on Energy of the House Public Works Committee where he introduced the 55-mile-an-hour speed limit, a concept that subsequently became law. Mr. Howard advocated the change in the belief that not only would it save oil but also it would save 2,000 to 4,000 lives annually.

Mr. Howard lived in Spring Lake Heights, N.J., and in Washington.

He leaves his wife, the former Marlene Vetrano, and three daughters, Lenore Buchanan, Marie Howard and Kathy Tjunin.

[From the Washington Post, Mar. 26, 1988]

N.J. DEMOCRATIC REP. JAMES HOWARD DIES

(By Bart Barnes)

Rep. James J. Howard, 60, a New Jersey Democrat who had been chairman of the House Public Works and Transportation Committee since 1981, died yesterday at Washington Hospital Center after a heart attack.

Rep. Howard, who was elected to the House in 1964, was stricken Thursday morning while playing golf at Manor Country Club in Olney. It was his third heart attack in the last 14 years, and he never regained consciousness.

A diminutive and mild-mannered former schoolteacher, Rep. Howard was not known nationally. But he was one of the more influential members of Congress by dint of his position as chairman of one of its most powerful committees.

The Public Works and Transportation Committee has jurisdiction over billions of dollars in federal highway, rapid transit and water projects as well as the airline and trucking industries.

Thus, for a member of Congress to have a post office or a federally financed dam constructed in his district, he had to seek Rep. Howard's approval, and Rep. Howard was known as one of the toughest horse traders on Capitol Hill.

But he fought a losing battle last year to retain the nationwide 55 mph speed limit, legislation that he had helped enact in 1973 and 1974 as an energy conservation and safety measure. He also backed legislation for a federal offensive against drunk driving.

Rep. Howard was sometimes criticized for traveling and being entertained on the expense accounts of groups or organizations doing business before his committee, and he regularly received one of the larger amounts of business-related campaign contributions among House members. At the time of his heart attack he was playing golf with a lobbyist for Trans World Airlines.

He was the second most senior member of the New Jersey delegation after Rep. Peter Rodino (D), who has said he will retire after this year.

A native of Irvington, N.J., Rep. Howard served in the Navy during World War II, then graduated from St. Bonaventure University. He received a master's degree in education at Rutgers University. He was a schoolteacher and principal in Wall Township and a leader in the local education association before he won election to Congress in 1964 from a district that includes the northern part of the New Jersey shoreline.

Although predominantly Republican, the district sent Rep. Howard back to Congress in every subsequent election, although sometimes by narrow margins. In 1986 he won with 59 percent of the vote.

Rep. Howard, a resident of Spring Lake Heights, N.J., is survived by his wife, Marlene Vetrano Howard of Spring Lake Heights, and three daughters, Kathy Tjunin, Lenore Buchanan and Marie Howard.

[From the Asbury Park Press, Mar. 26, 1988]

WASHINGTON COLLEAGUES PRAISE MAN OF INFLUENCE

(By Larry McDonnell)

WASHINGTON.—When it lost James J. Howard, New Jersey lost political muscle that may be impossible to replace.

"You can't travel anywhere in New Jersey that you don't see Jim Howard's fingerprints," said Rep. William Hughes, D-N.J.

Nearly all of Howard's colleagues on Capitol Hill yesterday sounded the same theme: A friend and respected ally was gone, and New Jersey was suddenly without a savvy, tough politician who would fight tenaciously for his district and state.

"New Jersey has several committee chairmen, but the reality is all committee chairmen are not created equally," said Rep. Robert G. Torricelli, D-N.J. "Jim Howard had special influence and, by his powerful chairmanship of the Public Works Committee, certainly controlled more federal spending than any member of the House or Senate from New Jersey. That is an influence that will be greatly missed in our state."

Howard had great affection for the New Jersey Shore. Both of New Jersey's senators praised him for drafting important legislation to clean and preserve it.

"His unabashed love for New Jersey was the driving force behind his lifelong fight to protect our state's environment, especially our beaches and oceans," said Sen. Frank Lautenberg, D-N.J.

"He zealously fought to protect the Shore as a place where families can go to escape the pressures of life and enjoy the natural beauty of the ocean," said Sen. Bill Bradley, D-N.J.

Howard's heart problems—he had suffered two heart attacks—were well-known among members of the New Jersey delegation. But he had not been ill, and most members were shocked by his sudden death.

"We all knew he was not always well, but nobody was ready for something as massive as this," said Rep. Christopher H. Smith, R-N.J.

Republican Rep. Matthew Rinaldo said that as effective as Howard was as a lawmaker, he will miss him most as a friend.

"It will be Jim Howard's forceful and dynamic personality that I will miss the most," Rinaldo said.

The comments yesterday from New Jerseyans and others were uniformly warm and laudatory. In truth, Howard was not liked by all on Capitol Hill. But he was respected.

Because of his powerful position as chairman of the Public Works Committee, he was a rare breed of politician. He routinely backed up his words with actions. Many road projects, such as Interstate 195 linking Trenton and the Shore, owe their very existence to Howard.

He also wasn't afraid to twist arms and flaunt his considerable power, though he managed to keep partisan bickering on the Public Works Committee to a minimum.

Republican colleagues on the panel praised his work for New Jersey and the nation.

"He was a good and decent man and a builder of a better America," said Rep. Bud Shuster, R-Pa., a fellow member on the committee. "His legacy is the legacy of clean streams and safer highways, modern airports and public transit systems serving millions of Americans every day of their lives."

Norman Mineta, D-Calif., credited Howard with looking beyond New Jersey to the nation's transportation needs.

"Jim couldn't bear the thought of losing so many teen-agers in drunken driving accidents, so he labored long and hard to raise the drinking age to 21," Mineta said. "Jim couldn't sit by idly while more than 50,000 Americans died each year in highway accidents, so he fought to maintain the 55-mph speed limit."

So many of Howard's contributions were in the area of transportation; leaders of the field yesterday remembered him as a fair, effective leader.

"He truly helped shape the modern highway program," said Daniel J. Hanson, American Road and Transportation Builders Association. "Representative Howard's hallmark was his ability to build bipartisan coalitions and work well with members of Congress and the transportation industry."

FRIENDS RECALL GUTSY NATURE OF DEDICATED MAN

(By Coleen Dee Berry)

Mostly, they remember his dedication.

Rep. James J. Howard was described as a congressional giant, a gutsy football player, a worthy adversary and a hard-working, dedicated public servant by state leaders yesterday.

Those friends and adversaries agreed that Howard's passing from a heart attack suffered on Thursday marks the end of a political era.

"He was as hard-working and efficient public servant as I have ever known—he should serve as a model to the rest of us," said Assemblyman John Paul Doyle, D-Ocean. "He had real political courage."

Doyle, like many other of Howard's compatriots, pointed to his surprise victory in 1964 as the touchstone for the 3rd District Democrat's political career.

"I remember when I first met him at the Brick township Democratic headquarters in 1964. He was tackling an uphill battle that no one thought he would win, but he was optimistic and giving them hell," Doyle said. "When he won, they all thought he was a one-term wonder, getting in with the (President) Johnson landslide. Every election he proved them wrong."

"No one thought that this district could support a Democratic congressman, but he kept winning all the time," said state Sen. Richard Van Wagner, D-Monmouth. "But it was always against the tide. He was always running against the tide."

Howard's electability stumped the opposition in a district that traditionally favors the GOP.

William F. Dowd, Monmouth County Republican chairman, noted that he had spent "the better part of the last two decades" in a futile attempt to unseat Howard, including two races in which he was the unsuccessful GOP candidate.

"The people of the 3rd Congressional District have lost a hard-working and loyal champion," Doyle said.

Joseph Azzolina, a former state senator and assemblyman who is running in the GOP primary for Howard's district, said he was saddened by the congressman's death and had been "looking forward to a spirited campaign.

"Jim was a devoted public servant and a man who loved the challenge of serving in Congress," he added.

Gov. Kean, who has the responsibility of setting a date for a special election to fill Howard's seat, praised him as a congressman who "served with dedication and always placed New Jersey's interests first. He will be missed very deeply by all who knew and worked with him."

Howard's interest in the environment bolstered his district counterparts.

"I think he's the greatest congressman that the Shore area has ever seen," said state Sen. Frank Pallone Jr., D-Monmouth.

"He's been a longtime champion of the environment."

Assemblyman Anthony M. Villane Jr., R-Monmouth, echoed that sentiment.

"I'll miss him," said the assemblyman, who specializes in environmental issues. "I used to refer federal problems to him and he'd refer state problems to me. He was a fountain of knowledge."

"He was a staunch supporter of the environment," Villane continued. "In addition to the loss to his family, he was the chairman of one of the most important committees in Congress. This is a big, big loss to New Jersey."

Howard's commitment to the environment was matched by his embrace of liberal causes.

"He was one of the last remaining true Democrats," said Daniel F. Newman, Brick Township mayor and former Democratic assemblyman. "One thing I always respected about him was he never hid the fact that he had a soft spot in his heart for the liberal views of the Democratic Party."

Senate President John Russo, D-Ocean, likened Howard's public career to his early years playing semiprofessional football with the congressman for the Asbury Park Yellowjackets. Howard also coached the semiprofessional Jersey Sharks football team.

"They say you can tell a person's character by the way they play sports. Well, Jim was the most gutsy, underweight football player I ever knew," he added. "And he brought that same tenaciousness he displayed on the playing field with him when he went to Congress."

Once in the House of Representatives, Howard became a "giant," according to Monmouth County Democratic Chairman John R. Fiorino.

"He reportedly was the fifth most powerful man in the (entire) Congress," said Fiorino, who received the news of Howard's death while he was vacationing in Florida. "Jim worked at it and I know that the people in our county are going to miss him very much."

Fiorino, who was noticeably shaken by the news, recalled that he had just been out to dinner with Howard about a month ago, along with two mutual friends.

"He (Howard) was telling us how the men in his family don't live to a ripe old age," Fiorino said. "I think he said 62 or 63 was the oldest that any male in his family lived."

As another campaign season approaches, those in the 3rd District say it will be strange that for the first time since 1964, Jim Howard's name will not be on the ticket.

"You develop a real brotherhood of politics when you campaign, and you see each other on the road and you sit at so many head tables, and you wonder if you're doing to get to finish the soup before you have to run on to the next event," Van Wagner said. "You get used to seeing and being with those people year after year—I'm going to miss him."

VALUE OF HERITAGE, FAMILY REMEMBERED

WASHINGTON.—He was a friend, confidante and worthy adversary.

Those who knew him said they will miss Rep. James J. Howard, the man who valued his family, golf game, Irish heritage and work.

Howard died yesterday at the age of 60 with his wife and three daughters at his side. A day earlier he suffered a severe heart attack on a suburban Maryland golf course.

Howard's "last memory was that he was wearing Irish green and hit a great shot . . ." said his daughter, Marie.

Lawmakers and friends in Congress, New Jersey and elsewhere in the nation, meanwhile, expressed a sense of loss.

Sen. Edward M. Kennedy, D-Mass., called Howard "a masterful legislator who richly earned and richly deserved his title of 'Mr. Public Works.' It was a privilege to work with him."

Rep. Robert Roe, D-N.J., a longtime associate and senior member of Howard's committee, said: "Both New Jersey and the nation are better for Jim Howard having served in the U.S. House of Representatives."

"New Jersey has lost one of its most forceful advocates and I have lost a friend whom I deeply respected. He was my political partner since I first began in politics," said Sen. Bill Bradley, D-N.J.

Rep. Dean Gallo, R-N.J., also on the Public Works panel, said, "I developed a close personal relationship with Jim that has been cut short suddenly and far too soon."

Former state Assemblyman Joseph Azzolina, R-Monmouth, who is considered the leading candidate in the race for the Republican nomination in the 3rd District, expressed his sadness at the news of Howard's death. "I considered him a friend," Azzolina said in a statement.

Gov. Kean called Howard's passing "a personal loss to me as well as to the people he served so ably in the U.S. Congress."

New York City Mayor Edward I. Koch, who served in Congress from 1968 to 1977 and made frequent campaign appearances in Howard's district with him, called him "a very gifted legislator who left his mark as the architect of the trade-in of highway funds for mass transit."

He said Howard also helped programs to fund water treatment centers, highways and bridges. "At the same time, he was a firm environmentalist," the mayor said.

Howard's fellow Democratic Rep. William Hughes of Ocean City, N.J., called Howard "one of the workhorses of the delegation."

"This really takes me back. I don't remember many things hitting me as hard as losing Jim Howard," Hughes said.

CONGRESSMAN HOWARD LOVED ATHLETICS, HAD GREAT RESPECT

(By M. Grosvenor Potter)

WALL TOWNSHIP.—Colleagues from the Wall Township school system yesterday recalled a man who served as both an energetic teacher with a love of athletics and a principal who treated administrators and teachers with equal respect.

Rep. James J. Howard taught for five years and served as a principal for seven in the Wall Township school system. At 25, he began teaching a sixth-grade class. He was assigned to a class of the 30 top pupils at the West Belmar School and then at the Central School.

"That is an indication that he was a quality teacher," said Harry W. Baldwin, Old Mill School principal.

Howard became the principal of the West Belmar School in 1957 at the age of 30.

"From what I can remember, it didn't matter if you were a teacher or an administrator, he respected you," said Robert A. Leete, supervisor of health and physical education for grades 6 through 12 in Wall Township.

A star athlete while at Asbury Park High School, Howard earned five letters—two in football, two in track and one in basketball—during his sophomore and junior years. He left high school before his senior year in 1944 to join the Navy.

He remained active in sports while in education, playing on volleyball and basketball teams with administrators and teachers, Leete said. He also emphasized physical education for the pupils in his school.

Baldwin recalls that despite his slight build, Howard was a formidable athletic competitor principally because of his drive.

While a teacher, Howard coached the semiprofessional Jersey Sharks football team that played before scant crowds at Wall Stadium. He also played for the Asbury Park Yellowjackets, another semipro football team, when he returned from the Navy.

As a boy, Howard associated with an athletic group of boys in Belmar, and went by the nickname "Knobsy," Baldwin said.

In addition to being interested in athletics, Howard was fascinated with politics, recalled Francis W. Groff, West Belmar School principal.

"I picture him buried behind a newspaper in the faculty room with a trickle of smoke coming out above," Groff said.

Howard had a tremendous memory for sports and political information, many of his former colleagues said.

Baldwin said he was not tremendously surprised when Howard decided to make a run for Congress.

"He had studied (Republican) Congressman (James C.) Auchincloss, and thought he could beat him," Baldwin said.

"We were all of the opinion there were too many lawyers in Congress, and thought it needed more rational people," Baldwin said. "The fact that (Howard) became one of the most popular and effective congressmen in Washington is proof of that reasoning."

John A. "Jack" Duffy, a former Hurley Pond School principal and township special education coordinator, served as Howard's district supervisor for more than 21 years. He recalled the campaigning Howard did out of a milk wagon to win his first election.

"The wagon had Jim's name on it. We went all over Monmouth and Ocean County in it," Duffy said.

Most of the campaigning was done in the late afternoon and evenings, after the school day, he said.

TEACHER PARLAYS CHANCE ELECTION TO 24-YEAR TERM

(By Jay Johnston)

Rep. James J. Howard, one of the most unlikely power broker in Congress, parlayed a chance election win 24 years ago to the chairmanship of one of the House of Representative's most influential committees.

Howard, who died yesterday at Washington Hospital Center, won election in his first try at public office following the retirement of 11-term Republican Rep. James C. Auchincloss. Howard rode a Democratic wave in 1964, defeating the late Marcus P. Daly.

In the glow of that victory, Howard said: "I wanted to be a congressman . . . and if I couldn't be that, I only wanted to be what I am, a teacher.

"I feel that next to the ministry, there is no higher calling than helping make the laws of this nation."

Howard, 60, collapsed at the first tee of the Brooke Manor Country Club in Rockville, Md., about 10 a.m. Thursday. He was revived several hours later at a nearby hospital, and then flown to a cardiac unit at the

Washington Hospital Center, where he remained until his death at 1:46 p.m.

The 12-team congressmen died with his wife of 37 years, Marlene, and three daughters, Marie, Lenore Buchanan, Boulder, Colo., and Kathy Tjunin, Howell Township, with him. He also is survived by a brother, George P., the assistant director of the state Division of Fish, Game and Wildlife. Another brother, Robert, died last year.

Howard, a former teacher in the Wall Township school district, rode President Johnson's coattails to his surprising win in New Jersey's 3rd District that first time out. In succeeding elections, he proved to be an electoral marvel: a true-blue liberal who proved a winner in a conservative, predominantly Republican district.

Although he never held office before. Howard began lobbying state leaders shortly after his election for a choice committee assignment. He got it, and proved a quick study of the old-fashioned back-slapping and armtwisting style of Washington politics.

By 1980, Howard had worked his way up to the chairmanship of the House Public Works and Transportation Committee—a pipeline through which billions of dollars in federal road and public works projects must pass.

Never a flashy speaker or charismatic presence, he instead earned a reputation as a master of the art of wheedling and cajoling on the House floor. Those who worked with him described him as a man who ignored party lines when considering the massive spending bills that passed through his committee, but who wielded his clout like a club when crossed.

His position as head of the public works committee made the self-effacing former schoolteacher and admitted sports nut who played the game of politics as if he'd been born to it an unlikely power broker.

He earned a reputation as one of Congress's most canny strategists, recently shepherding through two massive spending packages over President Reagan's vetoes. Votes to override a veto of the bills, a $69 billion highway package and a $20 million clean water initiative, sailed through Congress on the heels of the Iran-Contra scandal.

The successes did not come without a cost. Howard had to yield to states' desires to do away with the 55-mph speed limit he sponsored in 1973 to get the highway bill through. For the water bill, he had to swallow provisions calling for local government to pay for a greater share of the projects.

But the success of this initiatives were a case study of politics according to Jim Howard.

He pushed hard for the measures during the waning days of the 99th Congress, came up against stone walls and a presidential veto, but pressed on again in early 1987. This time, with a president wounded by the revelations of the arms deal scandal, he succeeded.

Howard was born in Irvington; his family moved to Belmar when he was 9 years old. He attended St. Rose Grammar School, and then transferred to Asbury Park High School. During his sophomore and junior years, Howard earned five athletic letters, two in football, two in track and one in basketball.

He left school to join the Navy in 1944, when he was a junior. He served in the South Pacific and returned in 1947 to finish high school. He also played semiprofessional football and later coached the Jersey Sharks, another semipro football team from Wall Township.

In 1952, Howard graduated from St. Bonaventure University in Olean, N.Y. Six years later, he received a master degree in education from Rutgers University. He took a job with the Wall Township school district and, he recalled in an interview, didn't give a thought to politics until he saw John F. Kennedy deliver a speech to the Democratic National Convention in 1956.

Four years later, when Kennedy was elected president, Howard committed himself to politics and the pursuit of the Kennedy ideal.

In 1966, and every two years after, Howard proved that first election was no fluke. Nervous even after 10 successful reelection tries. Howard survived the Reagan landslide in 1984 and won again in 1986. He had said he planned to run again this year.

He has been praised as a tireless worker for New Jersey, and maligned as a shameful wielder of "pork barrel" politics—the you-scratch-my-back-I'll-scratch-your philosophy that oils the Congressional appropriations process.

"Pork barrel' is just what they call a project in someone else's district," he said in a 1984 interview with The Asbury Park Press. "'Pork barrel' spelled backward is 'infrastructure' . . . I don't know when I ever supported a bad project."

One project that Howard did label "bad" was Westway, New York City's ill-fated plan to build a major highway on a landfill bordering the Hudson River. The proposed $2 billion road, which New York officials hoped to build with money from the federal Highway Trust Fund, was railed at by environmentalists and civic leaders on Manhattan's west side.

Howard, noting New York was entitled to money from the trust fund and that the city and state could build Westway if they saw fit, sponsored legislation that would have effectively precluded the state from using the money for Westway. New York officials shelved the proposal three years ago.

He also sandbagged a plan by Massachusetts lawmakers to dump that state's sewage sludge off the New Jersey coast. As Massachusetts officials pushed for a federal permit to dump at the 12-mile sludge site, Howard shelved an appropriation for a Boston Harbor Tunnel. The New England officials soon found an alternative to using the dump site.

As intransigent as Howard could be on a project he didn't like, he could be equally tenacious in a fight for a project he did like.

As one of the last of the New Deal-inspired Democrats, he sponsored legislation that established a national speed limit of 55 mph. He also sponsored a bill that led states to raise their drinking age to 21 in order to maintain their federal highway funding.

His hallmarks, in Congress were the massive highway and public works bills he drove through to enactment, fiscal dinosaurs in an age of budget deficits. But he also sponsored legislation creating the Congressional Awards program, which recognizes the achievements of young people between the ages of 14 and 23—another durable legacy from his tenure.

"Our country has always had ways of awarding adults for bravery and public service," Howard said just before the first awards were announced in 1983. "Unfortunately, our youth were never given much credit for their unselfish acts or contributions to society."

A funeral Mass for the congressman will be celebrated at 10 a.m. Tuesday at St. Catharine's Roman Catholic Church, Second and Salem Avenues, Spring Lake.

The wake will be held from 7 to 9 p.m. Sunday and from 2 to 4 and 7 to 9 p.m. Monday at the Meehan Funeral Home, 555 Warren Ave., Spring Lake Heights.

In lieu of flowers, contributions may be sent to the Jim Howard Scholarship Fund, 500 Route 34, Matawan 07747.

[From the Sunday Register, Mar. 27, 1988]

JAMES HOWARD IN MEMORIAM

Abruptly, prematurely, New Jersey's 3rd Congressional District has lost one of its most colorful, energetic and dedicated leaders. With the untimely, tragic death of Rep. James J. Howard emerges a mighty void, and a painful emptiness for his family and constituents.

Howard's demise also brings to an end a powerful dynasty. With him goes a political tradition.

The 60-year old congressman suffered a severe heart attack Thursday on a Maryland golf course. He died a day later.

Fittingly perhaps, at the time of his collapse, Howard was enjoying one of his lifetime passions, golf.

"His last memory was that he was wearing Irish green and hit a great shot that landed him on the green in two," said his daughter, Marie Howard.

It was another indulgence, cigarettes, that certainly contributed to Howard's death. He had suffered two previous heart attacks and recovered remarkably from both. But he continued smoking. Though he quit for eight months, he resumed his life-long habit last year, attributing the urge to the pressures of his job.

Even as an educator, Howard's rise to leadership was quick. After five years of teaching, he became principal of the West Balmar School in 1957 at the age of 30. he was an avid athlete, having played high school and semipro football in his youth. Later, he turned his love of athletics to coaching.

The night before his heart attack, he coached a House basketball team in a benefit game.

On the Hill, Jim Howard was known as a scappy, hard-bargaining Irishman. Elected to the House with Lyndon Johnson's big presidential win in 1964, Howard scaled the ranks to become chairman of the House Public Works and Transportation Committee in 1981. Among his most recent legislative triumphs, Howard carried the Clean Water Act of 1987 to passage, defying President Reagan's veto with a House overriding vote.

His record on transportation and the environment, including rail electrification for the North Jersey Coast Line, shore protection and anti-pollution initiatives, have benefited the Jersey Shore. His advocacy has built momentum for shore projects that will continue even after his death.

Among the most powerful players on the Hill, Howard was chided by Washington pundits for engaging in pork-barrel politics. Despite the criticism, he handily defeated almost all his Republican challengers, only once merely edging out an opponent in a Reagan landslide win.

Howard was the second most senior member of the New Jersey delegation after Rep. Peter Rodino, the chairman of the House Judiciary Committee who will step down after 40 years. With Howard's death, the New Jersey delegation loses another important chairmanship. Only Rep. Robert

Roe now remains at the head of a House committee.

After 25 years, it's hard to imagine anyone filling Jim Howard's shoes, but already, those who will try are quietly plotting strategy. The Howard dynasty has kept the political scene here in a sort of holding pattern for decades. His death will challenge entirely the face of 3rd District politics.

Jim Howard felt distinguished to serve in the 100th Congress, and during his two-and-a-half decades in office, he cherished his slice of the Jersey Shore as much as he cherished his family, friends and Irish heritage. We extend our sympathies to Howard's wife, Marlene, his daughters Marie, Lenore Buchanan and Kathy Tijunin and all his friends.

[From the Asbury Park Press, Mar. 30, 1988]

HOWARD HONORED IN DEATH—CONGRESSMAN LEFT MARK ACROSS U.S.

(By Larry McDonnell)

SPRING LAKE.—Rep. James J. Howard, D-N.J., remembered as an energetic and skillful public servant who left his "fingerprints everywhere on the American landscape," was buried yesterday by family, friends and more than 100 fellow congressmen.

"Jim Howard worked hard and played hard, and he lived, loved and laughed full tilt," House Speaker Jim Wright, D-Texas, told an overflow crowd inside the ornate St. Catharine's Church. "If, in the end, he burned himself out, his candle burned brightly for 60 years and others came and lighted their candles from him.

The service for the 23-year veteran of Congress, who died Friday, drew hundreds of mourners, including a plane-load of representatives and aides from Washington.

Hundreds more, friends and politicians from Howard's Jersey Shore district, stood outside beneath the bright sunshine, listening to eulogies by Wright and Rep. Morris Udall, D-Ariz, played over loudspeakers.

"From my observation post," Udall said, "I can report Jim was one of the best, most productive and loved congressmen in the House of Representatives."

Howard's wife, Marlene, and three grown daughters, Marie, Kathy and Lenore, gathered later with relatives and close friends at St. Catharine's Cemetery in Wall Township for a graveside service.

The popular legislator died the day after suffering a massive heart attack while golfing in suburban Maryland. His death spurred a tremendous display of respect and gratitude from across the state and from Congress, with the House and Senate voting on Monday to name Interstate 195, the highway project Howard had championed, the "James J. Howard Memorial Highway."

Monsignor John E. Grimes officiated at yesterday's Roman Catholic service from a white marble altar set beneath a high, domed ceiling, elaborately painted with biblical scenes and framed with gilded moldings.

Grimes recalled Howard's "perpetual smile and good will."

"I have never heard anyone speak unkindly of him," Grimes said. "He has made an everlasting impression on all of us. He was one of a kind,"

As Grimes spoke, Howard's daughters wept quietly. Several of Howard's aides cried openly and embraced each other for support.

Local singer Joe Finn then sang, "I am the Bread of Life," while five priests spread throughout the church offered Holy Communion. The crowd of 400 knelt for prayer.

Wright, a close friend of Howard's addressed the crowd with a wide smile, and began with the sing-song cadence of a preacher. "Life is a gift * * * Jim Howard lived in a robust fashion with a zest of one who exults in God's gift."

Wright said the public works projects Howard shepherded through Congress through the years improved highway safety and provided jobs from "the Appalachians to the Mexican border."

"His fingerprints are everywhere on the American landscape," Wright said.

He added, smiling, that it was somehow fitting Howard's "last earthly view should be of a long stretch of nature's green, on a warm spring day.

"The things Jim Howard loved most were New Jersey, Ireland and golf," Wright said.

His voice cracked and softened as he concluded. "Those of us who are his friends will remember him fondly * * * We can all take inspiration from his example."

Udall spoke of an image of Howard shared by many in Congress. He was tough and persistent, at his best when making deals on the House floor.

I never saw anyone with a more infectious manner come to the House floor," Udall said. "He was everywhere at once."

When he thought of Howard, Udall said, he thought of a sign Harry Truman kept on his desk that read: "Do what is right You will please some people and astonish all the rest."

And this was Jim Howard," Udall said.

The congressman then looked over at Mrs. Howard and urged mourners not to forget the Howard family.

"Don't wait a year. This spring, this summer, this fall, let Marlene and the family know we still remember Jim."

A well-known wit in the Capitol, Udall spread smiles throughout the group with his closing remarks. He theorized that Howard was now in his final resting place "getting up a (golf) game for Wednesday morning."

It also was likely, Udall said, that the politican who developed considerable power over the nation's transportation legislation was now "trying to get assigned to the committee on celestial potholes."

The tone turned somber again when local entertainer Bobby Byrne sang the Irish ballad "Danny Boy" as Howard's casket was led from the church. Several members of the New Jersey congressional delegation, sitting together at the front of the church, wiped tears from their eyes.

The House members and staff went directly to a waiting jet at McGuire Air Force base. Local mourners formed a long procession of cars that took a circuitous route to the cemetery, passing by the shoreline Howard loved so much.

Howard was buried with the full honors accorded a sitting member of Congress. A three-gun salute pierced the silence and a lone bugler played taps. An honor guard carefully folded the American flag that draped the casket and presented it to Mrs. Howard.

To close the ceremony, two of Howard's daughters, Marie and Lenore, read briefly from their father's favorite Irish poem and blessing.

From the church to the grave site, the service was marked with the dignity and decorum reserved for such a powerful and popular lawmaker. It was an unofficial tribute, however, that stood out at day's end.

As the procession wound its way from Belmar to Spring Lake, it passed by St. Catharine's elementary school. There, lining both sides of the street, were young pupils and their teachers, hands over their hearts, honoring their congressman.

HOWARD A FRIEND TO MANY—PEOPLE GATHER FOR FINAL RITES

(By Steve Giegerich)

SPRING LAKE.—They were there before the dogs arrived to sniff the church out for bombs. Doris and Walter More had never met Rep. James J. Howard. As a matter of fact, when it comes to ideology, the Mores lean more toward the Republicans than the Democrats. Except when it came to Howard.

"Voted for him every time, since his first election," More said.

As it turned out, even getting there two hours early didn't help the Mores, of Avon, secure a seat for the Howard funeral at St. Catharine's Roman Catholic Church. When the German shepherds entered the church, the Mores and other early arrivals were whisked out. Most, because they weren't dignitaries or friends or relatives of the congressman, never gained access again. That didn't seem to bother mourners outside the church, whose numbers swelled to 500 as they listened to the service over a speaker system.

"We just wanted to show our respect by being here," Mrs. More said.

Young and old, black and white—these were, simply, the people who sent Howard to Congress in 1964 and returned him to Washington every two years thereafter.

They were folks like George Noorigian of Wall Township who, two years ago at a Memorial Day parade in Spring Lake, collared the congressman and had him pose with his wife, Elizabeth, for a Polaroid instant picture.

"It's a real keepsake for me," Mrs. Noorigian said.

"He'd stop and talk to you; a lot of people in his position wouldn't do that," her husband added.

Once, when the Noorigians' son encountered a minor problem while serving in the military, Noorigian was moved to write his congressman about it. Within days a commanding officer contacted the constituent to find a solution to the situation.

What Noorigian thinks he liked best about Howard, though, was that "he wasn't a lawyer, everybody in Congress is a lawyer." Of that, the Noorigians have firsthand knowledge: Howard once taught their daughter in the Wall Township school system.

"She loved him, he was a great teacher," Noorigian said.

In Congress, Howard didn't forget the role education plays in this country. He established the "Congressional Award" to recognize community service as well as scholastic and athletic excellence, among high school students.

Yesterday, several clean-cut recipients of that award, their medals dangling around their necks from red, white and blue ribbons, served as ushers at the congressman's funeral.

"I thought he was going to be some big politician," Geoff Brignola of Oceanport, a senior at Shore Regional High School, recalled of his award ceremony two years ago. "But he wasn't at all. He was friendly; it seemed like you could talk to him about anything. He was just a regular person, a regular citizen."

Those who did know Howard didn't mind sharing their memories.

Grace Rondeau, director of Big Brothers and Big Sisters of Monmouth County, was acquainted with Howard through his wife Marlene's association with the Big Brothers organization. For those who didn't know Howard, Mrs. Rondeau was willing to share anecdotes of his life. Including some of the famous Howard golf stories.

Such as? Such as the time Howard, hospitalized for exhaustion, managed to escape his room via wheelchair, get on an elevator and ride down several stories, where he disembarked and wheeled himself onto a neighboring golf course to watch the action. Or another instance when Howard sliced his hand while slicing some bread and instructed the doctors to stitch in such a manner that his golf grip wouldn't be compromised. The doctor complied.

Celebrity watching was minimal, although inevitable. A Panamanian who resides in Deal presented a letter to Sen. Bill Bradley asking that the U.S. Senate try to intervene in the situation there.

Some people kept track of who arrived and when.

"Anybody who is anybody is here," one observer remarked. "And anybody that doesn't get inside will be a nobody tomorrow."

Mostly, though, they came to reminisce about James Howard.

The mood outside was not funeral, but upbeat. When House Speaker Jim Wright announced that Interstate 195 would be named the James J. Howard Highway, a cheer arose from the throng. In small groups, they discussed the various bureaucratic problems Howard had managed to rectify over the years, his impact on Shore politics and what many considered a lack of worthy successors waiting in the wings.

Only when the strains of "Danny Boy" drifted across the churchyard, did members of the audience begin to dab at a few tears.

Then, under a cloudless sky with the half-staff U.S. flag outside St. Catharine's blowing briskly in the wind, the color guard emerged with the flag-draped casket.

The crowd stilled as the police honor guard, representing departments from along the Shore, snapped to attention and saluted. And the people who elected James Howard took their hats off and placed them over their hearts.

[From the Asbury Park Press, Mar. 30, 1988]

FAREWELL TO A CONGRESSMAN: NO ONE COULD REPLACE HOWARD, OFFICIALS SAY

(By Karen De Masters)

SPRING LAKE.—Within a few months, New Jersey will select a new 3rd District congressional representative.

But that person will never replace Jim Howard.

"I don't think Jim Howard's constituents ever really realized what kind of a tremendous difference he made as a public servant," said state Transportation Commissioner Hazel F. Gluck.

"For those of us in the public sector, that's the measure of our success," she added. "New Jersey looked to him to fight the battles for us."

"The Jersey Shore has lost a son," Sen. Bill Bradley, D-N.J., one of the officials who served as a pall bearer, said after the ceremony. "We're going to miss him."

Public officials attending the funeral yesterday of 12-term Congressman James J. Howard at St. Catharine's Church praised both the public and the private man.

Gov. Kean, Ms. Gluck and other state representatives had breakfast with the New Jersey congressional delegation last week and the governor stressed New Jersey's transportation needs to Howard, who served as the chairman of the powerful Public Works and Transportation Committee.

Ironically, Howard and Ms. Gluck made a date to play golf, she said.

Howard died Friday, at age 60 after suffering a heart attack the previous day on the first tee of a Maryland golf course. Golf was described as the one means the congressman had of relaxing amid his hectic schedule.

The 24-year Democratic veteran of Congress served his constituents, but also made life easier for local elected officials.

"After all the elections he won and the years he served, he had built up a highly respected position for himself," said Monmouth County Freeholder Theodore J. Narozanick.

"Many times those of us from Monmouth County had to call upon him for help and he was always very pleasant and helpful," the former county administrator said.

The influence of the former Wall Township school principal did not stop at the boundaries of his 3rd Congressional District.

Princeton Mayor Barbara Boggs Sigmund described him as "extremely available to local elected officials such as mayors and freeholders, as well as to national and state people."

"I've been in this business a long time, and I would say he was rated at the top of the list as far as accessibility is concerned and that's going to be hard to replace," she said.

"He combined that accessibility with an ability to deliver in such areas as roads and sewerage treatment plants—all the things that make municipal and county life viable.

"He's going to be a tough guy to replace for those of us in local elected life as well as those he represented directly," she said.

Ms. Sigmund echoed the thoughts expressed by many of those attending the funeral mass.

Many officials—and there were scores from all levels of government—noted Howard's contribution to public works projects and described the powerful legislator as irreplaceable on both professional and personal levels.

Those who came to pay their respects, including many who came by bus from Washington, were divided into those who could fit inside the church and the overflow crowd that listened to the services on speakers outside in the chilly sunshine.

Among them were Rep. Joseph P. Kennedy Jr., D-Mass., who described Howard as essential in getting "decent roads and sewerage systems—the fundamentals that are necessary to get by in life. That's what Jim Howard made his career of.

"His death is a real set back to the working people of our country," the young congressman added.

Howard was not afraid to take on the tough issues, according to those who worked with him.

"He was the kind of guy who would take on the president," said Rep. Morris K. Udall, D-Ariz.

Howard successfully gathered the votes necessary last year to override President Reagan's veto of an omnibus clean water bill and a highway trust fund plan.

New Jersey's loss of Howard as a representative in Congress is compounded by the recent announcement by Rep. Peter W. Rodino Jr., a 40-year veteran of the House of Representatives who decided not to run for re-election this year.

"New Jersey has less clout in Washington now," said Rep. Jim Courter, R-NJ. "And that's unfortunate.

"We have a good delegation, but these are two experienced people with great-seniority and great influence" the Republican congressman said. "Their loss will be felt dramatically in New Jersey and in Washington."

"You could feel the surge of warmth here," Rep. James J. Florio, D-NJ., commented after the mass. "He had so many friends among the everyday people of New Jersey.

"Unfortunately, we sometimes don't appreciate people until they are gone," Monmouth County Freeholder Thomas Powers said. "But we'll always remember Jim. His tragic death is not only a loss for Monmouth county, but for the whole state."

"And for the entire nation," concluded Ms. Gluck.

[From the Star Ledger, Mar. 30, 1988]

EULOGY OF JAMES J. HOWARD

(By Sue Epstein)

With more than 300 dignitaries and friends listening inside St. Catharine's Church in Spring Lake and about 400 of his constitutents listening outside, Rep. James J. Howard was eulogized yesterday as a man "who did nothing halfway."

"If, in the end, he burned himself out, his candle burned brightly for 60 years," said Rep. Jim Wright, Speaker of the House of Representatives. "Jim Howard worked hard, played hard and he lived, loved and laughed full tilt."

Wright was one of more than 150 members of Congress, including all of New Jersey's delegation, who flew in for the full military funeral of the congressman who represented much of the Jersey Shore for 23 years and served in recent years as the powerful chairman of the House Public Works and Transportation Committee.

Howard, 60, suffered a massive heart attack Thursday while playing golf in Maryland. He died Friday afternoon.

Sen. Edward Kennedy a longtime friend, had planned to attend but back problems prevented him from coming. His nephew, Rep. Joseph Kennedy did attend.

Transportation Secretary James Burnley 4th represented the Reagan administration and New Jersey Senate President John Russo represented Gov. Thomas Kean, who was out of state. Russo, as acting governor, ordered flags throughout the state flown at half staff.

Sen. Frank Lautenberg, state Transportation Commissioner Hazel Gluck, former Gov. Brendan Byrne, Princeton Mayor Barbara Boggs Sigmund and a host of other state, county and local elected officials also came to pay their last respects.

An honor guard made up of members of all branches of the armed services carried the flag-draped coffin into the church, which the Howard family attended regularly when home in Spring Lake.

Howard's wife, Marlene, grandsons, Brian and Jamie, and daughters, Marie, Lenore and Kathleen, followed the Honorary pallbearers who included Sen. Bill Bradley; Rep. Robert Roe; Rep. John P. Hammerschmidt, the ranking minority member on Howard's committee; Richard T. O'Connor, former Monmouth County counsel and Howard's campaign manager, and the two

Democratic Monmouth County freeholders, John D'Amico and John Villapiano.

Wright, one of two to deliver eulogies, said Howard loved three things best, "New Jersey, Ireland and golf.

"How appropriate that his last earthly view was of a long ribbon of green on a warm spring day," he concluded, his voice breaking.

The second eulogy was delivered by Rep. Morris Udall, a close friend of Howard, who was Udall's New Jersey campaign manager duuring his 1976 presidential bid.

"Jim was one of the best and most productive members of Congress and one of the most loved, Udall said."We mourn the death of this good man because something special has been taken from all of us."

Udall told the audience he last spoke with Howard about two weeks ago and "we talked about the flood of 1983 which opened up so many potholes all over, particularly in New Jersey."

He said Howard's reaction to the potholes was to "immediately get legislation passed" to repave the roads.

"I wouldn't be surprised wherever Jim is right now that he's trying to get up a golf game for Wednesday at 9 a.m. or sign up for a subcommittee on celestial potholes," Udall concluded.

The Mass was celebrated by Msgr. John Grimes, who said he knew Howard for more than 20 years as a parishioner of St. Catharine's Church.

"He gave his all, day and night," Grimes said of Howard. "He was a fighter. He was courageous. He often boasted he was the luckiest congressman in the nation because he represented the best constituents. They loved him and he loved them. He considered them family. He was one of a kind. Jim Howard will continue to be our representative in heaven."

Throughout the Mass, Howard's daughters cried quietly, particularly when the song "Danny Boy" was sung at the end. But their mother, Marlene, her face drawn, remained composed.

After the hour-long Mass, the funeral procession rode to St. Catharine's Cemetery in Wall Township for the burial ceremony.

The procession took a circuitous route that passed by St. Catharine's Elementary School in Spring Lake, where the children were lined up outside, hands over their hearts, as the coffin passed.

At the cemetery, the military honor guard brought the coffin up and, after the brief ceremony, taps were played and the honor guard fired a salute.

Daughter Marie Howard read an Irish poem that had been a favorite of the congressman, and daughter Lenore Buchanan read an Irish blessing.

The ceremony ended with the honor guard folding up the flag on the coffin and presenting it to Marlene Howard.

Howard was first elected to Congress in a Republican district during the landslide victory of Lyndon Johnson in 1964.

He won re-election every two years, many times by slim margins, but in his last victory, over former state Sen. Brian Kennedy, he garnered 59 percent of the vote.

In his district, Howard was respected by members of both parties, and that bipartisan appeal was demonstrated at the funeral.

Not only were Democratic elected officials and John Fiorino, chairman of the Monmouth County Democratic organization, present, but William Dowd, chairman of the county Republican organization, and Republican Freeholders Thomas Powers and Theodore Narozanick also attended the Mass.

"You don't appreciate someone until they're gone," Powers said. "But Jim Howard will always be remembered by everyone. I can't think of one time when I called him, even on something small, that he wouldn't return my call and help me. He never disappointed me. He never disappointed his constituents. No one can replace him."

Narozanick agreed. "I considered him a friend, a fine man who put his district and his state first," he said. "He'll be sorely missed."

[From the East Coast Angler, Mar. 31-Apr. 6, 1988]

SALTWATER ANGLERS MOURN LOSS OF A FRIEND

East Coast Angler is not politically oriented for any reason, even to the point of endorsing candidates and the like. But every once in awhile a political figure emerges that honestly, sincerely and truly has marine sport anglers at heart and works hard for their causes. One such person was U.S. Rep. James J. Howard who represented the 3rd District of New Jersey. To Jim Howard, we offer this remembrance and posthumous endorsement.

Saltwater sportfishermen have lost a valuable and true ally. Congressman Jim Howard died suddenly last week in suburban Washington after having suffered a massive heart attack while playing golf. He was 60 years old, at the prime of his political life.

Just who was this man who was so strongly in favor of saltwater sportfishing and everything that made up that glorious picture? First and foremost, Congressman Howard was the strongest opponent of every effort to have a federal saltwater sportfishing license imposed. More than once he voiced his forceful objections to even the mere thoughts of such a travesty. He willingly fielded massive volumes of letters and petitions that opposed such legislation. He and his staff worked long and hard to keep any such efforts from coming to the floor of the Congress. Almost single-handedly he blocked any move to create such a tax.

That was his most pronounced battle in behalf of saltwater sportfishing. Other efforts that enhanced the sport and aided it in one way or another included: his battle to keep New Jersey Coast Guard stations from being closed. Although a few were, he was in the process of having the Shark River station reopened. Jim led the on-going effort to rebuild and retain the Sandy Hook Marine Laboratory of the National Marine Fisheries Service at Sandy Hook, following a disasterous fire almost three years ago.

He was a firm believer and hard worker in helping to cleanup the Atlantic Ocean off the Middle eastern seaboard and sponsored many pieces of legislation that would rid the ocean of debris, sludge and other pollutants. Many pieces of his legislation remains undecided upon.

He also helped to gain federal funding to aid beach erosion and channel dredging.

He was constantly at work assisting his constituents as well as others who took pride in and enjoyed the ocean and all it offers the sporting and recreational public, be they from New Jersey or visitors to the state. He always had an ear ready to listen to people with problems that involved the marine environment. He was a familiar figure at many fishing club meetings and outings. His staff worked in harmony to assist the public as they should under the unwritten rules of the game.

He played the political game expertly, he knew where to go for what, he knew Washington and how the big machine operates. He chaired the powerful Public Works and Transportation Committee and was the first New Jersey Congressman ever to head that committee. That particular committee has pronounced jurisdiction over many operations that affect our valued seashore.

Jim was a "people's man"; he served them proudly, honestly, intelligently. His death left many pieces of his legislation pending and many projects incomplete.

Rep. Howard's valued aide, Jim McCann, said this week that the staff will continue to carry on in the Howard tradition and he feels assured that the successor will continue the "Howard ways" and do everything the way the late Congressman would have wanted them done.

Jim Howard was a popular but not notorious member of Congress. Having served in the halls of Congress for 24 years, he had a strong following of fellow Democrats and lawmakers.

Not only did he leave behind a wife and three daughters, plus a full staff of trusted and dedicated staff people in his New Jersey district and Washington offices, he left behind a saddened saltwater fishing fraternity. We only hope his ideals, sense of commitment and dedication will be carried forth to a new lawmaker. Right now, we need just as trusted and dedicated an ally in those hallowed halls.

We will all miss you, Congressman Jim Howard. However, thank you for what you did for the saltwater angler and his environment. You were a true friend.

[From the New York Times, Apr. 5, 1988]

CHAMPION OF HIGHWAY SAFETY WILL BE MISSED

To the Editor:

Last week in Boston I had the privilege of hearing Representative James J. Howard of New Jersey galvanize an audience with his dedication and humor. He spoke at a national conference on highway safety.

His untimely death (obituary, March 26) leaves those of us who work for highway safety—and the nation—bereft of an invaluable advocate. He spoke in Boston of the need to resume the national 55 miles an hour speed limit, of which he had been the architect.

Recently, some states have tried higher speed limits, and within months highway deaths have soared. High speeds—like drunken driving—cause the intractable head and spinal cord injuries that leave too many of our young people in wheelchairs or comas and send them to early graves.

My fond hope is that Representative Howard's life will inspire someone else to take up his mantle and resist efforts to undermine the 55-mile limit.—FLORENCE NASS, *Founder and Chapter Administrator, Mothers Against Drunk Driving, Teaneck, N.J.*

[From the Asbury Park Press, Apr. 7, 1988]

FAMILY AND STAFF REALIZED JIM HOWARD WAS THE BEST

(By Nancy Fatemi)

Much is revealed about a man's character by the way he treats his family and his employees. Congressman James J. Howard scored very high by both measures.

We used to joke that once you started working for Jim Howard you never left.

During his 23 years in office, he had only two administrative assistants and two personal press secretaries. This may be a record on Capitol Hill, where a staff error can mean the end of a member's career and strong personalities often conflict. Jim Howard kept us on our toes, but he never made unreasonable demands and he was always quick to forgive an honest mistake.

On occasion, over the years, he would be scheduled for a weekend event in New Jersey that was subsequently canceled. Unfortunately, the congressman and his wife Marlene didn't know of the change until they arrived at the door in evening dress. We'd hear about it for a few minutes on Monday when he returned to Washington and then it was quickly forgotten. And we never heard an unkind word from Mrs. Howard, whose public and private demeanor was always gracious.

During one congressional leaders trip to Israel in 1977, when President Anwar Sadat of Egypt made his historic appearance before the Knesset, the congressman called in a press release to me on the Washington office to be distributed to the House Press Gallery. The release had been drafted by the press aide to then-Majority Leader Jim Wright, who was also on the trip. It was complete with quotes and appropriate details, and I thought how nice it was to have all this work done for me. Minutes after I released it to the press gallery, however, I was mortified to learn that three other offices of congressmen on the trip had released the exact same statement with the precise quotes attributed to their bosses.

The mix-up had become the story. I was certain it would mark the end of my brief term as press secretary, since it made us all look so foolish. But when he returned, he thought it was all very funny and enjoyed a few good laughs.

Not everyone was at ease with the congressman I have many memories of representatives of both Democratic and Republican administrations waiting outside the office door, dreading another meeting with Jim Howard. He would usher them in and conduct an angry lecture about the latest administration proposal that would cut mass transit aid for commuters or derail a particular new Jersey project. After they left and a few seconds had passed, he would turn to the staff with a sly smile and say, "How did I do?"

During my first few campaigns with Jim Howard. I was always on edge. Each attack from our opponents I took personally. I dreaded handing the congressman the text of the latest opposition press release. He would shake his head and make a few angry comments (he never swore when women were in the room), complain abut the opponent's hypocrisy and suggest a response, which I anxiously jotted down and relayed to reporters.

Finally, on one such unpleasant occasion a few campaigns ago. I turned to him and said, "isn't this terrible? How could you stand this year after year?" He looked up from the paper I had handed him and said. "I'm the luckiest person in the world. I wouldn't change this job for anything."

Jim Howard always loved a good legislative fight. As chairman of the House Public Works and Transportation Committee, he was not a detail man. He was a superb strategist. Staff meetings in the 11th hour of a floor fight were like the time-out in the final minutes of a basketball game. The staff, by this time exhausted and drained of all new ideas, would turn to the chairman. Our coach, who loved to compete with and outmaneuver his opponents, would pace back and forth, touching his forefinger to his lip in a familiar gesture of concentration and say. "OK. here's what we do." And he would outline a brilliant plan of action that more than likely would prevail on the floor.

The congressman was also a man of simple tastes. He would opt for a hamburger or a pizza over a fancy meal any day. Watching a ball game or "M*A*S*H" on television with his daughter was his most frequent mode of relaxation. Money meant nothing to him and he would often seem surprised when we brought him the change from an errand he had asked us to run.

Marlene Howard provided the foundation that enabled her husband to focus on his career. He took her advice very seriously. At campaign time, it was often Marlene who transformed everyone's grand ideas into a reasonable plan with specific assignments and a timetable. She deserves credit for much of Jim Howard's success.

It was no small achievement for the Howards that in a city that is notoriously hazardous to family life, their marriage was as strong on the day of the congressman's death as it was on their wedding day 37 years ago. We always knew that when a political function conflicted with a grandson's birthday, the birthday party would prevail.

Much has been said about the congressman's tangible accomplishments—the passage of the clean water and highway bills over the president's veto, the mass transit and waterway improvements, the highway safety legislation that has saved many lives. But I think those of us on the staff will remember him most as a compassionate man with incredible energy and enthusiasm for his job and a gentle, teasing sense of humor that made the Howard office a great place to work.

(Nancy Fatemi has been press secretary and legislative assistant to the late Rep. James J. Howard, D-NJ, since October 1975. She was reared in Avon.)

[From the Washington Post, Apr. 12, 1988]

JAMES HOWARD AND HIS FIGHTS FOR PUBLIC SAFETY

(By Joan Claybrook and Chuck Hurley)

The Post, in its March 26, obituary for Rep. James Howard, did not do justice to a man who fought some of the toughest battles on Capitol Hill and modestly sought little public recognition for his achievements.

A former schoolteacher who was first elected to Congress in 1964, Jim Howard became the chairman of the powerful House Public Works and Transportation Committee the year Ronald Reagan became president. He led the battles to expand Superfund enforcement of toxic-waste cleanup, to strengthen clean-water laws and to empower citizens with the right to know about dangerous chemicals in their communities.

Although he was from a Republican district in New Jersey, Democrat Howard didn't shrink from confronting powerful industries when their activities threatened public health and safety. And although he was a loyal Democrat, he took on Democratic colleagues when necessary—such as the pugnacious commerce committee chairman, Rep. John Dingell—because he was unafraid to serve as the voice of the average citizen in America.

Howard was the leader in the fight for the 55 mph speedlimit, the single most effective highway safety law in our nation's history. Since 1974 it has saved 50,000 lives and prevented many more disabling injuries.

When Congress last year voted to allow 65 mph speeds on rural interstates, Howard expressed disdain for colleagues who justified their votes by calculating the lives saved with new safety-belt and drunk-driving laws and then balancing them against those that would be lost because of higher speeds. "As long as we're 300 lives to the good, we're okay" is what some told Howard. He was contemptuous of these mathematics of convenience, which are totally irrelevant to the family of a child crippled or a father killed in a high-speed crash.

And when the first figures showing sharp increases in fatal high-speed crashes were described by federal officials and proponents of 65 mph as "too preliminary" and "inconclusive," Howard put that in perspective too. "If I was waiting for the returns on election night and I was 20 percent behind my opponent, you might say the numbers are inconclusive . . . but they sure are indicative."

Howard was inspired by President John F. Kennedy to switch from public service in the school system to serving the public in elective office. He practiced a person-to-person style of politics, always accessible and willing to listen and, as a teacher, able to translate legislative gobbledygook into the everyday language of his constituents.

Howard was also a hard-nosed horse-trader on Capitol Hill, using the spending power of his public works committee to encourage bipartisan support for his legislative programs. He successfully led the fights for the law on a national, uniform drinking age of 21, for increased federal aid for truck safety, for assistance to states in a nationwide crackdown on drunk drivers and for greater funding of state child-passenger safety programs.

The Post's obituary emphasized that Howard was given significant campaign contributions from business and was entertained on others' expense accounts. This unfortunately, is permissible under our existing laws, and committee chairs are the biggest recipients of these business funds. But what the Post did not point out is that Howard usually voted for legislation against the parochial interests of many of his contributors.

For example, during the Reagan years he voted for stronger pesticide, clean-air and clean-water laws; for stronger mine safety and health regulations; to retain and enlarge the power of the Consumer Product Safety Commission to regulate consumer products; for the elimination of billions of dollars of corporate tax loopholes; against the elimination of the Legal Services Corp.; for the Federal Trade Commission used-car defect disclosure bill; for oversight of doctors, lawyers and other professionals; for canceling the synthetic fuels demonstration project; for reducing the dairy subsidy; and for deleting funds for the Clinch River Breeder Reactor.

But of all his achievements, Howard was probably proudest of having earned the appellation "Mr. Highway Safety." He recently told the Lifesavers Conference in Boston that though "some might think I'm corny, when I drive through my district at night and see the houses lit up and families inside, I wonder how many of them might not be here without 55 mph." We mourn that the light in the window has gone out on a politician who didn't forget to use his exalted position to nurture the public interest.

A TRIBUTE TO OLYMPIA DUKAKIS

Mr. BRADLEY. Mr. President, "Oscar Night" is always a tremendously exciting occasion for all those involved in the movie industry as well as for movie goers across the country who anxiously await the names of the winners in each category. Last night was no exception, especially for New Jerseyans, who saw Montclair resident, Olympia Dukakis, receive an Oscar for best supporting actress for her role as the mother in "Moonstruck." I ask my colleagues to join me in congratulating Ms. Dukakis on this great achievement and in paying tribute to a truly talented New Jerseyan, who has successfully balanced a busy career as an actor, director and producer for more than 30 years.

Ms. Dukakis' performance in "Moonstruck" showed great sensitivity—it was a fine example of her many outstanding achievements in the field of the arts. One area that deserves special recognition is her work with a nonprofit regional theater in New Jersey. In 1973, Ms. Dukakis founded the Whole Theatre Co. in Montclair, NJ and has served as its artistic director ever since. In February 1987, she was named producing artistic director and assumed responsibility for all operations of the theatre. Her Whole Theatre has provided our State with a rich variety of productions and playwrights including Noel Coward, Edward Albee, Euripides and Eugene O'Neil. Through her creativity and professionalism, the theatre has also received national acclaim—in 1986, the Whole Theatre Co. received a Tony nomination for Outstanding Regional Theatre; and in 1987, the company received the New Jersey State Council of the Arts' "1987 Distinguished Artistic Award."

Ms. Dukakis has also brought the Whole Theatre Co., into the community through its Art Reach Program, a program that is committed to bringing the arts into New Jersey schools, prisons, and nursing homes. I was proud to present Ms. Dukakis with my "Unsung Heroine Award" last year, an award that I present every year to women who have made significant contributions to the quality of life in New Jersey.

Though many people will quickly forget the names of this year's Academy Award winners, there will be many proud New Jerseyans who will remember the name of Olympia Dukakis for a long time to come.

HONDURAS—A TRUE AND COURAGEOUS FRIEND

Mr. HELMS. Mr. President, there is a rising crescendo of apprehension across the country about international drug trafficking. Many of us have condemned the involvement of high-level government officials in trafficking in Panama, Mexico, and the Bahamas. We have denounced the failure of these governments to cooperate with the United States to put an end to drug trafficking and money laundering.

Not very often have we been able to congratulate high ranking officials of other countries for carrying out a major operation against the corrupt drug traffickers who threaten to destabilize the Western Hemisphere—and indeed the United States. But last week, Honduras carried out a very courageous operation.

Mr. President, according to reliable sources, the Honduran Armed Forces captured Juan Ramon Matta Ballesteros, and assured his delivery to the United States to face several charges of international drug trafficking and murder. U.S. law enforcement officials have declared that Matta, a Honduran citizen, is the world's No. 1 cocaine king. These U.S. officials are said to have evidence that Matta was involved actively in the brutal torture and murder of a U.S. drug enforcement agent, Enrique Camarena, in 1985. Furthermore, Matta is the key contact in Central America for the Medellin cartel—the most powerful and most dangerous cocaine traffickers in the world.

There is no question in mind that Matta—who is alleged to have amassed illegally $2 billion is an international thug and gangster. Matta, not surprisingly, is believed to have close ties to another major drug trafficker—Gen. Manuel Noriega of Panama. Matta's ties to Fidel Castro are also suspected.

Mr. President, in past years, the news media in the United States, and many in Congress, have been quick to denounce Honduras at every possible opportunity—because, as our strongest ally in the region, Honduras has cooperated with the United States in many efforts to ensure hemispheric security. Even last week, the major United States news media were reluctant to give Honduras the credit it deserves for the capture of Matta.

Specifically, the Honduran Armed Forces conceived the plan to capture Matta, then carried it out without the sacrifice of even one life. In past months, various Senators have criticized Honduras for failing to extradite Matta to the United States. But long before this unwarranted criticism, the Honduran Armed Forces were devising an effective plan to turn Matta over to United States authorities.

The plan was one that entailed great risks, and one that proved highly unpopular in certain circles. According to the Honduran Constitution, no Honduran national can be extradited to any country, for any reason. But President Azcona put it well when he said that drug traffickers "have no country, because they are sons of international crime." So the Commander in Chief of the Honduran Armed Forces, Gen. Humberto Regalado, and President Jose Azcona decided that Matta's presence in Honduras constituted a grave national security risk for Honduras and for all the Western Hemisphere. They made a decisive, bold decision. They did what needed to be done.

Since Mr. Matta was captured and brought to the United States last week, subversive elements—reportedly financed by drug traffickers—went to the streets of the two major cities to protest Matta's departure from Honduras. The radical and violent protestors have caused millions of dollars of damage to the United States Consulate, as well as the lives of five Honduran citizens. These demonstrators have vowed not to stop their rampage until they kill those responsible for Matta's fate.

Mr. President, the capture of Ramon Matta emphasizes that the war against international drug trafficking is a dangerous and dirty war. We have seen in Colombia, Mexico, and Panama that the traffickers will stop at nothing to get their revenge. They are doing that now in Honduras.

Honduras has paid a high price for doing what was just and right in the case of Matta. But the rewards for taking decisive action will be far greater in the long run. The capture of Ramon Matta has shown the world that General Regalado and his subordinates are committed to the war against international narcotics trafficking. While the capture of Matta is by far the most important action taken by Honduran officials against drug traffickers, it is not the first. During the past 5 years Honduras has cooperated fully with the United States and has asked for United States assistance in acquiring intelligence on drug operators in Honduras and in taking effective action against them.

The courageous leaders of Honduras have pledged that they will not stop with Matta, and that they will move against others who are known to be involved. The integrity and dedication of the Honduran Armed Forces serves as a model for all armed forces in this hemisphere. Other countries—Panama and Mexico, for example—would be well advised to follow the example of Honduras.

So, Mr. President, I commend the courage and the strength of the Honduran military. I, for one, will do everything possible to seek further necessary assistance for Honduras to combat this serious threat—international narcotics traffic which confronts both of our countries.

Honduras has proved itself to be a true and honorable friend. We owe the leaders and the people of that fine

country our gratitude and respect. They have earned it.

AN ESKIMO COMES TO WASHINGTON

Mr. STEVENS. Mr. President, last Monday a column appeared in the Washington Post which I would like to share with my colleagues. This piece, written by William Raspberry, examines issues facing Alaska Natives living in the northern part of our State. It does so by focusing on a good friend of mine, Mr. Oliver Leavitt.

Oliver was here in Washington recently to discuss the potential for oil development in the northeastern corner of Alaska, on the coastal plain of the Arctic National Wildlife Refuge. While it is Congress which must decide whether leasing should continue in this area, an area with more potential for oil and gas than any other remaining in the United States, it is the people of Alaska's North Slope who must live with the consequences of the congressional decision.

It has taken determination to preserve the tradition of the Eskimos in the face of the changes brought about by our great Prudhoe Bay discovery of the North Slope of Alaska and the production from there during the last few years. Yet, as this article points out, there is strong support for leasing of the Alaskan national wildlife coastal plain from the Eskimos of the North Slope.

I hope that Members of the Senate will recall this article when the time comes to consider the proposal presented by the Secretary of the Interior to proceed with leasing of the coastal plain.

I ask unanimous consent to have printed in the RECORD the article to which I have referred, entitled "An Eskimo Comes to Washington."

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

[From the Washington Post, Apr. 4, 1988]

AN ESKIMO COMES TO WASHINGTON

(By William Raspberry)

Oliver Leavitt hopes there will soon be a diamond-patterned flag flying above his house on the northern edge of Alaska. The flag would be a signal that his two-month whale hunt has been a success and that he now has meat to share with his neighbors in the village of Barrow.

The 44-year-old Leavitt, like his fellow Inupiat Eskimos, is a subsistence hunter who cherishes this inhospitable land, its culture and its traditions.

But Leavitt is also a Vietnam veteran, an expert in microwave technology, an elected assemblyman and vice president of the Arctic Slope Regional Corp. It is that last designation that has brought him to Washington. He is here to make sure that he and his neighbors don't get lost in the contest between oil interests bent on exploiting what could be a major petroleum field and environmentalists who want to preserve the area in pristine purity.

The ASRC is one of a dozen native corporations established under a congressional act that dissolved aboriginal title to most of Alaska in exchange for cash payments and 44 million acres of land.

The arrangement was necessary for commerical oil exploration after the 1969 discovery of the Prudhoe Bay reserves on the North Slope. But the best lands were leased to the oil companies or selected by the state, and others were set aside for the wildlife refuge or taken for U.S. military purposes. The Eskimos had to choose from what was left.

Subsequent legislation placed a five-year prohibition on oil and gas exploration on much of the land, including 92,000 acres around the village of Kaktovik.

Congress is now considering legislation to lift that ban. But the debate has been cast primarly as a battle between greedy oil companies and public-spirited environmentalists.

Leavitt wants to change the terms of the debate to take into account the interests of the Eskimos, who, while determined to protect the area from haphazard exploration, have learned to like the things that oil money can buy: decent schools, indoor plumbing and electricity.

Specifically, he wants the 3,700 Eskimo shareholders in ASRC to have the right to develop their oil and gas reserves, using the latest technology to minimize environmental damage; to open the coastal plain to a carefully controlled program of leasing, production and development; and to allow additional petroleum development on the North Slope after the Prudhoe Bay oil field goes into decline over the next few years.

Petroleum, he notes, is the natives' major source of jobs and money for government services.

"There are a number of ways of developing the reserves while protecting the environment," he said in a recent interview. "Prudhoe was good, given the technology of 1969. Endicott is better, because newer technology makes it possible for two wells, using slant drilling and other approaches, to produce as much oil as hundreds of Prudhoe-type wells. You could limit exploratory drilling to the winter months, in order to protect the wildlife. There are lots of ways of protecting the environment.

"My fear is that if the environmentalists win and the area is not opened up, it will, in effect, turn the page back for us."

While Leavitt wants no part of uncontrolled exploration, he does believe that the dire predictions of the environmentalists are overly pessimistic. "They told us the Alaska pipeline would destroy the caribou herds, and we believed them. That's why I fought against it. Well, it turns out that there are more caribou than before, and that the largest herds are right near the pipeline."

Reminded that representatives from two Indian villages to the south have supported the environmentalist argument, he says: "I sympathize with them. That's where we were 20 years ago. But experience has not justified the fears we had."

Leavitt says he and his neighbors represent a happy compromise between the old ways (he still disappears for two months of whaling every year and still prefers blubber and caribou to beef) and modern conveniences.

"I like to hunt. I like the idea of sharing with my neighbors (who still cling to the idea that both the land and the fruits of their hunting and whaling must be shared with their villages), but I also like my television and my electric oven and the medical clinic and the fire station. I don't want to give these things up just so the tundra can remain untouched.

"When I was a child, I had to use a dogsled to gather driftwood for fires. I loved school because it was the only warm place in the village. I don't want my children to have to go back to that."

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

PRESIDENTIAL APPROVALS

A message from the President of the United States announced that he had approved and signed the following bills and joint resolutions:

On March 14, 1988:

S. 1447. An act to designate Morgan and Lawrence Counties in Alabama as a single metropolitan statistical area.

On March 23, 1988:

S.J. Res. 126. Joint resolution to designate March 16, 1988, as "Freedom of Information Day";

S.J. Res. 252. Joint resolution designating June 5-11, 1988, as "National NHS-Neighbor Works Week"; and

S.J. Res. 265. Joint resolution to designate March 20, 1988 as "National Agriculture Day."

On March 24, 1988:

S.J. Res. 125. Joint resolution to designate the period commencing on May 9, 1988, and ending on May 15, 1988, as "National Stuttering Awareness Week."

On March 25, 1988:

S.J. Res. 216. Joint resolution approving the location of the Black Revolutionary War Patriots Memorial; and

S.J. Res. 218. Joint resolution to designate March 25, 1988, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

On March 28, 1988:

S.J. Res. 225. Joint resolution approving the location of the Korean War Memorial;

S.J. Res. 229. Joint resolution to designate the day of April 1, 1988, as "Run to Daylight Day"; and

S.J. Res. 253. Joint resolution designating April 9, 1988, as "National Former Prisoners of War Recognition Day."

On March 29, 1988:

S.J. Res. 244. Joint resolution to designate the month of April 1988, as "National Know Your Cholesterol Month."

On March 30, 1988:

S.J. Res. 185. Joint resolution to designate the period commencing on May 2, 1988, and

ending on May 8, 1988, as "National Drinking Water Week"; and

S.J. Res. 255. Joint resolution to authorize and request the President to issue a proclamation designating April 24 through April 30, 1988, as "National Organ and Tissue Donor Awareness Week."

On March 31, 1988:

S. 854. An act entitled the "Nevada-Florida Land Exchange Authorization Act of 1988."

On April 4, 1988:

S. 2151. An act to amend section 416 of the Agricultural Act of 1949, and for other purposes.

On April 6, 1988:

S. 1397. An act to recognize the organization known as the Non Commissioned Officers Association of the United States of America; and

S.J. Res. 206. Joint Resolution to designate April 8, 1988, as "Dennis Chavez Day; and

On April 7, 1988:

S. 2117. An act to extend the statute of limitations applicable to certain claims under the Age Discrimination in Employment Act of 1967 that were filed with the Equal Employment Opportunity Commission before the date of enactment of this act;

S.J. Res. 223. Joint resolution to designate the period commencing on April 10, 1988, and ending on April 16, 1988, as "National Productivity Improvement Week";

S.J. Res. 245. Joint resolution to designate April 21, 1988, as "John Muir Day"; and

S.J. Res. 260. Joint resolution to designate the week beginning April 10, 1988, as "National Child Care Awareness Week."

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2900. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the thirteenth annual report of the Federal Deposit Insurance Corporation's Office of Consumer Affairs; to the Committee on Banking, Housing, and Urban Affairs.

EC-2901. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Sixteenth Annual Report of the Securities Investor Protection Corporation ("SIPC") for the year 1986; to the Committee on Banking, Housing, and Urban Affairs.

EC-2902. A communication from the Chairman of the Federal Financial Institutions Examination Council, transmitting, pursuant to law, the 1987 Annual Report of the Federal Financial Institutions Examination Council; to the Committee on Banking, Housing, and Urban Affairs.

EC-2903. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's 1988 Consolidated Annual Report on community development programs; to the Committee on Banking, Housing, and Urban Development.

EC-2904. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, a draft of proposed legislation "To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974;" to the Committee on Commerce, Science, and Transportation.

EC-2905. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Twelfth Annual Report on the Automobile Fuel Economy Program; to the Committee on Commerce, Science, and Transportation.

EC-2906. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the "Use of Controlled Substances and Highway Safety"; to the Committee on Commerce, Science, and Transportation.

EC-2907. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation "To authorize appropriations for the fiscal years 1989 and 1990 for certain maritime programs of the Department of Transportation, and for other purposes;" to the Committee on Commerce, Science, and Transportation.

EC-2908. A communication from the Secretary of Energy, transmitting, pursuant to law, the 1987 Annual Report of the Bonneville Power Administration (BPA); to the Committee on Energy and Natural Resources.

EC-2909. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report, prepared in conjunction with the Administrator of the Environmental Protection Agency, relative to actions taken under the Powerplant and Industrial Fuel Use Act of 1978; to the Committee on Energy and Natural Resources.

EC-2910. A communication from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting, pursuant to law, a report regarding the refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-2911. A communication from the Secretary of the Interior and Chairman of the National Park Foundation, transmitting, pursuant to law, the 1987 Annual Report of the National Park Foundation; to the Committee on Energy and Natural Resources.

EC-2912. A communication from the Deputy Associate Director for Royalty Management of the Department of the Interior, transmitting, pursuant to law, a report regarding the refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-2913. A communication from the Deputy Associate Director of Royalty Management of the Department of the Interior, transmitting, pursuant to law, a report regarding the refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-2914. A communication from the Acting Chairman of the Advisory Council on Historic Preservation, transmitting, pursuant to law, the Council's Report to the President and Congress for 1987; to the Committee on Energy and Natural Resources.

EC-2915. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation "To amend and extend the Clean Air Act, as amended, for two years;" to the Committee on Environment and Public Works.

EC-2916. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, copies of reports of Building Project Surveys for Atlantic County, New Jersey, American Samoa, and Altoona, Pennsylvania; to the Committee on Environment and Public Works.

EC-2917. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation "To amend and extend Title I of the Marine Protection, Research, and Sanctuaries Act, as amended, for two years;" to the Committee on Environment and Public Works.

EC-2918. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation "The Environmental Research, Development, and Demonstration Authorization Act of 1988;" to the Committee on Environment and Public Works.

EC-2919. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation "To extend the Solid Waste Disposal Act;" to the Committee on Environment and Public Works.

EC-2920. A communication from the Administrator of the Environmental Protection Agency, transmitting a draft of proposed legislation "To amend and extend the Toxic Substances Control Act, as amended, for two years;" to the Committee on Environment and Public Works.

EC-2921. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Assessment of the Clinical Social Worker Demonstration;" to the Committee on Finance.

EC-2922. A communication from the Chairman of the Physician Payment Review Commission, transmitting, pursuant to law, the Commission's Annual Report; to the Committee on Finance.

EC-2923. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the following annual reports: Airport and Airway Trust Fund; Asbestos Trust Fund; Black Lung Disability Trust Fund; Harbor Maintenance Trust Fund; Hazardous Substance Superfund; Highway Trust Fund; Inland Waterways Trust Fund; Leaking Underground Storage Tank Trust Fund; Nuclear Waste Trust Fund; Reforestation Trust Fund; and Statement of Liabilities and Other Financial Commitments of the U.S. Government; to the Committee on Finance.

EC-2924. A communication from the Secretary of State, transmitting, pursuant to law, a report of the Department's activities related to minority recruitment and equal employment efforts for the period October 1, 1986—September 30, 1987; to the Committee on Foreign Relations.

EC-2925. A communication from the Attorney General, transmitting, pursuant to law, the report of the Attorney General regarding the Foreign Agents Registration Act for the calendar year 1986; to the Committee on Foreign Relations.

EC-2926. A communication from the Chief Counsel, Department of Justice, transmitting, pursuant to law, the Annual Report of the Department's activities relative to the War Claims Act of 1948 and International Claims Settlement Act of 1949; to the Committee on Foreign Relations.

EC-2927. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, reports regarding international agreements other than treaties entered into

by the United States; to the Committee on Foreign Relations.

EC-2928. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, a report regarding the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2929. A communication from the Executive Director of the Neighborhood Reinvestment Corporation, transmitting, pursuant to law, a report regarding the Corporation's compliance with the requirements of the Government in Sunshine Act; to the Committee on Governmental Affairs.

EC-2930. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report summarizing the reasons why the Department of Justice opposes enactment of the bill S. 552, the "Federal Employee Compensation Equity Act of 1987;" to the Committee on Governmental Affairs.

EC-2931. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Duplicate Payment For The Same Course Taught;" to the Committee on Governmental Affairs.

EC-2932. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the third annual report on the FY 1987 competition advocacy program for the Peace Corps; to the Committee on Governmental Affairs.

EC-2933. A communication from the Secretary of the U.S. Postal Rate Commission, transmitting, pursuant to law, a report regarding Postal Rate and Fee Changes, 1987, Docket No. R87-1; to the Committee on Governmental Affairs.

EC-2934. A communication from the Administrator of the Veterans Administration, transmitting, pursuant to law, a report regarding a computer matching program to be conducted by the Department of Veterans Benefits; to the Committee on Governmental Affairs.

EC-2935. A communication from the Executive Secretary of the Uniformed Services University of the Health Sciences, Department of Defense, transmitting, pursuant to law, a report relative to the Government in Sunshine Act; to the Committee on Governmental Affairs.

EC-2936. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 7-148 adopted by the Council on March 1, 1988; to the Committee on Governmental Affairs.

EC-2937. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 7-149 adopted by the Council on March 1, 1988; to the Committee on Governmental Affairs.

EC-2938. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 7-150 adopted by the Council on March 1, 1988; to the Committee on Governmental Affairs.

EC-2939. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 7-151 adopted by the Council on March 1, 1988; to the Committee on Governmental Affairs.

EC-2940. A communication from the President of the African Development Foundation, transmitting, pursuant to law, notice of a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-2941. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Review of Contract Between the District of Columbia Board of Education and Willie L. Leftwich P.C. Relating to Asbestos Removal in D.C. Public Schools"; to the Committee on Governmental Affairs.

EC-2942. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Denver Post Office: Estimate of Fair Market Value"; to the Committee on Governmental Affairs.

EC-2943. A communication from the Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on a proposed computer matching program; to the Committee on Governmental Affairs.

EC-2944. A communication from the Acting Secretary to the Postal Rate Commission, transmitting, pursuant to law, changes to be made in the opinion and recommended decision on Docket No. R87-1; to the Committee on Governmental Affairs.

EC-2945. A communication from the Records Officer of the United States Postal Service, transmitting, pursuant to law, a report on proposed new Privacy Act system of records; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-436. A concurrent resolution adopted by the Legislature of the State of Iowa; to the Committee on Agriculture, Nutrition, and Forestry.

"SENATE CONCURRENT RESOLUTION No. 104

"Whereas, the prevention of soil erosion is recognized as being of prime importance to ensure the preservation of the nation's environmental and agricultural resources; and

"Whereas, Title XII of the Federal Food Security Act of 1985, Public Law 99-198, provides that persons may contract with the Secretary of the United States Department of Agriculture to enter into the conservation reserve program; and

"Whereas, the State of Iowa, as many states, has naturally occurring sinkholes and agricultural drainage wells that significantly contribute to soil erosion and present possible groundwater quality problems; and

"Whereas, land which is located near certain streams and other bodies of water are eligible for the federal conservation reserve program; Now therefore, be it

Resolved by the Senate, the House concurring, That the General Assembly hereby petitions the Congress of the United States, the President of the United States, the United States Secretary of Agriculture, and the Administrator of the Agricultural Stabilization & Conservation Service to take immediate steps to ensure that lands with agricultural drainage wells and naturally occurring sinkholes are eligible for the federal conservation reserve program; and be it further

Resolved, That copies of this resolution be submitted by the secretary of the Senate to the President of the United States, the United States Secretary of Agriculture, the Administrator of the Agricultural Stabilization & Conservation Service, the Director of the Midwest Area Office of the Agricultural Stabilization & Conservation Service, and the members of Iowa's Congressional Delegation."

POM-437. A concurrent resolution adopted by the Legislature of the State of Indiana; to the Committee on Energy and Natural Resources:

"HOUSE CONCURRENT RESOLUTION No. 114

"Whereas, more than 10,000 women served in American forces in Vietnam; and

"Whereas, the Vietnam Women's Memorial Project is dedicated to honoring those women by erecting a statue of a woman veteran on the grounds of the Vietnam Veterans Memorial in Washington, D.C.; and

"Whereas, it is important that the Congress support this project: Therefore, be it

Resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate Concurring:

"SECTION 1. That we urge the Congress of the United States to support the Vietnam Women's Memorial Project.

"SEC. 2. That copies of this Resoluton be sent to the presiding officers and to the majority and minority leaders of both houses of Congress and to each member of Congress representing the people of Indiana."

POM-438. A joint resolution adopted by the Second Olbiil Era Kelulau; to the Committee on Energy and Natural Resources:

"HOUSE JOINT RESOLUTION No. 2-0084-13, HD1

"Whereas, the Republic of Palau, as the last remaining Trust Territory in the world, is dependent upon the United States for the funds necessary to meet the needs of our people; and

"Whereas, it is the obligation of the United States to assure that these needs are met; and

"Whereas, United States funding for Palau has lagged far behind the pace of inflation for a number of years; and

"Whereas, the cost of essential goods and services, such as fuel and medical treatment, have continued to soar; and

"Whereas, Palau has already raised to the limit all sources of revenue that are independent of United States funding (eg. taxes); and

"Whereas, Palau still will not be able to meet the needs of its people for Fiscal Year 1988; Now therefore, be it

"Resolved by the House of Delegates of the Second Olbiil Era Kelulua, Thirteenth Regular Session, January 1988, the Senate concurring, That the Olbiil Era Kelulau fully supports the $3.5 million increased funding for Palau requested by the President of the Republic of Palau. Be it further

"Resolved, that certified copies of this Joint Resolution be transmitted to the United States President; President Pro Tempore of the United States Senate; the Speaker of the United States House of Representatives; Chairman of the Subcommittee on Insular and International Affairs of the Committee on Interior and Insular Affairs of the United States House of Representatives; the Senate Committee on Energy and National Resources; Secretary of the United States Department of the Interior; the President of the Republic of Palau; and the Senate President and House Speaker of the Palau National Congress.

POM-439. A joint resolution adopted by the Legislature of the State of Alaska; to the Committee on Environment and Public Works:

"LEGISLATIVE RESOLVE NO. 47

"Be it resolved by the legislature of the State of Alaska:

"Whereas in 1980 the United States Congress suspended the operation of the Mineral Leasing Act of 1920 (30 U.S.C. 191) on the coastal plain of the Arctic National Wildlife Refuge to allow for the study of management alternatives for the coastal plain; and

"Whereas the coastal plain has been found to have the best potential for onshore oil and gas discoveries in the United States; and

"Whereas Congress recognized the environmental importance of the coastal plain by placing it in the national wildlife refuge system in 1980, and the wildlife and habitat deserve a high standard of protection if oil exploration and development proceed; and

"Whereas exploration and development of oil and gas on the coastal plain could reduce the nation's trade deficit, increase energy security, prevent erosion of the oil and gas industry, improve the national and state economies, and occur with full environmental protection and safeguards; and

"Whereas even when the strictest standards of environmental protection are applied there still can be some risk to land, water, and wildlife from development activity, and Alaskans dependent on subsistence resources of the Arctic National Wildlife Refuge should be protected in the event that there is any damage to subsistence resources; and

"Whereas the people of Alaska, based on the provisions of the statehood compact, are to be treated equally and fairly in the decisions of the United States government regarding revenue sharing, leasing, and development of public lands, including the coastal plain; and

"Whereas the state's economy is in bad condition, with high unemployment, property foreclosures, and shrinking investment; and

"Whereas the United States Department of the Interior is exploring a number of legislative proposals for the early oil and gas development of the coastal plain; be it

"Resolved That the Alaska State Legislature adopts the following consensus points on management of the coastal plain, and strongly urges Congress to act on them:

"(1) the United States Congress should open the coastal plain to environmentally responsible oil and gas exploration, development, and protection under the authority of the Mineral Leasing Act of 1920 (30 U.S.C. 191);

"(2) the United States Congress should provide for maximum participation and job opportunity for Alaska residents in coastal plain exploration and development;

"(3) the United States Congress should treat Alaska equally and fairly on revenue issues and not depart from the spirit of the statehood compact; and

"(4) the United States Congress should include language in any coastal plain legislation that addresses indemnification for subsistence users in Alaska, as it did in the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1653); and be it further

"Resolved that the Alaska State Legislature urges the state administration to be involved in all aspects of the Arctic National Wildlife Refuge oil and gas development process to ensure that the best interests of the state are protected."

POM-440. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

"ASSEMBLY JOINT RESOLUTION NO. 22

"Whereas, A rapidly spreading epidemic of Acquired Immune Deficiency Syndrome (AIDS) poses an unprecedented major public health crisis in the United States and threatens, directly or indirectly, the life and health of every person in the United States; and

"Whereas, Human T-cell lymphotropic virus (HTLV-III), the causative agent of AIDS, remains in the body of an infected individual from 3 to 13 years, and thus is one of the most difficult diseases to trace and combat; and

"Whereas, Nationally, between 1,000,000 and 1,500,000 Americans are estimated to have been exposed to the virus, and of those exposed, between 100,000 and 450,000 persons may be expected to develop AIDS within five years; and

"Whereas, The average cost per patient in the treatment of AIDS until death is now one hundred thousand dollars ($100,000); and

"Whereas, Although neither a cure nor a vaccine for AIDS presently exists, private industry has the capability to conduct the bioimmunologic research and genetic engineering of the viral components necessary for the development, production, and testing of the vaccine; and

"Whereas, For a variety of reasons there has been a recent marked decrease in the willingness of pharmaceutical companies to engage in vaccine research, development, and manufacturing; and

"Whereas, Inclusion of an AIDS vaccine in the national vaccine program will foster private research for the development of an AIDS vaccine; and

"Whereas, An effective vaccine will virtually eliminate the risk of contracting AIDS; and

"Whereas, Some recipients may have adverse side effects to even a properly manufactured vaccine, and individuals injured by the vaccine should be reasonably compensated without the necessity of establishing fault, provided the injury is shown to be causally related to vaccine administration; now, therefore, be it

"Resolved, That the Assembly and the Senate of the State of California, jointly, Memorialize the President and Congress of the United States to enact legislation amending the federal Public Health Services Act to: (1) add AIDS vaccine to the National Vaccine Program, when it is approved by the federal Food and Drug Administration, (2) fund the National Vaccine-Injury Compensation Trust Fund to compensate persons injured through AIDS vaccine administration, and (3) place a tax on vaccines, as determined by Congress, in order to provide funding for the National Vaccine-Injury Compensation Trust Fund; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative in the California Congressional delegation."

POM-441. A joint resolution adopted by the Legislature of the Commonwealth of Virginia; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION NO. 76

"Whereas, the effective functioning of the judiciary in a free society has, as its foundation, judges who are insulated from those pressures which can be brought to bear upon independent judicial decision-making; and

"Whereas, the decision of the United States Supreme Court in the case of *Pulliam v. Allen* establishes the principle that state judicial officers, from magistrate to supreme court justice, even when clearly acting within their jurisdiction, may be subjected to liability for costs and attorney's fees as a result of what is perceived to be their failure to interpret the law "correctly"; and

"Whereas, the consequences of such liability on the independence of state judicial decisions cannot but exert an intimidating influence on the free and unbiased functioning of even the most courageous judge; and

"Whereas, the doctrine of judicial immunity was recognized in the earliest days of the English common law and evolved to achieve, as its primary goal, the protection of that judicial independence so necessary for the safeguarding of individual rights; now, therefore, be it

"Resolved, by the Senate of Virginia, the House of Delegates concurring, That the General Assembly of Virginia supports enactment by the Congress of the United States of legislation to prohibit the award of attorney's fees against judges arising out of actions for injunctive relief by amending 42 U.S.C. § 1988 to read as follows:

". . . . In any action or proceeding to enforce a provision of sections 1981, 1982, 1983, 1985, and 1986 of this title, title IX of Public Law 92-318 (20 U.S.C. 1681 et seq.) or title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 d. et seq.), the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs; provided that no such fees shall be awarded against a judge or other judicial officer who would be immune from actions for damages arising out of the same act or omission about which the complaint is made."; and, be it

"Resolved further, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the Senate of the United States and the members of the Virginia delegation to the United States Congress that they may be apprised of the sense of the General Assembly."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 492. A bill to amend the National Labor Relations Act to increase the stability of collective bargaining in the building and construction industry (Rept. No. 100-314).

By Mr. PELL, from the Committee on Foreign Relations, without amendment and with a preamble:

S.J. Res. 285. A joint resolution expressing the sense of Congress that Haiti falls under the definition of "major drug-transit country" as stated in section 481(i)(5) of the Foreign Assistance Act of 1961, and therefore should be subject to the certification process mandated by section 481(h) of that Act.

By Mr. PELL, from the Committee on Foreign Relations, without amendment:

S.J. Res. 292. An original joint resolution disapproving the certification by the President under section 481(h) of the Foreign Assistance Act of 1961.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. KENNEDY (for himself, Mr. SIMON, Mr. MOYNIHAN, Mr. MATSUNAGA, Mr. INOUYE, Mr. BINGAMAN, Mr. ADAMS, Mr. KERRY, Mr. DURENBERGER, Mr. BURDICK, Mr. WIRTH, Mr. SANFORD, Mr. SHELBY, Mr. BRADLEY, and Mr. LAUTENBERG):

S. 2270. A bill to provide financial assistance to States and localities for high quality early childhood development programs for prekindergarten children, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SHELBY (for himself and Mr. HEFLIN):

S. 2271. A bill to authorize an exchange of properties between the United States and Tuskegee University relating to the Tuskegee Institute National Historic Site, AL, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MITCHELL (for himself and Mr. CHAFEE):

S. 2272. A bill to authorize appropriations to carry out the Fish and Wildlife Conservation Act of 1980 for fiscal years 1989 and 1990; to the Committee on Environment and Public Works.

By Mr. MELCHER:

S. 2273. A bill to provide for the transfer of certain funds to the Secretary of the Interior for the benefit of certain members of the Crow Tribe; ordered held at the desk.

By Mr. GRASSLEY (for himself and Mr. DECONCINI):

S. 2274. A bill to authorize and encourage Federal agencies to use mediation, conciliation, arbitration, and other techniques for the prompt and informal resolution of disputes, and for other purposes; to the Committee on Governmental Affairs.

By Mr. EXON (for himself and Mr. SYMMS):

S. 2275. A bill to prohibit the payment of Federal benefits to illegal aliens; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 2276. A bill to establish a reservation for the Confederated Tribes of the Grand Ronde Community of Oregon, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. COCHRAN (for himself, Mr. MATSUNAGA, Mr. WILSON, Mr. DOLE, and Mr. QUAYLE):

S.J. Res. 291. A joint resolution to designate the Month of September 1988 as "National Sewing Month"; to the Committee on the Judiciary.

By Mr. PELL from the Committee on Foreign Relations:

S.J. Res. 292. An original joint resolution disapproving the certification by the President under section 481(h) of the Foreign Assistance Act of 1961; placed on the calendar.

By Mr. REID:

S.J. Res. 293. A joint resolution designating May 1988 as "Motorcycle Safety and Awareness Week"; to the Committee on the Judiciary.

By Mr. TRIBLE (for himself, Mr. SPECTER, and Mr. BENTSEN):

S.J. Res. 294. A joint resolution designating August 9, 1988, as "National Neighborhood Crime Watch Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MITCHELL (for himself, Mr. SARBANES, Mr. LUGAR, Mr. DODD, Mr. BOSCHWITZ, Mr. SIMON, Mr. MURKOWSKI, Mr. ADAMS, Mr. MOYNIHAN, Mr. MCCONNELL, Mr. COHEN, Mr. HATFIELD, Mr. KENNEDY, Mr. CHAFEE, Mr. DURENBERGER, Mr. HARKIN, Mr. DANFORTH, Mr. WEICKER, and Mr. PELL):

S. Res. 408. A resolution to condemn the use of chemical weapons by Iraq and urge the President to continue applying diplomatic pressure to prevent their further use, and urge the administration to step up efforts to achieve an international ban on chemical weapons; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself, Mr. RIEGLE, Mr. CRANSTON, Mr. D'AMATO, and Ms. MIKULSKI):

S. Res. 409. A resolution to express the sense of the Senate regarding the Community Development Block Grant and Urban Development Action Grant Programs; to the Committee on Appropriations.

By Mr. BYRD (for himself and Mr. DOLE):

S. Res. 410. A resolution to direct the Senate Legal Counsel to represent the Secretary of the Senate and any other Senate employee in the case of *Avirgan* v. *Hull* (S.D. Fla.); considered and agreed to.

By Mr. FORD:

S. Con. Res. 114. A concurrent resolution authorizing the Law Enforcement Torch Run for the Special Olympics through the Capitol Grounds; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY (for himself, Mr. SIMON, Mr. MOYNIHAN, Mr. MATSUNAGA, Mr. INOUYE, Mr. BINGAMAN, Mr. ADAMS, Mr. KERRY, Mr. DURENBERGER, Mr. BURDICK, Mr. WIRTH, Mr. SANFORD, Mr. SHELBY, and Mr. BRADLEY):

S. 2270. A bill to provide financial assistance to States and localities for high quality early childhood development programs for prekindergarten children, and for other purposes; to the Committee on Labor and Human Resources.

COMMUNITY COLLABORATIVE FOR EARLY CHILDHOOD DEVELOPMENT ACT

Mr. KENNEDY. Mr. President, today I am pleased to introduce a bill that will make early childhood education programs widely available to America's prekindergarten children. This proposal is called "Smart Start," and it has two essential features. It will provide high quality, developmentally appropriate education, and it will operate full-day and for the full calendar year, in order to meet the day care needs of working parents.

If 1988 is truly the year of the child, then America is ready to be challenged more extensively on children's issues. It is time to begin a comprehensive program of national investment in early education, equivalent to the Marshall plan of the 1940's or the mission to the Moon of the 1960's. We know that early education work—and works well—for children most at risk in poverty, and we know that the need is great—and growing.

Fortunately, we have two decades of experience to guide us. The Perry Preschool project in Michigan is the best known model. For 20 years, a research foundation tracked a group of black children from poor families. Half of them had participated in a half-day education program for 1 year at the Perry Preschool, where the classes were small and the teachers were good. The other half served as a control group.

The results are striking—and convincing. By the time they reached age 19, the Perry Preschool students had made remarkable progress. They were twice as likely to go on to postsecondary education, twice as likely to be literate, and twice as likely to have a job. They were a third less likely to be school dropouts, half as likely to have had a teenage pregnancy, half as likely to be on welfare, and much less likely to have had a run-in with the law.

In dollar terms, the study found that an investment of $4,800 per child yielded $29,000 in benefits—or $6 saved for every $1 spent.

This figure might be even higher for a full-day program that served the child care needs of working parents. According to the Bureau of the Census, one out of four mothers not in the labor force would look for work if day care were available. The proportion is one out of three for families with income under $15.000, and one out of two for single mothers. With adequate day care, 1.5 million women now on welfare would be workers—and taxpayers. Clearly, the lack of affordable day care prevents us from achieving important national goals.

Smart Start, by providing full-day, early childhood education to low-income children free of charge, and to other children on a sliding fee scale, would offer many benefits. It is an education program, a day care program, a job program, a literacy program, a health care program, a nutrition program, a dropout program, a teenage-pregnancy program, and a crime program. And every day we delay, we risk our children and our future.

It is no secret that poverty among children has risen sharply during recent years. There are almost 3 million more poor children in 1988 than there were in 1978. Today, one in four children under the age of six lives in poverty.

Among minorities, the figures are even more shocking. More than a third of all Hispanic children and nearly half of all black children are poor. For minority children in female-headed single-parent families—a group that includes the majority of black children—the numbers are overwhelming. Over two-thirds of all black and Hispanic children living in such families are poor.

The burden of poverty for these chidlren is tragic, and their plight is growing worse. Compared with 8 years ago, children living in poverty are less likely to be born with adequate prenatal care, less likely to be immunized against disease, less likely to have access to basic health care, and less likely to receive extra educational services.

Nature never waits for social policy. One of the most distressing legacies of the past 8 years will be the children we might have helped. They are no longer children today, and they are often beyond reach of any help. The impressionable 5-year-old girl of 1980 has become the pregnant 13-year-old teenage mother of 1988, perpetuating a senseless cycle of dependency and despair.

Early intervention is both liberal and conservative. It saves lives that will otherwise be blighted by poverty—it may even save an entire generation. And it saves billions of tax dollars too. Study after study has found that each $1 spent on early education saves up to $6 in reduced expenditures on welfare, crime, teenage pregnancy, special education, and unemployment.

This view is shared not just by liberal public interest groups, but also by Fortune 500 business leaders with a hard-nosed eye for the bottom line. The Committee for Economic Development, an organization of top corporate executives, tells us:

> It would be hard to imagine that society could find a higher yield for a dollar of investment than that found in pre-school programs for its at-risk children.

For too long, we have ignored that advice. Despite the well documented benefits of early education for disadvantaged children, it is the children of the wealthy who are most likely to be enrolled by early education programs. The challenge is to enhance access for children from low-income families to similar programs that are sound, supportive, and cost effective.

The positive effects of early education found by the Perry Preschool research show up in study after study: the Harlem Head Start Study, the Syracuse Family Development Research Program, the Consortium for Longitudinal Studies in New York, the Frank Porter Graham Child Development Center in North Carolina, and the Brookline Early Education Project in Massachusetts, to name but five.

The potential of these approaches is high, especially in dealing with the national scandal of dropouts. The Department of Education tells us that 29 percent of students drop out of school. The numbers are higher for blacks than whites, and still higher for Hispanics. The consequences are devastating for the individual—dropouts are less likely to be employed, and if they do find work, they have longer lower paying jobs. Society pays for dropouts too—through lost tax revenues, increased welfare costs and higher crime.

According to the Committee for Economic Development, each year's class of dropouts costs society up to $240 billion in lost earnings and foregone taxes over their lifetimes. And this does not include losses resulting from the educational disadvantages passed on to their children. If a national early education program based on models like the Perry Preschool Project can cut the dropout rate by a third, it is an investment well worth making.

Early childhood education is a benefit for parents too. Finding day care is an expensive and burdensome prospect. Often, it is an exercise in futility. Many parents, especially single mothers, face a Hobson's choice between work and welfare—between taking a job and leaving children to fend for themselves, or foregoing the opportunity for work and relying on public assistance. Often, single parents refuse even to enroll in education and training programs because of inadequate child care.

An additional problem is that for families of modest means, the average child care bill for $2,500 a year can be a crushing burden. Even when families are affluent, spaces are often unavailable. For large numbers of families, a quality early education program that doubles as day care could fill a vital need.

Under our Smart Start proposal, schools, community agencies, Head Start centers, and any public or nonsectarian nonprofit organization capable of providing quality full-time care could participate. Each early education center would offer health, nutrition, and other social services, and would be required to have ties to the public schools. Each would also have to meet certain basic requirements characteristic of quality programs: a low child-teacher ratio; small group size; staff trained in early childhood development; a developmentally appropriate curriculum; and parental involvement.

All 4-year-olds would be eligible, and 50 percent of the places would be reserved for low-income children, who would attend at no charge. Other families would pay what they could afford, based on a sliding scale.

A key feature of this proposal is cooperation at the local level. Because each community's needs and resources are different, Smart Start requires local schools, day care providers, Head Start agencies, parents, and others concerned with the education of young children to work together to determine how Smart Start resources should be allocated. This flexibility discourages the creation of competing systems by allowing States and communities to enhance programs already in place.

For example, Smart Start builds on the success of the Head Start Program, by making the comprehensive services it provides more widely available. Communities are encouraged to expand and upgrade existing programs such as Head Start, by extending the length of their day, by improving staff training and salaries, and serving more children.

Of course, no State or locality would be required to participate. But to ensure real commitment by those that do, State or local dollars would be required to match the Federal money. The Federal contribution would start at $500 million in 1989, increase to $750 million in 1990, and level out at $1 billion in 1991.

By involving State, local, and family resources, a national program can be established that will be affordable in terms of the Federal budget and achievable in terms of public policy. By targeting low-income children, society will reap the special benefits that early education programs offers. And by providing full-day services, the program will serve the day care needs of children and working parents.

Most important, it can be a genuinely new American program that will make a significant American investment in a better American future. The potential returns are enormous. Time is being wasted—and even worse, children are being wasted. Together, let us make a "Smart Start" on our future, by making a commitment to that future now.

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

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

S. 2270

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

SHORT TITLE; TABLE OF CONTENTS

SECTION 1. (a) SHORT TITLE.—This Act may be cited as the "Smart Start: The Community Collaborative for Early Childhood Development and Child Care Assistance Act of 1988".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Statement of findings and purpose.
Sec. 3. Definitions.
Sec. 4. Program authorized.
Sec. 5. Eligibility for Federal assistance.

Sec. 6. Allotments to States.
Sec. 7. Locality and within State allocation.
Sec. 8. Planning grants.
Sec. 9. State Interagency Advisory Task Force.
Sec. 10. Lead State Agency.
Sec. 11. State application and State Plan.
Sec. 12. Local Policy Group.
Sec. 13. Local plan and application.
Sec. 14. Eligible children and families.
Sec. 15. Use of funds.
Sec. 16. Minimum standards.
Sec. 17. Administrative provisions.
Sec. 18. Evaluation.
Sec. 19. Nondiscrimination.
Sec. 20. Payments; Federal share; maintenance of effort.

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) FINDINGS.—Congress finds that—

(1) high quality early childhood development programs can increase the literacy rate, the graduation rate, the employment rate, and the rate of enrollment in higher education for those children who receive such programs;

(2) high quality prekindergarten programs can also decrease the rate of incidence of cognitive, learning, and emotional handicaps, teenage pregnancy, welfare dependency, and incidence of arrest and juvenile delinquency for those children who receive such programs;

(3) high quality early childhood development programs are cost effective, saving taxpayers $6 for every dollar invested;

(4) despite these well-documented, long-term advantages only one-third of the children who live in poverty are enrolled in early education programs;

(5) the less income and education parents have, the less likely their children are to be enrolled in early childhood education programs;

(6) only 40 percent of 3-year-olds and 4-year-olds whose mothers work outside the home are enrolled in educational programs;

(7) half of all preschool children have two parents in the workforce or live in single parent families and the number is growing;

(8) because of the growing number of such children, there is a great need for high quality child care programs;

(9) existing programs of early education and child care that run only half-day or only during the school-day and school-year should be extended to meet the full child care needs of working parents;

(10) existing child care programs that do not meet the cognitive, physical, emotional, and communication developmental needs that high quality programs provide should be upgraded to provide these services to preschool children;

(11) the lack of affordable, high quality full-day child care prevents us from achieving important national goals;

(12) many parents are unable to seek education and training because they do not have access to full-day child care;

(13) lack of affordable child care keeps women, including half of all single mothers not now in the labor force, from seeking paid employment;

(14) the shortage of full-day child care prevents families from achieving economic self-sufficiency and from contributing to the economy and national productivity;

(15) the shortage of such care is a leading cause of worker absenteeism and harms America's economic productivity;

(16) many working families cannot afford high quality early childhood development programs for their children;

(17) the low salaries paid to professional staff in preschool programs, the lack of a professional career progression for such staff, and the lack of child development specialists makes it difficult to maintain high quality in programs for young children;

(18) children who receive poor quality care or who are left on their own while their parents work may suffer great physical, psychological, and developmental harm as a result;

(19) many States and localities have established early childhood development programs to help meet the needs of young children and their families, particularly low-income families;

(20) but there remains a great need for high quality full-day programs, which could be met both by expanding and upgrading existing early childhood programs or by creating new childhood development programs.

(b) PURPOSE.—It is therefore the purpose of this Act—

(1) to make widely available to prekindergarten children, especially for low-income children, a high-quality, child-centered, developmentally appropriate early childhood education program;

(2) to make widely available to parents who wish such services a full workday, full calendar-year program in which they can enroll their prekindergarten-age children;

(3) to make efficient use of Federal, State, and local early childhood development and child care resources by promoting collaboration and coordination at the Federal, State, and local levels;

(4) to assist State and local governments in providing comprehensive developmentally appropriate early childhood programs as well as child care, health, nutrition, mental health, and other social services to all prekindergarten students, including students whose native language is other than English, and especially to needy prekindergarten students in poor urban and rural areas;

(5) to assist State and local governments in expanding, improving, or establishing early childhood development programs or child care programs using existing facilities in elementary and secondary school buildings and community resources and facilities that meet State and local safety code requirements;

(6) to assist State and local governments in making available family support for prenatal and parenting training to parents of prekindergarten students who request such services;

(7) to provide incentives for community collaboration, including public-private partnerships, in the delivery of comprehensive early childhood services through schools, Head Start agencies, and other community organizations;

(8) to provide incentives to ensure a smooth transition for students from prekindergarten into the elementary school grades when they reach the appropriate age; and

(9) to assist State and local governments in providing training for early childhood development and child care staff and child development specialists and promoting the use of salary scales that take into account amount of training and experience.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "calendar year" means all days of operation of businesses in the community, exclusive of Federal holidays, with no more than 2 weeks during the summer during which programs may be closed.

(2) The term "early childhood development" means an educational program that is appropriate for the child's age and all areas of the individual child's development, including physical, emotional, social, cognitive, and communication.

(3) The term "full-day" means the hours of operation of businesses in the community.

(4) The term "locality" means a city, county, or multicity or multicounty unit within a State, an Indian reservation, or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a program assisted under this Act.

(5) The term "prekindergarten" means the year before a child is eligible to enter kindergarten, usually at age 4.

(6) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(7) The term "service provider" means any public or nonsectarian nonprofit deliverer of early childhood development services, including a local educational agency, Head Start center, and community-based organization receiving funds under this Act.

(8) The term "Secretary" means the Secretary of Education.

(9) The term "training" means that instruction in early childhood development that is required for certification by existing State and local laws, regulations, and policies, or, in a State with no certification procedures, a nationally recognized credential such as the Child Development Associate credential or postsecondary education with significant coursework in early childhood education or early childhood development.

(10) The term "child development specialists" shall include but not be limited to mean school counselors, school social workers, school psychologists, speech-language pathologists, and other qualified professional personnel involved in providing developmental assessment, counseling, therapeutic, and other necessary services as part of a comprehensive child development services program.

PROGRAM AUTHORIZED

SEC. 4. (a) GENERAL AUTHORITY.—The Secretary shall, in accordance with this Act, and in consultation with the Secretary of Health and Human Services, make grants to States and localities having plans and applications approved under sections 11 and 13 of this Act to assist States and localities to expand or establish full-day early childhood development services for prekindergarten children. In carrying out this Act, the Secretary shall use the expertise of early childhood experts in the Department of Health and Human Services agency. The Secretary shall ensure that individuals administering this Act shall have expertise in the area of early childhood development.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this Act $500,000,000 for fiscal year 1989; $750,000,000 for fiscal year 1990; $1,000,000,000 for fiscal year 1991; $1,000,000,000 for fiscal year 1992; and $1,000,000,000 for fiscal year 1993.

ELIGIBILITY FOR FEDERAL ASSISTANCE

SEC. 5. (a) STATE ELIGIBILITY.—A State shall be eligible to receive its allocation under section 6(b) of this Act if the State—

(1) provides assurances that the State has established or designated a State Interagen-

cy Advisory Task Force in accordance with section 9 of this Act; and

(2) submits an application and a State plan to the Secretary as required under section 11 of this Act.

(b) LOCALITY ELIGIBILITY.—If a State does not participate in the program under this Act, a locality in that State is eligible for a grant as provided in section 7 of this Act, if the locality—

(1) provides assurances that the locality has established or designated a Local Policy Group, as provided in section 12 of this Act; and

(2) makes an application as provided in section 13 of this Act.

ALLOTMENTS TO STATES

SEC. 6. (a) RESERVATIONS.—The Secretary shall reserve 1 per centum of the amount appropriated under section 4(b) in each fiscal year for payments to Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(b) STATE ALLOTMENT.—(1) From the remainder of the sums appropriated under section 4(b) for each fiscal year, the Secretary shall allot to each State an amount determined in accordance with this subsection.

(2) The Secretary shall allot an amount which bears the same ratio to 25 percent of such remainder as the product of the number of children to be counted in the State and the tax capacity index of the State bears to the sum of the corresponding products for all States.

(3) The Secretary shall allot an amount which bears the same ratio to 25 percent of such remainder as the product of the number of children to be counted in the State and the tax effort index of the State bears to the sum of the corresponding products for all States.

(4) The Secretary shall allot an amount which bears the same ratio to 25 percent of such remainder as the product of the number of families to be counted in the State and the tax capacity index of the State bears to the sum of the corresponding products for all States.

(5) The Secretary shall allot an amount which bears the same ratio to 25 percent of such remainder as the product of the number of families to be counted in the State and the tax effort index of the State bears to the sum of the corresponding products for all States.

(6) For the purpose of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(c) CHILDREN TO BE COUNTED.—The number of children to be counted for purposes of this section shall be the number of children aged 0 to 5, inclusive, in families with income below the poverty level as determined by the Bureau of the Census in compiling the most recent decennial census.

(d) FAMILIES TO BE COUNTED.—The number of families to be counted for purposes of this section shall be determined by adding—

(1) the number of families headed by single women parents who are in the labor force and who have one or more children aged 0 to 5 years, inclusive; and

(2) the number of families with two parents, both of whom are in the labor force, and who have one or more children aged 0 to 5 years, inclusive;

as determined by the Bureau of the Census in compiling the most recent decennial census.

(e) TAX CAPACITY INDEX.—The tax capacity index is equal to 100 divided by the most recent standard tax capacity figure for the State, based on the Representative Tax System, developed annually by the Advisory Commission on Intergovernmental Relations.

(f) TAX EFFORT INDEX.—The tax effort index is equal to the most recent measure of tax effort for the State that is based on the standard tax capacity measures, as developed annually by the Advisory Commission on Intergovernmental Relations, divided by 100.

(g) REALLOTMENT.—After satisfying the needs of localities under section 7(a), the amount of any State's allotment under subsection (b) for any fiscal year to carry out this Act which the Secretary determines will not be required for that fiscal year to carry out this Act shall be available for reallotment from time to time, on such dates during that year as the Secretary may fix, to other States in proportion to the original allotments to those States under subsection (b) for that year but with such proportionate amount for any of those other States being reduced to the extent it exceeds the sum the Secretary estimates that State needs and will be able to use for that year; and the total of those reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year shall be deemed a part of its allotment under subsection (b) for that year.

LOCALITY AND WITHIN STATE ALLOCATION

SEC. 7. (a) FEDERAL ALLOCATION TO LOCALITIES.—From amounts that would be allotted to a State under section 6(b) but will not be so allotted because the State elects not to participate in programs assisted under this Act, the Secretary shall allocate amounts to localities in accordance with this section. The grant which a locality is eligible to receive under section 5(b) is equal to the amount to which the locality is entitled when ranked by the Secretary against other applicants from the same State under subsection (c) of this section.

(b) WITHIN STATE RESERVATION AND ALLOCATION.—(1) The Governor shall, from the allotment of the State under section 6(b), reserve 25 percent in each fiscal year for the activities described in paragraph (2).

(2) From the amount reserved in each fiscal year—

(A) not to exceed 1 percent may be used for the State Interagency Advisory Task Force established under section 9 of this Act;

(B) not to exceed 4 percent may be used for administrative costs;

(C) at least 5 percent shall be used for grants to localities in nonmetropolitan areas, and to localities for the purpose of serving migrant and Indian children or if no such localities apply for funds, funds under this subparagraph may be used for purposes stated in subparagraph (D) of this paragraph;

(D) at least 10 percent shall be used for discretionary grants to localities for purposes set forth in this Act; and

(E) at least 5 percent shall be used for development and implementation of statewide training programs, and technical assistance to localities for training.

(3) The Governor shall, from the allotment of the State in each fiscal year allocate the remaining 75 percent to localities that have applications approved under section 13 of this Act, on the basis of the ranking of applications under subsection (c) and the criteria listed in subsection (d) of this section.

(c) RANKING OF APPLICATIONS FROM LOCALITIES.—(1) All localities within a State that have applications approved for funds shall be ranked from highest to lowest against other applications within the State on the basis of the scores for two separate indices described in paragraph (2) of this subsection. Where localities submitting applications claim overlapping boundaries, the State, or in the case of localities in nonparticipating States, the Secretary, shall determine which locality will have jurisdiction over the overlapping area.

(2) The indices described in paragraph (1) are—

(A) the number of children in the locality aged 0 to 5 years, inclusive, in families below the poverty line, divided by the number of all children aged 0 to 5 years, inclusive, in the locality, as determined by the Bureau of the Census in compiling the most recent decennial census; and

(B) the number of families in the locality with children aged 0 to 5 years, inclusive, as determined by the Bureau of the Census in compiling the most recent decennial census.

(3) Where data is not available for children aged 0 to 5 years, the number of children aged 0 to 4 years, inclusive, as determined by the Bureau of the Census in the most recent decennial census may be used.

(d) ALLOCATION RULES.—(1) Fifty percent of the funds shall be allocated to localities within the State on the basis of each of the indices described in paragraph (2) of subsection (c). Funds shall be allocated to localities in order of their scores from highest to lowest until all funds have been allocated. In allocating Federal funds and funds required to be paid by the State as part of the non-Federal share under this Act, the State shall provide uniform allocations per child and per family throughout the State.

(2) No locality funded under paragraph (1) shall receive less than $25,000 in total Federal and State funds provided under this Act.

PLANNING GRANTS

SEC. 8. (a) IN GENERAL.—Any locality may apply for a 6-month planning grant to the State or, if the State does not participate in the program authorized by this Act, to the Secretary. Funds received by localities for planning grants shall be deducted from the funds the locality would otherwise be eligible for in the first year of the program.

(b) APPLICATION REQUIRED.—Each application for a planning grant shall—

(1) specify the membership of the Local Policy Group; and

(2) set forth the needs and resources assessment required in section 12(c) of this Act.

STATE INTERAGENCY ADVISORY TASK FORCE

SEC. 9. (a) ESTABLISHMENT.—Any State which desires to receive financial assistance under this Act shall establish a State Interagency Advisory Task Force.

(b) COMPOSITION.—The Task Force shall be composed of a group of representatives of agencies and institutions interested in or currently participating in the provision of early childhood development programs and child care in the State. The Governor shall select representatives from among—

(1) office of the Governor;

(2) the State education agency;

(3) the State social services agency (or State child development or child advocacy agency);
(4) Head Start agencies within the State;
(5) the State health agency;
(6) the State labor/employment agency;
(7) the State housing agency;
(8) organizations representing local governments and service deliverers within the State;
(9) local educational agencies and School Boards within the State;
(10) local resource and referral agencies within the State; and
(11) organizations representing parents, teachers, business, labor, and child care providers within the State.

The Task Force shall include at least one representative from each entity listed in the paragraphs of this subsection unless such entity elects not to participate. The membership of the Task Force shall be balanced in its representation of the member organizations and entities. The Task Force shall also be balanced according to the race, ethnicity, and gender of its members.

(c) FUNCTIONS OF THE TASK FORCE.—The Task Force shall—
(1) recommend to the Governor a Lead State Agency to administer programs to be assisted under this Act in the State based on that agency's experience in the administration of early childhood development programs;
(2) advise and assist the Lead State Agency designated by the Governor in the performance of its responsibilities set out in section 10 of this Act—
(A) by helping to develop the State plan required in section 11 of this Act;
(B) by conducting a needs and resources assessment—
(i) to determine where early childhood development and child care programs are lacking or are inadequate within the State, with particular attention to poor urban and rural areas, and what special services are needed within the State, such as services for children whose native language is other than English;
(ii) to identify existing early childhood development and child care programs (other than profitmaking or sectarian) in the State which might be expanded or upgraded with the use of funds provided by this Act to meet criteria required in section 16 of this Act; and
(iii) where appropriate, to identify other sources of fiscal and other support services for early childhood development and child care programs;
(C) by assigning financial responsibility to the appropriate agency, and promoting interagency agreements;
(3) identify and review State policies, regulations or laws that may restrict the use of facilities for the delivery of early childhood development or child care services in school buildings or community agencies;
(4) advise and assist the Lead State Agency in the preparation of applications and amendments thereto;
(5) prepare and submit an annual report to the Governor and the Secretary on the status of early childhood development programs and child care programs operating within the State in accordance with subsection (d);
(6) conduct evaluations of programs as required in section 18; and
(7) arrange joint planning for provision of services under this Act with the provision of services required or authorized under other Federal laws, including the Head Start Act, title XX of the Social Security Act, chapter 1 of the Education Consolidation and Improvement Act, Education of the Handicapped Act, the Bilingual Education Act, the Indian Child Welfare Act, the Job Training Partnership Act, and Federal housing assistance programs.

(d) ANNUAL REPORT CONTENTS.—The report required by subsection (c)(5) shall include—
(1) the number of children being served in the State;
(2) data on the socioeconomic background of such children;
(3) the number of children whose parents have requested services but who are not being served;
(4) a description of the uses for which funds were expended in accordance with section 15 of this Act;
(5) descriptions of programs expanded or upgraded under this Act;
(6) descriptions of programs created under this Act;
(7) descriptions of programs that could be expanded or upgraded under this Act but that are currently not receiving funds;
(8) a description of salary scales used in programs receiving funds under this Act;
(9) a description of how programs receiving funds under this Act fit with other existing programs of early childhood development and child care for prekindergarten children in the State;
(10) a description of how funds have been allocated among various geographic areas within the State in accordance with the requirements of section 7 of this Act;
(11) a description of early childhood education or child development training programs in the State, whether or not funded by this Act; and
(12) assurances that programs funded under this Act meet the minimum standards required in section 16.

(e) CONFLICT OF INTEREST.—No member of the Task Force shall cast a vote on any matter which would provide direct personal financial benefit to that member or otherwise give an appearance of a conflict of interest under State law.

(f) USE OF EXISTING TASK FORCES.—To the extent that a State has established a task force before the date of enactment of this Act which is comparable to the task force described in this section, the State shall be considered to be in compliance with subsections (a) and (b) of this section.

LEAD STATE AGENCY

SEC. 10. (a) DESIGNATION.—The Governor shall designate a Lead State Agency to administer the early childhood development programs assisted under this Act in the State. The Lead State Agency shall be selected from—
(1) the State educational agency;
(2) the State department of social services; or
(3) the State agency for child development or child advocacy.

The criteria used to select the Lead State Agency shall include experience of the agency in carrying out early childhood development programs in the State. In order to be designated a Lead State Agency, such agency must have the authority under its charter or applicable law to receive and administer Federal funds for use in support of early childhood development programs, and to transfer funds so received, and to act as a grantee, contractor, or sponsor of programs authorized under this Act.

(b) FUNCTIONS.—The Lead State Agency shall, with the assistance of the State Interagency Advisory Task Force, be responsible for carrying out—
(1) the development and submission of the State plan required in section 11(b) of this Act;
(2) the evaluation of applications submitted by localities, the ranking of such applications, and the designation of grant recipients, as provided under section 13 of this Act;
(3) the general administration, supervision, and monitoring of programs and activities receiving assistance under section 6 of this Act to ensure compliance with this Act;
(4) the identification and provision for joint planning of all State-funded, and, to the extent practical, all other early childhood development programs and child care programs located in the State;
(5) contracting with other State and local service providers as necessary;
(6) the resolution of intra- and interagency disputes; and
(7) the provision of, directly, or by way of grant or contract or other arrangements, technical assistance to localities in developing, conducting, and administering programs under this Act.

STATE APPLICATION AND STATE PLAN

SEC. 11. (a) STATE APPLICATION.—Any State desiring to receive a grant under this Act for any fiscal year shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each such application shall contain—
(1) a description and list of members of the State Interagency Advisory Task Force established or designated by the Governor as required in section 9 of this Act;
(2) the designation of a Lead State Agency that will be responsible for the administration of funds provided under section 6 of this Act, as required by section 10 of this Act;
(3) a State plan as required by subsections (b) and (c) of this section; and
(4) such other information and assurances as the Secretary may reasonably require.

(b) STATE PLAN.—Any State desiring to receive a grant under this Act shall file with the Secretary a State Plan, developed by the Lead State Agency, with the advice and assistance of the State Interagency Advisory Task Force. The Plan shall be submitted to the Secretary at such time and in such manner as the Secretary may reasonably require.

(c) CONTENTS OF PLAN.—Such plan shall—
(1) describe what existing early childhood development and child care programs in the State could be expanded or upgraded with the use of funds provided by this Act, as identified by the State Interagency Advisory Task Force, as provided in section 9(c) of this Act;
(2) describe the results of the needs and resources assessment, carried out by the State Interagency Advisory Task Force, indicating where early childhood development programs, child care programs, and special services are needed throughout the State, as provided in section 9 of this Act;
(3) describe how the State will ensure compliance with minimum standards required in section 16;
(4) describe how the State will meet the requirement of the non-Federal share required in section 20 of this Act;
(5) describe the certification procedures and training required by the State;
(6) assure that funds paid to the State under this Act will be expended in accordance with this Act;

(7) assure that declarations of intention regarding the use of funds contained in the State plan will be adhered to;

(8) provide for (A) making such reports in such form and containing such information as the Secretary may require to carry out the Secretary's functions under this Act, and (B) keeping such records and affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal funds under this Act;

(9) provide satisfactory assurance that Federal funds made available under this Act, and the non-Federal funds which are required to be paid as part of the non-Federal share under section 20 of this Act shall be used to supplement and increase the level of State and local funds expended for services, as provided in section 20 of this Act;

(10) provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds made available under this Act and non-Federal funds which are required to be paid as part of the non-Federal share under section 20 of this Act; and

(11) such other information and assurances as the Secretary may reasonably require.

LOCAL POLICY GROUP

SEC. 12. (a) ESTABLISHMENT.—Any locality desiring to receive a grant under this Act shall form a Local Policy Group.

(b) COMPOSITION.—(1) The Local Policy Group shall be composed of a group of representatives of Government agencies, service providers, and all other agencies and institutions interested in or currently participating in the provision of early childhood development programs and child care services in the geographic area covered by the locality. The Local Policy Group shall include representatives of all service providers who desire to participate in the provision of services funded under this Act.

(2) The chief elected official of the locality (and if there is more than one such official, each such official in the locality) the director of each local social services agency, and the superintendent of each local educational agency of the locality, shall select the membership of the Local Policy Group. The Local Policy Group shall be selected from among—

(A) chief elected officials of the geographic area covered by the locality,

(B) Head Start providers,

(C) child care providers and community-based organizations serving preschool-aged children,

(D) local educational agencies and school boards,

(E) local social services agencies (or, if applicable, local child development or child advocacy agencies),

(F) organizations representing teachers, labor, business groups, parents, child care professionals, local resource and referral agencies, and local public health and nutrition agencies; and

(G) representatives of institutions of higher education including child development experts.

The Local Policy Group shall include at least one representative from each entity listed in the subparagraphs of this paragraph unless such entity elects not to participate. The membership of the Local Policy Group shall be balanced in its representation of the member organizations and entities. The Local Policy Group shall also be balanced according to the race, ethnicity, and gender of its members.

(c) FUNCTIONS.—The Local Policy Group shall—

(1) develop a collaborative voluntary application to the State from the participating agencies;

(2) develop a needs and resources assessment for the geographic area included within the locality, stating—

(A) where services are most needed based on numbers of parents of prekindergarten-age children who work or wish to work, with particular attention to such families who have low income;

(B) the existence of early childhood development and child care programs and the degree to which they meet the demand for such services in the community;

(C) the existence of early childhood development programs and child care programs which can be expanded or upgraded to meet the requirements of this Act;

(D) the lack of any early childhood development programs and child care programs in some locations, with particular attention to poor urban and rural areas; and

(E) the need for bilingual programs and services for children whose native language is not English and programs for handicapped, migrant, Indian, and homeless children;

(3) determine how the locality will ensure that at least 50 percent of spaces funded under this Act are filled by children whose families earn less than 115 percent of the poverty level;

(4) identify and review local laws, regulations, or policies that may restrict the use of facilities for the delivery of early childhood development programs or child care services in school buildings or community agencies;

(5) identify salary scales for staff of existing providers of early childhood development programs and child care and other positions in the community requiring similar training and experience;

(6) prepare and submit an annual report to the State Interagency Advisory Task Force on the status of early childhood development programs and child care within the locality; and

(7) arrange for evaluations required in section 18.

(d) CONTENTS OF REPORT.—Each report required by subsection (c)(6) shall include—

(1) the number of children being served in the locality;

(2) data on the socioeconomic background of such children;

(3) the number of children whose parents have requested services but who are not being served;

(4) a description of the uses for which funds were expended in accordance with section 15 of this Act;

(5) a description of programs expanded or upgraded under this Act;

(6) a description of programs created under this Act;

(7) a description of programs that could be expanded or upgraded under this Act but that are currently not receiving funds;

(8) a description of salary scales used in programs receiving funds under this Act;

(9) a description of how programs receiving funds under this Act fit with other existing programs of early childhood development and child care for prekindergarten children in the locality;

(10) a description of how funds have been distributed among various geographic areas within the locality;

(11) a description of early childhood education or child development training programs in the locality, whether or not funded by this Act; and

(12) assurances that programs funded under this Act meet the minimum standards required in section 16 of this Act, including the reservation of 50 percent of spaces made available by funds under this Act for children whose families earn less than 115 percent of the poverty line.

(e) CONFLICT OF INTEREST.—No member of the Local Policy Group shall cast a vote on any matter which would provide direct personal financial benefit to that member or otherwise give an appearance of a conflict of interest under State or local law.

(f) USE OF EXISTING LOCAL POLICY GROUP.—To the extent that a locality has established a broadly representative Local Policy Group before enactment of this legislation that is comparable to the Local Policy Group described in this section, such locality shall be considered to be in compliance with subsections (a) and (b) of this section.

LOCAL PLAN AND APPLICATION

SEC. 13. (a) APPLICATION REQUIRED.—Any locality desiring to receive a grant from the State to carry out services assisted under this Act shall—

(1) form or designate a Local Policy Group, in accordance with section 12 of this Act; and

(2) prepare an application.

The application shall be developed by the Local Policy Group.

(b) CONTENTS OF APPLICATION.—Each such application shall contain—

(1) a service delivery plan from all participating agencies and institutions, that includes—

(A) the name and location of all planned sites for service delivery;

(B) a plan for ongoing coordination of early childhood development, child care services, and related child services at each site between (i) Head Start providers and local educational agencies whether or not receiving funds under this Act, and (ii) between entities in clause (i) and any other recipients of funds under this Act;

(C) a description of what services are to be provided at each site and by what agency or institution and a rationale for decision to devote resources to existing programs or to create new programs;

(D) the number of children receiving services free of charge, the number of children receiving services for payment of fees, the level of such fees paid at each site, and the distribution of such children among service providers;

(E) the results of the local needs and resources assessment conducted by the Local Policy Group, as provided in section 12 of this Act, a description of what needs for services have been identified by such assessment, and a description of how the plan for coordination of services will meet the indicated needs;

(F) a description of certification and other qualifications of staff, a plan for training of professional staff and employees, the turnover rate of professional staff and employees, and a description of salary schedules, and how such schedules reflect level of training, expertise, and experience of employees;

(G) a description of the roles and responsibilities at each site of each agency and institution participating in the Local Policy Group and of each contracting agency in the delivery of early childhood development and other services;

(H) a description of how the locality will provide the non-Federal share required under section 20 of this Act if any portion thereof is not paid by the State;

(I) assurances that Federal minimum standards in section 16 of this Act will be adhered to;

(J) a plan for evaluations required in section 18;

(K) such additional assurances or information as the Secretary may reasonably require; and

(2) evidence demonstrating effective use of existing Federal and State funds available for early childhood development programs and child care programs, including Head Start, programs assisted under chapter 1, social services block grants, school lunch and breakfast assistance, and maternal and child health care assistance.

(c) LOCAL ADMINISTERING AGENCY.—(1) In each locality, the chief elected official, the director of the local social services agency, and the superintendent of the local educational agency shall jointly select a local administering agency for the locality from the local education agencies, local social services agency, the local child development agencies, and the local resource and referral agency within the locality.

(2) The selection of the local administering agency shall be based on the experience of such agency with programs of early childhood development. In order to be designated a local administering agency, such agency must have the authority under its charter or applicable law to receive and administer Federal funds for use in support of early childhood development programs, and to transfer funds so received, and to act as a grantee, contractor, or sponsor of programs authorized under this Act.

(3) The local administering agency of each locality shall be designated as the coordinator of all programs assisted under this Act for the locality for the purpose of administration and fiscal control.

(4) Each administering agency shall follow the plan developed by the Local Policy Group for the provision of services assisted by this Act.

(d) SUBMISSION OF LOCALITY APPLICATION.—(1) Any locality desiring to receive financial assistance under this Act, that is located in a State receiving funds under this Act, shall submit an application to the Lead State Agency for the State in which such locality is located, as designated in section 10.

(2) Any locality desiring to receive financial assistance under this Act, that is located in a State that has chosen not to receive funds under this Act, shall—

(A) submit an application to the Secretary of Education for a grant at such time and in such manner as the Secretary may reasonably require; and

(B) comply with the requirements under section 12 and subsections (a) and (b) of section 13 of this Act.

The service delivery plan required by section 13(a) shall also include the information required under section 11(b) as the information required therein pertains to the area to be served by the locality.

(e) EVALUATION OF APPLICATIONS.—Each application submitted by a locality shall be evaluated in accordance with section 7 of this Act.

ELIGIBLE CHILDREN AND FAMILIES

SEC. 14. (a) AGE REQUIREMENT.—Any child is eligible to participate in programs assisted under this Act in the school year prior to the school year in which the child would be eligible, under State law, to enter kindergarten. In any locality that does not offer kindergarten programs, children are eligible to participate in programs assisted under this Act at 4 years of age. Any State or locality which has served all children of the eligible age group requesting services may use funds under this Act to serve children in the school year 2 years prior to the school year in which they would be eligible, under State law, to enter kindergarten, or at 3 years of age. A State or locality may use funds under this Act to expand existing programs serving children aged 3 years through 5 years, if the maintenance of effort requirements in section 20 are met.

(b) FAMILY CONTRIBUTION.—(1) Eligible children in families with incomes under 115 percent of the poverty line are eligible for services provided by this Act without charge.

(2) Eligible children in families with incomes above 115 percent of the poverty line are eligible for services provided by this Act with payment of fees on a sliding scale up to the full cost of such services. The sliding scale shall be developed by the State, or locality if the State is not participating, based on income level and family size. Total fees for all eligible children in a family receiving services under this Act shall not exceed 10 percent of a family's gross income.

(3) Maximum fees per child shall not exceed the cost per child of the services provided.

USE OF FUNDS

SEC. 15. (a) IN GENERAL.—Service providers may use funds furnished under this Act—

(1) to expand or upgrade through grant or contract existing public or nonsectarian nonprofit early childhood development or child care programs to make them run full workday and full calendar-year and in compliance with the requirements of section 16 of this Act, or

(2) to create through grant or contract to public or nonsectarian nonprofit entities full workday full calendar-year early childhood development programs that comply with section 16 of this Act if the needs of the locality may not be met by expanding or upgrading existing programs.

(b) AUTHORIZED ACTIVITIES.—Grants under this Act may be used for—

(1) development of and training in the use of developmentally appropriate early childhood curricula, including curricula that takes into account the language skills of children, including those whose native language is not English, and which is culturally sensitive and avoids race-based and gender-based stereotyping;

(2) direct provision of or purchase of early childhood development and child care services;

(3) staff and personnel training in early childhood education, including training conducted in conjunction with other service providers with particular attention to avoidance of race-based and gender-based stereotyping;

(4) upgrading the salaries of early childhood education and child care professional staff, and the development of salary schedules for staff with varying levels of experience, expertise, and training;

(5) acquisition or development of materials and equipment;

(6) activities designed to assure that groups of children participating in the program are mixed according to gender, race, ethnicity, and socio-economic status;

(7) transportation of children;

(8) health screening and diagnosis of children;

(9) nutrition services and nutrition education;

(10) parent outreach and involvement, family support, parent education, and referral and assistance in procuring education, nutrition health, mental health, and other social services for families of children receiving early childhood development and child care services;

(10) prenatal health and education services for parents of children receiving early childhood development or child care services;

(11) recruiting or subsidizing senior citizens to work with children;

(12) rental of space for provision of services, and minor building renovation or remodeling of schools, community agencies or business facilities to accommodate programs for young children;

(13) family home visits;

(14) distribution of information about available services, establishing connections to resource and referral agencies, and community outreach;

(15) agency collaboration; and

(16) evaluation of services.

MINIMUM STANDARDS

SEC. 16. Service providers serving children with funds under this Act shall meet the following minimum standards or use funds to bring programs in compliance with the following minimum standards:

(1) The child to adult ratio shall not exceed 10 to 1, based on average daily attendance.

(2) The maximum group size shall be 20 children, based on average daily attendance.

(3) Services shall be available for the full workday and full calendar year, although families shall be given the option of enrolling their children part time.

(4)(A) At least one staff member supervising each group of children shall have training and experience in early childhood education or child development. The staff member shall be certified in early childhood education or child development, if the State has a certification procedure in these areas, or, if the State does not have a certification procedure, the staff member shall have a nationally recognized child development credential or postsecondary education with significant coursework in early childhood development.

(B) Additional staff members who do not have the qualifications described in paragraph (A) supervising each group of children shall receive a minimum of 2 days of preservice training if not previously certified or trained.

(C) All staff members shall receive 15 hours a year of inservice training during the duration of their employment; and where practical, an on-site curriculum specialist with training and experience in early childhood development shall be responsible for training other staff to apply the curricula selected by the program.

(5) Service deliverers shall use developmentally appropriate curricula that take into account all the developmental aspects and individual needs of the children served, including cognitive, physical, emotional, and language skills of children, including skills of children whose native language is other than English. Standardized tests shall not be used to determine assignment to a group.

(6) Services shall include nutrition services as appropriate. Service providers shall provide adequate and nutritious meals and snacks, including breakfast at parent request, and if practical, health, mental

health, screening for handicapping and "at-risk" conditions, and social services for which an enrolled child and her family are eligible, including on-site prenatal and parenting education. At a minimum, service providers shall make referrals to and ensure that such health and social services for which the enrolled child and her family are eligible at the Federal, State, and local level are provided.

(7) Service providers shall coordinate with the local public school system to facilitate sharing of resources where practical, including diagnostic and remedial services and staff training, and to provide for the enrolled child's transition to elementary school. Service providers shall make arrangements with each appropriate local educational agency for a representative of such agency to facilitate such coordination.

(8) Service providers shall promote active parental involvement, which—

(A) involves parental outreach;

(B) allows parents extensive access to the facilities in which services are delivered;

(C) informs parents of the program curricula at the time the child is enrolled;

(D) makes all evaluations of the program available to parents;

(E) allows parents regular opportunities to meet with professional staff;

(F) where appropriate, provides parent education;

(G) permits parents (other than full-time staff) the opportunity to volunteer their services within the classroom setting; and

(H) allows parents a role in policymaking. Participation by parents within the classroom shall not change any of the requirements regarding staffing in this section.

(9) Service providers must ensure the physical safety of children served and be in compliance with any applicable State and local law, regulation, or policy for licensing, health, sanitation, building and fire safety, and Federal and State child care standards applicable to programs for children of the age group served.

(10) A locality shall reserve for children described in section 14(b)(1) who reside within such locality, at least 50 percent of spaces made available by funds provided under this Act, unless all such children whose parents desire services have been served. No child receiving services in programs assisted by this Act shall be denied continued services as a result of changes in family income or as a result of the locality's attempt to comply with this provision.

(11) Each Head Start agency receiving funds under this Act shall be deemed in compliance with minimum standards (5), (6), and (8), if they are in compliance with the Head Start Performance Objectives.

ADMINISTRATIVE PROVISIONS

SEC. 17. (a) WITHHOLDING OF PAYMENTS.—(1) Whenever the Secretary, after reasonable notice to the Lead State Agency (or, in the case of a grant provided under section 5(b) of this Act, to the locality) and an opportunity for a hearing, finds that there has been a failure to comply substantially with any assurances required to be given or conditions required to be met under this Act, the Secretary shall notify such agency (or locality) of the findings and that beginning 60 days after the date of such notification, further payments will not be made to the State (or locality) under this Act, (or, in the Secretary's discretion, that the Lead State Agency shall reduce or terminate further payments under this Act to any locality or service provider) until the Secretary is satisfied that there is no longer any such failure to comply. Until the Secretary is so satisfied—

(A) payments to the State (or locality) under this Act shall be reduced or terminated, or

(B) payments by the Lead Agency under this Act shall be limited to localities and service providers not affected by the failure.

A transcript or recording shall be made of any hearing conducted under this section and shall be available for inspection by any person.

(2) Upon submission to a State (or locality) of a notice under paragraph (1) of this subsection that the Secretary is withholding payments, the State (or locality) shall take such action as may be necessary to bring its actions into compliance with the provisions of this Act.

(b) JUDICIAL REVIEW.—(1) If any State (or locality) is dissatisfied with the Secretary's action under subsection (a) of this section, such State (or locality) may, within 60 days after notice of such action, file with the United States Court of Appeals for the circuit in which such State (or locality) is located a petition for review of that action. A copy of the petition shall be transmitted by the clerk of the court to the Secretary. The filing of such petition shall act to suspend any withholding of funds by the Secretary pending the judgment of the court and prior to a final action on any review of such judgment. The Secretary thereupon shall file in the court the record of the proceedings on which he or she based the action which is the subject of the appeal.

(2) A Lead State Agency (or locality) shall be presumed to have complied with this Act, but the findings of fact by the Secretary, if supported by the weight of the evidence, may overcome such presumption. The court may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his or her previous action, and shall file in the court the record of the further proceedings.

(3) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(d) CONTINUING ACTIVITIES PROTECTED.—No Head Start agency receiving funds under this Act which, prior to the date of enactment of this Act, was located in any facility owned or operated by a local educational agency shall—

(1) by reason of being selected to administer a program with funds under this Act, or

(2) by reason of the selection of the local educational agency to administer a program with funds under this Act,

be denied the continued use of such facilities in accordance with the arrangements with respect to such facilities so in effect.

EVALUATION

SEC. 18. (a) LOCAL POLICY GROUP EVALUATION.—(1) Local Policy Groups shall arrange for the periodic on-site evaluation of the local programs by reviewers including community members and early childhood development experts who are not directly involved in the administration of the program. The evaluations shall be made available to the service provider, parents of eligible children, interested members of the community, and the State Interagency Advisory Task Force.

(2) The Local Policy Group shall prepare and submit an annual report to the State Interagency Advisory Task Force as required by section 12 of this Act.

(b) STATE INTERAGENCY ADVISORY TASK FORCE EVALUATION.—(1) The State Interagency Advisory Task Force shall arrange for periodic on-site monitoring, inspection, and evaluation of programs assisted under this Act by reviewers who are not directly involved in the administration of the program. The evaluations shall be made available to service providers, parents of eligible children, interested members of the community, and the Secretary.

(2) The State Interagency Advisory Task Force shall prepare and submit an annual report to the Governor and the Secretary as required by section 9 of this Act. The report shall include, in summary form, information contained in reports submitted by local advisory groups in accordance with subsection (a)(2) of this section.

(c) GENERAL EVALUATIONS.—(1) The Secretary shall provide, directly or by way of grant or contract, for the continuing evaluation of programs assisted under this Act, including evaluations that measure and evaluate the impact of programs authorized by this Act, in order to determine their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not directly involved in the administration of the program being evaluated.

(2) In carrying out evaluations under this section, the Secretary may require States or localities to provide for independent evaluations.

(3) In carrying out evaluations under this section, the Secretary shall, whenever feasible, arrange to obtain the specific views of persons participating in and served by programs assisted under this Act about such programs.

(4) The Secretary shall publish the results of evaluative research and summaries of evaluations of programs and projected impact and effectiveness not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate Committees of the Congress copies of all such research studies and evaluation summaries.

(5) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this section shall become the property of the United States.

(6) The Secretary shall prepare and submit to appropriate Committees of the Congress an annual report. The report shall include, in summary form, information contained in reports submitted by States in accordance with subsection (b)(2) of this section.

NONDISCRIMINATION

SEC. 19. (a) IN GENERAL.—No locality receiving Federal financial assistance under this Act shall discriminate against any child on the basis of race, color, national origin, sex, religion, native language or handicap in the provision of any child care services, including admission decisions, fees, and discipline.

(b) EMPLOYMENT DISCRIMINATION RULE.—No State or locality receiving Federal financial assistance under this Act shall engage in any employment discrimination prohibit-

ed by title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e, et seq.), nor shall any such State or locality discriminate in employment on the basis of handicap.

(c) NONDISCRIMINATION WITH RESPECT TO HANDICAP RULE.—All Federal, State, and local laws regarding the provision of services to handicapped individuals shall be complied with in the use of funds under this Act.

PAYMENTS; FEDERAL SHARE; MAINTENANCE OF EFFORT

SEC. 20. (a) PAYMENTS.—(1) The Secretary shall pay to each State, or locality in the case of a nonparticipating State, having an application approved under section 11, or 13, as the case may be, the Federal share of the cost of the activities described in the application.

(2) The Federal share—

(A) for the first year in which the State receives funds under this Act shall be 70 percent;

(B) for the second such year shall be 60 percent; and

(C) for the third such year and each year thereafter shall be 50 percent.

(3) The Federal share—

(A) for the first year for which a locality, located in a nonparticipating State, receives assistance under this Act shall be 80 percent;

(B) for the second such year shall be 75 percent; and

(C) for the third such year and each succeeding year shall be 70 percent.

(4) Grants to States and localities may be for up to 3 years subject to annual review and are renewable.

(b) NON-FEDERAL SHARE.—(1) The non-Federal share of payments under this Act may be in cash or in kind, fairly evaluated, including plant, equipment, or services subject to the limitations in subparagraph (2).

(2) A State receiving funds under this Act shall pay at least 75 percent of the non-Federal share. Such payment shall be in cash from non-Federal sources. States shall not require localities to contribute more than 25 percent of the non-Federal share or to contribute to the cash portion of the non-Federal share.

(c) MAINTENANCE OF EFFORT.—(1) All Federal funds and funds paid as a part of the non-Federal share under this Act shall be used to provide services supplementary to services described in section 13 already provided within the State and the locality in the fiscal year prior to the date of enactment of this Act.

(2) The maintenance of effort requirement of this subsection shall be satisfied with respect to a particular program if the average per child expenditure in the program for the fiscal year in which services are to be carried out will not be less than such expenditure in such program in the previous year before taking into account Federal and non-Federal funds provided under this Act.

(d) WAIVER.—If the Secretary determines that a State would suffer substantial hardship as a result of paying the non-Federal share of payments because of the State's economic condition or substantial prior commitment of funds for early childhood development or child care programs, the Secretary may for 1 year reduce the amount of the non-Federal share by up to 30 percent.

RECORDS AND AUDITS

SEC. 21. (a) RECORDS.—Each recipient of financial assistance under this Act shall keep records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such financial assistance, the total cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

(b) AUDITS.—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under this Act.

Mr. SIMON. Mr. President, I join my colleagues in cosponsoring Smart Start: The Community Collaborative for Early Childhood Development and Childcare Assistance Act of 1988, introduced today by my friend and colleague, Senator KENNEDY.

The future of the United States is dependent on the proper growth and development of its greatest resource: its children. How can we be competitive as a nation when 13 percent of our citizens cannot read and 27 percent of our teens drop out of high school? How can we maintain a productive work force when many of our citizens lack even the most basic skills—skills many of us take for granted, the ability to read or fill out an application form? I believe Americans have the right to an education, they have a right to read and write. If we do not step forward to defend this right, if we do not step forward to ensure that the children of this Nation are receiving a quality education, we let the future of America slip away.

Children are this Nation's greatest resource, yet over 20 percent of all children under 18 and 25 percent of all children under 6 live in poverty. There is a strong correlation between poverty, poor scholastic performance, and dropping out of school. A 16-year-old does not suddenly just decide to drop out of high school. The action is a result of academic frustration, discouragement, low expectations, outright neglect, and economic despair. Data shows that students from families with low socioeconomic status are three times more likely to drop out than those from higher socioeconomic status families.

Teenage pregnancy also contributes to the high dropout rate. Nearly half a million teens give birth each year. Most of these new mothers are not married and have little means to support themselves. According to the Committee for Economic Development [CED] report, "Children in Need—Investment Strategies for the Educationally Disadvantaged," in 1985, 66 percent of black children, over half of all white children, and 70 percent of all Hispanic children living in single, female-headed households were living in poverty. Furthermore, children of teenage parents are more likely to become teenage parents themselves. Teen parents, because of their lack of education and experience, do not have employable skills and do not have the resources either mentally, emotionally, or economically, to develop their children's parenting skills, interest in education, and ultimate employability.

The development of quality education programs, however, should not be a reactionary response to discouraging statistics regarding adult illiteracy and high school dropout rates. This retroactive approach is costing us billions of dollars. The Institute for the Study of Adult Literacy at Penn State University estimates that adult illiteracy in the United States costs this country at least $225 billion per year, just in terms of lost productivity, welfare, and related crime and prison expenses.

The development of quality education programs should be a well-thought-out plan for the future; an investment in the future. We cannot neglect our future by neglecting our children and allow them to become caught in a cycle of poverty, illiteracy, and unemployability. Early intervention and prevention programs are necessary to get our children on a forward track toward productive lives.

Early intervention and prevention programs are the wisest investment this country can make. The CED report estimates that every dollar spent today to prevent education failure will save $4.75 in the cost of remedial education, welfare, and crime in the future. Early intervention, intervention at the preschool level, can yield even greater returns. It is estimated that the 20-year-old Head Start Program has saved this country as much as $7 in social costs for every $1 invested. Early intervention programs are not only wise investments, but they enrich the safety and well-being of this country. The New York University School of Education conducted a study of 178 people between the ages of 19 and 21 who had participated extensively in the Harlem Head Start Program in the mid-1960's. The study showed that the employment rate was double among the Head Start participants than that of the control group, they were 50 percent more likely to graduate from high school and one-third more likely to go on to postsecondary education.

Furthermore, the Head Start Program enriches the lives of the participants' parents. The program involves the parents in the education process and encourages them to be better role models for their children. As one Head Start mother explains:

I feel the nurturing program and being here with people of similar backgrounds has helped me change. There used to be times when I would feel so useless and needed lots of support and this is where I got it. I have grown in my caring for my child, as to loving, discipline, and also helping me cope with everyday problems. I grew up in an abusive home and now I know that's not all

there is. I do not have to be abusive or abused.

My longtime friend and fellow Illinoisan, Irving Harris, has joined public and private resources to promote the Beethoven project in Chicago. The Beethoven project provides intensive and comprehensive support to at-risk mothers and their children from prenatal to age 5. The program's premise is that if children are to achieve success in later years, they must be ready for school when they enter kindergarten. I believe this premise to be true and while this project is relatively new, it has already succeeded in mobilizing human resources in large numbers to assist in home visits, health care, and nutritional counseling. The participating children will also be eligible to enroll in a Head Start Program once they reach 3 years of age.

The Perry preschool project in Ypsilanti, MI, has reinforced the findings of the Harlem Head Start Program. Disadvantaged 4-year-olds were either assigned to a group that attended Perry preschool or a group that did not. The followup study on the children at age 19 revealed alarming disparities between the two groups. The Perry preschool children at age 19 were: more literate, 61 percent versus 38 percent; fewer dropped out of high school, 33 percent versus 51 percent; more attended college or job training programs, 38 percent versus 21 percent; and fewer were classified as developmentally delayed, 15 percent versus 35 percent. As members of society, the Perry preschool children proved to be more productive and better citizens later in life. More held jobs, 50 percent versus 30 percent; fewer committed crimes, 31 versus 51 percent; and fewer were on welfare, 18 percent versus 32 percent. In addition there were fewer teen pregnancies, 64 versus 117 per 100 women. It is estimated that every $1 invested in the Perry preschool high-quality program for at-risk children yielded $6.

The Harlem Head Start Program, the Beethoven project, and the Perry preschool project illustrate the cost effectiveness of early prevention programs. It is ironic that we have the means, the know-how, and the examples to create comprehensive developmental preschool programs, yet we choose not to invest our resources in these cost-effective programs. The administration proposed funding the Head Start Program at $1.206 billion in fiscal year 1989, the same level as in fiscal year 1988 and $126 million below the program's fiscal year 1989 authorization level. Because the flat funding is not adjusted to inflation, the fiscal year 1989 funding level will force the program to cut access to almost 18,000 children. Using the estimate that for every $1 invested, Head Start saves $7 in future social costs, the current funding proposal for fiscal year 1989 of $1.206 billion will save $8.44 billion in future social costs. Yet the Head Start Program only reaches 16 percent of those children eligible. How much will we have to spend on these children not reached by the program in the future because we refused to pay for their programs today? Is this really a sound investment for America? I say we pay now for the programs and reap the future returns of increased productivity and reduced social service expenditures.

The establishment of high-quality development and day care programs will save billions of dollars. Mr. President, we literally have a choice of paying now or paying later. In Illinois, it costs $3,000 annually per child for full-day, preschool child care; conversely, it costs approximately $30,000 annually to incarcerate an inmate at the Marion Penitentiary. The Smart Start bill gives the opportunity to change the course of America's future. All youngsters can benefit from the advantage that early intervention provides. Federal and State governments can work together to expand or establish high-quality, full-day early childhood education programs. The initial investment is so small yet its impact on the future direction of this country is so great.

Mr. President, I urge my colleagues to join Senator KENNEDY and me by cosponsoring Smart Start: The Community Collaborative for Early Childhood Development and Childcare Assistance Act of 1988 and make a wise investment in the future.

Mr. MOYNIHAN. Mr. President, I am pleased to join my distinguished colleague from Massachusetts, Senator KENNEDY, as a cosponsor of Smart Start: The Community Collaborative for Early Childhood Development and Childcare Assistance Act of 1988. The Senator has worked tirelessly on behalf of our Nation's children, and I commend him for the excellent bill we introduce today.

The Smart Start bill will improve educational opportunities for the young children of our Nation. In recent years, a number of careful studies have documented the promise of preschool education. Early intervention can have significant, positive long-term effects on the educational development of disadvantaged youth. Learned scholars have documented that intensive programs of early education clearly produce results.

Beginning in 1981, the Reagan administration mounted an assault against the Head Start Program, the best known preschool program for poor children. We in Congress have had to fight to preserve Head Start and, happily, we have succeeded. The Smart Start legislation we introduce today builds upon the successes of Head Start and signals our continued support for preschool education.

Under the Smart Start plan, the Department of Education will provide matching grants to States and localities to provide prekindergarten health, day care, and education programs. These programs will run for the full workday and the full calendar year. Parents whose incomes fall below 115 percent of poverty will pay nothing for these services, and half of the slots in each program will be set aside for poor children.

Several weeks ago, the Governors expressed unqualified support for this plan. Our distinguished Governor from New York, Mario Cuomo, declared that Smart Start will allow New York State "to build upon our proposed half-day school year program by making funds available for the remaining half of the day, and for full workday—the calendar year around."

In my State, 20 percent of our children drop out of school. In New York City, the number jumps to 33 percent—one in three. Governor Cuomo, in the tradition of Governors of the Empire State, is attacking this problem head on, as are Governors all over the Nation. This is, however, a national problem, and national problems require effective leadership at the Federal level. To quote Governor Cuomo again, "The Federal Government has a role to play in nourishing our true strength, by helping States to help our children."

We in Congress are in a unique position this year to play this role and to provide the Governors with the resources they need. Smart Start will help, and should be enacted with due speed.

However, preschool alone is not enough. The Governors, or more precisely our children, need more.

As Senators well know, last year the National Governors Association made clear its commitment to our Nation's children by making welfare reform its No. 1 issue. Our Family Security Act, S. 1511, which enjoys the support of the National Governors Association and the cosponsorship of 56 Senators, will help our children by stressing family responsibility and community obligation in the context of the vastly changed family arrangements of the last 50 years.

These wholly new conditions require wholly new social responses. Mr. President, children are now the poorest group of citizens in the Nation. Do we expect children growing up in misery to mature into adults capable of maintaining, much less improving, American society? Do we expect poor, ill-educated children to manage the American economy? It ought not to be left to chance.

The conditions that have developed over a generation will not change overnight. It is possible, however to change

directions. We can and we must set a new trend in place.

The Governors are ready. Our legislation is ready. Most importantly, the children are ready.

I hope that my colleagues will join me in supporting this legislation as well as the Family Security Act. We must be resolute: we can help our children this year, in this Congress. As I have often said, Mr. President, America has no children to waste. It will be a struggle to ensure that no more children are wasted. I urge my colleagues to enter the fray.

Mr. BINGAMAN. Mr. President, I rise today to express my support for Smart Start: The Community Collaborative for Early Childhood Development and Child Care Assistance Act of 1988, and to commend my friend and colleague, Senator KENNEDY, for his leadership in this area. As chairman of the Senate's Labor and Human Resources Committee, Mr. KENNEDY has worked diligently to improve the quality of life for all children, and I am pleased to lend my support to his efforts.

For some time, I have advocated the need for widespread, high-quality early childhood development programs because I am convinced such programs are of critical importance to the children in my home State of New Mexico and to the children and future of this Nation generally.

Comprehensive, high-quality education and care for our children always has been important, but in recent years it has become even more crucial to the long-term well-being of our country. As trade relationships and economic trends lead to a more competitive, highly specialized world, I, along with many others, believe that a serious commitment to educational excellence at all levels is the key to continued American success and leadership in the global marketplace.

Without a doubt, our future success as a Nation depends on our ability to equip all our citizens with the tools necessary to become productive, contributing members of our society. This means we must deal with a changing work force, an outdated educational system, and the critical problems facing our children.

In a series of forums and hearings conducted over the past year in New Mexico, I have met parents and providers throughout the State who have raised legitimate alarms about the quality of education and care available for their children. And I am troubled because I know there is a direct tie between the quality of a child's education and the ability of that child to become a happy, productive, useful member of society.

At a minimum, we know what the studies have shown. Quality, safe, supervised, and educational care, even as early as 3 years of age, eventually translates into well-rounded individuals, better school performance, lower dropout rates, lower teenage pregnancy rates, lower unemployment rates, and lower crime rates. It means that 15 years later more children will go to college or participate in vocational and job training programs.

It makes sense that if our children get the proper nurturing and education during those critical early years, they likely will be that much more successful through the school years and beyond.

Last year, the Committee for Economic Development, a group of 200 top business executives and other national leaders, released a report entitled "Children in Need: Investment Strategies for the Educationally Disadvantaged." That report clearly states the problem facing us and offers workable solutions. The report says:

> If present trends continue, the scarcity of well-educated and well-qualified people in the work force will seriously damage this country's competitive position in an increasingly challenging global marketplace. Our industries will be unable to grow and compete internationally because a growing educational underclass will lack the necessary skills and work habits to function productively on the job. Moreover, they will lack the levels of literacy needed to make informed choices about their lives or to take part in the political process.

What can be done? The bill being introduced today, Smart Start, is just that, a very smart starting point. The CED report found early intervention, the goal of this bill, to be the most cost-effective way to solve the problem. The study reported that intervention before traditional school age, from prenatal to age 5, can alleviate many of the later problems. Early intervention includes prenatal and postnatal care to ensure healthy babies, parenting education for at-risk parents, and high-quality, comprehensive child care and preschool programs.

While early intervention has been shown to prevent later problems, most of our resources have been devoted to formal education, with comparatively little to preschool needs. We spend more than $200 billion on education for children 6 years old and older, but only $1 billion on education for children ages 5 and under. This does not mean that we should reduce spending on formal education to support early education needs.

It does mean that we need to pay more attention to developing and encouraging programs aimed at solving educational problems before children traditionally enter the school system. We need an educational system that is flexible; one that can provide high-quality, comprehensive educational programs for children under the age of 5. That is what the Smart Start bill would accomplish. Through the bill, we in the Congress acknowledge that education is—and will always be—a national concern, but that it more appropriately is a State responsibility and a local function.

The bill's flexibility will enable States and localities to choose the type of program that best fits their individual needs—whether that be through the public school system, Head Start, or community-based organizations. Along with this flexibility, States also must assume the responsibility for contributing matching funds to ensure the success of the programs. Still, the program is strictly voluntary, and while I hope that no State will choose not to participate, no State will be forced to participate.

I know there are many people—both in the Senate and in the States—who will say this bill and others like it are too costly. Without a doubt, cost is a significant factor and is one that must be carefully considered in these tight budgetary times. I have wrestled with this problem often. And I have concluded that despite what many see as too high startup costs, we cannot continue to deny that early education and child care are national problems that must be addressed in a comprehensive way. I cannot emphasize enough the simple fact that these challenges must be met if we are to meet all of the other challenges we face as a nation.

Further, several studies have documented that every dollar spent for quality preschool education can return up to $6 in lower cost for later education, for public assistance, and for the criminal justice system. Even with our current budget deficits, I do not see how we can afford not to invest in quality education and child care.

Without adequate educational programs for our children and accessible, affordable child care services, valuable workers will be excluded from our work force, crippling our ability to compete in the world economy. We will be twice hurt—losing parents who otherwise could work and failing to properly nurture children who can help us rebuild American economic strength.

An investment in quality preschool education and care is an investment in our Nation's future. It is an investment in New Mexico's children, in Wyoming's children, in Mississippi's children, in all of our children, that will pay off in stronger families, increased productivity in the work place, and a healthier local, national, and international economy.

Simply put, it is an investment we must make for our children and our future.

With these thoughts, let me again commend Senator KENNEDY and his staff for their tireless work and dedication to this critical issue. Thank you, Mr. President.

Mr. DURENBERGER. Mr. President, I rise today to join my distinguished colleague from Massachusetts in introducing Smart Start; the Community Collaborative for Early Childhood Development and Child Care Assistance Act of 1988.

The Smart Start Program would make available all day early childhood development programs to all 4- and 5-year-olds. There is a growing evidence that children must have stimulation, nurturing care, early learning, and motivation. But this is often missing among disadvantaged children and in the growing number of single-parent households.

In Minnesota, the United Way of the Minneapolis Area has designated early childhood development as its No. 1 priority for funding for 1989–90. But they're going beyond simply looking for programs to fund with a project called, Success by Six, an excellent model and precursor to Smart Start. With Honeywell CEO, James J. Renier, as chairman, 25 business, labor, government, and civic leaders are studying barriers to early childhood development. From that study, they will develop strategies on a communitywide basis to eliminate those barriers for all children.

This is an uncommon communitywide collaborative effort working on an issue that first hurts these small people who need help to get a toehold in life, but with broader and deeper impact on our society as a whole. Thus, business people are coming to the table to attack the problem, looking for answers to the questions, "Who will be our managers of tomorrow? Who will be our workers? Who will pay the costs, both human and economic, of failure?" According to the April 4 issue of Business Week, a business-funded research group has warned that the United States will lose its competitiveness in world markets without a skilled work force.

The project is closely tied to High/Scope Research Foundation's study of Perry Preschool in Ypsilanti, MI, done by David Weikart. From that study comes the observation that "every dollar spent on quality early childhood education for disadvantaged children saves society $6 in costs in the child's later life."

There is other evidence to back that up. For instance, the study found that the school dropout rate was 33 percent among those who had the benefit of quality preschool development programs, compared with 50 percent for those who did not.

In their later years, 18 percent of preschoolers were on welfare compared with 32 percent of nonpreschoolers. Perhaps most astonishing was the finding that of preschool students, 61 percent were literate at the age of 19, compared with 38 percent of nonpreschoolers.

Mr. President, these aren't just numbers. It's been said that "statistics are people with the tears wiped off." In this case, these are young people whose lives were directly shaped by the intervention of people who cared—by a program that can be replicated many times through the support of legislation like Smart Start.

This legislation would promote collaboration and coordination between Federal, State, and local levels by complementing and expanding existing child education and child care programs. Smart Start is aimed at serving the needs of the most needy first, while at the same time not denying other families the opportunity of early education or child care programs for their child or children. An investment of $4.25 billion over 5 years would reaching half of all 4- and 5-year-olds within this time period, while parents with the ability to pay will do so.

Mr. President, this is everybody's issue. Children are the most valuable resource of all in a nation with greater resources than most in the world. Their education and health are at least as important to the future of this Nation as clean water and clean air. And yet, children are the poorest population group in our country today. Almost 21 percent of this Nation's children live below the poverty level compared to 13 percent of the elderly and 15 percent of the general population. Contrary to popular belief, the second largest population of homeless, behind veterans, are families with children, making up almost a third of the homeless population.

Mr. President, neglect of our children cannot be allowed to become a national norm. We are shocked by the almost unbelievable conclusion that an estimated 20,000 children under the age of 3 are left alone all or part of the day by working parents. The dramatic increase in demand for child care in this decade far exceeds the supply of affordable, quality care. The Federal Government must take a role in assuring low-income families have access to child care so they may sustain a job and provide for the well-being of their child.

As important as that is—and our urgency in dealing with child care issues cannot be too strong—we're not talking about child care, for mere quantity is not the issue here. We're talking about quality mental, emotional, and physical care, motivation, and stimulation for children who will otherwise grow up without hope and without even a chance of a good life.

Programs such as the highly acclaimed Head Start Program have provided further proof of the value of early educational development for disadvantaged children. Unfortunately, Head Start only reaches 18 percent of the 2.5 million disadvantaged children who need its services. Smart Start will allow us to reach more children through programs like Head Start and will give State and local governments the opportunity to expand the Head Start Program to a full day service to meet the needs of working mothers.

Mr. President, we have placed a higher priority on consuming today's wealth than on creating tomorrow's opportunities. It is past time for us to take responsibility for the quality of life we will be leaving our children. Unlike adults, children do not have control over their lives and their surroundings. They must rely on others to take the responsibility for their well-being. Mr. President, unless our children are given the opportunity to grow up healthy, skilled, and motivated, they will not stand a chance of achieving the productivity gains that will be required in the coming decades.

We have the opportunity today to act in a responsible manner and to provide our children with some of the good fortune and opportunities we have received ourselves. The Founding Fathers of this great Nation set forth the opportunity for any person to come to this country and seek a better life for themselves and their families. We have failed Thomas Jefferson's first moral test of citizenship: To leave each generation, our children, with opportunities no less than our own. For the first time in this country's history we will leave a greater number of our children in poverty, living on the streets, abused, illiterate, without hope. I ask you today, to join Senator KENNEDY and me in working to pass this legislation that would stop the trend toward poverty among our children and take a step forward in ensuring the future of this Nation.

Mr. BURDICK. Mr. President, I am pleased to join my colleague, Senator KENNEDY, in introducing "Smart Start," legislation designed to provide critically important early development programs for children. This bill will help to address the tremendous need that exists for adequate and quality day care in our country. In addition, it will provide education and assist in the development of young children. Smart Start is legislation that will complement our current day care and educational system. It will serve as a vehicle for linking resources of families, communities, States, and the Federal Government.

We all want a better life for our children. Smart Start is legislation which can help to address the multiple needs of our Nation's youth. Life for children in our country is not getting easier. Fewer children are being immunized today, more children are living in impoverished environments, rural schools are having problems competing for resources and teachers. These problems exist in Massachusetts,

North Dakota, and every other State in this Nation.

Smart Start is an investment for the future—for 2005 and beyond—when the children who are 4 years old today will begin to assume positions of leadership for tomorrow.

Mr. WIRTH. Mr. President, I am particularly pleased to join with my colleagues today in introducing important legislation designed to strengthen the capacity of State and local governments and organizations to provide comprehensive preschool education for 4 and 5 year olds. This measure would make available to all prekindergarten children the opportunity to participate in the type of quality preschool education that has been repeatedly shown to give students a significant edge throughout their educational careers.

Preschool education has been paying off for Head Start children and for middle and upper income children for more than 20 years. We know that prekindergarten education can make the difference between a child who starts school far behind his peers or one who has every advantage of his classmates during that all important first year of school. We know that preschool graduates are much more likely to go to college and to graduate than their peers who had no preschool experience. The Perry preschool project, which tracked for more than two decades, a group of disadvantaged children who had participated in a half-day education program for 1 year, found that their students were twice as likely to be literate and have a job as the control group which has had no preschool training. In addition, its students were less likely to have had a teenage pregnancy, be a welfare recipient or get into trouble with the law.

This legislation would allow those forward looking States who choose to participate to bolster their existing early childhood education programs. Funds could be used to supplement—although not supplant—those preschools that would like to expand their services or their hours as well as to start new programs where none exist. Any organization capable of providing quality preschool education would be eligible for funding, including public schools, community-based organizations and existing Head Start Programs.

While the program is strictly optional for any State or locality, grantees would have to agree to run full day, full calendar year programs to meet the child care needs of working families. Each program would also have to meet low child-teacher ratios, maintain a small group size, hire staff trained in early childhood development, offer a developmentally appropriate curriculum and encourage parental involvement. In the first year, the State would be required to provide a 30-year match, increasing to 40 and then 50 percent in subsequent years. If a State chooses not to participate, community organizations may still apply for support and will contribute a reduced local match only.

Any preschool aged child that parents wish to have enrolled is eligible to participate. Fifty percent of the slots will be reserved, at no fee, for children of families whose annual incomes fall below 115 percent of the poverty level. Those families able to pay a fee will do so on a sliding scale. Financially secure parents, capable of paying the full cost of their child's participation, will be assessed the full fee.

Mr. President, we know that preschool education is one of the most cost-effective means available to us of facilitating academic excellence, preventing school dropouts and ensuring that tomorrow's graduates will be able to meet the increasing needs of our Nation for a highly skilled and knowledgeable work force. I do not see before us a better opportunity for a Federal investment that could pay higher dividends. I am pleased to be an original cosponsor of this legislation and I strongly encourage this Senate to approve it at the earliest opportunity.

Mr. SHELBY. Mr. President, today, I am cosponsoring legislation which would make available to preschool children early childhood development programs. These programs will last all day to help meet the needs of working parents with young children and will expand educational opportunities for preschoolers.

We can no longer wait until our children are in first grade to start their formal education. Some studies indicate that much of a child's learning occurs before the age of six. If we want the United States to regain its competitive position in the world's economy, we must raise by quantum leaps the quality of our educational systems. We must give our preschoolers a smart start by allowing them to participate in early childhood development programs before they are school age.

I am particularly impressed with Smart Start because poor children, in urban and rural areas, who traditionally have fewer educational opportunities available at this age will be able to participate at no cost. And other families will children participating in the program would pay their fair share based on family income.

Though these programs will result in budget expenditures, I believe that in the long run, society will benefit from substantially lower cost for welfare payments, unemployment payments, and maintenance of the criminal justice system.

By Mr. SHELBY (for himself and Mr. HEFLIN):

S. 2271. A bill to authorize an exchange of properties between the United States the Tuskegee University relating to the Tuskegee Institute National Historic Site, AL, and for other purposes; to the Committee on Energy and Natural Resources.

EXCHANGE OF CERTAIN FEDERAL LANDS

Mr. SHELBY. Mr. President, today Senator HEFLIN and I introduced legislation which holds significant value for the beauty and strife that is Alabama's history. This bill will authorize the National Park Service to transfer ownership of the Grey Columns Mansion in Tuskegee, AL, to Tuskegee University. In turn, Tuskegee University will give to the Park Service a house formerly used as the president's home and additional land for visitor parking and a new maintenance area. Companion legislation has been introduced in the House by my good friend and colleague, Congressman BILL NICHOLS, and has been recently reported out of the House Subcommittee on National Parks and Public Lands of the Committee on Interior and Insular Affairs.

Tuskegee is the only university campus designated as a National Historic Site. It draws more than 100,000 visitors each year and serves as not only an inspiring institution of higher learning but as a source of pride for all Alabamians. The late Senator Jim Allen of Alabama clearly envisioned a partnership between the Federal Government and Tuskegee University when he drafted the legislation to declare Tuskegee Institute a National Historic Site. I believe that the transfer of Grey Columns Mansion from the Federal Government to the university is in keeping with Senator Allen's recognition of Tuskegee as one of our national treasures. I add also that the conveyance of Grey Columns will be made only upon the express condition that Tuskegee University maintain its historic integrity and use the grand home—which was built in 1853 by the Varner family—as the residence of the university's president.

Tuskegee University has shown responsibile leadership in its restoration of many of the aged buildings on the campus site. It is a privilege and an honor for me to be able to assist in the preservation of this important part of Alabama's historic beauty.

I look forward to working with Congressman NICHOLS and Senator HEFLIN toward expeditious passage of this legislation.

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

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

S. 2271

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

tion 101 of the Act entitled "An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewell-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes," approved October 26, 1974 (88 Stat. 1461), is amended by adding at the end thereof the following new subsection:

"(c)(1) If the Secretary acquires the property known as Grey Columns pursuant to subsection (a)(5) and determines it is the public interest and in furtherance of the efficient administration of the Tuskegee Institute National Historic Site, Alabama, the Secretary may convey such property known as Grey Columns to the Tuskegee University, if—

"(A) the Tuskegee University in exchange, conveys such real property to the Secretary which the Secretary determines is necessary for administrative, parking, and maintenance facilities for such national historic site;

"(B) as an express condition of such exchange and conveyances, the Tuskegee University convenants to maintain the historic integrity of the property known as Grey Columns in accordance with the standards of the Secretary on historic preservation and make such property available for public use subject to the primary purpose of such property as the residence of the President of Tuskegee University; and

"(C) such exchange and conveyances of real property are conveyed without any consideration (including monetary payments) other than such real properties as authorized by this subsection.

"(2) In the administration of the real property of the Tuskegee Institute National Historic Site, Alabama, as described in subsection (a)(5), the Secretary may accept an easement from the Tuskegee University on the real property between the Carver Museum and the property known as the Oaks for purposes of—

"(A) limiting development of such real property;

"(B) maintaining the view between the Carver Museum and the property known as the Oaks; and

"(C) providing for construction and maintenance by the Secretary of a public walkway from Campus Avenue to Montgomery Road.

"(3) If a conveyance is executed under the provisions of this subsection, the Secretary shall publish a revised boundary map or other boundary description of the Tuskegee Institute National Historic Site, Alabama, in the Federal Register.".

By Mr. MITCHELL (for himself and Mr. CHAFEE):

S. 2272. A bill to authorize appropriations to carry out the Fish and Wildlife Conservation Act of 1980 for fiscal years 1989 and 1990; to the Committee on Environment and Public Works.

FISH AND WILDLIFE CONSERVATION ACT AUTHORIZATION

● Mr. MITCHELL. Mr. President, the legislation which I am introducing today authorizes appropriations through fiscal year 1990 under the Fish and Wildlife Conservation Act of 1980. This act is an important, but long neglected, component in the protection of our Nation's fish and wildlife resources.

Historically, funding of State fish and wildlife programs was provided by hunters and fishermen, primarily through their purchase of licenses. In addition, the key cooperative State/Federal fish and wildlife programs established by the Pittman-Robertson and Dingell-Johnson Acts were funded by Federal excise taxes on arms, ammunition, and fishing equipment.

Consequently management by the States traditionally focused on enhancement of populations of fish and wildlife species of interest to anglers and hunters. In general, other species benefited only to the extent that they lived in association with game animals and sport fishes.

The focus of State and Federal fish and wildlife conservation efforts was first broadened in 1973 by enactment of the Endangered Species Act. Under that act we now study and protect nearly 250 additional fish and wildlife species that are considered endangered or threatened.

Nevertheless, we still know very little about the status and needs of more than 1,800 species of mammals, birds, reptiles, amphibians, and fish that are not ordinarily taken for sport, fur or food and that are not known to be in danger of becoming extinct. Over 89 percent of all U.S. fish and wildlife species fall in this category.

In 1980 the Congress again sought to broaden the focus of State and Federal management activities to include this large collection of previously overlooked, so-called nongame fish and wildlife species by enacting the Fish and Wildlife Conservation Act.

The act authorized annual appropriations of $5 million for development by the States of comprehensive management plans to benefit these nongame species. The act also required the U.S. Fish and Wildlife Service to "conduct a comprehensive study to determine the most equitable and effective mechanism for funding (the implementation of) State conservation plans."

The Fish and Wildlife Service completed the study in 1984 but did not recommend any initiative for funding the act. In addition, no money for development of the State comprehensive plans has ever been requested by the administration or appropriated by the Congress.

Instead, the States have had to raise what money they can from other sources, such as through voluntary checkoffs on State income tax forms. The States have been highly creative in developing funding mechanisms for fish and wildlife not subject to hunting or fishing, but these revenues were intended to complement anticipated Federal matching funds not replace them.

As a result, average State nongame funding falls far short of what is needed. Moreover, present programs lack the year-to-year stability guaranteed by Federal matching funds, such as those which have ensured the effectiveness of the Pittman-Robertson and Dingell-Johnson programs for State fish and game management.

For instance, Maine raised $129,122 for its endangered and nongame wildlife project from its State income tax checkoff in 1985, but by 1987 contributions had dropped off to $114,353. This relatively small and declining amount of money has to provide protection for 16 endangered species and more than 400 other species in Maine, such as the harlequin duck and New England cottontail rabbit, that are declining in numbers.

Increased Federal research and management to assist nongame wildlife also is long overdue. Under the Migratory Bird Treaty Act, the U.S. Fish and Wildlife Service is responsible for the welfare of nearly 800 nonhunted migratory bird species. But little is known about the status of these birds and even less is being done to maintain their numbers. Species such as the common loon and the osprey that have been singled out for special attention by the Fish and Wildlife Service as "national species of special emphasis" are in trouble, and little effort currently is being expended to prevent their continuing decline or restore their numbers.

The consequences of our failure to carry out the Fish and Wildlife Conservation Act are troubling. Since 1980, 89 species of fish and wildlife have had to be brought under the protection of the Endangered Species Act. Many, if not all, of these species could have escaped this perilous status if we had succeeded in developing comprehensive conservation programs.

Continuing to concentrate our attention on only a limited number of species will inevitably lead to the decline of additional types of fish and wildlife until they reach dangerously low levels where they, too, must be protected by the Endangered Species Act. At that point, the task of rebuilding a species' numbers is likely to be far less successful and far more costly.

The Fish and Wildlife Conservation Act of 1980 was intended to establish programs to protect nongame wildlife habitats and to monitor trends in the numbers of nongame species so that corrective steps can be taken to stop any downward slide before it is too late.

Because the authorization to expend funds under this act expired last year, the first step in encouraging comprehensive State and Federal fish and wildlife conservation programs is to

extend the spending authority to assist the States in development of plans for this purpose. The bill being introduced today will provide that authority through fiscal year 1990.

In the next decade, however, it seems clear that one or more sources of adequate and reliable funding will be needed to ensure an effective and comprehensive approach to the conservation of all fish and widlife species. The stable financial support provided by the Pittman-Robertson, Dingell-Johnson and Wallop-Breaux Acts has been the key to development of successful State programs for game and sport fish.

Last July I asked the General Accounting Office to estimate the amount of revenue that would be available from two sources suggested by environmental organizations to carry out the Fish and Wildlife Conservation Act.

One such source, which was not identified in the 1984 U.S. Fish and Wildlife Service report, is a portion of the present Federal excise tax on gasoline. Most of these tax receipts currently are deposited in the highway trust fund. However, those excise tax revenues from the estimated sales of fuel for use in boats—$104 million annually—are used to support State boat safety programs and Federal/State management of sport fisheries.

In like manner, therefore, conservationists have suggested that the tax on fuels sold for non-highway-related, noncommercial, residential uses; for example, lawn mowing, be used to support backyard, urban and other nongame fish and wildlife conservation programs.

The GAO has estimated that between $21 million and $48 million is generated annually from motor fuels used for lawn mowing and other similar activities around the home that have nothing to do with use of our highways.

A second source of funding for the 1980 act, which was discussed incompletely in the Service's 1984 report and for which conservationists have asked for further information, is the issuance of so-called semipostal stamps.

These stamps would bear a surcharge over the normal postal rate. A common surcharge level in the dozen or so other countries using semipostal stamps has been 50 percent of the normal fee. This extra fee then would be used to cover administrative expenses and to fund nongame fish and wildlife conservation.

The GAO estimates that about $12 million might be generated annually by a first-class, semipostal stamp costing 35 cents.

The 2-year reauthorization provided by the legislation being introduced today will allow the Congress to continue consideration of these and other revenue sources as a funding base for the Fish and Wildlife Conservation Act of 1980.

Next month the Subcommittee on Environmental Protection will conduct a hearing to begin formal consideration of the act, the problems caused by failure to carry out its provisions, and possible mechanisms to fund its implementation.

I hope that this year we will finally make some progress toward realizing the great potential of the Fish and Wildlife Conservation Act since 1980.

Over half of all American adults feed, watch, photograph or take active interest in wildlife. This interest clearly demonstrates that if we provide for comprehensive wildlife conservation, we will at the same time contribute substantially to the quality of life we all enjoy in this country.●

By Mr. MELCHER:

S. 2273. A bill to provide for the transfer of certain funds to the Secretary of the Interior for the benefit of certain members of the Crow Tribe; by unanimous consent, ordered held at the desk until the close of business on April 13, 1988.

TRANSFER OF CERTAIN FUNDS FOR THE BENEFIT OF THE CROW TRIBE

Mr. MELCHER. Mr. President, I am introducing this bill today to address an emergency situation for over 400 families on the Crow Indian reservation who will lose utility services unless the Congress takes immediate action.

This situation has come about because of problems with the Crow tribal administration of the Low Income Home Energy Assistance Program [LIHEAP], which provides utility payments to low-income people who have no other means of paying their utility bills.

The Crow Tribe mismanaged the LIHEAP grant in fiscal year 1987. The U.S. Department of Health and Human Services has frozen the $288,000 in fiscal year 1988 LIHEAP grant funds appropriated for residents of the Crow Indian reservation until the Crow Tribe corrects the grant deficiencies or withdraws their grant application so the funds could be turned over to the State, which would administer the program for the reservation. State involvement is not acceptable to the tribe, but it is my understanding that the tribe would accept BIA administration of the program on an emergency basis. In order to regain eligibility, the tribe would have to reimburse HHS for LIHEAP funds which were illegally expended during the fiscal year 1987 program year and demonstrate an ability to comply with program guidelines. The tribe does not have the funds to reimburse HHS at this time.

Recently, HHS informed the Tribe that the grant would be terminated. The Crow Tribe intends to appeal the Department's decision to terminate their grant, a process which will take at least 2 or 3 months. Under the LIHEAP statute, the Department is prohibited from disbursing the Crow grant funds to an entity other than the Crow Tribe until the agency's decision is upheld through the appeals process required by law.

The individual Crows who are facing loss of utilities are asking Congress for help to get the assistance which is rightfully coming to them. On Saturday, April 9, 1988, the Tribal Chairman was ousted by a vote of the Crow General Council, in part because of his mishandling of the LIHEAP funds.

Many of the tribe live in homes heated by electricity, and Montana weather can turn very cold with spring blizzards in April and May.

The rural electric coops who provide electrical services to the Crow reservation state that they have accrued nearly $350,000 in debt from Crow tribal members, which is causing serious financial problems for the coops. Under Montana State law, utilities do not disconnect utilities during the period of November 1–April 1 because of the extreme winter weather conditions. Recently, however, the coops announced that they have no choice but to begin disconnections. At my request, the electric cooperatives have agreed to hold off on disconnections pending immediate congressional action.

The Bureau of Indian Affairs is willing to administer the program on an emergency basis, but requires authorization to do so. The Department of HHS is also willing to transfer funds because of the emergency, but also requires authorizing legislation.

Because of this unfortunate scenario, 414 families, comprising at least 2,000 people (including young children, the elderly and the infirm), are threatened with loss of heat, light, and hot water. This is unconscionable and would pose hardships which must be averted. In Montana, we often experience late spring snowstorms and cold weather. The Crow people should not have to suffer because the Tribe mismanaged the LIHEAP program.

I am introducing this legislation to respond to this crisis. It will authorize the U.S. Department of Health and Human Services to transfer $180,000 of the funds earmarked for the Crow LIHEAP program to the Bureau of Indian Affairs. The BIA would administer the program according to the standards which the Crow Tribe had developed.

According to the electric coops, this amount will tide them over until the appeals process is complete. After the tribal appeal process is concluded, the remaining HHS funds ($108,000) will be provided to an eligible grantee and will be expended on behalf of eligible

recipients. Nothing in the legislation would affect the Tribe's rights to be a grantee once it can meet the eligibility criteria of grantees required by HHS.

The bill will meet the emergency protection of over 400 Crow families that might otherwise suffer and permit the wheels of justice decide about who administers the low income emergency heat funds in the future.

I have asked the Chairman of the Select Committee on Indian Affairs to immediately consider the bill.

I hope and trust it can be expedited.

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

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

S. 2273

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

SECTION 1. TRANSFER OF FUNDS.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall transfer to the Secretary of the Interior $180,000 of the funds appropriated to provide a grant to the Crow Tribe under section 2604(d) of the Low-Income Energy Assistance Act of 1981 (42 U.S.C. 8623(d)) for fiscal year 1988.

SEC. 2. USE OF TRANSFERRED FUNDS.

The funds transferred to the Secretary of the Interior under section 1 shall be used by the Secretary of the Interior to provide, through the Crow agency social service program of the Bureau of Indian Affairs, the assistance and benefits available under the Low-Income Home Energy Assistance Act of 1981 to those members of the Crow Tribe who meet the eligibility criteria established by the Crow Tribe in its fiscal year 1988 grant application, for the assistance and benefits provided under such Act.

SEC. 3. CONSTRUCTION.

Nothing in this Act may be construed to affect the eligibility of the Crow Tribe to receive a grant under section 2604(d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(d)) for fiscal year 1989, or any succeeding fiscal year, provided that the Crow Tribe meets any eligibility standards required of grantees by the Department of Health and Human Services.

By Mr. GRASSLEY (for himself and Mr. DECONCINI):

S. 2274. A bill to authorize and encourage Federal agencies to use mediation, conciliation, arbitration, and other techniques for the prompt and informal resolution of disputes, and for other purposes; to the Committee on Governmental Affairs.

ADMINISTRATIVE DISPUTE RESOLUTION ACT

Mr. GRASSLEY. Mr. President, tens of thousands of administrative agency decisions and court cases are today handled through highly adversarial procedures that are all too often complex, costly, and lengthy. Administrative procedures of Federal agencies should foster consensual resolution of these disputes, but current practice tends to inhibit such approaches.

In the private sector, consensual dispute resolution has long been used to great advantage to produce quicker, better, less expensive decisions.

These methods—often referred to as alternative dispute resolution [ADR]—include arbitration, negotiation, mediation, and minitrials, among others.

ADR has also developed into a viable option for tens of thousands of disputants at the State and local government levels. A 1987 survey of State courts identified 275 ADR programs of various types in over 40 States. For over a decade, ADR has proven its value in conflict settlement, including disputes involving State governments.

The Federal Government has much to learn from these experiences.

Over the past 50 years, as we've seen the Federal bureaucracy sprawl in every direction, a variety of agency boards and offices have been established. They handle a variety of cases involving grants, benefits, economic regulations, and other Federal programs. The jurisdiction of existing administrative law judges and agency boards have been expanded.

Whole new specialties of lawyers have sprung up to carry on litigation over energy, contract, environmental, safety, and other matters. Unfortunately, existing procedures often serve to increase the contentiousness of parties to the administrative process.

For example, over 80 percent of the significant rules issued by EPA in recent years have ended up in court.

An increase in agency litigation is undoubtedly good for the business of the more than 600,000 U.S. lawyers now in practice. However, with legal expenditures growing at a faster rate than the gross national product, our Nation's overall productivity is almost certainly harmed by this drain on valuable resources.

Other costs of agency litigation cannot be measured so easily, but are just as real. They include the diversion of the agency's time and energy, the costs of delay and uncertainty, lost opportunities, and damaged public relationships.

Federal agencies are involved in far more disputes than ever as parties, and decide far more cases than do the Federal courts—hundreds of thousands annually. The administrative office of the U.S. courts estimates that, for the year ending June 30, 1987, 30 percent of all civil cases commenced involved the United States as a party—over 72,000 actions. Appeals involving Federal agencies tend to be considerably more burdensome for the court to resolve than other cases.

They tend to involve more lawyers, briefs and records, and take longer for the courts to decide.

Traditional legal procedures are often an inefficient means of resolving the difficult issues that inevitably arise in Federal agency decisionmaking. Enthusiasm for ADR stems from the hope that it will reduce this burden on courts, agencies, and the economy, as well as provide more satisfying means of justice.

In an era of deficit reduction, the potential of ADR to reduce the costs of government conflicts cannot be overlooked. But ADR is not only in the interests of the government. It is also in the public's interest.

The Federal Government is in an ideal position to be in the forefront of alternative dispute resolution. Instead, most Federal agencies lag far behind private and other public entities that must resolve disputes. Some agencies are almost defiant in their resistance. For example, while top echelon officials at the Justice Department sing the praises of ADR, all too many line attorneys cling tenaciously to traditional adversarial approaches.

ADR must cease being a subject that receives almost universal endorsement in theory, but substantially less in practice. Government attorneys and agency heads alike must come to view ADR as a major set of tools to help them do their jobs better.

Mr. President, today I am introducing, along with Senator DECONCINI, the Administrative Dispute Resolution Act of 1988. Its purpose is to encourage and extend the use of ADR by Federal agencies.

The bill will give impetus for meaningful change by sending a clear signal to agencies, reviewing courts and regulated persons that "ADR is OK," and that informed, thoughtful efforts to use it will be supported.

The bill takes several important steps along this path. The bill amends the Administrative Procedure Act to authorize the parties to agree to use mediation, simplified or expedited procedures, or other mutually agreeable processes to resolve Federal disputes. Arbitration is included subject to general guidelines on the issues suitable for ADR. The bill also includes necessary guarantees of confidentiality in agency ADR, and provides judicial review processes that balance the needs for expedition, finality, and accountability. By authorizing parties to use the process to fit the case at hand, this bill affords a good deal of flexibility.

Specific statutory provisions that inhibit effective negotiation—for instance, parts of the Federal Tort Claims Act and Contract Disputes Act—are amended. The bill also repeals the GAO's overly restrictive prohibition on arbitration in cases where arbitration can be used consistent with the public interest.

Efforts to train government personnel to be better negotiators and judicial officers to take greater advantage of mediation and other processes are

vital, and are encouraged and facilitated by the bill.

Importantly, this bill recognizes that ADR is not appropriate for all cases involving the government, just as with private disputes. It also deals with the fact that agency use of some kinds of ADR—mainly arbitration—may raise policy, practical, and even legal concerns not present in most private sector disputes.

The bill enlarges the authority of the Administrative Conference of the United States and the Federal Mediation and Conciliation Service to aid agencies' use of ADR. FMCS' authority would be increased to include mediation, training, and other assistance in agency disputes.

The administrative conference—which has taken a lead in ADR—would report to Congress periodically on agencies' implementation, establish a roster of qualified neutrals, and offer training and support, among other duties.

These initiatives will be complimented by informed, periodic, congressional oversight, and by creation of incentives for high-level executive branch officials and other agency personnel to use ADR. Hopefully, these efforts mark the beginning of a new trend, away from formalized procedures and toward a new flexibility in dispute resolution.

Mr. President, it is a truism to say: Justice delayed or excessively costly is justice denied. Administrative justice need not be so expensive or time-consuming. Congress and the executive would accept the challenge of fashioning a better agency approach to dispute resolution. The success of ADR in other arenas make likely similar success on the Federal level.

I hope my colleagues will join in this effort. Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 2274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Administrative Dispute Resolution Act of 1988."

SEC. 2. FINDINGS.

The Congress finds that—

(1) administrative procedure, as embodied in chapter 5 of title 5, United States Code, and other statutes, is intended to offer prompt, expert, and inexpensive means of resolving disputes as an alternative to litigation in the Federal courts;

(2) administrative proceedings have become marked increasingly by formality, costs and delays and often result in unnecessary expenditures of the time of individuals and the resources of society and decreased likelihood of achieving consensual resolution of disputes;

(3) alternative means of dispute resolution (including settlement negotiations, conciliation, facilitation, mediation, factfinding, minitrials, and arbitration) have been used in the private sector for many years and, in appropriate circumstances, have yielded decisions that are faster, less expensive, and less contentious;

(4) such alternative means also lead to more creative, efficient, and sensible outcomes that foster stability because of the acceptability of such means to the parties involved and to the public in general;

(5) such alternative means may be used advantageously in widely varied administrative programs;

(6) explicit authorization for use of well-tested dispute resolution techniques will eliminate ambiguity of agency power under applicable law and will encourage use of common sense procedures in appropriate cases;

(7) every agency should undertake a careful review of programs and the disputes involved to ensure increased application of appropriate alternative means;

(8) Federal agencies may not only receive the benefit of techniques that were developed in the private sector, but may also take the lead in the further development and refinement of such techniques; and

(9) the availability of a wide range of dispute resolution procedures, and an increased understanding of the most effective use of such procedures, will enhance the operation of the Government and better serve the public.

SEC. 3. PROMOTION OF ALTERNATIVE MEANS OF DISPUTE RESOLUTION.

(a) PROMULGATION OF AGENCY POLICY.—Each agency is encouraged to promulgate policies that address the use of the full range of alternative means of dispute resolution and case management in each administrative program of such agency. In developing policy, each agency is encouraged to—

(1) consult with the Administrative Conference of the United States, the Federal Mediation and Conciliation Service, and professional associations; and

(2) examine procedures for resolving every kind of dispute including controversies that arise as a part of—

(A) formal or informal adjudication;

(B) rulemaking;

(C) enforcement;

(D) issuing or revoking permits;

(E) settling disputes; and

(F) litigation brought by or against the agency.

(b) DISPUTE RESOLUTION SPECIALISTS.—Each agency shall designate a senior official to be the dispute resolution specialist of the agency. Such official shall implement—

(1) the provisions of this Act with regard to such agency; and

(2) the agency policy promulgated pursuant to subsection (a).

(c) TRAINING.—Each agency shall provide for training to be made available regularly to the dispute resolution specialist of the agency and other employees involved in implementing the policy of the agency under this Act. Such training may encompass theory and practice of negotiation, mediation, arbitration, or related techniques. The dispute resolution specialist shall periodically recommend to the agency head a list of agency employees for similar training.

(d) PROCEDURES FOR GRANTS AND CONTRACTS.—

(1) Each agency shall review each standard contract, grant, and other assistance agreements and shall amend them to authorize and encourage use of alternative means of dispute resolution at all stages where disputes may arise. The Office of Federal Procurement Policy of the Office of Management and Budget shall consult with agencies and other persons to develop guidance and standard clauses for contracts.

(2) Within 1 year after the date of enactment of this Act, the Civilian Agency Acquisition Council and the Defense Acquisition Council, in consultation with the Administrative Conference of the United States, shall adopt any amendments to the Federal Acquisition Regulation, or propose any statutory changes, necessary to adapt acquisition procedures to the requirements of the dispute resolution process.

SEC. 4. ADMINISTRATIVE PROCEDURES.

(a) ADMINISTRATIVE HEARINGS.—Section 556(c) of title 5, United States Code, is amended—

(1) in paragraph (6) by inserting before the semicolon at the end thereof: "or by the use of alternative means of dispute resolution as provided by subchapter IV of this chapter"; and

(2) by redesignating paragraphs (7) through (9) as paragraphs (9) through (11), respectively and inserting after paragraph (6) the following new paragraphs:

"(7) inform the parties as to the availability of one or more alternative means of dispute resolution, and encourage use of such methods;

"(8) require the attendance at any conference held pursuant to paragraph (6) of at least one representative of each party who has authority to negotiate concerning resolution of issues in controversy;".

(b) ALTERNATIVE MEANS OF DISPUTE RESOLUTION.—Chapter 5 of title 5, United States Code, is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER IV—ALTERNATIVE MEANS OF DISPUTE RESOLUTION IN THE ADMINISTRATIVE PROCESS

"§ 581. Definitions

"For the purposes of this subchapter—

"(1) 'agency' has the same meaning as in section 551(1) of this title;

"(2) 'administrative program' means any program administered by an agency and includes a Federal function which involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rulemaking, adjudication, licensing, or investigation, as such terms are used in section 551 of this title;

"(3) 'alternative means of dispute resolution' means any procedure that is voluntarily used to resolve issues in controversy, including but not limited to, settlement negotiations, conciliation, facilitation, mediation, factfinding, minitrials, and arbitration, or any combination thereof;

"(4) 'dispute resolution proceeding' means any process in which an alternative means of dispute resolution is used to resolve an issue in controversy in which a neutral is appointed and identified parties participate;

"(5) 'issue in controversy' means a question that is material to a decision concerning an administrative program about which persons who would be substantially affected by the decision or the agency disagree;

"(6) 'neutral' means an individual who, with respect to an issue in controversy, serves as a conciliator, facilitator, mediator, factfinder, or arbitrator, or otherwise functions specifically to aid the parties in resolving the controversy;

"(7) 'party' has the same meaning as in section 551(3) of this title;

"(8) 'person' has the same meaning as in section 551(2) of this title; and

"(9) 'roster' means a list of persons qualified to provide services as neutrals.

"§ 582. General authority

"(a) Each agency may use alternative means of dispute resolution for the resolution of any issue in controversy that relates to an administrative program, if the involved parties agree to such procedures.

"(b) In determining whether the use of an alternative means of dispute resolution is appropriate, an agency and the parties shall consider whether—

"(1) a definitive or authoritative resolution of the matter is required for precedential value, and, if so, whether such a proceeding is likely to be accepted generally as an authoritative precedent;

"(2) the matter involves significant questions of Government policy that require additional procedures before a final resolution may be made, and, if so, whether such a proceeding may serve to develop a recommended policy for the agency;

"(3) maintaining established policies is of special importance, so that variations among individual decisions are not increased;

"(4) the matter significantly affects persons or organizations who are not parties to the proceeding;

"(5) a full public record of the proceeding is important, and, if so, whether a dispute resolution proceeding can provide such a record; and

"(6) the agency shall maintain continuing jurisdiction over the matter with authority to alter the disposition in the light of changed circumstances.

"§ 583. Neutrals

"(a) A neutral may be a permanent or temporary government employee or a private individual who has demonstrated competence and is professionally qualified in the area of dispute resolution. A neutral shall have no official, financial, or personal conflict of interest with respect to the issues in controversy, unless such interest is fully disclosed in writing and all parties agree that the neutral may serve. The services of a neutral may be obtained by the parties or by an agency.

"(b) A neutral who serves as a conciliator, facilitator, or mediator serves at the will of the parties.

"§ 584. Confidentiality

"(a) A neutral may not testify or furnish documents concerning any matter relating to a dispute resolution proceeding, nor shall a neutral be compelled to testify or furnish documents relating to such proceeding, unless—

"(1) all parties to the proceeding and the neutral consent in writing; or

"(2) the neutral is required by statute to report specific categories of information, in which case the neutral shall make a good faith effort to inform the parties to a dispute resolution proceeding as early as possible of any such requirements that may be relevant.

"(b) No testimony may be received in any proceeding concerning any oral communication made in confidence during a dispute resolution proceeding. No material that was prepared in connection with a dispute resolution proceeding that was furnished to other parties in confidence during the proceeding may be considered in any other proceeding, except—

"(1) such material may be offered into evidence by the party who prepared the material;

"(2) such material may be offered into evidence to prove bias or prejudice of a witness, to rebut testimony or evidence which is submitted by the party preparing the material, or to prove an effort to obstruct a criminal investigation or prosecution; and

"(3) that this section may not preclude the discovery or use of any document or communication that is otherwise discoverable or is obtained through independent investigation.

"(c) Subsections (a) and (b) shall not prevent the gathering of information for statistical or research purposes or educational efforts in cooperation with other agencies, governmental entities, or dispute resolution programs, if the parties or the specific issues in controversy are not identifiable.

"(d) Subsections (a) and (b) shall not apply in any action against a neutral for negligent or fraudulent acts or omissions affecting a dispute resolution proceeding, if such action does not also involve the resolution of any issue that was in controversy in the proceeding in which allegedly improper conduct of the neutral occurred.

"§ 585. Authorization of arbitration

"(a)(1) Arbitration as provided by this subchapter may be used whenever all parties consent, either before or after a dispute has arisen. An agency may not require any person to consent to arbitration as a condition of entering into a contract or obtaining any benefit. A party may agree to—

"(A) submit only certain issues in controversy to arbitration; or

"(B) arbitration on the condition that the award must be within a range of possible outcomes.

"(2) Any arbitration agreement that sets forth the subject matter submitted to the arbitrator shall be in writing.

"(b) Any agency official may offer to use arbitration for the resolution of issues in controversy, if such official—

"(1) has authority to enter into settlement stipulations concerning a matter; or

"(2) is otherwise specifically authorized by the agency to consent to use of arbitration.

"§ 586. Enforcement of arbitration agreements

"An agreement to arbitrate is enforceable pursuant to section 4 of title 9, United States Code, and no action brought to enforce such an agreement shall be dismissed nor shall relief therein be denied on the grounds that it is against the United States or that the United States is an indispensable party.

"§ 587. Arbitrators

"(a) The parties shall be entitled to participate in the selection of any arbitrator.

"(b) An arbitrator shall be a neutral who meets the criteria of section 583 of this title.

"§ 588. Authority of the arbitrator

"An arbitrator to whom a dispute is referred under this subchapter may—

"(1) regulate the course of and conduct arbitral hearings;

"(2) administer oaths and affirmations;

"(3) issue subpoenas for attendance of witnesses and production of evidence at the hearing, enforceable under the provisions of section 7 of title 9, United States Code, except that no subpoena shall be issued except for material that is relevant to the resolution of the issues and is necessary to achieve justice in the matter; and

"(4) make awards.

"§ 589. Arbitration proceedings

"(a) The arbitrator shall set a time and place for the hearing and notify the parties not less than 5 days prior to the hearing.

"(b) Any party wishing a stenographic record of the hearing shall—

"(1) be responsible for the preparation of such record;

"(2) notify the other parties and the arbitrator of the preparation of such record;

"(3) furnish copies to all parties and the arbitrator; and

"(4) pay all costs for such record, unless the parties agree otherwise or the arbitrator determines that costs should be apportioned.

"(c)(1) The parties shall be entitled to be heard, to present evidence material to the controversy, and to cross-examine witnesses appearing at the hearing.

"(2) The arbitrator may, with the consent of the parties, conduct all or part of the hearing by telephone, television, or other electronic means, if each party has an opportunity to participate.

"(3) The hearing shall be conducted expeditiously and in an informal manner.

"(4) The arbitrator may receive any oral or documentary evidence, except that irrelevant, immaterial, unduly repetitious, or privileged evidence may be excluded by the arbitrator.

"(5) The arbitrator shall interpret and apply relevant statutory and regulatory requirements, legal precedents, and policy directives.

"(d) No interested person shall make or knowingly cause to be made to the arbitrator an unauthorized ex parte communication relevant to the merits of the proceeding, unless the parties agree otherwise. If a communication is made in violation of this subsection, the arbitrator shall assure that a memorandum of the communication is prepared and made a part of the record, and that an opportunity for rebuttal is allowed. Upon receipt of a communication made in violation of this subsection, the arbitrator may, to the extent consistent with the interests of justice and the policy underlying this subchapter, require the offending party to show cause why the claim of such party should not be resolved against the offending party as a result of the improper conduct.

"(e) The arbitrator shall make the award within 30 days of the close of the hearing, including the filing of any briefs authorized by the neutral, unless—

"(1) the parties agree to some other time limit; or

"(2) the agency provides by rule for some other time limit.

"§ 590. Arbitration awards

"(a) Unless the agency provides otherwise by rule, the award in an arbitration proceeding shall include a brief, informal discussion of the factual and legal basis, but formal findings of fact or conclusions of law shall not be required. The award shall be filed with all relevant agencies, along with proof of service on all parties by the prevailing party.

"(b) The award shall be final and binding on the parties to the matter, and may be enforced pursuant to section 9 of title 9, United States Code. No action brought to enforce such an agreement may be dismissed nor may relief therein be denied on the grounds that it is against the United States or that the United States is an indispensable party.

"(c) An award entered under this subchapter may not serve as an estoppel in any other proceeding for any issue that was resolved in the proceeding, nor may the award be used as precedent or otherwise be considered in any factually related proceeding,

whether conducted under this subchapter, by an agency, in a court, or in any other arbitral proceeding.

"§ 591. Judicial review of arbitral awards

"(a) Any person adversely affected or aggrieved by an award made in a proceeding conducted under this subchapter may bring an action only pursuant to the provisions of sections 9 through 13 of title 9, United States Code.

"(b) In applying section 10(d) of title 9, United States Code, the court shall determine whether, in consideration of the factors enumerated in section 582(b) of this title, the consent of the agency to use arbitration to resolve the issue in controversy was a gross abuse of discretion.

"§ 592. Authorization to use services of employees of other agencies

"An agency may use the services of one or more employees of other agencies to serve as neutrals in dispute resolution proceedings. The agencies may enter into an interagency agreement that provides for the reimbursement by the user agency or the parties of the full or partial cost of the services of an employee.

"§ 593. Qualifications and roster of neutrals; procurement

"(a) After consultation with the Federal Mediation and Conciliation Service, the Community Relations Service of the Department of Justice, and professional organizations in the area of dispute resolution, the Administrative Conference of the United States may—

"(1) establish standards for neutrals (including experience, training, affiliations, diligence, actual or potential bias or conflicts of interest, and other qualifications) to which agencies may refer;

"(2) maintain a roster of individuals who meet such standards and are otherwise qualified to act as neutrals, which shall be made available upon request; and

"(3) enter into contracts for the services of neutrals that may be used by agencies on an elective basis in dispute resolution proceedings.

"(b) An agency may contract with any person on a roster established under subsection (a) or a roster maintained by other public or private organizations or individuals for services as a neutral, or for training in connection with alternative means of dispute resolution. An agency may enter into an interagency agreement with the Administrative Conference of the United States to contract for the services of any person on a roster established under subsection (a) to serve as a neutral. The agency shall pay for the services of the neutral. An agency may negotiate a contract for the services of a neutral with any qualified person at compensation that the agency determines is fair and reasonable to the Government.

"§ 594. Support services

"(a) The Administrative Conference of the United States shall compile and maintain data on the use of alternative means of dispute resolution in conducting agency proceedings. Agencies shall supply any necessary information to enable the Chairman of the Administrative Conference of the United States to comply with this subsection. The Administrative Conference of the United States shall transmit an annual report to the Congress containing data and recommendations concerning the use of alternative means of dispute resolution.

"(b) The Chairman of the Administrative Conference of the United States may pay all or part of the expenses of using an alternative means of dispute resolution. Such expenses may include, but are not limited to, the costs of neutrals, the costs for certain parties determined to be eligible for assistance under section 595, administrative costs, and training costs. The determinations with respect to payments under this section shall be at the discretion of the Chairman in furthering the use of alternative means of dispute resolution by Federal agencies.

"(c) For the purposes of this subchapter, an agency may use the services and facilities of other Federal agencies and public and private agencies, and individuals (with or without reimbursement) with the consent of such agencies and individuals. An agency may accept such voluntary and uncompensated services without regard to the provisions of section 1342 of title 31, United States Code.

"§ 595. Funding of participation

"(a)(1) Any agency may pay a reasonable amount to enable participation, if the agency determines that—

"(A) it is in the public interest to obtain the participation of one or more persons in an alternative means of dispute resolution; and

"(B) such persons are unable to participate without receiving financial assistance to reimburse expenses.

"(2) In making a determination under paragraph (1) the agency shall consider—

"(A) the need for representation in the proceeding of a fair balance of interests;

"(B) the complexity and importance of the issues involved; and

"(C) the potential savings to the Government of using the particular type of proceeding instead of another procedure to resolve the issue in controversy.

"(b) A person seeking financial assistance, to reimburse expenses of participation in an alternative means of dispute resolution, may submit an application to the Chairman of the Administrative Conference of the United States requesting such assistance. No such application shall be considered by the Chairman, unless the agency notifies the Chairman in writing of a determination under subsection (a) that participation by such person in the alternative proceeding is necessary and in the public interest.

"(c)(1) Agency funds used to defray the travel expenses of any advisory committee as authorized under section 7 of the Federal Advisory Committee Act (5 U.S.C. App. 2) shall be from the general funds of the agency, and not from any amount restricted to travel from appropriations to the agency.

"(2) For the purpose of paragraph (1), the term "advisory committee" shall have the same meaning as such term is defined under section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2).".

(c) TECHNICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by adding at the end thereof the following:

"SUBCHAPTER IV—ALTERNATIVE MEANS OF DISPUTE RESOLUTION IN THE ADMINISTRATIVE PROCESS

"581. Definitions.
"582. General authority.
"583. Neutrals.
"584. Confidentiality.
"585. Authorization of arbitration.
"586. Enforcement of arbitration.
"587. Arbitrators.
"588. Authority of the arbitrator.
"589. Arbitration proceedings.
"590. Arbitration awards.
"591. Judicial review of arbitral awards.
"592. Authorization to use services of employees of other agencies.
"593. Qualification and roster of neutrals; procurement.
"594. Support services.
"595. Funding of participation.".

SEC. 5. GOVERNMENT CONTRACT CLAIMS.

(a) CONTRACTING OFFICERS.—Section 6(a) of the Contract Disputes Act of 1978 (41 U.S.C. 605(a)) is amended by adding at the end thereof: "The contracting officer shall make all reasonable efforts to resolve a claim or dispute consensually, before or after making a decision under this section.".

(b) ALTERNATIVE MEANS OF DISPUTE RESOLUTION.—Section 7 of the Contract Disputes Act of 1978 (41 U.S.C. 606) is amended—

(1) by redesignating such section as subsection (a) of section 7; and

(2) adding at the end thereof the following new subsection:

"(b) No provision of this Act may be construed to prevent the contractor and a contracting officer from using any alternative means of dispute resolution under subchapter IV of title 5, United States Code, or other mutually agreeable procedures for resolving claims.".

SEC. 6. FEDERAL MEDIATION AND CONCILIATION SERVICE.

Section 203 of the Labor Management Relations Act, 1947, (29 U.S.C. 173) is amended by adding at the end thereof the following new subsection:

"(f) The Service may make services available to Federal agencies to aid in resolution of disputes under the provisions of subchapter IV of title 5, United States Code. Functions performed by the Service may include, but are not limited to, assisting parties to disputes relating to administrative programs, training persons in skills and procedures employed in alternative dispute resolution, and furnishing personnel to act as neutrals, as defined in section 581 of title 5, United States Code. Personnel assigned to act as neutrals shall be qualified in accordance with section 593 of title 5, United States Code. The Service may consult and cooperate with the Administrative Conference of the United States and other agencies in maintaining rosters of neutrals and arbitrators, and to adopt such procedures and rules as necessary to carry out the services authorized in this subsection.".

SEC. 7. GOVERNMENT TORT CLAIMS.

Section 2672 of title 28, United States Code, is amended—

(1) in the proviso at the end of the first sentence by striking out "$25,000" and inserting in lieu thereof "$100,000"; and

(2) inserting after such proviso the following:

"Each Federal agency may use arbitration, or other alternative means of dispute resolution under the provisions of subchapter IV of title 5, United States Code, to settle any claim for money damages against the United States, not in excess of $100,000, based on any alleged tort described under the preceding sentence.".

SEC. 8. USE OF NON-ATTORNEYS.

(a) REPRESENTATION OF PARTIES.—Each agency, in developing a policy on the use of alternative means of dispute resolution under this Act, shall identify any administrative program with numerous claims or disputes before the agency and determine—

(1) the extent individuals are represented or assisted by attorneys or by persons who are not attorneys; and

(2) whether the subject areas of the applicable proceedings or procedures are so complex or specialized that only attorneys may adequately provide representation or assistance.

(b) REPRESENTATION AND ASSISTANCE BY NON-ATTORNEYS.—A person who is not an attorney may provide representation or assistance to any individual in a claim or dispute with an agency, if—

(1) such claim or dispute concerns an administrative program identified under subsection (a);

(2) such agency determines that the proceeding or procedure does not necessitate representation or assistance by an attorney under subsection (a)(2); and

(3) such person meets any requirement of the agency to provide representation or assistance.

(c) DISQUALIFICATION OF REPRESENTATION OR ASSISTANCE.—Any agency that adopts regulations under this section to permit representation or assistance by persons who are not attorneys shall review the rules of practice before such agency to—

(1) ensure that any rules pertaining to disqualification of attorneys from practicing before the agency shall also be made applicable as appropriate to other persons who provide representation or assistance; and

(2) establish effective agency procedures for enforcing such rules of practice and for receiving complaints from affected persons.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrative Conference of the United States to carry out the purposes of this Act amounts not in excess of $1,000,000 for each of the fiscal years 1989, 1990, and 1991.

By Mr. EXON (for himself and Mr. SYMMS):

S. 2275. A bill to prohibit the payment of Federal benefits to illegal aliens; to the Committee on the Judiciary.

PROHIBITION OF FEDERAL BENEFITS PAYMENTS TO ILLEGAL ALIENS

● Mr. EXON. Mr. President, in 1986, the Congress made good progress in the effort to controlled illegal immigration into the United States. By making it illegal to hire illegal aliens, the Congress removed one of the magnet remains. That attraction to illegal immigration is the real or perceived availability of Government benefits to illegal aliens.

Today I rise to introduce legislation which establishes a government-wide policy that direct Federal financial benefits not be paid to illegal aliens unless specifically provided by the Immigration and Nationality Act. I am pleased that my colleague from Idaho, Senator STEVE SYMMS, is an original cosponsor.

Over the years, the Congress has crafted ad hoc qualifications in Federal benefit statutes. At times, due to congressional inaccuracy or expansive court interpretations, these statutes have been used to provide Federal financial benefits to illegal aliens.

This situation has led to the payment of unemployment benefits, social security benefits, health care benefits, and housing benefits to individuals who have no legal right to even be in the United States.

In an era of massive Federal deficits, even small instances of waste, fraud, and abuse cannot be tolerated.

The Federal Government must insure that limited Federal funds go to their intended beneficiaries. The Congress made good progress in requiring verification of status for certain entitlement programs and in authorizing the systematic alien verification for entitlement programs better known as the SAVE Program.

However, these steps contained in the Immigration Reform and Control Act of 1986 can only be as effective as the interpretations of the various underlying benefit statutes.

I expect the opponents of this legislation to ask for sympathy for the illegal aliens who have come to depend on the generosity of Uncle Sam. They will certainly cite some compelling stories about illegal aliens in unfortunate situations. I am most sympathetic. However, there are stories as dire and compelling among our own citizens.

When our Nation is facing $200 billion deficits and the constraints of the Gramm-Rudman law, Federal dollars paid to an illegal alien, sympathetic or otherwise, are literally dollars taken away from one of our own citizens or someone who has a legal right to be in the United States.

This legislation gives the Congress an opportunity to set the record straight. This measure is both a means to control illegal immigration and means to control budget deficits. Without the real or perceived attraction to Federal benefits, illegal immigration will be deterred. Without the seepage of benefits away from intended beneficiaries, money will be saved.

Simply put, Mr. President, this legislation states that Federal benefits should not go to those who are in the United States illegally. If my colleagues feel as I do, that taxpayer's dollars should not go to illegal aliens, I ask them to join me in support of this measure.●

By Mr. HATFIELD:

S. 2276. A bill to establish a reservation for the Confederated Tribes of the Grand Ronde Community of Oregon, and for other purposes; to the the Select Committee on Indian Affairs.

RESERVATION FOR THE CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON

● Mr. HATFIELD. Mr. President, today I am introducing a bill that will help a unique Oregon community achieve a dream. It is not that different from the dream of any other community throughout our country. It is a vision of employed people, of a community which can house its citizens and care for their medical needs. It is a vision of economic development not only for the community, but for those surrounding it.

The community I am speaking of once had the resources to provide for itself. It had full employment, sound housing, and adequate medical care. More importantly, it had a deep sense of identity. Unfortunately, that was all taken away. I am talking about a community of America Indians. The tribe that this bill is designed to help is the Confederated Tribe of Grand Ronde Community of Oregon. The force that proved to be the tribes' undoing was Federal Indian policy.

During 1954, the U.S. Federal Government used the policy of termination to extinguish the tribal status of the Grand Rondes. Congress reversed this designation during the 98th Congress by extending them Federal recognition. While this was an important event for the people of the tribe, it fell short of addressing their long-term needs. To allow a tribe to exist as an autonomous nation without giving it the means to provide for itself would sentence the tribe to dependency on often inadequate Government programs.

Mr. President, let me give you some statistics that reflect the impact termination has had on the Grand Ronde Tribe: 40.5 percent of tribal families live below the poverty level as compared to 7.7 percent of the rest of Oregon; unemployment among tribal members is 23 percent—three times the State average; 42 percent of all tribal adults age 19 and older have not completed high school; 50 percent of tribal homes are in need of rehabilitation; and 40 percent of tribal families are not receiving adequate health care because they cannot afford it.

Mr. President, these are appalling statistics. I do not, however, want to give the impression that the tribe has given in to these devastating problems. On the contrary, it has been impressive in its unity and its zeal in trying to overcome the misfortunes of its people.

The tribe has followed up on their restoration bill by completing a reservation plan that provides a real vision for the future. That plan is the basis for the legislation I am introducing today. This bill is identical to the one introduced by Congressman LES AUCOIN in the House of Representatives. He and I have worked closely on this legislation and it is my hope that Senate introduction will further expedite the bill's consideration and ultimate passage into law. I would like to commend the Congressman from Oregon for his work. He has been both forceful and eloquent in his representation of the tribe and its members. The proposed reservation, which encompasses 9,811 acres, is located in his district. He has been instrumental in working out the concerns of those af-

fected and in crafting this piece of legislation.

Today, in the House Interior and Insular Affairs Committee, a hearing was held on the merits of the House version of this bill. It is my understanding that the tribe was very eloquent and was well received. This is not a surprise to me. I have worked with the Grand Rondes' for some time and know them to be very well organized and very sincere in their efforts to improve the living conditions of their tribal members. The events leading up to this bill's introduction testify to that fact. One need only look at the concessions made by the tribe in the bill to understand their willingness to go the extra mile to achieve a passable piece of legislation.

Mr. President, let me briefly explain those concessions. The tribe entered into a memorandum of agreement with the Department of the Interior that would put constraints on its ability to freely use its timber resources. They have agreed not to set up its own mill or export whole logs for a period of 20 years. These measures are designed to assure the surrounding communities that the tribe's actions will not constrict the supply of timber reaching local mills. In addition, the Grand Ronde Tribe insisted on adding bill language mandating that it put 30 percent of the tribes' receipts into an account dedicated for economic development purposes.

To constrain their ability to operate in the competitive Northwest timber market by voluntarily agreeing to these measures is extraordinary. It can only be interpreted to mean that the tribe honestly wants the acceptance of the surrounding communities and is committed to showing them that a reservation will benefit the whole region.

Mr. President, this bill represents a great deal of compromise. It helps redress the tribe for the Federal Government's behavior during the termination years. It is supported by local and State officials in Oregon, and deserves prompt consideration by both Houses of Congress.●

By Mr. COCHRAN (for himself, Mr. MATSUNAGA, Mr. WILSON, Mr. DOLE, and Mr. QUAYLE):

S.J. Res. 291. Joint resolution to designate the month of September 1988 as "National Sewing Month"; to the Committee on the Judiciary.

NATIONAL SEWING MONTH

● Mr. COCHRAN. Mr. President, on behalf of the Senator from Hawaii [Mr. MATSUNAGA], the Senator from California [Mr. WILSON], the Senator from Kansas [Mr. DOLE], and the Senator from Indiana [Mr. QUAYLE], I am introducing legislation to designate the month of September as "National Sewing Month."

National Sewing Month, which has been designated by the Congress for 4 consecutive years, is designed to increase interest in home sewing. This September marks a continuation of an industrywide effort to revitalize the sewing spirit in America.

It is estimated that over 90 million Americans sew at home and over 40 million sew at least part of their wardrobe. Many of these individuals have used these acquired sewing skills to enter creative and rewarding careers in fashion design, retail merchandising, interior design, pattern making, and textiles.

The great majority of these careers have had their beginning in a seventh or eighth grade home economics class where the enjoyment and pride associated with the sewing industry are first encountered. For generations, the fundamentals of home sewing have been learned in the context of the family as well.

The sewing industry employs thousands of individuals in the manufacture, wholesale, retail, and service sectors. Thousands more are involved as teachers, mechanics, truck drivers, contractors, and in many other professions. The industry generates over $3.5 billion in sales annually and invests millions of dollars of capital in plants and machinery.

In September, the American Home Sewing Association will conduct an extensive nationwide promotion of "National Sewing Month." A wide variety of civic organizations have been invited to participate, including home economic teachers, county extension agents, 4-H Clubs, the Girl Scouts, American Sewing Guild Chapters, Future Home Makers of America, and many others.

I applaud the work of the American Home Sewing Association, which is the first and only organization representing the total home sewing industry with a unified voice. This association represents over 600 corporations, manufacturers, retailers, and wholesalers in the textile, pattern, fabric, notions, and sewing sectors.

Mr. President, I urge my colleagues to join me in this effort and to cosponsor my joint resolution designating September as "National Sewing Month."●

By Mr. REID:

S.J. Res. 293. Joint resolution designating May 1988 as "Motorcycle Safety and Awareness Week;" to the Committee on the Judiciary.

MOTORCYCLE SAFETY AND AWARENESS WEEK

● Mr. REID. Mr. President, today in the United States motorcycling is enthusiastically supported by over 5 million owners of registered motorcycles. This has not always been the case. In 1945 there were less than 200,000 registered motorcycles and the ranks of American motorcycle manufacturers could claim only two from a field with a one time high of over 200. Owner enthusiasm has been the one trait that has made the industry and sport so popular. Ask any motorcyclist why motorcycling is so popular and the one thread that runs through all replies will be the exhilerating sense of freedom that motorcycling gives the rider.

The desire to capture that sense of freedom is evident with the first signs of spring. Motorcyclists are fond of saying they have a desire to "get in the wind." As the days get warmer I'm sure that many of us have looked with envy at a passing motorcyclists and thought "it would sure be nice to trade places with him." As easy as it looks, riding a motorcycle is more than just getting on and heading down the road. The desire to ride—regardless of how much fun it appears to be—is often coupled with apprehension.

As motorists we simply get in our vehicle and because we were trained as children to "watch for cars" that is exactly what we do. The apprehension a motorcyclist feels stems from the knowledge every motorcyclist rides with—motorcycles are often overlooked by other motorists. In fact, the first words an errant driver usually utters after colliding with a motorcycle are, "but officer, I didn't see the motorcycle." A well documented statistic shows that in over 65 percent of the motorcycle/other vehicle accidents, the responsibility of the accident can be attributed to the driver of the other vehicle. Those statistics are seldom if ever comforting to the motorcyclists or the errant driver.

Motorcycle enthusiast groups have long realized that safety equipment alone is not enough to decrease the number of motorcyclists injured or killed. These groups have lobbied State legislatures for programs to train the riders to pass stricter licensing requirements and educate the driver to be more aware of motorcycles and to share the roadway. In Nevada the Motorcycle Dealers Association and the Modified Motorcycle Association of Nevada donated to every high school in the State the motorcycle safety foundation film, "A Driver's View of Motorcycling." Since 1983 these two organizations have been successful in obtaining a proclamation from Gov. Richard Bryan declaring May, "Motorcycle Safety and Awareness Month."

Enthusiast groups throughout the United States have duplicated the efforts witnessed in Nevada. In State after State it has been the motorcyclist who has led the efforts to strengthen licensing requirements, educate the nonmotorcycling public about sharing the roadway, and implement motorcycle training programs. To my knowledge, this is the first request to have May proclaimed "National Motorcycle Safety and Awareness Month." Again it is the motorcy-

clists who have brought this request to me.

This request is part of a national effort. Motorcyclists, through their State organizations, will be using this proclamation to promote a series of local, State, and regional events to emphasize the need for those of us who do not ride to be aware of motorcycles and to share the roadway.●

By Mr. TRIBLE (for himself, Mr. SPECTER, and Mr. BENTSEN):

S.J. Res. 294. Joint resolution designating August 9, 1985, as "National Neighborhood Crime Watch Day"; referred to the Committee on the Judiciary.

NATIONAL NEIGHBORHOOD CRIME WATCH DAY

Mr. TRIBLE. Mr. President, I am introducing legislation today—together with Senator SPECTER and HEINZ—which commends the Nation's Neighborhood Crime Watch groups and declares August 9, 1988, as "National Neighborhood Crime Watch Day."

During the last several years, the ranks of Neighborhood Crime Watch organizations have grown tremendously. Citizens throughout the country, who have been justifiably concerned about the Nation's crime rate, have joined together in volunteer efforts to prevent and deter criminal activity. Several hundred thousand households in Virginia alone take part in some form of Neighborhood Crime Watch Program.

Every year, those citizens in Virginia and elsewhere take part in the "National Night Out" against crime. In large cities and small towns across America, participating Neighborhood Watch members spend the evening patrolling their neighborhoods to help prevent crime, and to heighten awareness of the need for citizen participation in anticrime activities.

Last year, 17.5 million people took part in the National Night Out, representing more than 6,000 communities from all 50 States. Several law enforcement organizations in Virginia have endorsed this activity, and have told me how highly they value the contribution of Neighborhood Watch groups. I'm especially pleased that the city of Chesapeake, VA, was among the 20 American cities with the highest rate of participation in the 1987 National Night Out.

The joint resolution I am introducing today commends this fine work, and declares August 9, 1988, as "National Neighborhood Crime Watch Day." to coincide with this year's National Night Out. It is virtually identical to legislation that the Congress has approved each of the last 3 years.

Mr. President, I am greatly encouraged by the continued growth in Neighborhood Watch Programs. I believe it reflects an increased willingness on the part of individual Americans to fight back against crime. It is a valuable example of the voluntary, community based efforts that contribute so much to this Nation in general. And it sends an important signal to America's law enforcement officers that they can count on citizens in their communities to help them hold the line against criminal activity.

I urge my colleagues to join me as cosponsors of this resolution, and I ask unanimous consent that a copy be printed in the RECORD.

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

S.J. RES. 294

Whereas neighborhood crime is of continuing concern to the American people;

Whereas the fight against neighborhood crime requires people to work together in cooperation with law enforcement officials;

Whereas neighborhood crime watch organizations are effective at promoting awareness about, and the participation of volunteers in, crime prevention activities at the local level;

Whereas neighborhood crime watch groups can contribute to the Nation's war on drugs by helping to prevent their communities from becoming markets for drug dealers;

Whereas citizens across America will soon take part in a "National Night Out", a unique crime prevention event which will demonstrate the importance and effectiveness of community participation in crime prevention efforts by having people spend the period from 8 to 10 o'clock post-meridian on August 9, 1988, with their neighbors in front of their homes: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 9, 1988, is designated as "National Neighborhood Crime Watch Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate programs, ceremonies, and activities.

Mr. SPECTER. Mr. President, today I join Senator TRIBLE and Senator HEINZ in introducing a resolution to designate August 9, 1988, as the fifth annual "National Neighborhood Crime Watch Day."

An integral part of this important day is the annual "National Night Out" crime prevention project sponsored by the National Association of Town Watch [NATW], based in Wynnewood, PA. In response to growing concern over the Nation's crime rate, organizations such as NATW have expanded their efforts to increase the public's role in combating crime.

Last year, NATW sponsored its fourth annual "National Night Out" on August 11, 1987. Nationally, 17.5 million citizens in 6,104 communities from all 50 States participated in this extraordinary anticrime event. Citizen participation is especially significant in the Commonwealth of Pennsylvania. Last year, the city of Pittsburgh was recognized as third best "Night Out" area in the Nation behind St. Louis and Houston; in 1986, Pittsburgh was the top National Night Out City of the Year. Philadelphia also was ranked in NATW's top 20 cities in 1987. Both cities will be strong contenders for the "National Night Out Cup" in 1988.

National Night Out is a nationwide effort to symbolize the ongoing fight against crime through cooperative police-community programs. Coinciding with National Neighborhood Crime Watch Day, National Night Out is an expression of the citizens' intent to combat crime together. From 8 to 10 p.m. on August 9, residents in neighborhoods across the Nation will sit on lighted porches, enjoy visits from local police, and participate in a variety of special events such as block parties, meetings, cookouts, and parades.

I hold NATW in high regard for the importance of its crime prevention work in Pennsylvania and throughout the Nation. NATW is a unique organization, serving as liaison among thousands of communities involved in crime prevention programs and representing the entire spectrum of programs concerned with the serious problem of crime in our neighborhoods. As such, it helps coordinate the anticrime efforts of, and provide information and assistance to, the many communities involved in organized crime prevention programs.

Under the leadership of Mr. Matt Peskin, project coordinator, NATW received the prestigious 1986 National Crime Prevention Award, presented by the National Crime Prevention Council, the Crime Prevention Coalition, and the U.S. Department of Justice, for the association's extraordinary efforts in fighting crime.

In association with other anticrime organizations, NATW works to reduce the neighborhood crime rate and to enhance the police-community relationship. Nearly obsolete in the 1960's and 1970's, the notion of the police and the community cooperating with each other now is being institutionalized. No longer are people as afraid to call the police, and law enforcement organizations now recognize the citizens' role in fighting crime.

In correspondences with my office, the U.S. Department of justice noted that "NATW has done exemplary work and has made significant contributions to the overall national crime prevention effort." The Department also indicated that "National Night Out is an excellent program and should be continued."

As a former district attorney, current member of the Senate Judiciary Committee and cochairman of the Congressional Crime Caucus, I have actively pursued initiatives to fight street crime. Accordingly, I commend

the efforts of NATW and all the participants in National Night Out.

Mr. President, I urge my colleagues to join us in supporting this important resolution to recognize the active involvement of organizations such as NATW in the ongoing national fight against crime.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. INOUYE, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of S. 61, a bill to amend title 10, United States Code, to authorize certain disabled former prisoners of war to use Department of Defense commissary stores and post and base exchanges.

S. 675

At the request of Mr. MITCHELL, the names of the Senator from Hawaii [Mr. MATSUNAGA] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 675, a bill to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992.

S. 683

At the request of Mr. ROTH, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 683, a bill to amend the Migrant and Seasonal Agricultural Worker Protection Act, to encourage mediation and conciliation prior to bringing rights of action under that act, to permit reasonable attorneys' fees in certain cases in which a final order is entered in favor of the defendent, and for other purposes.

S. 1009

At the request of Mr. WARNER, his name was withdrawn as a cosponsor of S. 1009, a bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians.

S. 1693

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 1693, a bill to amend the National Trails System Act to provide for a study of the Coronado Trail, and for other purposes.

S. 1723

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 1723, a bill to authorize the establishment of certain regional exhibition facilities as part of the Museum of the American Indian, and for other purposes.

S. 1740

At the request of Mr. DURENBERGER, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1740, a bill to amend title XIX of the Social Security Act to permit States the option of providing comprehensive medical assistance to chronically ill and disabled children with a family income meeting a particular income standard, and for other purposes.

S. 1742

At the request of Mr. DOMENICI, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1742, a bill to provide for the minting and circulation of one-dollar coins, and for other purposes.

S. 1830

At the request of Mr. SANFORD, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1830, a bill to amend title II of the Social Security Act to provide for a more gradual period of transition—and a new alternative formula with respect to such transition—to the changes in benefit computation rules enacted in the Social Security Amendments of 1977 as they apply to workers born in years after 1916 and before 1930—and related beneficiaries—and to provide for increases on their benefits accordingly, and for other purposes.

S. 1856

At the request of Mr. SASSER, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1856, a bill to amend chapter 25 of title 44, United States Code, to provide an authorization for the National Historical Publications and Records Commission programs, and for other purposes.

S. 1883

At the request of Mr. DECONCINI, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1883, a bill to amend the act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes."

S. 1912

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 1912, a bill to authorize a study of the feasibility of establishing a national Mimbres Museum in Silver City, NM, and for other purposes.

S. 2015

At the request of Mr. KENNEDY, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Washington [Mr. ADAMS] were added as cosponsors of S. 2015, a bill to amend the Immigration and Nationality Act to extend for 1 year the application period under the legalization program.

S. 2047

At the request of Mr. THURMOND, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 2047, a bill to require a health warning on the labels of all alcoholic beverage containers.

S. 2062

At the request of Mr. NICKLES, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 2062, a bill to amend the Internal Revenue Code of 1986 to restore to State and local governments the right to purchase gasoline without payment of the Federal gasoline excise tax.

At the request of Mr. MELCHER, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 2062, supra.

S. 2098

At the request of Mr. HOLLINGS, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 2098, a bill to amend the Federal Aviation Act of 1958 to prohibit discrimination against blind individuals in air travel.

S. 2122

At the request of Mr. BRADLEY, the names of the Senator from Vermont [Mr. STAFFORD], the Senator from Illinois [Mr. SIMON], and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of S. 2122, a bill to amend title XIX of the Social Security Act to reduce infant mortality through improvement of coverage of services to pregnant women and infants under the medicaid program, and for other purposes.

S. 2123

At the request of Mr. KENNEDY, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 2123, a bill to provide hunger relief, and for other purposes.

S. 2152

At the request of Mr. NICKLES, the name of the Senator from Illinois [Mr. DIXON] was added as a cosponsor of S. 2152, a bill to increase the authority to transfer unobligated balances between certain accounts of the Department of Defense in order to meet increased military personnel costs resulting from fluctuations in foreign currency exchange rates, and for other pruposes.

S. 2155

At the request of Mr. HELMS, the name of the Senator from California [Mr. WILSON] was added as a cosponsor of S. 2155, a bill to modify the provision of law which provides a permanent appropriation for the compensation of Members of Congress, and for other purposes.

S. 2157

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 2157, a bill to authorize three feasibility studies to be conducted in New Mexico dealing with the San Gabriel Historic Landmark, the

significance of the Los Luceros Hacienda, and the establishment of an interpretive center to highlight the first colonization of the interior of the United States in New Mexico.

S. 2159

At the request of Mr. NICKLES, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 2159, a bill to amend the Commercial Motor Vehicle Safety Act of 1986 to provide that the requirements for the operation of commercial motor vehicles will not apply to the operation of certain farm vehicles.

S. 2177

At the request of Mr. MITCHELL, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 2177, a bill to amend the Federal Aviation Act of 1958 to provide for use of the Nation's airports on a cost-recovery basis.

S. 2179

At the request of Mr. FORD, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 2179, a bill to amend the Petroleum Marketing Practices Act.

S. 2194

At the request of Mr. NICKLES, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 2194, a bill to amend section 307 of the Federal Employees Retirement System Act of 1986.

S. 2201

At the request of Mr. DECONCINI, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 2201, a bill to make certain record rental provisions in title 17, United States Code, the Copyright Act, permanent.

S. 2229

At the request of Mr. KENNEDY, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 2229, a bill to amend the Public Health Service Act to reauthorize programs concerning health research and teaching facilities, and training of professional health personnel under title VII of such Act, and for other purposes.

S. 2231

At the request of Mr. KENNEDY, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of S. 2231, a bill to amend the Public Health Service Act to reauthorize nurse education programs established under title VIII of such Act, and for other purposes.

S. 2234

At the request of Mr. DURENBERGER, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 2234, a bill to provide special rules for health insurance costs of self-employed individuals.

S. 2258

At the request of Mr. KARNES, the names of the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Arkansas [Mr. PRYOR], the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 2258, a bill to amend the Commercial Motor Vehicle Safety Act of 1986 to provide that the requirements for the operation of commercial motor vehicles will not apply to the operation of certain agricultural and firefighting vehicles.

SENATE JOINT RESOLUTION 197

At the request of Mr. DOLE, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of Senate Joint Resolution 197, a joint resolution to designate the month of April 1988 as "Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 239

At the request of Mr. FORD, the names of the Senator from Kansas [Mr. DOLE], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of Senate Joint Resolution 239, a joint resolution to designate May 1 through May 31, 1988, as "Worldwide Bluegrass Music Month".

SENATE JOINT RESOLUTION 266

At the request of Mr. SYMMS, the names of the Senator from Kansas [Mr. DOLE], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Maryland [Ms. MIKULSKI], the Senator from Florida [Mr. GRAHAM], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of Senate Joint Resolution 266, a joint resolution to designate the week beginning June 12, 1988, as "National Scleroderma Awareness Week".

SENATE JOINT RESOLUTION 279

At the request of Mr. TRIBLE, his name was added as a cosponsor of Senate Joint Resolution 279, a joint resolution disapproving the certification by the President under section 481(h) of the Foreign Assistance Act of 1961.

SENATE JOINT RESOLUTION 280

At the request of Mr. HATCH, the names of the Senator from California [Mr. WILSON], the Senator from Georgia [Mr. NUNN], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Nebraska [Mr. KARNES], the Senator from Alabama [Mr. SHELBY], the Senator from Nebraska [Mr. EXON], the Senator from Georgia [Mr. FOWLER], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Alaska [Mr. STEVENS], the Senator from Oregon [Mr. PACKWOOD], the Senator from Hawaii [Mr. INOUYE], the Senator from Indiana [Mr. LUGAR], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Indiana [Mr. QUAYLE] were added as cosponsors of Senate Joint Resolution 280, a joint resolution to designate the week of November 27, 1988 through December 3, 1988 as "National Home Care Week".

SENATE JOINT RESOLUTION 282

At the request of Mr. HOLLINGS, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Alabama [Mr. SHELBY], the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of Senate Joint Resolution 282, a joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional and Presidential elections.

SENATE JOINT RESOLUTION 283

At the request of Mr. MOYNIHAN, the names of the Senator from Indiana [Mr. QUAYLE], the Senator from Mississippi [Mr. COCHRAN], the Senator from Maine [Mr. MITCHELL], the Senator from Idaho [Mr. SYMMS], the Senator from North Dakota [Mr. BURDICK], the Senator from Arizona [Mr. DECONCINI], the Senator from Connecticut [Mr. DODD], the Senator from Massachusetts [Mr. KERRY], the Senator from Idaho [Mr. MCCLURE], the Senator from Ohio [Mr. GLENN], the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. GRAHAM], the Senator from Arkansas [Mr. PRYOR], the Senator from Nebraska [Mr. KARNES], the Senator from Oklahoma [Mr. BOREN], the Senator from Michigan [Mr. LEVIN], the Senator from Louisiana [Mr. BREAUX], the Senator from Pennsylvania [Mr. HEINZ], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Joint Resolution 283, a joint resolution to designate the week of April 17, 1988, through April 24, 1988, as "Jewish Heritage Week".

SENATE CONCURRENT RESOLUTION 103

At the request of Mr. DECONCINI, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Concurrent Resolution 103, a concurrent resolution expressing the sense of the Congress that the President should award the Presidential Medal of Freedom to Charles E. Thornton, Lee Shapiro, and Jim Lindelof, citizens of the United States who were killed in Afghanistan.

SENATE CONCURRENT RESOLUTION 107

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of Senate Concurrent Resolution 107, a concurrent resolution calling for a consolidated investigation into the operation of Texas Air Corporation and Eastern Air Lines.

SENATE RESOLUTION 394

At the request of Mr. HEINZ, the names of the Senator from Minnesota [Mr. DURENBERGER] and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Resolution 394, a resolution expressing the sense of the Senate that funding in fiscal year 1989 for the Federal-aid highway and mass transit programs should be at the levels enacted in the Surface Transportation and Uniform Relocation Assistance Act of 1987.

SENATE CONCURRENT RESOLUTION 114—AUTHORIZING THE LAW ENFORCEMENT TORCH RUN FOR SPECIAL OLYMPICS THROUGH THE CAPITOL GROUNDS

Mr. FORD submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 114

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF THE LAW ENFORCEMENT TORCH RUN FOR THE SPECIAL OLYMPICS THROUGH CAPITOL GROUNDS.

On May 20, 1988, or on such other date as the President pro tempore of the Senate and the Speaker of the House of Representatives may designate jointly, the Law Enforcement Torch Run for the Special Olympics may be run through the Capitol Grounds, as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics Spring Games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such action as may be necessary to carry out section 1.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event authorized by section 1.

SENATE RESOLUTION 408—CONDEMNING THE USE OF CHEMICAL WEAPONS BY IRAQ

Mr. MITCHELL (for himself, Mr. SARBANES, Mr. LUGAR, Mr. DODD, Mr. BOSCHWITZ, Mr. SIMON, Mr. MURKOWSKI, Mr. ADAMS, Mr. MOYNIHAN, Mr. MCCONNELL, Mr. COHEN, Mr. HATFIELD, Mr. KENNEDY, Mr. CHAFEE, Mr. DURENBERGER, Mr. HARKIN, Mr. DANFORTH, and Mr. WEICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 408

Whereas the international community recognized the dangers of chemical warfare during World War One, in which at least 90,000 were killed and well over one million wounded by chemical weapons;

Whereas the 1925 Geneva Protocol outlawed the use of chemical weapons;

Whereas Iraq has been producing and stockpiling chemical weapons;

Whereas United Nations investigators concluded in 1984, 1986 and 1987 that Iraq had employed chemical weapons, and the United Nations Security Council has condemned the use of chemical weapons in the Iran-Iraq war;

Whereas Iraq's chemical weapons attack on March 16, in which hundreds of Kurdish civilians were killed on Iraqi soil, underscores the horror of these weapons and their impact on noncombatants;

Whereas the United States condemned that Iraqi attack as a "particularly grave violation" of international law;

Whereas it has been reported that Iran may be producing chemical weapons, and Iran has warned that it might employ chemical weapons against Iraq; Therefore, be it

Resolved by the Senate of the United States of America assembled, That the Senate:

(1) condemns the use of chemical weapons by Iraq and declares that such action violates international law;

(2) calls upon Iraq to halt immediately and permanently the use of all chemical weapons;

(3) commends the President for his prompt condemnation of Iraq's recent chemical weapons attack on civilians;

(4) urges the President to seek allied cooperation to further tighten controls on the export of chemical compounds to countries seeking to develop a chemical weapons capability;

(5) expresses concern about possible Iranian production of chemical weapons and urges the President to make appropriate diplomatic efforts to prevent Iran from developing or using chemical weapons;

(6) urges the President to intensify American efforts at the Geneva Conference on Disarmament and in bilateral discussions with the Soviet Union to reach at the earliest possible date an arms control agreement banning the use, production, development, stockpiling, transfer, and acquisition of chemical weapons.

Mr. MITCHELL. Mr. President, today I am introducing a sense of the Senate resolution condemning the recent use of chemical weapons by Iraq and calling for intensified efforts to ban the production and use of chemical weapons.

Last month, we were again reminded of the urgent need to work toward an international agreement prohibiting these weapons. On March 16, Iraq used chemical weapons against the Iranian-occupied town of Halabja, killing hundreds, if not thousands, of Kurdish civilians. The administration rightfully condemned the attack as a "particularly grave violation" of international law.

This resolution commends the President for his prompt condemnation, and calls for Iraq to immediately and permanently halt all chemical weapons attacks.

The grotesque images of civilians frozen dead in the midst of their daily routine shocked us all. But we should not have been surprised by this most recent Iraqi action.

We knew that in early 1982, Iraq began experimenting with the use of chemical weapons and accidentally poisoned its own troops. United Nations investigators had concluded that in 1984, in 1986, and again in 1987, Iraq had employed chemical weapons against Iran.

Iraq's repeated use of chemical weapons, in violation of the 1925 Geneva protocol of which it is a signatory, threatens an alarming escalation of the nearly 8-year-old Gulf war.

Iran, which is seeking to acquire a chemical weapons production capability, has vowed to retaliate in kind to Iraqi chemical attacks. The resolution expresses the Senate's concern regarding these developments, and urges the President to exert every effort to prevent Iran from developing or using chemical weapons.

Unless both sides forgo the use of chemical weapons, the war could take a horrifying turn. Both Iran and Iraq now use conventional missiles in attacks against cities. Were they to arm these missiles with chemical warheads, they could devastate the civilian population in urban centers.

The significance of the recent Iraqi attack goes beyond its military role in the Gulf war. It symbolizes the failure of the international community to effectively prevent both the transfer of chemical capabilities and the use of weapons outlawed by the 1925 Geneva protocol.

While the United Nations has repeatedly condemned Iraq's use of chemical weapons, the United Nations has never invoked sanctions of any sort against a violator of the Geneva protocol.

The use of chemical weapons, while not yet routine, threatens to become widespread as chemical production technology crosses borders and as the strictures against chemical use weaken with every reported violation. Clearly, it is time for a strengthening of international law and national policy to prevent the spread and use of chemical weapons.

Many countries, particularly in the Middle East, are fast acquiring chemical weapons and chemical production capabilities. For example, Syria is upgrading its chemical capabilities and has built a new production facility to ensure its own chemical supplies. Libya reportedly has also acquired chemical weapons.

Chemical weapons are attractive to such states because they pose a serious military threat, but are relatively cheap and easy to make. The manufacturing technology is not highly complex, and much of it can be bought on the open market—in the name of seeking an industrial chemical capability.

Of course an effective delivery system is required to actually use chemical weapons. But as ballistic missile technology proliferates throughout the Third World and particularly the Middle East, so too does the capa-

bility to deliver chemical munitions across great distances.

These trends are alarming.

Therefore the resolution urges the President to seek allied cooperation to further tighten controls on the export of chemical technology to countries seeking to develop a chemical weapons capability.

The United States has recognized the need to closely monitor and control the spread of chemical weapons capabilities. The 1984 Chemical Weapons Export Control Act prevents the sale to Iraq and Iran of industrial chemicals that could be used to manufacture chemical weapons. In 1987, the State Department extended the ban to include Syria. But more can be done. For example, it seems obvious that Libya should be added to this list.

While it is critical to anticipate which countries seek to acquire chemical weapons in order to block their access to materials, it is equally important to ensure allied participation in the application of export controls.

Our allies, many of whom have large domestic chemical industries, have not enthusiastically joined our effort to limit access to chemical manufacturing capabilities. They must be encouraged to help prevent increasing numbers of nations from becoming chemical weapons producers and distributors.

In addition to restricting access to chemical weapons components, we must make every effort to realize a successful result from our ongoing chemical arms control negotiations.

One lesson of World War I, in which chemical weapons killed at least 90,000 and wounded well over a million, was the need to outlaw chemical weapons. But the 1925 Geneva protocol bans only their use and it lacks enforcement mechanisms, while the ethical strictures on using chemical weapons has been undermined by the increasingly violent means of modern warfare. It is time to strengthen international law and reinstate the moral prohibition against chemical warfare.

The resolution calls for intensified efforts at both the Geneva Conference on Disarmament and in bilateral discussions with the Soviet Union to reach at the earliest possible date an agreement banning the use, production, development, stockpiling, transfer, and acquisition of chemical weapons.

Since the mid-1960's, the United States has been engaged in negotiations to conclude an international agreement to ban the production, stockpiling, and use of chemical weapons. The primary forum for today's efforts is the 40-nation Conference on Disarmament in Geneva.

The Soviets, who have a huge stockpile of chemical weapons and even dedicated chemical warfare forces, have long expressed reservations that had posed serious obstacles to agreement.

However, during the 1985 Reagan-Gorbachev summit meeting, the two leaders reaffirmed their commitment to ban chemical weapons. They vowed to pursue a worldwide chemical weapons agreement, and agreed to discuss ways to stem the proliferation of chemical weapons. In 1987, the Soviet Union announced that it had halted the production of chemical weapons. The Soviets have also adopted a more open attitude in the Geneva negotiations.

Although this altered Soviet attitude has helped produce encouraging progress at Geneva, many hurdles must be overcome before an agreement can be reached.

The subject of chemical weapons control is exceedingly complex. Verification in particular poses a very difficult problem.

National technical means—photoreconnaissance satellites—are clearly not sufficient to verify compliance with a ban on chemical weapons. There is a significant overlap between legitimate commercial chemical plants and chemical weapons production facilities, and chemical munitions could be surreptitiously stored in conventional munitions depots.

The United States has correctly insisted that onsite inspection, including provisions for challenge inspections, is a critical prerequisite for meaningful chemical arms control. The Soviets appear more open to the possibility of challenge inspections. Furthermore, the unprecedented onsite verification provisions included in the INF Treaty provide additional reason for hope that this prime obstacle can be overcome.

As the recent Iraqi chemical weapons attack reminds us, banning the production, stockpiling, and use of chemical weapons must remain a high international priority.

I hope that this resolution will help convince Iraq that the United States Senate condemns in no uncertain terms the use of chemical weapons by any country. It is also my hope that this call for intensified efforts to achieve an international chemical weapons ban will help bring this issue the immediate attention it surely deserves.

SENATE RESOLUTION 409—EXPRESSING THE SENSE OF THE SENATE REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT AND URBAN DEVELOPMENT ACTION GRANT PROGRAMS

Mr. LAUTENBERG (for himself, Mr. RIEGLE, Mr. CRANSTON, Mr. D'AMATO, and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Appropriations:

S. RES. 409

Whereas local and community development is a matter of national concern and a national priority;

Whereas the economic development of urban communities large and small is an essential national objective;

Whereas the Community Development Block Grant Program has become an essential component of local governments' efforts to maintain and develop their communities;

Whereas local governments have come to depend on these grants as part of their budget planning;

Whereas the Urban Development Action Grant Program provides jobs, tax revenues, and economic revitalization to areas of the Nation with high unemployment, particularly among minorities;

Whereas the Urban Development Action Grant Program leverages private sector investment in our nation's urban communities;

Whereas the proposed fiscal year 1989 budget submitted by the President on February 18, 1988 recommends that funding for Community Development Block Grants be reduced from $2.88 billion in fiscal year 1988 to $2.48 billion, which would represent a reduction of about fourteen percent;

Whereas, the Community Development Block Grant program has already been reduced by close to one-quarter since the beginning of the Reagan Administration.

Whereas the proposed fiscal year 1989 budget submitted by the President on February 18, 1988 recommends that all funding for the Urban Development Action Grant program be eliminated: Now, therefore, be it

Resolved, That the Senate rejects the reduction in funding for the Community Development Block Grant Program and the Urban Development Action Grant Program proposed in the President's proposed budget for fiscal year 1989 and declares its intention to fund these programs at the full levels currently authorized by law.

● Mr. LAUTENBERG. Mr. President, today I am introducing a resolution in support of two of the most important programs for assisting our Nation's communities, the Community Development Block Grant and Urban Development Action Grant Programs. The resolution expresses the sense of the Senate that the President's proposed cuts in these programs should be rejected, and that the programs should be fully funded at their authorized levels.

I am pleased to be joined in this effort by a bipartisan group of distinguished colleagues, including Senators RIEGLE, CRANSTON, D'AMATO, and MIKULSKI, all of whom have demonstrated their commitment to these programs and the communities they serve.

Mr. President, the Community Development Block Grant and Urban Development Action Grant Programs are the cornerstones of the Nation's commitment to our cities and communities. They have helped localities around the country stimulate economic revitalization, expand housing opportunities, and provide a variety of

municipal services. The programs are especially important to the millions of low and moderate-income people who live in depressed urban areas.

This administration has consistently turned a blind eye to the struggling urban areas of this country. Despite rhetoric about a new federalism with increased authority for localities, the administration has repeatedly sought to undercut local governments with drastic cuts in Federal aid.

The administration's antagonism toward urban programs has had a profound negative impact on our cities and communities. Local officials have seen CDBG funding cut, in real terms, by about 50 percent. They've seen general revenue sharing eliminated altogether. They've seen substantial reductions in the UDAG Program, and continued efforts to terminate that program as well. These cuts have hampered economic development, reduced housing opportunities, and increased the difficulties of local governments seeking to meet residents' needs.

In what has become an annual ritual, the administration has once again proposed drastic cuts in community development programs. This year, their budget proposal contemplates a $400 million reduction in appropriations to the Community Development Block Grant Program, from $2.88 billion to $2.48 billion. Another $145 million could be available for CDBG, but only if Congress decides to "rob Peter to pay Paul" and transfer funding from the section 312 rehabilitation loan fund. The administration is also seeking termination of the Urban Development Action Grant Program.

Recently, the Senate Budget Committee approved a budget resolution that calls for significant reductions in communtiy development programs. Although I agreed to the budget resolution as a whole, I do not support these reductions, and agreed to support the committee compromise only after initial proposals for much more drastic cuts were abandoned.

The real battle for CDBG and UDAG will take place in the appropriations process. In coming months, I will be actively involved as a member of the Appropriations Committee in the fight to ensure adequate funding for CDBG and UDAG. I look forward to working with the cosponsors of this resolution in that effort.

The Federal Government must not abandon our cities.●

● Mr. D'AMATO. Mr. President, I rise today to support the efforts put forth by my colleague from New Jersey, Senator LAUTENBERG, to oppose cuts in the Community Development Block Grant and Urban Development Action Grant Programs. We must take action to prevent the further erosion or elimination of these vital and constructive programs.

Since coming to the Senate in 1981, I have been a strong supporter of both the CDBG and UDAG Programs. These programs were developed to revitalize our communities, both large and small. I firmly believe that the Federal Government must play a role in such development. Many of our communities still suffer from economic distress. The CDBG and UDAG Programs provide the needed impetus to stimulate growth, activity, and jobs. To further restrict or altogether eliminate these important programs would seriously limit development efforts in economically deprived communities across the country.

The President has proposed to cut or eliminate these programs. Specifically, the administration has proposed to cut the CDBG Program by 9 percent, from $2.8 billion to $2.48 billion. In addition, the President has proposed to eliminate the UDAG Program.

Many critics of the program say that these programs only serve wealthy corporations. Let me respond to this charge by giving an example of UDAG funds that were recently granted to a project in New York State. In January of this year, Schroon Lake, NY, was suffering from an unemployment rate of 18 percent with no signs of improvement in the near future. Schroon Lake is located in the Adirondacks, a part of rural New York that was once a thriving area. Today, the region suffers from severe economic distress.

The town of Schroon Lake was granted UDAG funding to construct a resort facility and conference center in the area. This grant will provide 475 construction jobs and over 200 permanent jobs for citizens of the area. With the creation of these jobs, new revenues will be able to be collected, people will once again enjoy the esteem that comes with having a job, and money will once again flow into this town generating still further employment. Schroon Lake will be a different place because of the Urban Development Action Grant Program.

Similarly, the CDBG Program helps localities and States to fund local community development programs. These activities are directed toward neighborhood revitalization, economic development, and improved community facilities services. Like the UDAG Progam, CDBG funds generate jobs and provide vital economic development moneys to local governments.

I am pleased to join Senator LAUTENBERG in calling on the Senate to resist cuts in these vital programs. I urge my colleagues to give this resolution their full support and I ask for its quick passage.●

SENATE RESOLUTION 410—DIRECTING REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. BYRD (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 410

Whereas, in the case of *Avirgan* v. *Hull*, No. 86-1146-CIV-KING, pending in the United States District Court for the Southern District of Florida, the plaintiffs have obtained a subpoena from the United States District Court for the District of Columbia, FS 88-68, for the testimony of and production of documents by the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2) (1982), the Senate may direct its counsel to represent officers and employees of the Senate with respect to subpoenas or orders issued to them in their official capacity: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Secretary of the Senate and any Senate employee who may be substituted as a respondent for him in the case of *Avirgan* v. *Hull*, No. 86-1146-CIV-KING (S.D. Fla), or in any ancillary proceedings.

AMENDMENTS SUBMITTED

INDOOR AIR QUALITY ACT

LAUTENBERG AMENDMENT NO. 1927

(Ordered referred to the Committee on Environment and Public Works.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill (S. 1629) to authorize a national program to reduce the threat to human health caused by exposure to contaminants in the air indoors; as follows:

On page 16, insert the following after line 13:

(e) CHILD CARE FACILITIES.—(1) The Administrator shall develop protocols for the measurement of radon gas in child care facilities within 6 months after the date of enactment of this Act.

(2) The Administrator shall make available to the appropriate agency of each state, to organizations representing child care facilities, and to the public, information concerning appropriate techniques to measure radon levels in child care facilities, areas and physical characteristics of buildings housing child care facilities with high radon risks and mitigation measures for reducing radon levels.

(3) The Administrator is authorized to make available to the appropriate agencies of the state, as designated by the Governor of such state, cannisters or other suitable devices for use by such agencies in conducting tests for radon within child care facilities in the state. The Administrator is authorized to make available to such agencies the use of laboratories of the Environmental Protection Agency, or to recommended

laboratories, to evaluate any such cannisters or devices for the presence of radon levels.

(4) The Administrator is authorized to undertake diagnostic and remedial efforts to reduce the levels of radon in nonresidential child care facilities. Such diagnostic and remedial efforts shall be carried out with a view to developing technology and expertise for the purpose of making such technology and expertise available to any child care facility and the several states.

(5) The Adminstrator shall submit a report to the Congress on his actions to implement this section within 12 months after the date of enactment of this Act and annually thereafter.

On page 35, insert the following after line 16:

(e) EPA-HUD MEMORANDUM OF UNDERSTANDING.—(1) Within 6 months after the date of enactment of this Act, the Administrator and the Secretary of the Department of Housing and Urban Development shall enter into a Memorandum of Understanding (MOU) to define their respective responsibilities and planned actions to address the hazards to human health caused by radon contamination.

(2) The MOU shall describe the plan of the Secretary of the Department of Housing and Urban Development to assist the Administrator in carrying out EPA's authority to assess the extent of radon contamination in the United States and develop measures to avoid and reduce radon contamination. The MOU shall address how the Secretary will assist the Administrator by using the Secretary's existing programs to incorporate radon mitigation techniques in a limited number of projects assisted by the Department of Housing and Urban Development and to evaluate the effectiveness of those techniques.

(3) The Department of Housing and Urban Development shall implement the plan it develops under paragraph (1).

(4) The Secretary of the Department of Housing and Urban Development shall submit a report to the Congress on his actions to implement the MOU within 2 years of the date of enactment of this Act.

On page 38:

(1) redesignate Section 14 as Section 15, and

(2) insert the following new Section 14:

REGIONAL TRAINING CENTERS

SEC. 14. REGIONAL TRAINING CENTERS.—(a) GRANT PROGRAM.—The Administrator shall make grants to institutions of higher learning (or consortium of such institutions) to establish and operate five regional radon training centers.

(b) RESPONSIBILITIES OF THE CENTER.—Each center shall provide instruction on radon diagnosis and mitigation for, and disseminate radon related information on, diagnosis, monitoring, analysis, mitigation and health effects to state and local officials, professional and private firms and the public.

(c) APPLICATIONS.—Any institution of higher learning (or consortium of such institutions) which is interested in receiving a grant under this section shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

(d) SELECTION CRITERIA.—The Administrator shall select recipients of grants under this section on the basis of the following criteria:

(1) The demonstrated expertise of the applicant in radon related issues;

(2) The demonstrated expertise of the applicant in related training and information activities;

(3) The extent to which the program proposed by the applicant meets the objectives of subsection (b);

(4) The seriousness of the radon problem in the region; and

(5) The geographical coverage of the proposed center.

(e) AUTHORITIES.—The designated research centers are authorized to:

(1) enter into contracts or cooperative agreements with public agencies and authorities, nonprofit institutions and organizations, private research centers, and other persons; and

(2) develop or acquire such radon demonstration methods, technologies and related structures as are necessary to implement the requirements of this section.

(f) EQUITABLE DISTRIBUTION.—The Administrator shall allocate funds made available to carry out this section equitably among regions of the United States. One of the five centers shall be located in close proximity to the Reading Prong. One of the five centers shall be located in New England.

(g) PROPOSED TRAINING PROGRAM.—Prior to and as a condition of receipt each year of funds appropriated to carry out this section, each training center shall submit to the Administrator for approval a program for training activities satisfactory to the Administrator. Such program shall be developed in consultation with State governments and other agencies and institutions within the region, and with interested members of the public.

(h) REVIEW AND EVALUATION.—(1) The Administrator shall establish procedures for a careful and detailed evaluation of each training center and the quality and extent of its radon training program and activities.

(2) The Administrator shall arrange for each training center supported under this section to be evaluated within two years after its establishment and to be reevaluated at intervals not to exceed five years. If, as a result of such an evaluation, the Administrator determines that a training center does not qualify for further support under this section, then no further grants to the training center may be made until the training center's qualification is reestablished to the satisfaction of the Administrator.

On page 38, add the following at the end of section 14(a)(3):

For the purpose of carrying out section 5(e) of this Act, there is authorized to be appropriated $1,000,000 for each of the fiscal years ending September 30, 1988, 1989, 1990, 1991 and 1992. For the purpose of carrying out section 14 of this Act, there is authorized to be appropriated $2,000,000 for each of the fiscal years ending September 30, 1988, 1989, 1990, 1991 and 1992.

CONCURRENT RESOLUTION ON THE BUDGET

CHILES (AND OTHERS) AMENDMENT NO. 1928

Mr. CHILES (for himself, Mr. RIEGLE, Mr. SANFORD, Mr. HEINZ, Mr. CONRAD, Mr. METZENBAUM, and Mr. GRAHAM) proposed an amendment to the concurrent resolution (S. Con. Res. 113) setting forth the congressional budget for the United States Government for the fiscal years 1989, 1990, and 1991; as follows:

At the end of the resolution add the following:

SOCIAL SECURITY TRUST FUND SURPLUSES

SEC. 8. (a) FINDINGS.—The Congress finds that—

(1) under current law, surpluses (and deficits) in the Social Security trust fund are included in calculations of the deficit for purposes of comparison with the maximum deficit amount under the Balanced Budget and Emergency Deficit Control Act of 1985 and for purposes of determining across-the-board cuts under that Act;

(2) the inclusion of the Social Security trust fund in the calculation of the Gramm-Rudman-Hollings targets creates the illusion that the budget deficit is being brought into balance when in fact the operating deficit is continuing to grow;

(3) the accumulation of Social Security surpluses is intended to be the basis for honoring the benefit claims of future retirees, at a time when yearly benefit expenditures will exceed yearly receipts;

(4) Social Security surpluses are currently being lent to the Treasury to finance the operating budget deficit, which is primarily dedicated to current consumption;

(5) the use of the Social Security surpluses for current consumption denies their intended purpose of increasing national savings, investment, productivity, and gross national product;

(6) without such increases in national output and wealth, future workers will be unable to honor the claims of retirees without a significant increase in taxes or reduction in Social Security benefits;

(7) the use of Social Security surpluses as a source of national savings would bolster the economic capacity of the United States, allowing Social Security benefit claims to be honored at the same time future workers enjoy an increased standard of living;

(8) the intended and legitimate pursuant of the Social Security trust fund could best be protected by excluding it from the calculation of any deficit reduction targets.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the Congress should enact legislation that makes the definition of the deficit exclude the surplus (or deficit) from the Social Security trust fund for all purposes; and

(2) the Congress should enact legislation that would within five years eliminate the deficit when calculated to exclude the surplus (or deficit) from the Social Security trust fund.

SYMMS (AND OTHERS) AMENDMENT NO. 1929

Mr. SYMMS (for himself, Mrs. KASSEBAUM, Mr. HOLLINGS, Mr. MCCLURE, and Mr. THURMOND) proposed an amendment to amendment No. 1928 proposed by Mr. CHILES (and others) to the concurrent resolution S. Con. Res. 113, supra; as follows:

On page 1, line 4, strike all after the word "SEC." and insert in lieu thereof:

"8. (a) FINDINGS.—The Congress finds that—

(1) under current law, surpluses (and deficits) in the Social Security trust funds, the Highway Trust Fund and the Aviation Trust Fund, are included in calculations of the deficit for purposes of comparison with

the maximum deficit amount under the Balanced Budget and Emergency Deficit Control Act of 1985 and for purposes of determining across-the-board cuts under that Act;

(2) the inclusion of the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund in the calculation of the Gramm-Rudman-Hollings targets creates the illusion that the budget deficit is being brought into balance when in fact the operating deficit is continuing to grow;

(3) the accumulation of Social Security surpluses is intended to be the basis for honoring the benefit claims of future retirees, at a time when yearly benefit expenditures will exceed yearly receipts; and Highway and Aviation surpluses are intended to finance highway and aviation safety improvements;

(4) Social Security and Highway and Aviation trust fund surpluses are currently being lent to the Treasury to finance the operating budget deficit, which is primarily dedicated to current consumption;

(5) the use of the Social Security, Highway, and Aviation surpluses for current consumption denies their intended purpose of increasing national savings, investment, productivity, and gross national product;

(6) without such increases in national output and wealth, future workers will be unable to honor the claims of retirees without a significant increase in taxes or reduction in Social Security benefits and transportation and air safety services;

(7) the use of Social Security surpluses as a source of national savings and the use of Highway and Aviation trust funds for their intended purposes would bolster the economic capacity of the United States, allowing Social Security benefits claims to be honored at the same time future workers enjoy an increased standard of living;

(8) the intended and legitimate purposes of the Social Security trust funds, the Highway Trust Fund and the Aviation Trust Fund, could best be protected by excluding them from the calculation of any deficit reduction targets.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the Congress should enact legislation that makes the definition of the deficit exclude the surplus (or deficit) from the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund, for all purposes; and

(2) the Congress should enact legislation that would within five years eliminate the deficit when calculated to exclude the surplus (or deficit) from the Social Security trust funds, the Highway Trust Fund, and the Aviation Trust Fund."

HOLLINGS (AND EXON) AMENDMENT NO. 1930

(Ordered to lie on the desk.)

Mr. HOLLINGS (for himself and Mr. EXON) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 113, supra; as follows:

At the end, add the following:

AVIATION TRUST FUND SURPLUSES

SEC. 9. It is the sense of the Congress that—

(1) the Congress should enact legislation that makes the definition of the deficit exclude the surplus (or deficit) from the Airport and Airway Trust Fund for all purposes; and

(2) the Congress should enact legislation that would within five years eliminate the deficit when calculated to exclude the surplus (or deficit) from the Airport and Airway Trust Fund.

STEVENS (AND McCLURE) AMENDMENT NO. 1931

Mr. STEVENS (for himself and Mr. MCCLURE) proposed an amendment to amendment No. 1928 proposed by Mr. CHILES (and others), as amended, to the concurrent resolution S. Con. Res. 113, supra; as follows:

At the end of the pending amendment, add the following:

SEC. . It is the sense of the Congress that—

(1) The Postal Service is a unique, self-financing entity with a mandate to meet operating and capital expenses through income and effective financial management;

(2) Since 1982, the Postal Service has received no appropriations for operating purposes, paying its expenses from its own revenues;

(3) The Postal Service in no way contributes to the deficit problems faced by the Federal Government;

(4) Subjecting the Service to the constraints of a congressional and executive budget process threatens its ability to maintain the service necessary to sustain the nation's commerce and lines of communication;

(5) In order to best serve the public interest, the Postal Service must remain a free and independent entity;

(6) Including the Postal Service in the Federal Budget has hindered the Postal Service's much-needed capital improvement program;

(7) Including Postal Service surpluses and deficits in the Federal Budget, distorts the fiscal accuracy of the Federal Budget;

(8) Congress' constitutional responsibility to oversee the Postal Service will be ongoing regardless of whether the Postal Service is included in the Federal Budget; and

(9) Therefore, the receipts and disbursements of the United States Postal Service should not be counted for purposes of determining the Federal deficit.

IMPLEMENTATION OF 1980 HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

DIXON AMENDMENT NO. 1932

Mr. BYRD (for Mr. DIXON) proposed an amendment to the bill (H.R. 3971) to establish procedures to implement the 1980 Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes; as follows:

Strike subsection (a) of section 4 and insert the following:

(a) JURISDICTION OF THE COURTS.—The courts of the States and the United States district courts shall have concurrent original jurisdiction of actions arising under the Convention.

NOTICE OF HEARING

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Select Committee on Indian Affairs will be holding the following:

Tuesday, April 12, 1988, beginning at 2:30 p.m., in Senate Russell 485, a hearing on S. 1236, reauthorization of the Navajo-Hopi Relocation Program, and proposed amendments;

Wednesday, April 13, 1988, beginning at 2 p.m., in Senate Russell 428, a markup on S. 1722 and S. 1723, the National American Indian Museum and Memorial Act; S. 1236, reauthorization of the Navajo-Hopi Relocation Program; and, S. 802, Renville—Blackfeet Claims Settlement;

Tuesday, April 19, 1988, beginning at 2 p.m., in Senate Russell 485, an oversight hearing on the management of Columbia River Indian Fisheries;

Thursday, April 20, 1988, beginning at 9 a.m., in Senate Russell 485, a hearing on S. 1987, the Indian Housing Act of 1987; and

Thursday, April 28, 1988, beginning at 2:30 p.m., in Senate Russell 485, a markup on S. 1735, the Lac Vieux Desert Band of Lake Superior Chippewa Indians Act; S. 1415, Colorado Ute Indian Water Rights Settlement Act of 1987; and S. 2153, Salt River Water Settlement Act.

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

AUTHORITY FOR COMMITTEES TO MEET

Mr. BYRD. Mr. President, I have 10 committee requests in my hand for meetings on Tuesday, April 12. I ask unanimous consent that those committees be deemed to have been given Senate permission to meet. They all bear the initials indicating the approval of the Republican leadership. I ask that they be considered en bloc, agreed to en bloc, and spread severally upon the RECORD.

Mr. STEVENS. There is no objection, Mr. President.

The PRESIDING OFFICER. Without objection, it is agreed to.

COMMITTEE ON FINANCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 12, 1988, to hold a hearing on the United States-Canada Free Trade Agreement.

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

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet during the session of the Senate on Tuesday, April 12, 1988,

to hold a hearing on S. 1236, reauthorization of the Navajo-Hopi Relocation Program, and proposed amendments.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, April 12, 1988, to hold a hearing on intelligence matters.

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

SUBCOMMITTEE ON STRATEGIC FORCES AND NUCLEAR DETERRENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces and Nuclear Deterrence of the Senate Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 12, 1988. In open session to receive testimony on the Civil Defense Program of the Federal Emergency Management Agency in review of the amended fiscal year 1989 defense authorization request.

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

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces and Nuclear Deterrence of the Senate Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 12, 1988. In closed and open session to receive testimony on the chemical weapons modernization and demilitarization programs in review of the amended fiscal year 1989 defense authorization request.

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

SUBCOMMITTEE ON PROJECTION FORCES AND REGIONAL DEFENSE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Projection Forces and Regional Defense of the Senate Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 12, 1988. In open session to receive testimony on strategic mobility issues in review of the amended fiscal year 1989 defense authorization request.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Tuesday, April 12, to hold hearings on the 10th anniversary of the Ethics in Government Act (April 12), and reauthorization of the Office of Government Ethics (April 13).

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

SUBCOMMITTEE ON THE HANDICAPPED

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on the Handicapped, of the Committee on Labor and Human Resources, be authorized to meet during the session of the Senate on Tuesday, April 12, 1988, to conduct a hearing on the education and rehabilitation of traumatic brain injured persons.

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

SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Tuesday, April 12, 1988, to conduct oversight hearings on the recently released report of the national housing task force.

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

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources, Subcommittee on Energy Research and Development be authorized to meet during the session of the Senate on Tuesday, April 12, 1988, to receive testimony concerning the Department of Energy's fiscal year 1989 budget request for the superconducting supercollider and the basic science budget.

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

ADDITIONAL STATEMENTS

RALPH AND ROLLIE DesLAURIERS CONGRATULATED ON BOLTON VALLEY

● Mr. LEAHY. Mr. President, shortly before the Christmas break I was discussing the possibilities of a sine die adjournment with the distinguished majority leader, Mr. BYRD. I stated my enthusiasm when I saw him wearing his sine die tie and knew the end was finally at hand.

I told the Senate that I had received a call from my children asking if they should rent my skis out for the Christmas recess, but I am delighted they held off as I did have a chance to get back and enjoy some invigorating skiing.

My 17-year-old son, Mark, and I had some delightful runs at the Bolton Valley ski resort. Bolton Valley is the brainchild of my good friend, Ralph DesLauriers, and is still a family run organization. Being with Ralph and Rollie DesLauriers makes any Vermonter feel at home, and I want to take this opportunity to congratulate them for the fine service they provide not only to Vermonters but to all of New England.●

CENTENNIAL ANNIVERSARY OF THE CITY OF ORANGE, CA

● Mr. WILSON. Mr. President, April 6, 1988, is a very important day in the history of California as it marks the centennial anniversary of the incorporation of the city of Orange, CA. Today is an appropriate time to reflect upon the many important contributions this wonderful city has made to California and to our Nation.

From its founding date in 1871 when it possessed a small population of just under 1,500 people, the city of Orange has enjoyed a remarkable growth to a current population of 105,000. This growth has been due in large part to the success of the area's agricultural industry.

With walnuts, apricots, avocados, and citrus, Orange's agricultural industry has long-supplied Californians and people across the United States with fresh and tasty produce and has contributed to our State's reputation for excellence in this area. The community of Orange boasts 11 of California's citrus packinghouses and is home to the Santiago Orange Growers Association, the city's first packing-house which is still in operation today.

Industry in the city of Orange was begun in 1921 with the founding of the California Wire & Cable Co. and the Orange County Rock & Gravel Co. Today they have been joined by many other industries which, in partnership, contribute to the area's economic growth and stability.

A community in the best sense of the word, the city of Orange has a citizenry committed to the continued success of its community and the people who live there. It is with admiration and pride that I join with all Californians in heralding this historic centennial celebration by saluting the city of Orange in this Chamber of the U.S. Senate.●

UNICO TRIBUTE TO MARTIN J. MADDALONI

● Mr. SPECTER. Mr. President, on May 7, 1988, the Philadelphia Chapter of Unico, a service organization comprised of men of Italian-American descent, will honor Martin J. Maddaloni, business manager of Steamfitters Union Local 420, for his many years of service to his fellow man.

Mr. Maddaloni, who is called Marty by all who know him, began his career with the union after serving 6 years in the U.S. Army as a member of the Corps of Engineers. Steadily, he climbed the ladder of success within the union, serving successively as recording secretary, president, business

agent, assistant business manager, and business manager.

Unionism and a desire to help the workingman had been bred into him by his father, who had held many executive positions within the union before him. Marty carried on the tradition so nobly begun by his father and today his son, another Marty, is the third generation of Maddalonis committed to improving the working lives of Philadelphia area steamfitters.

Despite the heavy workload his union responsibilities thrust upon him and which he willingly shouldered, Marty throughout the years has been involved in many, many community and charitable endeavors, most notably as a board member of the United Cerebral Palsy Association in Philadelphia. He has always been ready to contribute his time, energy and boundless good nature to worthy causes and these have benefited greatly from his efforts.

In presenting him with its annual service award, Unico has indicated that Martin J. Maddaloni epitomizes the Unico motto: "Service above self," and that he is that rare breed of human being who is not only successful in his chosen profession but, more importantly, is successful in advancing the cause of humanity.

It is altogether fitting then that the U.S. Senate take note of this tribute accorded to Mr. Maddaloni and congratulate both Unico for its perception in selecting him, and Mr. Maddaloni for the wonderful human traits which have won him so high an honor.●

S. 1693, THE CORONADO NATIONAL TRAIL STUDY ACT

● Mr. DOMENICI. Mr. President, I rise today to cosponsor S. 1693, the Coronado National Trail Study Act, which will direct the National Park Service to evaluate the route taken across the American Southwest by the Spanish explorer Coronado in the 1540's.

Between 1540 and 1542, Francisco Vasquez de Coronado led an expedition from the southwestern coast of Mexico to the American Southwest in search of the fabled "Seven Cities of Cibola." The expedition included 300 conquistadores and 1,000 Indian allies.

Coronado marched through what is now New Mexico, Arizona, Texas, Oklahoma, and Kansas. His men in his party were the first Europeans to see the Grand Canyon. Along the route, he encountered the Pueblo Indians of Zuni, Acoma, and Taos in New Mexico, as well as the Hopi in Arizona and the Plains Indians of Texas, Oklahoma, and Kansas.

The Coronado expedition, following so soon after the discovery of the Americas by Christopher Columbus, was an important milestone in the early Spanish development of America.

S. 1693 would direct the National Park Service to study the route that Coronado took across the Southwest and make recommendations as to the route's suitability for designation as a national trail.

The feasibility study that will be mandated by S. 1693 is particularly appropriate in light of the imminent 450th anniversary of the Coronado expedition in 1990 and the 500th anniversary of the 1492 discovery of America by Columbus, as that led to the Spanish expeditions.

Therefore, I am pleased to join in sponsoring this measure, and I hope that it can be acted upon by the Senate in the near future.●

THE LADY TIGERS OF AUBURN UNIVERSITY

● Mr. SHELBY. Mr. President, I rise today to pay tribute to a truly great women's basketball team, the Lady Tigers of Auburn University. This year the Lady Tigers advanced to the final four of the NCAA tournament, with only three points separating them from a national championship.

However, the team's accomplishments do not begin with the playoff berth. For the last 2 years, Auburn has finished the season in first place in one of the most competitive conferences in the country for women's basketball, the Southeastern Conference. The very fact that two of the teams which reached the final four this year were from the the SEC attests to the outstanding caliber of play within this conference.

The Lady Tigers have proven their prowess over the past several years. For example, for the last 4 seasons, Auburn has posted an incredible record of 112 wins to only 17 losses.

The success of the team can be attributed to the fine leadership of Coach Joe Ciampi and his staff, and the excellent ability of the student athletes. Coach Ciampi has completed his ninth season at Auburn, with an overall record of 222 wins to only 60 losses. This success is truly commendable, and rivaled by few coaches.

The Lady Tigers, both players and staff, have made a commitment to excellence. I applaud the team on its recent victories and wish them continued success in the future.●

MR. JOHN ROBERT CURTIN

● Mr. McCONNELL. Mr. President, I rise today to enter into the RECORD an article that appeared in this morning's Courier-Journal that details John Robert Curtin's success in turning WKPC into a strong and vital public television station serving Louisville, KY.

As the article describes, WKPC was on the brink of financial disaster prior to Mr. Curtin's arrival in January 1983. Five years later, the station has surpassed many people's expectations by having fiscally sound operation that has consistently expanded its base of membership and corporate support.

The financial success of the station has greatly increased its resources. As a result, WKPC offers top quality programming that appeals to a wide variety of tastes. I can attest to this because the station serves my hometown and I have spent many hours watching the entertaining and informative programs that it broadcasts. It is encouraging to learn that there are individuals like Mr. Curtin who are dedicated to quality in their service to the public. I offer this article to the RECORD so that my colleagues will see that Louisville is fortunate to have the vision and commitment of John Robert Curtin guiding its public television station.

The article follows:

CHANNEL 15'S CURTIN RISING

The first thing John Robert Curtin did when he arrived at Louisville's Channel 15 five years ago was to get rid of the clock in the front lobby. "It was a very expensive clock. But the clock didn't work. They had it worked on several times, but they could never get it to work."

The clock was symbolic of the condition Channel 15 was in when Curtin arrived from Yakima, Wash., to become station manager. It was expensive, but it didn't work. And Curtin did to the clock what he did to much of Channel 15's operation: He junked it and started over.

That was five years ago. Now WKPC ranks No. 1 among all PBS stations in the percentage of its audience contributing money to support the station.

"Financially we are very stable," Curtin says. "In corporate support we rank sixth or seventh in percentage of corporate support vs. programming costs and 20th in absolute dollars. They've never done a survey of what percentage a station raises of its budget, but we'd have to be near the top. We raise 85 percent of the dollars."

That's quite a turnaround from 1982, when the station was on the brink of financial collapse.

And it is attributable to the leadership of Curtin, a 40-year-old Rhode Island cabinetmaker's son who used his cabinetmaking sensibilities—create a pattern and work from that pattern—to turn an embarrassment into a community asset.

The station's annual auction begins today at 6 p.m. and runs nightly through April 20. Curtin hopes to raise $350,000, up $25,000 from last year.

The occasion of the auction seems to be a good time to evaluate Curtin's five-year reign at WKPC. How can his performance be judged?

Let's look at what he inherited, what he promised and what he has accomplished.

WHAT HE INHERITED

The station Curtin came to in January 1983 had a loser's image. It was little more than a transmitter for PBS shows, and a redundant transmitter at that, since KET also

broadcast the same shows at virtually the same times.

It was on the brink of bankruptcy, a condition precipitated by the station's recent emancipation from its benefactor, the Jefferson County Board of Education. WKPC had become a community station in late '81, when the station's license was transferred from the school board to a local non-profit group created specifically to run the station.

When news reports of the station's financial plight surfaced in the spring of '82, many local residents watched indifferently. They felt no involvement with the station.

In a broadcasting market of almost half a million homes, WKPC had only 7,000 members. These members donated an average of only $30 to $35 apiece a year. Station income from memberships was about $280,000 a year. The annual auction netted about $200,000. That meant $820,000 of the annual budget of $1.3 million had to be raised from other sources.

In 1982, during Derby week, normally the time of Louisville's biggest celebration, the station announced that financial problems had forced it to cut back staff and reduce broadcasting hours. Two months later, station manager Jerry Weaver resigned. PBS sent in an investigative team and in September the team's report was released. It said the station suffered from image, leadership and programming problems that were so severe they could lead to financial collapse.

Enter John Robert Curtin.

WHAT HE PROMISED

Curtin said his most important task was to change the station's image. But the first order of business was order. "The station was sloppy. Our fund-raising had a lot of energy, but no plan. There wasn't a piece of tape that was marked."

Curtin created a plan. The station would need so many members contributing so many dollars, so many corporations funding so many programs.

He set specific goals:

The annual budget should be $3 million.

The membership should total 40,000.

The auction should bring in $500,000.

Then he added a wish list:

He wanted to broadcast all night.

He wanted to produce a local news wrap-up show.

He wanted to produce a local magazine show.

WHAT HE ACCOMPLISHED

With specific goals, it's easy to calculate how well Curtin has done:

The budget—"This year what we actually collected is about $2.7 million with another $230,000 coming in equipment under a federal grant. So we're hovering around $3 million."

Membership—"We hit 45,000 members in December. The official number in the machine now is about 45,900. And they are all legitimate, within-a-year-contributing members. We've outgrown our computer three times." The average gift is now $54 to $59, a $20 per member increase.

Income from memberships, which was $280,000, when Curtin arrived, will total $1.3 million this year.

The auction—"Last year's auction raised $325,000 and we're looking to do $350,000 this year."

Now, about his wish list.

Broadcasting all night still hasn't happened. "All of our market studies say there isn't that real audience for it. We may do a '15-Plus' service in conjunction with Storer and repeat the evening schedule through the night, but that would be only on cable. We would make it available to other cable systems. People who work shift work are the most likely people to own cable."

Nor is there a local magazine or news wrap-up show. "We still want to do the magazine show. We've kicked it around a lot, how best to do it. We're approaching people. It needs to be somebody really prominent. And we still have plans for a news wrap-up show. We don't want to do 'Washington Week in Review' exactly, but talk to some locals who have something to say."

The centerplace in Curtin's resuscitation plan was the 3-2-1 Challenge, a three-year fund-raising campaign that was to wind up this month. It was actually completed months ahead of schedule. The financial goal was to raise $2.6 million. "We ended up with about $2.7 million," Curtin says.

The project also had three other goals: to replace aging equipment; to create a local programming fund; and to increase membership from 19,000 to 45,000.

"We hit all our membership targets right on the money," Curtin says. "We have replaced about a million and a half dollars worth of equipment, we've upgraded the facility, we've added back a producer and a director (who were laid off during the '82 financial crisis). We've still about half a million away from doing the kinds of things we'd like to get done, but we'll find it."

Curtin says the next half-decade won't be like his first five years.

"We're not going to see explosive growth like we've had. With this kind of membership, it becomes a whole new operation."

But he doesn't see a return to living hand-to-mouth.

"The days of budget crisis are over and really have been for 2½ to three years. I try to keep myself from getting a bunker mentality. This is my third station in a row to turn around. I sometimes wonder if I can run one that is successful. As things improve, you have to be taking courageous steps, bold steps.

He thinks the station can increase membership even more. "We thought 45,000 would be close to the ceiling. We've not finding that. In this pledge drive, we got 70 percent new members."

He likes WKPC's physical facility, but not its location on Bishop Lane. "We would love to move downtown sometime, but we don't have a building or the money. That could be three years to five years."

He is pleased with local community involvement but not with state involvement. "The other thing we need to do, and I don't know how to get this accomplished, is to find some state support, maybe to help us move downtown. Of the 23 states that have community-supported public television, 21 of the 23 have some limited funding from the state. The only two that don't are Kentucky and Oregon.

"The average station our size is getting about 25 percent of its support from state government. Obviously KET gets the majority of the state support. We would like to see that other half-million dollars come from the state. Maybe not this year or next year, but this community deserves that."

Despite years of feuding with KET, Curtin doen't want Channel 15's state funding to come at KET's expense. "KET, with as wonderful a job as they do, probably does not get all they need, and we would not want to see it come from their appropriation. And we would never want to see more than the 25 percent number."

Curtin says WKPC's relationship with KET is "better." "There are still some frustrations. I would love for us to be moving further together. One of our major accomplishments is to keep programs from running at the same time. I found out we have the only written agreement in the country that has that spelled out. . . . I would like for us to be more cooperative, but I look at the rest of the country and we are pretty far along."●

STATEMENT OF SENATOR PRYOR BEFORE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

● Mr. PRYOR. Mr. President, today I appeared before the Energy and Water Development Subcommittee of the Senate Appropriations Committee. I submit for the RECORD the text of my statement submitted to that committee.

STATEMENT OF SENATOR DAVID PRYOR

Mr. Chairman, it is my high honor and personal privilege to appear before this committee alongside the representatives of the Red River Valley Association, the Arkansas River Basin Interstate Committee, the Ouachita River Valley Association and the Lower Mississippi River Valley Flood Control Association. On behalf of our friends and constituents from these areas of Arkansas and the surrounding states I thank you Mr. Chairman for your diligence in helping guide the Senate through some very difficult economic times in recent years while managing to keep our nation's public works programs moving forward. It is no small accomplishment, and you and your staff are to be commended. I know our constituents from these areas of the lower Mississippi River Valley and the Arkansas River Basin, who are here today, fully recognize and appreciate your efforts.

HELENA HARBOR AND PORT OF YELLOW BEND

Mr. Chairman, this past year this Committee took decisive action on two harbor construction projects in Arkansas situated on the Mississippi River that I believe are absolutely crucial to economic recovery in the Mississippi River Delta region. I speak of the Helena Harbor project, which was authorized in the Water Resources Development Act of 1986, and the Port of Yellow Bend, which was authorized under Section 107 of the Chief of Engineers' continuing authority. The Committee acted on these projects in the face of opposition from the Administration, and that kind of courage ought to be recognized.

How the Reagan Administration can continue to oppose economic development for a seriously depressed region of our country on the one hand, and tout economic recovery as a tenet of Reagan achievements remains a mystery to me.

Mr. Chairman, I anticipate continued efforts by this Administration to avoid the initiation of construction of the Helena Harbor project, and I want to assure you that this Senator is going to continue his unwavering efforts to see it constructed. I hope and ask that you continue your support and ensure that this Committee directs, in language and funding, the Army Corps of Engineers to move forward swiftly with their design plans and specifications and be prepared to commence construction in FY 1989.

I believe that the Corps is committed to constructing the Port of Yellow Bend, Mr.

Chairman, and I ask only that this Committee honor its committment to provide the remaining federal funds necessary to complete this small harbor project. I anticipate that a local cost-sharing agreement will be enacted in the next several months, and the Chief has indicated to me that he expects groundbreaking next spring.

WEST MEMPHIS FLOOD CONTROL

Mr. Chairman, last December a devastating tornado ripped through West Memphis, Arkansas killing six persons and damaging millions of dollars in property. I spent a day touring this damage and I can personally report to you that the suffering I saw should never again be visited on such a community. West Memphis' problem was exacerbated ten-fold by torrential rains that came during the clean-up. Twice during December and January West Memphis suffered flooding as it tried to come to grips with the human and institutional problems caused by the tornado.

The Water Resources Development Act of 1986 authorized the construction of improvements to the Ten and Fifteen mile Bayous that traverse Crittenden County and West Memphis. These projects, if constructed, offer the potential to greatly relieve this problem in this area of Arkansas. I support them. The difficulty lies in the new cost sharing provisions provided in that Act. Mr. Chairman, the City of West Memphis is simply not in any position to meet the cost-sharing requirements that this Act imposes.

The Act gives the Assistant Secretary of the Army the authority to establish rules for adjusting the cost sharing provisions on a case by case basis. I am not aware if those rules have been developed as yet, although there has been ample time alloted for that. In my judgment, if this country ever places itself in the position where only wealthy cities and counties can affored to participate in federal projects, while our poorer, more economically depressed regions are left to go it alone, we will be abandoning the basic principles of our democracy and dividing our country, rich against poor.

Mr. Chairman, these flood control measures properly belong under the authorization of the St. Francis Flood Control Project, and were so recommended at one time by the Mississippi River Commission. Unfortunately the Water Resources Development Act of 1986 came along at a time when many projects in economically deprived areas were swept up into the umbrella of increased local cost sharing provisions. I realize that this Committee cannot address questions that properly belong in front of the authorizing committees. I ask that this Committee take appropriate actions to (1) ensure that the Assistant Secretary closely examines the situation at West Memphis with a view toward adjusting the cost sharing requirements for these projects to a level that local interests can afford, and (2) provide a level of funding in the FY 1989 appropriation bill commensurate with the Corps of Engineers' capability to initiate construction.

DE QUEEN WATER

Mr. Chairman, the Corps of Engineers is negotiating with the City of DeQueen, Arkansas for the purpose of selling water from DeQueen Lake to the City for municipal water supply. This process has taken a severe turn with the new calculations of the costs of water tripling since the initial agreement to sell water in 1982. The Corps cites new standards set forth in policy from the Assistant Secretary's office.

This policy will likely send the City of DeQueen to a source of water downstream from the release point of DeQueen Lake. I find it utterly ridiculous, Mr. Chairman, that water sold from federally constructed water projects must be sold at prices triple the costs of a city moving its intake several miles further away. These projects must be multiple purpose in concept, design, and operation, and we are allowing policies emanating from one office to destroy that concept. Just where does the Corps of Engineers plan to go to sell water from DeQueen Lake at the prices they are demanding? Texas?

I ask this Committee to seek a solution to this problem at DeQueen Lake with the Assistant Secretary, utilizing Committee language or other means to communicate the sense of Congress that these multiple purpose projects must not be held hostage by intractable policies and regulations.

RED RIVER CONCERNS

Today you will hear testimony from representatives of the Red River Valley Association detailing the concerns they have about future development of that waterway. I wholeheartedly support their recommendations, and I know, Mr. Chairman, that this Committee will be sensitive on these issues.

In Arkansas we are particularly interested in the Red River Emergency Bank Protection project, which also covers segments of the river in Louisiana, Oklahoma and Texas. This Committee has shown tremendous insight and concern for our future in recent years in providing funding annually for this project when the Administration's budget architects have zeroed out funds for it. This year the Red River representatives are asking that the Committee provide $4,200,000 in FY 1989 for this project, and I find that relatively modest level of funding entirely reasonable. I sincerely hope that the Committee can accomodate this request.

In conjunction with that request I also urge the Committee to include report language instructing the Assistant Secretary of the Army to initiate continuing contracts for the construction of the Bear and Brown Realignments and the Slay Bend Revetment with funds prefaced in FY 1989. I believe that you will be provided with specific language from the red River group detailing this request in the bill and in the report. This will clarify for the Assistant Secretary exactly what is needed and I wholeheartedly solicit your support for its inclusion in this legislation.

Two other projects deserve mention at this time. The Red River Below Denison Dam Comprehensive Basin Study should be funded at full Corps of Engineer capabilities in FY 1989. This study affects four states and will determine the future uses of the river. Also the Red River Waterway, Shreveport to Index, Arkansas should continue it's preconstruction planning at a level of $50,000. I fully endorse the other requests and recommendations of the Red River Valley Association and join in asking the Committee to fund them. These are projects and requests of a relatively small nature, but meaningful to the interests involved.

ARKANSAS RIVER BASIN

Mr. Chairman, the representatives of the Arkansas River Basin Interstate Committee will present testimony to you outlining their recommendations for funding in FY 1989 for several concerns, along with other suggestions for making the McClellan-Kerr Arkansas River Navigation System and improved waterway. I urge the Committee Members to carefully consider each of their recommendations. I support the President's budget for construction, operation and maintenance for the McClellan-Kerr system.

I feel compelled to single out one particular concern of mine at this time. The Army Corps of Engineers is undertaking a comprehensive study of the Arkansas River Basin in an attempt to resolve problems related to navigation, flood reduction, and municipal, industrial and agricultural water supply in the states of Oklahoma and Arkansas. Both states are cost-sharing in this study, and it offers hope in resolving some serious problems. I am hopeful that this Committee will see fit to continue the necessary federal funding for this study.

I would also call the Committee's attention to the recommendations of the representatives in regard to tow haulage equipment and the need for a solution to the annual low water problem on the Arkansas River at the mouth of the White River. The Corps of Engineers is studying this problem, and, hopefully, we will have their findings available at an appropriate time in the future.

OUACHITA RIVER VALLEY

Mr. Chairman, I ask that this Committee continue to support the President's budget proposal for construction, operation and maintenance for the Ouachita-Black River Navigation System. I know you are a supporter of this waterway, and I share your views on it.

Last year I wrote to the Secretary of the Army to inquire about the Army's position with respect to military usage of the Ouachita River. In Camden, Arkansas, my hometown, the Vought Corporation produces the Multiple Launch Rocket System for the Department of the Army. The Vought Corporation completed a study, at the request of the Army, in the early 1980's that determined that the Army could save millions of dollars annually by shipping the rockets for this system by water through the Port of New Orleans. Camden has a port facility and the Corps of Engineers, a branch of the Army I am told, has spent hundreds of millions of dollars in the past twenty years developing the Ouachita River for navigation. I understand that the Port of New Orleans has resolved an earlier problem with respect to the shipment of explosives, and a shipment of this nature could be made.

I believe that we in the Congress need to pursue the maximum utilization of federally constructed waterways, particularly when a savings of tax dollars is in the offing. I have not heard back from the Secretary, and I urge this Committee to raise the question of why we are not using the Ouachita River for these shipments in the face of a study that indicates a substantial savings could be made. Unless there is more to it than we are allowed to know at this time it appears that the Army is not doing much communicating internally.●

RECOGNITION OF CSU BASKETBALL TEAM

● Mr. ARMSTRONG. Mr. President, it gives me great pleasure to take this opportunity to recognize the accomplishments of a group of coaches and students from Colorado State University. They make up the men's basket-

ball team, and their accomplishments are no small matter.

They accomplished the first 20-win season in 34 years, third place in the National Invitation Tournament and the return to glory of the Colorado State basketball program. Not since 1969 have my fellow Coloradans had so much to be proud of when it came to NCAA basketball.

Yet their accomplishments are measured by more than just wins on the basketball court. This group of very special students led by Coach Boyd "Tiny" Grant showed, by example, what hard work, desire, and the ability to never quit can accomplish. This was never so much in evidence than the team's last game. Trailing by 8 points with a little more than 2 minutes left in their game against Boston College, the team fought back finally prevailing with no time left on the clock, 59 to 58.

For many Coloradans the Colorado State University basketball season will be remembered as a magical season which unified our State around a group of individuals who dared to dream big dreams and would never say quit. It gives me great pleasure to say thank you and job well done, you are a great role model for not only the youth of northern Colorado but the entire country.●

COURT OF INTERNATIONAL TRADE REJECTS LIEBELER ANALYSIS

● Mr. HEINZ. Mr. President, last December 2 I took the floor to notify Senators of my intention to oppose the nomination of ITC Chairman Susan Liebeler to the Court of Appeals for the Federal Circuit. At that time, I included in my remarks a report of the Board of Directors of the Customs and International Trade Bar Association opposing her confirmation. At that time I also indicated my intention to discuss her nomination in greater detail, and today I want to begin that process.

To complete the record, Mr. President, I would first note that the Judiciary Committee has voted on Ms. Liebeler and decided to send her name to the full Senate without recommendation after first rejecting a motion to report her favorably. I think it is fair to say that action reflects a certain lack of confidence in this nominee.

Following those votes, however, there has been another event which has a significant bearing on the Senate's consideration of the Liebeler nomination. On March 15, the Court of International Trade rendered a decision in the case of USX versus USITC, an appeal in which the court was faced with five separate and distinct ITC opinions, one from each commissioner. Because there was no majority, or even plurality, opinion the court found itself faced with a unique opportunity to review the analysis of each individual commissioner. Mindful of the principle of judicial economy, the court found it unnecessary to review all five opinions and after reversing two of the opinions the court sent the case back to the ITC for a third try. One of the opinions the court reversed was that of Susan Liebeler. The court's discussion of her views raises the same concerns I have been addressing for several years now and reveals quite clearly Ms. Liebeler's activist and revisionist approach to trade law.

Ms. Liebeler has chosen not to follow the traditional commission approach to determining the presence of material injury to a domestic industry as is required under the law before relief may be granted. She has instead developed a novel approach which involves five "proxy" criteria which she uses to assess material injury. Speaking for myself, I find the use of "proxy," at least in this case, to be highly unusual and unwarranted. According to Ms. Liebeler, it is necessary because the statutory direction to consider the impact of imports, the volume of imports and the price of domestic goods along with other factors is without much guidance. Apparently Ms. Liebeler is either unaware of or chooses to ignore the list of 17 specific interpretive elements contained in the statute which are to be used in making this determination.

Nevertheless, even if we assume that the use of proxies is appropriate, one cannot help but conclude from reading USX versus USITC that it least some of the proxies she uses are without any statutory support. According to Judge Restani, Ms. Liebeler effectively rested her negative determination in that case on what she concluded to be an absence of barriers to entry. Barriers to entry are nowhere mentioned in the statute. According to Judge Restani, Ms. Liebeler makes the mistake of assuming that it was the intent of Congress not to prevent injury to industry but to prevent injury to competition.

This mistake has led Ms. Liebeler to focus on whether the exporter is attempting to injure his competitors through the use of predatory pricing, an act most certainly not intended by Congress as a requirement to winning an antidumping case. Ms. Liebeler thus concludes that without barriers to entry there is no reasonable basis on which an exporter could succeed in a strategy of predatory price discrimination. Judge Restani points out quite correctly that an exporter does not have to pursue a rational, profit-maximizing predatory strategy to be guilty of causing material injury. It was the intent of Congress to treat the cunning and foolhardy alike.

Mr. President, for 4 years I have argued that Ms. Liebeler has sought to replace congressional intent and statutory criteria with her own theories about how the law ought to read, and which theories are themselves outside the mainstream of economic thinking. I believe Ms. Liebeler's record as a commissioner has demonstrated her determination to substitute her own economic policy agenda for that of the Congress. My concern in this regard has now been powerfully reinforced by the thorough and impartial review of her opinion given by Judge Restani and the Court of International Trade. I hope Senators will review this opinion carefully as they consider Ms. Liebeler's nomination, and I ask that excerpts from the opinion be printed in the RECORD.

The material follows:

[United States Court of International Trade, Court No. 85-03-00325]

USX CORPORATION, f/k/a, UNITED STATES STEEL CORPORATION, PLAINTIFF, *v.* THE UNITED STATES AND UNITED STATES INTERNATIONAL TRADE COMMISSION, DEFENDANTS, *and* PROPULSORA SIDERURGICA, S.A.I.C., DEFENDANT-INTERVENOR

[ITC determination remanded.]

Dated: March 15, 1988.

USX Corporation (*John J. Mangali, J. Michael Jarboe, Craig D. Mallick* and *Robin K. Capozzi*) for plaintiff.

Lyn M. Schlitt, General Counsel, *James A. Toupin,* Assistant General Counsel and *Timothy M. Reif,* United States International Trade Commission, for defendants.

Mudge, Rose, Guthrie, Alexander & Ferdon (*David P. Houlihan, Jeffrey S. Neeley*) for defendant-intervenor.

OPINION AND ORDER

Restani, Judge: Plaintiff, USX Corporation, brings this action challenging the final determination of the United States International Trade Commission (ITC) that an industry in the United States was neither materially injured nor threatened with material injury by reason of imports of cold-rolled carbon steel plates and sheets from Argentina that were sold at less than fair value. *Cold-rolled Carbon Steel Plates and Sheets from Argentina,* USITC Pub. 1967, Inv. No. 731-TA-175 (March 1987) (Remand Determination). The March 1987 determination was the second determination in this investigation. The first negative determination, 50 Fed. Reg. 5136 (Feb. 6, 1985) was upheld by this court in February 1987 with respect to ITC's findings on like product, domestic industry and condition of the domestic industry. *USX v. United States,* 11 CIT ——, 655 F. Supp. 487 (1987).[1] Certain other aspects of that determination concerning the issues of causation, cumulation and threat of material injury were remanded to ITC by order dated February 9, 1987, for further investigation and analysis. Each of these issues will be discussed separately.

I. CAUSATION

In its previous opinion the court rejected ITC's majority causation analysis, stating that ITC's reasoning was not sufficient to

[1] The like product was found to be cold-rolled carbon steel sheets and plates. The domestic industry is comprised of all domestic producers of like product.

support a negative determination. After determining that the domestic industry was materially injured, ITC concluded that less than fair value imports from Argentina were not the cause of material injury, basing its conclusion on two factors: First, ITC noted that although imports from Argentina rose consistently from 1981 to 1984 only "minimal market penetration" was achieved throughout the period of the investigation. Second, ITC found that while Argentina imports undersold domestic cold-rolled sheets by margins ranging from 5% to 14%, it could not confirm any actual instances of lost sales and revenue due to Argentine imports. *Id.* at 489.

The court rejected ITC's analysis of market penetration because it "consisted solely of the statement that levels of market penetration remained low and stable . . . [w]ithout discussing the significance of this trend or its relationship to other facts uncovered in the investigation. . . ." *Id.* at 490 (footnote omitted). The significance of a quantity of imports and not absolute volume alone was especially relevant in this case, noted the court, given the fact that ITC had previously recognized that cold-rolled steel is inherently a price sensitive and fungible product and that "the impact of seemingly small import volumes [and penetrations] is magnified in the marketplace." *Id.* (quoting *Certain Carbon Steel Products from Spain,* USITC Pub. 1331, at 16-17, Inv. Nos. 701-TA-155, -157 to -160, -162 (December 1982)).[2]

The court rejected the second part of ITC's causation analysis because ITC had relied exclusively upon instances of lost sales and revenue to show the effect of Argentine imports on the domestic industry after admitting that it had failed to investigate four of seven allegations of lost sales and all three reported instances of lost revenue. The court held that such an inadequate investigation, standing alone, could not support a negative determination, given proven consistent margins of underselling. *Id.* at 491. ITC was ordered to undertake a more thorough investigation and consideration of these factors if they were to be the basis of the negative determination.

The court now has before it the results of the remand. "In order for the Commission's determination to be upheld in this case, the court must be able to discern from the determination that a majority of the Commission has based its conclusions upon legally sufficient reasoning." *BMT Commodity Corp.* v. *United States,* 11 CIT ——, 667 F. Supp. 880, 882, *reh'g denied,* 11 CIT ——, 674 F. Supp. 868 (1987), *appeal docketed,* No. 88-1188 (Fed. Cir. Jan. 22, 1988). The causation analyses separately set forth by at least two of the commissioners in the four person majority do not satisfy this standard of review. Therefore, the court has no alternative but to remand this action to ITC for analysis that is in accordance with law.[3]

The two analyses found deficient are addressed separately as follows.

A. *The Five Factor Causation Analysis*

Plaintiff challenges the approach to causation analysis offered by one commissioner which would require ITC to consider five factors when determining whether the factual setting of a particular case merits an affirmative finding. According to the commissioner, "[T]he stronger the evidence of the following . . . the more likely that an affirmative determination will be made: (1) large and increasing market share, (2) high dumping margins, (3) homogenous products, (4) declining prices and (5) barriers to entry to other foreign producers (low elasticity of supply of other imports)." Remand Determination at 14 (citing *Certain Red Raspberries from Canada,* USITC Pub. 1707, at 16, Inv. No. 731-TA-196 (June 1985).[4]

Applying these factors in the present case, the existence of relatively high dumping margins was acknowledged along with substitutable imported and domestic product and downward pricing trends, all consistent with an affirmative finding, but it was concluded that "these factors are outweighed by the absence of barriers to entry, and the fact that cumulated import penetration is very low, which strongly suggests the absence of unfair price discrimination." Remand Determination at 19-20 (footnote omitted).

Plaintiff asserts that this approach to causation analysis "disregards the explicit statutory criteria provided by the Congress for the conduct of injury investigations," and transforms causation analysis into a methodology for determining the existence of a new unfair trade practice, namely, "unfair price discrimination." Response of USX Corporation to the Remand Determination of the International Trade Commission (Plaintiff's Brief) at 10 & 13. Alternatively, plaintiff argues that even if the court were to accept this approach to causation, "application of that analysis to the facts of this case overwhelmingly demonstrates the existence of injury by reason of imports." *Id.* at 14. In order to decide whether the opinion resting on this analysis is supported by substantial evidence and is otherwise in accordance with law, it is appropriate to examine the nature and relevance of the two determinative factors in greater detail, that is, low import volume and no barriers to entry.

In the previous opinion, the court recognized that import volume alone cannot be used to gauge accurately the effect of imports in the cold-rolled steel industry. The court directed ITC on remand to explain the significance of import volume or its relationship to other facts uncovered in the investigation. *USX,* 655 F. Supp. at 490-91. The limited discussion of market penetration presented here offers no such explanation. Instead, it is stated that, "[c]umulated imports accounted for less than 1 percent of apparent U.S. consumption during 1981, then increased to 1.4 percent in 1982 and 2.0 in 1983 [while] [i]mport penetration was 3.4 percent in January-September 1984 compared to 1.9 percent in the corresponding period of 1983." Remand Determination at 15. It is then concluded that, "[t]he cumulated import penetration of Argentina and Korea is very small and not consistent with a finding of unfair price discrimination." *Id.* This conclusory statement does not support a negative determination. It leaves unanswered the question of how the volume of imports relates to injury, particularly in the sense of the third statutory factor, impact on the domestic industry.[5] The court, therefore, is left to examine the fifth factor in the five factor causation analysis—barriers to entry—to determine whether it provides the missing link.

An attempt is made in the determination to justify use of the five factor test and reliance on barriers to entry, in particular, as the determinative factor, by equating unlawful dumping with a particular form of "unfair price discrimination." In *Red Raspberries,* cited in this determination in support of the five factor analysis, it is more specifically explained that the antidumping statute is intended to protect U.S. industry only from unfair price discrimination in the form of predatory pricing, as that term is defined in the determination. *Red Raspberries,* USITC Pub. 1707, at 13-14 (citing the legislative history of the Trade Act of 1974 (1974 Act), S. Rep. No. 1298, 93rd Cong. 2nd Sess. 179, *reprinted in* 1974 U.S. Code Cong. & Admin. News 7186, 7316). The *Red Raspberries* determination goes on to state that:

"Price discrimination can take several forms. The fact that Congress referred to *unfair* price discrimination suggests to believe that Congress meant some type of predatory pricing. Predatory pricing is a form of strategic behavior in which a firm lowers the price of its product below the marginal cost of production. Such behavior is only rational if the firm expects to be able to raise its prices in the future to a level at which it can more than recoup the losses it suffers in the present. Thus, predatory pricing can only be practiced by firms that have or expect to have market power." *Red Raspberries,* USITC Pub. 1707, at 14-15 (footnote omitted) (citing R. Posner & F. Easterbrook, *Antitrust,* 98-99, 680 (2d ed. 1981)). The problem with this position is two-fold. One flaw is that this view necessarily makes the intent of a foreign producer the focus of the ITC causation inquiry. Another, but not unrelated flaw, is that this view seems to assume that the purpose of the antidumping statute is to prevent a particular type of 'injury to competition"

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[2] A commissioner has raised a concern that the court has required ITC to explain how its various determinations are in harmony. There is no such requirement. Different factual settings will give rise to different results. If clear reasoning supporting a determination is lacking, however, the determination may appear to be arbitrary if viewed in the context of contrary determinations based on seemingly similar facts. Deviations from established agency practice or precedent, of course, must be explained.

[3] Five separate opinions were issued on remand. Because one commissioner (out of five who acted on the matter) has dissented in the present action, ITC's negative determination can only be upheld if the court finds the views of at least three of the remaining four commissioners to be in accordance with law. It would be poor judicial economy to review in detail the separate decisions of the commissioners who utilized traditional causation analyses, as the court does not know what approach will be taken by ITC on further remand. It is not clear that the investigation concluded to date will satisfy a majority of the commissioners under the standards set forth by the court. The court also notes, to the extent possible in a case of multiple opinions, commissioners should indicate the portions of their colleagues' opinions with which they agree. This might obviate further remands. Of course, a single majority opinion with the necessary dissents or additional views would expedite the review process.

[4] In *Copperweld Corp.* v. *United States,* 12 CIT ——, Slip Op. 88-23 (Feb. 24, 1988) the court sustained an ITC negative determination which also cited the five factor analysis discussed here. That opinion is distinguishable because the court held that the commissioner's views did not rest solely on the five factor analysis and the rationale of *Red Raspberries* was not considered to be part of the determination. *Id.* at 30-31 and n.12.

[5] In determining whether the domestic industry is materially injured by less than fair value imports, the statute directs ITC to consider among other factors—

(i) the volume of imports of the merchandise which is the subject of the investigation,

(ii) the effect of imports of that merchandise on prices in the United States for like products, and

(iii) the impact of imports of such merchandise on domestic producers of like products. 19 U.S.C. § 1677(7)(B) (1982).

rather than merely material "injury to industry."

The "injury to industry" versus "injury to competition" distinction in international trade laws dates back to the early part of this century. The Antidumping Act of 1916 (codified at 15 U.S.C. §§ 71-77 (1982)) was enacted by Congress as an unfair competition law focusing specifically on the practice of predatory dumping. *See* Hiscocks, *International Price Discrimination: The Discovery of the Predatory Dumping Act of 1916*, 11 Int'l Law. 227 (1977). The 1916 Act imposed criminal sanctions on anyone importing articles into the United States:

"[A]t a price substantially less than the actual market value or wholesale price . . . *Provided*, That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States."

15 U.S.C. § 72 (1982). Although the Act mentions injury to industry, the entire thrust of the statute, including the intent requirement, cause it to be recognized as a particular type of antitrust statute. *See Zenith Radio Corp. v. Matsushita Elec. Indus. Co.*, 494 F. Supp. 1190, 1223 (E.D. Pa. 1980), *aff'd, in part, reversed, on other grounds, and remanded, sub nom., In re Japanese Electronics Products Antitrust Litig.*, 723 F.2d 319 (3d Cir. 1983), *cert. denied* 55 U.S.L.W. 3730 (April 27, 1987) (No. 86-1453); 723 F.2d at 325 & n.4.[6]

In the Antidumping Act of 1921, however, Congress inserted an injury test considerably more sensitive to conditions in the domestic industry. Antidumping Act of 1921, ch. 14, § 201, 42 Stat. 11 (repealed 1979) (formerly codified, as amended, at 19 U.S.C. § 160(a) (1976)). Likewise, the Trade Agreements Act of 1979 (1979 Act), which repealed the 1921 Act and re-enacted its provisions, as amended, into the Tariff Act of 1930, states that antidumping duties are to be imposed only upon a showing that a domestic industry is materially injured, threatened with material injury or that the establishment of a domestic industry is materially retarded by reason of less than fair value imports. 19 U.S.C. § 1673 (1982).

As indicated, the interpretation under discussion of the antidumping statute reflects a belief that despite the lack of express limitation in the statutes, Congress intended that dumping duties be enforced only if a certain form of anticompetitive behavior is occurring. The analysis begins with the assumption that foreign firms behave as rational profit maximizers. From this assumption follows the statement that:

"[I]f the factual setting in which the unfair imports occur does not support a finding that there is any gain to be had by unfair price discrimination, it is reasonable to conclude that any injury or threat of injury to the domestic industry is not 'by reason of' such imports." Remand Determination at 13.[7] To fully comprehend the impact of this statement it is important to note the additional comments that unfair price discrimination is predatory pricing in the form of pricing below the marginal cost of production and that no gain can be had by such price discrimination unless an exporting firm ultimately is able to raise its prices in the U.S. market to take advantage of its increased market share. *See supra* p. 9 (quoting from *Red Raspberries*, USITC Pub. 1707, at 14-15). It is further stated that a firm will be unable to raise prices if other nations are capable of exporting to the U.S. at competitive prices. Under this analysis, gainful dumping cannot be accomplished and, therefore, proof of causation of injury by dumped imports will not exist, unless there are barriers to entry of other imports. Thus, contrary to defendants' argument, this fifth factor is not just one of many relevant factors, but its absence likely will produce a negative determination in all cases relying solely upon the five factor test.[8]

The view reflected in the determination rests upon the principle that pricing that is above the marginal cost of production cannot be said to be contrary to acceptable profit maximizing behavior, as a general matter. *See* R. Posner & F. Easterbrook, *Antitrust*, 680-686 (2d ed. 1981);[9] Barcelo, *Antidumping Laws as Barriers to Trade—The United States and the International Antidumping Code*, 57 Cornell L. Rev. 491, 504-06 (1972). Under this view, only pricing below the marginal cost of production can be said, with any certainty, to be uneconomic and anticompetitive. Thus, by asking whether, rationally, goods would be priced below the marginal cost of production, the commissioner asks whether the pricing is unacceptably anticompetitive, not whether it is injurious to the industry in some other material way.[10]

In international trade it is the object of an "injury to competition" causation test to protect the competitive process itself and not necessarily individual competitors. *See* Barcelo, *supra*,, at 513-17. Under the view expressed in the determination, only predation of the type described furnishes the requisite causation of injury to competition.[11] The "injury to industry" causation standard, however, focuses explicitly upon conditions in the U.S. industry. *Id.* In effect, Congress has made a judgment that causally related injury to the domestic industry may be severe enough to justify relief from less than fair value imports even if from another viewpoint the economy could be said to be better served by providing no relief. The court, by finding the test applied here invalid, does not condemn for all cases any inquiry into effect on competition; such inquiry can be a useful way of exploring the causation issue. Such an inquiry, however, cannot supplant the inquiry required by statute. Thus, any causation analysis must have at its core the issue of whether the imports at issue cause, in a non *de minimis* manner, the material injury to the industry which has been found.[12]

To avoid confusion regarding the legislative history cited in the determination, further comment is needed on the concept of rational profit maximization. As noted, at the core of the five factor analysis is the assumption that all producers act as rational profit maximizers. It is not universally accepted, however, that producers of goods for export always act in such a manner. In recent years, many foreign export industries have been nationalized, or at least subjected to increasing political pressures. It has been stated that these industries no longer seek to enhance profits as much as they attempt to pursue national social goals such as full employment. *See* Fisher, *Dumping: Confronting the Paradox of Internal Weakness and External Challenge*, 1 Mich Y.B. Int'l Legal Stud. 11, 19-23 (1979). Exporters who do not act as rational profit maximizers might be willing to sell at less than fair value even though there is no foreseeable potential for gaining an increased market share and raising prices. Such behavior could cause permanent, continuing injury to the domestic industry, contrary to the view discussed. The commissioner apparently believes that Congress did not intend to address any such problem that might exist.

In support of the rational profit maximizer approach, the commissioner quotes from the legislative history of the 1974 Act, S. Rep. No. 1298, *supra*, at 179: "importers as prudent businessmen dealing fairly would be interested in maximizing profits by selling at prices as high as the U.S. market would bear." Remand Determination at 12-13. The statement, however, was not placed in the legislative history to establish an axiom about the conduct of producers of exports or to impose an injury by predation standard. It appeared in the context of a general discussion about "technical dumping," which occurs when foreign imports' margins of underselling exist because there

[6] In an appeal from a separate opinion of the third circuit in that case, the Supreme Court declined an invitation to review the decision regarding the Antidumping Act of 1916. *Matsushita Elec. Indus. Co. v. Zenith Radio*, 475 U.S. 574, 579 n.3 (1986).

[7] In *Red Raspberries*, an additional reason was given as to why the absence of like product imports from other countries would support an affirmative finding on causation, namely that "it provides some assurance that the injury to the domestic industry is by reason of the investigated imports and not caused by imports from other countries." USITC Pub. 1707, at 17. In this case, however, this explanation of barriers to entry appears for the first time in defendants' brief in support of the remand determination and it does not appear that the significance of barriers to entry was analyzed in this manner. Furthermore, the statement made in *Red Raspberries* in 1985 may have contemplated standards for cumulation which have been held to be contrary to law.

[8] This is demonstrated in this case because only the fifth factor is available to relate volume to price effect and impact to produce a negative result. The other factors were affirmative.

[9] This work is relied upon in *Red Raspberries* which has been cited as a fuller statement of the views expressed here, thus the court assumes that the definition of marginal cost of production contained therein is also accepted. It is "change in total costs brought about by increasing (or decreasing) output by one unit." Posner & Easterbrook, *supra*, at 684.

[10] The Supreme Court in *Matsushita Elec. Indus. Co.* v. *Zenith Radio Corp.*, 475 U.S. 574, 589 (1986) observed that "predatory pricing schemes are rarely tried, and even more rarely successful." (The court was concerned with a claim of conspiracy under section one of the Sherman Act, but its discussion of predatory pricing was more general.) Congress certainly has been aware of the scope and complexity of administration of the antidumping laws, so much so that it frequently has amended such laws and has approved considerable spending to keep elements of government functioning to carry out those laws. Presumably, Congress, in approving such legislation, intended to protect industries in the United States from something other than a rare and unusual occurrence.

[11] Others who favor the "injury to competition" approach might recognize as injurious behavior which does not reach the level of predation described.

[12] Defendants argue that ITC has applied the proper standard because it found injury to industry. This is true, but if its causation analysis relates only to injury to competition in the form of predatory pricing as defined here, ITC has ignored its basic finding.

is a shortage of supply in the U.S. market. S. Rep. No. 1298, *supra*, at 179. By adopting the language of this section out of context as support for the entire predatory pricing analysis, the determination expands the concept of technical dumping to include any case in which there are no barriers to entry. The court believes that analysis from the point of view of rational profit maximization is necessary in many situations, but the seeming acceptance of this view by Congress in some instances does not support the application of the five factor analysis used here. Even if one agrees that one must assume rational profit maximizing behavior, it does not follow necessarily that one must also accept an injury by predation standard. Rational profit maximizers might engage in behavior which is injurious to an industry in a way that cannot be described as predatory in the sense used here but is nonetheless prohibited by the antidumping laws.

As indicated, the commissioner has expressly cited ITC's *Red Raspberries* determination as a fuller statement of the views expressed here. There it is stated that statutory causation factors such as volume and pricing data are nothing more than "useful proxies" for a "direct inquiry into the intent of a foreign producer [which] would be difficult at best." *Red Raspberries,* USITC Pub. 1707, at 16. As stated, it is the 1916 Act which focuses on intent. In applying the antidumping law under which this action is brought it is improper for ITC to place at the center of its causation analysis the intent of a foreign producer. This inquiry is unavoidable, however, if one equates unlawful dumping with unfair price discrimination in the form of predatory pricing. Unlike the 1916 Act, there is neither a scienter requirement to be found in the statute relevant here, nor evidence in the relevant legislative history that Congress intended such a requirement. Thus, contrary to the suggestion in defendants' brief, what occurred in this case is not the mere incorporation of another relevant economic factor into a causation analysis as is clearly permissible under 19 U.S.C. § 1677(7)(B)-(C) (1982). Instead, the nature of the reliance on the barrier to entry factor has worked to change the focus of the injury investigation in a manner not permitted by Congress.●

DEATH OF THE REVEREND SOCRATES TSAMUTALIS

● Mr. BRADLEY. Mr. President, New Jersey has lost a great spiritual leader and I have lost a friend whom I deeply respected. The Reverend Socrates Tsamutalis was dean of the Cathedral of Saint John, the Theologian Greek Orthodox Church in Tenafly, NJ. He was both a religious leader and a community leader, and I join my fellow New Jerseyites in mourning our loss.

As a leader of the Greek community, Father Tsamutalis worked tirelessly to improve the quality of life of the community as a whole. He served as secretary of the New Jersey Orthodox Clergy Fellowship, as president of the Greek Orthodox Clergy Association of the First Diocese, and as president of the Greek Orthodox Benevolent Association. As a member of the Tenafly Clergy Association and the East Bergen Clergy Association, he worked to unify New Jersey's diverse religious community. Father Tsamutalis also focused his considerable energy on issues affecting the international religious community by serving as a member of the Archdiocesan Council, an advisory council to the Archbishop of North and South America.

Father Tsamutalis was much beloved by the people of his community. We all share our grief with his wife, Sevasti, and his children, Chris, Karen, and Alexandra. We will miss him deeply.●

JIM HOWARD: CHAMPION OF SAFETY

● Mr. LAUTENBERG. Mr. President, I'd like to bring to the attention of my colleagues a column that appeared in this morning's Washington Post. That column, entitled "James Howard and His Fights for Public Safety," is a fitting tribute to my late colleague from New Jersey, who championed highway safety causes in the Congress.

Since coming to the Senate, I had the honor of joining Jim Howard in some of those battles. We worked together in 1984 to secure passage of the National Uniform Minimum Drinking Age Act, which encouraged all our States to adopt a minimum drinking age of 21. That law has now been complied with by all 50 States, and is saving hundreds of young lives across the Nation.

Jim Howard also led the fight for a speed limit of 55 on our highways. Increases were allowed in the last year, against his strong protests. I joined him in opposing those increases. In his absence, I'll continue to try to bring sense to our national policy on speed limits.

Although his may not have been a household name, the fruits of his efforts are well known. Mr. President, when Jim Howard died, the Third District, the State of New Jersey, and indeed the Nation lost a valued leader. His leadership will be missed.

The column printed today pays tribute to Jim Howard's most important battles, those he fought to make our roads safer. I would like to note that the piece was written by representatives of leading public interest groups, Joan Claybrook of Public Citizen, and Chuck Hurley of the National Safety Council. I ask that the text of the article be printed in the RECORD.

The article follows:

JAMES HOWARD AND HIS FIGHTS FOR PUBLIC SAFETY

The Post, in its March 26 obituary for Rep. James Howard, did not do justice to a man who fought some of the toughest battles on Capitol Hill and modestly sought little public recognition for his achievements.

A former schoolteacher who was first elected to Congress in 1964, Jim Howard became the chairman of the powerful House Public Works and Transportation Committee the year Ronald Reagan became president. He led the battles to expand Superfund enforcement of toxic-waste cleanup, to strengthen clean-water laws and to empower citizens with the right to know about dangerous chemicals in their communities.

Although he was from a Republican district in New Jersey, Democrat Howard didn't shrink from confronting powerful industries when their activities threatened public health and safety. And although he was a loyal Democrat, he took on Democratic colleagues when necessary—such as the pugnacious commerce committee chairman, Rep. John Dingell—because he was unafraid to serve as the voice of the average citizen in America.

Howard was the leader in the fight for the 55 mph speed limit, the single most effective highway safety law in our nation's history. Since 1974 it has saved 50,000 lives and prevented many more disabling injuries.

When Congress last year voted to allow 65 mph speeds on rural interstates, Howard expressed disdain for colleagues who justified their votes by calculating the lives saved with new safety-belt and drunk-driving laws and then balancing them against those that would be lost because of higher speeds. "As long as we're 300 lives to the good, we're okay" is what some told Howard. He was contemptuous of these mathematics of convenience, which are totally irrelevant to the family of a child crippled or a father killed in a high-speed crash.

And when the first figures showing sharp increases in fatal high-speed crashes were described by federal officials and preponents of 65 mph as "too preliminary" and "inconclusive," Howard put that in perspective too. "If I was waiting for the returns on election night and I was 20 percent behind my opponent, you might say the numbers are inconclusive . . . but they sure are indicative."

Howard was inspired by President John F. Kennedy to switch from public service in the school system to serving the public in elective office. He practiced in person-to-person style of politics, always accessible and willing to listen and, as a teacher, able to translate legislative gobbledygook into the everyday language of his constituents.

Howard was also a hard-nosed horse-trader on Capitol Hill, using the spending power of his public works committee to encourage bipartisan support for his legislative programs. He successfully led the fights for the law on a national, uniform drinking age of 21, for increased federal aid for truck safety, for assistance to states in a nationwide crackdown on drunk drivers and for greater funding of state child-passenger safety programs.

The Post's obituary emphasized that Howard was given significant campaign contributions from business and was entertained on others' expense accounts. This, unfortunately, is permissible under our existing laws, and committee chairs are the biggest recipients of these business funds. But what The Post did not point out is that Howard usually voted for legislation against the parochial interests of many of his contributors.

For example, during the Reagan years he voted for stronger pesticide, clean-air and clean-water laws; for stronger mine safety and health regulations; to retain and enlarge the power of the Consumer Product Safety Commission to regulate consumer products; for the elimination of billions of dollars of corporate tax loopholes; against the elimination of the Legal Services Corp.;

for the Federal Trade Commission used-car defect disclosure bill; for oversight of doctors, lawyers and other professionals; for cancelling the synthetic fuels demonstration project; for reducing the dairy subsidy; and for the deleting funds for the Clinch River Breeder Reactor.

But of all his achievements, Howard was probably proudest of having earned the appellation "Mr. Highway Safety." He recently told the Lifesavers Conference in Boston that though "some might think I'm corny, when I drive through my district at night and see the houses lit up and families inside, I wonder how many of them might not be here without 55 mph." We mourn that the light in the window has gone out on a politician who didn't forget to use his exalted position to nurture the public interest.●

ELMONT FIRE DEPARTMENT

● Mr. D'AMATO. Mr. President, the Elmont Fire Department will soon be celebrating their 60th anniversary of providing outstanding volunteer fire and emergency service to the residents of Elmont, NY. I am pleased to celebrate this occasion and to join in honoring Fireman Howard Loughery for his 50 years of dedicated service and in bestowing the title of honorary chief to my good friend Councilman Joseph Cairo of Hemstead, NY.

The Elmont Fire Department owes these men much gratitude, for their contributions have been great. Without the bravery, skill, and faithful commitment of firemen such as Howard Loughery, or the invaluable assistance and years of support of Councilman Joseph Cairo, the department would not have functioned so efficiently. Their efforts though performed in different capacities, together have made the organization one of the most competent and safely conscious fire departments in New York.

For 60 years, the Elmont Fire Department has provided the citizens of Elmont with the highest quality service. The department has much to be proud, of, and I share their pride and appreciation of Fireman Howard Loughery and Councilman Joseph Cairo for making this all possible.●

PROCEDURES TO IMPLEMENT THE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 605.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 3971) to establish procedures to implement the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1932

(Purpose: To modify the provision relating to the jurisdiction of the courts)

Mr. BYRD. Mr. President, on behalf of Mr. DIXON, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD], on behalf of Mr. DIXON, proposes an amendment numbered 1932.

Mr. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike subsection (a) of section 4 and insert the following:

(a) JURISDICTION OF THE COURTS.—The courts of the States and the United States district courts shall have concurrent original jurisdiction of actions arising under the Convention.

Mr. DIXON. Mr. President, this amendment states, "The courts of the States and the U.S district courts shall have concurrent original jurisdiction of actions arising under the convention."

My amendment has the same practical effect as the language of the House bill, it is simply clearer and more straight forward.

The language of the House version of the bill grants original jurisdiction to the courts of the States. At the same time, it states that Federal courts shall "have jurisdiction to the extent authorized by chapter 85 of title 28, United States Code."

In practice, all actions arising under the convention involve interpretation of the Hague Convention Treaty and therefore could be removed to the Federal courts. Therefore, petitions for return under the convention could be heard in either State or Federal courts.

My amendment has the same result by simply granting concurrent original jurisdiction.

The reason that the House constructed this approach was out of concern that these cases would embroil the Federal courts in deciding child custody matters. I must say that I understand this concern, and that none of the proponents of this bill, or my amendment, want to see the Federal courts to be involved in deciding the underlying custody disputes. This bill has been carefully drafted to avoid this possibility. Section 2(b)(4) provides that "the convention and this act empower courts in the United States to determine only rights under the convention and not the merits of any underlying child custody claims." This language limits consideration to only those issues specifically contained in the Hague Convention, and not to child custody in general.

The reason I believe it is important to amend the House language regarding jurisdiction is that the complexity of the House language could very likely result in an endless series of litigation regarding whether the Federal court can hear each specific case. One of the primary purposes of this implementing legislation is to define a clear and consistent set of procedures for upholding our obligations under the Hague Convention. I believe that that goal would be better served through clear language on this sensitive matter of jurisdiction. This point was most recently clarified in the Supreme Court's decision of Thompson versus Thompson issued January 12, 1988. That case underscores the value of expressly providing the intent of Congress. My amendment would have the same practical effect as the House language, however, it is clearer and would avoid needless litigation which could delay the rightful return of a child to its custodial parent.

I would also point out, that my amendment restores language that passed in the Senate previously when this bill was offered as an amendment to the State Department Authorization Act last fall.

Mr. President, I urge the adoption of this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1932) was agreed to.

Mr. DIXON. Mr. President, I rise to support H.R. 3971, the implementing legislation for the 1980 Hague Convention on the Civil Aspects of International Child Abduction. As a principle sponsor of the legislation, I believe that it is long overdue.

As you know, Mr. President, the victims of international parental child abduction are children from each and every State of this country, who have been abducted by one of their parents and taken across international borders. I first became aware of the magnitude of this problem over 2 years ago. Since then I have been actively involved in trying to assist as many parents in bringing their children home to the United States. I must say these cases are heart wrenching.

In one case that has received much attention, one of my constituents, Patricia Roush, had her two daughters abducted by their father, who has a long criminal record in this country and a documented history of mental illness and alcoholism. In another case, a mother was taken to a motel room and held at knife point while her children were abducted.

However, the parents who lose their children are not the only victims. The

children suffer as well. Child psychologists from the Illinois State Police assert that the trauma associated with an abduction of this kind, and the subsequent deprivation of one parent's love, is one of the most horrendous forms of child abuse. In one case, an abducted child was spotted covered with filth, living in a disgusting, mud-floor hovel in Mexico, being raised by his father, who is wanted for murder in this country.

Other children are brainwashed into hating their American parent. These children are told that the parent in this country has abandoned them, hates them, never wants to see them or speak to them again. Furthermore, not only are these children confused and disoriented, living in a new culture and speaking a different language, but they are taught to hate their native country, the United States.

Mr. President, in the last 2 years I have heard from literally hundreds of parents with cases every bit as tragic as these. No one knows for sure how many parents have been victimized by international parental child abduction. Over 2,500 cases have been reported to the State Department since 1975, but most experts believe that this number is low. We simply do not know how many cases have not been reported. Some believe there may have been as many as 10,000 internationally abducted children.

Each year, 300 to 400 new cases are reported, and the problem is getting worse. According to State Department statistics, the total number of cases has jumped 84 percent since May 1983. In 1987 alone, there was a 60-percent increase in my home State of Illinois.

Once the children are taken from this country, their rightful custodians face the nearly impossible task of recovering them. Currently, a parent whose child has been abducted to a foreign country in violation of a valid U.S. custody decree must attempt to have that decree recognized by the foreign court. This process is costly, time consuming, and frequently requires the rightful custodian to be subject to a hearing by the foreign court on the merits of the custody claim. In virtually every case, the country to which the child is illegally taken, whether ally or enemy, refuses to honor the decision of an American court and return the child. The abducting parent is simply awarded custody.

Therefore, a person who loses a custody battle in this country has an enormous incentive to abduct the children and take them out of the United States. Then, the abductor can be almost certain that they will not be forced to return the children to the American parent.

The Hague Convention is an important first step to rectify this problem. While it does not provide for the recognition and enforcement of foreign custody decrees, it establishes a system of administrative and legal procedures designed to insure the prompt return of children who are wrongfully removed to, or retained in, a ratifying country. The courts in the country to which the child has been taken are under treaty obligation to return the child to the country from which he or she was abducted. The foreign court must comply without conducting any proceedings on the merits of the underlying custody claims. Thus, it denies the abductor the legal advantage currently gained through international abduction.

In 1980 the convention was adopted by unanimous vote of the 23 countries who participated in the negotiation of this agreement, and is currently in force in 9 of these nations: Canada, the United Kingdom, France, Portugal, Switzerland, Hungary, Luxemburg, Australia, and Spain. Reportedly, once the United States formally ratifies The Hague Convention, several additional countries are likely to follow. According to Secretary of State George Shultz, nearly half of all reported parental kidnappings in the last several years have involved abductions to countries which participated in the preparation and negotiation of The Hague Convention. Therefore, if all the signatory nations ratify the convention, the impact would be impressive.

Furthermore, because this problem affects nearly every nation in the world, I believe that once the convention is widely ratified, additional nations will be encouraged to adopt it in order to deter the abduction of their own children.

On October 9, 1986, the Senate consented to the convention by a vote of 98–0. However, the United States will not formally deposit its instrument of ratification until this implementing legislation is passed. Until then, none of the provisions of The Hague Convention will protect the children and parents of our country. As you know, the Senate has already passed similar language once as an amendment to last year's Foreign Relations Authorization Act. I cannot overemphasize how important it is to pass this legislation as swiftly as possible.

At the same time, the State Department must continue to encourage ratification of the convention by the other 25 countries which participated in the negotiation.

While the Hague Convention is urgently needed, it is only a first step. It is not retroactive, and will not help the thousands of parents whose children have already been abducted. It is unlikely it will ever be in force in every country of the world. The countries not ratifying the convention will become "safe havens" for abductors.

Therefore, we must aggressively work to recover these young U.S. citizens being held hostage in countries around the world. The State Department must continue to pursue every avenue available to assist parents in recovering their children.

In light of these other difficulties, I have introduced S. 2059, which makes international parental child abduction a Federal felony. This will provide a necessary deterrent against abduction, allow extradition in some cases, and strengthen the negotiating position of the State Department when pressing foreign governments to intervene in these cases.

Mr. President, the first step to controlling these tragic abductions is the Hague Convention. Additionally, the convention will provide new solutions even for parents whose children have already been abducted. In the case of Alan Hershey, a New Jersey father whose child is being held in Czechoslovakia, the Czech courts have stated that as soon as the Hague Convention is implemented in the United States, Alan Hershey's daughter will be sent to him for regular visitations in the United States.

Each week eight more American children are abducted. The Hague Convention will provide new tools and new hope for American parents trying to bring their children home. I vigorously urge the swift passage of this urgently needed legislation.

Mr. HATCH. Mr. President, today I rise in support of H.R. 3971, a bill to implement the 1980 Hague Convention on the Civil Aspects of International Child Abduction. This bill will make available new procedures in the United States to combat the serious problem of international abduction and wrongful detention of children.

This is a measure that has previously passed the Senate and in this Congress there is a companion bill currently before the Subcommittee on Courts and Administrative Practice of the Senate Judiciary Committee. In relation to the committee's consideration of this issue, I recently received communications from Conference of Chief Justices and the Department of Justice that they, along with the Judicial Conference of the United States, believe that "State courts should have exclusive jurisdiction in all legal actions under the convention."

The concern raised by these organizations is based on the fact that child custody matters have traditionally been issues handled exclusively by State courts and not within the expertise of the Federal courts. Given their concerns, I decided to closely examine the issue. Quite frankly, it is a close call. While child custody has traditionally been a State court matter, the interpretation of treaties with foreign countries is a responsibility of the Fed-

eral courts under section 2 of article III of the Constitution. In the case at hand, we have a treaty with an underlying concern of child custody. Thus, the issues of treaty interpretation and child custody are inseparably combined.

Mr. President, it is my understanding that the sponsors of this bill are aware of these concerns, and that they have attempted to address them in a responsible manner in the language of the bill. At this time I would like to pose a few questions to my distinguished colleague from Illinois in order to help clarify the matter.

Am I correct in my understanding that the bill has been drafted so as to limit consideration by the courts to only those issues specifically contained in the Hague Convention on the Civil Aspects of International Child Abduction, and not to child custody in general?

Mr. DIXON. Yes. Section 2(b)4) of H.R. 3971 provides that "the Convention and this Act empower courts in the United States to determine only rights under the Convention and not the merits of any underlying child custody claims."

Mr. HATCH. There are, however, custody-related questions that may arise in the context of disputes under the Hague Convention. Under its provisions, there are five exceptions that may be claimed as a defense against a suit filed for the return of a child. These exceptions include whether or not a child has settled into its new environment, whether or not there is a grave risk that return of a child would expose him of her to physical or psychological harm or otherwise place the child in an intolerable situation, whether or not the parent from whom the child was taken was exercising rights of custody or had acquiesced in the removal of the child, whether or not the child has attained the age and degree of maturity at which it is appropriate the take account of its views, and whether or not any custody determinations have been rendered in the county receiving the request for the child's return.

These issues are traditionally custody-related matters handled by the States. Is this the extent of custody-type issues permitted under the Hague Convention?

Mr. DIXON. Yes.

Mr. HATCH. Is there any other context under which a custody-related issue might arise under the convention of H.R. 3971?

Mr. DIXON. The only other situation which I can envision such an issue arising would be under section 5 of the bill which provides the courts with the authority to protect the well-being of a child or to prevent a child from being further removed or concealed prior to the final disposition of the petition for return of custody. I should point out, however, that before a court could take any such protective measure it must comply with any applicable requirements under the law of the State where the child is being held. If a Federal court determines a child is not to be returned under the treaty, neither this bill nor the treaty empower a Federal court to adjudicate the underlying custody dispute. State law would determine which State court has jurisdiction to entertain the underlying custody dispute.

Mr. HATCH. So in this instance, a Federal court must comply with State laws?

Mr. DIXON. That is correct under section 5(b) of H.R. 3971. That section states that:

> No court exercising jurisdiction of an action brought under section 4(b) may under subsection (a) of this, section, order a child removed from a person having physical control of the child unless the applicable requirements of State law are satisfied.

Mr. HATCH. Finally, to help in our understanding of the scope of effect of this concurrent jurisdiction concern, what is the estimated number of petitions that will be filed under the Hague Convention?

Mr. DIXON. The estimates I have received place the number somewhere around 40 to 50 cases a year.

Mr. HATCH. And under the provisions of H.R. 3971, a petitioner who is seeking the return of his or her child may choose either the Federal or State court in the district where the child is located?

Mr. DIXON. Yes. My amendment establishes that:

> The courts of the States and the United States district courts shall have concurrent original jurisdiction of actions arising under the Convention.

Mr. HATCH. Are there any circumstances where such a choice is not available?

Mr. DIXON. No, there are not. The petitioner is always allowed to choose the forum.

Mr. HATCH. I would like to thank my colleague from Illinois. The question of whether or not there should be concurrent jurisdiction is indeed a close question. It is not in my mind, however, sufficient to require the further delay of this bill. If there are eventually problems with such a situation, I would hope that the primary supporters of the bill would assist in the legislative efforts to make corrections, but at this time I think we should move forward with the bill.

I would urge all of my colleagues to help combat this serious problem of international child abduction and vote favorable for this bill.

(At the request of Mr. BYRD, the following statement was ordered to be printed in the RECORD:)

● Mr. SIMON. I want to thank my colleague from Illinois, Senator DIXON, for his leadership in bringing about action on the measure to implement the Hague Convention on the Civil Aspects of International Child Abduction.

This is the third time the Senate has taken up the matter of the Hague Convention and has addressed the problem of the abduction, or wrongful retention, of children overseas in custody related disputes. On October 9, 1986, the Senate voted unanimously to give its advice and consent to ratification of the convention. In June 1987, I introduced S. 1347, a bill drafted by the administration to implement the convention. The enactment of this legislation is the last remaining barrier to ratification by the United States; it will ensure that the provisions of the convention are carried out in a manner that is consistent with the intent of the convention's negotiators in the context of our legal system. On October 8, 1987, the Senate adopted the text of S. 1347 as an amendment to the State Department authorization bill, H.R. 1777. The amendment was deleted in conference at the request of the chairman of the House Judiciary Committee that they be given an opportunity to consider the legislation in hearings before that committee.

Both the House and the Senate have now held hearings on this measure, and technical clarifications have been made to the language of S. 1347 through H.R. 3971. In only one area—that of original court jurisdiction—is there a substantial need to clarify the language of H.R. 3971 to conform to the intent of the sponsors of the Senate bill, and my colleague from Illinois is offering that needed amendment. The amendment will restore the language of S. 1347 calling for concurrent original jurisdiction in State and Federal courts to hear proceedings arising under the convention and this legislation.

The language of this amendment should not raise a concern to Federal judges that they will be moving into child custody matters traditionally in the jurisdiction of State courts. In testimony before the Senate Subcommittee on Courts and Administrative Practice, Patricia Hoff, the cochair of the Child Custody Committee of the American Bar Association, stated:

> (I)t is significant that both the Convention, in Articles 16 and 19, and the legislation, in section 2(8), expressly provide that a decision under the Convention concerning return of a child is not a determination on the merits of the underlying custody dispute. The court hearing a return proceeding is limited to deciding whether a child's removal or retention was wrongful within the meaning of the convention, or whether one of the narrow exceptions to the return obligation as set forth in the convention would apply. Thus, state and federal judges applying the convention are insulated from making substantive custody determinations that turn on in-depth inquiries into the

child's best interest. The convention envisions that these Solomon-like decisions will be made once the child is returned, typically in the child's country of habitual residence where relevant evidence would be most readily accessible.

The convention establishes an administrative and judicial mechanism to bring about the prompt return of children who have been abducted from their home countries in parental custody disputes. The convention, and the implementing legislation, does not alter custody decisions concerning abducted children. Those decisions are still left to local courts and authorities. By providing a mechanism for the child's prompt return to the country of his or her habitual residence, the convention simply eliminate an incentive for abducting a child. The abducting parent will no longer be able to assume the ability to hide behind the legal processes of another country if that country is a signatory of the convention.

"Prompt return" is the cornerstone of the convention, and it is important that the United States not undermine this key element through our implementing legislation. The House language in regard to court jurisdiction, although, I believe it is intended to provide the appropriate role for Federal court jurisdiction that is provided in the Senate bill, is unclear, and it offers the potential for the type of litigation and delay that the convention is intended to prevent. For this reason, it is important to clarify this section through my colleague's amendment.

Close to half of the State Department's unresolved cases of abductions from the United States involve countries which have ratified or expressed an interest in ratifying the convention. Ratification by the States will have an encouraging impact on the decisions of many countries on whether to become a party to the convention.

The problem of international parental child abduction is growing. As of May 1, 1983, the Department of State knew of 667 unresolved cases of child abductions from the United States. As of December 31, 1986, such cases totaled 2,353. The State Department's most recent testimony suggests that children are being abducted from the United States and kept outside of this country at the rate of about 300 per year.

The Department of State has pointed out another reason for urgency on this legislation. They are particularly concerned that the bill be passed soon enough to permit the ratification and the entry into force of the convention by the first of August, since there is an annual surge of international abductions and retentions of children toward the end of summer. In order to have the convention fully in force by that time, both Houses of Congress must have passed the needed implementing legislation by sometime in May. I am, therefore, grateful that the Senate is moving expeditiously on the House bill, and I hope that the House will move rapidly to accept the Senate amendment.

Parental child abductions are not simply domestic matters. Abducted children suffer greatly from emotional trauma, and are sometimes the victims of physical abuse as well. We must do everything we can to end the grief and heartache for abducted children and their families. This legislation will not solve every case or bring every abducted child home, but it will have a significant impact on preventing future abductions, and it offers new hope to the heartbroken and anguished parents who have been left behind—parents such as Patricia Roush, whose two daughters were abducted to Saudi Arabia more than 2 years ago by a father with a criminal record and history of beating her and the children; such as Holly Planells, who was forced to leave her abducted son in substandard living conditions in Jordan in spite of his pleas to be allowed to come home with her; such as Alan Hershey, whose daughter has been in Czechoslovakia since 1983, but who has been told by a Czechoslovak judge that he will be permitted to have his daughter spend time with him in the United States if we ratify the Hague Convention.

One desperate parent felt it necessary early this year to hire "soldiers of fortune" to bring her 7-year-old daughter back from Jordan. This type of action puts people in danger and brings the risk of retaliation; it should not be seen as necessary because of the failure of this Government to take every possible alternative step. The ratification of the Hague Convention is one such vital step.

Again, I thank my colleague for his leadership. I would also like to commend Brian Hanson, a member of Senator DIXON's staff, for his hard work and effective efforts on behalf of this important legislation.●

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 3971), as amended, was passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

ORDER TO HOLD S. 2273 AT THE DESK

Mr. BYRD. Mr. President, I ask unanimous consent that S. 2273, a bill introduced earlier today by Mr. MELCHER, dealing with the Crow Indian Tribe, be held at the desk until the close of business on Wednesday, April 13.

Mr. STEVENS. There is no objection.

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

UNANIMOUS-CONSENT AGREEMENT—S. 1518

Mr. BYRD. Mr. President, I ask unanimous consent that, after consultation with the minority leader, the majority leader may proceed at any time to the consideration of Calendar Order No. 514, S. 1518, a bill to provide for the appropriate treatment of methanol and ethanol, and for other purposes, and that it be considered under the following time agreement:

Twenty minutes, equally divided, on the bill, the time to be controlled by the two leaders or their designees.

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

Mr. BYRD. Mr. President, I ask unanimous consent that there be 40 minutes, equally divided, on an amendment to be offered by Mr. STAFFORD to require that methanol-fueled vehicles meet the same emission standards as gasoline-fueled vehicles; provided further, that there be 1 hour, equally divided, on an amendment to be offered by Mr. CHAFEE to recognize the need for the development of technologies to control carbon dioxide emissions; provided further, that no other amendments be in order, with the exception of the committee-reported substitute; that no motions to recommit, with or without instructions, be in order; that there be 20 minutes, equally divided, on any debatable motions, appeals, or points of order if submitted by the Chair for debate; and provided further that the agreement be in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. There is no objection. It is my understanding that the leader's request implies that the time on the amendments will be divided in accordance with the usual procedures and rules of the Senate.

Mr. BYRD. Yes. I ask unanimous consent that the time on amendments be in accordance with the usual form.

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

Mr. BYRD. Very well. Then that completes the time agreement, Mr. President, on S. 1518, and after consultation with the minority leader, at some point I will move to take that bill

up and, of course, I will clear the time also with Mr. ROCKEFELLER, Mr. STAFFORD, and Mr. CHAFEE.

SENATE LEGAL COUNSEL TO REPRESENT THE SECRETARY OF THE SENATE AND ANY OTHER SENATE EMPLOYEE IN THE CASE OF AVIRGAN VERSUS HULL

Mr. BYRD. Mr. President, on behalf of myself and Mr. DOLE I send a resolution to the desk to direct the Senate legal counsel to represent the Secretary of the Senate and any other Senate employee in the case of Avirgan versus Hull. I send the resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The bill clerk read as follows:

A resolution (S. Res. 410) to direct the Senate Legal Counsel to represent the Secretary of the Senate and any other Senate employee in the case of Avirgan versus Hull (S.D. Florida).

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, the plaintiffs, in Avirgan versus Hull, which is a civil case pending in the U.S. District Court for the Southern District of Florida, have served a subpoena upon the Secretary of the Senate for testimony and documents of the Select Iran-Contra Committee. The plaintiffs are journalists who are seeking damages from a number of private individuals for injuries arising out of a bomb explosion at a press conference held by Contra leader Eden Pastora in Central America in 1984. The subpoena calls for the production of a large quantity of classified and sensitive documents obtained by the Iran-Contra Committee in the course of its investigation.

The Senate and House Iran-Contra Committees have gone to great lengths to facilitate the maximum access by the public to the records of their proceedings and the materials that they accumulated consistent with the interests of national security, the investigative interests of each House, and the privacy interests of private individuals. For example, the committees have compiled and published all of the declassified documents that they cited in their extensive report. Further, the committees are in the process of publishing the transcripts of all of their public hearings, all declassified transcripts of their depositions and executive session hearings, and all declassified exhibits to these transcripts. Finally, the Senate committee is making immediately available to the public at the National Archives some 94 boxes of declassified and unclassified documents that it utilized.

The committee has determined that it cannot publicly release its sensitive investigative files or documents that remain classified by an executive agency to protect the national security. The committee is prepared to be as helpful as possible in facilitating access for the plaintiffs in this action to the extensive materials that it has determined to release in the public domain. The committee cannot, however, turn over its sensitive and classified documents.

Although the subpoena is directed to the Secretary of the Senate, the Secretary does not have custody or control over the select committee's documents. Rather, under the provisions of Senate Resolution 23, after the committee wraps up its business in the next several weeks, its documents will be under the control of the Select Committee on Intelligence. This resolution would authorize the Senate Legal Counsel to represent the Secretary or a Senate committee employee who may properly be substituted for the Secretary in connection with this subpoena, in order to assert in court, if necessary, a privilege against disclosing the nonpublic records of the committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 410) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 410

Whereas, in the case of *Avirgan* v. *Hull*, No. 86-1146-CIV-KING, pending in the United States District Court for the Southern District of Florida, the plaintiffs have obtained a subpoena from the United States District Court for the District of Columbia, FS 88-68, for the testimony of and production of documents by the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2) (1982), the Senate may direct its counsel to represent officers and employees of the Senate with respect to subpoenas or orders issued to them in their official capacity: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Secretary of the Senate and any Senate employee who may be substituted as a respondent for him in the case of *Avirgan* v. *Hull*, No. 86-1146-CIV-KING (S.D. Fla), or in any ancillary proceedings.

ORDERS FOR WEDNESDAY

RECESS UNTIL 9:30 A.M.

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:30 tomorrow morning.

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

MORNING BUSINESS UNTIL 10 O'CLOCK A.M.

Mr. BYRD. Following the two leaders or their designees, under the standing order, I ask unanimous consent there be a period for morning business not to extend beyond 10 a.m., and that Senators may speak during that period.

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

RESUME CONSIDERATION OF S. CON. RES. 113

Mr. BYRD. Mr. President, I ask unanimous consent that at 10 o'clock the Senate resume consideration of the budget resolution.

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

PROGRAM

Mr. BYRD. Mr. President, the Senate will meet at 9:30 tomorrow morning. Following the recognition of the two leaders under the standing order there will be a period for morning business not to extend beyond 10 a.m., Senators may speak during that period for morning business and I ask unanimous consent that there be a limitation of 5 minutes each on such speeches.

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

Mr. BYRD. Mr. President, at 10 a.m. the Senate will resume consideration of the budget resolution at which time the pending question will be on the amendment by Mr. STEVENS. Under the order previously entered a vote will occur on that amendment or in relation to it at the hour of 11 a.m. That will be a rollcall vote, the yeas and nays having previously been ordered. There will be other rollcall votes throughout the day tomorrow.

The managers of the bill have indicated their belief that the Senate will be able to complete action on the budget resolution on tomorrow.

Tomorrow is Wednesday. In order to complete action, therefore, the Senate could be in not too late, but I hope that the Senate can complete action on the resolution tomorrow.

Mr. President, I inquire of the distinguished acting Republican leader and my close and dear friend, Mr. STEVENS, of Alaska, as to whether or not he has any further business he would like to transact today or any further statement he would like to make?

Mr. STEVENS. Mr. President, my response to my good friend is no. We have completed business on this side.

Mr. BYRD. I thank my friend.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BYRD. Mr. President, I move in accordance with the order previously entered that the Senate stand in

recess until the hour of 9:30 a.m. tomorrow morning.

The motion was agreed to, and the Senate, at 7:53 p.m., recessed until Wednesday, April 13, 1988, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 12, 1988:

IN THE FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE U.S. INFORMATION AGENCY FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS STATED, AND FOR THE OTHER APPOINTMENTS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR; AND A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ALAN W. ALGAYER, OF NEW JERSEY.

THE FOLLOWING-NAMED PERSONS OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

FRED C. FISCHER, OF VIRGINIA.
MOSINA H. JORDAN, OF NEW YORK.
BONNIE POUNDS, OF VIRGINIA.

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS 1, CONSULAR OFFICERS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF AGRICULTURE

ROBERT J. WICKS, OF VIRGINIA.

AGENCY FOR INTERNATIONAL DEVELOPMENT

CAMERON SCOTT BONNER, OF TEXAS.
CHARLES EDWARD BROOKS, OF HAWAII.
REUBEN H. HUBBART, JR., OF SOUTH DAKOTA.
ROY L. ROBIESON, OF VIRGINIA.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS 2, CONSULAR OFFICERS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

EDWARD E. ANDERSON, JR., OF CALIFORNIA.
D. JEAN GARDNER, OF THE DISTRICT OF COLUMBIA.

DEPARTMENT OF AGRICULTURE

LLOYD S. HARBERT, OF IDAHO.
BESA L. LOTATI, OF VIRGINA.
ROBIN A. TILSWORTH, OF VIRGINIA.
HOWARD R. WETZEL, OF VIRGINIA.

AGENCY FOR INTERNATIONAL DEVELOPMENT

JAMES ANDREW BEVER, OF PENNSYLVANIA.
KURT FULLER, OF ARIZONA.
MARK R. JOHNSON, OF CALIFORNIA.

FOR REAPPOINTMENT IN THE FOREIGN SERVICE AS A FOREIGN SERVICE OFFICER OF CLASS 3, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

U.S. INFORMATION AGENCY

PATRICIA L. SHARPE, OF FLORIDA.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS 3, CONSULAR OFFICERS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

E. CHARLES ASH, OF VIRGINIA.
ANNE WARE PATCHELL, OF FLORIDA.

DEPARTMENT OF AGRICULTURE

LANA S. BENNETT, OF CALIFORNIA.
SUSAN R. SCHAYES, OF FLORIDA.
GEOFFREY W. WIGGIN, OF VIRGINIA.
DAVID B. YOUNG, OF MARYLAND.

AGENCY FOR INTERNATIONAL DEVELOPMENT

RAVINDER MOKAL AULAKH, OF CALIFORNIA.
JERRY PAUL BISSON, OF VERMONT.
PAUL R. CRAWFORD, OF NEW YORK.
JONATHAN DAVID HALPERN, OF FLORIDA.
ROOSEVELT HOLT, JR., OF VIRGINIA.
EDWARD T. LANDAU, OF PENNSYLVANIA.
ALEXANDRIA LEE PANEHAL, OF OHIO.
FRED MICHENER POLLOCK, JR., OF NEW HAMPSHIRE.
BRUCE WARREN RUSH, OF FLORIDA.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS 4, CONSULAR OFFICERS, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

THEODORE HOWARD ANDREWS, OF CALIFORNIA.
BARBARA JAN MARTINEZ BADEN, OF VIRGINIA.
BEATRICE BARTHELEMY, OF CALIFORNIA.
EARLE CHARFIELD BLAKEMAN, OF TEXAS.
JOHN B. BRENNAN, OF MISSOURI.
PAULA J. BRUMBAUGH, OF CALIFORNIA.
ARJUN REX CHAKRAWARTI, OF LOUISIANA.
KENNETH STEPHEN CHERN, OF NEW YORK.
JOHN C. CLARKSON, OF WASHINGTON.
CARL S. COCKBURN, OF OKLAHOMA.
MITCHELL ALLEN COHN, OF PENNSYLVANIA.
MICHEAL HUGH CORBIN, OF NORTH CAROLINA.
JOYCE EDITH CURRIE, OF VIRGINIA.
JOHN P. DEASY, OF MASSACHUSETTS.
GARLAND L. DENNETT, OF IDAHO.
ROBERT ANTHONY DOLCE, OF CONNECTICUT.
LEWIS K. ELBINGER, OF CONNECTICUT.
JOHN GRIFFIN ELLIS, OF MARYLAND.
SUE ANNE S. FLAHERTY, OF COLORADO.
CAROL S. FULLER, OF PENNSYLVANIA.
DAVID W. FULTON, OF VIRGINIA.
JUDITH G. GARBER, OF CALIFORNIA.
DANIEL FRANCIS GEISLER, OF PENNSYLVANIA.
ROBERT F. GODEC, OF VIRGINIA.
ROBERT GOLDBERG, OF MARYLAND.
CHARLES B. GURNEY, OF TENNESSEE.
MARY E. HAYES OF COLORADO.
JASON P. HYLAND, OF CALIFORNIA.
EARL MICHAEL IRVING, OF CALIFORNIA.
MARK RANDOLPH JENSEN, OF CALIFORNIA.
NANCY CLARK JOHNSON, OF VIRGINIA.
HELENE MICHELLE KESSLER, OF MASSACHUSETTS.
MATTHEW R. KOCH, OF VIRGINIA.
DAMIAN RIEHL LEADER, OF INDIANA.
SALLY MATHIASEN LIGHT, OF WASHINGTON.
JOHN ARTHUR LOWELL, OF TEXAS.
JOYCE DIANE MARSHALL, OF CALIFORNIA.
BARBARA C. MASLAK, OF PENNSYLVANIA.
LOUIS MAZEL, OF NEW HAMPSHIRE.
TERENCE PATRICK MCCULLEY, OF OREGON.
JONI E. MCFARLAND, OF TENNESSEE.
KENNETH ALAN MESSNER, OF MICHIGAN.
ALAN GREELEY MISENHEIMER, OF NORTH CAROLINA.
DAVID ADELBERT NOBLE, OF THE DISTRICT OF COLUMBIA.
KARL GUNNAR OLSON, OF NEW YORK.
WILLIAM HENRY OWEN, OF NEW YORK.
JOSEFINA LIM PAPENDICK. OF CALIFORNIA.
JAMES ALLISON PHILLIPS, OF CALIFORNIA.
JEANETTE COHN PINA, OF CALIFORNIA.
RAYMOND DOUGLAS RICHHART, JR., OF CALIFORNIA.
TERRI L. ROBL, OF MARYLAND.
DONALD RICHARD SHEMANSKI, OF PENNSYLVANIA.
JACK WARREN STATON, OF WEST VIRGINIA.
KATHRYN L. STEVENS, OF FLORIDA.
DAVID L. STONE, OF INDIANA.
PAUL RANDALL SUTPHIN, OF NEW YORK.
STEPHEN BRADLEY WICKMAN, OF NEW YORK.
BISA WILLIAMS-MANIGAULT, OF TEXAS.
JOSEPH Y. YUN, OF OREGON.
ROBERT B. ZUEHLKE, OF VIRGINIA.

U.S. INFORMATION AGENCY

BRUCE B. BROWN, OF ILLINOIS.
JEFFERSON TRAVIS BROWN, OF NEW JERSEY.
CHRISTOPHER FITZGERALD, OF PENNSYLVANIA.
JAMES KINCH FOSTER, OF TEXAS.
STEPHEN W. HOLGATE, OF OREGON.
STEVEN FRANK KOENIG, OF CALIFORNIA.
LEONARD JAMES KORYCKI, OF WASHINGTON.
JOHN A. MATEL, OF CALIFORNIA.
MICHAEL WILLIAMS MCCELLAN, OF KENTUCKY.
JUDITH ANN MOON, OF MARYLAND.
RICKY LYNN ROBERTS, OF MISSISSIPPI.
CORINNE A. SCHMIDT, OF VIRGINIA.
LARRY SCHWARTZ, OF WASHINGTON.
MARK J. SHERMAN, OF NEW YORK.
VIKTOR A. SIDABRAS, OF INDIANA.
CHRISTOPHER D. WARD, OF WISCONSIN.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF STATE AND COMMERCE, TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICES OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KEVIN CROSBY AISTON, OF ILLINOIS.
RUBEN R. ALCANTARA, OF HAWAII.
MARTIN MARIANO BARILLAS, OF THE DISTRICT OF COLUMBIA.
JOHN RODNEY BASS II, OF NEW YORK.
REID S. BAUMAN, OF ILLINOIS.
PAMELA S. BELLAMY, OF CALIFORNIA.
ANGELINE BIEGLER, OF FLORIDA.
MICHAEL R. BOSSHART, OF NEW JERSEY.
BRIAN L. BROWNE, OF FLORIDA.
ROBERT CRAIG BRYSON, OF COLORADO.
ALAN JOHNSTONE CARLSON, OF MINNESOTA.
JOHN F. CARROLL, OF LOUISIANA.
CAROLE M. CHARETTE, OF PENNSYLVANIA.
DAN I. COLE, OF VIRGINIA.
MARYRUTH COLEMAN, OF CONNECTICUT.
RISHONA Y. CORSON, OF OHIO.
JONATHAN J. COYNE, OF TEXAS.
JOHN ALLEN CUSHING, OF WASHINGTON.
KAREN KASKA DAVIDSON, OF CALIFORNIA.
KAREN EILEEN DAVIS, OF CALIFORNIA.
CONSTANTINE ALEXANDER DE BODISCO, OF FLORIDA.
A. THYS DEBRUYN, OF VIRGINIA.
SHERRIE L. DEBRUYN, OF IOWA.
ANNE E. DELLOS, OF ILLINOIS.
ANN MICHELLE DENEY, OF LOUISIANA.
GLENN G. DICK, OF VIRGINIA.
MICHAEL JAMES DODMAN, OF NEW YORK.
KURT D. DONNELLY, OF OREGON.
RICHARD JAMES DRISCOLL, OF VIRGINIA.
CATHERINE DRUCKER, OF CONNECTICUT.
CHRISTOPHER ANDREW ELLIS, OF CALIFORNIA.
ELIZABETH ANN EWING, OF THE DISTRICT OF COLUMBIA.
FRANK JONATHAN FINVER, OF MARYLAND.
BRUCE MICHAEL FOSTER, OF CALIFORNIA.
JESSICA M. FOWLER, OF MARYLAND.
GEORGE M. FREDERICK, OF ILLINOIS.
RONALD MICHAEL FREY, OF TEXAS.
ABIGAIL SARAH FRIEDMAN, OF COLORADO.
LEO GALLAGHER, OF PENNSYLVANIA.
ANN K. GANZER, OF WISCONSIN.
ROBERT P. GEISLER, OF VIRGINIA.
THOMAS BARRY GIBBONS, OF VIRGINIA.
MARK ANDRE GOODFRIEND, OF CALIFORNIA.
DOUGLAS M. GRIFFITHS, OF TEXAS.
MARK T. GYGI, OF UTAH.
PATRICK J. HALEY, OF MASSACHUSETTS.
D. BRENT HARDT, OF FLORIDA.
JOHN M. HARRIS, OF CALIFORNIA.
MARK JAY HERZBERG, OF MARYLAND.
MARY ELLEN HICKEY, OF CALIFORNIA.
DAMIEN HINCKLEY, OF VIRGINIA.
JOHN FREDERICK HOOVER, OF MASSACHUSETTS.
JAMES LAYTON HUSKEY, OF THE DISTRICT OF COLUMBIA.
BARBARA JEAN JOHNSON, OF VIRGINIA.
SYLVIA DOLORES JOHNSON, OF SOUTH CAROLINA.
MARK C. JONES, OF MASSACHUSETTS.
WILLIAM E. JONES, OF VIRGINIA.
GLORIA M. JORDAN, OF TEXAS.
GERALDINE L. KAM, OF CALIFORNIA.
MATTHEW B. KAPLAN, OF VIRGINIA.
DOUGLAS G. KELLY, OF PENNSYLVANIA.
ROBERT RALPH KIENE, OF OREGON.
SUSAN ELIZABETH KIRK, OF VIRGINIA.
CHRISTOPHER AUGUSTINE LAMBERT, OF VIRGINIA.
LONG N. LEE, OF COLORADO.
ANN MARGARET LYONS, OF MASSACHUSETTS.
MICHAEL B. MARTIN, OF CALIFORNIA.
ALEXANDER MARTSCHENKO, OF NEW JERSEY.
CYNTHIA LYNN MATHER, OF VIRGINIA.
LAUREN MAY, OF THE DISTRICT OF COLUMBIA.
THOMAS S. MCGINNESS, OF LOUISIANA.
MARGARET EILEEN MCGUINNESS, OF THE DISTRICT OF COLUMBIA.
MICHAEL S. MCHENRY, OF NEW YORK.
MATTHEW MCKEEVER, OF THE DISTRICT OF COLUMBIA.
WILLIAM ROBERT MEARA, OF NEW YORK.
DANIEL C. MIKESELL, OF MICHIGAN.
RICHARD MERRILL MILLS, JR., OF TEXAS.
PHILLIP ANDREW MIN, OF NEW JERSEY.
RODERICK W. MOORE, OF RHODE ISLAND.
MARTIN DAVID MURPHY, OF CALIFORNIA.
REGINA SARA ELIZABETH MURPHY, OF VIRGINIA.
TIMOTHY DALMAINE NEELY, OF GEORGIA.
JOHN THOMAS NILAND, OF THE DISTRICT OF COLUMBIA.
TODD S. OLESZAK, OF WISCONSIN.
KEVIN MICHAEL O'REILLY, OF ILLINOIS.
ANTHONY ARMEN PAHIGIAN, OF MASSACHUSETTS.
GEORGE FRANCIS PAIK, OF MASSACHUSETTS.
JOHN E. PEREIRA, OF MARYLAND.
ANDREW J. QUINN, OF NEW YORK.
ROBIN S. QUINVILLE, OF CALIFORNIA.
MICHAEL ARTHUR RAYNOR, OF MARYLAND.
GARACE A. REYNARD, OF VIRGINIA.
LAWRENCE G. RICHTER, OF CALIFORNIA.
FRANCISCO DANIEL SAINZ, OF NEW YORK.
THOMAS WHITWORTH SANCHEZ, OF VIRGINIA.
DAVID JOHN SAVASTUK, OF VIRGINIA.
CARL A. SHEM III, OF ILLINOIS.
ROBYN J. SHINDEL, OF THE DISTRICT OF COLUMBIA.
ADAM M. SHUB, OF NEW YORK.
R. BYRON SIGEL, OF MICHIGAN.
BRIAN J. SILER, OF HAWAII.
PAMELA SUSAN SMITH, OF CONNECTICUT.
STUART MADGETT SMITH, OF OHIO.
JACQUELINE E. SNYDER, OF NEW MEXICO.
BETTY DOUGLAS SPARKMAN, OF TENNESSEE.
DANIEL CHARLES STOLL, OF MARYLAND.
CAROL LYNN STRICKER, OF OHIO.
JAMES CHRISTOPHER SWAN, OF THE DISTRICT OF COLUMBIA.
R. PIERCE SWOFFORD III, OF VIRGINIA.
MELINDA C. TABLER-STONE, OF VIRGINIA.
MICHAEL EMBACH THURSTON, OF WASHINGTON.
JEFFREY A. VANDREAL, OF TEXAS.
SIMON P. VISS, OF CALIFORNIA.
WILLIAM G. WATSON, OF HAWAII.
WILLIAM A. WEECH, OF VIRGINIA.

JANICE G. WEINER, OF CALIFORNIA.
THOMAS WEINZ, OF COLORADO.
ROBERT K. WILLIAMS, OF TEXAS.
JANET DE LONG ZIEGLER, OF CALIFORNIA.

SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

EDGAR D. FULTON, OF VIRGINIA.
TIMOTHY P. STRATFORD, OF CONNECTICUT.

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 3, 1988:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

ROGER H. ROBINSON, OF CALIFORNIA.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

LT. GEN. ALOYSIUS G. CASEY, [redacted]FR, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, TO BE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. ANTHONY J. BURSHNICK, [redacted]FR, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, TO BE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD L. CROMER, [redacted]FR, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, TO BE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. CLIFFORD H. REES, JR., [redacted]FR, U.S. AIR FORCE.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. GLENN K. OTIS, [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. HAROLD M. DAVIS, JR., [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. ELVIN R. HEIBERG, [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. VAUGHN O. LANG, [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. MAX W. NOAH, [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. WILLIAM E. ODOM, [redacted], U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601(A), IN CONJUNCTION WITH ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. RICHARD G. GRAVES, [redacted] U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601(A), IN CONJUNCTION WITH ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. JAMES F. MCCALL, [redacted], U.S. ARMY.

IN THE NAVY

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5148(B), TO BE ASSIGNED AS JUDGE ADVOCATE GENERAL OF THE NAVY:

REAR ADM. EVERETTE D. STUMBAUGH, [redacted]/2500, JUDGE ADVOCATE GENERAL'S CORP, U.S. NAVY.

THE FOLLOWING-NAMED REAR ADMIRALS (LOWER HALF) IN THE STAFF CORPS OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

SUPPLY CORPS (3104)

JAMES E. ECKELBERGER.
JAMES E. MILLER.

THE FOLLOWING-NAMED CAPTAIN IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

SPECIAL DUTY OFFICER (OCEANOGRAPHY)

JAMES ELMER KOEHR.

EXTENSIONS OF REMARKS

SANCTIONS: THE CONGRESS' CURSE ON THE PEOPLE OF SOUTH AFRICA

HON. PHILIP M. CRANE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. CRANE. Mr. Speaker, as Americans we all feel a burning desire to help the oppressed people of the world in the struggle against their tyrants. We observe these people's tireless fight to secure a better future for their children and embrace their struggle as if it were our own. We share in their pain, sorrow, frustration, and especially their commitment.

However, many times these feelings lead some to foolishly embark on a quest to cure the world of it's many ills. The world has come to realize that an American on a crusade can be as threatening as the Red Army itself. Such is the case in South Africa today. It has been almost 2 years since the passing of the Comprehensive Anti-Apartheid Act and black South Africans are no closer to achieving political and economic freedom. In fact, the repercussions of these sanctions have dealt a hard blow to the black community. It is time to reexamine the value of sanctions to the cause of the South African blacks. America cannot continue to be a negative influence on the black's struggle against apartheid.

The effect of sanctions on the South African economy are quite disturbing. By initiating the exodus of over 170 U.S. businesses, these sanctions have greatly hindered the blacks in their quest to achieve economic freedom. While whites have eagerly purchased these companies at firesale prices, the blacks have suffered. They can no longer benefit from United States business sponsored employee welfare programs and are now subject to the wrath of the new Afrikaaner owners, who have systematically fired their black workers. We all know that the key to the establishment of a free, democratic society is a strong middle class, yet we persist in impeding the black community from achieving this prerequisite for freedom. The blacks need our help—the key to their future lies in the continued presence of United States businesses in South Africa.

In addition, the sanctions have wreaked havoc on South Africa's political establishment. By threatening the security of the Afrikaaner community, the sanctions have enhanced the political standing of the rightwing. In the most recent elections, the liberal Progressive Federal Party [PFP] was defeated as the official opposition to Prime Minister Botha's administration. Moreover, the once moderate Botha has toughened his stance on the black opposition for fear of losing popularity within the white electorate.

Is this the "moral backbone" so many of my colleagues demanded when they overrode the President's veto and passed these sanctions? When President Reagan vetoed the Comprehensive Anti-Apartheid Act, he did not do so under disdain for the South African blacks. He foresaw the effect these sanctions would have on the black community. But why did so many Congressmen ignore his warnings? Was it a lack of foresight? Or did they simply use the black's struggle to enhance their own public image?

I challenge my colleagues to open their minds and put the interests of the South African blacks ahead of their own. Instead of searching for praise from the media, we need to search for answers. Answers which will assist the black community achieve economic prominence as the first step in securing a future of freedom for their children.

For a deeper insight into the present situation in South Africa, I highly recommend an article entitled "The Scandal of Sanctions" in the March 1988 edition of the American Spectator.

[From the American Spectator, March 1988]

THE SCANDAL OF SANCTIONS

(By Fleur de Villiers)

In the fall of 1986, fueled by moral outrage and high moral purpose, the United States Congress set out to punish South Africa and express solidarity with its black oppressed masses. Its chosen instrument was the imposition of sanctions that would excommunicate South Africa from the world's economy until the apartheid state was brought to its senses, if not to its knees.

Those who wielded bell, book, and candle blithely ignored the fact that sanctions without the threat of direct military intervention have had a dismal record in the conduct of international affairs. Indeed, the question of whether or not sanctions would achieve the abolition of apartheid and the transfer of power to the black majority was, one suspects, always secondary. The main aim was not to liberate South African blacks, but to free the U.S. Congress from the frustration of doing nothing.

Moral outrage and an instinct for meddling in areas that few politicians visit and even fewer understand are American qualities the rest of the world has come to dread. There are few spectacles on earth more alarming than American legislators in search of a quick fix of other people's problems. But if this addiction has too frequently made United States foreign policy the diligent pursuit of folly, seldom has it been more diligently or more blatantly pursued than by those who believed that the only way to bring South Africa into the family of civilized nations was to remove all traces of American influence.

Now, eighteen months since the passage of the Comprehensive Anti-Apartheid Act, the full extent of that folly should be apparent to all—except those congressmen and senators who, having saddled the sanctions horse, are determined to ride it all the way to this year's elections. But before one examines their failure to win anything, except possibly the approval of Jesse Jackson, it is important to reflect on just what they thought they would achieve in the heady days of October 1986 when Congress overrode a White House veto to secure the first humiliating defeat of a hitherto all-conquering President.

It is perhaps not too cynical to suggest that that was part of the attraction. But other motives were confused and contradictory. For some—the high-minded rather than the ruthless—excommunication was the only way to convince Pretoria of the error of its ways; white South Africans would feel the pinch and, putting wealth above racism, would force their government to change, thus effectively preventing the expected bloodbath. For others revolution was the solution, not the problem. Sanctions, they calculated, would so impoverish black South Africa that, with nothing left to lose, it would rise up against its fatally weakened white oppressors and thus usher in the Utopia where all men were equal in poverty and which would no longer make any claim on America's conscience (only on its purse). Those who felt a little queasy about inflicting further penury and deprivation on South Africa's black citizens were silenced with the answer that this is what South Africa's black leaders themselves demanded.

In any case, it was suggested, sanctions would be felt more keenly by wealthy whites than by blacks who had little enough anyway—a proposition that ignores the integration of the South African economy and the simple fact that if you take food away from a fat man he will suffer, but if you take it away from a thin man he dies.

Above and beyond all these considerations was the conviction that a successful transfer of power to the black majority was inevitable, if not imminent, and that it was important for America's long-term interest in a resource-rich region to "get on the right side of history"; failure to do so would hand the area over to Moscow and its surrogates. That belief was shared not merely by sanctioneers in Congress—Senators Kennedy, Simon, Lugar, and Cranston and Congressmen Wolpe, Solarz, Gray, Rangel, and Leland—but by state and municipal governments across the United States which, through boycott and threat of boycott, have at the latest count sent 170 American companies in South Africa stampeding for the exit.

But just how effective has the whole sanctions package been—disinvestment included? How have the promises survived more than a year of practice?

The first answer was not long in coming. President Botha cashed in quickly, using this unexpected American bonus to call and win an election in early May, calculating correctly that external threat would induce the white electorate to rally round the flag. In a country in which history has bred a strong strand of isolationism, he could hardly go wrong. But South Africa is not unique. Other histories have—or should have—instructed us that a people who believe their security is threatened will put that security above material considerations.

● 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.

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Botha, however, miscalculated in one important respect. His own attempts at reform—however, despised by the rest of the world—had weakened his image among his more conservative followers. If South Africa was under threat they wanted an even stronger man. The result was substantial gains by the far right-wing parties and the unseating of the liberal Progressive Federal Party (PFP) as the official opposition. Botha got the message, even if Congress did not. Far from making white South Africa more conciliatory, sanctions had merely fueled its intransigence.

Senators Simon and Lugar and Co. tried hard to conceal their dismay. The rise of the independent movement, the emergence of a few dissident nationalists on the left, and the over-sold meeting between some sixty white South Africans and the ANC leadership in Dakar proved, they claimed, that sanctions were working, albeit a bit more slowly than they had hoped. It was futile to point out that liberal Afrikaner disgruntlement had been growing since the 1970s; but attempts to use the dissidents as proof that sanctions were effective were the surest way to send most of them scurrying for cover—which they have. Meanwhile reform has ground to a halt, the far-right has grown in strength, and the only truly liberal voice in South African politics—the PFP—has been fatally weakened. It is a proud record for those who believed, or said they believed, that sanctions could change stubborn hearts and closed minds.

But surely all is not lost. Increased polarization of South Africa's fractured communities should at least please those who believed sanctions would hasten the revolution. The belief—fostered by savants of the left on Western campuses and played back to South Africa's embattled townships—that the battle was all but won was enough to persuade some, but by no means all, black South Africans to accept temporary deprivation to secure the final victory.

Today, they, the ANC, and even Moscow accept that this calculation was at least a few decades out. President Botha is not about to hand over the keys to the castle. Years of sacrifice for an uncertain goal may not disturb congressmen and senators, but they are not at the sharp end; those black radicals beginning to make a painful and sobering cost-benefit analysis, are. One painful discovery is that South Africa's whites, however politically uncertain they may feel, may have also been substantially enriched by measures that set out to impoverish them.

It does not require too much insight to discover why. As liberal South African businessman Tony Bloom commented recently: "South African companies have been able to acquire technology, management skills, brand names and market share that would have taken years to build." Of the nearly 170 U.S. companies that have quite South Africa in the last few years, more than half have sold out—at firesale prices—to South African companies or local managements, thus creating some 100 new instant millionaires, all of them white.

This unintended consequence predictably enraged anti-apartheid lobbyists who would have preferred a scorched-earth policy that would have turned thousands of black South Africans out of their jobs. A few departing U.S. multinationals have done just that, inducing profound second thoughts about the strategy among some of South Africa's black leaders. Most companies, however, have followed the pattern of General Motors, which sold out to local management which in turn promptly fired 500 black workers, removed itself from the Sullivan code enforcing social responsibility programs and integrationist work practices among American companies, and began selling its products to the South African government.

Indeed, the effect of disinvestment on the Sullivan code—and by extension on the welfare of South Africa's black labor force—has been startling, if predictable. From November 1986 until November 1987 the number of signatories dropped by half, as U.S. companies sold out to South Africans who believed they had no obligation in a depressed economy to set aside a considerable part of their profits on expensive social programs. But the code—which in its heyday made a significant contribution to the welfare of black communities—is not the only victim of the sanctioneers' zeal. Billions of South African government funds, which could be more creatively employed on building hospitals and schools and generally improving the quality of black life, have been spent on oil storage and an expensive home-grown arms industry—both legacies of earlier sanctions.

But isn't this precisely what the sanctioneers wanted? A withering of a diseased and isolated economy until blacks would rise up against the government, if whites didn't do it first. Once again, the practice has defeated the promise. After years of stagnation brought about not by external action but internal mismanagement, the South African economy is beginning to grow again, however slowly. One reason has been the low exchange rate of the South African rand—induced by the flight of American banking capital—which has made South African exports more competitive on world markets. Another has been the swing to import substitution and the growth of a new sanctions-busting industry and businessmen seek to replace lost markets. It should come as no surprise that South Africa's external trade showed a net increase in the past year, with Japan becoming South Africa's top trading partner. Undisturbed by moral considerations, Taiwan, Singapore, and South Korea have also rushed in to fill the vacuum left by the United States while there is no doubt—and a great deal of evidence—that East bloc countries have not allowed their support for the African National Congress to outweigh their need for hard currency. So much for sanctions securing American influence in a post-apartheid society.

Thus far, then, the only losers in the sanctions game have been black South Africans themselves. Figures on the number of job losses as a result of sanctions and disinvestment are imprecise at best. What is known is that in four sectors of the South African economy alone, a quarter of a million South Africans have lost their jobs in the last three years through sanctions and economic recession. Of the 600,000 who enter the labor market each year few, if any, will gain full-time employment. As each wage earner supports approximately six dependents, the scope and scale of the suffering is immense.

And again, isn't this what black South Africans themselves have demanded? The answer is no. In one opinion survey after another, irrespective of who has framed the question, the response has remained constant: only 25 percent are in favor of sanctions and disinvestment if this means that they will suffer personal hardship. These results were reflected again in a recent German poll that went over the heads of the radical National Union of Mineworkers to put the question directly to workers in South Africa's coal industry. The discrepancy between the opinion of the union executive and its members is not difficult to explain. The NUM leadership, like that of other radical black unions in South Africa, believes that capitalism is the ultimate enemy of the socialist state it seeks to install and is willing to sacrifice its membership to destroy it.

Other unions, however, have proved a little more willing to temper their ideology in the interests of their members. In a case that should be familiar in the United States—courtesy of Congressmen Wolpe and Gray—Ford Motor Company engineered an unusually graceful pull-out from South Africa after threatened boycotts of its products by U.S. state and city governments had made the choice inevitable.

Faced with the option of sacrificing 4,500 jobs with the close-down of Ford's South African plant, or modifying its stance on capitalism, the National Union of Metal Workers of South Africa agreed to a deal whereby 18 percent of Ford's 42-percent South African holding went to Ford's partner, the Anglo American Corporation, and the remaining 24 percent went to the workers themselves in a unique share offer, the dividends of which would be plowed into black community welfare projects. Moreover, for the first time in history black workers will join management on the board of a South African company. To keep its former plant open, however, Ford agreed to transfer $64 million to discharge the company's debts.

It was then that Mr. Gray and Mr. Wolpe woke up and, studiously ignoring the wishes of the very unions they have so assiduously cultivated in the past, tried to block the transfer under the sanctions ban on new investment in South Africa.

Their efforts, however, pale into insignificance beside the work of Congressman Charles Rangel who, while the Administration slept, quietly slipped the most savage sanction yet into the Budget Reconciliation Act, imposing double taxation on the 100 or so U.S. companies still operating in South Africa. Faced with a bill of $57 million most, if not all, will eventually decide to pack up and go home.

It was indeed a savage sanction, but savage for whom? Not for South African business, to whom Rep. Rangel gave the best present in years: a golden opportunity to snap up another rich harvest of American bargains at giveaway prices. But it was a gloomy Christmas for thousands of black workers whose jobs will be imperiled, and it offers an even more dismal prospect for those South Africans who cling to the belief that American influence is a force for good. Influence entails presence and there will, through Rangel's cunning contrivance, shortly be no American presence in South Africa.

Of course, the congressman and his fellow believers are not and never have been interested in influencing events in South Africa. Their overriding interest is influencing the American voter, who has been convinced, largely through their efforts as transmitted by an applauding press, that opposition to sanctions is analogous to racism.

There are those who would argue that it is racist to take from the black and poor and give to the rich and white; that it is racist to ignore the wishes of black workers; that it is racist to deprive black men of their jobs and condemn their families to penury, to strengthen South Africa's white rulers in

their intransigence, and to deprive the United States of any means to persuade them otherwise.

But the people who might begin to say such things are poor and far away. And they do not vote in the United States.

TRIBUTE TO ADELINE (DEL GENIO) CARELLI

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BILBRAY. Mr. Speaker, I rise today to mourn the passing of an outstanding Nevada community leader and participant, Adeline (Del Genio) Carelli.

Born in Chicago, IL, on December 11, 1910, Mrs. Carelli later moved to Las Vegas, NV. Adeline was married to Dr. Paul V. Carelli in 1936. Mr. and Mrs. Carelli shared three lovely children. She was a devoted mother and grandmother. Her eldest son Paul V. Carelli III, is an outstanding Las Vegas attorney. Her son Michael, and daughter Carol Ann are school teachers in Chicago, IL. Her grandson, Paul Carelli IV, attends Notre Dame University and grandaughter Nicole is a senior at Santa Catalina Prep School in Monterey, CA.

Adeline Carelli was an active member of the Las Vegas community, she was a participant in the St. Giles Church Guild, the Clark County Medical Wives Auxiliary. Prior to her move to Nevada she was a member of the Chicago club.

Mrs. Carelli donated many long hours to the community through St. Anne's Hospital Medical Auxiliary, Loyola University Women's Auxiliary, Trinity High School Mother's Club, and the Champion High School Mother's Club.

As a woman with a great interest in the world, she took every opportunity to travel, visiting much of the world and sharing her experiences with her loved ones.

In her large circle of friends and acquaintances she was more commonly known as the Grand Lady.

My wife, children, and myself had known Mrs. Carelli for over 20 years. We know that the loss to her family and friends will only be lessened by the memories of her deeds and kindness left behind.

Mr. Speaker, I ask you and my colleagues in the House to join with me now in recognizing this outstanding individual taken from her family and the Nevada community. Adeline Carelli's absence will be sorely felt by all members of the Las Vegas community.

THE SECOND ANNIVERSARY OF THE NEW JERSEY BUREAU OF HISPANIC ENTERPRISE

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. COURTER. Mr. Speaker, 2 years ago, the Governor of New Jersey, Tom Kean, had the vision to found the first State-sponsored Bureau of Hispanic Enterprise in the 50 States of the United States. As Commissioner Borden R. Putnam, of the New Jersey Department of Commerce, Energy and Economic Development, announced at the time, the Bureau's creation fulfilled a promise made by Mr. Kean to the Garden State's vibrant Hispanic community during his 1985 re-election campaign. It is also another example of Governor Kean's "Politics of Inclusion" put into successful practice.

The Hispanic population of New Jersey, including that of Portuguese origin, is among the fastest-growing in the country. The size of that community is estimated at more than half-a-million—representing about 10 percent of the entire population of the State. Hispanic-American enterpreneurs, indeed, have been credited for revitalizing previously depressed urban areas, notably in Newark and Elizabeth, and in the northern municipalities of Hudson County. Moreover, they have created thousands of jobs and have erected an economy of several billion dollars.

The Bureau of Hispanic Enterprise's main purpose originally were to advocate for and stimulate Hispanic business investments and expansion, as well as to gather and disseminate information to, and about, the New Jersey's Hispanic ethnic business sector. But in 2 years, the bureau has established an extraordinary record of achievements that has surpassed the original expectations.

Under the leadership of Bureau Administrator Roland A. Alum, the Bureau has served more than 1,200 clients, has helped create or save more than 150 jobs in the private sector, and has attained a nationwide and international reputation, all accomplished within the boundries of a carefully drafted budget.

Time has proven that the Kean administration made an excellent decision in choosing Mr. Alum, a former university educator, to head the bureau. He is well known to the New Jersey Congressional Delegation and the Washington think-tanks. Under his leadership, the bureau has expanded its services to the Portuguese-American community and has taken upon itself to strive for increasing the positive public image of Hispanic enterprises.

In recognition of his civic record, President Reagan's administration has appointed Mr. Alum to membership in the State's Advisory Commission to the U.S. Civil Rights Commission, of which he was elected vice-chairman, and to the National Advisory Committee to the 1990 Census, of which he is the only New Jersey member. Senator HATCH has also selected him for the Senate Republican Task Force on Hispanics.

I ask to have printed in the RECORD three different articles reflective of the mission and successes of the New Jersey Bureau of Hispanic Enterprises: First, the first one is a Letter to the Editors of Insight Magazine, written by Administrator Alum, which he entitled "The Little Havana of the North." Second, the second one is the pre-publication version of an article, also authored by Mr. Alum, to be published in Hispanic Entrepreneur, a new national magazine in Washington. Both of these pieces relate the spirit of innovation and entrepreneurship displayed by Hispanics, the same characteristic that motivated previous major immigrant groups to make this country so great. Third, finally, the third one is an article published in Clamor, an international Texas-based bilingual periodical which also circulates as a newspaper insert throughout the country's Hispanic enclaves. This article, "New Jersey Promoting Hispanic Enterprises," does justice to Governor Kean's commitment to foster equal opportunity to all Americans and to his sensitivity toward the community of Latin American and Iberian background. This last writing also highlights a unique public-sector program aimed at stimulating self-sufficiency in the private sector. The New Jersey Bureau of Hispanic Enterprises, indeed, is a cost-effective office, a program that works by all standards, and which has become a national model, a beam to be imitated.

I am proud of the New Jersey Bureau of Hispanic Enterprise and wish it continuous success upon its marking 2 years of existence. I also pay tribute to the foresight of the Governor who took the bold initiative to establish it and lend it support. Mr. Alum's and the Clamor articles follow:

"THE LITTLE HAVANA OF THE NORTH"

Congratulations for the two stories on conditions in Cuba and on Cuban exiles in Miami [Cover Story, Feb. 29].

Attention, however, should also be paid to the record of Cuban emigres elsewhere. Hudson County in New Jersey harbors the largest concentration of Cuban-Americans outside Miami, the "Little Havana of the North."

In the 1950's the municipalities of Union City and West New York were better-known for their burlesques than for their garment industry. By the time the mass exodus of Cubans escaping from Castro's presumed paradise arrived here in the early 1960s, the area was losing business and population.

It took barely a couple of years for Cuban-born entrepreneurs to unboard the storefronts, open up family coffee shops and convert the seamy burlesques into for-profit day-care centers and private English schools. The now-famous Bergenline Avenue ("The Calle Ocho of North") has become a veritable "Miracle Line," an example of what George Gilder has called "urban redevelopment Cuban-American style."

The Cuban exiles prove that old-fashioned pessimists are out of touch with reality. The successes of the ethnic enclaves confirm that Castro's losses are our gains.

ROLAND A. ALUM JR.,
Trenton, N.J.

THE NEW MEANING OF ENTREPRENEURSHIP

[For: Hispanic Entrepreneur]

(By Roland Armando Alum [1])

Austrian-born Peter Drucker enjoys a reputation as a leading analyst of the U.S. society despite—or perhaps especially because—of his foreign origins. In fact, he has been dubbed a contemporary Alexis deTocqueville. At the same time, he is considered the father of the inter-disciplinarian field of management. In his latest two books, "Innovation and Entrepreneurship" (1985) and "The Frontiers of Management" (1986),

[1] The author, formerly in the faculty of the City University of New York, is the Administrator of the New Jersey Bureau of Hispanic Enterprise, the only agency of its kind in the country, which was founded by Gov. Thomas H. Kean in 1986. Parts of this article are synthesized from a presentation delivered at the Hoover Institution of Stanford University on October 5, 1987. (The opinions expressed here are exclusively those of the author).

Drucker interprets and synthesises contemporary North-American management theory and practice, all within the framework of the free-market economy and the open society. Obviously, these are topics of primary interest to the readers of Hispanic Entrepreneur, our new magazine for the Latino business sector.

Analyzing the economic dynamics of capitalism, Drucker refutes some of the self-appointed "prophets of doom of recent years," as he calls them, who have "bemoaned the de-industrialization" of our country. Indeed, he notes that of all recent new businesses, half are still in manufacturing. While premature requiems were being held for the "Frost Belt," and while rites de passage were being staged for the "born again Sun Belt," only one-third of the new companies turned out to be in the southern and Western States. Actually, the northeastern States—notably New Jersey—are enjoying a remarkable economic, social and cultural renaissance, outstripping the rest of the country. As a philosopher Karl Popper would say, Drucker contrasts idealized ivory-tower pontification with empirical reality.

New Jersey, indeed, has seen some two million new jobs created since about 1982. That is more new job opportunities than in Western Europe and Japan put together. Unemployment in the Garden State is below the all-time record low national average. We are actually importing workers from as far away as Texas. The statue has become a showcase of economic recovery in a short period, fitting well into Drucker's economics observations.

One of Drucker's most notable contributions is his argument that real "technology" is driven not by electronics or new materials, but by "entrepreneurial management." Admittedly, its emergence is as much a cultural (i.e., anthropological) and psychological event, as it is a technological (or economic) one, facts that are not well understood yet by many.

He regards innovation as specifically the way for entrepreneurs to "exploit change" as an opportunity for a different business or service. Many of the franchising chains, such as McDonald's—or Casa Lupita, or La Tablita, for that matter—have not really invented anything; but these companies have combined different business concepts and have created profitable markets and new sources of employment. Likewise, as H.E. has noted in previous issues, that is precisely what Latino business people are doing all over the U.S.A.

Following the influential German economic thinker Joseph Schumpeter (1883-1950), Drucker then conceptualizes entrepreneurship as almost tantamount to innovation. As such, many large corporations may qualify as bona fide entrepreneurial. He cites General Electric as an example; one could think also of Coca-Cola under the chairmanship of Roberto Goizueta, and of Pepsico under Roger Enrico, the two bottling giants.

Of particular importance for Hispanics interested in business and management is that while much still remains to be learned about the management of the "knowledge worker," the entrepreneur does not have to be an owner, investor or employer, although these conditions may help. He/she may mobilize what real estate professionals call "OPM"—other people's money (and/or workforce)—for allocation to areas of higher yield. One essential element of that activity is the commitment of present resources to future expectations, a process that involves the "bourgeois" value of "delayed gratification" and the capitalist characteristic of risk.

In his assessment of the way in which new management approaches have developed, Drucker further dissents with elegant gusto from the views of David Riesman, Herbert Marcuse, and other popularized "gurus" of the 60's and 70's. Drucker warns that the rise of professional management—as a "social technology"—is not to be confused with the "worship of government centralization and planning." Actually, he warns that such centralization has been proven historically to create further dependency on a not-always-benevolent but increasingly ubiquous bureaucratized state, as many Latin Americans can testify from personal experience.

Since he finds macro-planning incompatible with an entrepreneurial economy, he rejects "industrial policy" of the sort now found in some countries in Europe and Latin American, and which politologist Robert Reich has proposed for the U.S. in his controversial book, "The Next American Frontier" (1983). Such proposal, Drucker argues, "is a delusion" that provokes "oceans of red ink, . . . but neither jobs not technological leadership." On this too, Latin American immigrants can offer vivid testimonies to the failures of statism masqueraded under whichever political wing rhetoric in their respective native lands, be it Cuba, Argentina or Peru.

Prof. Modesto Maidique—who is now president of Florida International University in Miami—noted in a 1983 review of the new management literature, that the perceived decline of U.S.'s competitiveness in the 70's prompted a serious questioning of hitherto accepted "sacred cows" in management theory. For example, corporate strategy is now considered a passe "American peculiarity" that should be defied by true entrepreneurial managers. To put it in Drucker's words, innovation needs to be "decentralized, ad hoc, autononic, and microeconomic." Drucker's approach thus has applicability to the private, public and nonpublic sectors alike.

Another hopeful sign for people of all ages and backgrounds is that entrepreneurship, as newly interpreted by Drucker, is not genetically transmitted; nor is it a personality, ethnic or culture-bound trait. It is learnable behavior that rests on the theory of economy and society, rather than on haphazard intuition or sheer luck. In other words, on principle, entrepreneurship has universal applicability, and we could all practice it.

When in 1831 the French writer deTocqueville visited the then still young North-American republican experiment, he wrote in his classic book, "Democracy in America" (1848), how he marveled at its economic vitality. Since then, foreign visitors and foreign born Americans—like Drucker himself as well as millions of Hispanic immigrants—have continued to admire and become part of our energetic system. By way of contrast, some in this country still cling to the anachronistic and pessimistic notion that the entrepreneurship that improved our quality of life, that made the country so prosperous and a world model, is no longer possible. If that were the case, it would be too bad, since it is now that Hispanic-American entrepreneurship is being "discovered," as the U.S. Hispanic Chamber of Commerce insists. More than one-quarter-million Hispanic firms constitute our best evidence.

The new retrograde fatalists, not coincidentally, are among those who want to "protect" North America's markets from foreign material goods, from Latin immigrants (meaning producers and consumers), and from what they mistakenly consider "offensive alien cultures and languages." One example of that embarrassing position is the pseudo-liberal former governor of Colorado, Richard Lamm. In his controversial doomsaying book, "The Immigration Time Bomb" (1985), Lamm forgets that the ancestors to many Latinos in his own home state, which ironically carries a Spanish name by no coincidence, reached that area before the Pilgrim's landing, at a time when Spain's imperial domains spread to the Mississippi and Florida.

One is reminded of the film "Alamo Bay" (1985). "Based on a true story," as the movie was advertised, it tells the saga of a Vietnamese enclave in a southern Texas fishing town on the Gulf of Mexico, and the inter-ethnic conflicts that ensued. While the Asian refugees fished as employees, they were tolerated by the local bigots; but all of the sudden hell broke lose.

The revealing point in the picture is when one of the local rednecks explains: "We thought the Vietnamese only wanted to work . . . for us; but now they want to buy their own boats!" Thus, the foreign newcomers' entrepreneurship turned them into competitors, a condition that pushed animosities to the edges of conflict and which provoked the local white sheeted Ku Klux Klan to resurface and chase out the newcomers.

That un-American and veritably regressive mentality—so visible also in the Congress that passed the onerous Simpson-Rodino Immigration Act, incidentally—makes our capitalist, free trade, and human rights talk look spurious to the rest of the world. It also reveals a profound ignorance of history and a misunderstanding of entrepreneurial economics. As Prof. Ivan Light has demonstrated in "Ethnic Entrepreneurship in America (1972), as well as famed Black economist Thomas Sowell in "Ethnic America" (1983), businesses of an ethnic/immigrant nature have been crucial to the economic evolution of the U.S.

New Jersey, again, is a good example. The Garden State is the seventh state in the number of Hispanic businesses, with 7,000 firms producing over one-half billion dollars annually. It is about the fifth state in Hispanic population with over 600,000 Hispanics, including close to 100,000 Portuguese-Americans. An urban revival and the internationalization of the commercial and cultural life have been attributed largely to Hispanic entrepreneurship in the northern half of the state, notably in the Ironbound section of Newark (along the Ferry Street corridor), in Elizabeth (along the Elizabeth Avenue strip), and in the northern municipalities of Hudson County—along the Bergenline Avenue tracks (through Union City, West New York, Weehawken, Guttenberg, and North Bergen).

More recently, author George Gilder (in "The Spirit of Enterprise," 1984), and Hoover Institution policy scholars Lewis Gann and Peter Duignan (in "The Hispanics in the U.S.," 1986), happily note how millions of U.S. Hispanics continue to demonstrate what over a century ago deTocqueville envisioned as this country's "clear, free, original, and innovative [meaning entrepreneurial] power of mind . . ." Let us continue improving on them and further prove the apocalyptic pessimists wrong.

NEW JERSEY PROMOTING HISPANIC ENTERPRISES

(By Federico Schaffler-Gonzalez)

Hispanic business is on the rise in the US, not only on the cities or areas with a high Latino population density, but also in others where mostly non-Hispanic enterprises concentrate.

One of such places is New Jersey. The Bureau of Hispanic Enterprise (BHE) has helped untangle, grow and promote around 10 percent of the Latino business and products in the Garden State in less than two years since it was formed.

Headed by Roland Alum, who has extensive academic and practical background in business, law and foreign policy, the BHE is the fulfillment of a promise made to the Hispanic population of the state by Gov. Thomas H. Kean in his reelection bid of 1985.

"New Jersey has over 600,000 Hispanic. That is almost 9 percent of the total population. It's the fifth largest Latino population in the country and we have over 7,000 Hispanic and Portuguese businesses in our state. Our bureau is a must in our community", said Alum in a recent telephone interview.

Their duties range from finding phone numbers for businessmen to translations, government-related paperwork, cutting red tape, smoothing cultural and language barriers and informing about immigration problems, among many others.

"Most of the business in our state are small, family-run, with meager budgets and incomes, except two or three big enterprises, among them Goya Foods, that is the biggest Hispanic-owned business in the country. Our job is to try to help out in whatever way is possible", said Alum.

Alum mentioned that language and cultural barrier are a serious problem for the officers of most of the 7,000 businesses within the scope of the BHE. "Over half of them either do not speak English fluently or are unable to communicate with bureaucrats and thus cannot fill accordingly licenses and application forms. It's a real handicap for them. A frustrating limitation".

The BHE will mark its second anniversary this month and expects to continue growing in their service. Alum is highly out-spoken and proud of his office and the fulfillment of Gov. Kean's promise.

"It's not often that you see this kind of bureau created out of a political promise from a candidate. Gov. Kean is unable according to New Jersey's laws to seek a third term but nonetheless created the BHE shortly after he was reelected", he said.

The BHE is the only state-sponsored office of its kind in the country and its motto is a takeoff on Kean's tourism theme "New Jersey and Hispanic businesses-perfecto together". It was originally set out to help 250 businesses and has multiplied its expectations in less than two years.

Alum commutes four hours a day to his office in Trenton from his home in West New York and is extensively involved in Hispanic affairs and programs.

"I really think it's a privilege to do what I'm doing. This is like having my own business. I love doing it", said the Cuban native who was a Fulbright scholar in Santo Domingo in the late 1970's.

The goal of the BHE is that Hispanic enterprises don't collapse or fail. We try to help and encourage investment and expansion. We keep small businesses informed on regulations and benefits they are entitled to from Federal, State and Municipal sources.

"The creation and operation of the BHE is a good investment for New Jersey taxpayers, vis-a-vis our accomplishments, including jobs saved and created. We are both proud and optimistic and expect to reach out and help more and more Latino businesses every day", Alum said.

MELVIN FEUER HONORED

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LEWIS of California. Mr. Speaker, it gives me great pleasure to set aside this time to recognize Mr. Melvin Feuer of San Bernardino, CA. Mr. Feuer will be honored for his career achievements at a retirement dinner on May 19, 1988. I would like to honor him today by saying a few words about his accomplishments during his distinguished career.

Mr. Feuer was born in Baltimore, MD, on May 20, 1923, and raised in Cleveland, OH. After the outbreak of World War II, he enlisted in the Army Air Force. Mr. Feuer was shot down during aerial combat near Krems, Austria, and was a prisoner of war at Stalag 17 for the remainder of the fighting.

After his discharge from the Air Force, Mr. Feuer attended the University of Redlands where he graduated cum laude with a degree in German. In addition to earning his bachelor of arts, he also received the award of Outstanding Senior Man and his master of arts in educational administration. Mr. Feuer then began graduate studies at the University of Zurich, Switzerland. He later studied at the University of Washington, Seattle, where he was also an instructor; and the University of California at Los Angeles, where he also worked as a teaching assistant.

Thirty-six years ago Melvin Feuer began his career teaching in the San Bernardino City Unified School District. During his distinguished career as an educator, he has not only been honored for his teaching achievements, but for his strong dedication to the community and commitment to the city's youth.

As an educator, Mr. Feuer spent his first 4 years teaching and the last 32 as an elementary school principal. His achievements as principal have included serving as president of the Elementary Principals' Association and as team leader in the area's Desegregation and Integration Program. He was also an early leader in the school district's Character Education Program emphasizing responsibility and positive values. For his accomplishments, Mr. Feuer was featured in Parents Magazine when Harding Elementary School proclaimed National Principal's Day in his honor.

As a community leader Mr. Feuer has been involved in such organizations as Kiwanis, the Y.M.C.A., and Emmanuel Temple. He has also participated on committees, conferences, and presentations at California State University, San Bernardino. In the Kiwanis Club of East San Bernardino, he has served as president and board member and has received the Legion of Honor and Kiwanian of the Year awards. He is an officer and board member of the Y.M.C.A. and has received the Citizen of the Year and Outstanding Service awards from that organization. Further, he is an officer and board member for the Temple Emmanuel and teaches Sunday school there. Throughout these 36 years as an educator and community leader he has been married to his wife, Stella, and has helped raise three sons.

Mr. Speaker, I ask that you join me in saluting Mr. Melvin Feuer. He serves as an outstanding example to us all for his dedication to this school and community. While his presence in the school will be greatly missed by all, his many contributions will serve as a reminder of the truly remarkable man he is. It is with great respect that I pay him tribute today.

NISENSON THE HATTER CELEBRATES 100 YEARS IN NEWARK

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. RODINO. Mr. Speaker, on March 12, 1888, Abraham Nisenson began a hat business, which he named Nisenson The Hatter, in Chester Row on Halsey Street in Newark, NJ. Despite the fact that this opening coincided with the great blizzard of that same year, Nisenson The Hatter weathered this storm and many others that followed to become one of the oldest retail hat stores in the United States and a familiar landmark in the city of Newark.

Although fashion and business changed, Nisenson The Hatter continued to thrive. From the silk hats of the early 1900's to the sporty caps of today, the Nisenson family have sold hats to the famous and the not so famous. This has included leading political, judicial, theatrical, sports, and financial figures. Among those celebrities who wore hats purchased at Nisenson The Hatter were Woodrow Wilson, Irving Berlin, George Jessel, and Jimmy Durante.

Today, Nisenson The Hatter, which is now located on William Street in Newark, is operated by Nat Nisenson and his son Arthur—the fourth generation of the family to direct this business which is still solely operated by descendants of the founder. What has characterized this business for the past 100 years is the high quality of its merchandise and an enduring dedication to serving its many loyal customers.

As a friend and a customer, I want to congratulate Nat and Arthur Nisenson on 100 years of business. This important occasion will be marked by a special centennial celebration on April 14. This is truly a milestone and a tribute to the hard work and perseverance of the entire Nisenson family. They have earned the gratitude of all the citizens of Newark for their unwavering commitment to our city. Through good times and bad, Nisenson The Hatter has continued to enrich our community with its long tradition of service.

Mr. Speaker, with your permission, I would like to include in my remarks an article from

the Newark Star Ledger highlighting the history of Nisenson The Hatter.

[From the Newark Star-Ledger, Apr. 3, 1986]

ANOTHER MILESTONE FOR THE "NOT VERY" MAD HATTER

(By Mark Finston)

For 57 years, Nat Nisenson has been selling hats. He started his career in the store founded by his grandfather in 1931. So even Nisenson, now 73, doesn't personally remember the big business known as slicking.

Nisenson the Hatter, on William Street in Newark, will celebrate its 100th birthday this year, an industry publication has designated the establishment as the oldest retail hat store in the country. And until 1920, slicking was a big part of the business.

The process involved silk hats. Silk hats were the rage when Nisenson The Hatter opened in 1888. Once a week, men would bring in their silk hats to be smoothed with a hot iron; the process made the hat look slick, shiny, new. The price charged was 10 cents.

Around 1920, says Nat Nisenson, men stopped wearing silk hats. Today, only magicians wear silk hats. Still, it's conceivable that someone might drop in to get his hat slicked, the first such request in 68 years.

"I'd do it," says Nisenson, who lives in Springfield. "But I don't know what I'd charge."

Nisenson, assisted by his 41-year-old son Arthur (whose license plate reads HATS-1,) is preparing the 100th birthday celebration for the store. The party, scheduled for April 14, was delayed a month from the real birthday so that no one will experience the same sort of weather Abraham Nisenson was socked with when he first opened his doors on March 12, 1888. Blizzards tend to blow hats off heads.

Guests will see fading pictures of dignitaries who needed hats in the old days; Woodrow Wilson purchasing a top hat for some inauguration, Irving Berlin—born just two months after Nisenson The Hatter opened—donning a silk hat. The vaudeville team of Jackson, Clayton and Durante used up many hats on stage, and when they visited Newark, then a stop on the circuit, always dropped in for additional headcover. There's a 1930 photo of the be-hatted trio of Jimmy Durante, Eddie Jackson and Lou Clayton with a message to Charlie Nisenson, Nat's father: "We hope we get as much wear and tear out of Jimmy's nose as we do out of your hats."

Durante lasted much longer than the silk hat. Nat Nisenson says silk hats started to lose their shine around 1912. They blew off too easily, and not only in blizzards. They hit the roofs of those new-fangled inventions called automobiles. It was hard to keep them looking nice, and many a brother couldn't spare a dime to get his hat slicked weekly.

The derby, the hat that replaced stiff silk, was firm but lower in height, just the thing for a Model T. And a derby required no ironing.

But around 1932, the derby was no longer king of the dome.

"People wanted a softer type of headgear," says Nisenson. "The felt hat was more comfortable, more pliable. It was easily cleaned, and there were many more colors to choose from."

The silk hat and the derby were manufactured only in basic black. Felt hats were sold in black, gray and brown, not exactly peacock hues, but still an advance. Moreover, felt hats were considerably cheaper than the styles they quickly supplanted.

If Nisenson weren't wearing his hat, he'd scratch his head when asked about the styles that represented the equivalent of the 1988 mini-skirt: Hats that bombed. There weren't many.

In the late 1960s, the diamond-shaped hat proved that diamonds are not a hatter's best friend. Sales didn't sparkle. And the Robin Hood hat, a variation of the Swiss yodeling hat, didn't generate much interest here; apparently, few in New Jersey were interested in robbing from the rich and giving to the poor.

Sombreros, cowboy and safari hats never knocked many Newark noggins.

And the fact is, a great many men have given up wearing hats at all, even to formal affairs. Business is a far cry from those heady days 60 years ago when 18 salesmen were employed on Saturdays at Nisenson the Hatter.

There are a number of reasons. One is the ever-lasting complaint with low car roofs. And there's the less formal lifestyle; Nisenson is aware that many men have given up wearing ties.

"And there are hair styles," says Arthur Nisenson, who owns 40 to 50 hats, from safari to dress. "Men feel they don't want to mess up their hair with a hat. I suppose that started when hair styles replaced hair cuts."

Moreover, the number of places to get hats cleaned and blocked has declined. Presumably, men would stop wearing suits too if most dry cleaners were to close their doors.

In many instances, caps have replaced hats. Caps are half the price of hats, easier to carry, far more colorful and many are hand washable.

There are fashion doomsaysers who predict that someday the necktie will be as extinct as the white tie. But Nisenson never sees a day when the first element in Irving Berlin's fashion trio of top hat, white tie and tails will be extinct.

"Man will always have something on his head," Nisenson declares. "You're always going to have to protect your head against inclement weather, cold weather, sun."

He admits that if someone had told his Abraham Nisenson in 1888 what the store would contain in 1988, "He would have said, 'You're crazy.' There was such a demand for silk hats, he couldn't envision that demand would ever end."

If one of Nat Nisenson's five grandchildren should continue in the hat business, Nisenson would be as hard-pressed as his grandfather to predict what hat styles will be like 100 years hence.

But unlike Abraham Nisenson, Nat wouldn't characterize anyone who came up with a heady prediction as a mad hatter.

"I know something my grandfather didn't," he says. "When you're dealing with hats, anything can happen."

He still keeps an antique iron around, just in case someone arrives in a silk hat and requests the lid be slicked.

THE REPORT CARDS ARE OUT, AND HERE'S THE HONOR ROLL AND THE SUSPENDED FROM SCHOOL LISTS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. STARK. Mr. Speaker, the monthly magazine, Washington Monthly, recently published a thorough analysis on the best and worst public interest groups working in the Nation's Capital. The article, written by an excellent writer, Rita McWilliams, should be required reading for lawmakers, lobbyists, and enlightened constituents. As the article states, "The successes of the best and the disappointments of the worst offer important lessons for those committed to the public's true interests."

I've excerpted the references to best public interest group, Citizens for Tax Justice, and the worst public interest group, the National Committee to Preserve Social Security and Medicare.

THE BEST AND WORST OF PUBLIC INTEREST GROUPS

(By Rita McWilliams)

Twenty-five years ago a young Lebanese-American set up shop in Washington, D.C. Like those of most young entrepreneurs, his was a shoe-string operation. He became famous when the press discovered that his adversary, one of the nation's largest and wealthiest corporations, had sent a private eye out searching for ways to discredit him.

A quarter century has passed since Ralph Nader began his successful crusade against General Motors's deathtrap, the Corvair. Before Nader was finished, he had revolutionized the auto industry, instituting the use of shatter-resistant glass, shock-absorbing bumpers, collapsing steering wheels, and seat belts.

But more importantly, he had changed the way Washington works.

His example activated citizens across the nation to fight the corporate world, the oppressive politician, the high-paid influence peddler. Today more than 2,000 groups champion a variety of causes "in the public interest." Public interest victories have put nonsmoking seats on commercial airplanes and nutrition labels on soup cans and cereal boxes. They have put smoke detectors in apartment buildings, flame-resistant clothing on children, and cleaner air in the cities and countryside.

After 25 years, this industry retains a powerful, if little-examined, position in the policy-making process. The influence of the public interest industry, and the inevitable conflicts about what constitutes "the public interest," invites a scrutiny of its work. What are the best public interest groups? What are the worst?

The manner in which public interest groups go about their work is particularly important, since they usually fight opponents with more money and manpower. Public interest groups have to rely on powers of moral persuasion. They have to be savvy about creating new constituencies for their cause and mobilizing public opinion.

At their best, public interest groups are fair and ethical; their strategies are smart,

and their goals are worthy. They are intellectually honest. They use statistics to their advantage, but without lying. Their work challenges the public to think, and sometimes challenges even the groups that fund them.

The worst public interest groups alienate the public rather than rally it to their cause. They use deceptive tactics that exploit the public's fears or hide their true intent. They enrich themselves at their members' expense. With moral credibility the industry's most precious capital, the work of the worst public interest groups threatens all those who share the public interest label.

It was not possible to examine the work of each of the 2,000 public interest groups in Washington. The following list was drawn from interviews with reporters, lobbyists, congressional aides, political scientists, and public interest leaders. It shows the kind of work to which public interest groups should aspire, and the kind which it should seek to avoid. The successes of the best and the disappointments of the worst offer important lessons for those committed to the public's true interests.

THE BEST

Citizens for Tax Justice: Groups that take on rich and powerful adversaries have to find ways to promote their cause and create new constituencies. Citizens for Tax Justice did just that. The group's determined research found that some of the nation's largest corporations paid no taxes. CTJ's savvy and fearless promotion of its findings, even when doing so made its own board members uncomfortable, helped create outrage that cut across ideological lines. This work helped set the stage for one of the most dramatic defeats that special interest groups have ever suffered: the 1986 overhaul of the federal tax code.

As a result, most Americans will pay significantly lower taxes this year—an average of $531 less for families earning between $20,000 and $50,000—and six million of the nation's poorest families have been removed from the tax rolls altogether.

CTJ was founded in 1979 in reaction to California's Proposition 13, which cut the state's property taxes and, with them, government services. With backing from labor unions, CTJ's original aim was to stop similar movements that would lay off government employees and cut services elsewhere.

The group's role in tax reform began in 1984 with Robert McIntyre, a Nader-trained lawyer who projects the image of a hard-nosed investigative reporter. Smart and serious, McIntyre seems more comfortable prowling document rooms than buttonholing legislators in hallways. He spent the summer of 1984 extracting tax data from the annual reports of the nation's largest businesses. McIntyre found that 128 large corporations had avoided paying federal income taxes in at least one of the three previous years, despite billions in profits. Then he named names. When CTJ issued a report called "The Top Ten Corporate Freeloaders," the media couldn't resist. Newspapers across the country highlighted stories about freeloaders like General Electric and Anheuser-Busch. Editors at *The New York Times* liked the part about defense contractors so much they ran it twice, by two different reporters.

THE WORST

National Committee to Preserve Social Security and Medicare: "Urgent! Important Social Security and Medicare Information Enclosed," screams the official-looking envelope. "Attention Postmaster: Time Dated Official National Committee Documents Enclosed. Expedite for Immediate Delivery."

No one knows how many elderly citizens receiving this fundraising appeal confuse it with a real letter about their Social Security or Medicare benefits. But the National Committee to Preserve Social Security and Medicare knows one thing: this kind of letter raises big money, some $90 million so far.

The letters always ask recipients to "save the Social Security system" by sending money to the National Committee. Sometimes the Committee does such a good job of imitating the government's letters that the elderly show up at local Social Security offices to pay what the letter seems to demand in order to keep benefits coming.

The National Committee is headed by James Roosevelt, the eldest son of FDR. He regularly invokes his lineage in the National Committee's letters. "Never in the 51 years since my father, Franklin Delano Roosevelt, started the Social Security system . . ." is his typical opening pitch. Invariably, what follows is a breathless description of some dastardly plot he has uncovered to do away with the Social Security and Medicare programs. "Act now," he says. Sign the enclosed petition and send $10 to become a member. "I will be very disappointed if you don't join," he adds in a P.S.

These misleading fundraising techniques have drawn fire from many members of Congress. Lawton Chiles, chairman of the Senate Budget Committee, has co-sponsored legislation with Republican Senator John Heinz of Pennsylvania that would force the National Committee to state in large print that its mail is not from the U.S. government. They drafted the bill after the National Committee sent an especially misleading letter implying that the Social Security fund would go broke unless contributions were made immediately.

Chiles, a Florida Democrat, found that those who could afford it least had given hundreds of dollars to the National Committee and that the group did little in Washington. A House investigation of the group concluded most of the funds went to a California direct mail firm, Butcher-Forde.

To counter the criticism that the Committee was invisible in Washington, it hired 13 lobbyists last year and moved into plush penthouse quarters on K Street's lawyers' lane. Then it began lobbying Congress with the same scare tactics it had used to shake down the unsuspecting elderly. Lobbyists delivered the names of nearly eight million Social Security recipients who, the Committee claimed, had signed petitions opposing Social Security cuts. The Committee did not say these "petitions" were part of fundraising gimmicks the Committee had been using for years.

Franklin Roosevelt's most important advice to the American people was to tell them they had nothing to fear but fear itself. He knew that a frightened citizenry was not a wise citizenry. His son James has exploited the corollary; a frightened citizenry is easily bilked.

"To actually attach names to those who avoided taxes was powerful," says Alan Murray, chief economics correspondent for *The Wall Street Journal* and author of a book on the 1986 Tax Reform Act. Unlike corporate tax lobbyists, McIntyre "had no budget to wine and dine anyone," Murray said. "He just kept churning out press releases and lists. He's shown what you can do with a good head, public information, and a personal computer."

As the demand for tax reform increased, congressional deliberations placed McIntyre in a tricky position with his own board. Some proposals, such as taxing fringe benefits that unions had won for their members, could have blown union support for tax reform. "He was fearless in defending what he thought was right, even if it bumped against his own bankroll," said McIntyre's friend Michael Kinsley, editor of *The New Republic*. McIntyre said he kept the union's support by stressing the larger tax picture. "We pointed out that most people would be better off overall and asked them to do their own analyses," McIntyre said. "They concluded the overall picture would be better for their members."

The unions that funded McIntyre helped publicize the cause. The Communication Workers of America held a press conference in New Jersey in which a union representative held up a General Electric light bulb and announced, "I paid more sales tax on this light bulb than General Electric paid in taxes during the last three years." The American Federation of State, County, and Municipal Employees began a penny brigade, sending lawmakers a single cent toward the deficit and saying that while it wasn't much, it was more than 128 big businesses had paid. Union T-shirts read: "I paid more taxes than Lockheed, Dow Chemical, and W.R. Grace and Co. combined."

While CTJ's funding comes primarily from liberal groups, their figures helped garner conservative support. Columnist James J. Kilpatrick used the group's figures. So did corporations who were stuck paying high taxes. Companies paying high taxes, such as Whirlpool and Ralston-Purina, began complaining about the competition's freeloading. The targets of attack squawked at McIntyre's accounting, arguing he misrepresented items like deferred tax liabilities and ignored investment incentives that help the economy. But their criticisms were lost in the swelling support for tax reform.

CTJ is now scrutinizing the corporate loopholes in state tax codes. Next on the group's list are billionaires who use real estate deals to duck taxes. Donald Trump and Mort Zuckerman beware.

MILLER SALUTES FILI-AMERICAN SOCIETY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MILLER of California. Mr. Speaker, April 9 marked the 46th anniversary of one of the most savage crimes commited against Allied military personnel during the Second World War—the Bataan "Death March."

As in every year since the late 1950's the Fili-American Society of Pittsburg, CA commemorated the "Death March" and those who died during it. The annual event, organized by Society Chairman Nino Jaromay, serves to remind both the Philippine and American peoples of our common cause during the war as the devotion to freedom that we share.

On April 9, 1942, 35,000 American and Philippine troops defending the Bataan Peninsula,

the last Allied stronghold on the Philippine mainland, surrendered to a vastly superior Japanese force. Although they were diseased and unable to replenish their supplies of food, ammunition and medicine, the defenders of Bataan had fought with skill and courage and severely disrupted the enemy's timetable of conquest in the Pacific.

The Japanese Army treated the prisoners brutally. In order to evacuate them quickly and to show their contempt the Japanese force-marched the American and Philippine troops 70 miles up the Bataan Peninsula to a concentration camp. The Filipinos and their American allies were tortured both physically and mentally, as they marched through the inhospitable Philippine jungle. Denied food and water, many collapsed and were killed by their captors. Others became ill along the march route and died later.

Approximately 10,000 men perished during the Bataan "Death March." Seven thousand of the dead were Filipino troops who had defended their homeland with distinction, despite poor training and inadequate weaponry.

Mr. Speaker, I urge my colleagues to join me in saluting the survivors of this horror who attended the recent event in Pittsburg; and I further urge that they join me in honoring the thousands who perished 46 years ago.

THE LAWRENCE EAGLE-TRIBUNE WINS THE PULITZER PRIZE

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. ATKINS. Mr. Speaker, I know many of us would prefer the newspapers in our districts to stick to printing the handouts we send them, and maybe the weather and sports reports as well. But, of course, that is neither realistic nor wise. For without a probing and contentious press, we would not be here today; indeed our democratic system would never have gotten off the ground. As scripture tells us, "the truth will set you free." In Massachusetts, however, the truth as told by one newspaper means some hardened criminals will not be set free.

It is with great pride that I call my colleagues' attention to one of the outstanding newspapers in America, the Eagle-Tribune of Lawrence, MA—recipient of the Pulitzer Prize for General Reporting.

The Lawrence Eagle-Tribune, under the distinguished editorship of my long-time friend, Dan Warner, did what every good newspaper does—it got curious, then it got mad.

When a convicted murderer who had been released from prison under the State's controversial furlough program tortured a young couple in another State, the Eagle-Tribune began reporting, investigating and editorializing. The result was a series of 175 articles in 9 months and the mobilization of State legislators on behalf of the Eagle-Tribune's call for simple common sense.

As a result of the newspaper's relentless effort, involving about half a dozen reporters under the leadership of Susan Forrest and Barbara Walsh, revocation of furloughs for first-degree murderers is now a virtual certainty.

When apprised of his newspaper's singular achievement in winning the Pulitzer, Dan Warner said something that should make all journalists proud and relieve those who worry that the press sometimes has its own political agenda. He said, "I believe that reporting has its own value. You don't have to accomplish anything, but you do have to report."

And report the Eagle-Tribune did, persistently and doggedly assaulting the stone wall of secrecy erected by State prison officials.

The Lawrence Eagle-Tribune is small as newspapers go, with a circulation of less than 60,000. But it took on a large responsibility and performed it better than many of the giants of journalism. The Eagle-Tribune, which shared the prize for general reporting with the Alabama Journal, another small newspaper, was cited for the profession's highest honor over 137 other newspapers.

This is journalism at its best.

An achievement like this is, of course, the work of many people, and I would like to pay tribute to the editors of the Eagle-Tribune, among the best in their business:

Irving E. Rogers Jr., the publisher; Daniel J. Warner, the editor; Gerry Molina, the managing editor; Joyce Heeremans, the features editor; Alan White, the city editor; Sherry Wood, the assistant city editor; Steve Maas, the news editor; Maura Casey, the editorial page editor; and the following other staff members:

Maria Alverez, Buck Anderson, Jim Arnold, Linda Baron, John Basilesco, Linda Bean, Yadira Betances, Sarah Betts, Steve Billingham, Max Bishop, Ken Braiterman, Kathy Brown, Kathy Bruemmer, Paula Bucuzzo, Bill Burt, Sherri Calvo, Bill Cantwell, Leo Chabot, Russ Conway, Elaine Cushman, Judi Dolan, Mary Beth Donovan, Bryan Eaton, Sonni Efron, Dave Eisenstadt, Joe Fenton, Mary Fitzgerald, Michael Foley, Paula Fuoco, Barney Gallagher, Wendy Gallo, Joseph Garaventa, John Gill, Sally Gilman, Pat Gosselin, Marc Halevi, Hilde Hartnett, Wendy Heath, Leigh Higginbottom, Andrea Holbrook, Leanne Jacques, Paul LaFond, Lois Marchand, Jose Martinez, David Matthews, Mike Muldoon, Jan Murabito, Joe Murphy, Bob McCabe, Kathie Neff, Elinor Neville, John O'Neil, James Patton, Eileen Pendleton, Al Pereira, Anita Perkins, Chris Plourde, Kim Proposki, Beth Quimby, Cheryl Rock, Dave Ronka, Barbara Rowell, Carl Russo, Kathy Sciacca, Steve Segal, Cheryl Senter, Dawn Shaw, Marge Sherman, Brenda Smith, Peter Smith, Eileen Stanley, Ann Marie Stephenson, Judy Wakefield, Tom Warnke, Steve Whipple, Herb Whittemore, Tania Willeman, Chris Young and Ken Yuszkus.

DEDICATION TO THE CITY OF SACRAMENTO

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a distinguished academic institution, the University of Southern California School of Public Administration's Sacramento Center as they are awarded a $15,000 grant from the Blue Cross Foundation for Health Care Effectiveness for excellence in the health field.

The School of Public Administration was founded over 50 years ago and now ranks as one of the top three of its kind in the Nation. The school's academic programs serve more than 1,500 students in Los Angeles, Sacramento, and Washington, DC. The Sacramento Center maintains strong links with the other campuses through joint programs and cooperative research efforts. The center attracts some of the finest professionals in the health care arena.

Within the school, the health administration program offers one of only four master's of health administration programs in California that is fully accredited by the accrediting commission on education for health administration. The health administration program is designed for preservice and mid-career professionals seeking to upgrade their management skills. The program also prepares its students to assume high-level positions in all areas of the health care system and to influence public policy. Graduates of the program leave with a thorough understanding of the problems and issues in the health care field.

Blue Cross of southern California created the Foundation for Health Care in order to contribute to community health efforts that make a positive impact on the lives of Californians. Blue Cross realizes that as health care consumes an increasingly larger share of the Nation's budget, professional health care educational programs are vital for the people in our country.

Mr. Speaker, on behalf of the people of Sacramento and the State of California, I want to congratulate the members of the Sacramento Center on a job well done. Their dedication to the city of Sacramento is most admirable and I wish them the best of luck in all their future undertakings.

A SALUTE TO DR. ROBERT J. IZANT, JR., GREATER CLEVELAND HEALTH PROFESSIONAL OF THE YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. STOKES. Mr. Speaker, it is an honor to salute Dr. Robert J. Izant, Jr., the recipient of the 1988 Belle Sherwin Greater Cleveland Health Professional of the Year Award. The award will be presented to Dr. Izant on Wednesday, April 20, 1988, by the Visiting Nurse Association of Cleveland for his excellence in health care service, health education, and for his tireless devotion to ensuring the highest quality health care and treatment for children.

Mr. Speaker, I join the Visiting Nurse Association and the community in saluting Dr. Izant on this important occasion. I would like to share some of Dr. Izant's accomplishments with my colleagues.

Dr. Izant was the first pediatric surgeon to serve at Rainbow Babies and Childrens Hospital of University Hospitals of Cleveland. He served as chief of the Division of Pediatric Surgery at Rainbow from 1958 to 1986. He continues as a member of the staff of pediatric surgery and is professor of pediatrics and pediatric surgery at Case Western Reserve University.

Dr. Izant is a founding member and current president of the American Pediatric Surgical Association, a Fellow of the American Academy of Pediatric Surgery, and a member of the American College of Surgeons, the American Trauma Society, the American Burn Society, the American Society for the Advancement of Science, and the Cleveland Academy of Medicine. His works have been widely published and he has served on the editorial board of the Journal of Pediatric Surgery.

Dr. Izant's dedication to children and their welfare has led him to serve on numerous boards and committees, including the Children's Aid Society, Cystic Fibrosis Foundation, Special Wish Foundation, American Cancer Society, the Child Care Task Force Committee of the Welfare Federation of Cleveland and the Child Safety Committee of the Cleveland Academy of Medicine.

In his honor, the Rainbow Babies and Childrens Hospital and Case Western Reserve University recently instituted "The Izant Symposium on Pediatric Surgery." The hospitals also announced that a new surgical suite to open later this year will be named "The Robert J. Izant, Jr. Surgical Suite."

Mr. Speaker, I take great pride in saluting Dr. Izant for his many contributions to our community. His selection as the Greater Cleveland Health Professional of the Year is well deserved.

TRIBUTE TO BOB STARRETT

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LENT. Mr. Speaker, I rise today to pay tribute to an outstanding American, Mr. Bob Starrett, who has contributed greatly to the betterment of his fellow citizens. On April 16, the Inter-Service Club of Farmingdale will honor Bob by presenting him with its "Citizen of the Year" award. At this time, I'd like to join his many friends and colleagues in recognizing Bob's significant accomplishments and many years of service to his community.

Originally from Bridgeton, NJ, Bob served in the U.S. Air Force during the Korean war. While in the service, he managed to take several courses in journalism at Oklahoma A&M and at the military's information center at Fort Slocum, NY. That's when the journalism bug got into Bob's blood for good, and upon completing his military service, Bob moved to Elkton, MD, where he worked for a weekly newspaper chain from 1955–68.

In 1969, Bob moved his family to Long Island where he joined the staff of the Farmingdale Post as editor, ultimately becoming its publisher. He continued his journalism career with the Farmingdale Observer when the two newspapers merged in 1982. Bob was a familiar face at many local events as he also served as the official photographer for the village of Farmingdale and the town of Oyster Bay.

The local newspaper is one of America's oldest and finest institutions. In today's burgeoning, sometimes impersonal, society, the local newspaper proudly serves as one of the only sources of information on community events. It offers a unique sense of small town neighborliness that is very special, sharing news about our schools, local politics and government, as well as activities involving our neighbors and friends.

Bob Starrett has dedicated his time and energy to ensuring the continuation of that fine tradition. I commend him for his commitment to excellence in his profession and offer my deepest appreciation for his many years of outstanding service to the community. I congratulate him on being selected "Citizen of the Year," and wish him and his family much happiness in the years ahead.

THE IMPORTANCE OF PRECOLLEGE MATH AND SCIENCE EDUCATION PROGRAMS

HON. LINDY (MRS. HALE) BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mrs. BOGGS. Mr. Speaker, I would like to call my colleagues' attention to the following article by Leon Ronquillo which appears in the American Institute of Aeronautics and Astronautics' "1987–1988 Directory of Engineering Education Resources." The article highlights the importance of strong precollege math and science education programs and discusses their role in preserving our Nation's competitiveness.

In order to ensure an adequate supply of technicians, engineers and scientists in the coming years, we must stimulate students' interest in math and sciences beginning in the early grades. As noted in the article, most mathematicians and scientists show an inclination toward their career choice by the end of high school.

[The article follows:]

Colleges have four years to mold into capable mathematicians, scientists, and engineers the products they receive from the high school system. Unfortunately, the U.S. education system, K through 12, has deteriorated to a point where remediation is becoming the rule instead of the exception (over 80 percent of institutions now report offering "remediation" courses and programs for entry level students.) We must strengthen science and math education in the elementary through high school level, with the emphasis being put at the middle school or junior high school level. Early learning serves not only as a base for further education, but also establishes patterns of study, talent, reasoning, and curiosity. This is particularly true in the sciences, where stimulation of intellectual curiosity and an early introduction to important principles and concepts is critical to later success. Without an interesting and involving introduction, talent is less likely to appear or flourish.

Our best students, our brightest youngsters, are the match of any; however, it is the average U.S. student from the average U.S. school that lags the students of Japan, Russia, and Western Europe, where primary and secondary school education is far superior to that in the U.S. In addition to the gifted and talented, we must focus on the great majority of "average" students. These students may choose science or engineering or a less challenging career path. We could lose these students if their first introduction to discrete science classes at the middle or junior high school level is not participatory in nature: "teach-to-the-test" and "read-and-recite" are deeply embedded in our schools and are not adequate to capture the interest and imagination of these potential scientists and engineers of the future.

Based on a national survey of engineering graduates in industry and government by Robert Perucci and William K. LeBold ("The Engineer in Industry and Government," Journal of Engineering Education, March, 1966, pp. 237–263.), most engineers had clearly shown an inclination toward their career choice by the end of high school. This decision was based largely on interest in the subject matter (viz., science and math). A recent study by NASA (NASA History Office, Dr. Sylvia Fries, Director) of their first generation of engineers bears out this finding that career choice had been affirmed by the end of high school.

To be properly prepared to enter college and pursue this career choice, a student must take at least four years of science and math in grades 9 through 12. Hence, the interest in the subject matter must be generated in middle or junior high school to allow a student to be properly prepared to enter into a math, science, or technology curriculum in college without remediation. This middle and/or junior high school period is critical for students deciding to pursue science and technology. As the National Commission on Space noted, "It is here that our next generation of engineers and scientists must be motivated." Thus the burden falls on the middle/junior high school teachers to nurture the interest of students in their first discrete science classes.

In order to meet the rising demands of industry for technicians, engineers, and scientists, school systems must increase their rate of retention to graduation at the high school and college level. This is doubly important in America today, due to the fact that the "baby boom" is ending, hence, fewer children will be available for schooling. Motivational programs, especially those that build interest, enthusiasm, and committment to science and technology will become increasingly important. Dr. Jan Roskam, former AIAA Vice President of Education, summed it up in a 1984 editorial when he said,

"Along with substantially increased research and development support for our universities, to build and maintain the competent faculties needed to deliver qualified engineers, the upgrading of our primary and secondary school educational system is essential to preserve U.S. leadership in today's advanced-technology world."

The National Commission on Space noted, "When Sputnik I penetrated the vacuum of space in October 1957, the reverberations shook the technological and educational underpinnings of the United States. A series of science education initiatives, including the National Defense Education Act of 1958, triggered a reformation of America's educational system.

This momentum has not been sustained; once again our Nation is confronted with the necessity to revitalize education * * * The Commission believes that current weaknesses in our educational system must be corrected to insure a vital 21st-century America."

LEON RONQUILLO,
Chairman, Young Members Committee 1987-88.

REMEMBRANCE OF JOHN EVANS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LEHMAN of Florida. Mr. Speaker, the untimely and sudden death of John Evans is a great loss to our community.

John Evans was a special friend to me and my family, and he was well-loved and greatly respected by all who knew him. He was the exception that proved the rule, particularly in his marriage at age 16 to Margaret, his wife of 30 years.

The story of what John Evans meant to people is told best by his family and friends. I would like to share with my colleagues the following articles from the Miami Herald and the Miami News which provide some additional insight into this remarkable man.

[From the Miami News, Apr. 6, 1988]

ATTORNEY JOHN EVANS DIES AT 46

(By Karen Payne)

John Evans, a highly rated Miami defense attorney and award-winning former federal prosecutor, died suddenly last night at age 46. A family member said today the cause of death had not yet been determined.

Law associates and friends expressed shock on learning of Evans' death. Miami attorney Neal Sonnett, a close friend, said Evans had devoted much time to service to his profession and was widely respected by his peers.

"John was a lawyer who had a rare combination of intelligence and ability, strict honesty, highest ethical standards—all the qualities in a person and a lawyer that inspire respect and admiration," Sonnett said, "I thought a great, great deal of him."

Miami attorney Jay Hogan said he had known Evans for 20 years as "a fine, fine prosecutor and a quality defense attorney. . . . He just worked too hard and was personally involved in his cases, and I guess the stress was just too much," Hogan said. He called Evans "a real credit to our profession."

Evans was a partner in the firm Zuckerman, Spaeder, Taylor & Evans where he specialized in complex white-collar criminal defense work and business incorporations.

Evans was born in Athens, Pa., in 1941 and graduated from the University of North Carolina Law School in 1966.

He was chief of the felony trial section of the U.S. Attorney's Office in Washington, D.C., from 1971 to 1975, and he served as deputy chief of the Department of Justice Organized Crime Strike Force in Miami from 1978 to 1979.

Evans is survived by his wife, Margaret, his sons, John, 26, and Timothy, 24, and his daughter, Mrs. Deborah Davidson.

Services were set for 10 a.m. Friday at St. Philips Episcopal Church at 1142 Coral Way in Coral Gables.

[From the Miami Herald, Apr. 7, 1988]

JOHN EVANS, CRIMINAL DEFENSE ATTORNEY

(By Lourdes Fernandez)

John F. Evans, a criminal defense attorney and former deputy chief of the U.S. Justice Department's Miami Strike Force, died Tuesday night in his sleep. He was 46.

The cause of his death was unknown Wednesday, the Dade Medical Examiner's office and family friends said.

He went to work Tuesday, came home and went to sleep feeling well, his wife Margaret said. He played tennis over the weekend with several friends.

"He was a person who loved life, enjoyed life," she said. "He was always able to bring a little levity into a situation."

But he took his work seriously.

"He would live his cases. He wouldn't leave them at the office," said law partner Ronald Ravikoff. "He was so dedicated to his clients."

As a junior high student, Mr. Evans knew he wanted to be a lawyer. He married at age 16, but kept his dream, giving up another. From age 8, he had played tennis and won many of the tournaments he played.

After graduating from the University of North Carolina's law school, Mr. Evans became a law clerk for U.S. District Chief Judge Algernon L. Butler. In 1968, he became an assistant U.S. attorney in the Disltrict of Columbia, rising to chief of the felony trial section.

He returned to Miami, where he was raised, in 1975 as a special attorney to the Miami Strike Force, where his biggest case was prosecuting 10 longshoremen in a waterfront corruption case that involved bribes and kickbacks. He left in 1979 to form his own law firm.

He started it alone, without even one secretary. Today, the firm of Zuckerman, Spaeder, Taylor and Evans has 15 attorneys.

In addition to his wife, Mr. Evans is survived by sons John and Timothy, daughter Deborah Davidsion and brothers Charles, Guthrie and Douglas.

Services are at 11:30 a.m. Friday in St. Philip's Episcopal Church, 1142 Coral Way. Donations can be made to the Heart Fund.

RISING FORECLOSURE RATE WORRIES FHA

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. DREIER of California. Mr. Speaker, last year, when the Housing Subcommittee began work on the Housing and Community Development Act, which was recently signed into law by the President, I raised a concern regarding the acturarial soundness of FHA Mortgage Insurance Program.

The specific concern I raised, and still have, is that FHA is not in a position to withstand significant losses. The 3.8-percent mortgage insurance premium that FHA charges is about half of what a private insurer would charge. The FHA also maintains no reserves for catastrophic loss, as do private insurers. Therefore, if the economy slid into a recession, the FHA could face multibillion dollar losses.

Unfortunately, it now appears that FHA is facing heavy losses without a recession. According to an article printed in the March 19 issue of the Washington Post, losses resulting form foreclosures are much higher than anyone expected.

I would like to submit for the RECORD a copy of that article and, again, urge that this issue, as well as the scope and mandate of the FHA Mortgage Insurance Program, be carefully examined as part of the ongoing House and Senate hearings on our Nation's housing policy.

[From the Washington Post, Mar. 19, 1988]

RISING FORECLOSURE RATE WORRIES FHA

(By Kenneth R. Harney)

The multibillion-dollar losses in the private home mortgage-insurance industry may be getting all the business-page headlines this year, but an equally significant story may be brewing quietly inside the federal government's own mortgage insurer—the Federal Housing Administration (FHA).

Newly available data on the rate of claims being filed in connection with FHA-insured home loans suggest the agency's losses from foreclosures could be sharply higher than Congress or the Reagan administration ever expected.

The losses could put heavy strains on the FHA's financial reserves, absent either a tightening of loan standards or an increase in the politically sensitive premium rate the agency charges its tens of thousands of moderate-income home purchasers every year.

An official inside the Department of Housing and Urban Development, which oversees the FHA, confirmed that recent claims rates against the agency have "set off alarm bells." But the official cautioned that "it's still too early to forecast how much trouble we've really got here."

Here are the figures that have insiders worried:

While claims for bad loans on the main FHA insurance fund averaged about 4 percent for loans written during 1975-78, actual and projected claims rates have shot to three and four times that level for mortgages insured in more recent years, including 1980, 1981, 1982 and 1984. Since current FHA insurance premium charges are tied to a break-even claims rate between 8 percent and 9 percent, double-digit claims will cut into the FHA's financial reserves.

Cumulative claims rates for selected years, such as 1981 (17.2 percent) and 1984 (8.5 percent after just four years) have analysts particularly worried. Loans insured by the FHA in 1981, for instance, could ultimately produce a claims rate of more than 20 percent, private-sector forecasters say. Any rate in excess of 15 percent is considered of "depression" magnitude.

Projected decreases in the rate of bad loans haven't materialized. In what one official termed a "really weird phenomenon," the FHA has experienced net increases in claims rates from some loan years the agency had considered relatively quiescent, such as 1978 and 1979. Typically, mortgage insurers find their highest rates of belly-up loans occur in the second, third and fourth years after settlement.

Like private-sector mortgage insurance companies, the FHA's claims problems are worst in the nation's hardest hit regional economies. Claims on standard FHA mortgages made in 1984 in the Houston region already have exceeded the 15 percent depression trip wire, with years of additional red ink yet to run. Claims on loans made in 1984 to borrowers in the Denver region al-

ready are nudging 12 percent. By contrast, 1984 loans made to New Englanders have only a 1.1 percent claim rate, claims on New York mortgages are at 2.7 percent and claims on Philadelphia region loans are at 3.9 percent.

Another FHA parallel with private insurers, according to officials, is in the type of loans causing the worst problems. The key factor in both cases is neither family income, nor price of the home. The common denominator is a low down payment. FHA mortgages with down payments of 5 percent are three time more likely to go belly up than mortgages with down payments of 10 percent or more.

Roll the two factors of economically depressed regions and low down payments together, commented one official, "and you get a very bad scene for anyone in the mortgage insurance business," public or private.

Unlike the private mortgage-insurance firms, however, the FHA has an extra thick cushion of reserves to fall back on—estimated at more than $6 billion—plus a direct line into the Treasury.

VOICE OF DEMOCRACY WINNER

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MARLENEE. Mr. Speaker, I am delighted to recognize a proud and patriotic young citizen of Broadus, MT, Miss Meliesa Hawley, for her prize-winning essay on America's liberty, sponsored by the Veterans of Foreign Wars. She came in ninth nationally in the Voice of Democracy broadcast scriptwriting contest. I trust that we will all remember that our heritage has been bought with a heavy price and that the cost to maintain our precious birthright will remain high. I salute Meliesa's contribution to remind us of our duty as representatives of the people.

AMERICA'S LIBERTY

(By Meliesa Hawley)

There are many songs written about liberty, and rightly so. Those of us who are free have something to sing about. Let me tell you why free men sing!

Liberty is freedom from bondage. Many times we find men in bondage singing about freedom. Black American slaves often sang about a freedom they believed they would find beyond the grave. They could not sing about their own freedom, because they had none. Free Americans, on the other hand, have written many songs about their own freedom. The many immigrants to the American shores have contributed to the songs of liberty. We sing of "the pilgrim's pride," and "the land of the free and the home of the brave." Free men sing because they are free to sing and because freedom is something worth singing about. Because we were born with this freedom, liberty is our heritage.

A man's heritage is his birthright. He does not earn it, or deserve it because of his own actions, but he can lose it through those actions. A birthright is passed along from father to son. At any time, the chain can be broken by a foolish or unthinking act.

In the Bible, Abraham was a rich man who owned much land and an abundance of livestock. This was inherited upon his death by his son, Isaac. Isaac would have passed it along to his eldest son, Esau, but Esau foolishly broke the chain by selling his birthright to his younger brother. Foolishly you say? Yes, because his birthright was traded for a bowl of porridge. A hungry man filled his belly once in exchange for an inheritance that would have sustained him the rest of his life.

Part of our heritage is liberty. The benefits gained from liberty are the results of protection from government interference in our lives. For example, our government is barred from passing laws that abridge or annul our right to assembly and petition. Our Constitution guarantees freedom of speech, free press, and the right to non-discrimination. We, as Americans, are fortunate. Few in the history of the world have enjoyed our freedom. We could easily lose our heritage if we don't esteem it worth its full value.

There are those who have inherited bondage rather than liberty. The Russian writer, Solzhenitsyn, tells a story of people who have inherited bondage. "Several dozen young people got together for some kind of musical evening which hadn't been authorized ahead of time by the authorities. They listened to music and then drank tea. They got the money for the tea by voluntarily contributing their own kopeks. It was quite clear, of course, in the minds of Russian authorities that this music was a cover for counterrevolutionary sentiments, and that the money was being collected, not for tea but to assist the dying world bourgeoisie. They were all arrested and given from three to ten years—one woman getting five * * * and the other organizers of the affair, who refused to confess, were shot!"

We are fortunate not to live in bondage. Abraham Lincoln described the United States as "conceived in liberty." Present day liberty originates from the Declaration of Independence and the Constitution. Our forefathers gave it birth, nurtured it, and enabled it to grow under their care. Now it is our turn. Will we take our liberty for granted? Or will we pass it on?

I choose to pass it on. I choose to sing the songs of liberty for the next generation. In the words of the singer, Lee Greenwood: "* * * I'm proud to be an American, where at least I know I'm free. And I won't forget the men who died—who gave that right to me. And I'd gladly stand up, next to her and defend her still today. Cause I won't forget I love this land! God bless the U.S.A."

SANCTIONS: WHAT HAVE WE DONE?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. CRANE. Mr. Speaker, 2 years ago my colleagues in this body overrode a Presidential veto and passed the Comprehensive Anti-Apartheid Act in the hope of providing assistance to the South African blacks in their struggle against apartheid. Since then, the plight of the blacks in South Africa has worsened. In fact, as a direct result of these sanctions the whites have been able to buy U.S. business assets at "fire sale" prices. Consequently, many blacks have lost their jobs and the benefits from the myriad of welfare programs U.S. businesses sponsored in the past. For example, after experiencing intense pressure at home to pull out of South Africa, GM sold their assets to the local management. Shortly following this acquisition, 500 black workers were fired and all company-sponsored social programs were terminated. Is this how sanctions are supposed to improve the future of the South African blacks? While America's self-proclaimed moral heirarchy claim to have set the blacks on the path to freedom, the blacks curse them for their ineptitude. It is time to stop implementing "feel good" policies to capture the hearts of the American press. The blacks need our help, not ungenuine commiseration.

In addition, the sanctions have put the United States in a completely unacceptable strategic position. By prohibiting the import of many South African strategic minerals, the United States has dramatically increased its dependency on the Soviet Union to provide these resources. Not surprisingly, the Soviets have responded by opening up new and larger mines to capitalize on this unexpected opportunity.

This situation is ludicrous. Every time we embark on a crusade to correct the many injustices in the world, we shoot ourselves in the proverbial foot. The end is always the same—the targeted unjustice is only exacerbated and we put ourselves at yet another strategic disadvantage to the Soviet Union.

I urge my colleagues to reconsider their position on the sanctions implemented against South Africa. Regardless of the intentions, irrational policies will not help the blacks in South Africa. We must work together to conceive a new policy which will serve to bring apartheid to an end. Yet, we cannot sacrifice the national security concerns of the American people in the process.

For a deeper insight into this urgent situation, I highly recommend the editorial commentary entitled "Anti-Apartheid or Pro-Soviet?" in the August 3, 1987, edition of Barron's for your immediate perusal.

[From Barron's magazine, Aug. 3, 1987]

ANTI-APARTHEID OR PRO-SOVIET? SANCTIONS RAISE U.S. DEPENDENCE ON U.S.S.R. FOR STRATEGIC MINERALS

(By Shirley Hobbs Scheibla)

WASHINGTON.—Among other things, the Comprehensive Anti-Apartheid Act, which Congress overrode a Presidential veto to pass last October, prohibits U.S. imports of any "article" from any firm connected in any way with the South African government. The law also threatens to prohibit currently legal imports of strategic minerals from South Africa one year after passage, if "significant" progress hasn't been made in establishing a nonracial democracy. While few lawmakers (and almost none of their constituents) seem to realize it, such provisions already have succeeded in sharply curtailing the flow of strategic and critical materials from South Africa. At the same time, they have made the U.S. increasingly—some say alarmingly—dependent for such imports on the Soviet Union and its satellites.

The statistics are jolting. For instance U.S. imports of chrome ore from the Soviets surged to a whopping 6,440 gross tons per month on average for the six months ended March 31, compared with a mere 479 gross tons on average during the legislatively designated base period, 1981 through 1985. Chrome, of course, is essential to the manu-

facture of stainless steel and superalloys; hence, it is vitally important in the aerospace, chemical, defense, power-generation and transportation industries. And the U.S. is heavily dependent upon imports to meet its needs. Small wonder then that upon passage of the Anti-Apartheid Act, the Soviet Union, the world's second largest source of chrome, started developing a new mine with annual capacity of two million tons.

And chrome is only part of the shocking story. Imports of antimony from Russia have risen to 98 times the total in the base period. The U.S. also lacks adequate domestic sources of antimony, which is essential for such items as bullets, computers, radar and sonar. Anticipating the new demand, Russia also is rapidly expanding production of antimony in the Soviet Central Asian republics of Kirgiziya and Tadzhikistan.

The list goes on—more Soviet ferrosilicon manganese, industrial diamonds, rhodium, platinum and silver bullion, all critical materials. Strategic imports also are up from Soviet bloc countries. Ferrosilicon and ferosilicon manganese are essential for alloyed and specialty steels used to make hull plates for Navy ships and in the bodies of military vehicles and tanks. Under the first six months of the law, monthly imports of Soviet ferrosilicon averaged 2,814,527 gross pounds, compared with 692,970 for the 1981–85 average.

Again, monthly imports of ferrosilicon manganese from Yugoslavia averaged 3,270,157 gross pounds, against the base of 2,168,352. Imports of industrial diamonds from Russia were up 100 times the base average; platinum bars and plates, up five times; rhodium up three and a half times and zinc up four and a half times. Six different categories of Yugoslav aluminum imports rose.

The law says that the President may lift any of its provisions if he determines after six months that it is causing increased U.S. dependence on Soviet and Soviet-bloc countries for strategic and critical materials and reports his finding to Congress. Even though the newly complied figures are so startling, President Reagan has no plans to do so. The reason is painfully clear. In the current climate of opinion, Congress and the media would go for his throat.

To its credit, the Commerce Department has carried out the act's mandate to give monthly reports to Congress on growing U.S. vulnerability to the Soviets or Soviet-dominated countries in terms of strategic and critical materials. But nobody on Capitol Hill seems to be paying the slightest heed.

Queried about this, Secretary of the Interior Donald P. Hodel, who also serves as chairman of the National Critical Materials Council, replied, "I don't have the answer. If you ask somebody should we buy a major component of a weapons system from the Soviet Union, they would say, 'Of course not; that's crazy.' Then should we buy the raw material that is necessary to make that weapons system from the Soviet Union? Of course, not. Because of the sanctions against South Africa, we are increasingly dependent on the Soviets and Soviet-bloc countries for raw materials that are essential to the defense establishment, at the very least."

To make matters worse, the House Foreign Affairs Africa Subcommittee plans hearings this fall on HR 1580, a bill by Rep. Ronald V. Dellums, California Democrat. It would repeal the Anti-Apartheid Act and substitute a much more drastic measure. Among other things, it would ban imports of any mineral from South Africa essential for military uses unless the President certifies to Congress that domestic supplies are inadequate and "substitutes for such minerals are not available." It says nothing about importing from Communist countries. Moreover, it does away with the requirement to report to Congress on such imports.

H.R. 1580 also would get rid of a little-noticed part of the Anti-Apartheid Act, which states, "The United States . . . recognizes that some of the organizations fighting apartheid have become infiltrated by Communists and that Communists serve on the governing boards of such organizations."

Incredible as it may seem, during the last Congress, the House passed the Dellums bill. The only change in the current version is an addition which would prohibit any form of cooperation, direct or indirect, with the government of South Africa by U.S. military or intelligence agencies. HR 1580 has 53 co-sponsors, including Rep. Peter W. Rodino, Jr., a New Jersey Democrat and chairman of the House Judiciary Committee.

Sen. Alan Cranston, a California Democrat, has introduced S. 556, a nearly identical measure, on behalf of himself and Democratic Senators Ted Kennedy of Massachusetts and Carl Levin of Michigan. It differs from the Dellums bill only by deleting authorization for the President "to limit the importation into the U.S. of any product or service of a foreign country to the extent to which such foreign country benefits from, or otherwise takes commercial advantage of, any prohibition imposed by or under this Act." S. 556 now is pending before the Senate Foreign Relations Committee.

Meanwhile, ostensibly because the findings of the Anti-Apartheid Act for the first six months may be criticized as seasonal, the Administration is planning to continue the monthly reports for a full year. But if both houses of Congress pass the Dellums-Cranston bills, they may end abruptly.

Secretary Hodel, however, is considering having the National Critical Materials Council report on increasing imports of strategic materials from the Soviets. The 1984 law which created the Council calls for it to make public such critical materials "issues and concerns . . . as are deemed critical to the economic and strategic health of the nation" and to make policy recommendations to the President concerning them.

Will Hodel recommend that something be done about this country's mounting reliance on the Soviets for strategic materials owing to the Anti-Apartheid Act? First, he replies, Congress and the country must understand what's at stake. "Right now, when we start talking about solutions, people usually say, 'What's the problem,?' " he notes.

"The last time I checked," adds Hodel pointedly, "The Soviets were still engaged in killing, mutilating and bombing innocent people in Afghanistan in a clear war of aggression."

If the sanctions against South Africa were working, the Rev. Leon Sullivan (civil rights activist and General Motors director) wouldn't find a need to call for all companies to pull out of that country. Indeed, the South African Catholic Bishops Conference, which initially supported sanctions, now has published a report finding that they are ineffective. In fact, they are counterproductive. By leaving South Africa, some companies are greatly enriching the Afrikaners who take over the divested enterprises.

At the same time, several land-bound black African countries are dependent on exporting through South Africa. Sen. Kennedy is so concerned about the harm which the sanctions he has pushed for are inflicting on them that he has proposed giving them $700 million of American taxpayers' money over half a decade.

One must ask why the U.S. should believe that racial injustice in South Africa warrants action drastic enough to harm this country, but should embrace trade with the Soviet Union, which puts millions of its own people in gulags and commits untold atrocities abroad. U.S. foreign policy should have two objectives: to achieve its intended aims and to advance the nation's interests. On both counts, sanctions against South Africa have failed.

MAY 1988—MOTORCYCLE SAFETY AND AWARENESS MONTH

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BILBRAY. Mr. Speaker, in 1885, in a small town in Germany, a tinker put together what has come to be recognized as the world's first motorcycle. From that crude beginning motorcycling has evolved to worldwide popularity. Today in the United States, motorcycling is enthusiastically supported by over 5 million owners of registered motorcycles.

If enthusiasm alone was capable of sustaining the manufacture of motorcycles, then the 275–plus American motorcycle manufacturers that were in business during the first three decades of this century would still be in business today. Instead, the number of motorcycle manufacturers worldwide has dropped to less than 10. Yet, owner enthusiasm continues to be the trait that makes this industry and sport so popular.

The first signs of spring bring with it a renewed desire to get in the wind, as motorcyclists are fond of saying. The desire to ride is often coupled with apprehension. That apprehension stems from the knowledge every motorcyclist rides with—motorcycles are often overlooked by other motorists. In fact, the first words an errant driver usually utters after colliding with a motorcycle are, "but officer, I didn't see the motorcycle." A well documented statistic shows that in over 65 percent of the motorcycle/other vehicle accidents, the responsibility of the accident can be attributed to the driver of the other vehicle. Those statistics are seldom if ever comforting to the motorcyclists or the errant driver.

Motorcycle enthusiast groups have long realized that safety equipment alone is not enough to decrease the number of motorcyclists injured or killed. These groups have lobbied State legislatures for programs to train the riders to pass stricter licensing requirements and educate the driver to be more aware of motorcycles and to share the roadway. In Nevada the Motorcycle Dealers Association and the Modified Motorcycle Association of Nevada donated to every high school in the State the Motorcycle Safety Foundation film, "A Driver's View of Motorcycling." Since 1983 these two organizations have been suc-

cessful in obtaining a proclamation from Gov. Richard Bryan declaring May Motorcycle Safety and Awareness Month.

Enthusiast groups throughout the United States have duplicated the efforts witnessed in Nevada. In State after State it has been the motorcyclist who has led the efforts to strengthen licensing requirements, it has been the motorcyclist who has led the efforts to educate the nonmotorcycling public, and it has been the motorcyclist who has led the efforts for the implementation of motorcycle training programs. To my knowledge, this is the first request to have May proclaimed National Motorcycle Safety and Awareness Month. Again, it is the motorcyclists who have brought this request to me.

This request is part of a coordinated effort and motorcyclists, through their State organizations, will be using this proclamation as a cornerstone for a series of local, State, and regional events to emphasize the need for those of us who do not ride to be aware of motorcycles and to share the roadway.

FROM INSIDE THE U.S.S.R.

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. COURTER. Mr. Speaker, activists who are following events inside the Soviet Union, especially the efforts of Armenians seeking to reunite the Nagorno-Karabakh region with the Armenian SSR, have come by some very good information recently. Their telephone calls to Sergei Grigoryants, founder of the new magazine Glasnost, yielded valuable insights into the status of the demonstrations in Nagorno-Karabakh, as well as Soviet efforts to suppress the new Moscow-based periodical.

Mr. Speaker, my own efforts to track these important events have been benefited by the summary of these conversations with Grigoryants which was prepared by the Seattle Peace and Freedom Coalition. Published as a coalition press release on March 27, the text of the release is worthy of a wide audience, and I ask that it be reprinted here.

SEATTLE PEACE AND FREEDOM COALITION LEARNS OF SOVIET GOVERNMENT ATTACK ON GLASNOST MAGAZINE DESPITE INTERRUPTED TELEPHONE COMMUNICATION

In a remarkable long-distance telephone interview with Sergei Grigoryants in Moscow, interrupted by Soviet authorities after fifteen minutes, eight members of the Seattle Peace and Freedom Coalition learned that the offices of Glasnost magazine in Krotovo (a small town outside Moscow) were attacked by "hooligans" Saturday night, who broke the door and windows.

"We called the police and asked them to come," said Grigoryants. "Their reply was: 'We know everything,' and they refused to come."

This attack comes one week after the poisoning of the watchdog that guarded the offices and an intimidating visit by six cars full of uniformed KGB personnel to the offices of Glasnost while an "open house" was in session. The KGB demanded to see identity documents of all those attending the open house and sought also to intimidate them into leaving, in order to gain access to files and information in the offices. A telephone call to a Western TV crew in Moscow, who promised to send a crew to Kratovo, finally persuaded the KGB, after three hours of harassment and intimidation, to leave.

But the intimidation has reached new heights in recent weeks. Grigoryants expressed alarm about articles recently appearing in the Soviet press, attacking his magazine. "These are a type not even from the Brezhnev era but from the Stalin era. An article in Literaturnaya Gazeta declared that the events in Armenia were the work of the CIA, and that we assisted in this."

Glasnost magazine was started in Moscow in June 1987 by Sergei Grigoryants, a literary critic who spent several years in prison for his human rights activity. It is an independent voice of public opinion in the Soviet Union and has published seventeen issues—the most recent one on the demonstrations in Armenia and Azerbaidjan—despite mounting intimidation and harassment from the authorities. Paruir Airikyan, also associated with Glasnost, was recently arrested for reading a telegram at a press conference in Moscow that accused Pravda of falsely signing the name of an Armenian writer to a story that condemned the recent massive demonstrations as the work of extremists collaborating with foreign interests.

Other important information that members of the Seattle Peace and Freedom Coalition received before the telephone line with Grigoryants was cut included:

The ferment in Nagorno-Karabakh and Armenia that originated over nationalist issues (Nagorno-Karabakh—an area about the size of Long Island—is a predominantly Armenian region of Azerbaidjan whose residents would like to be under Armenian administration) has converted into a broader movement for democracy and self-determination within Armenia.

Armenians have demonstrated unusual amounts of "patriotic courage and discipline." "They strictly observed all demands of the law," reported Grigoryants. "The essence of the matter is that we are dealing with the very will of the people. It is a totally surprising expression of the possibility of democracy, not to mention the fact that the local authorities also behaved quite responsibly. What is happening now in Armenia, what the Moscow authorities are doing, in actuality is a reprisal not against a national movement—or not only against a national movement—but a reprisal against a democratic movement."

Authorities in Moscow are trying to foster hatred and fear between nationalities in the Caucasus region in order to intimidate Armenian democratic activist. The Georgian Communist Party First Secretary, Potiashvili, recently summoned Georgian dissidents to explain that if Armenian demands with respect to Nagorno-Karabakh were granted, "Georgia will be next," implying that Armenians wished to annex Georgia.

Also, on a Georgian television program, the Minister of Internal Affairs declared that people found to be participating in demonstrations would be liable to charges of "aggravated hooliganism," the maximum penalties for which he said, "we decided to raise from three to five years."

Consistent with the policy of exacerbating national divisions and mistrust, the authorities have moved 15,000 policemen of Azerbaijani nationality into predominantly Armenian Stepanakert in order to prevent demonstrations this past weekend. Had demonstrations occurred, the likelihood of bloodshed such as occurred in Sumgait recently would have been higher, given the decision to send in so many Azerbaijani police.

The bloodshed in Sumgait (Azerbaidjan) was much higher than reported in the West. Instead of several score dead, as reported in the West, Grigoryants alleged that the dead numbered "in the hundreds in Sumgait alone."

Efforts to cover events in Armenia by Glasnost magazine have been blocked by Soviet authorities. Andrei Shilkov, a reporter from the magazine who flew down to Erevan was not allowed to leave the airport. KGB officers forced him to fly immediately back to Moscow.

This was the third time in five months that members of the Seattle Peace and Freedom Coalition have spoken with Grigoryants and others in Moscow working to establish a free press in the Soviet Union. Besides Grigoryants, the Coalition has also spoken with Lev Timofeyev, leader of "Press Club Glasnost," one of the many independent "clubs" that have sprung up in the Soviet Union where citizens discuss topics of mutual concern to them.

The Coalition attempted to speak with Timofeyev Saturday night, but succeeded in doing so for only one minute before the line was cut. On a second attempt, his wife answered the telephone and was heard to say, "It's no use, we cannot talk. They won't let us receive international calls," before the line was cut again.

The Seattle Peace and Freedom Coalition works to strengthen compliance with the Helsinski Accords, believing that peace between the two blocs will be secured when the principles of those accords are realized in the practices of the signatory nations. A copy of this press release has been sent to Senators Adams and Evans, who are travelling to Moscow later this week, along with the following statement of the Seattle Peace and Freedom Coalition:

"The Seattle Peace and Freedom Coalition condemns attacks on Glasnost magazine by the KGB and calls for an immediate end to them. These attacks totally contradict the principles of the Helsinski Accords, signed by the Soviet Union. We ask Senators Adams and Evans also to condemn these attacks when they are in Moscow and to meet with Sergei Grigoryants and other staff of the magazine, in order to demonstrate the solidarity of the people of the State of Washington with those working for a free and democratic press in the Soviet Union.

"The Coalition also notes that the deliberate interruption of telephone communication between private individuals violates international telephone and telegraph conventions as well as the spirit and principle of improved U.S.-Soviet relations."

The Seattle Peace and Freedom Coalition is composed of ten organizations representing several thousand Americans in the Puget Sound area committed to full implementation of the Helsinki Accords.

FATHER PETER COSTARAKIS HONORED

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LEWIS of California. Mr. Speaker, it gives me great pleasure to set-aside this time to recognize Father Peter D. Costarakis of St. Prophet Elias Church of San Bernardino, CA. Father Costarakis will be honored on May 1, 1988, for serving 25 years as a priest of the Greek Orthodox Church. I would like to honor him today by saying a few words about his accomplishments during his distinguished career.

Mr. Costarakis was born in Dara, Greece, on June 10, 1937. His father, a priest of the Greek Orthodox Church in Greece, was invited to serve the Greek Archdiocese of North and South America. The family arrived in the United States on December 23, 1946, settling in Lewiston, ME.

In 1963, Peter Costarakis received his bachelor of arts and bachelor of divinity in theology from Holy Cross Seminary in Brookline, MA. In 1970 he received an S.T.M. from St. Vladimir Seminary in New York. He was ordained on March 17, 1963, by Metropolitan Germanos at the St. Sophia Church in Albany, NY. Father Peter Costarakis represents the fifth generation of his family to enter the priesthood.

Father Peter has exemplified a dedication to the ministry which few possess. From 1963 to 1964 he dutifully served the entire State of Montana as a missionary priest after which he moved to Troy, NY, where he served as priest for 14 years.

During his stay in New York, Father Peter founded and served as president of the St. Andrew Orthodox Brotherhood of upstate New York and was cited by Nelson Rockefeller for his accomplishments. In addition to his already demanding church duties, Father Peter also served on the board of directors of the New York State Red Cross.

In 1978 he moved to San Bernardino, CA where he still resides and continued his philanthropic ways. In southern California, Father Peter has served on a multitude of Church councils and commissions. He is a member and past president of the Southern California Orthodox Clergy Council. He also occupies the position of orthodox chairman of the Orthodox-Roman Catholic Dialogue Commission of the Archdiocese of Los Angeles. Further, he presently serves on the Diocese of San Francisco Mixed Council, the Diocese of San Francisco Presbyters Council, and the San Bernardino Ministerial Association.

Although Father Peter's service to his church is in itself commendable, the honors and awards Father Peter has received throughout his professional life represent the feelings of those who have been most familiar with the work he has accomplished. In addition to the honors previously mentioned, in 1979 Father Peter was awarded the title of steward of the church and later was named protopresbyter of the Diocese of San Francisco. Father Peter currently holds the position of liturgical officer of the Greek Diocese of San Francisco, and in June 1988, will be awarded the title of protopresbyter of the Ecumenical Patriarchate of Constantinople.

Mr. Speaker, I ask that you join me in saluting Father Peter Costarakis. He serves as an outstanding example to us all for his dedication to the improvement of his church and his community. It is with great respect that I pay tribute to him today.

HONORING THE MEMORY OF DR. MARTIN LUTHER KING, JR.

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. RODINO. Mr. Speaker, 20 years ago our Nation lost a leading voice for justice and freedom. The assassination of Martin Luther King, Jr. on April 4, 1968 was one of the most tragic events in American history.

Dr. King was still a young man when he was killed and he was deprived of the richness of a long life. We were also deprived of the presence and the wisdom of this great man. I know that I still miss his voice of inspired leadership as deeply now as during the first months after his death. Throughout the past 20 years as we worked to honor our commitment to ensuring a fair and just society for all Americans, Dr. King's firm, resolute, and confident voice would have provided inspiration and encouragement.

But Martin Luther King, Jr.'s voice does live on because his dream was stronger than life and more powerful than death. It lives on in the effort to guarantee a decent quality of life for every citizen. It lives on in the vigilance necessary to preserve equal opportunity for all Americans. It lives on in the international struggle for human rights. Throughout the world, wherever people are searching for peace or striving to overcome injustice—Dr. King's voice and his dream continues to provide inspiration and comfort.

Dr. King's voice also lives on in the hearts and minds of all Americans as we continue to nurture his dream. This was reflected in the outpouring of respect and emotion across the United States on the 20th anniversary of his death.

Mr. Speaker, my own city of Newark, NJ honored the memory of Dr. King on April 4, 1988 with a ceremonial groundbreaking for the Martin Luther King, Jr. Courthouse. I am proud to have sponsored the legislation naming this new courthouse after Dr. King. It will serve as a living memorial and reminder to future generations of the true greatness of Martin Luther King, Jr. With your permission, I would like to include the following article in my remarks.

[From the Star Ledger, Apr. 5, 1988]

KING HONORED—OFFICIALS BREAK GROUND FOR COURTHOUSE

(By Frederick W. Byrd)

Ceremonial groundbreaking for the $60 million Martin Luther King courthouse in Newark was held yesterday afternoon as speakers, noting it was the 20th anniversary of King's death, said the building would be a symbol of his life's ideals.

"Years from now, little children will look at this building and ask, 'Who was Martin Luther King?' " said Sen. Frank Lautenberg (D-N.J.). "So the story will be told again."

Construction of the $60 milion, five-story federal courthouse is to begin this year and be completed in 1990, acording to spokesmen for the General Services Administration (GSA).

It will add 15 new courtrooms to the seven federal courtrooms now located in Newark.

GSA spokesmen estimate the 350,000-square-foot structure will provide about 800 jobs.

While praising the building, Newark officials said there was a "downside" to the development in that it is another building in Newark that will not pay property taxes.

"It is my hope and the hope of my council colleagues that the federal government will provide an in-lieu-of-tax payment," said Council President Henry Martinez.

The audience assembled in the second-floor conference room of the Rodino Federal Building for the formal ceremonies and unveiling of a model of the new building.

They held a 30-second silent tribute in honor of King, who was assassinated on April 4, 1968, while arranging a march to help sanitation workers in Memphis, Tenn.

Then the officials went outside to the courthouse site—Walnut and Orchard streets—to turn the ceremonial first shovelfuls of dirt.

Mayor Sharpe James noted King came to Newark during the last week of his life.

"I remember he spoke at South Side High School (now Malcolm X Shabazz High School) which is my alma mater and Mayor (Edward) Koch's alma mater.

"He told the youngsters to 'burn the midnight oil . . . learn, baby, learn.' "

"Even in death," the mayor said, "he lives on, he still shines like a bright star."

"This building underlines his idea that justice should never be out of reach for all Americans," he added.

"If Dr. King were alive today he would be concerned about justice for all. By dedicating this courthouse we can relive the whole dream and purpose of this great humanitarian."

Lautenberg, who along with Rep. Peter Rodino (D-10th Dist.) sponsored legislation naming the structure after King, said, "He told us injustice anywhere is a threat to justice everywhere. The courthouse will be a daily reminder of that."

John Alderson, acting national administrator of the GSA, said naming the building for King is appropriate because "he gave his life in pursuit of justice for his fellowman."

The courthouse will mean "a net expansion of the number of judges and facilities in Newark, making Newark truly a federal judicial center," said William Diamond, the GSA regional administrator.

Essex County Sheriff Thomas D'Alessio said the new courthouse will further the ends of justice in Newark. "This centralizes the location and is a great honor for the city," he said.

Allen Trousdale, the project director, described the building as a contemporary design, "but an interpretation of the neoclassical style of the existing government buildings nearby."

"We set the roof line of the King building at the same level as the cornice of the present courthouse across Walnut Street," he said.

"There is a one-story stone base to support the main facade. The main body of the building has a portico and colonnade of pilasters, capped with a cornice of the top floor."

Inside, he said, "The primary facilities are organized along a major east-west corridor which passes all the courtrooms.

"A skylighted central rotunda divides the east and west wings, while an outer ring of offices, separated from the core by a private circulation corridor, provides secure access to judge's chambers."

The 100-by-300-foot plaza on Walnut Street is to be planted with trees and shrubbery.

The structure was designed by the Grad Partnership of Newark.

Councilman Donald Payne said he hoped a plan could be worked out "so that distressed cities, at least, could receive in-lieu-of-tax payments for federal buildings."

James agreed he is concerned that no property taxes will be paid.

"Newark, because of the significant number of federal, state and county buildings we have, should receive some funding," he said.

"I feel we need a permanent formula so we will automatically receive such payments on any government buildings.

"We are gaining a beautiful edifice," he said. "But we are giving up three acres of valuable land that is ripe for development, strategically located in the city."

Martinez noted, "The new construction will bring vitality to a section of the downtown area that is and has been an eyesore.

"It will also create hundreds or thousands of jobs for our local residents and generate parking and payroll taxes for the city."

But, he said, "There are no ratables" from the structure.

"Since the city of Newark must provide the necessary services, garbage collection and police protection, for this structure and its inhabitants, the burden of its upkeep falls on our local taxpayers," he noted.

When asked about this, Diamond first noted the federal government and not the city will take care of garbage disposal and maintenance of the structure.

And he added: "This will be such an economic shot in the arm for the people and city of Newark that it will not be a burden." He said there is no plan now to give the city any in-lieu-of-tax payments.

TRIBUTE TO WINSTON EDWARDS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. STARK. Mr. Speaker, it is with great pleasure that I share with my colleagues the recent contribution of a constituent of mine to the cause of deficit reduction. I am speaking of Winston Edwards, an aircraft engine repairer for Alameda's Naval Aviation Depot. Mr. Edwards is responsible for saving the Government $11 million a year.

This savings will result from Mr. Edwards' suggestion that $18,664 combustion engine liners with cracks be repaired instead of scrapped, as had been the common practice. After throwing away 10 of these liners in 1 day, Mr. Edwards knew that something had to be done to stop this wasteful practice.

Under the Beneficial Suggestion Awards Program, Mr. Edwards demonstrated that these engines could be repaired by a simple procedure. As a reward for his ingenuity, Mr. Edwards has received a total of $35,000—the highest cash award given to a civilian employee under this program.

Mr. Edwards, born in Jamaica, is an outstanding example of how immigrants have enriched our country. I am proud to have him as a constituent. It is innovative and ingenious people like Mr. Edwards that make America great. I hope that he enjoys his reward and the new found fame he is experiencing—he certainly deserves it.

SAN PABLO CELEBRATES 40TH ANNIVERSARY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MILLER of California. Mr. Speaker, I rise today to congratulate the city of San Pablo on the celebration of its 40th anniversary. This special occasion affords us wonderful opportunity to pay tribute to the city fo San Pablo and recognize those who have contributed to the success of this city.

The city of San Pablo was incorporated on April 27, 1948, but the roots and rich history of San Pablo reach back into the early 1880's. San Pablo, being one of California's oldest established communities, was the retirement home of the first Governor of Alta California, Juan Bautista Alvarado. It is this rare combination of a rich cultural history and modern industrial growth that have made San Pablo the outstanding city that it is today.

Since its incorporation in 1948, San Pablo has experienced rapid growth and is now the home of outstanding educational and medical facilities such as Contra Costa College and Brookside Hospital. The city has also worked on revitalizing commercial centers and has recently seen a substantial growth in the number of new homes throughout the community. Not only can San Pablo celebrate its rich cultural history, but it has an exciting future to which it can look forward to as well.

The past successes and bright future of the city of San Pablo can be attributed to the citizens and businesses who reside in San Pablo as well as to the elected leaders of the community. Mayor Kathryn Carmignani along with Vice Mayor Sharon Brown and the other city council members Harvey Armstrong, John Koepke, Joseph Gomez, and Marie Daniels have contributed immeasurably to both the present and the future of San Pablo.

I am very proud to represent the city of San Pablo and know that my colleagues in the U.S. House of Representatives will want to join me in congratulating them on this special 40th anniversary.

EDDIE BOLAND: THE CONSCIENCE OF CONGRESS

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. ATKINS. Mr. Speaker, EDDIE BOLAND has been the conscience of Congress, whether it's been on foreign policy of his steadfast commitment to decent and affordable housing for all. His record or service to the Commonwealth of Massachusetts, his constituents in the Second District and the entire Massachusetts delegation stands as a monument to commitment and integrity.

He is retiring at the top of his form. Through more than 53 years of public life and service in the House under 7 Presidents for more than 35 years, EDDIE BOLAND has been steadfast and loyal to his constituents, his party, and his country. Although political trends and fashions changed, EDDIE BOLAND never wavered when it came to standing up for his ideals. He functioned in a quiet way and seldom took credit for his works.

I particularly appreciated his commitment to Paul Tsongas' dream of an urban national park in Lowell, which was an idea met with tremendous skepticism when Paul first proposed creating a national park in a declining mill city in the Northeast. Thanks to EDDIE BOLAND, every year since then, Federal funding has been available, and now the park is a jewel in the National Park Service System, and it has turned around the city.

I know I'll be able to count on EDDIE'S friendship and advice after the returns to Springfield. I wish him and Mary well in the future.

TRIBUTE TO THE AUBURN CIVIC SYMPHONY

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a distinguished group of talented musicians, the Auburn Civic Symphony, on the occasion of their first annual concert season. It is an honor to salute these dedicated performers.

In July 1987, an Auburn resident, Monroe De Jarnette, wrote a proposal for an orchestra to be presented at the Lake Tahoe meeting of the Auburn Chamber of Commerce. The proposal, well received by those attending the meeting, was then presented before a group of Auburn business people and the Auburn Civic Symphony was born. A steering committee was formed with Mr. Jarnette as chairman, Dennis Marriott, vice chairman, Vi Pharaoh, secretary, Marilyn Gehlbach, treasurer, and Gus Pearson, Bud Pisarek, and Robert Meyer completed the committee.

In the next several months, the steering committee gradually devised a plan of action. In October of 1987 the committee established its initial organization under the nonprofit umbrella of the Auburn Chamber of Commerce. The committee also created guidelines to raise the necessary funds to finance the orchestra. In November, the committee selected the very experienced and skilled Clyde Quick as its conductor. The committee then met with a group of interested Auburn musicians to receive their comments and ideas as to the selecting and programming of the symphony.

December 1987, saw the active promotion of the orchestra and also saw the symphony

receive grants from the Auburn Community Foundation and ARTcetera. Several financial and individual contributions were collected, underling the active community interest in the symphony. The symphony filed its ranks with the finest talent from Auburn in January of 1988, and founded a support group to ensure the high standards of the orchestra were maintained.

All the planning and hard work culminated in the premiere concert by the Auburn Civic Symphony on March 20, 1988. It came as no suprise that the symphony and the entire evening was a huge success.

Mr. Speaker, I want to congratulate the members of the Auburn Civic Symphony for a job very well done. Their dedication to the Auburn community is most impressive and their hard work and devotion has brought to Auburn a fine and first rate orchestra.

A SALUTE TO ROBERT J. WHITE, M.D., NATIONAL HEALTH PROFESSIONAL OF THE YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. STOKES. Mr. Speaker, on Wednesday, April 20, 1988, the Visiting Nurse Association of Cleveland will present its 1988 Belle Sherwin National Health Professional of the Year Award to Dr. Robert J. White. The award recognizes his excellence and leadership in health research, health care service, and his personal commitment to the health care of the community.

I want to take this opportunity to congratulate Dr. White upon this important achievement. He is certainly deserving of this special recognition from the association. At this time, I would like to share some of Dr. White's accomplishments with my colleagues.

Mr. Speaker, Dr. White has served as director of the Division of Neurosurgery and the Brain Research Laboratory at Cleveland Metropolitan General Hospital for the past 26 years. He also serves as professor of neurosurgery at Case Western Reserve University School of Medicine, associate neurosurgeon at university hospitals and serves on the staffs of the Veterans' Administration and Lakewood Hospitals.

Dr. White is internationally known and respected for his work in clinical brain surgery and his experimental work on the nervous system. As a result of his research, Dr. White has developed and introduced a number of new techniques of operative neurosurgery which have had world-wide application in treating spinal cord trauma and in protecting the brain during and following surgery.

Dr. White serves as editor for Surgical Neurology, Journal of Trauma and Neurological Research, and is the author of nearly 500 publications on clinical neurosurgery, brain research, medical ethics, and health care delivery. He has lectured and consulted in the United States, China, Europe and the Soviet Union. Further, Dr. White is the recipient of the 1985 Governor's Award for his research and clinical achievements.

Dr. White is also active in many medical associations. He is the past president of the Cleveland Academy of Medicine, the Cleveland Medical Library Association, the Society of University Neurosurgeons and the Ohio State Neurosurgical Society.

Mr. Speaker, I join the Visiting Nurses Association of Cleveland and the community in saluting Dr. White upon his selection as the National Health Professional of the Year. He is an outstanding individual and it is an honor to pay tribute to him on this occasion.

TRIBUTE TO HERBERT J. PLUSCHAU

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LENT. Mr. Speaker, on June 30, Mr. Herbert J. Pluschau, superintendent of Massapequa Public Schools, is retiring after 35 years in education. I'd like to take this opportunity to recognize Herb who has been a leader in the field of education and, of behalf of my constitutents, express my deep appreciation for his many years of outstanding service to the community.

Throughout his career, Herb Pluschau demonstrated a commitment to excellence in education that is worthy of the highest commendation. He first joined the Massapequa Public Schools in 1953 as a physical education teacher. Over the years, he has held many positions including varsity basketball coach (1953–62); high school guidance counselor (1958–62); vice principal at Massapequa High School (1962–67); administrative assistant in the central office (1967–72); assistant superintendent (1972–82); and finally, superintendent of schools (1982–88).

His strong leadership and impressive management skills earned him a reputation as an effective administrator, sensitive to the educational needs of the community. Furthermore, he has been instrumental in instituting several major programs which will ensure that our children receive the best possible education. With the purchase of both instructional and managerial computers, all school offices are now computerized operations, and students are being trained to participate fully in a computerized work force.

Herb launched a campaign for voter approval of two separate bond issues to make much needed safety improvements and repairs to district's school buildings. He also spearheaded initiatives to develop a board of education and to reorganize the district's secondary school division.

Needless to say, Herb Pluschau has made a significant contribution to the Massapequa Public Schools, and he will be sorely missed. His commitment and dedication are deeply appreciated, and I'd like to join his many friends and colleagues in wishing Herb much happiness and success upon his retirement.

SOUTH AFRICA MEDIA BLACKOUT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. RANGEL. Mr. Speaker, I would like to share with you my concern over the dangerous and tyrannical practice in South Africa of controlling the news. For many nations engulfed by the claws of internal strife, the idea of concealing its repressive measures from its people and the world is very attractive. Governments believe that by hiding the truth, they can contain revolt and reverse the tide of unrest.

Nothing could be farther from the truth, or more illusionary. Like all tyrannies before it, apartheid South Africa can stamp on dissent, on protest, and even on the simple truth; but, like all the other wrongs over the centuries, it cannot ultimately stamp them out—for the desire and instinct for freedom is undying.

That is the lesson of censorship; instead of controlling the reality, it makes a nation a prisoner of reality. In closing all the windows of press freedom in fear that the truth will fly out, South Africa has made itself a hostage to the evil that is within. It is too late in the struggle, and apartheid is too grotesque an evil, for the world to accept the closing of these windows.

With this in mind, I insert the following article written by Flora Lewis of the New York Times:

[From the New York Times, Mar. 13, 1988]

BAD NEWS GIVES A BETTER CHANCE

(By Flora Lewis)

LONDON.—South Africa's ban on news coverage of violent repression, especially by television, has worked in a sense. There is no longer a steaming head of outrage in the U.S. and Western Europe, or demands for greater outside pressure on the regime.

That was the conclusion of a conference here on "South Africa: Controlling the News." It was a highly critical conference, with a lot of media self-examination and ideas about how to keep information coming nonetheless.

The violence continues; more or less abstract reports continue. But there are no more shocking action pictures, and that has made a noticeable difference in public concern. "When viewers don't see the story, legislators and policymakers don't hear about the issue," said the New York-based Africa Report. It pointed out that "When even candidate Jesse Jackson doesn't list South Africa in a mass mailing as one of his principal issues, apartheid seems to 'have gone away.'"

Of course it hasn't. And of course in this discussion about the effect of muzzling the press and blinding the camera, there was reference to the violence and repression in Israeli-occupied territories.

One of the evident differences in the press restrictions imposed by South Africa and those proposed by some Israeli officials is that Pretoria's prime domestic purpose seems to be to convince the extreme right that it is capable of cracking down. Telling about the arbitrary way they are regulated, South African journalists concluded that the restraints were mainly "symbolic" as far as home opinion was concerned. The big

point, they said, was to shield South Africa's "image" abroad and ward off foreign pressure.

The message to the world matters even more for Israel, much more dependent on friends abroad. But the message to Israelis also matters as they see their sons driven to behave intolerably. The simple, tactical temptation for the Government is to order, "Don't let them see. Don't let anybody see. Then things will calm down. Trouble will go away."

South Africa understood from the Philippines that world reaction can make a difference. Some Israelis would like to suppose they can learn from South Africa to brazen out challenge by drawing the curtains.

But the real danger in both countries is that festering, hidden violence will wipe out what chances remain for negotiated settlements, which are the only alternative to vast, bloody destruction. Both Governments are doing what they can to silence the people who might talk with them. Both face mounting radicalization, on right and left, and therefore waning acceptable solutions.

South Africa may be winning some time with its blackout—not a deliberate pun though the double meaning is inevitable. But that time is for sinking further into the abyss Hennie Van Deventer, a pro-regime Afrikaner and editor of Die Volksbad, saw the major threat now from the neo-Nazi right.

Israel, which hasn't shut down unpleasant reporting, is gaining some insight that can save it from catastrophe. Former Foreigh Minister Abba Eban, writing in The New York Times, quotes the Historian Shlomo Avneri saying, "A Greater Israel is not more secure but less secure for Israeli Jews."

Ze'ev Schiff, the influential Israeli military correspondent, will have more listeners when he points out that Israel's beloved army is being drained by repressing civil disorder. "Many Israelis came to believe that the occupied territories gave Israel added security," he wrote in the Paris paper Libération. "In the light of recent events, it is evident that even if they could serve as a security buffer in a generalized war, they are fundamentally a burden which could become a military menace."

And Elie Wiesel, winner of the Nobel Prize, writes in anguished defense of his compatriots an appeal to young Palestinians "to accept a dialogue with young Israelis on the possibility of a common future." The writer who has devoted his life to evoking Jewish suffering notes that "everything depends on what you make of suffering. Transforming it into destructive hate deprives it of its dimension and ethical demand. To invoke it to justify death is to put it at the service of death," an address to both Jews and Arabs.

Such new words are of the kind that can bring a change of outlook and a solution. They come from awareness that trouble is real. They come from allowing nasty facts to be known. The advantage of controlling information is short and illusory. New hope comes when people are really enabled to understand what is happening.

LAUREL BOYS TRACK TEAM—STATE CHAMPIONS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. HOYER. Mr. Speaker, there is a group of young men in my congressional district who are superstars. They are the members of the Laurel High School Boys Track Team, and this winter they won yet another Maryland class A State championship.

This is the latest in a growing string of championships, for both the boys and the girls teams, that have become commonplace at Laurel High School.

The community of Laurel has every reason to be proud of this group of young people and they have provided us all with a fine example of dedication and teamwork.

The team is coached by Peter Adams, who has built a strong track tradition at Laurel. This team is led by Senior Mark Winkey who ran on both the 1,600 meter and 800 meter champion relay teams, and Dan Johnson who won State championships in the 300 meter dash and as part of the 1,600 meter relay team. Lamont Smith and Clarence Cooper should be recognized for their performances, as well as Jenny Athey on the girls squad who brought home two State championships. Coach Adams' able assistant coaches are Eric Morton and Patrick Raggio.

Mr. Speaker, I know all of the Members of the House will want to join me in extending congratulations to the team on their championship season. The names of the individual champions and medal winners follow:

Individual Champions: 300 meter dash—Dan Johnson, Regional, State; 1,600 Meter Run—Jenny Athey, County, Regional, State; 55 meter hurdles—Craig Champman, Regional; 500 meter dash—Lamont Smith, State; 3200 meter run—Jenny Athey, County, Regional, State.

Boy's 800 meter relay: Clarence Cooper, Mark Winkey, Regional, State; Craig Chapman, Lamont Smith.

Boy's 1600 meter relay: Mark Winkey, Regional, State; Craig Champman, Lamont Smith, Dan Johnson.

High Jump: Dan Johnson, Regional.

Other medal winners: Girls 3200 meter relay—2nd regional, Susan Lord, Katie Riley, Vanessa Proto, Janeen Winston.

Boy's 3200 meter relay—2nd Regional, 3rd State: Derrick Brown, Mike Pasqualone, Paul Trimble, Chris Deering.

Boy's 55 meter dash: Mark Winkey, 2nd County, Regional, State.

Boy's high jump: Dan Johnson, 2nd County, State; Mark Winkey, 2nd Regional.

Pole Vault: Dan Johnson, 2nd regional; Derrick Brown, 3rd Regional.

Boy's 800 relay: (Same as above), 2nd county.

A TRIBUTE TO THE HELEN KELLER NATIONAL CENTER

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MRAZEK. Mr. Speaker, I rise today to pay tribute to the many people who volunteer their time at the Helen Keller National Center for Deaf-Blind Youths and Adults in Sands Point, NY.

On April 21, the Helen Keller National Center will hold its 10th annual Volunteer Recognition Night to honor its nearly 100 dedicated volunteers. This group of volunteers represents people of all ages from many different walks of life from all over Long Island. These volunteers ably assist in the overall mission of the center. Which is to meet the full range of needs of deaf-blind Americans.

This year, the Helen Keller National Center is presenting its inaugural 10-year volunteer award. The recipient is Mr. James Mulconry, a Port Washington resident, who has for the past 10 years faithfully accompanied deaf-blind people to religious services. I join with the Helen Keller National Center in paying tribute to Mr. Mulconry for his outstanding altruistic efforts.

Mr. Speaker, Mr. Mulconry is one of many people who serve the clients of the center on a voluntary basis. Without these dedicated volunteers, the Helen Keller National Center would be hard pressed to provide its vital services.

The Helen Keller National Center was founded in 1969 and named after Helen Keller because she stood as living proof of the vast possibilities available to those with handicaps who are given care and training, and not simply ignored by society. Today the center serves more than 40,000 deaf-blind Americans through its Sands Point center, 9 regional offices, and 20 affiliates. The center is the only specialized training and research facility with the resources to meet the needs of deaf-blind citizens. I am proud to have wholeheartedly supported the efforts of the Helen Keller National Center so that it can reach as many deaf-blind people as possible.

Mr. Speaker, the Helen Keller Center's annual volunteer Recognition Night is truly a grand occasion. I know that during this National Volunteer Week, my colleagues join with me in commending the Helen Keller National Center's many wonderful volunteers.

HONORING EUGENE AMBER ON THE OCCASION OF HIS RETIREMENT

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. CONTE. Mr. Speaker, on April 1 the Berkshire Life Insurance Co. lost one of its first class executives to retirement, Eugene Amber. On matters so important to Berkshire Life and the business community of Pittsfield, I

will miss Gene's leadership and business sense. And as a resident of Pittsfield and a long time friend, I will miss Gene's strong presence in the community.

Mr. Speaker, Gene and his lovely wife Kathy have purchased a home in Florida. So not only will we miss Gene in his position at Berkshire Life, but we will also miss him as a member of the community—a community that he has selflessly supported and nurtured. And the community where he chose to raise his four children, Lisa, Deborah, John, and Gilbert.

Gene began his 35-year career with Berkshire Life immediately after finishing his service in the Marine Corps during World War II. He has held positions as a securities analyst, assistant treasurer, and securities officer as well as first vice president, senior vice president, and executive vice president of investments. Although his father served as president of Berkshire Life, Gene worked his way through BLICO's ranks relying solely on his own superb talents.

These financial management talents are matched on the golf course, Mr. Speaker. Gene is feared not only on his home course at the Pittsfield Country Club, but he has taken the top prize at the Pocantico Hills tournament in Westchester County over the past 10 years. In fact, Mr. Speaker, Gene's retirement means that Gene will become an even more formidable opponent—I can't help but wonder if he has plans for a new career.

Mr. Speaker, his love for sports and activity are nowhere more visible than in the Pittsfield Boys' Club where Gene has served as treasurer and president. Over the years, the Pittsfield Boys' Club has established itself as one of the Nation's largest and most vital Boys' Clubs. The Pittsfield Club has a membership of over 5,000 and it is the only club with a hockey rink. Gene was instrumental in soliciting $1.5 million for the construction of the gym and hockey rink at the Boys' Club in 1960.

But more important than its place among the Nation's other Boys' Clubs, is its place in the hearts and lives of almost every resident of Pittsfield. No history written about the town of Pittsfield would be complete without a chapter dedicated to the influence of the Boy's Club. Among the most cherished memories of a Pittsfield man are those of his hours spent after school or during the summer playing at the Boy's Club. It was the Boy's Club that taught discipline and drive, enthusiasm and leadership skills, and a commitment to fortitude.

In his 30 year involvement with the Boys' Club, Gene Amber has been a "memory-maker". He has given the youth of Pittsfield a chance to participate and compete. Through his fund-raising efforts, his effective management, and above all, through his complete and selfless commitment, he has made the memories possible. Largely due to Gene's efforts, the Boy's Club has taken on a vitality and life that has become an important part of Pittsfield's identity.

The same can be said about Gene's involvement with Berkshire Life. At Berkshire Life, Gene has served as the voice of wisdom. His clear vision, his sound judgment, and his own quiet confidence have been invaluable to Berkshire Life. During times when the stability of world markets could not be taken for granted, and confidence in the Nation's economy was waning, Gene was able to guide Berkshire Life on a sound course.

Mr. Speaker, Gene Amber is a gentleman in the truest sense of the word. As a golfer, community leader, business leader, and above all as a family man, Gene has always been giving and enthusiastic. And while he isn't leaving Pittsfield for good, we will miss Gene sorely.

Mr. Speaker, I just want to take this opportunity to say. "Congratulations, Gene, on a job well done."

A CELEBRATION OF THE CONTRIBUTION OF JOAO RODRIGUES CABRILHO

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. STARK. Mr. Speaker, as we approach the 500th anniversary of the voyage of Columbus, I would like to call the attention of my colleagues to the accomplishments of Joao Rodrigues Cabrilho, a Portuguese explorer whose name is revered by many. Subsequent explorers owed a great debt to Cabrilho as he led the daring expedition that discovered the coast of California.

Cabrilho first sighted the California coast in September of 1542. After 3 months of sailing without seeing land, Cabrilho and his men rejoiced at the sight of the Bay of San Diego. After enjoying a much needed rest, the voyagers set off once again, discovering what is now Santa Monica and the present-day islands of San Clemente, Santa Catalina, and Santa Barbara, and coming to rest at Point Conception on October 18, 1542.

Shortly after setting sail again, they were driven back by a storm. It was while waiting out the storm that Cabrilho met with what would prove to be a fatal accident, falling and breaking his arm near the shoulder. He nevertheless refused to turn back. Enduring the pain, Cabrilho continued his voyage up the coast, reaching a point a little north of the Russian River before being forced to turn back by a storm once again.

On January 3, 1543, he finally succumbed to the wounds he received in his fall. He was buried on Cabrilho Island, named to commemorate his courage and determination. Under the direction of his hand-picked successor, Cabrilho's dream of exploring the Northern coast was carried out.

Californians have long recognized the contributions of explorers like Cabrilho. Soon, the 450th anniversary of his voyage will be upon us. It is my hope that in commemoration of his accomplishments, Cabrilho's story will be passed down through the generations as one of the great legacies of the nation of Portugal.

FINE EXAMPLES OF THE STUDENT-ATHLETE IDEAL

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to 18 distinguished members of the Sacramento community, scholar-athletes in every respect, upon their acceptance as this years National Football Foundation Sacramento Valley Chapter's Scholar Athletes of the Year. It is an honor to salute such fine examples of the student-athlete ideal.

The National Football Foundation promotes the game of football as an integral and vital part of our students educational process. The camaraderie and sportsmanship which is found on the high school and college fields today teaches our children the meaning of hard work and sacrifice. It demonstrates to our students that with solid effort comes reward. Football instills in its players qualities such as teamwork, selflessness, fulfillment. It is with this in mind that the Foundation encourages the playing of the game at all levels. It attempts to establish the proper incentives and ideals for its participants consistent with the exacting demands made on them by their coaches, relatives and parents.

Therefore, it is with particular pride that we recognize the efforts of these gentlemen for their outstanding contributions to both the athletic field and the classroom. These young men have met the challenge of excelling in two different environments head-on. I hope you will all join me in congratulating these men for their outstanding accomplishments. I want to thank them for their efforts and I wish them the best of luck in all their future undertakings.

A CONGRESSIONAL SALUTE TO THE LOS ANGELES HARBOR COLLEGE ASSOCIATION DEGREE NURSING PROGRAM

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to the Los Angeles Harbor College [LAHC] Association Degree Nursing Program. The LAHC Degree Nursing Program is celebrating their 25th anniversary on April 15, 1988. This occasion gives me the opportunity to express my appreciation for their work on behalf of the Los Angeles area.

The LAHC Degree Nursing Program began in September 1963 with four nursing instructors, and added two additional faculty the second year. Classes were initially taught in a bungalow on the grounds of Harbor UCLA Medical Center. In June 1979, a program was started to offer a ladder for licensed vocational nurses to become registered nurses.

From this modest beginning stems a program which to date has graduated 1,215 reg-

istered nurses from its nursing program. Classes are now held in a modern nursing building with its own library, media center, and learning laboratory. Students of the program have clinical experience in nine of the local hospitals, and an average of over 90 percent of program graduates passed the State board licensing examination on the first attempt. Many of the program graduates are employed in various health care agencies, principally hospitals within the community, and many hold leadership positions in nursing in our community and in other locales.

My wife, Lee, joins me in extending our congratulations, and our gratitude, to the LAHC Registered Nursing Program, for the continuing contributions the program has made to the health care needs of our community. On behalf of the Los Angeles Harbor area, we wish the program all the best in the years to come.

TRIBUTE TO THE SOUTHERN HIGH SCHOOL LADY TROJANS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MAZZOLI. Mr. Speaker, I would like to take this opportunity to pay tribute to the 1987–88 Kentucky High School Girls' Basketball Champions, the Southern Lady Trojans, of Louisville and Jefferson County, KY.

The Lady Trojans, ranked at the top of the polls through most of the season, withstood all competitors enroute to a season record of 33 wins and 2 losses, and capped it off with a record-setting 57 to 34 victory over a fine team from Oldham County High. The victory margin was the largest ever in a girls' State championship game.

While Southern High School has a long-standing tradition of academic and athletic excellence, the Lady Trojans broke a 35-year spell to bring the school its first State championship ever. In this regard, I feel it appropriate to salute the entire southern community; the team, coaches, faculty, and students for a job well done.

Mr. Speaker, at this point I would like to insert in the RECORD the names of the players and staff members of the 1988 Kentucky Girls' High School Basketball Champions, the Southern Lady Trojans:

Players: Michelle Burden, Kim Andres, Debbie Davis, Danielle Burden, Melissa Burden, Gina Woods, Julia Hoffman, Lisa Harrison, Stephanie Grant, Pam Higgins, Cindy Collins, Mioshi Moore.

Managers: Nancy Long, Christy Zehnder, Mary Beth Lewis.

Coaches: Bill Brown, Kim Bynum, Russ Thompson.

FALL RIVER COMMUNITY DEVELOPMENT SERVICE CENTER WINS AWARD

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. FRANK. Mr. Speaker, I believe that the Community Development Block Grant Program is one of the best that the Federal Government sponsors. The taxpayers receive a great deal of value for their money in this program, and I believe that it is a mistake that funds for it have been reduced over the past few years.

One of the best examples of constructive use of these funds is the city of Fall River, MA, which has one of the most inventive and responsible programs for the use of community development block grant funds in the country. The people of Fall River have long been aware of the value of the Community Development Block Grant Program, under the leadership of their very able mayor, Carlton Viveiros. And as the representative of Fall River in Congress, I have worked closely with Mayor Viveiros and Paul Poulos, the community development director from the city, to help them make this program as successful as it has been. To their credit, they have sought and won with the help of Congress a degree of flexibility in their administration of this program that is one of the reasons it is so important to the people in the city of Fall River.

Because I am a strong supporter of the CDBG Program and proud of the good work done in Fall River, I was particularly pleased to learn that the Fall River Community Development Service Center has been selected as a winner of the Audrey Nelson Community Development Achievement Award.

The Fall River Community Development Service Center is one of the important pieces of the Fall River Community Development Program. It is headed by former Mayor Wilfred Driscoll, and as a result of the close collaboration of Mayor Viveiros, CD Director Poulos, and former Mayor Driscoll, this center has become a very important and beneficial part of the lives of many people in the city.

Mr. Speaker, I look forward to being present on Friday morning when Rev. Vincent F. Diaferio, a member of the board of directors of the CDSC since 1972, receives the award on behalf of this important project. The Audrey Nelson Award, which commemorates the important work done by the first deputy executive director to the National Community Development Association, is an important honor and I am very proud that the people of Fall River, led by Mayor Viveiros, will receive it on Friday.

LAKE SUPERIOR STATE HOCKEY WINS DIVISION I CHAMPIONSHIP

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BROOMFIELD. Mr. Speaker, I would like to congratulate Lake Superior State University's hockey team for winning the National Collegiate Division I hockey championship. This is a remarkable accomplishment, and is even more remarkable considering the fact that lake Superior State is a very small school with only 2,700 students enrolled.

During the regular hockey schedule LSSU won the Central College Hockey Association division. This division includes traditional hockey powerhouses such as Michigan State, Wisconsin, and Minnesota. Also, during the regular hockey season LSSU was ranked No. 3 in the country by the Associated Press.

Once Lake Superior State qualified for the NCCA tournament they defeated the University of Maine—ranked No. 1 during their regular season—in the semifinal game. Finally, they defeated St. Lawrence University to win the championship.

This is Lake Superior State's first ever national championship in hockey. I am very proud of this courageous team. The entire State of Michigan can feel inspired by the "Cinderella season" of Lake Superior State's hockey team.

SALUTE TO FATHER REWAK

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MINETA. Mr. Speaker, I am proud to share with my colleagues in the House the contributions Father William J. Rewak has made to people of Santa Clara County and to the students of Santa Clara University as he steps down as university president after more than 11 years of service.

Father Rewak became the 26th president of Santa Clara University on December 15, 1976, where he has centered his efforts on continuing the proud tradition of excellence in education inherent in institutions of Jesuit education. His leadership brought SCU into a new age: a new athletic facility and engineering center were built; an interlinked computer network was instituted throughout the university; and, the rerouting of the Alameda, a street which currently bisects the campus, is now underway.

In Santa Clara County at large, Father Rewak has been a member of numerous professional, civic, and charitable organizations. These organizations include the Association of Independent California Colleges, the Board of Governors of the National Conference of Christians and Jews in Santa Clara County, the National Board of Directors of the Boys Clubs of America, and the Advisory Board of the Triton Museum of Art.

Recently, Father Rewak was a main force in the hugely successful fundraising campaign at the university, an impressive effort which will help provide quality education for many deserving students for many years to come. His leadership and dynamism brought the Santa Clara family together in support of the university.

Perhaps as vital as his administration and leadership skills, Father Rewak has remained at all times a warm and personable man, with seemingly endless amounts of time to devote to the betterment of the university and our community. He has always found time to meet with students, to listen to their needs, and to offer guidance, inspiration, and academic counseling. His open-door policy has fostered genuine good will throughout the university.

Mr. Speaker, Father Rewak has served Santa Clara University and our community with distinction, working tirelessly to insure a high-quality college education for each student. He has donated his time, talent, and energies to many worthwhile community endeavors. He will be sorely missed, and I would ask my colleagues to join with me in saluting Father Rewak and extend to him our best wishes in the years to come.

HONORING MR. CHARLES FLETCHER

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LANTOS. Mr. Speaker, today I would like to recognize the achievements of Mr. Charles Fletcher, Executive Director of the President's Committee for Purchase from the Blind and Other Severely Handicapped.

As Charlie approaches retirement, his dedication and efforts should be recognized. He has devoted many years to the successful development and progress of the Javits-Wagner-O'Day Act [JWOD] which established a Federal set-aside program for procurement of quality goods and services from workshops employing blind and other severely handicapped people. Currently, over 4,500 blind and multihandicapped people and 11,000 severely handicapped individuals are employed through the JWOD Program.

The President's Committee is the Federal agency responsible for administering the JWOD Act. In his 16 year tenure as Executive Director, Charlie has been responsible for developing regulations, as well as establishing procedures and policies to continue and enhance a program which celebrates its 50th anniversary this year. Charlie has also been in the forefront of augmenting the type and number of goods manufactured and services provided to the Government by the blind and severely handicapped. When we combine these contributions with his encouragement of strong support for the JWOD Program throughout the Federal Government, Charlie has been a true advocate who has been most successful in increasing the number of jobs available to blind and disabled citizens through the sheltered workshop system. Increasingly, the program has become more sensitive to the need to include blind and handicapped individuals in managerial positions which is a positive direction just beginning under Charlie's stewardship.

Prior to his work with the President's Committee, Charlie was commissioned in the U.S. Army. He graduated from the U.S. Military Academy and the Army War College, and earned a masters degree in international affairs from the George Washington University. During World War II, he served in the European arena. Following the war, Charlie held a variety of troop and staff assignments, including an assignment in the Office of the Army Chief of Staff. He completed his military service in 1971 as a brigadier general.

The JWOD Program, and the blind and severely handicapped people who have been given a chance to be productive through this program owe much to the diligent work of Charlie Fletcher. I ask my colleagues to join me in wishing Charlie well in his retirement, and congratulating him on his work on behalf of the JWOD Program. I offer a sincere thank you to Charlie Fletcher for his commitment to improving the quality of life for thousands of blind and disabled Americans.

HONORING H. JAY CLARK

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. MURTHA. Mr. Speaker, there is probably no business area in America that has undergone the changes in the last quarter century that have affected Johnstown, PA. On Friday, April 22, the community will be honoring one of the men who has devoted himself to helping the community cope with that change—Mr. H. Jay Clark of the Johnstown Chamber of Commerce.

In his 22 years of community service, Jay Clark has seen the Johnstown community withstand the disastrous flood of 1977, a major shift in the fortunes of the coal and steel industries, a recession that left the community with the highest unemployment rate in the Nation, and major shifts in population and resources.

People who visit the Johnstown area today, however, are amazed at the revitalization of the downtown community, the attack we have made on unemployment, and the success we have shown in revitalizing and redeveloping the area economy.

At the forefront of that effort has been Jay Clark. During this crucial period in the city's history, his effective leadership on the chamber of commerce has benefited thousands of local families and the entire community.

I often note that the history of our great Nation is written less by the persons in the headlines, than by the many individuals throughout the country who work daily in helping others, giving their time to the community, and working for America's future. Jay Clark's distinguished record is an example of the difference that a dedicated individual can make, and the continuing progress in Johnstown is a living, changing memorial to his work and dedication.

I am glad to join in recognizing the outstanding civil accomplishments of Jay Clark.

THE MERGER OF PACIFIC SOUTHWEST AIRLINES WITH USAIR

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LOWERY of California. Mr. Speaker, last week on April 9, a California and West Coast institution disappeared when San Diego-based Pacific Southwest Airlines [PSA] merged with USAir. On that date, many in the West, and especially in California, lamented the passing from the scene of a truly innovative and beloved airline.

PSA has been known in the airline industry as the carrier that originated high-frequency air service at low fares. The airline's nonconformist approach to air travel—and the success it generated—revolutionized air transportation in the West and served as a model for other carriers in the United States.

PSA began service on May 6, 1949, with a leased DC-3 aircraft on a weekly flight from San Diego to Oakland via Burbank Airport. The airline quickly began acquiring more aircraft and added service to other California cities in the early 1950's. Then, in 1958, PSA entered the Los Angeles-San Francisco market, which was to become the most competitive air corridor in the country.

By the mid-1960's PSA had become the largest carrier in California, a position it will hold up to the moment of its integration with USAir. The airline was renowned for its low fare structure and a non-traditional, fun approach to commercial air travel—evident from the famous smile painted on the nose of each aircraft to the innovative uniforms worn by the flight attendants.

As the airline industry moved toward deregulation in 1978, PSA continually was cited as the prototype for the kind of carrier consumers could expect in an open marketplace—one with frequent flights and low fares.

With the advent of deregulation, PSA expanded its operation outside California, eventually becoming the largest carrier in the West, based on passengers carried.

PSA has the distinction of operating the most modern, fuel-efficient and quiet fleet of any airline in the country.

In June 1984, PSA became the first major airline in the world to fly the BAe 146-200. The carrier is the world's largest operator of this aircraft, which tests show is the quietest commercial jetliner on takeoff ever developed.

The BAe-146 fleet complements PSA's 31 McDonnell Douglas MD-80's, twin-engine fanjets that also exceed the stringent noise requirements demanded of new-generation aircraft.

Prior to the introduction of the 146, the distinction for being "the world's quietest jetliner"' belonged to the MD-80, which debuted in the United States in 1980 when it entered PSA's fleet.

PSA was cited as a leader in the airline industry when it introduced the quiet MD-80

into the domestic service; this tradition was strengthened when PSA began operation of the 146.

Currently, PSA offers more than 500 flights a day to markets that stretch from the Canadian border to the tip of the Baja Peninsula in Mexico. Airports served are Los Angeles, San Francisco, San Diego, Oakland, San Jose, Sacramento, Burbank, Ontario, Long Beach, Orange County, Palm Springs, Fresno, Stockton, Monterey, and Concord, CA; Phoenix and Tucson, AZ; Las Vegas and Reno, NV; Seattle, Bellingham, Yakima and Pasco/Richland/Kennewick, WA; Portland, Eugene, Medford, and Redmond/Bend, OR; Albuquerque, NM; and Cabo San Lucas, Mexico.

Recognizing the inexorable trend in commercial aviation, in December 1986, PS Group, Inc., PSA's parent company, agreed to sell the airline to USAir Group, Inc. for $400 million. The sale was completed on May 29, 1987, and PSA is now a wholly owned subsidiary of USAir Group, Inc.

On April 9, the process which began in December 2 years ago came to its conclusion. PSA disappeared into USAir. The majority of its employees remained, bringing an expanded smile to USAir's national route network.

THE STRENGTH OF AMERICA

HON. JOSEPH E. BRENNAN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BRENNAN. Mr. Speaker, I rise today to share with you and my colleagues an essay written by one of my constituents, Jennifer Ann Davis, of Yarmouth, ME. Jennifer's essay, entitled "America's Liberty—Our Heritage," was Maine's winner in the Veterans of Foreign Wars of the United States and its Ladies Auxiliary Voice of Democracy Broadcast Scriptwriting Contest.

I would like to highlight one idea from her script, an idea which I believe represents the strength of America;

One does not have to be a soldier or a politician to make a significant contribution to liberty. An informed citizen, exercising his constitutional rights can make a profound contribution.

Jennifer, a graduating senior at Yarmouth High School, is helping to make her contribution to liberty by writing this essay. I join her father, Joseph, an antique dealer, and her mother, an employee at L.L. Bean, Inc., in expressing congratulations to Jennifer.

I would urge my colleagues to take a moment to read and reflect upon Jennifer's thoughtful essay.

AMERICA'S LIBERTY—OUR HERITAGE

(By Jennifer Ann Davis)

Our young country of America was created with the intention of being a land of liberty and happiness. Our Declaration of Independence gives man the rights of life, liberty and the pursuit of happiness. The founders of our great nation strived to create a union of brotherhood and prosperity. These visionaries hoped to create a system that would guarantee the preservation of certain unalienable rights. It was to be a land of opportunity.

The opportunity of liberty is what we as Americans share, we all have the freedom of speech, the freedom of religion, freedom of the press—and many others stated in the Constitution. We know that we are not bound by a supreme rule—and we have prospered by this over the past 200 years. The great Democratic experiment appears to have been successful. Yet sometimes there is a question of how far one can stretch the definition of liberty. Does a reporter have the right to protect the identity of his informant when questioned in court? Does a newspaper have the right to publish profanity in their paper? Do we, as townfolk, have the right to prohibit a demonstration by the Ku-Klux Klan? These are constitutional challenges that are discussed every day in our courts. Our Supreme Court must decide whether we, as American citizens are allowed to take these liberties—or whether they violate the Constitution.

Though America's attempt to provide liberty for its people may not be without its flaws—it is one of the most successfully governed nations in the world. We as Americans take pride in our heritage and the opportunities it has afforded us to reshape our living Constitution. We the citizens are what create America's remarkable heritage everyday—we fight for our freedom and for the freedom of others, we work to keep America pollution free, we are continuously trying to keep America fed, America educated, America healthy and America prosperous. Men and women have died over the past two centuries fighting for our country, keeping our heritage strong and helping others fight for their liberties.

One does not have to be a soldier or a politician to make a significant contribution to liberty. An informed citizen, exercising his constitutional rights can make a profound contribution. One has to only read the history books and discover how remarkably young; yet, influential we are as a country. We have shaped the constitutions of many emerging nations, our governmental system of checks and balances have been adopted in many countries and the basic liberties that we, as American citizens enjoy are being offered to many citizens across the world. These countries do not adopt our ideas for just any reason—they adopt our ideas because we have proven that the work—they work for the benefit of the entire country.

It is incredible that a country as powerful as ours has continued to run according to its original plans. We are lucky to live in a country whose remarkable heritage began with three basic principles—and continues to grow according to these same three principles . . . "all men are created equal, they are endowed by their Creator with certain unalienable Rights and among these are Life, Liberty, and the pursuit of happiness."

A TRIBUTE TO GEMMA PARKS

HON. JIM BATES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BATES. Mr. Speaker, on March 6, 1988, San Diego's Gemma Parks died of cancer at the age of 54.

Gemma was a friend who had devoted her life to her community and to the protection of our environment. As a member of the San Diego County Board of Supervisors from 1975 to 1982, I had appointed Gemma to the county planning commission because of her sensitivity to the environment and commitment to responsible growth management at a time when such a position was unpopular.

At her home in Solana Beach, Gemma was a leading force in its incorporation efforts. She was a founder of the San Diego Ecology Center and the Solana Beach Town Council, and she was involved in numerous other community groups including: San Diegans for Managed Growth; the Solana Beach Chamber of Commerce, the Solana Beach Women's Civic Club in addition to running her own public relations firm.

Gemma is remembered for her energetic contributions to her community and its people. She was happiest when she was able to work with people and bring out the best in them. She touched people in ways that were healing and inspiring.

Gemma was a hero to those who saw how bravely she faced having cancer, but in her mind, she was reluctant to accept the title hero. She, instead, looked at having to face death as an opportunity to really live life. And, she loved her life with flair. The causes that she championed were important to her and she worked on them with extraordinary energy and conviction.

Gemma believed that each person has a role; a duty to make a difference in the world, "to look after our own piece of the sky."—Quote taken from her memorial service eulogy on March 10.

Gemma was a special person; she will be missed; and she will be remembered.

A TRIBUTE TO BETTY HOGAN

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. DOWNEY of New York. Mr. Speaker, it is not often that I use this space in the CONGRESSIONAL RECORD to extol the work of an individual who happens to live or work in my congressional district. It is equally seldom that a person like Betty Hogan, a woman who has devoted more than 35 years to the field of nursing, takes a moment to celebrate her life of accomplishments. On April 15, a day when many of us will be caught up in the last minute worry of tax return deadlines, a very privileged few will join with Betty to celebrate her retirement.

Betty Hogan is not just a nurse. Betty, and anyone who knows her will tell you this, is more like an institution. She has devoted her working life to the care of the mentally impaired, and, in the last 4 years, has spent her time as the unit chief of a 320-bed rehabilitative and community preparation personalized care model unit at the Central Islip Psychiatric Center on Long Island. It's a rather lengthy title for a job that is not all that difficult to understand. In short, Betty Hogan has been one of the architects of a program that prepares patients for assimilation into the local community. What is more difficult to understand is how one person could embody the patience, dedication, love of her work and her patients, and indomitable spirit that have been the hallmarks of Betty's service.

In every sense of the word, Betty has been a hero, and her memory will live on in the halls of the Central Islip Psychiatric Center and in the minds of every one of her patients whose lives she has so gently touched.

THE 50TH ANNIVERSARY OF THE ST. MATTHEWS WOMEN'S CLUB

HON. JIM BUNNING

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BUNNING. Mr. Speaker, I rise to advise my colleagues of a happy and proud event that will take place next Monday, April 18. The St. Matthews Women's Club of St. Matthew, KY, will celebrate its 50th anniversary of community service, caring, and sharing.

This fine organization has a membership of over 200 women who meet weekly and contribute thousands of hours of volunteer services for the benefit of a great number in the community. The St. Matthews Women's Club presently sponsors two colleges scholarships annually; they hold monthly birthday parties for the young women who reside at Maryhurst School—a school in my district for troubled teenage girls—and they knit and distribute hundreds of pieces of clothing annually to nursing home patients in the area.

The St. Matthews Women's Club is engaged in many other worthwhile projects—more than I can list here but I can tell you that the quality of life of many of my constituents has improved as a result of the countless hours of hard work, dedication, and sacrifice by these fine ladies.

I believe it is fitting that the members of the St. Matthews Women's Club be recognized in this House for their caring and sharing with those who truly need assistance.

CIVIL SERVICE ANNUITY PROMPT PAYMENT ACT

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. RAY. Mr. Speaker, today, I am joined by 45 of my colleagues in introducing the Civil Service Annuity Prompt Payment Act.

Civil Service retirees, after spending their entire careers working for the Federal Government, often have to wait from several months up to a full year for a full retirement benefit check. Military retirees do not have this problem. This delay places many of these people in financial jeopardy and endangers their credit rating. Some retirees are forced to use all of their life savings in an effort to make ends meet while waiting for a payment from the Office of Personnel Management [OPM]. These people should be compensated.

The legislation I am introducing today would require OPM to pay interest on Civil Service retirement payments that are not made within 90 days of the annuity's commencement date or the date on which OPM receives a completed application, whichever is later. In addition, if a retiree receives a partial benefit payment, the retiree would receive interest on the difference between the full benefit and the partial benefit. The interest payments would be taken from the operating funds of OPM.

Mr. Speaker, this legislation is needed, and I encourage my colleagues to support this bill.

SALUTE TO THE YOSEMITE CLUB OF STOCKTON, CA, DURING ITS 100TH BIRTHDAY CELEBRATION

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. LEHMAN of California. Mr. Speaker, today I rise to honor and commend the Yosemite Club on its centennial celebration. April 17, 1988, marks the club's 100th year of continuous existence, making it the oldest private luncheon club for business and professional people not only in the city of Stockton and the county of San Joaquin, but in all of California.

As a member of this fine organization, I join my fellow 450 members in looking back to the spring of 1888 and the setting in which the Yosemite Club was formed. Agriculture was becoming a primary industry and wheat fields outlined the San Joaquin County horizon; the city of Stockton was bustling as California's second ranking manufacturing city; and paddle wheel steamers, scows, and barges carried passengers, produce and goods via the Sacramento-San Joaquin Delta to San Francisco and on to world markets. In this atmosphere, a group of leading business and professional men met in the superior court room to sign the articles of "The Yosemite Club." In 1908, the Yosemite Club moved its home to the top of the stately and respected Bank of Stockton where it has resided ever since.

The Yosemite Club stands as a time and tradition honored institution for which Stockton, CA can be proud. I extend my congratulations to this distinctive organization for its 100 years of continuous existence and send my best wishes as it continues to provide a forum for the gathering of many of San Joaquin County's distinguished business and professional people.

AMBASSADOR PERKINS ADVOCATES SANCTIONS

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. CROCKETT. Mr. Speaker, in an article appearing in a recent issue of Leadership magazine, Edward J. Perkins, U.S. Ambassador to South Africa, argues that South Africa faces a fundamental transformation of its political and economic systems that one day will lead inevitably to the demise of apartheid and to attainment of black majority rule in that country. He also states that if hastening that transformation is our objective "* * * we in the West must continue to put unrelenting pressure on (the South African) government on a whole range of issues from human rights to fundamental political change. And this pressure includes selected sanctions."

I would like to share this article with my colleagues and ask that it be included in today's CONGRESSIONAL RECORD.

IN YOUR HANDS

(By Edward J. Perkins)

There is an inherent danger in talking or writing about a country other than one's own—in this case, South Africa. A foreigner does not have the background or the perspective to make definitive judgements. Secondly, an outsider does not have to worry about the consequences—as a South African must do at all times.

If I had no concern for the future of South Africa, I would not be here. There are some advantages to outsiders describing and discussing a land, so long as it is well considered and thoughtful. I've made the point before that foreigners sometimes provide interesting and useful insights into the heart of a country.

A little outside comment is not a bad thing in this country where there has been a dangerous lack of communication between blacks and whites. A remarkable experience for me as an outsider, a newcomer to South Africa, is to be asked by blacks what whites are thinking, and vice versa. Some day I will answer that question with a question of my own: "Why don't you just ask each other?" I am encouraged, though, by the fact that they do ask me! That is not to deny there is perhaps more contact between blacks and whites than most outsiders realise, and that much of it reflects sincere and obvious goodwill. But the invisible psychological barriers—born of history and strengthened by the country's physical restructuring over the past 40 years—have been formidable; and the intellectual isolation that has been created is absolutely stunning.

The sad fact is that the policy of apartheid has been all too successful. It ranks as one of this century's most disastrous feats of social engineering. And now, somehow, it must be disassembled.

I am therefore going to presume upon the readers of Leadership to make a few observations about South Africa for two reasons. I have come to have a great deal of regard for the country, the people, and what they can achieve by working together politically, economically and socially. And my hope and affection for South Africa are heightened when I imagine how the interdependence of peoples can work to eliminate the scourges of hunger, war and racial discrimination. I must admit I did not expect to have this feeling when I arrived last November at Jan Smuts Airport.

Secondly, I have made a great attempt to get to know this country. I have travelled it extensively, spoken with hundreds of people from all walks of life and, perhaps most important of all, I have tried to listen rather than to talk. I have picked up several themes which seem important to me, although they are far from universally acknowledged in the country.

The first point is that somewhere down the road, South Africa faces a major transformation of its political structure. Almost no-one I have met believes that the present constitutional system is sufficient to carry the country into the next century. I sense a growing realisation that a valid political system here must be one that correlates with the demographics of the country—not merely black participation, or black co-oper-

ation, but a government which truly represents the majority of South Africans (and the term "South African" includes everyone inside the wide, traditional, national boundaries). Moreover, the majority must have a significant say in how that government is formed. I do not think that elaborate schemes which try to give an impression of black representation, but actually maintain white power, will work. They are as doomed as the concept of apartheid itself.

The extent to which that simple fact is still denied is surprising. Yet, every sign points to it. The forces of justice and historical right are on its side. And just look at the numbers: in 1960, whites constituted 20 percent of the population. Today 15 percent of all South Africans are white. But by the end of the century the figure will have shrunk to 7 or 8 percent. A dwindling minority which rules this country can only mean a diminished power base and lessened ability to uphold an antiquated and unjust system.

The question in South Africa is not whether a new political system will exist here, but, rather, how it will come about. But we must ask ourselves how many whites operate with that premise? If the results of the past six months are any guide, not very many.

Similarly for blacks, if political transformation is inevitable, what kind of government should it be? Will it protect human rights? Will it foster economic diversity? It will be too late to try to answer these questions once the wheel of change is spinning under its own uncontrollable momentum.

My second point is that there are real questions of ethnicity in South Africa which will ultimately have to be addressed. I have noted with interest the views of historian Hermann Giliomee who points out that there are two nationalisms here. Afrikaners love their country, cherish their roots, and feel strong historical justifications for their presence here. Afrikaner concern about the future is something that cannot be swept under the carpet and ignored.

Those who seek to change this system by individual conversion of Afrikaners or by an attempt to make them admit the moral error of their ways should recognize the limitations inherent in those tactics. To hasten the process of change, and to avoid bloodshed and chaos, it will be necessary to provide some kind of reassurance to Afrikaners. They will want to know that sometime after the transition they will not end up defenseless and dispossessed in the land of their birth. Those who seek rapid and meaningful change in South Africa would do well to confront forthrightly the issue of two competing nationalisms.

At the same time, Afrikaners must expand their concept of community to embrace and accept all South Africans on an equal basis. Forty years ago Afrikaners were still struggling to assert their political power. Strong cultural identification and group solidarity were considered necessary to gain the national strength they have today. Those days are now over. One of the many tragic ironies I see here is the spectre of a ruling people who survived the concentration camps of the Anglo-Boer War, yet inflict forced removals upon others, and after a long struggle for educational liberation, imposed Bantu education upon people striving for better opportunities.

Afrikaners are now the governors of the nation. This means that they bear special responsibility to take steps to create reconciliation, unity, and the extension of full democratic rights to all South Africans. Secretary of State George Shultz, in his speech on South Africa on September 29, 1987, enunciated the principles that we believe need to be addressed by all South Africans as they negotiate a new democratic system. South Africans, including Afrikaners, who work toward a solution based on these democratic principles will earn the respect and support of free people throughout the world.

The third theme is one I advocated recently in a speech in Johannesburg. I believe that the outside world must view South Africa with great sensitivity so that we do not make matters worse. I genuinely do believe that we in the West must continue to put unrelenting pressure on this government on a whole range of issues from human rights to fundamental political change. And this pressure includes selected sanctions.

But, in a badly factionalized land like South Africa, unfocused pressure is very likely to be counterproductive. As Sir Laurens van der Post has put it so well, it is a fallacy of the 20th century that good can be accomplished by doing evil; or in other words, that things have to get worse before they can get better. I agree with him.

Under these difficult circumstances I see the clear need for a dual responsibility. South Africa must face up to its problems and not take refuge in diatribes against the outside world. The way to deal with nations abroad is to deal with the problems of South Africa. As for the United States, I believe that the complicated issue of South Africa challenges us to gain a more sophisticated grasp of the realities of conducting foreign policy. We can choose principles, we cannot choose sides. We can invite the various sides to associate themselves with our principles if they choose to do so. Moreover, we must hold fast to our commitments, and not allow ourselves to be swayed by impatience or emotional rhetoric from any side, but let it be known clearly what we as a nation stand for.

In conclusion, I want to reiterate the recent words of Secretary Shultz and say that I feel great hope for this country. I think South Africa will do more than make it. I believe South Africa will someday be a country which offers all of its citizens a sense of pride and hope for the future. Despite the bitter cleavages which disfigure this society and which have been tragically reinforced by 40 years of apartheid, I believe the shared values of decency, religion, and, indeed, self-interest in survival can prevail.

I continue to be impressed by the generosity of spirit still felt among South Africans, and by the dedication of those both within the parliamentary system and without, who are labouring unselfishly to build the future. My admiration is unlimited for those who carry the torch: the women of the Black Sash; the people of community organisations from Soweto, to Mamelodi, to New Brighton, to KwaMashu, to Guguletu; the leaders of trades unions; those struggling with new structures in KwaNatal; the Afrikaners who travelled to the Dakar talks; and those who are using their creativity to confront social problems—such as the men and women of Operation Hunger. The list could go on and on. They exemplify more than anything how right Chet Crocker was when he recently said that the future of this land is not in the hands of Americans; it lies in the hands of South Africans. That is precisely where it should be.

RETIREMENT OF BETTY BLOOMER—OUTSTANDING PUBLIC SERVANT

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. PANETTA. Mr. Speaker, I would like to bring to my colleagues' attention the retirement of a wonderful public servant in my district, Betty L. Bloomer. Betty has served in the Monterey County Election Department since 1972 and for the past 2 years has been Registrar of Voters. She has done her job well and has played a major role in modernizing the elections process in Monterey County. She will truly be missed.

Betty was born and raised in Illinois, where she graduated from Galesburg High School. She attended Monmouth College in Illinois and the University of Nebraska.

Betty's first job with the Monterey County Election Department was a clerk. She later became Principal Clerk and, in 1981, became Assistant Registrar of Voters. In 1986, she became Registrar. One of her most significant accomplishments has been making Montrerey County the first county in the State of California to install a state-of-the-art signature retrieval system.

Betty is married to F. Wayne Bloomer, who is a retired U.S. Navy commander. They have two children, Bill and Mary Beth, and two grandchildren, Lisa and Heather.

Betty is a member of the Salinas First Presbyterian Church and is an expert gardener. The winner of a number of awards for flower arranging, Betty hopes to spend more time with her gardening—and with her grandchildren—after retiring.

Mr. Speaker, I know my colleagues join me in congratulating Betty on her retirement and thanking her for a job well done. Sylvia and I both consider Betty a good friend, and we both wish her the best of luck in the future and a satisfying and happy retirement.

CIVIL RIGHTS RESTORATION ACT

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. BONKER. Mr. Speaker, there has been some controversy, and, unfortunately, a good deal of misinformation about the scope and purpose of the Civil Rights Restoration Act. This bill will help ensure that Federal dollars are not used to further unjust discrimination against women, racial minorities, older Americans, and the handicapped.

This is, I believe, among the most important pieces of civil rights legislation to be considered by this body in more than two decades. The act is supported by nearly every major religious, women's, labor, and public interest group in the country.

The House Judiciary and House Education and Labor Committees have prepared a

thoughtful discussion of some of the most commonly asked questions about the bill. In an effort to clarify the debate, I have asked that it be inserted into the RECORD, along with a sampling of groups supporting the Civil Rights Restoration Act.

SAMPLING OF GROUPS SUPPORTING THE CIVIL RIGHTS RESTORATION ACT

National Council of Churches; U.S. Catholic Conference of Bishops; American Jewish Congress; American Baptist Churches; United Methodist Church; Episcopal Church; Evangelical Lutheran Church of America; Presbyterian Church USA; National Association of Independent Colleges and Universities; Union of American Hebrew Congregations; Anti-Defamation League of B'nai Brith; American Jewish Committee; Church of the Brethern; Church Women United; Network-National Catholic Justice Lobby; NAACP; American Bar Association; AFL-CIO; Paralized Veterans of America; American Association of Retired Persons; League of Women Voters; Common Cause; People for the American Way; National Urban League; United Automobile Workers of America; American Civil Liberties Union; Business and Professional Women; United Steelworkers of America; Japanese American Citizens League; Children's Defense Fund; Lawyer's Committee for Civil Rights Under Law; United States Student Association; Human Rights Campaign Fund; International Ladies' Garment Workers' Union of America; National Council of La Raza; and American Federation of Teachers.

COVERAGE OF RELIGIOUS ORGANIZATIONS

Question. Are all the operations of churches, synagogues or other religious institutions covered by the civil rights laws if one of their facilities receives federal financial assistance?

Answer. No. A limited purpose grant, (e.g. for refugee assistance) to a church would not be considered assistance to the church as a whole. Nor would a Catholic diocese be covered in its entirety where, for example, three geographically separate parishes receive federal financial assistance. Only the three parishes which receive federal financial assistance would be covered by the anti-discrimination statutes. The U.S. Catholic Conference has indicated its satisfaction with the bill's provision regarding coverage of church institutions as have the other churches as listed on the last page of this document.

HOMOSEXUALS

Question. Does this bill require a recipient of Federal funds to provide a homosexual the protections provided women by Title IX or the protections as provided under any of the other statutes amended by this bill?

Answer. Neither Title IX or any of the other statutes amended by S. 557 has ever been interpreted by the courts to provide protection on the basis of sexual preference; none of the regulations have ever so provided; and nothing in the bill creates any such protection. Homosexual groups recognize this lack of protection in seeking new legislation specfically prohibiting discrimination on the basis of a person's sexual preference.

Question. Does this bill create rights for homosexuals under section 504 of the Rehabilitation Act of 1973?

Answer. No. This bill does not preclude an entity from discriminating against an individual solely on the basis of the face that the individual is homosexual. Thus, if an entity's religious practices require it to take disciplinary action.

ALCOHOLICS AND DRUG ADDICTS

Question. Does this bill require an employer to hire or retain in employment all alcoholics and drug addicts?

Answer. No. A person who is a current alcoholic or drug addict can be excluded or fired from a particular job if it is determined that he or she poses a direct threat to the health or safety of others or cannot perform the essential functions of the job and no reasonable accommodation can remove the safety threat or enable the person to perform the essential functions of the job.

Question. Does this bill change the current underlying substantive law of section 504 of the Rehabilitation Act of 1973 in any way?

Answer. No. Since 1973, section 504 of the Rehabilitation Act (the civil rights statute for handicapped persons) has been interpreted to enable employers to refuse to hire or fire alcoholics and drug addicts under these circumstances. To allay the fears of some employers about the nature of their responsibilities to such persons, this policy was expressly inserted into the statute in 1978 (see section 7(8)(B) of the Rehabilitation Act).

Question. Has this current substantive law created untenable positions for recipients regarding the hiring or retention of alcoholics and drug addicts?

Answer. No. The 1978 amendments allayed the fears of employers. They now understand that they don't have to hire or retain all alcoholics and drug addicts. Courts have upheld the right of employers to fire employees who cannot perform or who pose health and safety risks.

Question. Do the standards governing the exclusion of alcoholics and drug addicts in the employment context apply in other situations, such as exclusion from participation in a program receiving federal assistance?

Answer. Yes. As in the employment context, a person must, with reasonable accommodation, meet the essential qualifications for participation.

PERSONS WITH CONTAGIOUS DISEASES

Question. Does this bill require an employer to hire or retain in employment all persons with contagious diseases?

Answer. No. An employer is free to refuse to hire or fire any employee who poses a direct threat to the health or safety of others or who cannot perform the essential functions of the job if no reasonable accommodation can remove the threat to the safety of others or enable the person to perform the essential functions of the job. This determination must be made on an individualized basis and be based on facts and sound medical judgment.

Question. What guidelines exist for determining what is meant by a "reasonable accommodation?"

Answer. Federal agencies such as the Centers for Disease Control, the Department of Labor, and professional organizations such as the American Academy of Pediatrics and the American Hospital Association have issued guidelines for ensuring safety in the workplace. The guidelines can be relied on for determining reasonable accommodations.

Question. Does this bill change this situation in any way?

Answer. No. This has been the law of the land since 1973, when Congress passed section 504 of the Rehabilitation Act. The circumstances under which a person with a contagious disease can be excluded was recently reaffirmed by the Supreme Court in the Arline decision. The bill includes language which is consistent with this decision. The language in the bill is modeled after the Language added to the Rehabilitation Act in 1978 with respect to alcoholics and drug addicts.

Question. Who supported the inclusion of this language in the bill?

Answer. On the Senate side, it passed without dissent as a Harkin/Humphrey Amendment. On the House side it was not only included in the bill that passed the House; but the exact same was endorsed by the Administration through a letter from Secretary Bennett.

Question. What standards apply in non-employment contexts such as schools?

Answer. The same standards.

Question. Will the fact that section 504 covers contagious diseases mean that recipients will not be able to take normal good faith public health precautions to prevent the spread of contagious diseases?

Answer. No. Public health measures designed to prevent the spread of infectious diseases or infections such as AIDS would not be undermined by covering persons with contagious diseases or infections under section 504. In fact the American Public Health Association has argued that "promotion of public health is aided not impeded, but an individualized determination of whether a person with a communicable condition is qualified to work." In addition, to the APHS, the American Medical Association and the American Nurses Association support the inclusion of contagious diseases under section 504.

Question. Has the Administrative Board of the Catholic Conference taken a position on discrimination against persons with AIDS?

Answer. Yes. In a publication entitled, "The Many Faces of AIDS—A Gospel Response" the Administrative Board of the U.S. Catholic Conference (November 1987) stated: "Discrimination directed against persons with AIDS is unjust and immoral." The Administrative Board also stated: "Because there is presently no positive or sound medical justification for the indiscriminate quarantining of persons infected with AIDS, we oppose the enactment of guarantine legislation or other laws that are not supported by medical data or informed by the expertise of those in the health-care or public health professions."

Finally, as we have stated repeatedly, S. 557 addresses only the scope of coverage under Title VI, Title IX, section 504, and the Age Discrimination Act of recipients of federal financial assistance. The bill does not change in any way who is a "recipient" of federal financial assistance; what is defined as "federal financial assistance"; nor does the bill alter in any way the substantive definition of what constitutes discrimination under these statutes nor the protections they have afforded for the last 15 years.

ETHIOPIA—A NATION IN TURMOIL

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 1988

Mr. ROTH. Mr. Speaker, although many of my colleagues may not believe it possible, the

already grave situation in Ethiopia became even worse last week, revealing the true depth of brutality prevailing in the Mengistu regime.

On April 6, the government's Relief and Rehabilitation Commission suddenly suspended emergency food and relief shipments to the 3 million drought-stricken and war-ravaged people of Eritrea and Tigre provinces, and further moved to seize the transportation network which forms the lifeline over which these vitally needed supplies flow.

If anyone doubted it before, let them now recognize that the Ethiopian people, and the refugees there from neighboring countries, now face mass starvation as a deliberate policy of the Mengistu regime. Mengistu's objective is to harass our relief effort, interdict the food and supplies, and divert them to the Ethiopian military.

There can be only one goal of this latest ploy: To cease the relief effort and use mass starvation as a tactic of subjugation. This is genocide, and civilized people and their governments must put aside their political differences, unite in their condemnation of this monstrous crime, and do whatever is necessary to prevent the murder of 3 million people.

To help my colleagues understand the implications of this latest development, and to provide a course of action, I am entering into the RECORD two news reports, and letters I have written to President Reagan, Pope John Paul II, and General Secretary Gorbachev, urging their joint action to prevent Mengistu's imminent crime against humanity.

The articles follow:

[From the New York Times, Apr. 7, 1988]

ETHIOPIA, PRESSING WAR ON REBELS, BARS AID WORKERS IN DROUGHT AREA

(By Sheila Rule)

NAIROBI, KENYA, April 6.—The Ethiopian Government today ordered all foreign relief workers to leave immediately from the drought-stricken provinces of Eritrea and Tigre because of its escalating war against rebels.

Humanitarian agencies in Addis Ababa, Ethiopia's capital, said the decision would further disrupt relief efforts, already severely crippled by the mounting conflict in the north, to provide emergency supplies to the more than three million Eritreans and Tigreans who face famine.

They said they hoped that local employees could continue some work and that the latest development was being discussed with the authorities in the Soviet-backed Government of Ethiopia.

MEASURE IS CALLED TEMPORARY

The governmental Relief and Rehabilitation Commission, which coordinates relief activities, said in a statement that the move was being taken to avoid "security risks" to foreigners working in the provinces. It asked foreign relief agencies to turn over their operations to the commission.

"Under the circumstances, the R.R.C. has recalled expatriate relief workers from the troubled zone temporarily until the area is cleared of bandits and tranquillity is restored to the life of the civilian population in that area," the statement said, referring to itself by its initials and to the rebels as "bandits."

The decision to withdraw relief personnel was made less than a week after President Mengistu Haile Mariam, in a rare acknowledgment of mounting rebel activity, said that the protracted insurgencies in the north were threatening the sovereignty of his impoverished country. Although the Government has not provided details of the military conflict, it has announced a nationwide mobilization of the army to carry out a counteroffensive against the rebels.

TROOPS HEAD NORTH

Relief officials said today that some of their workers in the province of Wallo saw at least a dozen buses crowded with Ethiopian troops heading north toward Tigre. One official said the region was being "shut up as tight as a drum."

The move also followed an announcement this week by Somalia and Ethiopia, longtime adversaries, to restore diplomatic relations and withdraw troops from their border. Western diplomats said Ethiopia appeared to have agreed to ease tensions with its neighbor so as to redeploy thousands of security forces to the northern region.

Rebels in both Eritrea and Tigre have claimed major successes against Marxist Ethiopia in recent week, including the capture of strategically important towns, the killing of thousands of Ethiopian troops and the capture of Soviet military advisers. The Eritrean People's Liberation Front has been fighting the Government for 27 years, while the Tigre People's Liberation Front has been engaged in an insurgency for 13 years.

In recent weeks emergency relief aid distribution by the R.R.C. as well as the international donor organizations had been disrupted by terrorists engaged in destructive activities against the unity, integrity and freedom of Ethiopia, the Relief and Rehabilitation Commission said in its statement.

FIGHTING HAMPERED FOOD RELIEF

Relief workers say that as many as seven million Ethiopians face the prospect of a famine that could rival the calamity of 1984 and 1985. Eritrea and Tigre are the worst affected areas in the country, in the Horn of Africa. But humanitarian agencies say that food distribution to outlying towns and villages in the north have been all but halted by the military conflict and the Government's increasing restrictions on the movement of trucks carrying food and supplies.

David Morton, director of operations in Addis Ababa for the World Food Program, said in a telephone interview that the distribution of relief supplies had been severely affected by the upsurge in fighting.

"The food stocks at the port and main towns are quite healthy," said Mr. Morton, whose United Nations agency has the largest single fleet of relief trucks in the north. "But they are very low and, in fact, may have run out in most of the distribution points in other parts of the region."

The New York-based Eritrean Relief Committee said recently that the intensifying military conflict and control of more territory by the rebels would have a "significant impact" on relief activities throughout the province. Calling the Ethiopian Army the "aggressor against Eritrean civilians," the relief group said in a statement that tens of thousands more drought victims now live in areas controlled by the rebels.

The committee's sister agency is the Eritrean Relief Association, which is the only relief agency working in the rebel-held territory of Eritrea and channels food aid from the Sudan to the Eritrean countryside. The committee said that the association's supplies were inadequate to meet the needs of drought victims and that local farmers had harvested enough food to support the dependent population for less than a month. It said donors had pledged about 64,000 tons of relief food, only 33 percent of the minimum needed to prevent famine.

[From the Washington Post, Apr. 7, 1988]

ETHIOPIA ORDERS A HALT TO FOOD RELIEF IN NORTH—EVACUATION IN WAR ZONE THREATENS MILLIONS

(By Mary Battiata)

NIAROBI, KENYA, April 6.—The government of Ethiopia today ordered all foreign relief workers to leave the war-torn northern provinces of Eritrea and Tigre, and requested that western relief organizations "hand over" their famine relief operations and equipment to the government's own relief agency or local charities.

The International Red Cross, the United Nations and Catholic Relief Services, among others, have millions of dollars in trucks and distribution facilities in the drought-stricken north.

Senior western relief officials in the capital, Addis Ababa, said today's evacuation order will mean chaos and perhaps the eventual collapse of the massive famine-prevention operation in the two provinces, where an estimated 3 million Ethiopians are at risk of starvation.

The Ethiopian government's food distribution program now reaches one-third of that population.

"This will mean leaving two million people without a way to get food," said Jean-Jacques Fresard, the director of International Red Cross operations in Ethiopia, in a telephone interview from Addis Ababa. "It's the worst thing you could imagine."

The evacuation notice, which came in the form of a press release from the government's Relief and Rehabilitation Commission, requests that all expatriate relief workers in the north be "temporarily" recalled until the north "can be cleansed of bandits." The statement said the evacuation was necessary to ensure the safety of relief workers and to assure "peace and security in all parts of our country."

Eritrea and Tigre have been the site of intense fighting in the past two weeks as rebel armies in both provinces have severely shaken the Ethiopian Army's hold on the region. Last week, Ethiopian leader Mengistu Haile Mariam acknowledged for the first time that the civil wars were a serious threat to Ethiopian sovereignty.

Today's order came with no warning and took the representatives of western relief organizations by surprise. Although recent fighting has resulted in tens of thousands of military casualties, most expatriates in Eritea and Tigre were working in the government-held provincial capitals and were presumed to be safe.

"I was really shocked by this new development. It really took us off guard," said Rick Machmer, director of the U.S. Agency for International Development mission in Ethiopia, by telephone from Addis Ababa. "I think it's ill-advised and not well thought out. You don't just abruptly, unilaterally order everyone out."

Senior western diplomatic sources in Addis Ababa said the evacuation order likely signals a major offensive action by the Ethiopian Army. The Soviet Union, Ethiopia's military patron, has brought an additional 12 Antonov cargo planes into the country in the past two weeks. In Addis Ababa, witnesses reported continuous nighttime takeoffs and landings of military aircraft at the airport where the Soviet mili-

tary is headquartered, according to a senior diplomatic source. A roundup of conscripts reportedly is under way in the capital, and the training time for new Army recruits has been shortened, according to the same source.

"We don't have a good fix on the [military] situation, but it's obviously deteriorating," said one senior western relief official. "I would assume they're going to do something defensively, or offensively, that could endanger the lives of everyone, expatriates and Ethiopians."

Earlier this week, the Ethiopian government ordered the three C130 cargo planes being used in the U.N. food airlift relocated from their base in Asmara, the capital of Eritrea, to Addis Ababa for security reasons. The five-plane airlift had become critical to the famine-prevention effort as fighting in the north restricted the movement of grain convoys. As of today, the airlift still was functioning, but at reduced capacity, and the continued participation of the Belgian Air Force was in doubt, according to diplomatic sources.

Michael Priestley, the United Nations representative in Addis Ababa, was to meet Thursday with the head of the government Relief and Rehabilitation Commission to discuss the government order. Other relief officials said they would do the same.

"We have millions of dollars of food and trucks up there, almost 600 local employees," said the Red Cross' Fresard, "so we will do everything possible to stay."

The government's decision to evacuate foreign relief workers apparently was based on a desire to avoid "the humiliation of expatriate casualties" in the north, as well as a desire to win the war "at any cost," said one western source by phone from Addis Ababa.

The Ethiopian government requested that several western relief agencies turn their operations over to government relief officials or indigenous relief agencies, none of which are thought to have the managerial ability to take over administration of the entire famine-prevention program in the north.

The United States, the largest single emergency donor to the Ethiopian emergency relief effort, does not distribute food through the Marxist Ethiopian government.

"There's a lot of U.S. government food up there, and we didn't consign it to the government of Ethiopia," said AID's Machmer. "The policy we've been following for the past two years, we supply food to well-established [relief organizations]. If they're gone, we will have to change our policy. We will have to reconsider how we provide supplies in total, for at least northern Ethiopia."

The government's military losses in the north are believed to be responsible for Ethiopia's recent decision to sign an agreement ending a protracted dispute with neighboring Somalia. The agreement, signed on Sunday in the Somalia capital, Mogadishu, will permit Ethiopia to redeploy tens of thousands of troops from Hararghe province to the war zone.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 8, 1988.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As you have no doubt learned from your national security staff, the situation in Ethiopia is rapidly deteriorating. Earlier this week, the Mengistu regime took another step in its policy of government by murder, shutting off the flow of emergency food and relief supplies to the people trying to survive in the midst of the long-running civil war in Eritrea.

According to our officials involved in the relief effort, this latest step of calculated brutality brings 3 million people to the brink of starvation. They will die unless food shipments are resumed at once. Clearly, we must do all we can to prevent such a catastrophe.

As a member of the House Foreign Affairs Committee, I have been trying for years to focus our government's attention on the monumental proportions of this tragedy. Suddenly, we are at another critical point, requiring immediate intervention by the United States, the United Nations, and other governments, such as the Soviet Union, which might be able to influence the Mengistu regime.

I recommend three steps:

(1) That you initiate a worldwide campaign via our diplomatic and security network to exert maximum public and private pressure on the Mengistu regime to allow the free flow of food and relief supplies.

(2) That the United States call for an emergency meeting in the United Nations to discuss this crisis and determine how the food shipments can be resumed. UN military escorts for food shipments should be considered as an option.

(3) That the assistance of Secretary General Gorbachev be enlisted to influence President Mengistu, whose military rule has been supported by the Soviets during its 11-year existence.

The survival of 3 million people directly depends on the actions we and other governments take in the next several days. The measure of a civilized people is how it responds to a crisis of humanity. Now, we are being called to a test of moral leadership of historic dimensions. We must not fail.

Sincerely,

TOBY ROTH,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 8, 1988.

His Holiness JOHN PAUL II,
The Vatican,
Rome, Italy.

YOUR HOLINESS: As you have no doubt learned from your embassy in Ethiopia, the situation in that drought-stricken and war-ravaged country is deteriorating even further. Earlier this week, the Mengistu regime took another step in its policy of government-by-murder, shutting off the flow of emergency food and relief supplies to the people who are trying to survive in the midst of the long-running civil war.

Our government has determined that 3 million people will die from starvation unless food shipments are resumed at once. This impending catastrophe is not inadvertant; the Mengistu regime has embarked on a new policy of genocide toward its own people. Clearly, we must do all we can to prevent a calamity of monumental proportions.

Suddenly, we are at a critical point in this long crisis, requiring immediate intervention by world leaders to bring the maximum moral and political pressure to bear on President Mengistu. I have recommended to President Reagan that our government initiate such a campaign through our own channels and those of the United Nations.

In discussions today with your Apostolic Pro-Nuncio, Archbishop Laghi, I was advised of your own efforts to help these poor and innocent people. The fate of 3 million human beings directly depends on the actions taken in the next several days. Never has there been a greater need for the full weight of your unique moral and religious leadership to be used in conjunction with the political and diplomatic influence of world governments to address this crisis of humanity.

Sincerely,

TOBY ROTH,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 8, 1988.

His Excellency MIKHAIL GORBACHEV,
Secretary General of the Central Committee of the Communist Party of the Soviet Union, The Kremlin, Moscow, The Union of Soviet Socialist Republics.

DEAR MR. GENERAL SECRETARY: I am writing to bring to your attention the rapidly deteriorating situation in Ethiopia, whose current government has been closely aligned with the Soviet Union during its 11-year rule. Your help is vitally needed to prevent the deliberate mass starvation of millions of people.

Earlier this week, the Mengistu regime effectively shut off the flow of emergency food and relief supplies to a drought stricken and war ravaged region, as the latest brutality perpetrated on a defenseless population caught in the civil war. I have confirmed the accuracy of initial news media reports with U.S. government officials who are involved with the relief effort.

If food shipments are not resumed immediately, 3 million people will die of starvation, creating a calamity of monumental scale. In the face of this impending catastrophe, civilized people and their leaders must put aside political differences and join in a concerted effort to resume the delivery of food.

I understand that the Soviet government is preparing to join in the relief effort. From our experience, I can tell you that the Mengistu regime will do all it can to interdict your relief shipments, and attempt to divert them to their military forces, who are perpetrating this slaughter. The international relief effort must not be twisted into a program to feed these mass murderers.

Our two nations have faced this situation before, when, as allies in the Second World War, the United States helped save millions of Soviet people from starvation. Let us renew that cooperation and save these poor and innocent people. Please use your great influence to stop the Ethiopian government's "starvation policy", so that our emergency relief efforts can resume.

Yesterday, you showed great courage and leadership in ending the war in Afghanistan. Ethiopia presents you with another opportunity to establish a new role for the Soviet Union in world affairs. Please do not turn this plea aside.

Sincerely,

TOBY ROTH,
Member of Congress.