

HOUSE OF REPRESENTATIVE—Monday, May 2, 1988

The House met at 12 noon.

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

Make your presence known to us, O God, not only in the beauty and joy of life, but also when we walk the dark valley of meaninglessness or emptiness. When our thoughts and actions show lack of direction, may Your love transcend our needs and give us purpose. Accept us as we are, O God, and show us the way to new life. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1828. An act for the relief of San Juan County Nursing Home, of Blanding, UT;

S. 2049. An act to establish an independent Commission on the Veterans' Administration Home Loan Guaranty Program; to amend title 38, United States Code, to authorize reductions in the interest rate on loans made by the Veterans' Administration to finance the sales of properties acquired by the Veterans' Administration as the result of foreclosures and to establish creditworthiness requirements and require a 0.5 per centum fee for assumptions of such loans other than those sold without recourse, and for other purposes; and

S. Con. Res. 95. Concurrent resolution to express the sense of the Congress with respect to the denial of health insurance coverage for disabled adopted children.

The message also announced that pursuant to section 9355(a) of title 10 of the United States Code, the Chair on behalf of the Vice President appoints Mr. REID from the Committee on Appropriations, Mr. COCHRAN from the Committee on Appropriations, Mr. WIRTH from the Committee on Armed Services, and Mr. PRESSLER at large, to the Board of Visitors of the U.S. Air Force Academy.

The message also announced that pursuant to section 4355(a) of title 10 of the United States Code, the Chair on behalf of the Vice President appoints Mr. D'AMATO from the Committee on Appropriations, Mr. NICKLES from the Committee on Appropriations, Mr. SHELBY from the Committee

on Armed Services, and Mr. MOYNIHAN at large, to the Board of Visitors of the U.S. Military Academy.

The message also announced that pursuant to section 6968(a) of title 10 of the United States Code, the Chair on behalf of the Vice President appoints Ms. MIKULSKI from the Committee on Appropriations, Mr. HATFIELD from the Committee on Appropriations, Mr. GRAMM from the Committee on Armed Services, and Mr. SARBANES at large, to the Board of Visitors of the U.S. Naval Academy.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar.

The Clerk will call the first eligible bill on the Consent Calendar.

AUTHORIZING CERTAIN DRAINAGE STUDIES IN THE COLUMBIA BASIN PROJECT, WASHINGTON

The Clerk called the bill (H.R. 2558) to authorize the Secretary of the Interior to take corrective action to protect certain portions of the Franklin County, WA, road system within the Federal Columbia Basin reclamation project.

There being no objection, the Clerk read the bill, as follows:

H.R. 2558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of taking actions necessary to protect the county road system in irrigated portions of Franklin County, Washington, within the Federal Columbia Basin reclamation project and which are underlain or adjacent to lands underlain by the unique geological setting identified as the Ringold Formation, the Secretary of the Interior is directed to investigate road instability problems caused by high water tables and landslides, to design corrective actions, and to make recommendations for action.

Sec. 2. Funds not to exceed \$500,000 are authorized to be appropriated for the investigations directed in section 1 of this Act, which shall be nonreimbursable, and the Secretary shall submit a report of his findings and recommendations for corrective action to the President and to the Congress within two years after the date of enactment of this Act and availability of funds.

Sec. 3. The Secretary is authorized to design and construct such works as necessary to accomplish the purposes of section 1, including drainage works, road relocations, road repairs and other corrective measures, and funds appropriated for such purposes shall be nonreimbursable; however, no construction shall be undertaken on such measures until the Secretary has submitted a report of his findings and recom-

mendations to the President and to the Congress and funds for such construction are specifically appropriated.

With the following committee amendments:

On page 2, line 14, strike "two years" and insert "three years";

On page 2, line 16, strike section 3.

The amendments were agreed to.

The bill 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.

CLARIFYING FEDERAL RELATIONSHIP TO LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS AND TRANSFERRING TITLE TO TRUST LANDS

The Clerk called the bill (H.R. 3679) to clarify the Federal relationship to the Lac Vieux Desert Band of Lake Superior Chippewa Indians as a distinct Indian tribe, to clarify the status of members of the band, to transfer title to trust lands, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 3679

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 "Lac Vieux Desert Band of Lake Superior Chippewa Indians Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Lake Vieux Desert Band of Lake Superior Chippewa Indians, although currently recognized by the Federal Government as part of the Keweenaw Bay Indian Community, has historically existed, and continues to exist, as a separate and distinct Indian tribe that is located over 75 miles from the Keweenaw Bay Indian Community;

(2) the Lake Vieux Desert Band consists of approximately 250 members who continue to reside close to their ancestral homeland near the town of Watersmeet, Michigan;

(3) the Lac Vieux Desert Band entered into two treaties with the United States as a distinct tribal entity (7 Stat. 591, 10 Stat. 1109);

(4) members of the Lac Vieux Desert Band currently reside on or otherwise occupy lands within the Township of Watersmeet, Michigan, which are held by the United States in trust for the Keweenaw Bay Indian Community, and currently receive limited Federal benefits through the Keweenaw Bay Indian Community; and

(5) because of its distance from Keweenaw Bay and the failure of the United States to recognize the independent status of the

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

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

tribe, the Lac Vieux Desert Band and its members receive only limited benefits to which the tribe and its members are entitled.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "Band" means the Lake Vieux Desert Band of Lake Superior Chippewa Indians;

(2) the term "member" means those individuals eligible for enrollment under section 5 in the Band; and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 4. FEDERAL RECOGNITION.

(a) **RECOGNITION.**—The Band is hereby recognized as an independent tribe, separate and apart from the Keweenaw Bay Indian community or any other federally recognized tribe or Indian community, and all laws and regulations of the United States of general application to Indians or nations, tribes, or bands of Indians which are not inconsistent with any specific provision of this Act shall be applicable to the Band and its members.

(b) **FEDERAL SERVICES AND BENEFITS.**—The Band and its members shall be eligible, on and after the date of enactment of this Act, for all Federal services and benefits furnished to federally recognized Indian tribes or their members without regard to the existence of a reservation for the Band.

(c) **APPLICABILITY OF INDIAN REORGANIZATION ACT.**—The Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.; commonly referred to as the "Indian Reorganization Act"), is hereby made applicable to the Band.

SEC. 5. ESTABLISHMENT OF BAND ROLL.

Within six months after the date of enactment of this Act, the Band shall submit to the Secretary its membership roll which shall consist of all individuals eligible for membership in the Band. An individual is eligible for membership if that individual is—

(1) at least one quarter Chippewa Indian blood quantum who was born in the Lac Vieux Desert or Watersmeet area and still resides in that area;

(2) at least one quarter Indian blood quantum and is descended from the historical Lac Vieux Desert Band with one or more lineal ancestors whose names appear on any of the censuses for Lac Vieux Desert prepared by the Superintendent of the Mackinaw Agency prior to 1928;

(3) at least one quarter Lake Superior Chippewa Indian blood quantum, resides in Gogebic or Iron County, Michigan, or any other counties traditionally inhabited by the Lac Vieux Desert Band, and is closely and primarily affiliated with the Lac Vieux Desert Band; or

(4) a child, who is at least one-quarter Indian blood quantum.

Upon completion of such roll, the Secretary shall immediately publish notice in the Federal Register stating that the roll has been completed. The Band shall ensure that the roll, once completed, is maintained and that it is current.

SEC. 6. RESERVATION.

(a) **CERTAIN LAND OF KEWEENAW BAY INDIAN COMMUNITY.**—Subject to valid existing rights, the Secretary shall transfer the land which, on the date of enactment of this Act, is held in trust by the United States for the benefit of the Keweenaw Bay Indian community and occupied by the Band to the United States to be held in trust for the benefit of the Band.

(b) **CERTAIN LAND OF THE BAND.** Upon request of the Band, the Secretary shall hold in trust for the benefit of the Band the following described lands located in Gogebic County, Michigan:

Village land	Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ sec. 5, Township 43 North, Range 38 West (government lots 1 and 2) 27.0 acres
Housing sites	Southwest $\frac{1}{4}$, Southwest $\frac{1}{4}$, sec. 22, Township 45 North, Range 39 West 8.0 acres
Town lot	South 35 feet of lot 2, block 15 of 1st addition, to Village of Watersmeet. 35 x 120 parcel. Township 45 North, Range 39 West

(c) **OTHER LAND.**—The Secretary may place such other land into trust for the benefit of the Band as the Secretary deems necessary or desirable pursuant to the provisions of the Act of June 18, 1934 (48 Stat. 84; 25 U.S.C. 461 et seq.; commonly referred to as the Indian Reorganization Act).

With the following committee amendment:

Beginning on page 3, line 17, strike all through page 6, line 6, and insert the following in lieu thereof:

SEC. 4. FEDERAL TRUST RELATIONSHIP.—(a) The Federal recognition of the Band and the trust relationship between the United States and the Band is hereby reaffirmed. The Act of June 18, 1934 (48 Stat. 984), as amended, and all laws and rules of law of the United States of general application to Indians, Indian tribes or Indian reservations which are not inconsistent with this Act shall apply to the members of the Band, and the reservation. The Band is hereby recognized as an independent tribal entity, separate from the Keweenaw Bay Indian Community or any other tribe.

(b) The Band and its members are eligible for all special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 5. ESTABLISHMENT OF A BAND ROLL.—(a) Within six months after the date of enactment of this Act, the Band shall submit to the Secretary, for approval, its base membership roll which shall include only individuals who are not members of any other Federally recognized Indian tribe or who have relinquished membership in such tribe and who are eligible for membership under subsection (b).

(b) An individual is eligible for inclusion on the base membership roll in the Band if that individual—

(1) is on the tribal membership roll as maintained by the Band prior to the date of enactment of this Act and is on file with the Bureau of Indian Affairs as of the date of enactment of this Act, or

(2) is at least one quarter Chippewa Indian blood and is a person or a descendant of a person who was listed, or could have been listed, on any of the census of the Lac Vieux Desert prepared by the Superintendent of the MacKinaw Agency prior to 1928 or by the Superintendent of the Great Lakes agency on or prior to 1940.

(c) The Band shall ensure that the roll, once completed and approved, is maintained and kept current.

(d)(1) Notwithstanding paragraph (b) of section 6 and except as provided in para-

graph (2), future membership in the tribe shall be limited to descendants of individuals whose name appear on the base roll and who have at least one quarter Chippewa blood quantum.

(2) The Band may modify such quarter Chippewa Blood quantum requirement if such modification is adopted in the tribal election as prescribed under paragraph (a) of section 6 or in a referendum by a majority of the votes and approved by the Secretary of the Interior. The Secretary shall approve such new membership requirements once adopted by the tribal voters unless he finds that the proposed amendment is contrary to Federal law.

SEC. 6. ORGANIZATION OF TRIBE; CONSTITUTION AND GOVERNING BODY.—(a) Within one year following the enactment of this Act, the Band's governing body shall propose a governing document, and the Secretary shall conduct, pursuant to section 16 of the Act of June 18, 1934 (48 Stat. 984) and in accordance with applicable rules and regulations, an election as to the adoption of the proposed document. The Secretary shall approve the governing document if approved by a majority of the tribal voters unless the Secretary finds that the proposed constitution, or any provisions thereof, is contrary to federal law.

(b) Until the Band adopts and the Secretary approves a governing document, the Band's interim governing document shall be the Lac Vieux Desert Constitution which bears the approval date of June 18, 1986 and a copy of which is in the files of the Division of Tribal Government Services, Bureau of Indian Affairs, Washington, DC.

(c) Until the Band elects a new governing body pursuant to the new governing document, the Band's governing body shall consist of its current Band officers, elected at the Band's election held on November 5, 1986, or any new officers selected under election procedures of the interim governing document identified under subsection (b) of this section.

SEC. 7. LAND ACQUISITION; ESTABLISHMENT OF FEDERAL RESERVATION.—(a) The Keweenaw Bay Indian Community is hereby authorized to convey, by deed to the United States in trust for the Band, all lands located in Gogebic County, Michigan, which, on the date of enactment of this Act, are held in trust by the United States for the benefit of said Community. The Secretary is hereby authorized and directed to approve and accept the deed with the expressed consent of the Keweenaw Bay Indian Community and the Band. Upon acceptance of the deed, all lands described therein shall constitute the reservation of the Band.

(b) The Secretary may place such other land into trust for the benefit of the Band pursuant to the provisions of the Act of June 18, 1934 (48 Stat. 84) or any other Act: *Provided*, That any such land placed in trust which is located in Gogebic County, shall become part of the reservation.

SEC. 8. (a) For the purpose of proceeding with the per capita distribution of the funds appropriated and subsequently apportioned to the Keweenaw Bay Indian Community in satisfaction of judgments awarded the Lake Superior Chippewas and Mississippi Chippewas in dockets numbered 18-C, 18-T, 18-S and 18-U of the Indian Claims Commission, the Secretary of the Interior shall accept the Tribe's certification or enrolled membership.

(b) Individuals who are or become members of the Lac Vieux Desert Band and who

are eligible for per capita shares out of funds apportioned to the Keweenaw Bay Indian Community or Sokaogan Chippewa Community shall continue to be eligible for such per capita payments notwithstanding their relinquishment of their enrollment in either Community pursuant to section 5 of this Act.

Mr. BUNNING (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill 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.

PROHIBITING ADDITIONAL APPROPRIATIONS FOR THE STUDY OF THE SHAWS BEND SITE, COLORADO COASTAL PLAINS PROJECT, TEXAS

The Clerk called the bill (H.R. 3819) to prohibit additional appropriations for the analysis and study for the Shaws Bend site of the Colorado Coastal Plains project.

There being no objection, the Clerk read the bill, as follows:

H.R. 3819

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

SECTION 1. SHAWS BEND DAMSITE.

(a) FINDINGS.—The Congress finds that—
(1) there have been 5 studies of the Shaws Bend site of the Colorado Coastal Plains project, authorized as part of the study for the Texas Basins project under the Act entitled "An Act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals", approved September 7, 1966 (80 Stat. 707), and

(2) there is no need for the construction of a dam at the Shaws Bend site.

(b) PROHIBITION ON APPROPRIATIONS.—Notwithstanding the first section of such Act and effective after the date of enactment of this Act, no funds may be appropriated for the analysis and study of the Shaws Bend site of the Colorado Coastal Plains project, authorized as part of the study of the Texas Basins project.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL DAY OF PRAYER

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 bill (S. 1378) to provide for setting aside the first Thursday in

May as the date on which the National Day of Prayer is celebrated.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 1378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint Resolution to provide for setting aside an appropriate day as a National Day of Prayer", approved April 17, 1952 (Public Law 82-324; 66 Stat. 64), is amended by striking "a suitable day each year, other than a Sunday," and inserting in lieu thereof "the first Thursday in May in each year".

The SPEAKER. The gentleman from California [Mr. DYMALLY] is recognized for 1 hour.

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

Mr. Speaker, for the benefit of my colleagues, I would like to briefly explain the purpose of S. 1378.

Unlike the commemorative resolutions we usually bring to the floor under unanimous consent, this bill does not designate a new public observance.

In 1952, Congress enacted a law calling for the observance of a National Day of Prayer each year. That law, however, did not designate a specific day. Instead, it required the President to set aside a "suitable day" each year for the observance.

S. 1378, sponsored in the House by Congressman TONY HALL of Ohio and cosponsored by the ranking majority member on our Census Subcommittee, Congressman GARCIA, simply amends the 1952 law to require that the National Day of Prayer be observed on the first Thursday of May each year.

Having a specific date in the law will allow those individuals who wish to participate in this longstanding public observance to plan accordingly, instead of having to wait for a suitable day to be chosen each year.

Mr. Speaker, since the first Thursday in May occurs this week, I urge timely passage of this bill today.

Mr. HALL of Ohio. Mr. Speaker, I rise in support of S. 1378, the bill to designate the first Thursday in May as the annual date on which the National Day of Prayer is observed. As the sponsor of the House version of this legislation, H.R. 4170, I wish to commend the gentleman from California [Mr. DYMALLY] for his help in expediting this measure. I also wish to thank the other original sponsors, the gentleman from New York [Mr. GARCIA], the gentleman from California [Mr. MOORHEAD], and the gentleman from Virginia [Mr. WOLF] for their active work in behalf of this legislation. In particular, I wish to note the special assistance of the gentleman from New York [Mr. GARCIA] in bringing this bill to the attention of

his colleagues on the Subcommittee on Census and Population.

Since 1952, by act of Congress (Public Law 82-324), the President has declared "a suitable day each year, other than a Sunday" as the National Day of Prayer. This year, the President has proclaimed May 5, 1988, as a National Day of Prayer. This will be the seventh straight year in which the event has been celebrated in May.

Our bill would amend the current law to set a definite date each year for the celebration of the National Day of Prayer: the first Thursday in May. This will help to bring more certainty to the scheduling of events related to the National Day of Prayer, and permit more effective long-range planning. Here are some sample comments we have received in support of this legislation:

I support this bill because it will support inter-religious cooperation without violating the traditional line between church and state.—Rabbi Joshua Haberman of the Washington Hebrew Congregation.

The annual observance would be so much easier to celebrate if its occurrence was not subject to the issuance of an annual proclamation. The event has a tradition of some consequence for increasing our nation's awareness of the need for divine assistance. I look forward to the day when this bill will be passed.—Rev. Msgr. Joseph F. Rebman, Chancellor, Diocese of Wilmington, Delaware.

Since 1952, we have had consecutive observances with a different day being proclaimed each year. This had offered little advance notice to adequately inform the grass roots constituencies. I believe a definite date will allow millions of citizens within our nation who have explicit faith in a Prayer-hearing God to be informed about this significant day in our country.—Pat Boone, Co-chairman, National Prayer Committee.

It should be emphasized that this legislation does not create a new commemorative event; rather, we are proposing a technical correction to the current law to ensure consistent and dependable observance of the already-existing National Day of Prayer.

Although the statute which directs the President to proclaim a National Day of Prayer has been on the books since 1952, the tradition of a national day of prayer observance really dates from the founding of our Nation. In fact, the first official proclamation of a National Day of Prayer issued from the Continental Congress on July 12, 1775. As the National Prayer Committee has written, "Through the influence of General George Washington, many of our Founding Fathers and succeeding Presidents, prayer became an essential foundation stone in the establishment and growth of our United States of America."

The first amendment to the Constitution states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. * * *". The National Day of Prayer is very much in keeping with the pluralistic spirit of the "establishment" clause of the first amendment. No single religious group can claim ownership or control of the National Day of Prayer; rather, it truly belongs to all Americans who seek divine guidance for themselves and for the country.

The Founding Fathers of our Nation, although of different faiths, shared a deep and firm belief in God. They recognized the value and power of prayer, and they saw the intervention of Divine Providence in their lives as they went about the task of creating a new nation.

The National Day of Prayer is a celebration of the "free exercise" clause of the first amendment. Let us join in spirit with the Founding Fathers to acknowledge God's role in our lives and to turn to Him for personal and national guidance.

The passage of this bill today will help to ensure well-planned observance of the National Day of Prayer. With consistent observance over the years, the National Day of Prayer can become an even more meaningful occasion for our country. I urge my colleagues to vote in favor of this legislation.

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

TAKE PRIDE IN AMERICA 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. 530), designating May 1988 as "Take Pride in America Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mrs. VUCANOVICH. Mr. Speaker, reserving the right to object, I do not object, but Mr. Speaker, I rise today in strong support of House Joint Resolution 530, a resolution to designate the month of May as "Take Pride in America Month." I introduced this measure along with my colleagues, MO UDALL, ED MADIGAN, and KIKI DE LA GARZA, on March 31, 1988, and I am pleased we are going to pass it today. As you can see from the list of cosponsors, there is a great deal of support for the beauty of our public lands and the need to take care of them.

Don Hodel and Dick Lyng, the Secretaries of Interior and Agriculture, respectively, started the Take Pride campaign to focus attention on our public lands and the stewardship efforts by citizens and citizen groups around the country. Last year, 1 week in May was designated as Take Pride Week where hundreds of activities were planned in communities all across the country.

Because this program was extremely successful and many participants expressed an interest in having more time to plan and develop stewardship activities, we have designated the entire month of May as Take Pride Month. The theme for 1988 is "Take Pride in America: You Can Make a

Difference." I hope this will provide increased visibility and incentive for citizens to get involved in this worthwhile initiative. A greater awareness of the value of our public lands will help curb abuses such as litter, vandalism, and wildlife poaching.

An increased knowledge of the natural and cultural resources of our public lands is very important. I believe we all have a responsibility to care for these lands. I represent Nevada, a State where 87 percent of the total lands are public, which enhances the need in my State for everyone to be a good steward.

Recognizing the month of May as "Take Pride in America Month" will provide Americans of all ages the opportunity to renew their pride in our public lands. So America, take pride because you can make a difference.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. 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. 530

Whereas America is blessed with outstanding natural and cultural resources;

Whereas America is blessed with tremendous human resources, including citizens with a unique volunteer spirit rooted in the Nation's frontier tradition;

Whereas the Nation's recreational and cultural resources contribute to the economic and social well-being of the Nation;

Whereas the future of the Nation's great historical monuments and natural wonders depends upon the commitment of the American people to their preservation;

Whereas the Take Pride in American Campaign is a partnership of Federal agencies, States, and numerous public and private organizations committed to the wise use of our natural and cultural resources;

Whereas Take Pride in America Month will focus attention on the stewardship of public lands by concerned citizens and citizen groups around the Nation; and

Whereas "Take Pride in America: You Can Make a Difference" will become the theme for Take Pride in America Month: 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 "Take Pride in America Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate programs, 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.

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 S.

1378 and House Joint Resolution 530, the measures just considered.

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

There was no objection.

HOW MUCH MORE CAN THE TAXPAYERS OF AMERICA AFFORD?

(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, this Wednesday marks the deadline for the Federal Government's offer of amnesty to many illegal immigrants. The program has attracted 1.3 million illegal immigrants to apply for legal residence in this country; 1.3 million people, many of whom will end up on welfare.

How much more can the taxpayers of America afford?

Several weeks ago Congress considered an extension to this deadline. I was pleased to see the effort fail in the other body. It is evident the taxpayers and our country are beginning to say that we must stop this free ride.

I say the time not only has come to get tough on illegal immigrants, I think it is time to start using our defense budget, \$300 billion strong, to start protecting our borders against drugs and illegal immigrants. I think it is time to put that money to work for America.

So the last thing I would like to say, I remind the Speaker and all others that the worst message we can send is if you want to be a citizen in America, "just jump the fence." That is not the way it is and I think we had better put our foot down.

BOOM AND BUST SPENDING OF DEFENSE BUDGET IS INEFFICIENT WAY TO SPEND TAXPAYER DOLLARS

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

Mr. KYL. Mr. Speaker, today we are going to have the opportunity to debate and discuss defense budgeting. I think almost all of us agree that boom and bust spending in defense is a very inefficient way to spend taxpayer dollars and provide for the common defense.

Today we have a chance to do something about it. I hope my colleagues will be present to hear and to participate in this discussion.

When we are done I hope that they will join me and my colleague, BUDDY DARDEN, in supporting our bipartisan resolution calling on the Congress to express its sense in support of moder-

ate but sustained growth in defense budgets beginning with the fiscal year 1990.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Today is the day for motions to suspend the rules.

ATOMIC VETERANS COMPENSATION ACT OF 1987

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1811) to amend title 38, United States Code, to provide certain benefits to veterans and survivors of veterans who participated in atmospheric nuclear tests or the occupation of Hiroshima and Nagasaki and who suffer from diseases that may be attributable to low levels of ionizing radiation.

The Clerk read as follows:

Senate amendments: Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Radiation-Exposed Veterans Compensation Act of 1988".

SEC. 2. PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN RADIATION-EXPOSED VETERANS.

(a) PRESUMPTION.—Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) For the purposes of section 310 of this title, and subject to the provisions of section 313 of this title, a disease specified in paragraph (2) of this subsection becoming manifest in a radiation-exposed veteran to a degree of 10 percent or more within the presumption period (as specified in paragraph (3) of this subsection) shall be considered to have been incurred in or aggravated during the veteran's service on active duty, notwithstanding that there is no record of evidence of such disease during the period of such service.

"(2) The diseases referred to in paragraph (1) of this subsection are the following:

"(A) Leukemia (other than chronic lymphocytic leukemia).

"(B) Cancer of the thyroid.

"(C) Cancer of the breast.

"(D) Cancer of the pharynx.

"(E) Cancer of the esophagus.

"(F) Cancer of the stomach.

"(G) Cancer of the small intestine.

"(H) Cancer of the pancreas.

"(I) Multiple myeloma.

"(J) Lymphomas (except Hodgkin's disease).

"(K) Cancer of the bile ducts.

"(L) Cancer of the gall bladder.

"(M) Primary liver cancer (except if cirrhosis of hepatitis B is indicated).

"(3) The presumption period for purposes of paragraph (1) of this subsection is the 40-year period beginning on the last date on which the veteran participated in a radiation-risk activity, except that such period shall be the 30-year period beginning on that date in the case of leukemia (other than chronic lymphocytic leukemia).

"(4) For the purposes of this subsection:

"(A) The term 'radiation-exposed veteran' means a veteran who, while serving on

active duty, participated in a radiation-risk activity.

"(B) The term 'radiation-risk activity' means any of the following:

"(i) Onsite participation in a test involving the atmospheric detonation of a nuclear device.

"(ii) The occupation of Hiroshima or Nagasaki, Japan, by the United States forces during the period beginning on August 6, 1945, and ending on July 1, 1946.

"(iii) Internment as prisoner of war in Japan (or service on active duty in Japan immediately following such internment) during World War II which (as determined by the Administration) resulted in an opportunity for exposure to ionizing radiation comparable to that of veterans described in clause (ii) of this subparagraph."

(b) EFFECTIVE DATE.—Subsection (c) of section 312 of title 38, United States Code, as amended by subsection (a), shall take effect on May 1, 1988.

(c) REQUIREMENTS REGARDING VETERANS' ENVIRONMENTAL HAZARDS ADVISORY COMMITTEE SCIENTIFIC COUNCIL REPORTS.—Section 6(d)(3) of the Veterans' Dioxin and Radiation Exposure Compensation Standards Act (Public Law 98-542) is amended by striking out "the Committee and the Administrator" and inserting in lieu thereof "the Committee, the Administrator, and the Committee on Veterans Affairs of the Senate and House of Representatives.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentleman from Mississippi [Mr. MONTGOMERY] 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 Mississippi [Mr. MONTGOMERY].

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

Mr. Speaker, H.R. 1811 would provide compensation benefits to certain veterans and survivors of veterans who participated in atmospheric nuclear tests or the occupation of Hiroshima and Nagasaki.

Diseases for which benefits would be paid include most leukemias, thyroid, and breast cancer as well as most cancers of the alimentary canal except the colon. The diseases would have to be manifested within 30 years of exposure for leukemia and within 40 years of exposure for all other covered cancers.

Public concern about health effects of low-level ionizing radiation has increased greatly in recent years. The relationship of x-ray overexposure to cancers has been well documented for over 80 years. Much is known about the relationship of high-dosage radiation to cancers but less is known about the carcinogenic effect of low-dosage exposure to ionizing radiation.

While the subject of radiation exposure and its relationship to disability

has received wide-spread attention from the media, in terms of actual impact on veterans, the impact is not major. The total exposed population is about 250,000. Despite widespread publicity, less than 6,000 veterans or survivors have filed claims for compensation, and about half of those who filed claims do not claim any disability.

Nevertheless, the evidence is sufficient to invoke the reasonable doubt doctrine we have always applied to veterans benefits. Since the amount of exposure suffered by test participants is uncertain, the bill ignores it and instead focuses on the likelihood of relationship of disease entities to exposure. Only those diseases which have been identified in credible studies as bearing a reasonable probability of relationship to low-level ionizing radiation exposure are included in H.R. 1811.

By imposing the 30- and 40-year time limitations, the bill also preserves the longstanding legislative requirement that a disability need be related to service only by its incurrence during the active duty period rather than the more restrictive requirement that there be a cause-and-effect relationship. It is, therefore, sufficient for service-connection purposes if sound medical principles dictate that a disease first manifested long after service must, because of its insidious and slow development, have had its inception during the period of active duty.

Mr. Speaker, while there is no scientific certainty regarding the provisions of H.R. 1811, it does have sufficient medical credibility to meet the requirements for service-connected compensation.

The bill before us today, H.R. 1811, is the result of many hours of negotiations between the Veterans' Affairs Committees of the House and Senate. This bill would establish a presumption of service connection for 13 cancer-related diseases suffered by veterans who, while on active duty in service to their country, were exposed to ionizing radiation while participating in certain atomic tests following World War II. The presumption would be applicable if the disease is manifested to a compensable degree within 40 years for all of the diseases except for leukemia, which has a 30-year-time limitation.

Due to the tremendous degree of uncertainty existing within the scientific and medical communities as to the long-term health effects of exposure to low levels of radiation and, because the levels of radiation to which these veterans were exposed may never be accurately determined, it remains very difficult for a veteran to establish that his or her disability had its inception in service. In view of this, the establishment of a presumption would

appear to be the only means by which these veterans will ever be compensated for their disabilities.

There is only one difference between the Senate amendments and the amendments passed by the House on March 29. The Senate amendments do not include the payment of compensation for veterans who are disabled as a result of colon cancer or DIC benefits to eligible beneficiaries of veterans who die of colon cancer.

Mr. Speaker, I am including a more detailed explanation of the agreement reached with the other body in the RECORD at this point.

**EXPLANATORY STATEMENT ON H.R. 1811/
TITLE II OF S. 9, THE "RADIATION-EXPOSED
VETERANS COMPENSATION ACT OF 1988"**

This document explains the provisions of H.R. 1811 as passed by the House of Representatives on July 21, 1987 (hereinafter referred to as the "House bill"); title II of H.R. 2616 as passed by the Senate on December 4, 1987, with a substitute amendment derived from title II of S. 9 as reported (hereinafter referred to as the "Senate bill"); and section 314 of H.R. 2616 as passed by the House on March 29, 1988, with a substitute amendment to the Senate amendment (hereinafter referred to as the "House amendment"); and the provisions of a compromise agreement between the House and the Senate Committees on Veterans' Affairs on those measures. The compromise agreement on H.R. 1811 was reached in the context of a conference committee agreement on H.R. 2616/S. 9; the conferees there decided to proceed separately with radiation-exposure legislation, and both sides receded from their radiation provisions in H.R. 2616/S. 9 in favor of immediate and separate action on H.R. 1811 incorporating the agreement reached by the conference.

The differences between the three measures and the provisions of the compromise agreement are noted below, except for clerical corrections, conforming changes made necessary by the compromise agreement, and minor drafting, technical, and clarifying changes.

INTRODUCTION

Each of the three measures—the House bill and the House amendment, through an amendment to section 312 of title 38, relating to presumptions of service connection for certain diseases, and the Senate bill, through an amendment to title 38 to add a new chapter 14—would establish a presumption of service connection for purposes of disability and death benefits for certain diseases arising in veterans who were exposed to ionizing radiation during the atmospheric or underwater nuclear weapons test program or the American occupation of Hiroshima or Nagasaki, Japan.

**FINDINGS, CONCLUSIONS, AND STATEMENT OF
PURPOSE**

Senate bill: The Senate bill (section 202) would set forth Congressional findings and conclusions regarding the nuclear test program; the state of science pertaining to ionizing radiation exposure, including the calculation (especially in light of two General Accounting Office reports) and carcinogenic effects of such exposure; the VA's history of adjudicating radiation claims; and the difficulties involved in resolving radiation-exposed veterans' claims for VA benefits. The Senate bill also would state that the purpose of the bill is to establish a process

within the VA to carry out the findings and conclusions in order to provide benefits in specified circumstances.

House bill: No provision.

House amendment: No provision.

Compromise agreement: No provision.

The Committees reconfirm the findings and conclusions set forth in paragraphs (1) and (2) and (3)(B) and (E) of section 202(a) of the Senate bill.

**CATEGORIES OF POTENTIALLY ELIGIBLE
VETERANS**

House bill: The House bill (section 2) would establish a presumption of service connection for specified disabilities suffered by veterans who, while on active duty, were exposed to ionizing radiation as a result of onsite participation in the atmospheric detonation of a nuclear device or the American occupation of Hiroshima and Nagasaki, Japan, between August 6, 1945, and July 1, 1946.

Senate bill: The Senate bill (section 203) would make potentially eligible for certain disability and death benefits those veterans (including persons who died in the active military, naval, or air service) who, during service (i) participated onsite in the United States Government's test of a nuclear device or the American occupation of Hiroshima or Nagasaki prior to July 1, 1946, or (ii) in connection with internment as a POW in Japan had an opportunity for exposure which the Administrator finds comparable to that of a veteran in the American occupation.

House amendment: The House amendment contains the Senate provision with an amendment to add a beginning date of August 6, 1945, to define the period of the American occupation.

Compromise agreement: The compromise agreement contains the provisions of the House amendment.

The Committees note their intention that the VA interpret the term "onsite participation" broadly rather than restrictively and to include, for example, airborne personnel who flew cloud-sampling planes during nuclear weapons tests and the ground crews who decontaminated or otherwise came in contact with contaminated planes or other equipment. Although such personnel were not present at the actual test site, many of these personnel clearly had an opportunity for exposure to ionizing radiation from such a test. The Committees' intention in including the word "onsite" is to exclude military personnel who were distant from the test site or any radiation-contaminated instrumentalities, such as personnel involved in procurement for a weapons test who did not travel to the test site.

SPECIFIED DISEASES AND DEGREE OF DISABILITY

House bill: The House bill (section 2) would establish a presumption of service connection for the following diseases (if manifested to a degree of 10 percent or more): Leukemia (except chronic lymphatic leukemia); thyroid cancer; bronchogenic carcinoma; breast cancer; cancer of the pharynx; cancer of the esophagus; cancer of the stomach; cancer of the small intestine; cancer of the colon; and pancreatic cancer.

Senate bill: The Senate bill (section 203) would establish a presumption of service connection for the following diseases: (1) leukemia (except chronic lymphocytic leukemia) and cancer of the thyroid; and (2) if the veteran was exposed to more than one rem of radiation, cancer of the small intestine; cancer of the stomach; cancer of the liver (except where cirrhosis or hepatitis B is indicated); cancer of the bile ducts; cancer

of the gallbladder; cancer of the pancreas; lymphomas (excluding Hodgkin's disease); and multiple myeloma. The Senate bill would also require that, in the case of claims based on certain other cancers—cancer of the lung; cancer of the colon; cancer of the esophagus; cancer of the rectum; cancer of the pharynx; cancer of the liver (where cirrhosis or hepatitis B is indicated); cancer of the kidney; cancer of the urinary tract; cancer of the bladder; cancer of the brain and nervous system; cancer of the salivary glands; cancer of the bones and joints; and cutaneous melanoma—if the veteran was exposed to more than 1 rem of radiation, the claims receive special consideration. Such consideration would include the VA giving conclusive weight to the Congressional findings in the bill relating to the relationship between the particular disease, its susceptibility to radiation exposure, and its link to other significant risk factors.

House amendment: The House amendment would establish a presumption of service connection for the following diseases (if manifested to a degree of 10 percent or more): leukemia (except chronic lymphocytic leukemia); cancer of the thyroid; cancer of the breast; cancer of the pharynx; cancer of the esophagus; cancer of the stomach; cancer of the small intestine; cancer of the colon; cancer of the pancreas; multiple myeloma; lymphomas (except Hodgkin's disease); cancer of the bile ducts; cancer of the gallbladder; and primary liver cancer (except if cirrhosis or hepatitis B is indicated).

Compromise agreement: The compromise agreement contains the provisions of the House amendment with cancer of the colon deleted.

MANIFESTATION PERIODS

House bill: The House bill would require that all the specified diseases be manifested within 30 years after the veteran's last in-service exposure to radiation.

Senate bill: The Senate bill (section 203) would require that leukemia be manifested within 30 years after the veteran's last in-service exposure to ionizing radiation and would also require that all other specified diseases be manifested 5 or more years after the veteran's first such exposure.

House amendment: The House amendment would provide for a 30-year manifestation period for leukemia and cancer of the colon and a 40-year manifestation period for the other conditions described in the preceding item relating to the House amendment.

Compromise agreement: The compromise agreement contains the provisions in the House amendment with reference to cancer of the colon deleted.

SPECIAL PROVISIONS RELATING TO BENEFITS

Senate bill: The Senate bill (section 203) would provide benefits at the same rates as under chapters 11 and 13 of title 38 and would treat the diseases as service connected for all title 38 purposes except for purposes of chapters 11 and 13. The Senate bill also would provide that benefits would not be payable with respect to a disease for which compensation or DIC otherwise is payable.

House bill: No specific provisions.

House amendment: No specific provisions.

Compromise agreement: No provision.

ADJUSTMENT OF EXPOSURE ESTIMATES

Senate bill: The Senate bill (section 204) would amend section 354 of title 38, relating

to consideration to be accorded in the processing of VA claims to time, place, and circumstance of service, so as to establish a process for the upward adjustment of veterans' radiation exposure estimates to equal the total of (a) the highest Defense Nuclear Agency (DNA) or other exposure estimate for the veteran, based on film badge, reconstruction, or a combination of film badge and reconstruction, plus (b) for test participants, (1) 5 rems, if the DNA estimates that at least 25 percent of the member of the veteran's service branch or of the total participants in the particular test were exposed to more than 3 rems; (2) 3 rems, if the DNA estimates that at least 25 percent of the members of the veteran's service branch or of the total participants in the particular test were exposed to more than 1 rem; or (3) 1 rem, if the DNA estimates that at least 20 percent of the members of the veteran's service branch or of the total participants in the particular test were exposed to more than 0.5 rem; or (c) for occupation troops or former POWs in Japan found to have a comparable opportunity for exposure, 1 rem; or (d) for a veteran exposed in more than one nuclear test or in one or more tests and in the occupation of Japan, the combined total from all such exposures, adjusted as described above.

House bill: No provision.

House amendment: No provision.

Compromise agreement: No provision.

PRESERVATION OF EXISTING RIGHTS

Senate bill: The Senate bill (section 206) would provide that nothing in that measure would operate or be construed to prevent the granting of service connection under chapter 11 or 13 of title 38 in the case of any disease or disability from which a veteran suffers or has died that is determined on a non-presumptive basis to have been incurred in or aggravated by active-duty service.

House bill: No provision.

House amendment: No provision.

Compromise agreement: No provision.

The Committees do not consider this provision to be necessary because the provisions of the compromise agreement would not on their face preclude or restrict, and are not intended to preclude or restrict, the right of claimants to apply for and receive benefits under current law—that is, on a non-presumptive basis—including any right to have benefits paid retroactively. The Committees intend that the VA (a) make awards under this measure to all veterans and survivors with pending claims who satisfy this measure's requirements and (b) notify those claimants of their rights with respect to continuing to pursue their claims on a non-presumptive basis in order to receive retroactive benefits.

HEALTH-CARE ELIGIBILITY

Senate bill: The Senate bill (section 207) would provide for an extension, from September 30, 1989, to September 30, 1991, in the expiration of health-care eligibility for radiation-exposed veterans set forth in section 610(a)(1)(G) of title 38.

House bill: No provision.

House amendment: No provision.

Compromise agreement: No provision.

ENVIRONMENTAL HAZARDS ADVISORY COMMITTEE REPORTS

Senate bill: The Senate bill (section 208) would amend section 6(d)(3) of Public Law 98-542, relating to reports from the Scientific Council of the Veterans' Advisory Committee on Environmental Hazards, to require the Council to submit its reports to

the House and Senate Veterans' Affairs Committees, as well as to the full Advisory Committee and the Administrator.

House bill: No provision.

House amendment: The House amendment contains this provision.

Compromise agreement: The compromise amendment contains this provision.

EFFECTIVE DATES AND SUNSET PROVISION

House bill: The House bill (section 3) would provide that its provisions would be effective on October 1, 1987.

Senate bill: The Senate bill (sections 210 and 211) would provide that (a) the radiation-benefits provisions would take effect on January 1, 1988, (b) such provisions would not apply with respect to claims filed about September 30, 1991, and (c) that benefits would not be payable for any period prior to enactment.

House amendment: The House amendment would provide for a May 1, 1988, effective date with no sunset provision.

Compromise agreement: The compromise agreement contains the provision in the House amendment.

□ 1215

Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia, Mr. ROY ROWLAND, the chief sponsor of the bill, and the only practicing physician in the Congress.

Mr. ROWLAND of Georgia. Mr. Speaker, when I introduced H.R. 1811 over 1 year ago, I did so with the strong support of the leadership of the Committee on Veterans' Affairs. It is with that support that this legislation has come through the maze of our legislative process to the floor today. I want to thank my chairman, G.V. (SONNY) MONTGOMERY, and the ranking minority member, GERALD SOLOMON for their vital assistance with this bill.

I thank the chairman of the Subcommittee on Compensation, Pension, and Insurance, DOUGLAS APPELGATE for the contributions he has made and the ranking member of the subcommittee, BOB McEWEN, for his support. I also thank JOHN PAUL HAMMERSCHMIDT for his interest and work on this important issue.

Additionally, I want to thank Senators CRANSTON and MURKOWSKI for their contributions and cooperation in developing the compromise which H.R. 1811 represents today. Finally, I want to thank the staff of the Veterans' Affairs Committee who have helped so much in working on this legislation.

Mr. Speaker, we know ionizing radiation can cause cancer. It mutates healthy cells and turns them against the body. However, the effects of exposure to radiation may not be manifested for years. And this is the dilemma for our atomic veterans. How can they prove that the diseases many of them are now suffering existed during the time of their service?

Our atomic veterans willingly served this country by participating in the testing of our nuclear weapons and in the cleanup of Hiroshima and Nagasa-

ki following World War II. Many worked under conditions which none of us would want to submit to. Their lives were at risk and whether they were aware of this fact or not, they carried out their duty without question.

Today, if an atomic veteran has developed a radiation-related cancer which he believes resulted from his service to our country, it is almost impossible for the veteran to receive compensation from the VA.

We ask the veteran to provide positive evidence that the disease he suffers from had its inception during the veteran's time of service to the country—a disease which took years to develop. In effect, we ask the veteran to prove a cause and effect relationship between low levels of radiation and the development of disease. We ask the veteran to do this when the methods used back then to measure exposure levels were crude and unreliable. We ask the veteran to show something that even medical experts are still debating. In other words, to crack a scientific equation which has yet to be solved.

As many as 250,000 veterans participated in the activities described under the bill. Out of 6,000 claims filed for VA benefits due to radiation exposure, approximately 44 have been granted.

It's time we took the burden off the backs of these brave veterans and recognize the suffering they have had to endure. H.R. 1811 addresses this issue in the most effective manner. A presumption of service-connection is created for 13 radiation-related cancers. There is nothing spectacular about creating these presumptions, many exist under current law. For instance, we presume that many different diseases were incurred during service for veterans who were prisoners of war.

The cost of this legislation is minimal in consideration of the suffering it addresses. The bill will cost only \$15 million in fiscal year 1988 and \$36 million in fiscal year 1989 and about that thereafter.

Mr. Speaker, the doubts surrounding the relationship of low levels of ionizing radiation and the development of cancer simply must be resolved in favor of our veterans. We owe them no less. They answered when their country called. And I do not believe their country should abandon them now that they are in need. I urge my colleagues to support this bill and the President to sign it into law.

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

Mr. Speaker, I rise in strong support of H.R. 1811, the Radiation-Exposed Veterans Compensation Act of 1988. This bill would for the first time establish presumptions of service connection for some disabilities known to

be associated with exposure to ionizing radiation.

For a long time, the Government and private institutions have been investigating the possible relationship between the exposure of tens of thousands of Americans to radiation while in the military and illnesses, especially cancer, in these veterans years later. Generally, the scientific research results have been reassuring statistically, in that the average atomic veteran seems to have little to fear from radiation-related illnesses.

However, real people are obviously not averages; they are individuals with unique experiences and, more importantly, unique susceptibilities to disease processes. Modern science is not nearly so far along that it can predict whether different individuals, when exposed to various levels of radiation, will develop radiogenic diseases, even though today there is broad agreement in the scientific community that some diseases can be radiogenic.

As one of the original sponsors of the first bills allowing presumption of service connection based on radiation exposure, I believe the approval of this bill by the full Congress is long overdue.

The atomic veterans covered by this bill did not ask for the conditions military duty imposed on them, but accepted those conditions without hesitation. Many of these veterans have endured hardships and suffered disabilities beyond description. And in many cases, these disabilities came into view only later in life.

These veterans are the special charges of not just our committee but the full Congress and it is time that reasonable doubt was resolved in favor of the atomic veterans.

We have an obligation to fulfill their record of service to our country.

In my view, after all of the scientific research and the attempts to find out all that could possibly be found out through military records, we are left with a policy decision in which science and the records are of little help.

Going back to what we do know, that some diseases can be caused by radiation, it seems fair to me to conclude if a veteran can show his presence at Nagasaki or Hiroshima, or at one of the atomic bomb tests, and if he subsequently develops one of those diseases within a reasonable period of time, then it can be presumed to be service connected.

It does not seem fair to me to require atomic veterans to prove something which they cannot prove and which the Government cannot disprove. This approach may not satisfy lawyers, but I am not a lawyer, and this is the Congress, not a court.

Many people have contributed to H.R. 1811, but ROY ROWLAND has been its champion and deserves special recognition. Also, I commend SONNY

MONTGOMERY, our able chairman; JERRY SOLOMON our full committee ranking member; DOUG APPELEGATE, the chairman of the Subcommittee on Compensation, Pension, and Insurance; and BOB McEWEN the subcommittee's ranking member, for their vigorous support of H.R. 1811.

Mr. Speaker, I urge in the strongest possible terms that this body favorably concur in the Senate amendments and approve H.R. 1811, the Atomic Veterans Compensation Act.

Mr. Speaker, I yield such time as he may consume to the distinguished ranking member of the subcommittee, the gentleman from Ohio [Mr. McEWEN].

Mr. McEWEN. Mr. Speaker, I thank my friend, the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for yielding.

It is on occasions like this when we recognize the responsibility we have to our veterans that it is a special privilege to be associated with such distinguished Americans as the chairman of our full committee, the gentleman from Mississippi, Mr. SONNY MONTGOMERY, certainly the gentleman from Arkansas, Mr. HAMMERSCHMIDT, as longtime ranking member and leader, and the gentleman from Georgia, Dr. ROWLAND, who has championed this cause so faithfully over these many months, as well as the gentleman from New York, Mr. SOLOMON, the ranking member of the full committee for the 100th Congress.

I also want to express my deep appreciation to my friend and colleague, Mr. DOUG APPELEGATE, for his bipartisan spirit and cooperation. It is indeed an honor to work with him. As the chairman of the Subcommittee on Compensation, Pension, and Insurance, he has once again demonstrated his special commitment and ability to shepherd legislation on behalf of America's veterans on to the House floor.

Mr. Speaker, as an original cosponsor of H.R. 1811, I rise in strong support of the Radiation-Exposed Veterans Compensation Act. Previous speakers has explained this legislation well, and I concur with and associate myself with their comments.

This issue has been before the Congress for many years, and through his work with our colleagues, the gentleman from Mississippi [Mr. MONTGOMERY], the gentleman from New York [Mr. SOLOMON], the gentleman from Arkansas [Mr. HAMMERSCHMIDT], and the gentleman from Georgia [Dr. ROWLAND], we have been able to strike a balance whereby we can accomplish what we have wanted to achieve for a long time within the constraints of budget limitations that they now face; however, as we try to come to grips with the problems of Americans who were exposed to ionizing radiation, there are no absolute answers. The presumptive diseases contained in H.R. 1811 are a reasonable and modest

approach to compensate a number of those veterans affected by radiation.

Mr. Speaker, the issues affecting atomic veterans cannot be considered in the context of absoluteness, but the fact that they do exist is absolute.

If we err in our approach to H.R. 1811—and I think that we do not—then we err on the side of compassion, on the side of granting the benefit of the doubt to these veterans who served their country well.

The question before us is whether we can act on a possible, even probable presumption, or do we wait for all that scientific and medical certainty that we believe may never come.

For my part, I believe that we should approve this legislation, and I request my colleagues to support this compromise bill.

Mr. Speaker, I leave off as I began, expressing my appreciation to the gentleman from Georgia [Dr. ROWLAND], the chairman and ranking members of the committee for their leadership and the service they do our country by their service here.

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on Post Office and Civil Service, the gentleman from Michigan [Mr. FORD], who would like to talk about a nonrelated subject as far as the bill is concerned.

(By unanimous consent, Mr. FORD of Michigan was allowed to speak out of order.)

THE POSTAL REORGANIZATION ACT OF 1988

Mr. FORD of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time to speak out of turn.

I would first like to say that I strongly support this very worthy and long overdue legislation.

Mr. Speaker, in 1973 the Office of Management and Budget removed the newly created U.S. Postal Service from the unified budget. The President's budget noted "treatment of the Postal Service *** reflects its independence from Federal control." Unfortunately, 12 years later in 1985, OMB under David Stockman placed the Postal Service back on budget.

What has on-budget status wrought? Political interference with postal operations that has led to the cancellation or deferment of more than 700 badly needed construction projects and mandated service reductions. The Postal Service, its employees, and its customers—your constituents—have suffered.

On March 15, I introduced H.R. 4150, a bill to restore the Postal Service to off-budget status. Today, I dropped in the latest additional cosponsors. I'm proud to say 241 Members, a bipartisan majority of the House, have signed on to the bill and I intend to bring it before my committee at the next opportunity.

Now, for those intent on privatizing the Postal Service to skim the cream, I

say "back off, don't be so greedy." There's plenty of postal business out there for you already. Last year the service pumped 8.6 billion dollars' worth of business into the private sector in the form of transportation and construction contracts, contract stations and routes, other contracts for goods and service, and work sharing opportunities.

So let's all pull together, support the universal postal service which our constituents expect and deserve, and support H.R. 4150.

H.R. 4150, COSPONSOR LIST, MAY 2, 1988

Ackerman, Gary; Democrat; New York.
Akaka, Daniel K.; Democrat; Hawaii.
Alexander, Bill; Democrat; Arkansas.
Annunzio, Frank; Democrat; Illinois.
Applegate, Douglas; Democrat; Ohio.
Aspin, Les; Democrat; Wisconsin.
Atkins, Chester; Democrat; Massachusetts.
Barnard, Doug, Jr.; Democrat; Georgia.
Bateman, Herbert; Republican; Virginia.
Bates, Jim; Democrat; California.
Berman, Howard I.; Democrat; California.
Biaggi, Mario; Democrat; New York.
Bilbray, James H.; Democrat; Nevada.
Boehlert, Sherwood; Republican; New York.
Bonior, David E.; Democrat; Michigan.
Bonker, Don; Democrat; Washington.
Borski, Robert A.; Democrat; Pennsylvania.
Boucher, Rick; Democrat; Virginia.
Boxer, Barbara; Democrat; California.
Brown, George E., Jr.; Democrat; California.
Bruce, Terry L.; Democrat; Illinois.
Burton, Dan; Republican; Indiana.
Bustamante, Albert G.; Democrat; Texas.
Byron, Beverly; Democrat; Maryland.
Cardin, Benjamin L.; Democrat; Maryland.
Carper, Thomas; Democrat; Delaware.
Clarke, James McClure; Democrat; North Carolina.
Clay, William (Bill); Democrat; Missouri.
Clements, Robert; Democrat; Tennessee.
Clinger, Bill; Republican; Pennsylvania.
Coelho, Tony; Democrat; California.
Coleman, Ronald D.; Democrat; Texas.
Collins, Cardiss; Democrat; Illinois.
Conyers, John; Democrat; Michigan.
Coyne, William; Democrat; Pennsylvania.
Craig, Larry E.; Republican; Idaho.
Crockett, George W., Jr.; Democrat; Michigan.
Daub, Hal; Republican; Nebraska.
Davis, Jack; Republican; Illinois.
Davis, Robert; Republican; Michigan.
DeFazio, Peter A.; Democrat; Oregon.
deLugo, Ron; Democrat; Virgin Islands.
deWine, Michael; Republican; Ohio.
Dicks, Norman D.; Democrat; Washington.
Dingell, John; Democrat; Michigan.
DioGuardi, Joseph J.; Republican; New York.
Dorgan, Byron; Democrat; North Dakota.
Dowdy, Wayne; Democrat; Mississippi.
Downey, Tom; Democrat; New York.
Duncan, John; Republican; Tennessee.
Dwyer, Bernard J.; Democrat; New Jersey.
Dymally, Mervyn; Democrat; California.
Dyson, Roy; Democrat; Maryland.
English, Glenn; Democrat; Oklahoma.
Espy, Mike; Democrat; Mississippi.
Evans, Lane; Democrat; Illinois.
Fascell, Dante B.; Democrat; Florida.
Fauntroy, Walter; Democrat; District of Columbia.

Fazio, Vic; Democrat; California.
Feighan, Edward P.; Democrat; Ohio.
Fish, Hamilton, Jr.; Republican; New York.
Flake, Floyd; Democrat; New York.
Florio, James J.; Democrat; New Jersey.
Foglietta, Thomas; Democrat; Pennsylvania.
Frank, Barney; Democrat; Massachusetts.
Fuster, Jaime B.; Democrat; Puerto Rico.
Gallo, Dean A.; Republican; New Jersey.
Garcia, Robert; Democrat; New York.
Gaydos, Joseph M.; Democrat; Pennsylvania.
Gejdenson, Sam; Democrat; Connecticut.
Gekas, George W.; Republican; Pennsylvania.
Gilman, Ben; Republican; New York.
Gonzalez, Henry B.; Democrat; Texas.
Gordon, Bart; Democrat; Tennessee.
Grant, Bill; Democrat; Florida.
Gray, Ken; Democrat; Illinois.
Guarini, Frank; Democrat; New Jersey.
Hall, Tony; Democrat; Ohio.
Hammerschmidt, John Paul; Republican; Arkansas.
Hansen, Jim; Republican; Utah.
Hastert, Dennis J.; Republican; Illinois.
Hayes, Charles; Democrat; Illinois.
Hayes, James A.; Democrat; Louisiana.
Hefner, W.G. (Bill); Democrat; North Carolina.
Henry, Paul B.; Republican; Michigan.
Hertel, Dennis; Democrat; Michigan.
Hochbrueckner, George; Democrat; New York.
Hopkins, Larry; Republican; Kentucky.
Horton, Frank; Republican; New York.
Hoyer, Steny; Democrat; Maryland.
Hubbard, Carroll; Democrat; Kentucky.
Hughes, William J.; Democrat; New Jersey.
Inhofe, James M.; Republican; Oklahoma.
Ireland, Andy; Republican; Florida.
Jacobs, Andrew; Democrat; Indiana.
Jeffords, James M.; Republican; Vermont.
Johnson, Nancy; Republican; Connecticut.
Johnson, Tim; Democrat; South Dakota.
Jones, Walter; Democrat; North Carolina.
Jontz, Jim; Democrat; Indiana.
Kaptur, Marcy; Democrat; Ohio.
Kennedy, Joseph P. II; Democrat; Massachusetts.
Kennelly, Barbara; Democrat; Connecticut.
Kildee, Dale; Democrat; Michigan.
Klecza, Gerald; Democrat; Wisconsin.
Koelter, Joe; Democrat; Pennsylvania.
Kostmayer, Peter; Democrat; Pennsylvania.
LaFalce, John J.; Democrat; New York.
Lagomarsino, Robert; Republican; California.
Lancaster, Martin; Democrat; North Carolina.
Leach, Jim; Republican; Iowa.
Leath, Marvin; Democrat; Texas.
Lehman, Richard H.; Democrat; California.
Leland, Mickey; Democrat; Texas.
Lent, Norman; Republican; New York.
Levin, Sander; Democrat; Michigan.
Lewis, John; Democrat; Georgia.
Lipinski, William O.; Democrat; Illinois.
Lloyd, Marilyn; Democrat; Tennessee.
Lott, Trent; Republican; Mississippi.
Lowry, Mike; Democrat; Washington.
Luken, Tom; Democrat; Ohio.
Madigan, Edward R.; Republican; Illinois.
Manton, Thomas J.; Democrat; New York.
Markey, Edward; Democrat; Massachusetts.
Martin, David O'B.; Republican; New York.

Martinez, Matthew G.; Democrat; California.
Matsui, Robert T.; Democrat; California.
Mavroules, Nicholas; Democrat; Massachusetts.
Mazzoli, Romano; Democrat; Kentucky.
McCloskey, Frank; Democrat; Indiana.
McCollum, Bill; Republican; Florida.
McCurdy, Dave; Democrat; Oklahoma.
McDade, Joseph M.; Republican; Pennsylvania.
McEwen, Bob; Republican; Ohio.
McGarth, Raymond; Republican; New York.
McHugh, Matthew F.; Democrat; New York.
McMillan, Thomas C.; Democrat; Maryland.
Mfume, Kweisi; Democrat; Maryland.
Miller, John; Republican; Washington.
Moakley, Joe; Democrat; Massachusetts.
Molinar, Guy V.; Republican; New York.
Mollohan, Alan; Democrat; West Virginia.
Montgomery, Sonny; Democrat; Mississippi.
Moody, Jim; Democrat; Wisconsin.
Morella, Connie; Republican; Maryland.
Morrison, Bruce; Democrat; Connecticut.
Morrison, Sid; Republican; Washington.
Mrazek, Bob; Democrat; New York.
Murphy, Austin; Democrat; Pennsylvania.
Murtha, John P.; Democrat; Pennsylvania.
Nagle, David R.; Democrat; Iowa.
Natcher, William H.; Democrat; Kentucky.
Neal, Stephen L.; Democrat; North Carolina.
Nielson, Howard; Republican; Utah.
Nowak, Henry J.; Democrat; New York.
Oakar, Mary Rose; Democrat; Ohio.
Oberstar, James L.; Democrat; Minnesota.
Olin, Jim; Democrat; Virginia.
Ortiz, Solomon P.; Democrat; Texas.
Owens, Major; Democrat; New York.
Owens, Wayne; Democrat; Utah.
Pashayan, Charles; Republican; California.
Patterson, Elizabeth; Democrat; South Carolina.
Pease, Donald J.; Democrat; Ohio.
Pelosi, Nancy; Democrat; California.
Penny, Timothy; Democrat; Minnesota.
Pepper, Claude; Democrat; Florida.
Perkins, Carl C.; Democrat; Kentucky.
Petri, Thomas E.; Republican; Wisconsin.
Pickett, Owen B.; Democrat; Virginia.
Quillen, James H.; Republican; Tennessee.
Rahall, Nick; Democrat; West Virginia.
Rangel, Charles; Democrat; New York.
Richardson, Bill; Democrat; New Mexico.
Ridge, Thomas; Republican; Pennsylvania.
Rinaldo, Matthew J.; Republican; New Jersey.
Roberts, Pat; Republican; Kansas.
Robinson, Tommy; Democrat; Arkansas.
Rodino, Peter; Democrat; New Jersey.
Roe, Robert A.; Democrat; New Jersey.
Rose, Charles; Democrat; North Carolina.
Rowland, John; Democrat; Connecticut.
Rowland, J. Roy; Democrat; Georgia.
Roybal, Edward R.; Democrat; California.
Sabo, Martin Olav; Democrat; Minnesota.
Saiiki, Patricia F.; Republican; Hawaii.
St Germain, Fernand; Democrat; Rhode Island.
Sawyer, Tom; Democrat; Ohio.
Saxton, Jim; Republican; New Jersey.
Schaefer, Dan; Republican; Colorado.
Scheuer, James; Democrat; New York.
Schneider, Claudine; Republican; Rhode Island.
Schroeder, Patricia; Democrat; Colorado.

Schuemer, Charles E.; Democrat; New York.

Schuetz, Bill; Republican; Michigan.
Shays, Christopher; Republican; Connecticut.

Sikorski, Gerry; Democrat; Minnesota.
Slaughter, Louise; Democrat; New York.
Smith, Christopher; Republican; New Jersey.

Smith, Lawrence; Democrat; Florida.
Smith, Virginia; Republican; Nebraska.
Solarz, Stephen; Democrat; New York.
Solomon, Gerald; Republican; New York.
Spratt, John; Democrat; South Carolina.
Staggers, Harley; Democrat; West Virginia.

Stallings, Richard H.; Democrat; Idaho.
Stangeland, Arlan; Republican; Minnesota.

Stokes, Louis; Democrat; Ohio.
Stratton, Samuel; Democrat; New York.
Studds, Gerry E.; Democrat; Massachusetts.

Sunia, Fofo I.F.; Democrat; Am Samoa.
Swift, Al; Democrat; Washington.
Synar, Mike; Democrat; Oklahoma.
Tallon, Robin; Democrat; South Carolina.
Tauke, Thomas; Republican; Iowa.
Tausin, W.J. Billy; Democrat; Louisiana.
Taylor, Gene; Republican; Missouri.
Thomas, Robert Lindsay; Democrat; Georgia.

Torres, Esteban Edward; Democrat; California.

Torricelli, Robert G.; Democrat; New Jersey.

Towns, Eldophus; Democrat; New York.
Traficant, James A.; Democrat; Ohio.
Traxler, Bob; Democrat; Michigan.
Udall, Morris K.; Democrat; Arizona.
Vento, Bruce; Democrat; Minnesota.
Volkmer, Harold L.; Democrat; Missouri.
Vucanovich, Barbara F.; Republican; Nevada.

Walgren, Doug; Democrat; Pennsylvania.
Watkins, Wes; Democrat; Oklahoma.
Weber, Vin; Republican; Minnesota.
Weiss, Ted; Democrat; New York.
Weldon, Curt; Republican; Pennsylvania.
Whittaker, Bob; Republican; Kansas.
Williams, Pat; Democrat; Montana.
Wise, Robert E.; Democrat; West Virginia.
Wolpe, Howard; Democrat; Michigan.
Wortley, George; Republican; New York.
Wyden, Ron; Democrat; Oregon.
Yatron, Gus; Democrat; Pennsylvania.
Young, Don; Republican; Alaska.

□ 1230

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. STRATTON] who is a member of the Committee on Armed Services, who actually served out in the Pacific during World War II.

Mr. STRATTON. Mr. Speaker, I want to commend the gentleman from Mississippi [Mr. MONTGOMERY]. It was several months ago that the subject of the atomic veterans came before our Subcommittee on Procurement and Military Nuclear Systems. The atomic veterans had felt that there was no way that they could achieve their rights because of the Feres doctrine which says that the Federal Government cannot be sued, and also by another piece of legislation called the Warner amendment that said that if anybody is to be sued it was going to be Government contractors, not the

Government. So the atomic veterans felt that they were not getting any help, which they deserved out of that either. Yet, the gentleman from Mississippi [Mr. MONTGOMERY] recognizing the problem he said that what we ought to do is provide, as he has already indicated with his legislation, provide the assistance to those veterans who were exposed to radiation and to permit them to get the medical services of the Veterans' Administration medical operations in the same way that other veterans are able to utilize the VA veterans medical services.

The chairman said that he would be delighted to try to get that bill through but unfortunately it was languishing in the other body. With the genius of the gentleman from Mississippi [Mr. MONTGOMERY] he provided the path and the way that this could be done, and I know that he spent many hours and a great deal of persuasion to get this legislation enacted.

I want to commend him for it and I know that the atomic veterans are going to recognize the gentleman from Mississippi for the outstanding service that he has provided and has always provided to veterans. Once more, Mr. Speaker, he has achieved a great success.

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

Mr. Speaker, I certainly thank the gentleman from New York [Mr. STRATTON] for his very, very kind remarks. This has been a team effort of finally after 40 years getting this legislation to the House floor.

I will ask the gentleman from New York [Mr. STRATTON] when we have the vote on this legislation if he will help us pass out our sheets, we would appreciate it.

Mr. STRATTON. I would be happy to.

Mr. MONTGOMERY. Mr. Speaker, I want to commend the distinguished gentleman from New York, the ranking minority member of the committee, Mr. SOLOMON, for his leadership in conference in working out an acceptable agreement with the other body on this issue.

I also appreciate the leadership of two other conferees, DOUG APPLEGATE, chairman of our Subcommittee on Compensation, Pension and Insurance, and MARCY KAPTUR, chairwoman of our Subcommittee on Housing and Memorial Affairs.

I'm especially grateful to the chief sponsors of H.R. 1811, Dr. J. ROY ROWLAND, a distinguished member of our committee, and JOHN PAUL HAMMERSCHMIDT, the ranking minority member of our Subcommittee on Hospitals and Health Care. Dr. ROWLAND and Mr. HAMMERSCHMIDT have worked several years in getting agreement between the House and Senate. They

have spent many hours working with the staff, veterans organizations, and others in framing this compromise. I commend them for their efforts.

I also appreciate the work of the gentleman from Illinois, another distinguished member of our committee, LANE EVANS. He too has been instrumental in helping to develop this legislation.

The distinguished chairman of the Senate Veterans' Affairs Committee, Mr. CRANSTON, has been the chief sponsor of this legislation in the other body. As I recall, he was one of the first to speak out on the issue of veterans being exposed to radiation. Senators SIMON and DASCHLE have both appeared before our committee in support of legislative initiatives to provide relief to individuals exposed to radiation following World War II.

I'm grateful to all of these individuals and to all members of our committee for their work on this bill and I urge the adoption of H.R. 1811 as amended by the Senate.

Mr. APPLEGATE. Mr. Speaker, the bill before us today is the result of many hours of negotiations between the Veterans' Affairs Committees of the House and Senate. This bill would establish a presumption of service connection for VA benefits purposes for 13 cancer-related diseases suffered by veterans who, while on active duty in service to their country, were exposed to ionizing radiation while participating in certain atomic tests following World War II. The diseases included in the bill are: leukemia (except for chronic lymphocytic leukemia), cancers of the thyroid, breast, pharynx, esophagus, stomach, small intestine, bile ducts, gall bladder, and pancreas, as well as multiple myeloma, lymphomas (other than Hodgkin's disease), and primary liver cancer. The presumption of service connection would be applicable if the disease is manifested to a compensable degree within 40 years, with the exception of leukemia, which has a 30-year time limitation.

Mr. Speaker, we know that during the period from 1945 to 1963, the U.S. Government exploded some 235 nuclear devices in the atmosphere over the American Southwest and the Pacific Ocean. It is estimated that approximately 220,000 to 250,000 military personnel participated in these tests. Additional personnel may have been exposed to such radiation while participating in the occupation of Hiroshima and Nagasaki after the atomic bombings of those cities in 1945. What we do not know is how much exposure they received; nor do we know the long-term health effects of such exposure on these veterans.

Due to the tremendous degree of uncertainty existing within the scientific and medical communities as to the long-term health effects of exposure to low levels of radiation and, because the levels of radiation to which these veterans were exposed may never be accurately determined, it remains extremely difficult for a veteran to establish any relationship between the disability suffered and active-duty service.

It is very important that we remember that the principle of "service connection" is one that is based on a point-in-time relationship, not a cause and effect relationship. This permits the granting of service connection for a great number of disabilities that could not have been considered to have been "caused" by service, but, rather, were incurred or manifested during service.

Congress has, from time to time, expanded this principle through the use of statutory presumptions that consider certain diseases to be service connected, notwithstanding the fact that there is no record of such disease during the period of service.

Such presumptions are based upon the theory that, if the disease becomes manifest to a certain degree within a specified period of time after an individual's discharge from service, principles of sound medical judgment will justify recognizing the inception of the disease as having occurred during a particular point in time coincident with the individual's service on active duty.

The establishment of presumptions for diseases suffered by veterans exposed to ionizing radiation, on the other hand, poses somewhat of a different type of problem because so many uncertainties continue to exist in the scientific and medical communities as to the question of the long-term health effects of exposure on the participants.

There appears to be a growing amount of evidence that some veterans exposed to ionizing radiation are experiencing serious medical problems. However, available data falls short of meeting the test that, in the exercise of sound medical judgment, these diseases are related to, or were incurred during, military service.

Congress has taken action in recent years by enacting legislation authorizing health care services for veterans exposed to radiation who may be suffering from illnesses not found to be the result of other causes; by mandating further studies into the long-term health effects of such exposure; by requiring the Department of Defense and Defense Nuclear Agency to issue new guidelines pertaining to the preparation of radiation dose estimates in connection with VA claims; and by requiring the Veterans' Administration to issue new regulations giving special consideration to the adjudication of individual claims based on radiation exposure.

Notwithstanding these efforts by Congress, in the absence of positive evidence which establishes the inception of the disease during service, nearly all claims in which radiation exposure is an element are denied by the VA. In view of this, the establishment of a statutory presumption would appear to be the only means by which these veterans or their survivors will ever be compensated.

The House originally passed H.R. 1811 on July 28, 1987, with a list of 10 presumptive diseases subject to a 30-year manifestation period. On December 4, the other body passed H.R. 2616 with an amendment in the nature of a substitute, inserting the provisions of S. 9 as ordered reported by the Committee on Veterans' Affairs, which incorporated the provisions of S. 1002. The Senate-passed bill set out three categories of radiation-induced diseases for which payment of disability bene-

fits would be authorized, depending on the level of exposure, as if service-connected, or for which special consideration would be afforded in adjudication of the veteran's claim for disability compensation.

Except for deletion of colon cancer from the list of presumptive diseases and a change in the title, the Senate amendments before us today are identical to the House amendments to the Senate amendments to H.R. 2616, passed on March 29. During the April 13 conference meeting on H.R. 2616, House and Senate conferees agreed to delete the radiation provisions from the conference report with the understanding that the Senate would take early action to pass H.R. 1811 with the provisions agreed to in conference. The bill as amended by the Senate is structured along the same lines as originally passed in this body, in that it is a straight-forward approach that will result in veterans being granted service-connected benefits on a presumptive basis with no complex determinations or procedures being required, and with no change to the manner in which their claims are adjudicated or their benefits paid. It does not contain an all-inclusive list of diseases, but it does include those malignancies considered most likely to be related to ionizing radiation exposure.

I applaud ROY ROWLAND of Georgia and JOHN PAUL HAMMERSCHMIDT for their leadership in introducing this bill and commend Chairman SONNY MONTGOMERY and ranking minority member JERRY SOLOMON for their combined efforts in reaching a fair compromise with the Senate in a very complex and controversial area and for bringing this important bill one step closer to enactment. It's been a long time coming and I am proud to support it.

Mr. SOLOMON. Mr. Speaker, as ranking member of the Committee on Veterans' Affairs, I rise in strong support of H.R. 1811, as amended, a bill to compensate certain veterans for exposure to ionizing radiation while in military service.

Reaching an agreement with the Senate was not easy; we began with bills which differed profoundly in philosophy and approach, but with basic agreement that something should be done. As the months passed, the House and Senate Veterans' Affairs Committees inched toward each other until they met on common ground. And the compromise, I think, is a rather good one. It includes various cancers, all of which scientists agree can be radiogenic, and it includes all leukemias, which also can be radiogenic, except for chronic lymphatic leukemia, which is scientifically known not to be.

The reason the House committee decided to take the presumptive approach to compensation is that we do not believe there is much of a prospect for the questions about individual levels of exposure and about the long-term effects of low-level exposure to be resolved any time soon.

The prospect is that many or all of the atomic veterans who would be helped by this bill may be dead before the questions are resolved, if they ever are. Consequently, we have been faced with a tough policy decision.

Mr. Speaker, reasonable people could and do differ about H.R. 1811, as amended. I

cannot say that those who oppose it are obviously wrong, nor can I prove by any objective standards that those of us who support it are right; it isn't that kind of an issue.

So here we are. H.R. 1811, as amended, has solid bipartisan support in this body. Mr. HAMMERSCHMIDT, the senior minority member, the former ranking member of the full committee and Mr. MCEWEN, the ranking member of the subcommittee on compensation, pension and insurance, both favor it and will speak on it.

For radiation exposure, as for other disability claims, any reasonable doubt should be resolved in favor of the veteran. This, the doctrine of reasonable doubt, has been operative in adjudication of veteran's disability claims for many years and is the official policy of the Government. It ought to be applied equally to atomic veterans, given all the circumstances surrounding their cases, and they should not be required to meet an impossible burden of proof.

Mr. MONTGOMERY, Mr. APPLEGATE, Dr. ROWLAND, and Mr. HAMMERSCHMIDT have led the way for atomic veterans compensation, and it is to their credit that, even though controversy unusual for veterans affairs has marked this legislation in the Senate, they have not waived. I commend them, and I urge all of my colleagues to vote "yes" with us on the Senate amendments to compensate atomic veterans.

Mr. LIPINSKI. Mr. Speaker, I rise in strong support of H.R. 1811, the Atomic Veterans Compensation Act, and am pleased to see it finally pass the Congress. One of my constituents, Mr. Donald Parchem, has waited a long time to receive the benefits due him under this important bill. Due to the late arrival of my flight from Chicago, I was unable to vote for the bill, but am in complete agreement with it.

Mr. Parchem served as a marine in the South Pacific in 1962 and was exposed to dangerous levels of radiation that developed into breast cancer 18 years later. While breast cancer is rare in males, Don Parchem is living evidence that it is certainly possible to contract this disease.

I am very happy to see that the bill includes breast cancer, without distinction to gender, as one of the illnesses now treated as any other service-connected disability. What further pleases me is the fact that the bill provides for a straight-out presumption of illness and is not based on the dubious veracity of past service records.

I urge the President to sign this legislation and allow financial compensation to the many victims of radiation who served their country honorably. If the bill is vetoed, however, and there is an indication that it will be, I ask my colleagues to pass this landmark bill over the President's veto. Only in this way can we be certain of insuring that all veterans who suffered from their service are treated fairly.

I want to commend the distinguished chairman of the Veterans' Committee, Mr. MONTGOMERY, and the chief sponsor of the legislation, Mr. ROWLAND of Georgia, for their interest in and commitment to this vital issue.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests

for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. KANJORSKI). The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 1811.

The question was taken.

Mr. ROWLAND of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 326, nays 2, not voting 103, as follows:

[Roll No. 86]

YEAS—326

Ackerman	Davis (MI)	Hoyer
Akaka	DeFazio	Hubbard
Anderson	DeLay	Huckaby
Andrews	Dellums	Hughes
Annunzio	DeWine	Hunter
Anthony	Dickinson	Hutto
Armey	Dicks	Hyde
Aspin	Dingell	Inhofe
Atkins	DioGuardi	Ireland
AuCoin	Dixon	Jacobs
Badham	Dorgan (ND)	Jenkins
Baker	Dowdy	Johnson (CT)
Ballenger	Downey	Johnson (SD)
Barnard	Dreier	Jones (NC)
Bartlett	Durbin	Jontz
Bateman	Dwyer	Kanjorski
Bates	Eckart	Kasich
Beilenson	Edwards (CA)	Kastenmeier
Bennett	Edwards (OK)	Kemp
Bentley	Emerson	Kennedy
Bereuter	English	Kennelly
Bilbray	Erdreich	Kildee
Bliley	Espy	Kolter
Boggs	Evans	Kostmayer
Boland	Fascell	Kyl
Bonior	Fazio	LaFalce
Bonker	Feighan	Lagomarsino
Borski	Fish	Lancaster
Bosco	Flippo	Lantos
Boxer	Foley	Leach (IA)
Brennan	Ford (MI)	Leath (TX)
Brooks	Frank	Lehman (CA)
Broomfield	Galleghy	Lehman (FL)
Brown (CA)	Gallo	Lent
Brown (CO)	Garcia	Levin (MI)
Bruce	Gaydos	Levine (CA)
Bryant	Gekas	Lewis (FL)
Buechner	Gilman	Lewis (GA)
Bunning	Gingrich	Lightfoot
Burton	Glickman	Livingston
Bustamante	Gonzalez	Lloyd
Byron	Gordon	Lott
Callahan	Gradison	Lowry (WA)
Campbell	Grandy	Lujan
Carper	Grant	Lukens, Thomas
Carr	Green	Lukens, Donald
Chandler	Gregg	Madigan
Chappell	Guarini	Manton
Cheney	Gunderson	Markey
Clay	Hall (TX)	Marlenee
Clement	Hamilton	Martin (IL)
Coats	Hammerschmidt	Martin (NY)
Coble	Hansen	Martinez
Coelho	Harris	Matsui
Coleman (MO)	Hastert	Mavroules
Coleman (TX)	Hayes (IL)	Mazzoli
Collins	Hayes (LA)	McCandless
Combest	Hefley	McCollum
Conte	Henry	McCrery
Cooper	Hergert	McCurdy
Coughlin	Hertel	McDade
Courter	Hochbrueckner	McEwen
Dannemeyer	Holloway	McGrath
Darden	Hopkins	McMillan (NC)
Davis (IL)	Houghton	McMillen (MD)

Meyers	Rhodes	Solarz
Mfume	Richardson	Spratt
Michel	Rinaldo	St Germain
Miller (CA)	Ritter	Staggers
Miller (OH)	Roberts	Stallings
Miller (WA)	Robinson	Stangeland
Mineta	Roe	Stark
Moakley	Rogers	Stenholm
Molinari	Rostenkowski	Stratton
Mollohan	Roth	Stump
Montgomery	Roukema	Sundquist
Morrison (CT)	Rowland (CT)	Sweeney
Morrison (WA)	Rowland (GA)	Swift
Mrazek	Roybal	Swindall
Murphy	Sabo	Synar
Murtha	Saiki	Tallon
Myers	Sawyer	Tauke
Nagle	Saxton	Tauzin
Natcher	Schaefer	Thomas (CA)
Nelson	Schneider	Thomas (GA)
Nichols	Schroeder	Torricelli
Nielson	Schuette	Trafigant
Nowak	Schulze	Udall
Oberstar	Schumer	Upton
Obey	Sensenbrenner	Valentine
Olin	Sharp	Vander Jagt
Ortiz	Shaw	Vento
Owens (UT)	Shays	Visclosky
Oxley	Shuster	Volkmer
Packard	Sikorski	Vucanovich
Panetta	Sisisky	Watkins
Parris	Skaggs	Waxman
Patterson	Skeen	Weber
Pease	Skelton	Weiss
Pelosi	Slaughter (NY)	Whittaker
Penny	Smith (FL)	Whitten
Pepper	Smith (IA)	Wise
Perkins	Smith (NE)	Wolf
Petri	Smith (NJ)	Wolpe
Pickett	Smith (TX)	Wortley
Pickle	Smith, Robert	Wyden
Porter	(NH)	Yates
Quillen	Smith, Robert	Young (FL)
Ravenel	(OR)	
Regula	Snowe	

NAYS—2

Walker

NOT VOTING—103

Alexander	Frenzel	Oakar
Applegate	Frost	Owens (NY)
Archer	Gejdenson	Pashayan
Barton	Gephardt	Price
Berman	Gibbons	Pursell
Bevill	Goodling	Rahall
Biaggi	Gray (IL)	Rangel
Bilirakis	Gray (PA)	Ray
Boehrlert	Hall (OH)	Ridge
Boucher	Hatcher	Rodino
Boulter	Hawkins	Rose
Cardin	Hefner	Russo
Chapman	Hiler	Savage
Clarke	Horton	Scheuer
Clinger	Jeffords	Slattery
Conyers	Jones (TN)	Slaughter (VA)
Coyne	Kaptur	Smith, Denny
Craig	Klecicka	(OR)
Crane	Kolbe	Solomon
Crockett	Konnyu	Spence
Daub	Latta	Stokes
de la Garza	Leland	Studds
Derrick	Lewis (CA)	Taylor
Donnelly	Lipinski	Torres
Dornan (CA)	Lowery (CA)	Towns
Duncan	Lungren	Traxler
Dymally	Mack	Walgren
Dyson	MacKay	Weldon
Early	McCloskey	Wheat
Fawell	McHugh	Williams
Fields	Mica	Wilson
Flake	Moody	Wylie
Florio	Moorhead	Yatron
Foglietta	Morella	Young (AK)
Ford (TN)	Neal	

□ 1300

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

The title of the bill was amended so as to read: "An Act to amend title 38,

United States Code, to provide a presumption of service connection to veterans (and survivors of such veterans) who participated in atmospheric or underwater nuclear tests as part of the United States nuclear weapons testing program or in the American occupation of Hiroshima or Nagasaki, Japan, and who suffer from certain diseases that may be attributable to exposure to ionizing radiation, and other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that all Members may have 5 legislative days to revise and extend their remarks, and include extraneous matter, on H.R. 1811.

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

There was no objection.

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Speaker, due to my sponsorship and participation in a most important 2-day economic development symposium in my district last week I was not able to be present for sessions on Thursday, April 28, and Friday, April 29, 1988.

Had I been present Thursday, April 28, I would have voted "yea" on rollcall No. 74; "no" on rollcall No. 75; "aye" on rollcall No. 76, "aye" on rollcall No. 77, "aye" on rollcall No. 78 and "aye" on rollcall No. 79.

Had I been present Friday, April 29, I would have voted "yea" on rollcall No. 80 and "yea" on the following votes; rollcall No. 81; rollcall No. 82, rollcall No. 83, rollcall No. 85. I would voted "no on and rollcall No. 84.

PERSONAL EXPLANATION

Mr. LIVINGSTON. Mr. Speaker, on Friday, April 29, on rollcall No. 84, the Robinson amendment to withdraw U.S. troops from Europe I was recorded as voting present when it was my intention to vote "no." Earlier in the day I voted "no" to a similar amendment offered by Mr. BRYANT, but on the Robinson amendment I was recorded present.

I have informed the Clerk of the House, however, I did want to state for the record that it was my intention to vote "no" on the Robinson amendment, and I ask unanimous consent that this statement appear in the permanent RECORD immediately following the vote on the Robinson amendment.

The SPEAKER pro tempore (Mr. FRANK). Is there objection to the re-

quest of the gentleman from Louisiana?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

The SPEAKER pro tempore. Pursuant to House Resolution 435 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4264.

□ 1303

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4264) to authorize appropriations for the fiscal year 1989 amended budget request for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1989, to amend the National Defense Authorization Act for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House on Friday, April 29, 1988, amendment No. 12 printed in section 3 of House Report 100-590 offered by the gentlewoman from Maryland [Mrs. BENTLEY] had been disposed of.

It is now in order to consider the amendments relating to Central America printed in section 1 of House Report 100-590, by, and if offered by, the following Members of their designees, which shall be considered in the following order only:

(A) By Representative FOLEY, which is not subject to amendment except for an amendment offered by Representative HUNTER;

(B) By Representative LOWRY of Washington; and

(C) By Representative MARKEY.

AMENDMENT OFFERED BY MR. FOLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FOLEY: At the end of title IX of division A (page 163, after line 6), insert the following new section:

SEC. 934. LIMITATION ON INTRODUCTION OF ARMED FORCES INTO NICARAGUA FOR COMBAT.

(a) LIMITATION.—Funds appropriated to the Department of Defense may not be obligated or expended for the purpose of introducing United States Armed Forces into or over Nicaragua for combat.

(b) DEFINITION OF COMBAT.—As used in this section, the term "combat" means the introduction of United States Armed Forces for the purpose of delivering weapons fire upon an enemy.

(c) EXCEPTIONS TO LIMITATION.—This section does not apply with respect to an introduction of United States Armed Forces into or over Nicaragua for combat if—

(1) the Congress has declared war or enacted specific authorization for such introduction; or

(2) such introduction is necessary—

(A) to meet a clear and present danger of hostile attack upon the United States, its territories or possessions;

(B) to meet a clear and present danger to, and to provide necessary protection for, the United States Embassy; or

(C) to meet a clear and present danger to, and to provide necessary protection for and to evacuate, United States Government personnel or United States citizens.

(d) EXISTING REQUIREMENTS PRESERVED.—Nothing in this section shall invalidate any requirement of Public Law 93-148.

(e) TREATY AUTHORITY PRESERVED.—Nothing in this section shall invalidate any authority of the United States to act in accordance with the provisions of the Inter-American Treaty of Reciprocal Assistance.

The CHAIRMAN. Pursuant to the rule, the gentleman from Washington [Mr. FOLEY] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Washington [Mr. FOLEY].

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

Mr. Chairman, this amendment which I have offered since 1984 limits the funds appropriated to the Department of Defense against obligation or expenditure for the purpose of introducing United States Armed Forces into or over Nicaragua for combat.

For purposes of the amendment, it defines combat as the introduction of Armed Forces of the United States for the purpose of delivering weapons fire upon an enemy. It does, however, provide for exceptions. For example it does not apply with respect to the introduction of United States Armed Forces into or over Nicaragua for combat if the Congress has declared war or enacted a specific authorization for that purpose. Nor would it apply if such introduction is necessary to meet a clear and present danger of hostile attack upon the United States, its territories or possessions; to meet a clear or present danger to the United States Embassy and its needs for protection; or; to provide for the protection of United States personnel or citizens faced with clear and present danger.

Nothing in this section invalidates any requirement of Public Law 93-148, the War Powers Act, or any authority of the United States to act in accordance with the provisions of the Inter-American Treaty of Reciprocal Assistance, the so-called RIO Treaty.

Not only has the House adopted this amendment every year since 1984 but, in recent years also adopted an amendment offered by the gentleman from California [Mr. HUNTER]. In addition, it is in accordance with the oft-stated position of the President of the United States that this administration has no

intention of introducing American Armed Forces into Nicaragua. Indeed, the Congress has adopted provisions of other acts which limit the approach of United States personnel to not more than 20 miles of the Nicaraguan border.

With the peace talks now underway and the Arias plan in the process of being implemented, it may seem to some not only appropriate but especially important that we reaffirm that the United States intends no active threat of intervention in Nicaragua with United States Forces.

I reserve the balance of my time.

□ 1310

The CHAIRMAN. Does the gentleman from Alabama [Mr. DICKINSON] rise in opposition to the amendment?

Mr. DICKINSON. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from Alabama [Mr. DICKINSON] is recognized for 5 minutes.

Mr. DICKINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, this perennial amendment is still unconstitutional in my judgment. I do not think that we can repeal the power of the President as Commander in Chief by saying funds appropriated may not be obligated for the purpose of introducing U.S. Armed Forces anywhere.

It is as though we told the Supreme Court, "If you don't decide a case a certain way we are going to withhold your salary."

The President is Commander in Chief and we cannot change that by statute.

This is a terrible signal to send to any country in the world, especially one as hostile and as adversarial as Nicaragua.

Nicaragua by this statute is the only country in the world to enjoy congressional immunity.

As we enjoy immunity from parking tickets, they will enjoy immunity from even having our military visit them with loaded weapons because we have said so.

We have immunized them. It is unnecessary. It adds to the insecurity of our allies down there because it does not refer to them at all. It is a restriction on the power of the President as Commander in Chief. It gives aid and comfort to those wonderful, warm, freedom-loving Sandinistas and is a terrible signal.

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

Mr. HYDE. I yield to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. I thank my friend for yielding.

Mr. Chairman, I rise in opposition to the Foley amendment unless it is

amended by the Hunter amendment that will be offered in a moment.

You know, the administration has said many times that we would not send combat troops to Nicaragua, but to withdraw that option entirely gives the Sandinistas and our friends a message we will not act to defend our interests in the area. It does nothing to discourage the Sandinistas from continuing their armed subversion of their neighbors as they have done repeatedly and still do.

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Washington [Mr. FOLEY] unless it is amended by the language offered by the gentleman from California [Mr. HUNTER].

We have debated this same language a number of times now and the arguments are still the same. The gentleman's amendment is a completely unwarranted attack on the constitutional powers of the Presidency. It is a prohibition taken in Central America that is not required in any other part of the world.

The Sandinista government in Nicaragua has done nothing to demonstrate that it deserves a shield against possible retaliation for aggression against its neighbors and against the national security interests of the United States. The serious Sandinista invasion of Honduras last March demonstrates once again the threat Nicaragua poses to Central America and to United States interests in the region.

The administration has said repeatedly that we would not send combat troops to Nicaragua. But to withdraw that option entirely gives the Sandinistas the message that the United States will not protect our friends and allies in the region. It will do nothing to discourage the Sandinistas from continuing their armed subversion of their neighbors.

If the Arias peace initiative is to be successful, the Communist Sandinista regime in Nicaragua has to know that its aggression, whether by subversion through insurgent guerrillas or outright invasion by the Sandinista army, will be deterred by force, if necessary. There's no incentive for the Sandinistas to negotiate if they believe they can wipe out their opposition at home and overpower their democratic neighbors in the region through superior force.

We must not automatically limit the President's range of options ahead of time when we do not know what aggressive actions the Sandinistas might take.

I urge my colleagues to adopt the Hunter amendment to the Foley amendment.

Mr. HYDE. In addition, the gentleman from Washington has said that this does not conflict nor is it designed to impinge on the War Powers Act. I suggest that the War Powers Act placed next to the Foley amendment renders the latter incoherent.

The War Powers Act authorizes the President—again it also is unconstitutional in my humble opinion—to move the troops around pursuant to his constitutional authority as Commander in Chief for up to 60 days. Congress can reverse that by doing nothing, by not passing an appropriate resolution. But this amendment says the President

cannot introduce troops for 10 minutes into Nicaragua for purposes of combat. Yet is supposed to be not inconsistent with the War Powers Act.

So under the one the President has 60 days, under the other he does not have 6 seconds.

I suggest this is more legislative incoherence, unconstitutional, unnecessary, but it sure will give aid and comfort to President Ortega and to the Borge's and the rest of them because they are the only country in the world—not South Africa, not Chile—but Nicaragua enjoys a congressional immunity.

Now I know they have a special relationship with the majority party here. I know that their President comes up and has conferences with some of his political consultants on the other side. But congressional immunity, not enjoyed by any other country in the world, seems to me a bit much.

So I would hope that this well intentioned amendment is not passed, at least without the Hunter amendment attached thereto.

Mr. DICKINSON. Mr. Chairman, if I understand correctly, I have 1 minute remaining.

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

I will just say, that as the distinguished gentleman from Illinois has pointed out, this is a perennial amendment that now has been offered three or four times. It was passed last year in conjunction with the Hunter amendment, which I understand will be offered immediately following discussion on the Foley amendment. The Hunter amendment adds three exceptions to the Foley amendment.

We have very strong reservation on the Foley amendment standing alone. I do think that the Hunter amendment, which will be discussed in just a moment, makes the Foley amendment much more palatable. Without the Hunter modifications, I sincerely believe that the Foley amendment should not be passed. I think it would be a mistake to do so.

Mr. FEIGHAN. Mr. Chairman, I rise in support of the Foley amendment. It is a clear statement that will allow Congress to truly earn its name as the House of Representatives. In passing the Foley amendment, we will be representing the wishes of a clear majority of the American people who have said that the U.S. Government should not be in the business of overthrowing governments, simply because we disagree with them.

The Foley amendment contains responsible waiver provisions that will allow the President to respond to an attack on American citizens, or an attack on the U.S. Embassy or to address any action that poses a clear and present danger to the United States.

Opponents have suggested that this amendment grants immunity from United States military action to the Nicaraguan Government. The Nicaraguans know that no such immunity exists. All they have to do is point to

the death and destruction of the past 8 years for confirmation of that fact. At the same time, the Sandinistas realize that the United States has serious security concerns in the region and will respond to any actions that pose a direct threat to the people of the United States—and the Foley amendment states that out front.

Finally, let me say that the Foley amendment will succeed in adapting current policy to the changing realities in Central America. Since the signing of the Guatemala accord last summer, we have had more progress toward peace than in the preceding 6 years under this administration's military policy. We have also witnessed the signing of a ceasefire agreement between the Sandinistas and the Contras. This amendment pledges the United States to pursue a policy which recognizes these changes. I urge my colleagues to support it.

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

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

AMENDMENT OFFERED BY MR. HUNTER AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. FOLEY

Mr. HUNTER. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment offered by Mr. HUNTER as a substitute for the amendment offered by Mr. FOLEY: At the end of title IX of division A (page 163, after line 6), insert the following new section:

SEC. 934. LIMITATION ON INTRODUCTION OF ARMED FORCES INTO NICARAGUA FOR COMBAT.

(a) LIMITATION.—Funds appropriated to the Department of Defense may not be obligated or expended for the purpose of introducing United States Armed Forces into or over Nicaragua for combat.

(b) DEFINITION OF COMBAT.—As used in this section, the term "combat" means the introduction of United States Armed Forces for the purpose of delivering weapons fire upon the enemy.

(c) EXCEPTIONS TO LIMITATION.—This section does not apply with respect to an introduction of United States Forces into or over Nicaragua for combat if—

(1) the Congress has declared war or enacted specific authorization for such introduction; or

(2) such introduction if necessary—
(A) to meet a clear and present danger of hostile attack upon the United States, its territories or possessions or its allies; or

(B) to meet a clear and present danger to, and to provide necessary protection for, the United States embassy; or

(C) to meet a clear and present danger to, and to provide necessary protection for and to evacuate, United States Government personnel or United States citizens; or

(D) to respond to hijacking, kidnaping, or other acts of terrorism involving citizens of the United States or citizens of any ally of the United States.

(d) EXISTING REQUIREMENTS PRESERVED.—Nothing in this section shall invalidate any requirement of Public Law 93-148.

(e) TREATY AUTHORITY PRESERVED.—Nothing in this section shall invalidate any authority of the United States to act under the provisions of the Inter-American Treaty of Reciprocal Assistance.

(f) EXPIRATION UPON ESCALATION.—This section shall not apply when MiG aircraft, or other aircraft of similar design or capability, or nuclear missiles or any other nuclear weapons are introduced into Nicaragua.

The CHAIRMAN. Is there a Member opposed to the amendment to the amendment?

Mr. FOLEY. Mr. Chairman, for purposes of the discussion I will record myself in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] will be recognized for 5 minutes and the gentleman from Washington [Mr. FOLEY] will be recognized for 5 minutes.

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

Mr. HUNTER. I think the gentleman from Illinois [Mr. HYPE] has laid out the problem with the Foley amendment. The amendment that I have offered in years past is meant to take care of some of those problems. One of the exceptions to the Foley amendment is to meet a clear and present danger of hostile attack upon the United States, its territories or possessions or its allies. That could, of course, apply to our Central American friends, Honduras, Guatemala, Costa Rica, and El Salvador. It also has an exception in cases of hijacking, kidnapping or other acts of terrorism involving citizens of the United States or citizens of an ally. That could, of course, have been invoked when President Duarte's daughter was kidnapped by a group which was headquartered in Managua. It also addresses the introduction of Mig aircraft.

We have all seen the overhead photos of the airfield built by the Soviet Union at Punta Huete where they have already built Mig revetments for a squadron of Soviet Mig aircraft. It is now our understanding, according to defectors and other information that we have, that in fact the Sandinistas have ordered Mig aircraft from the Soviet Union.

This sends a clear message to them that the United States will not have restrictions upon the President. In fact, I think it is an affirmative voice to the Sandinistas that if they introduce Mig aircraft in Nicaragua the United States is going to take very firm and serious action. The same exception applies to the introduction of nuclear weapons in Nicaragua. That was spoken about at one time by one of the Sandinista comandantes as being acceptable to them.

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

Mr. HUNTER. I yield to the gentleman from New Hampshire [Mr. GREGG].

Mr. GREGG. I thank the gentleman for yielding.

Mr. Chairman, I presume that also applies therefore if the Soviet nuclear navy and submarines use naval bases being built in Nicaragua?

Mr. HUNTER. In my estimation, it absolutely would apply. I think the gentleman raised a good point.

This Congress is unable to deal with what I would call the gradualism of the Soviet Union. They built a naval base at Corinto capable of handling any warship, ultimately, in the Soviet inventory. We deplore it, but we take no action.

They built a bomber base at Punta Huete complete with Mig revetments; we deplore it but we take no action.

The Soviets have learned that they can take intermediate incremental steps in the gradualism policy in arming one of their allies, in establishing a Soviet presence in Central America and this Congress will not take action. At least this amendment to some degree draws the line and lets them know we are not going to allow Mig aircraft, that we are not going to allow them to threaten our allies.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I thank the gentleman for yielding.

You know, we ought to put this in historical perspective: In 1932, Prime Minister McDonald of Great Britain was very vigorously pursuing the disarmament treaty while Hitler was violating the Treaty of Versailles. It led to World War II because they did not pay attention to what the enemy was doing.

The fact of the matter is, during the first 2 months of this year the Soviet Union sent over \$100 million in additional armaments into Nicaragua.

Last year they sent 33,000 tons of war materiel into Nicaragua.

For us to pass an amendment like Mr. FOLEY is advocating is a tragic mistake. I urge my colleagues to put their heads in the sand and to support Mr. HUNTER's amendment.

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

Mr. HUNTER. I yield to the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. I thank the gentleman for yielding.

Mr. Chairman, I ask the gentleman to yield for the purpose of an inquiry which is: Is the amendment that the gentleman is offering the same amendment he has offered each year, exact same wording and technically the same?

Mr. HUNTER. Yes, it is the same amendment as passed annually by the House.

Mr. McCURDY. The committee has accepted that in the past. I know we have had votes on it but I would certainly urge and "aye" vote on the amendment offered by the gentleman from California.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HUNTER] as a substitute for the amendment offered by the gentleman from Washington [Mr. FOLEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 336, noes 21, not voting 74, as follows:

[Roll No. 87]

AYES—336

Ackerman	Conte	Hamilton
Akaka	Cooper	Hammerschmidt
Alexander	Coughlin	Hansen
Anderson	Courter	Harris
Andrews	Crane	Hastert
Annunzio	Dannemeyer	Hatcher
Anthony	Darden	Hawkins
Archer	Davis (IL)	Hayes (LA)
Armey	Davis (MI)	Hefley
Aspin	DeLay	Henry
AuCoin	DeWine	Herger
Badham	Dickinson	Hertel
Baker	Dicks	Hochbrueckner
Ballenger	Dingell	Holloway
Barnard	DioGuardi	Hopkins
Bartlett	Dixon	Horton
Bateman	Dorgan (ND)	Houghton
Bates	Dowdy	Hoyer
Bennett	Downey	Hubbard
Bentley	Dreier	Huckaby
Bereuter	Dwyer	Hughes
Bilbray	Eckart	Hunter
Bilirakis	Edwards (OK)	Hutto
Bliley	Emerson	Hyde
Boggs	English	Inhofe
Boland	Erdreich	Ireland
Bonior	Espy	Jacobs
Bonker	Evans	Jenkins
Borski	Fascell	Johnson (CT)
Bosco	Fawell	Johnson (SD)
Boucher	Fazio	Jones (NC)
Boxer	Feighan	Jontz
Brennan	Fields	Kanjorski
Brooks	Fish	Kaptur
Broomfield	Flippo	Kasich
Brown (CA)	Foglietta	Kemp
Brown (CO)	Foley	Kennelly
Bruce	Ford (MI)	Kildee
Bryant	Gallagher	Kolter
Buechner	Gallo	Kostmayer
Bunning	Garcia	Kyl
Burton	Gaydos	LaFalce
Bustamante	Gejdenson	Lagomarsino
Byron	Gekas	Lancaster
Callahan	Gephardt	Lantos
Campbell	Gilman	Leach (IA)
Cardin	Gingrich	Leath (TX)
Carper	Glickman	Lehman (CA)
Carr	Goodling	Lehman (FL)
Chandler	Gordon	Leland
Chappell	Gradison	Lent
Cheney	Grandy	Levin (MI)
Clement	Grant	Levine (CA)
Coats	Gray (PA)	Lewis (FL)
Coble	Green	Lightfoot
Coelho	Gregg	Lipinski
Coleman (MO)	Guarini	Livingston
Coleman (TX)	Gunderson	Lloyd
Combest	Hall (TX)	Lott

Lowery (CA)	Packard	Smith (NE)
Lowry (WA)	Panetta	Smith (NJ)
Lujan	Parris	Smith (TX)
Lukens, Thomas	Patterson	Smith, Robert
Lukens, Donald	Pease	(NH)
Lungren	Pelosi	Smith, Robert
Madigan	Penny	(OR)
Manton	Pepper	Snowe
Marlenee	Perkins	Solarz
Martin (IL)	Petri	Spratt
Martin (NY)	Pickle	St Germain
Martinez	Porter	Staggers
Matsui	Quillen	Stallings
Mavroules	Ravenel	Stangeland
Mazzoli	Regula	Stenholm
McCandless	Rhodes	Stratton
McCollum	Richardson	Stump
McCrery	Rinaldo	Sundquist
McCurdy	Ritter	Sweeney
McDade	Roberts	Swift
McEwen	Robinson	Swindall
McHugh	Roe	Synar
McMillan (NC)	Rogers	Tallon
McMillen (MD)	Rostenkowski	Tauke
Meyers	Roth	Tauzin
Mfume	Roukema	Thomas (CA)
Michel	Rowland (CT)	Thomas (GA)
Miller (CA)	Rowland (GA)	Torricelli
Miller (OH)	Russo	Traficant
Miller (WA)	Sabo	Udall
Mineta	Saiki	Upton
Moakley	Sawyer	Valentine
Molinari	Saxton	Vander Jagt
Mollohan	Schaefer	Vento
Montgomery	Scheuer	Visclosky
Moorhead	Schneider	Volkmer
Morella	Schroeder	Vucanovich
Morrison (WA)	Schuetter	Walker
Mrazek	Schulze	Watkins
Murphy	Schumer	Waxman
Murtha	Sensenbrenner	Weber
Myers	Sharp	Weldon
Nagle	Shaw	Wheat
Natcher	Shays	Whittaker
Nelson	Shumway	Whitten
Nichols	Shuster	Williams
Nielson	Sikorski	Wise
Nowak	Sisisky	Wolf
Oberstar	Skaggs	Wolpe
Obey	Skeen	Wyden
Olin	Skelton	Yates
Ortiz	Slaughter (NY)	Yatron
Owens (UT)	Smith (FL)	Young (FL)
Oxley	Smith (IA)	

NOES—21

Atkins	Frank	Morrison (CT)
Beilenson	Gonzalez	Roybal
Clay	Hayes (IL)	Savage
Collins	Kastenmeier	Stark
DeFazio	Kennedy	Towns
Dellums	Lewis (GA)	Weiss
Edwards (CA)	Markey	Yates

NOT VOTING—74

Applegate	Florio	Pashayan
Barton	Ford (TN)	Pickett
Berman	Frenzel	Price
Bevill	Frost	Pursell
Biaggi	Gibbons	Rahall
Boehlert	Gray (IL)	Rangel
Boulter	Hall (OH)	Ray
Chapman	Hefner	Ridge
Clarke	Hiler	Rodino
Clinger	Jeffords	Rose
Conyers	Jones (TN)	Slattery
Coyne	Kleczka	Slaughter (VA)
Craig	Kolbe	Smith, Denny
Crockett	Konnyu	(OR)
Daub	Latta	Solomon
de la Garza	Lewis (CA)	Spence
Derrick	Mack	Stokes
Donnelly	MacKay	Studds
Dornan (CA)	McCloskey	Taylor
Duncan	McGrath	Torres
Durbin	Mica	Traxler
Dymally	Moody	Walgren
Dyson	Neal	Wilson
Early	Oakar	Wylie
Flake	Owens (NY)	Young (AK)

□ 1338

Messrs. MILLER of California, KENNEDY, TOWNS, STARK, and

HAYES of Illinois changed their votes from "aye" to "no."

Mr. MILLER of California changed his vote from "no" to "aye."

So, the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1335

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. FOLEY], as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 276, noes 92, not voting 63, as follows:

[Roll No. 88]

AYES—276

Ackerman	Dorgan (ND)	Jones (NC)
Akaka	Dowdy	Jontz
Alexander	Downey	Kanjorski
Anderson	Durbin	Kaptur
Andrews	Dwyer	Kasich
Annunzio	Dymally	Kastenmeier
Anthony	Eckart	Kennedy
Aspin	Edwards (CA)	Kennelly
Atkins	Emerson	Kildee
AuCoin	English	Kleczka
Badham	Erdreich	Kolter
Baker	Espy	Kostmayer
Bates	Evans	LaFalce
Beilenson	Fascell	Lagomarsino
Bennett	Fazio	Lancaster
Bereuter	Feighan	Lantos
Bilbray	Fish	Leach (IA)
Bliley	Flippo	Lehman (CA)
Boggs	Foglietta	Lehman (FL)
Boland	Foley	Leland
Bonior	Ford (MI)	Lent
Bonker	Frank	Levin (MI)
Borski	Gallo	Levine (CA)
Bosco	Garcia	Lewis (FL)
Boucher	Gaydos	Lewis (GA)
Boxer	Gejdenson	Lightfoot
Brennan	Gekas	Lipinski
Brooks	Gephardt	Lloyd
Broomfield	Gilman	Lowry (WA)
Brown (CA)	Glickman	Lukens, Thomas
Brown (CO)	Gonzalez	Madigan
Bruce	Goodling	Manton
Bryant	Gordon	Markey
Bustamante	Gradison	Martin (NY)
Byron	Grandy	Martinez
Campbell	Gray (PA)	Matsui
Cardin	Green	Mavroules
Carper	Gregg	Mazzoli
Carr	Guarini	McCloskey
Chandler	Gunderson	McCurdy
Clay	Hamilton	McDade
Clement	Hansen	McGrath
Coelho	Harris	McHugh
Coleman (MO)	Hatcher	McMillan (NC)
Coleman (TX)	Hawkins	McMillen (MD)
Collins	Hayes (IL)	Meyers
Conte	Hefley	Mfume
Conyers	Henry	Miller (CA)
Cooper	Hertel	Miller (OH)
Coughlin	Hochbrueckner	Miller (WA)
Courter	Horton	Mineta
Dannemeyer	Houghton	Moakley
Davis (MI)	Hoyer	Molinari
DeFazio	Hubbard	Mollohan
Dellums	Huckaby	Montgomery
Dickinson	Hughes	Morella
Dicks	Ireland	Morrison (CT)
Dingell	Jacobs	Morrison (WA)
DioGuardi	Johnson (CT)	Mrazek
Dixon	Johnson (SD)	Murphy

Myers	Roybal	Stark
Nagle	Russo	Stratton
Natcher	Sabo	Swift
Nelson	Saiki	Synar
Nichols	Savage	Tauke
Nielson	Sawyer	Torricelli
Nowak	Saxton	Towns
Oberstar	Schaefer	Traficant
Obey	Schneider	Traxler
Olin	Schroeder	Udall
Ortiz	Schuetter	Upton
Owens (UT)	Schulze	Valentine
Oxley	Schumer	Vento
Panetta	Sensenbrenner	Visclosky
Pease	Sharp	Volkmer
Pelosi	Shuster	Watkins
Penny	Sikorski	Waxman
Perkins	Skaggs	Weiss
Petri	Skelton	Weldon
Pickett	Slaughter (NY)	Wheat
Pickle	Smith (FL)	Whittaker
Porter	Smith (IA)	Whitten
Quillen	Smith (NE)	Williams
Ravenel	Smith (NJ)	Wilson
Regula	Smith, Robert	Wise
Richardson	(OR)	Wolf
Rinaldo	Snowe	Wolpe
Roberts	Solarz	Wyden
Roe	Spratt	Yates
Rostenkowski	St Germain	Yatron
Roth	Staggers	Young (FL)
Roukema	Stallings	
Rowland (CT)	Stangeland	

NOES—92

Archer	Hammerschmidt	Patterson
Armey	Hastert	Pepper
Ballenger	Hayes (LA)	Rhodes
Barnard	Herger	Ritter
Bartlett	Holloway	Robinson
Bateman	Hopkins	Rogers
Bentley	Hunter	Rowland (GA)
Bilirakis	Hutto	Scheuer
Buechner	Hyde	Shaw
Bunning	Inhofe	Shays
Burton	Jenkins	Shumway
Callahan	Kemp	Sisisky
Chappell	Kyl	Skeen
Cheney	Leath (TX)	Slaughter (VA)
Coats	Livingston	Smith (TX)
Coble	Lott	Smith, Robert
Combest	Lowery (CA)	(NH)
Crane	Lujan	Stenholm
Darden	Lukens, Donald	Stump
Davis (IL)	Lungren	Sundquist
DeLay	Marlenee	Sweeney
DeWine	Martin (IL)	Swindall
Dornan (CA)	McCandless	Tallon
Dreier	McCollum	Tauzin
Edwards (OK)	McCrery	Thomas (CA)
Fawell	McEwen	Thomas (GA)
Fields	Michel	Vander Jagt
Gallegly	Moorhead	Vucanovich
Gingrich	Murtha	Walker
Grant	Packard	Weber
Hall (TX)	Parris	Wortley

NOT VOTING—63

Applegate	Ford (TN)	Price
Barton	Frenzel	Pursell
Berman	Frost	Rahall
Bevill	Gibbons	Rangel
Biaggi	Gray (IL)	Ray
Boehlert	Hall (OH)	Ridge
Boulter	Hefner	Rodino
Chapman	Hiler	Rose
Clarke	Jeffords	Slattery
Clinger	Jones (TN)	Smith, Denny
Coyne	Kolbe	(OR)
Craig	Konnyu	Solomon
Crockett	Latta	Spence
Daub	Lewis (CA)	Stokes
de la Garza	Mack	Studds
Derrick	MacKay	Taylor
Donnelly	Mica	Torres
Duncan	Moody	Walgren
Dyson	Neal	Wyllie
Early	Oakar	Young (AK)
Flake	Owens (NY)	
Florio	Pashayan	

□ 1358

The Clerk announced the following pairs:

On this vote:

Mr. CRAIG for, with Mr. BOULTER against.
Mr. RAHALL for, with Mr. DERRICK against.
Messrs. ROWLAND of Georgia,
THOMAS of Georgia, and SLAUGHTER of Virginia changed their votes from "aye" to "no."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LOWRY OF WASHINGTON

Mr. LOWRY of Washington. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LOWRY of Washington: Page 167, strike out lines 6 and 7.

Page 170, line 20, insert " , minus \$3,050,000" before "as follows".

Page 171, line 3, insert " , minus \$3,050,000" before the period.

The CHAIRMAN pro tempore (Mr. DOWNEY of New York). Pursuant to the rule, the gentleman from Washington [Mr. LOWRY] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Chairman, I oppose the amendment.

The CHAIRMAN pro tempore. The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Washington [Mr. LOWRY].

Mr. LOWRY of Washington. Mr. Chairman, the amendment before us deletes the new \$3,050,000 for additional money for United States military construction in Honduras. The amendment simply eliminates the new requested \$3,050,000. It does not delete the previously authorized but unspent \$8,450,000. It does not delete that.

Mr. Chairman, the question before us is, Should we spend an additional \$3,050,000 when the previously authorized \$8,450,000 has not been spent?

Specifically, last December 22 in the continuing resolution the Congress put in language requiring the Department of Defense to send information to the Committee on Appropriations on the conditions and terms of existing leases throughout Honduras.

□ 1405

That information has not been sent. Then why should we be spending an additional \$3 million when the \$8 million already previously authorized has not been spent and the department has not sent to Congress what it requested which was information on the terms and the conditions on existing leases in Honduras? Are we just here for the purpose of throwing away money anywhere we can through it?

What this amendment does is say delete the \$3,050,000 in the 1989 authorization bill. We have not spent the \$8,450,000 previously authorized, and they have not sent to Congress the requested information on the terms and the conditions of leases throughout Honduras.

Clearly it is correct in both foreign policy and correct in fiscal policy to not go ahead and send another \$3 million, and we do not have that requested information.

I reserve the balance of my time.

Mr. MONTGOMERY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise in opposition to the gentleman from the State of Washington, [Mr. LOWRY]. His amendment really hurts the Americans who are stationed at Palmerola. They are assigned down there from 2 to 6 months.

This money in the bill makes minor improvements. The argument of the gentleman from Washington is that \$8 million was authorized but not funded. That is the fault of the Committee on Appropriations.

They need last year's appropriation, and they need this year's appropriation. The \$3 million will get billets that are removal; they are relocatable, and for a central latrine system. If you have been down there, that is one thing they really need is latrine facilities; and then to have utilities which is such as the elimination of sewage around the mess halls.

Mr. Chairman, eight Members of the House went down last month, and we spent the night in Palmerola. It is the pits. It is tough living. It is not fair for those Americans to have to live in those conditions, and I certainly hope we will defeat the amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. MARTIN] who is the ranking minority member of the Subcommittee on Military Installations and Facilities of the Committee on Armed Services.

Mr. MARTIN of New York. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Washington [Mr. LOWRY], my friend, and I want to thank the gentleman from Mississippi [Mr. MONTGOMERY] for his remarks.

If I could have the attention of the gentleman from Washington who posed the question as to why should we be spending this money when the money which was authorized last year was not spent. As the gentleman from Mississippi [Mr. MONTGOMERY] pointed out, that is because the money was authorized, but not appropriated. It is still authorized for that segment, and this Congress should authorize it for this segment, and we hope that unlike last year it will be appropriated by the Committee on Appropriations.

The gentleman asked the question as to why we should spend this money

in Honduras at this time. The chairman of the Subcommittee on Military Installations and Facilities and myself pride ourselves on doing all we can to provide for a decent quality of life for our soldiers and sailors, airmen and marines wherever they might be.

I do not know how many Members have had the opportunity to be in Honduras to observe the training of United States Forces in concert with the Hondurans. They get outstanding training there. I am talking about our regular forces as well as the National Guard and Reserves.

For those of the Members who have not been in Palmerola, I want to point out to them that it is not really the nicest place any of our people serve; frankly the conditions are pretty humble.

When the subcommittee talks about the quality of life issues facing our service people in Honduras where we get outstanding training, does anyone really want to say that for \$8 million we will turn our back on those young American service men and women who are living in those hovels in a desolate, hot, miserable environment?

We are not asking for much unless the gentleman would suggest that it is too much to ask for relocatable barracks. How about a central latrine? I am talking about basic quality of life, and I ask the Members, our colleagues, to vote against the amendment of the gentleman from Washington.

□ 1415

Mr. LOWRY of Washington. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, in 1987 we authorized \$4.3 million for these purposes, 2 years ago. If it were such a crying need, why has that not been done at this time? This is 2 years later, so that item to help our military personnel there was not done.

The basic point I want to repeat is that on December 22 of last year Congress asked the Department to send us information on conditions on the existing leases and that has not been sent, so I do not know why we would put in additional money.

Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DELLUMS], the chairman of the Subcommittee on Military Installations and Facilities.

Mr. DELLUMS. Mr. Chairman, I do chair the Subcommittee on Military Installations and Facilities and I underscore many of the comments that my distinguished colleague, the gentleman from New York, and the ranking minority member has stated with respect to this debate.

However, that notwithstanding, I would simply attempt to make two points. The author of this amendment is correct that there was \$8.45 million in the pipeline that has been both au-

thorized and appropriated where the funds have not been utilized. The amount of \$4.3 million was authorized in 1985 but not appropriated. In 1987 it was both appropriated and authorized. To date, no contract has been let with respect to that project.

With respect to the \$4.51 million, we asked for a reprogramming. To date the Pentagon has not reprogrammed, so the \$8 million plus is there and there appears to be no urgency.

However, I would make this final observation to my colleagues, Mr. Chairman, even though we are talking about the quality of life with respect to Honduras, I find an interesting pattern. Where we begin to make that facility more comfortable, the tour of duty begins to extend. We started out with an austere environment with personnel stationed there for a minimum period of time. I would suggest, Mr. Chairman, that as we make this facility or this area more comfortable, we are going to end up one day with permanent troops located in Honduras. I think that is a mistake. We ought to be waiting until the peace process evolves and then establish policy based upon the efficacy of the result of that process, and I would on the basis of that rise in support of the amendment offered by my distinguished colleague from Washington, [Mr. Lowry].

Mr. MARTIN of New York. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I am very pleased to yield to the gentleman from New York.

Mr. MARTIN of New York. Mr. Chairman, just for a point of clarification, the gentleman from California and the gentleman from Washington speak about \$4,150,000 and say there is no reason, obviously no urgency here because the money was not spent. The fact of the matter is, and I am sure the gentleman understands this, that it is because the Appropriations Committee did not appropriate it, is that not correct?

Mr. DELLUMS. I have no time remaining.

Mr. MONTGOMERY. Mr. Chairman, may I inquire as to how much time remains on each side?

The CHAIRMAN pro tempore (Mr. DOWNEY of New York). The gentleman from Mississippi [Mr. MONTGOMERY] has 2 minutes remaining and the gentleman from Washington [Mr. Lowry] has 30 seconds remaining.

Mr. MONTGOMERY. Mr. Chairman, is it not appropriate that a member of the committee, and I being a representative of the committee, would have the opportunity to close debate?

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. MONTGOMERY. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. SKELTON].

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

Mr. Chairman, the question before this body is whether we are going to take care of our troops to the best of our ability. I have been to Honduras, I have been to Palmerola and even doing what we have attempted to do for our young men and our young women soldiers down there, they are still going to be camping out at best. I think it is incumbent upon us to as best we can have better latrines, a better water supply system and better utilities; to have better places for them to reside if we are going to do our best to have a strong conventional force. There are those who say we should have a strong conventional force versus relying on nuclear weaponry. If we are going to have a strong conventional force, we have to train them, and there is no finer place to train people than in real life such as Honduras.

Mr. Chairman, I oppose this amendment.

Mr. MONTGOMERY. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Washington [Mr. Lowry].

Once again, we are debating the same issue we defeated soundly last year. And just as last year the argument is made that military construction activities in Honduras are detrimental to the peace process, I contend that not to go forward with military construction projects in Honduras would have a negative impact on the peace process in Central America.

Nothing in the negotiations by the Democratic leaders of Central America indicated a need for Honduras to limit its joint military construction activities with the United States. The people who are most closely affected by the United States military presence in Central America and are most closely associated with the peace negotiations in Central America have not asked the United States to leave and have not asked us to curtail our military construction in Honduras.

The United States military presence in Honduras is a reaffirmation to the Honduran Government that we stand ready to help the Hondurans defend their democratic government. As was so clearly demonstrated in early March when Sandinista troops invaded Honduras, the United States military presence is vital to demonstrate to the Hondurans that we will not abandon them while they are threatened by a neighbor with overwhelming military superiority.

Approving this amendment would be just one more signal to the Communist Sandinistas that the United

States is not committed to defending the democracies of Central America.

I urge my colleagues to reject this amendment.

DEPARTMENT OF DEFENSE,
UNITED STATES SOUTHERN COMMAND,
Quarry Heights, Panama, April 27, 1988.
Hon. ROBERT J. LAGOMARSINO,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LAGOMARSINO: A key element of our military strategy in U.S. Southern Command is force presence maintained through permanent stationing of forces in Panama and a vigorous exercise program in Honduras. The proposed Lowry Amendment to this year's Defense Authorization Bill to delete \$3.05 million for Phase II of the troop upgrade at Palmerola would seriously impact on our ability to successfully carry out this program and demonstrate our long term commitment to a faithful ally who has seen us cut other critical programs such as security assistance. I would like to re-emphasize a few key points for your consideration as the FY 89 Defense authorization bill reaches the House floor.

We have responded to Congressional requests in FY 86 and FY 87 to submit projects to upgrade the quality of life of our non-exercise soldiers stationed at Palmerola. The program has been designed to be modular and relocatable and to be constructed over a three year period in order that Congress can review each project submission in light of the Sandinista threat to regional stability. The FY 88 submission addressed our most serious quality of life issues at Palmerola and included: a 30 bed clinic to replace inadequate and unsanitary wooden buildings, double surface treatment of the existing perimeter and interior road net to cut down on severe dust hazards to human health and aviation operations, and 300 relocatable billets to replace the oldest and most deteriorated wooden buildings.

That construction was authorized last year and a request to reprogram funds to meet conditions imposed by the Senate Appropriations Committee is now being forwarded through Army channels. The FY 89 program seeks to add an additional 300 relocatable billets and associated utilities. This MILCON requirement can be characterized in similar fashion to other overseas project requests:

It represents an investment in long-term U.S. commitment to a friendly or allied nation. Construction projects are highly visible reminders of U.S. ability or commitment to respond if a need arises.

The program is essential to the well-being and well-earned support of our soldiers, sailors, airmen and marines assigned overseas.

In the Southern Command area of responsibility there are also very major differences compared with other overseas commands in justifying MILCON programs. At the lower end of the spectrum, the set of relevant deterrent force options is far more likely to consist of activities encompassing security assistance (to include contract construction for host-nation militaries), exercises, intelligence support, engineer exercise construction, medical exercises, and infrastructure development. The majority of these activities provide powerful examples to host country military establishments of the potential use of their own engineers in critical nation-building functions.

Because the threat is different, our infrastructure needs are also different, and our

programs must be designed to maximize flexible use of force options.

My MILCON projects may have multiple uses. Projects could and often do support U.S. joint or combined exercises, host nation infrastructure shortfalls, national development needs, humanitarian and civic action or contingency missions.

The deterrent value of our theater infrastructure construction programs in Honduras is documented. Congressional approval of the FY 84 Palmerola AB upgrade projects (runway and taxiway extensions, parking apron, and fuel storage) established the basing for intelligence sharing and force presence which hinders Nicaraguan attempts to aid the insurgency against the democratically elected government at El Salvador. These same upgrades proved essential to stage airlift assistance to Honduran forces resisting the Sandinista incursions in 1986, 1987 and in March of this year. Our ability to provide requested assistance (both military and disaster relief assistance following the 1986 earthquake) to the legitimate governments of El Salvador and Honduras was enhanced by the operational capabilities built with MILCON funds at Palmerola and Goloson airfields.

Your support of this program to upgrade living conditions for our exercise support forces in Honduras will enable us to realize substantial enhancement of our common goal of peace with freedom and democracy in Latin America.

Sincerely,

FRED F. WOERNER,
General, U.S. Army,
Commander in Chief.

Mr. LOWRY of Washington. Mr. Chairman, I yield my remaining 30 seconds to the gentleman from California [Mr. DELLUMS], chairman of the subcommittee.

Mr. DELLUMS. Mr. Chairman, I would like to take the 30 seconds to answer the question propounded by my distinguished colleague from New York [Mr. MARTIN]. He is absolutely correct that with respect to the \$4.15 million the project was authorized by the appropriations were not made. The Appropriations Committee said fund it out of savings or submit a reprogramming request. The point is, no reprogramming request to date has been received, and it would seem to me that in view of the fact it has not been received it speaks to the question of whether or not there is any urgency with respect to this issue.

Mr. MONTGOMERY. Mr. Chairman, I yield myself my remaining 30 seconds.

Mr. Chairman, as I said earlier, I rise in opposition to the amendment. The amendment really hurts the troops stationed in Palmerola and eliminates their getting better water and latrine facilities and better sewage facilities.

So I hope the Committee will oppose this amendment.

Mr. FEIGHAN. Mr. Chairman, I rise in support of the Lowry amendment and I commend the gentleman for giving us a chance to take another look at what the United States Government is doing in Honduras.

Honduras is the poorest country in Latin America. Per capital income is less than \$700

a year. Two-thirds of the population works in agriculture—but average growth in that sector has been less than 1 percent over the last decade. During that same decade, this administration has ignored the underlying problems and focused instead of turning Honduras into a launching pad for its military policy in Central America.

Along the way, the administration also ignored the Hondurans who said they were tired of the United States using the lens of the administration's objectives in Nicaragua for viewing the problems in Honduras. The Hondurans have decided neither to make war nor peace with Nicaragua. They have decided that they are tired of having their country overrun by refugees and U.S.-backed parliamentary groups.

We have no base rights in Honduras. We have no permanent agreements with the Honduran Government. We have been told by the administration that the United States presence in Honduras is temporary. Under that rationale, we have built airstrips, radar stations, roads—and now we are talking about barracks and an administration building.

Let's not kid ourselves—there's no such thing as a "temporary air strip" or a "temporary radar station."

It's been argued that this is a quality-of-life issue. It's been said that we should not punish U.S. servicemen who are by withholding funds for their benefit.

Well, the truth is that we're not withholding funds from anybody.

In fact, we have already authorized over \$8 million for these "quality of life" improvements—\$8 million that remains unspent. Why are we authorizing \$3 million more? While we may not know what the administration has in mind for Honduras, we should at least learn why these additional funds are necessary when we have unspent funds available.

I urge my colleagues to support the Lowry amendment.

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

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

RECORDED VOTE

Mr. LOWRY of Washington. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 111, noes 267, not voting 53, as follows:

[Roll No. 89]

AYES—111

Ackerman
Akaka
Atkins
AuCoin
Bates
Beilenson
Bonior
Bonker
Boucher
Boxer
Brennan
Brooks
Bruce
Bryant
Campbell
Cardin

Clay
Collins
Conyers
DeFazio
Dellums
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dymally
Eckart
Edwards (CA)
Evans
Fazio
Feighan

Foglietta
Foley
Ford (MI)
Frank
Garcia
Gejdenson
Gephardt
Gray (PA)
Green
Hawkins
Hayes (IL)
Hertel
Hochbrueckner
Jacobs
Jontz
Kanjorski

Kaptur
Kastenmeier
Kennedy
Kildee
Klecza
Kostmayer
Leach (IA)
Lehman (FL)
Leland
Levine (CA)
Lewis (GA)
Lowry (WA)
Markey
Martinez
Matsui
McCloskey
McHugh
Mfume
Miller (CA)
Mineta
Moakley

Morella
Morrison (CT)
Mrazek
Nagle
Nowak
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Pelosi
Perkins
Rangel
Roybal
Sabo
Savage
Sawyer
Scheuer

Schroeder
Schumer
Sikorski
Solaz
St Germain
Stark
Studds
Swift
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Waxman
Weiss
Wheat
Williams
Wolpe
Wyden
Yates

NOES—267

Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Badham
Baker
Ballenger
Barnard
Bartlett
Bateman
Bennett
Bentley
Bereuter
Bilbray
Billakis
Bliley
Boggs
Boland
Borski
Bosco
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Carper
Carr
Chandler
Chappell
Cheney
Clarke
Clement
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Combest
Conte
Cooper
Coughlin
Courtner
Crane
Dannemeyer
Darden
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
Dicks
DioGuardi
Dornan (CA)
Dowdy
Dreier
Dwyer
Edwards (OK)
Emerson
English
Erdreich
Espy
Fascell
Fawell

Fields
Fish
Flippo
Frenzel
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gregg
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Kasich
Kemp
Kennelly
Kolter
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lent
Levin (MI)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Lukens, Thomas
Lukens, Donald
Lungron

Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Mavroules
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Miller (WA)
Mollinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nielson
Ortiz
Oxley
Packard
Parris
Penny
Pepper
Petri
Pickett
Pickle
Porter
Pursell
Quillen
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Russo
Saiki
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shays
Shumway

Shuster	Spence	Upton
Sisisky	Spratt	Valentine
Skaggs	Staggers	Vander Jagt
Skeen	Stallings	Volkmer
Skelton	Stangeland	Vucanovich
Slaughter (NY)	Stenholm	Walker
Slaughter (VA)	Stratton	Watkins
Smith (FL)	Stump	Weber
Smith (IA)	Sundquist	Weldon
Smith (NE)	Sweeney	Whittaker
Smith (NJ)	Swindall	Whitten
Smith (TX)	Synar	Wilson
Smith, Robert (NH)	Tallon	Wise
Smith, Robert (OR)	Tauke	Wolf
Snowe	Tauzin	Wortley
Solomon	Thomas (CA)	Yatron
	Thomas (GA)	Young (FL)
	Torricelli	

NOT VOTING—53

Barton	Flake	Moody
Berman	Florio	Neal
Bevill	Ford (TN)	Oakar
Biaggi	Frost	Pashayan
Boehert	Gibbons	Price
Boulter	Gray (IL)	Rahall
Brown (CA)	Hall (OH)	Ray
Chapman	Hefner	Rodino
Coyne	Hiler	Rose
Craig	Jeffords	Slattery
Crockett	Jones (TN)	Smith, Denny (OR)
Daub	Kolbe	Stokes
de la Garza	Konnyu	Taylor
Derrick	Latta	Torres
Donnelly	Lewis (CA)	Walgren
Duncan	Mack	Wyllie
Dyson	MacKay	Young (AK)
Early	Mica	

□ 1435

The Clerk announced the following pairs:

On this vote:

Mr. Rahall for, with Mr. Derrick against.

Mr. Moody for, with Mr. Slattery against.

Mr. DWYER of New Jersey changed his vote from "aye" to "no".

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARKEY

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

The CHAIRMAN pro tempore (Mr. DOWNEY of New York). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY: At the end of title IX of division A (page 163, after line 6), insert the following new section:

SEC. 934. RESTRICTION ON ACTIVITIES IN CENTRAL AMERICA.

The prohibition established in section 216 (prohibiting certain activities by United States Government personnel within 20 miles of the Nicaraguan border) of title II of the Act set forth in section 101(k) of the continuing appropriations resolution for fiscal year 1987 (Public Laws 99-500 and 99-591) shall be deemed to prohibit the participation of members of the United States Armed Forces, within the land areas specified in section 216, in any military training exercise or maneuver (including a National Guard training exercise or a joint United States-Honduran military training exercise) which is funded in whole or in part with funds authorized to be appropriated or otherwise made available to the Department of Defense by this Act.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be

recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

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

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] will be recognized for 5 minutes in opposition to the amendment.

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

Mr. MARKEY. Mr. Chairman, I yield myself 3 minutes.

Right now, Mr. Chairman, current law prohibits, under the Foley amendment, United States combat troops from going into Nicaragua. We have a further restriction; the Mrazek amendment which prohibits American troops from being within a 20-mile border area training the Contras, for the purpose clearly of keeping our boys outside of the combat area.

Now 6 weeks ago the administration moved American boys into this 20-mile area saying they were going to be training themselves; moved them into the Jamastran airstrip and then we found within a very short period of time that they were within 10 miles of the Nicaraguan border on a training mission, thereby circumventing the Foley amendment and circumventing the Mrazek amendment which is supposed to keep American boys out of harm's way. We found that they had weapons. That is, it was reported that they had 105-millimeter howitzers with live shells that, if they were fired, would have been able to go 10 miles within Nicaragua itself.

Now understand that no matter which of these amendments remains in effect that does not talk about the Palmerola air base, Tegucigalpa, Aguacate airstrip, Puerto Lempira, all of the key military installations within that country still remain accessible to United States troops.

United States troops can train in all of the rest of Honduras if they need that kind of training. But we keep them outside of this area.

So what this amendment does once again, is just to insure that American boys are not training within this 10-mile area because we found as recently as 6 weeks ago that the administration was moving them within 10 miles of the Nicaraguan border while fighting was taking place.

So it just fills the gaps. I think it is consistent with the intention which we have had all along of insuring that American boys are not unnecessarily put in danger.

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

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr. MARKEY] has 2 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts. As others have pointed out, this is exactly the same amendment debated and rejected by this body last year when it was offered by the gentleman from New York [Mr. MRAZEK].

Two years ago the Mrazek amendment was approved which prohibited United States Government personnel from assisting the Nicaraguan democratic resistance within 20 miles of the Nicaraguan border. United States personnel fully complied with that prohibition.

But to attempt once again to extend the scope of such a prohibition to all United States military exercises held jointly with the Government of Honduras or Costa Rica would be an unwarranted infringement on the sovereignty of Honduras and/or Costa Rica. That would mean, in effect, that Honduras or Costa Rica could not determine for itself where such joint exercises would have the greatest benefit for its own country.

The administration has stated repeatedly that any exercises, whether conducted in Honduras or in Costa Rica, would not be related in any way to United States support for the Contras. To prohibit joint exercises in a 20-mile zone signals to Honduras or Costa Rica that they cannot be trusted to make decisions in their own right on what is best for their own national security.

As I said last year in opposition to this same language, this amendment would be a signal to our friends that we cannot be relied on as an ally and that perhaps Honduras and Costa Rica should cut the best deal they can with the Communist Sandinista regime in Nicaragua for fear of being abandoned by the United States.

I urge my colleagues to defeat this amendment, which is a direct slap in the face of our democratic allies—Costa Rica and Honduras—in Central America.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I visited all the locations just a few weeks ago that Mr. MARKEY mentions.

There will be some cynics that will take exception to my statement that it hurts the peace process to put another restriction on the American forces, the forces of freedom. But it is true that 40 miles away from the fighting at the confluence of the Buki and Rio Cocos River, we had one of the battalions of the Seventh Division come into Jamastran. That was a powerful message to this Communist incursion onto the sovereign soil of Honduras.

If you go down there and talk to the boys, as they have been called, these men who are putting their lives on the line for freedom—and yes, believe it or not, they carry weapons. They are known to use M-16 rifles in the field with live ammunition in it.

I am glad that some Members like to know that our men have clips in their weapons as they did not in Beirut when 241 were slaughtered.

Now if we are going to send messages to the Communists down here in Managua that we are going to restrict the forces of freedom, it will end up hurting the peace process and if you follow that on a daily basis, you know that the Communist dictators are getting arrogant again. Vote "no" on the Markey amendment, please, for peace.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the very distinguished chairman of the subcommittee, the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I have been to Honduras as many other Members of the House have been. The big problem with this amendment is it is unenforceable. It is hard, it is impossible; you cannot pick out a 20-mile limit.

Most of our training is with the Honduran brigades. Our troops are safe with the Hondurans. You cannot regulate it. What we are getting ready to do is to put a restriction on good training. That is wrong.

The Americans gain a great deal out of working with the Hondurans. I certainly hope we would not restrict them.

If you go down there you cannot tell where you are and it is just an unworkable amendment.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. SKELTON].

□ 1445

Mr. SKELTON. Mr. Chairman, I might point out to the proponent of this amendment that there is a peace process going on that, if we believe what is being told us, the danger does not exist there.

But be that as it may, a restriction such as this would cause confusion. It would cause a complete survey to be done of the area, which, of course, is economically impossible to do. You would make it impossible for there to be full and complete training of the American troops wherever the Hondurans think it should be necessary within that country.

Mr. Chairman, it just does not make sense to tie the Americans' hands, the Honduran hands, from doing what should be done to further outstanding training in that very wild and very primitive environment. I do oppose this amendment.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MAVROULES].

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

I am going to ask for a yes vote on the Markey amendment. Let me make around three or four points here.

Mr. Chairman, the current law already establishes a 20-mile border zone for U.S. personnel training or assisting the Contras. The Pentagon has recognized and practiced a 20-mile exclusion zone for training. It is unnecessary and very dangerous to train United States forces within 20 miles of the Nicaraguan border. This amendment gives clear guidance to United States troops on the issue of training in the area, and this amendment does not affect an actual operation such as transporting Honduran troops to inaccessible areas, mounting rescue operations or even combat, and this amendment does not affect facilities normally based by the United States troops or any operations.

And when you look at this amendment in total, what is wrong with it? There is nothing wrong that is going to deter with the operation in Honduras.

Mr. DICKINSON. Mr. Chairman, it is my understanding that, representing the committee bill, I would have the right to close debate; is that correct?

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. MARKEY. Mr. Chairman, let me explain what this amendment is not, and I think that that is very important so that my colleagues will know what they are voting on. It does not, in fact, prohibit American transportation of Honduran troops. It does not prohibit American rescue missions into the 20-mile area. It in fact does not prohibit American combat troops inside the 20-mile area as long as it has in fact complied with the Foley amendment and other War Powers Act restrictions.

What it does say though is that we are not going to send American boys in on training missions into this 20-mile area, giving them ambiguous missions, murky missions, like Beirut, where they do not have clear instructions. They are in on training, but they have live ammunition. You have not given them clear instructions as to what they should do.

Mr. Chairman, we should not have boys in on training missions in this area with live ammunition. If my colleagues want to send in combat troops, this does not prohibit them, but we will just have to comply with the other restrictions in law and order to get the combat troops in. But, if my colleagues want to avoid a Beirut and do not want murky missions of training with thousands of American boys

walking around with live ammunition, then vote yes on the Markey amendment.

Mr. DICKINSON. Mr. Chairman, I yield my remaining time to the gentleman from California [Mr. HUNTER].

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

My colleagues, the President and the Secretary of Defense showed good judgment in the last scenario in which American troops trained in Honduras. Let us go back for a minute.

The Sandinistas invaded Honduras. They were killing Contras in their base camps. Contras were killing Sandinistas. The Honduran Government was reluctant to act because they did not know if the United States stood behind them. We sent in the 82d, not for combat, but for training. They trained in some cases fairly close to the border. When the 82d went in, Honduras, seeing that we were behind them, took strong action. They took two warning air strikes against Sandinista positions. The Sandinistas promptly withdrew from Honduras, ceasing the killing between Contras and Sandinistas. No troops in the 82d were harmed.

So, by the President and the Secretary of State exercising their judgment to do what the Markey amendment would prohibit us from doing, saved lives. I would urge all of my colleagues, Republican and Democrat, to vote against the Markey amendment.

The CHAIRMAN pro tempore. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 238, not voting 46, as follows:

[Roll No. 90]

AYES—147

Ackerman	Coleman (TX)	Gejdenson
Akaka	Collins	Gephardt
Alexander	Conte	Gillman
Anderson	Conyers	Gonzalez
Applegate	Coyne	Gordon
Atkins	DeFazio	Gray (PA)
AuCoin	Dellums	Green
Bates	Dingell	Guarini
Beilenson	Dixon	Hawkins
Bennett	Dorgan (ND)	Hayes (IL)
Boehlert	Downey	Hertel
Boland	Durbin	Hochbrueckner
Bonior	Dymally	Hughes
Bonker	Edwards (CA)	Jacobs
Bosco	Espy	Jeffords
Boucher	Evans	Johnson (CT)
Boxer	Fazio	Johnson (SD)
Brennan	Feighan	Jontz
Brooks	Flake	Kaptur
Bruce	Florio	Kastenmeier
Bryant	Foglietta	Kennedy
Cardin	Foley	Kildee
Carper	Ford (MI)	Kleccka
Clay	Frank	Kostmayer
Coelho	Garcia	LaFalce

Leach (IA)	Oberstar	Slaughter (NY)	Spence	Tallon	Watkins
Lehman (CA)	Obey	Smith (FL)	Spratt	Tauke	Weber
Lehman (FL)	Olin	Snowe	Stallings	Tauzin	Weldon
Leland	Owens (NY)	Solarz	Stangeland	Thomas (CA)	Whittaker
Levin (MI)	Owens (UT)	St Germain	Stenholm	Thomas (GA)	Whitten
Levine (CA)	Panetta	Staggers	Stratton	Upton	Wilson
Lewis (GA)	Pease	Stark	Stump	Valentine	Wise
Lowry (WA)	Pelosi	Studds	Sundquist	Vander Jagt	Wolf
Manton	Penny	Swift	Sweeney	Volkmer	Wortley
Markey	Perkins	Torricelli	Swindall	Vucanovich	Yatron
Martinez	Rahall	Towns	Synar	Walker	Young (FL)
Matsui	Rangel	Traficant			
Mavroules	Regula	Traxler			
Mazzoli	Roybal	Udall			
McCloskey	Russo	Vento			
McHugh	Sabo	Visclosky			
Miller (CA)	Savage	Walgren			
Mineta	Sawyer	Waxman			
Moakley	Scheuer	Weiss			
Morella	Schneider	Wheat			
Morrison (CT)	Schroeder	Williams			
Mrazek	Schumer	Wolpe			
Nagle	Sikorski	Wyden			
Natcher	Skaggs	Yates			

NOES—238

Andrews	Gaydos	McMillen (MD)
Annunzio	Gekas	Meyers
Anthony	Gingrich	Mfume
Archer	Glickman	Miller (OH)
Armey	Goodling	Miller (WA)
Aspin	Gradison	Molinari
Badham	Grandy	Mollohan
Baker	Grant	Montgomery
Ballenger	Gregg	Moorhead
Barnard	Gunderson	Morrison (WA)
Bartlett	Hall (TX)	Murphy
Bateman	Hamilton	Murtha
Bentley	Hammerschmidt	Myers
Bereuter	Hansen	Nelson
Bilbray	Harris	Nichols
Bilirakis	Hastert	Nielson
Bliley	Hatcher	Nowak
Boggs	Hayes (LA)	Ortiz
Borski	Hefley	Oxley
Broomfield	Henry	Packard
Brown (CO)	Herger	Parris
Buechner	Holloway	Pashayan
Bunning	Hopkins	Patterson
Burton	Horton	Pepper
Bustamante	Houghton	Petri
Byron	Hoyer	Pickett
Callahan	Hubbard	Pickle
Campbell	Huckaby	Porter
Carr	Hunter	Pursell
Chandler	Hutto	Quillen
Chappell	Hyde	Ravenel
Cheney	Inhofe	Rhodes
Clarke	Ireland	Richardson
Clement	Jenkins	Ridge
Clinger	Jones (NC)	Rinaldo
Coats	Kanjorski	Ritter
Coble	Kasich	Roberts
Coleman (MO)	Kemp	Robinson
Combest	Kennelly	Roe
Cooper	Kolter	Rogers
Coughlin	Kyl	Rostenkowski
Courter	Lagomarsino	Roth
Crane	Lancaster	Roukema
Dannemeyer	Lantos	Rowland (CT)
Darden	Leath (TX)	Rowland (GA)
Davis (IL)	Lent	Saiki
Davis (MI)	Lewis (FL)	Saxton
DeLay	Lightfoot	Schaefer
DeWine	Lipinski	Schuetz
Dickinson	Livingston	Schulze
Dicks	Lloyd	Sensenbrenner
DioGuardi	Lott	Sharp
Dornan (CA)	Lowery (CA)	Shaw
Dowdy	Lujan	Shays
Dreier	Lukens, Thomas	Shumway
Dwyer	Lukens, Donald	Shuster
Eckart	Lungren	Sisisky
Edwards (OK)	Madigan	Skeen
Emerson	Marlenee	Skelton
English	Martin (IL)	Slaughter (VA)
Erdreich	Martin (NY)	Smith (IA)
Fascell	McCandless	Smith (NE)
Fawell	McCollum	Smith (NJ)
Fields	McCrery	Smith (TX)
Fish	McCurdy	Smith, Robert
Flippo	McDade	(NH)
Frenzel	McEwen	Smith, Robert
Gallegly	McGrath	(OR)
Gallo	McMillan (NC)	Solomon

NOT VOTING—46

Barton	Ford (TN)	Moody
Berman	Frost	Neal
Bevill	Gibbons	Oakar
Biaggi	Gray (IL)	Price
Boulter	Hall (OH)	Ray
Brown (CA)	Hefner	Rodino
Chapman	Hiller	Rose
Craig	Jones (TN)	Slattery
Crockett	Kolbe	Smith, Denny
Daub	Konnyu	(OR)
de la Garza	Latta	Stokes
Derrick	Lewis (CA)	Taylor
Donnelly	Mack	Torres
Duncan	MacKay	Wylie
Dyson	Mica	Young (AK)
Early	Michel	

□ 1507

The Clerk announced the following pairs:

On this vote:

Mr. Moody for, with Mr. Derrick against.

Mr. Rodino for, with Mr. Craig against.

Mr. Slattery for, with Mr. Boulter against.

Mrs. JOHNSON of Connecticut, Miss SCHNEIDER, and Mr. JEFFORDS changed their votes for "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. DOWNEY). It is now in order to debate the subject matter of budget priorities.

Pursuant to the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 20 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 20 minutes.

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

Mr. ASPIN. Mr. Chairman, on our side, the person allocating the time during general debate will be the gentlewoman from California [Mrs. BOXER].

Mr. DICKINSON. Mr. Chairman, I would ask the Chair to designate the offerer of the amendment, the gentleman from Arizona [Mr. KYL] to control the time on this side.

The CHAIRMAN. Without objection, the gentlewoman from California [Mrs. BOXER] will be recognized for 20 minutes and the gentleman from Arizona [Mr. KYL] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from California [Mrs. BOXER].

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

Mr. Chairman, we are right now faced with two amendments on military budgeting, the Boxer amendment coauthored by Congressmen GRAY, MILLER, MAVROULES, and DELLUMS, and the Kyl amendment.

The Boxer amendment embraces the pay-as-you-go concept, brought to us by the gentleman from California, Mr. GEORGE MILLER, 6 years ago, and I might say, passed by this very House. It is a responsible budgeting amendment. It says that if we need to have modest, sustained increases in military spending, it should be done on a pay-as-you-go basis.

The Kyl amendment, quite frankly, will take us to the never-never land of skyrocketing budget deficits, with no guarantee of a sensible defense, because it calls for a yearly, almost automatic, increase in defense spending, but is silent on how to pay for it.

So whether, my colleagues, you call yourselves liberal or conservative, a dove or a hawk, we believe that no one in this House would support increasing the deficit because of automatic knee-jerk real increases in spending in any area of the budget, because we have made a commitment, Mr. Chairman, to the American people that we are going to resolve the deficit crisis.

Now, the stock market crash of October ripped the blinders from the eyes of many people, and the administration began to work with the leadership in the Congress to tackle the budget crisis. They produced the budget summit agreement. None of us thought it was perfect, but in fact they sat down and they looked at the need to use pay-as-you-go as a basis for budgeting.

Our amendment continues that spirit of fiscal responsibility in budget making.

Now, immediately following the Boxer amendment, we will have before us an amendment from my distinguished colleague, the gentleman from Arizona [Mr. KYL], that calls for "modest, but sustained real growth." In other words, growth beyond inflation in the defense budget.

The gentleman from Arizona [Mr. KYL] will argue with great spirit for his amendment, but I think, frankly, that it is an amendment that does not really have any guts to it, because the gentleman is silent, totally silent, on how he is going to pay for these yearly increases.

Now, let us assume a 4-percent inflation rate and a 3 percent real growth in spending for 1990, 1991, and 1992. By 1993 we would add nearly \$67 billion to the budget and send our budget deficits spiraling upward again.

Mr. Chairman, that prospect is intolerable. We cannot continue to spend the resources that belong to future generations. We have to make hard tough choices. They are not easy. But they must be made on the domestic side of the budget, and they must be made on the defense side of the budget.

Now, because so many of my colleagues wish to speak, I am not going to take any more time at this point.

□ 1510

All I would say to my colleagues is listen to what President Reagan himself said in the 1989 budget message, "If this deficit is not curbed by limiting the appetite of Government, we put in jeopardy what we have worked so hard to achieve."

Madam Chairman, I think personally it would be the epitome of injustice to exempt the defense budget from that sentiment. Everything has to be done on a pay-as-you-go basis.

I hope my colleagues will vote up the Boxer amendment, vote down the Kyl amendment, so that we can have some responsible defense budgeting.

Madam Chairman, I reserve the balance of my time.

Mr. KYL. Madam Chairman, we have an opportunity in this general debate to focus on the deficiency in defense spending and in budgeting. For several years congressional and DOD leaders have been calling for more sensible budgeting, recognizing that it is very inefficient to alternate between big increases and then decreases in spending. Efficiency is especially important now that the defense budget is being squeezed to a point where we are actually suffering forced reductions. It does not look like the Soviets are about to let us off the hook either. They are spending and perhaps more importantly, their resulting strength continues to increase according to the just-released 1988 Soviet Military Power.

Let me quote some eloquent spokesmen on this point while referring to a chart which illustrates the point.

The chairman of the Committee on Armed Services, the gentleman from Wisconsin [Mr. ASPIN] in his March 1988, news release concerning this bill said, "What we are seeing is a roller coaster. Excessive increases in the early 1980's have produced real cuts in the late 1980's. What we needed in defense then, and what we need now, are real, modest, and repeated increases."

He went on to say, "The boom or bust cycle exhibited does no good for the economy or national defense."

Referring to the chart, this is the boom or bust cycle that the chairman was referring to. The bust cycle during the period 1971-76, and then periods of increases of 4.2 and 4.9 percent. Then we have decreases, and then another period of increases. Totalling that up, it comes to 13 percent in 1981, 11 percent in 1982, and then finally resulting in our forced decreases beginning in 1986. This is the boom and bust to which the chairman has referred.

He said, "I constantly hear the demand for the Defense Department to operate more efficiently. But it is

unreasonable to expect efficiency when we fund the Department so erratically. The demand for efficiency requires some participation on the part of the Congress and the public by providing some constancy to the budget."

He concluded by saying, "I hope that when the current cut-and-slash part of the cycle bottoms out, we will not respond by throwing money at the Pentagon but by providing steady, modest increases on the order of 2 to 4 percent annually."

The gentleman from Alabama [Mr. DICKINSON], the ranking Republican member on the Committee on Armed Services, in the same press release echoed the same theme when he said, "Unless there is some remarkable decrease in the Soviet threat in the foreseeable future, we will need modest but sustained real growth in defense budgets to be able to provide the national security our citizens need and deserve."

It is illustrative that the Secretary of Defense Frank Carlucci pointed out that with respect to this boom and bust cycle, shown on this chart, "Had we had nothing but zero real growth from 1970 to 1988, we would be just as well, if not better, off than we have been with the up and downs."

This was also the conclusion of the Bipartisan Commission on Integrated Long-Term Strategy when in their report they said:

Defense dollars will continue to buy less so long as we remain in this stop-go mode.

Congress and the executive branch should aim at steady, moderate growth in the defense budget and avoid these extreme fluctuations.

So long as the country remains afflicted by stop-go spending, the Pentagon will need plans for taking maximum advantage of the next crisis-driven surge in spending.

This is a bipartisan issue. As was pointed out by the chairman, and I would like to quote him again:

This boom or bust approach to defense budgeting does no good either for our economy or our national security. What we need is a commitment by left and right, Democrats and Republicans, liberals and conservatives to raise defense spending modestly but consistently. Then and only then can we rightfully expect greater efficiency from the Pentagon.

Since there is such a strong consensus among those responsible, we felt it was time to take the next step and state this consensus as a matter of policy to guide our future decisions. Therefore, we drafted a simple sense-of-Congress resolution embodying the principle of modest but sustained real growth in defense budgets beginning with the fiscal year 1990 budget.

What does it mean? It does not set a specific percentage increase. It does not say that defense should begin taking a larger slice of the pie either as a percent of Federal spending or as a percent of gross national product. It

means only that defense should share in the growth of our economy and the resulting annual increases in Federal revenue, and that such growth should be an amount modest but in direction sustained. In other words, slow but steady growth.

It is true that this sense-of-Congress resolution is not binding but it is an important expression of intent and principle both to the administration and to our constituents. We could have simply included this in report language of the DOD authorization bill. This amendment however, by the way, passed by a voice vote in the full Committee on Armed Services. We wanted all Members of the House to be able to participate in stating the consensus.

If we adopt this resolution it will ask the next administration when it presents its first budget not to send up an unrealistic increase but rather a modest increase in defense spending and to plan future budgets with moderate but steady growth.

It will similarly provide our Committee on the Budget with guidance and give the Congress a goal against which to judge proposed budgets.

Finally it will assure the American taxpayers that we are budgeting defense efficiently. Failure to vote for this resolution would send a signal that in Congress it is business as usual, all talk and no action when it comes to efficient defense budgeting.

This is not a partisan issue. Conservatives would like much more spending, liberals much less, but modest, sustained growth makes sense to all.

I know that some of my colleagues oppose this resolution but I believe their perfecting amendment would send the wrong signal. Their proposal would require defense spending and only defense spending to be restricted to a pay-as-you-go basis without defining what that concept means.

Does it mean no more defense dollars until the deficit is gone?

Does it mean we add up nondefense spending that we want and subtract that from real revenues and use what is left for defense?

Does it mean a tax increase?

The language of the substitute, I submit, is either meaningless or it is very dangerous, and contrary to the interests of the American people.

We can and we must afford modest growth in defense. Asking where the revenues for defense alone will come is a red herring. We are simply saying let us go on record as agreeing with our leadership that the most efficient use of tax dollars is through budgeting that allows intelligent planning. Steady, modest growth, not violent swings up and down.

I urge a yes vote on the Kyl-Darden resolution, and a no vote on the Boxer amendment.

Madam Chairman, I reserve the balance of my time.

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. FAZIO], a member of the Committee on the Budget and of the Committee on Appropriations.

Mr. FAZIO. Madam Chairman, I think this is a rather important debate we are about to have here because it is one of the few times during the discussions of the defense authorization bill that we are going to look a little bit down the road at what is coming for defense spending, and it is not a pleasant prospect.

In August Secretary Carlucci will be bringing us his revised 5-year defense plan, the FYDP, as it is called. That plan, if it contains what he intimates it will, will mean that we will have to cut \$250 billion over the next 5 years from anticipated expenditures if we maintain a 2-percent real growth in the defense budget. I think we all realize that as the chart that was up here a minute ago indicates, we have not had real growth in defense for 3 years. It could well be that we will need more than 2 percent real growth if we are to avoid cuts that will probably mean people in our districts are laid off, people on assembly lines will be contacting their Congressmen, and we will all be feeling the political and economic crunch in the outyears.

I really do not have a major dispute with my friend the gentleman from Arizona [Mr. KYL] when he points out to us the folly of the ramp up and the ramp down, the boom and bust kind of approach that we have in defense spending at the present time.

□ 1525

Where I join the gentlewoman from California [Mrs. BOXER] in her dissent and support for her perfecting amendment, is that we cannot discuss this in a vacuum. We cannot discuss this question of what it will take to provide for proper defense without the "T" word, taxes or reductions in entitlements.

Deficit reduction has taken priority. And we know we are not going to be cutting back further on most domestic spending. Our annually appropriated domestic spending is now at the lowest percentage of our budget and as a percentage of our GNP, since the early 1960's.

We have turned the corner. If there is going to be an adequate amount of defense spending, and I think more of us than perhaps realize it will be advocating at least a level defense spending figure and perhaps even some increases in the next several years, we will have to pay for it. We are all going to have to put the money on the table to make it possible to provide for an adequate defense. We cannot continue to have it both ways—more defense and more deficit. The Kyl amendment

allows that. The Boxer amendment makes us accountable and says pay as you go.

Mr. KYL. Madam Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Madam Chairman, the Kyl amendment is such a basic thing, I really have some difficulty understanding the partisan conflict here for one very basic reason. First of all, the idea for the Kyl amendment was probably not drafted up only within the head of the gentleman from Arizona, JOHN KYL. It really came from a study that was done, a bipartisan study, called "Discriminate Deterrence."

Some of the people who served on this long-term strategy study were Anne Armstrong, Zbigniew Brzezinski, Democrat Bill Clark, the respected Bill Clark, Admiral Holloway, Henry Kissinger, Gen. John Vessey. They sat down, and they tried to figure out exactly what the threat is to the United States and how we ought to plan to meet that threat.

There is going to be an amendment offered later that I have written that talks about the need to define weapons systems consistent with the threat so that they fit together, something that we said ought to be done for 100 years, and it is something I can hardly understand we have never done before.

I would like to get support on both sides of the aisle for that amendment. I think we will get it.

What they really say in this book, bottom line, when they talk about defense budgeting, is we ought to do what the gentleman said we ought to do, which is prevent wide fluctuation.

If you go back to the Kennedy years, and I was young then, but if you go back to the debate, the United States was experiencing a missile gap. When John Kennedy was elected President, we started to ramp up the defense budget and spend money. We went through the Vietnam war, debated guns and butter, and we decided we need guns and butter at that time. We were spending a significant percentage of GNP on defense then, and we went through a period where we absolutely starved defense. Then the President comes in and decides we have got to increase it. And that received bipartisan support.

What we do is where we starve defense, as you can see, from 1971 to 1976, we essentially starved defense, and then we come back, and we increase it significantly for a couple of years, and then we starve it again, and then this President comes in, and we have increases of 13, 11, 8 percent, clearly an increase in my judgment that put us in a position of almost throwing money at a problem, and some of that money was wasted. Now we are back down to 4 years of cuts

which is an unraveling of what we have built up.

The bottom line is that feast-or-famine cycles lead to joint problems. When we increase it significantly, we waste some money, and then we all get concerned. I was one of the people who was most concerned about waste in defense spending. So then the public support builds to cut it. So we cut, cut, cut. Then we cut back to the point where we start unraveling what we gained. Then we start increasing again and throwing money at the problem.

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER] who is on the Budget Committee, and he was the author of the pay-as-you-go concept that passed this House 6 years ago.

Mr. MILLER of California. Madam Chairman, I thank the gentlewoman for yielding.

Members act like this was a money or a fiscal problem. What this actually says is that for a few years Congress was able to rob from every other program in the country and could run up the defense spending. But then pretty soon the priorities changed. Then we run up against it, and then ran against the deficit.

The priorities are back. The point is this: Members have got to have the courage of their convictions. If they believe there ought to be a sustained, modest growth. I do not think they are wrong, but they have got to tell the people how they are going to pay for it.

We have been paying for it over the last couple of years by stealing \$200 billion out of domestic programs, cutting them by 35 percent, and at the same time increasing the deficit to an all-time historic high.

The question is: Will we have the courage of our convictions? If I believed so strongly about social programs, I have an obligation to tell people where we are going to get that money, and in the Committee on the Budget this year when we increased programs for children's programs, we took it from other domestic programs. It was a pay-as-you-go basis.

What happens with defense spending? Everytime Congress wants more defense spending, they just reach into the deficit bag. It is just like it is an open raid on the Treasury.

What we have got to determine in this country is: What are our priorities? Everybody says they want to set those priorities. Lyndon Johnson could not set them, because he wanted the Vietnam war and the war on poverty. Richard Nixon could not set them, because he did not want to tell the people the cost of the Vietnam war and raise taxes, and Presidents Ford and Carter were not quite sure why they created it. Ronald Reagan

was interested in creating the deficit to run up the defense bill, and the fact of the matter is you have got to go back, and the country will choose its priorities.

I suspect many of my priorities will lose. Put them on a pay-as-you-go basis, and there are only two ways programs can be paid for. Either cut other programs to make room for food stamps or defense, or raise revenues. If that is not done, we are raising the deficit, increasing the deficit, which is supposedly what this administration with its fiscal conservatives are about, or else we will be dedicated to another \$60 or \$70 billion of deficit for the next several years.

Mr. KYL. Madam Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Madam Chairman, I thank the gentleman for yielding me this time.

Mr. KASICH. Madam Chairman, will the gentleman yield?

Mr. DARDEN. I yield to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Madam Chairman, just to conclude the thought I was making a moment ago, these cycles of feast and famine contribute to waste and inefficiency in the weapons systems and purchasing and everything else. This is a very simple, common-sense amendment that clearly says that we ought to be consistent, and I think we ought to support the Kyl amendment.

Mr. DARDEN. Madam Chairman, I rise in support of the amendment which I am offering with my good friend from Arizona.

The important aspect of this non-binding sense-of-Congress amendment is that it is good defense policy. I also believe it is good economic policy. Critics may argue that we cannot afford sustained growth in defense. I propose that modest, and I emphasize modest, growth in defense spending is important to ensure that other budgetary accounts do not receive the brunt end of funding.

However, it makes a great deal of sense to ensure that defense spending does not increase by leaps and bounds, nor that it decrease tremendously.

In fiscal year 1980, defense spending increased by 2 percent. In fiscal 1981 it increased by 13 percent. The next year it increased by 12 percent. The sizable increase during these 2 years can probably be attributed to continuing the rebuilding efforts begun by the Carter administration and continued by the present administration. However, during the following years, fiscal years 1983 through 1985, the budget increased 9 percent, 5 percent, 7 percent, followed by decrease of 4 percent, 3 percent, and again by 3 percent. It has been said this is a roller coaster method for funding our national defense.

The amendment notes that the United States must continue to improve its defense capabilities to deter strategic attack and other threats. Although I am encouraged by recent arms control treaties and proposals, I don't believe anyone in this body believes that the Soviets will alter their stated military goals. If the Soviets continue to improve their military capabilities, the United States must meet this challenge.

At this time, the best solution to ensuring that we meet this military challenge is through modest budgetary growth in our defense spending. If we overfund the Department of Defense, this will lead to a time when, due to budgetary constraints, we must cut defense spending levels to a dangerous level. It stands to reason that if we overfund defense in 1 year, we are going to be forced to underfund it in upcoming years.

Madam Chairman, this sense-of-Congress amendment calls for the President to submit a defense budget that provides for modest growth. The amendment has been approved by the Committee on Armed Services. Our committee is responsible for setting defense policy, and the majority of its members believe this is the best method for ensuring that we will continue to meet the threats to our security. I strongly support this sense-of-the-Congress amendment, and urge its adoption.

[From the Wall Street Journal, May 2, 1988]

TOWARD A REAL DEFENSE BUILDUP

(By Gregory A. Fossedal)

Congress and the Reagan administration are well on their way to passage of the largest cut in military spending since the 1970s—arguably the biggest since 1955. The common wisdom is that this follows record peacetime defense hikes. Yet a review of recent history belies the notion of a massive defense buildup, and makes the present debate on cuts more serious.

A 1985 Pentagon report shows that real growth in defense budget authority peaked at a 12 percent annual rate in 1981. By 1982, other government figures show, money spent for defense was falling below levels that Jimmy Carter had campaigned on, and Ronald Reagan had called inadequate, in 1980. In 1984, defense spending began to level off, and has declined in real terms since 1985.

One reason for declining defense spending—and declining public support for it—is that people don't think the money spent so far has been spent well. They're right. Rep. Jim Courter (R., N.J.) puts the dark defense picture this way: "Officials who imagine that we're not losing [the arms race] are grossly misinformed, and therefore grossly irresponsible."

Since 1980, pay and morale have been raised from extremely low levels. This needed to be done, but since pay historically occupies 30% or more of the defense budget, bringing military salaries up to a more equitable level is a very costly business. It's hard to name another area in which the U.S. position has improved markedly.

TOO-LOW READINESS

The number of nuclear warheads on U.S. intercontinental missiles and bombers has declined since 1980. Our shrinking submarine fleet is increasingly vulnerable to Soviet attack. Slow cruise missiles, of debatable penetration capability, constitute the only significant addition to U.S. strategic forces.

According to the Pentagon, the Soviets spend multiples of what we do researching and deploying defenses against nuclear weapons, and have the only deployed shield against them on the planet. The Joint Chiefs of Staff, in a report cited favorably by George Bush, argue that the Soviet Union would win a defense deployment race with the U.S.

Conventional balance? Even the administration complains that U.S. forces suffer from too-low readiness. Our position in Europe is not better, and probably worse. Ex-National Security Adviser Robert McFarlane wrote in 1986: "In the past five years . . . the Soviet Union has produced as many fighter aircraft as the U.S. and her NATO allies, four times as many helicopters, five times as many artillery pieces, 12 times as many ballistic missiles, and 50 times as many bombers."

Still, Americans take the sensible view that they elect presidents to sustain the balance of power. They will doubt "standing-tall" platitudes only when real-world events put the lie to White House talking points. Today, to give President Reagan's detente its due, the calm international surface just doesn't seem to indicate dangerous currents below. The Soviets are pulling out of Afghanistan, or seem to be; taking missiles out of Europe, or say they are; moving to cut strategic and conventional forces, or at least negotiating cuts. They are even glasnosting the gulag.

That's not my version of events. Yet it's the world according to Reagan, the most anti-Soviet president in history. And any proof that he is wrong—that the Soviets will use agreements to solidify military superiority, and continue dominating such countries as Afghanistan at a lower cost—may not come for some time. This undermines support for defense spending.

Two more factors shaping the new budget-cut consensus were the nuclear freeze-niks who took to the streets early in the decade and the military reformers who at about the same time began to attract great attention to overpriced spare parts.

Both groups helped inculcate the (correct) notion that merely spending money doesn't necessarily increase U.S. might. The administration helped, too. "By spending it so ineptly," a former aide to Rep. Les Aspin (D., Wis.) says, "they broke the perceived link between spending more and having more security."

Ironically, what the administration mainly did—as a laudatory 1981 Washington Post article noted—was simply request a little more money for old Carter programs like the MX missile and B-1 bomber. Then Congress, making matters worse, cut many weapons like the MX back to inefficient, high-cost-per-unit, production levels.

Meanwhile, though resisting proposals for a nuclear freeze, test ban, and narrow reading of the anti-missile defense treaty, the administration gave their premises great credence. From 1981 on, nearly every briefing paper from the Pentagon or the White House, nearly every Reagan speech, emphasized that one of the main goals of any

buildup is to spur negotiations. Secure forces were presented not as an end in themselves, but as a means to the higher goal of arms control; treaties became not a means to security, but an end in themselves.

Arms-control progress claimed by the Reagan administration may not so much reverse the dynamic as redirect it. A recent newsletter for the Freeze Voter Education Fund says: "In 1988, the peace community [can] re-emerge as a champion of American strength, strength forged through investment in education and kids, competitive technologies, and social welfare." Changing these trends will require more than a frontal assault on anti-defense congressmen, or speeches about the need for vigilance. Ronald Reagan tried both. Rather, those concerned about U.S. vulnerability will have to rethink their tactics, and maybe even propose a policy change or two—taking a cue from the freeze supporters and military reformers.

Here are three concrete ideas:

1) Fund Things people like. When the question is framed right—and framing questions the right way is what leaders do—about three out of four Americans favor building a defense against nuclear weapons. They do this knowing better than many scientists that defenses are never leakproof. One way to rebuild support for defense spending, then, is to shift emphasis to the popular idea of actual "defense"—i.e., things that shield people from weapons. By contrast, one way to undercut both Star Wars and the Pentagon generally is to reassure voters that the strategic defense initiative involves only tentative research on a perfect shield. This reinforces the opposing message that Star Wars is a costly boondoggle.

Americans might also support a new effort to compete in the high frontier of space generally: say a contest among contractors to design a big, simple rocket to boost things into space cheaply. They probably would back a stepped-up war on terrorists, especially if U.S. might were used boldly: lots of Libyas and Grenadas, no more Lebanons or Nicaraguas.

2) Find things to cut. Doves plow a little money into a pet project each time they slash the budget. Hawks should propose a few cuts with every call for strong defense. Someone is always talking about closing unneeded military bases. These and the teeny-weeny, easy-to-shield-against Midgetman missile should both be cut. Yet they're just a start. Why hasn't someone, for example, proposed a line-item veto covering only the Pentagon?

Likewise, everyone opposes the boom in defense-oversight bureaucracies in recent years. Or rather, they oppose it in theory. Despite hot air from Sen. Sam Nunn (D., Ga.), Rep. Aspin, and a blue-ribbon commission, the budgets and staffs of Congress, the Joint Chiefs, the Defense Logistics Agency, and a dozen-odd other agencies are as much as several dozen times their 1960 levels. Why not slash this Military-Congressional Complex? This would not only trim waste directly, but reduce time delays that drive up the costs of many programs. This would even be the key to eliminating those big-ticket toilet seat covers and hammers.

3. Reduce obligations to our European allies. Administrations Republican and Democratic have tried pleading, signing agreements, and issuing threats. Yet nothing seems to persuade U.S. allies to pick up their own Eurotab. Happily, there is an alternative that has not yet been tried and that will work: Set a reasonable date, say 10

years off, for the removal of all U.S. troops from Europe. Invest half the savings to build a 900-ship Navy, field a strategic defense, and counter Soviet advances by aiding Third World freedom fighters, as such non-doves as Melvyn Krauss, William Safire and Irving Kristol have argued.

NO ACCIDENT

The few Pentagon success stories during the Reagan years generally follow one of these suggestions. The popular Star Wars program, for example, has enjoyed the most rapid funding growth this side of AIDS research, despite cuts from requested levels. To many, ex-Navy Secretary John Lehman was the best and brightest of Caspar Weinberger's aides, winning support for a 600-ship navy and building most of it on time, under budget. It's no accident that he was an early student and critic of the over-regulated procurement mess.

Defense buildups generally come after a campaign in which the political outs are able to charge the ins with sloth or incompetence, as in the campaigns of 1960 and 1980. Something for George Bush and Michael Dukakis to think about.

□ 1535

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GRAY], the distinguished chairman of the Budget Committee.

Mr. GRAY of Pennsylvania. Madam Chairman, what are we debating? We have before us two amendments. Both speak to the same issue.

The Kyl amendment says that we need to provide for real, sustained, modest growth in defense. The Boxer amendment simply says whatever increases we make in defense we ought to pay for them. My colleagues would not believe that these amendments are that close together the way this debate is going.

What we are simply saying in this debate is this: Are we going to make sure that whatever we do in funding programs in this Government will be deficit neutral? Right now we have a national debt of over \$2.5 trillion simply because we all have wanted to spend spend, borrow borrow. No one has wanted to pay for what they thought was important on either side of the aisle.

All the Boxer amendment is saying is let us stop this. Let us stop accumulating this tremendous debt and deficit. Let us pay as we go.

There are those who argue, and I think with some degree of truth, that we ought not have these great swings up and down. I could agree with the gentleman from Arizona [Mr. KYL] that efficient use of tax dollars means avoiding the swing. But where were these voices when we went from 2.8-percent real growth in 1980 to 13 percent in 1981 and 11.5 percent in 1982? None of those people were talking about swings then.

I would simply say that whatever we do in this body we had better start doing it based on pay as you go, and it seems to me that when I look at the

budget, when I look at the red ink we have in this Nation, and despite the fact that I want a strong national defense, I want efficient budgeting in national defense, I think a simple add-on of the Boxer amendment is absolutely what we need. Therefore, I urge my colleagues to vote for the Boxer amendment.

Mr. KYL. Madam Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. My colleagues, I oppose the Boxer amendment and support the Kyl amendment because I think our defense budget has to be measured against our global responsibilities, not the education budget or the public works or clean air, but the global responsibilities that have been ours since World War II for many reasons, but they are ours, and if my colleagues think the defense budget is high, wait until the day deterrence fails. Then they will see what a budget is.

Why do we not do this for foreign aid? Why do we not say no foreign aid unless we have it on a pay-as-we-go basis? How about education? How about the farm program? Instead of spending \$21 billion for people not to grow things, why do we not have a pay-as-we-go system on that, or welfare or education or food stamps? Why do we take the defense budget? And incidentally, and parenthetically, it is almost amusing to read the "Dear Colleague" letter signed by the gentlewoman and her colleagues that says we should not undermine the many domestic programs which effect the general health, safety, and welfare of the people.

Take it from an old, beaten up World War II veteran. The defense of this country helps the safety, the welfare and the general health of the people. First thing in the Constitution it says we provide for the common defense.

Our defense budget is 40-percent personnel and personnel support. We do not have a draft. We want good young men who are educable. We spend a lot of money training them, and we want to retain them. It is important that we do that.

We have verification problems with strategic arms reduction treaties and the INF Treaty. Those satellites cost money. We go into quality satellites, we are going into quality equipment and we had better have the best R&D in the world.

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. DOWNEY], a member of the Ways and Means Committee.

Mr. DOWNEY of New York. Madam Chairman, last time I checked, the Preamble to the Constitution listed as its first priority the Establishment of Justice, something we tend to forget from time to time.

In the years prior to Ronald Reagan, the Government of the United States borrowed \$918 billion. With that money we fought World War I, World War II, Korea, Vietnam, built the National Highway System, harbors, airports, and other important matters of infrastructure.

When Ronald Reagan came to office we borrowed \$1.8 trillion and we financed a wasteful tax cut and a spending spree on the military without parallel in peacetime history. We have gotten nothing for this buildup except larger deficits.

What the gentlewoman from California says, and it seems to me is so apparent and so obvious, is that the gyrations do not make any sense, and indeed they do not, but if we want to have slow and steady growth, for goodness sakes, recognize that we have to pay for it.

If my colleagues are a friend of the military, if they believe, as does the gentleman from Illinois, that the first priority of our Government needs to be defense, then they have to recognize a couple of things. First, the cyclical realities of the American people; and second, the deficit. We are never going to be able to sustain growth in defense unless we are prepared to pay for it.

We should not be able to sustain education increases unless we are prepared to pay for them.

The Reagan revolution has done amazing things. It has made the Republicans the darlings of the deficits and the Democrats interested in making sure we move toward a balanced budget. If he has accomplished little else, he should be remembered for that.

Mr. KYL. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Madam Chairman, since we are analyzing the Preamble to the Constitution, it is, "We the people of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquility," we were in rebellion at the time, and then it says, "provide for the common defense," and then, "promote the general welfare."

As the gentleman from California [Mr. MILLER] stated, this is just a fiscal problem. Wrong. This chart shows that this actually a graphic history of the United States and how it sees its national security over the last couple of decades. This roller coaster or defense spending, as Chairman ASPIN calls it, is the story of the Vietnam war in which we were involved. A war that the political forces which commanded it had no intention of winning. Those are the L.B.J. years, the President Johnson years here on this chart. Then comes Jerry Ford's rebuilding, and then President Carter. Mr. Carter intended to consistently

build our defenses but he did not begin to rebuild until his 1980 budget. Then comes Ronald Reagan, and what did President Reagan accomplish?

Remember that Mr. Gorbachev became General Secretary on March 11, 1985, the third year into the Reagan defense growth. This block of growth right here in this chart, this block of growth brought General Secretary Gorbachev to Geneva, to Reykjavik in Iceland, it brought him here for the Washington summit on December 7 last year, and it has President Reagan going to Moscow later this month. We are beginning to get a thaw in the confrontation between the forces of communism and the forces of freedom.

What we are discussing now is a people issue. It is providing for the common defense and national security. But the roller coaster is so horribly wasteful, it costs so much money that the Kyl-Darden amendment simply brings common sense to our defense programs.

Every one of us recognizes that the issue of war and peace is our No. 1 concern. But we must not sacrifice our security on false promises. We have not raided anything from the Treasury. Every domestic program continues to grow. All that Congress has done is curb national security.

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. RUSSO].

Mr. RUSSO. Madam Chairman, first let me just congratulate my colleague from California for acknowledging that Jimmy Carter was the first President since Richard Nixon and Gerald Ford to increase defense spending. That fact seems to get lost in the debate when we have our discussions about who actually started to buildup.

Another fact is that when we start at \$150 billion for defense spending in 1980 and are at \$300 billion today, it is a little difficult for many of us sitting here today not to say that there are some real problems in defense spending. It's hard to sit here and hear that there have not been major increases in defense spending when the figures clearly show otherwise.

What this debate is all about is who gets the free lunch today. The conservatives for years have criticized Democrats for domestic spending saying there was no free lunch; we have to pay for it. I think they are right. We have to pay for those programs.

But what is wrong with defense paying for itself? All we are saying here is that the gentleman from Arizona has a decent amendment. His amendment is that we ought to have sustained growth in defense spending over a period of time. All the gentlewoman from California is saying is that supporters of the defense spending increase should, like everybody

else, be willing to pay for it and to show us how to pay for it. Do we raise taxes? Do we cut other spending? Just tell us how we are to do it.

Unfortunately, whenever we get into this debate the conservatives want us to believe that we make some kind of mistake here if we say they have to show us how to pay for defense spending. Listen, we stood up here and we set the precedent. We passed catastrophic health care and we paid for it. We passed welfare reform and we paid for it. We passed the tax reform bill and we paid for it. So do not tell us we don't pay for domestic spending. We have set the precedent.

Now what is wrong, my dear colleagues with this approach on defense spending? I support defense spending. I think it ought to be slightly higher. But what is wrong with knowing how to pay for it? Are my colleagues afraid to go before the American people and say we want increased defense spending, we want \$60 billion more defense spending over the next 3 years, and we are prepared to pay for it?

I am willing to support moderate increases in defense spending. I support justifiable increases. Just show me how we are going pay for it.

Mr. KYL. Madam Chairman, I yield 1 minute to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Madam Chairman, I would like to speak for a moment in favor of the amendment offered by the gentleman from Arizona [Mr. KYL]. In looking at the gentleman's amendment and the substitute amendment offered by the gentlewoman from California [Mrs. BOXER] it seems there is one basis conflict. This conflict can be found in the first line of the amendment of the gentleman from Arizona and in the last line in the amendment of the gentlewoman from California.

The first obligation of the Government of the United States is to provide for the common defense, says the amendment of the gentleman from Arizona [Mr. KYL], and in the last part of the amendment of the gentlewoman from California [Mrs. BOXER], it says without undermining the many domestic programs.

Which comes first? The Constitution of the United States lists first that of providing for the common defense of our country. Of course, the other things are so terribly important, and as my votes have reflected, I have favored so many of them.

Mrs. BOXER. Madam Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN], a member of the Budget Committee.

Mr. DURBIN. Madam Chairman, the Boxer amendment is a gut check on the right wing in the House of Representatives. Will the Members who lavish this Chamber with speeches

about their fiscal conservatism apply the same responsible rhetoric to military spending? The answer is the Kyl amendment and the answer is no.

Styptic-hearted conservatives, who have rationalized our Nation's decline in education, who have ignored our Nation's disgraceful infant mortality rate, who have ravaged domestic programs, still plead with us to slather the Pentagon budget with more tax dollars.

Supporters of the Kyl amendment are choked with emotion about the cycles of feast and famine in military spending. There is no need to look for those cycles of feast and famine in domestic programs under President Reagan. A chart on education would show that our children have been feasted with cycles of famine and more famine.

Real fiscal conservatives favor pay as you go for the Federal budget, not the military blank check of the Kyl amendment. The Kyl amendment perpetuates the disastrous military funding of the Reagan administration, roller coaster rides in defense spending and deeper deficits. Our Nation's security cannot stand any more of that.

Mr. KYL. Madam Chairman, I yield 1 minute to the gentlewoman from Tennessee [Mrs. LLOYD].

□ 1550

Mrs. LLOYD. I thank my colleague for yielding time to me.

Madam Chairman, I do rise in support of the Kyl/Darden amendment to express the sense of Congress that defense budgets should sustain moderate, real growth.

As a member of the House Armed Services Committee, I have myself seen many examples of the damage erratic funding has done. How can we expect the Pentagon and its contractors to operate efficiently if the Congress cannot provide them with stable funding from one year to the next? We have invested millions of dollars in programs that were later shelved. This is no way to do the important business of our national security.

This amendment would show that we have finally come around to the realization that large fluctuations, whether up or down, do not benefit our national security needs and result in distorted defense planning.

It is a popular exercise to point to the Pentagon as inefficient, but we must first look at ourselves and get our own house in order.

Mrs. BOXER. Madam Chairman, I yield 1 minute to a member of the Committee on Appropriations, the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Madam Chairman, I am pleased that the House has this opportunity to debate the defense spending requirements facing this Nation. But I am disappointed that the amendments

before us for consideration present a dilemma for Members such as myself who recognize the need to balance our national security requirements with our domestic responsibilities and the goal of deficit reduction. I firmly believe that we need a bipartisan commitment to those goals, but I fear that the structure of this debate will only serve to focus on differences in emphasis rather than agreement on basic principles.

I share the assessment of the Kyl amendment that in fact our national security requirements require sustained, but modest real growth in defense spending. To my way of thinking there is no if, and or but about it. The United States retains important worldwide commitments that will not diminish as the globe becomes increasingly economically interdependent. And the Soviet Union, but from a wide range of other sources, is not diminishing. The threat to United States interests continues to grow.

In fact, there is increasing discussion on both sides of the aisle that with the intermediate nuclear forces agreement, and the prospect of dramatic reductions in strategic nuclear forces in START, that we will need to pay increased attention to the conventional force balance. While we may be able to reach a negotiated agreement with the Soviets to reduce some of those forces, such an agreement will take time to achieve. And it will not come about if we are not willing to make the investment needed to address existing conventional shortfalls.

A basic fact of life is that conventional forces are expensive. This is especially true given our commitment in the West to provide decent compensation to our troops and the expense of more sophisticated weapons systems needed to meet the advances in conventional weaponry made by the other side.

In other words, for the foreseeable future we will not be able to obtain security on the cheap.

I also fully agree that we need to avoid the roller coaster impact of our recent history in defense spending levels. After 5 years of rapid increases, we have now seen 4 years of negative real growth.

I wish we had the advance of then Chief of Naval Operations Thomas Hayward when he testified in 1979 that we should make a long-term commitment to 3-percent real growth in defense spending so that we could establish a manageable plan for enhancing our forces to meet the realities of the 1980's. I also agree with the statement made by Chairman ASPIN that "The boom or bust cycle does no good for the economy or national defense. * * * It is unreasonable to expect efficiency when we fund the Defense Department so erratically."

On the other hand, I recognize that the Government also has a responsibility to address our very real domestic needs, and to work to reduce the deficit. Congress can't fund every item on the Pentagon wish list and then see if there is any money left for the homeless, the aged, or education, any more than we can neglect legitimate national security requirements.

If we are to be honest, we must be willing to recognize that these requirements will require enhanced revenues. There is no free lunch, no matter how much temptation there may be in an election year to wish there was. Pay as you go is an important concept. But it cannot be assigned to only one part of the budget. The priority decisions must be made on an overall basis, new revenues are needed for both defense and domestic needs, not for one or the other.

Ideally the House would blend the complimentary aspects of these two amendments to express our true position.

If the Boxer amendment which I support is defeated, then I intend to support the Kyl amendment. I would prefer Kyl with pay-as-you-go in order to establish a sensible defense spending policy.

Mrs. BOXER. Madam Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. MORRISON].

Mr. MORRISON of Connecticut. I thank the gentlewoman for yielding.

Madam Chairwoman, I commend the gentlewoman on her amendment to bring this issue to the correct focus here on the floor of the House.

People who speak about things that they think need to be done by the Government do their constituents a great disservice when they suggest that there are no costs involved, when they suggest that there is a free lunch, when they suggest that important things that must be done on behalf of this Nation, whether it be in foreign affairs, in the defense establishment of the country or the domestic problems, that these things can be achieved without choices, without sacrifice, without investment of the funds of the people of this Nation. What the Boxer amendment does is to say clearly that what one believes in here on the floor of the House one has to be willing to pay for.

It is a simple proposition.

We live by that in our own lives. We understand the consequences in our own lives of not living by that kind of a rule.

We know what it means to try to run up the credit card and not pay for things that the Nation needs.

Those who believe that we will respond and need to respond to the true needs of the country, be they domestic or foreign, be they defense or educa-

tion, have got to be ready to tell the people "you get what you pay for."

The Boxer amendment says America believes you get what you pay for; this Congress believes you get what you pay for; what you get for nothing is worth that already.

Mrs. BOXER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Madam Chairwoman, we are debating two amendments today. Both are designed to express the sense of Congress on military spending. Neither of these motions will be binding, but they do say a lot about where our priorities are. The Kyl amendment basically endorses military spending increases beyond the rate of inflation in all future budgets but does not admit that other programs must be cut or taxes increased to finance those defense outlays.

The Boxer amendment simply says that any such increases ought to be on a pay-as-you-go basis. Common sense should tell any Member which of these amendments is most prudent. But when it comes to budgeting in Congress, we have been practicing a lot of nonsense around here in recent years. We have not been responsible. We have increased budgets by putting it on the national credit card.

The Kyl amendment says, "Let's spend some more and put it on the tab."

The Boxer amendment says "no" to this borrow-and-spend philosophy. The Boxer amendment says "yes" to responsible budgeting.

If we want to increase the military budget let us show that we are willing to pay for it. Let us use some good sense today. Let us vote for the Boxer amendment.

Mr. KYL. Mr. Chairman, I wonder if I might make a request of the chairman of the committee to strike the requisite number of words in order to permit a question to be asked.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. I thank the gentleman for yielding. I want to make a statement and see if the gentleman would agree with me. I do not see any necessary inconsistency with the Kyl amendment and the gentlewoman's amendment. She is suggesting that before we develop a budget for the defense of this country we have to plan for how to pay for it. The gentleman from Arizona is saying that we should have a steady sustained but moderate growth from year to year. So the two are not necessarily inconsistent. But my problem is that you are selecting one important sensitive budget that must be determined by global developments over which we have no control and you are saying that program we must find out how to pay for it, pay-

as-we-go. If you apply that theory across the board you would have a balanced budget amendment. What you are saying is what goes out must come in and they must be balanced.

So I assume if we are to be consistent we should apply this theory of pay as you go to the farm program, to foreign aid, to welfare. You are opting for the balanced budget amendment. So I hope you will become a cosponsor. I am not, but I hope you will be.

Mrs. BOXER. Madam Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. I thank the gentleman for yielding.

I agree with everything the gentleman said. I think the whole budget ought to be on a pay-as-you-go basis. I said that 6 years ago. The only reason we are doing it on this amendment is Mr. KYL, who raised the issue of sustained growth every year, that is inflation plus real growth in the military budget; no other committee came out with such a request. Honestly, I would be very happy to support such a request. As a matter of fact, I had wanted to amend the amendment of the gentleman, and then we could have all been happy. The Boxer amendment I hope he would have agreed to. Then they would pass the Kyl amendment as amended.

Unfortunately, when we got to the Rules Committee, the gentleman was not interested in this. He did this in a king-of-the-mountain fashion so that we now have to set these two things against each other.

I agree with the gentleman from Illinois.

Mr. ASPIN. Let me also respond to the gentleman from Illinois. I think the gentleman is right on the point about the Kyl amendment and the Boxer amendment. A person could, indeed, maybe will vote for both. But the gentleman's second point I think is not correct. You may be for pay as you go but not be for the balanced budget amendment. I do not think that because you are for pay-as-you-go means that you are for a balanced budget amendment.

Mr. HYDE. Does the gentleman mean we borrow on some functions but not on others?

Mr. ASPIN. No. The gentleman's amendment says you cannot spend in excess, and it is a straitjacket. I am happy to see that the gentleman is not a cosponsor of the amendment. I commend him for his wisdom.

I commend the gentleman and see the gentleman's support for a pay-as-you-go proposition.

Mr. RUSSO. Madam Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Illinois [Mr. RUSSO].

Mr. RUSSO. I thank the gentleman for yielding.

I would just like to ask the chairman: In the manner in which this rule was set up, normally wouldn't it have made more sense if we had the Kyl amendment first, voted on that and then perfected it by saying that, yes, we all agree there ought to be sustained steady growth. Fine, we would vote on that. Then the Boxer amendment would come in and say, yes, we would do that but then show you how to pay for it. That would make more sense. But we are doing it a little backward here. We are voting for the perfecting of the Kyl amendment first.

So we can be for both amendments but, unfortunately, if the Kyl amendment passes, the Boxer amendment is wiped out.

So those who want the proper type of budgeting here would have to vote for Kyl with Boxer. His amendment makes good sense if we first add the Boxer amendment to it.

Mr. ASPIN. I would like to reply to the gentleman from Illinois. The sequence here was, of course, an elaborately worked-out arrangement because the Republican side wanted the last vote on this issue and in exchange we got the last vote on a number of other issues. It is a little unfortunate that we are voting this way, but you can have the happy little grinning guys over there on the bench to thank for that.

Mr. KYL. Madam Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Arizona [Mr. KYL].

Mr. KYL. I thank the gentleman for yielding and I thank the chairman for his magnanimous gesture of giving us the last word on something. I simply want to suggest that supporting this resolution does not preclude us, starting tomorrow, from talking about pay as you go on every program for this entire Government. I would be happy to join my colleagues on this side of the aisle for doing just exactly that.

Mr. DICKS. Madam Chairman, will the gentleman yield?

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

Mr. DICKS. I thank the gentleman for yielding.

Mr. Chairman, does the gentleman object to a pay-as-you-go concept in terms of defense?

Mr. KYL. I object to a pay-as-you-go budget for only one-third of our Federal budget and not all of it.

Mr. DICKS. What about for all of the budget?

Mr. KYL. If it was for all of the budget, I would agree with Mr. HYDE, you would have a balanced budget amendment. I am a sponsor of that amendment.

Mr. DICKS. It would be more responsive.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. ASPIN] has expired.

It is now in order to consider the amendment relating to the budget priorities printed in section 1 of House Report 100-590 by and if offered by the following Members or their designee, which shall be considered in the following order only: (A) Representative BOXER, (B) Representative KYL. If more than one amendment is adopted, only the last such amendment which is adopted shall be considered as finally adopted and reported back to the House.

AMENDMENT OFFERED BY MRS. BOXER

Mrs. BOXER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. BOXER: At the end of title IX of division A (page 163, after line 60), insert the following new section:

SEC. 934. SENSE OF CONGRESS CALLING FOR FISCAL RESPONSIBILITY IN SPENDING FOR THE NATIONAL DEFENSE.

(a) FINDINGS.—The Congress makes the following findings:

(1) The obligations of the Government of the United States include providing for the common defense and ensuring domestic tranquility and the general welfare of the people of the United States.

(2) The United States must be prepared for any threat to the national security of the United States from whatever source and must also be prepared to address pressing domestic needs.

(3) In addition to the obligations referred to in paragraphs (1) and (2), it is also the obligation of the Government of the United States to reduce the annual Federal budget deficit and to follow a sound fiscal policy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that if the exterior threats to the national security of United States require sustained, real growth in defense budgets, such growth should be financed on a pay-as-you-go basis without undermining the many domestic programs, such as Social Security and Medicare, which affect the general health, safety, and welfare of the people of the United States.

The CHAIRMAN. The gentlewoman from California [Mrs. BOXER] will be recognized for 5 minutes and the gentleman from Arizona [Mr. KYL] will be recognized for 5 minutes.

The Chair recognizes the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. I would ask the Chair for some guidance on procedure.

It is my understanding that there will be 10 minutes of debate. This debate will be controlled 5 minutes by me, and I assume 5 minutes by Mr. KYL. Do I have the prerogative to close the debate?

The CHAIRMAN. The gentlewoman is correct.

Mrs. BOXER. I yield myself 1 minute and will reserve the remaining 4.

I think as we can tell from the general debate, the two amendments, the Boxer amendment, and the Kyl amendment, are not that far apart except there is one very major difference. The Boxer amendment says very, very clearly that if there is a need, and the Congress finds that there is a need, to have modest sustained, real growth in the military budget, it ought to be done on a pay-as-you-go basis.

As I said to the gentleman from Illinois, I fully agree with him. I said to Mr. HYDE a moment ago that I am willing to apply pay-as-you-go to every part of the budget because we have something that is facing us in this country which is overwhelming, and it is called the deficit. If every committee came forward as does this one and says, "We feel it is important to have sustained growth in every part of the budget," and no one said how they would pay for it, I think we can easily see we would be in a whole lot of trouble in this country; the deficit would go through the roof.

I ask for an "aye" vote.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. I thank the gentleman for yielding.

"Reed a fess the mublican." I will spell that for you later because that is double talk.

Two years ago I offered an amendment to a bill that was being presented by now the erstwhile Presidential campaigner, Mr. SIMON of Illinois, on a modest new program of domestic spending. I have forgotten the title of it to tell you the truth. But I offered a pay-as-you-go amendment to that, isolating that new spending program to a pay-as-you-go concept.

I remember very well the gentleman from Massachusetts, my good friend Mr. MAVROULES and others standing up and saying it is ridiculous to offer an amendment on one subject out of a trillion dollar budget, but rather if we are serious about pay-as-you-go, would I be willing to offer one for the military budget, asked my good friend, the gentleman from Massachusetts [Mr. MAVROULES]? I said of course. But Mr. MAVROULES and others said to me that it is unwise to offer a pay-as-you-go on one subject alone. If you want to do so and it is a good concept because the gentleman from California [Mr. MILLER] had done so years before, we ought to apply it as an overall concept for all the programs across the board.

I ask now for revision of that double talk and defeat of the Boxer amendment, not because we are not for pay-as-you-go for the military on one subject, but it is preferable to take that concept and apply it across the board to all programs.

I ask for a "no" vote on the Boxer amendment out of revenge.

□ 1605

Mrs. BOXER. Mr. Chairman, has the gentleman used up all his time on the other side?

The CHAIRMAN. The gentleman from Arizona has 3 minutes remaining.

Mrs. BOXER. I would ask to reserve the 4 minutes to close debate.

Mr. KYL. Mr. Chairman, I would advise the gentlewoman that we have only used 2 minutes of our 5 minutes.

Mrs. BOXER. Mr. Chairman, I am going to close with one speaker only. That is why I would like to reserve the 4 minutes.

Mr. KYL. Then, Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. My problem with the amendment of Mrs. Boxer simply says that, if exterior threats to the national security require sustained real growth in defense budgets, new revenues to finance such growth must be obtained, must be obtained on a pay-as-you-go basis without undermining any domestic program. Legal Services must be sacrosanct before we do anything to improve our defense. Now that is in my humble—

Mrs. BOXER. Will the gentleman yield?

Mr. HYDE. Yes, I will yield to the gentlewoman from California.

Mr. FRANK. Will the gentleman yield?

Mr. HYDE. Let me yield to the gentlewoman from California first. Given the choice, I yield to Mrs. Boxer.

Mrs. BOXER. Mr. Chairman, I do not know whether that is a compliment or not. I assume it is not.

I would say to the gentleman from Illinois [Mr. HYDE] that we used the word advisedly. We are talking about undermining domestic programs, and that is a very important point. We do not say we cannot cut anything.

Mr. HYDE. Well, the gentlelady from California [Mrs. BOXER] says "without undermining the many domestic programs."

Now is a crunch with the Soviets mobilizing in South Africa, because we have cut off all intelligence and we do not know what is going on over there, as they mobilize intercontinental ballistic missiles it may just mean that we ought to increase as rapidly as we can our military and not quite worry about "the many domestic programs." And to foreclose us from doing that seems to me shortsighted.

Mr. Chairman, I now yield to my friend from Massachusetts [Mr. FRANK].

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

I just wanted to unfortunately tell the gentleman from Illinois that he and his friends have cut Legal Services so badly that there is not enough

money in there to finance an hour in Grenada. So, you better look somewhere else.

Mr. HYDE. Why did I yield?

The CHAIRMAN. The gentleman from Arizona [Mr. KYL] has 1½ minutes left.

Mr. KYL. Thank you, Mr. Chairman. Let me speak for a moment.

Herbert Stein is no raving conservative. He is a former adviser to Presidents Nixon and Ford, and recently in February of this year he wrote an article for the Wall Street Journal in which he said that according to administration projections real revenue adjusted for inflation will be rising by about 3½ percent a year and nondefense expenditures will be rising by about 1 percent a year. If this is correct, the budget would come into balance in about 1996 with real defense expenditures rising by 3 percent a year.

I am not proposing that we increase by 3 percent a year necessarily, but the point according to Mr. Stein is to make it clear that because of the \$70 billion roughly that we are adding to our revenues each year, we have the ability to not only fund increases in domestic programs, but also in defense. And up until the last 4 years that is precisely what was occurring, as a result of which my proposal does not speak to give defense a bigger share of the pie as is being suggested here, but rather suggests that it share in this growth.

The Boxer amendment, which I believe should be defeated, singles out defense and says that this is the one program that we have to guarantee a source of revenue for before anything else. Otherwise the domestic programs come first. That is not fair. It is not sensible. It does not provide for the common defense, and I suggest that, if the gentlewoman and my colleagues on the other side of the aisle would like to apply that same principle to all parts of the budget, domestic and defense spending, it would be a very good principle. To limit it to defense is a very onerous principle.

Mrs. BOXER. Mr. Chairman, I yield the 4 remaining minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentlewoman for yielding this time to me, and I rise in support of the perfecting amendment offered by my distinguished colleague from California [Mrs. BOXER].

Many laudable statements have been made in support of our amendment. I shall not repeat them. I would simply take the time to go back to the original amendment offered by the distinguished gentleman on the other side of the aisle, Mr. KYL. He talks about a modest increase in real growth.

My first argument is this, and I think the gentleman from Illinois [Mr. HYDE] will agree with me. I do not be-

lieve that there is any intrinsic value in a dollar figure explicit in the gentleman's amendment calling for real growth as if in some way there is some value in a particular dollar figure. One cannot effectively argue, it seems to me, that a \$299.5-billion budget brings us any greater defense than \$275 billion, or \$262 billion, or \$282 billion. What we ought to be talking here is a military budget based upon sound intelligence, rational, coherent debate with respect to policy and issues. Let us spend what is necessary on defense, but let us have the debate on what is necessary. Simply throwing figures into the air, talking about 3 percent, 2 percent, 1 percent, 10-percent real growth, reduces us to auctioneers, and I think we ought to be about something more significant than that. We ought to be talking about policy; the amendment does not address that.

Second, we are talking about boom and bust and starving the military budget. Mr. Chairman, in fiscal 1980 the military budget was \$144 billion. In fiscal 1989 we will pass a military budget of \$299.5 billion, an increase of \$155.5 billion.

If that is starvation, starve me. This is not boom and bust. If you start with 1980, the average real growth increase is nearly 5 percent.

□ 1615

It is somewhere between 4 and 5 percent. The average real growth from 1980 to 1989 is almost 5-percent real growth.

Now let us go to the last issue. First of all, the gentleman said we should not be singling out defense. They singled out defense with this particular amendment. But understand this. No one raised this question. There is a statutory requirement, an absurd, ludicrous law, without reason, without compassion and without accountability. The majority of my colleagues in this body voted for this absurdity. It is called Gramm-Rudman. It now on a statutory basis requires that this Congress reduce the deficit. You have no choice in that matter. You have to reduce it.

So the amendment of the gentleman when he calls for real growth in the military budget, understand what that does in the real world. It has an enormous impact upon the priorities of this country, against the backdrop of a statutory requirement to reduce the budget.

There are several ways we can reduce it. You engage in economic policies that move us toward full employment and real industrial realization. A drop of 1 percent in the unemployment rate reduces the deficit by between \$18 billion and \$30 billion. No one is talking about full employment here.

You raise taxes. The majority of my colleagues run away from taxes. In

fact, many of you went into this well and said, "I pledge not to raise taxes."

So what does that bring us to in terms of deficit reduction, reducing expenditures?

My argument is as follows: If you suggest that you must on a mandatory basis or even with the sense of Congress suggest that each year we must increase the military budget on a real growth basis, then what part of the budget is left to decimate? It is the social programs.

That is why you have to talk about how you are going to spend the money, if you are going to use the military budget as a priority consideration here.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California [Mrs. BOXER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 220, not voting 46, as follows:

[Roll No. 91]

AYES—165

Ackerman	Evans	Martinez
Akaka	Fascell	Matsui
Alexander	Fazio	Mavroules
Anderson	Feighan	McCloskey
Annuzio	Flake	McHugh
Anthony	Florio	Mfume
Aspin	Foglietta	Miller (CA)
Atkins	Foley	Mineta
AuCoin	Ford (MI)	Moakley
Bates	Ford (TN)	Morella
Bellenson	Frank	Morrisson (CT)
Bennett	Garcia	Mrazek
Berman	Gejdenson	Murphy
Bilbray	Gephardt	Oberstar
Boland	Glickman	Obey
Bonior	Goodling	Olin
Bonker	Gordon	Owens (NY)
Borski	Gray (PA)	Owens (UT)
Bosco	Green	Panetta
Boucher	Guarini	Pease
Boxer	Hamilton	Pelosi
Brennan	Hawkins	Penny
Brooks	Hayes (IL)	Perkins
Brown (CA)	Hertel	Rahall
Brown (CO)	Hochbrueckner	Rangel
Bruce	Hoyer	Roe
Bryant	Hughes	Rostenkowski
Bustamante	Jacobs	Roybal
Campbell	Johnson (SD)	Russo
Cardin	Jones (NC)	Sabo
Carr	Jones (TN)	Savage
Clarke	Jontz	Sawyer
Clay	Kanjorski	Scheuer
Clinger	Kaptur	Schneider
Coelho	Kastenmeier	Schroeder
Coleman (TX)	Kennedy	Schumer
Collins	Kennelly	Sharp
Conyers	Kildee	Sikorski
Coyne	Kleczka	Slaughter (NY)
DeFazio	Kostmayer	Smith (FL)
Dellums	Lantos	Solarz
Dicks	Lehman (CA)	Spratt
Dingell	Lehman (FL)	St Germain
Dixon	Leland	Staggers
Dorgan (ND)	Levin (MI)	Stark
Downey	Levine (CA)	Studds
Durbin	Lewis (GA)	Swift
Dwyer	Lipinski	Synar
Dymally	Lowry (WA)	Torricelli
Eckart	MacKray	Towns
Edwards (CA)	Manton	Trafiacant
Espy	Markey	Traxler

Vento
Walgren
Waxman

Weiss
Wheat
Wise

Wolpe
Wyden
Yates

NOES—220

Andrews
Applegate
Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Bateman
Bentley
Bereuter
Billrakis
Billey
Boehlert
Boggs
Broomfield
Buechner
Bunning
Byron
Callahan
Carper
Chandler
Chappell
Cheney
Clement
Coats
Coble
Coleman (MO)
Combest
Conte
Cooper
Coughlin
Courtier
Crane
Dannemeyer
Darden
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dorman (CA)
Dowdy
Dreier
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fish
Flippo
Frenzel
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Gonzalez
Gradison
Grandy
Grant
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley

Henry
Herger
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Jenkins
Johnson (CT)
Kasich
Kemp
Kolbe
Kolter
Kyl
Lagomarsino
Lancaster
Leach (IA)
Leath (TX)
Lent
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Nagle
Natcher
Nichols
Nielson
Ortiz
Oxley
Packard
Parrish
Pashayan
Patterson
Pepper
Petri
Pickett
Pickle

Porter
Price
Pursell
Quillen
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rogers
Roth
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shays
Shumway
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert
(NH)
Smith, Robert
(OR)
Snowe
Solomon
Spence
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tauke
Tauzin
Thomas (CA)
Thomas (GA)
Udall
Upton
Valentine
Vander Jagt
Vislosky
Volkmmer
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Whitten
Williams
Wilson
Wolf
Wortley
Yatron
Young (FL)

NOT VOTING—46

Barton
Bevill
Biaggi
Boulter
Burton
Chapman
Craig
Crockett
Daub
de la Garza
Derrick
Donnelly
Duncan
Dyson
Early
Fields

Frost
Gibbons
Gray (IL)
Hall (OH)
Hefner
Hiler
Konnyu
LaFalce
Latta
Lewis (CA)
Mack
Mica
Mollohan
Moody
Neal
Nelson

Nowak
Oakar
Ray
Rodino
Rose
Rowland (GA)
Slattery
Smith, Denny
(OR)
Stokes
Tallon
Taylor
Torres
Wylie
Young (AK)

□ 1633

The Clerk announced the following pairs:

On this vote:

Mr. Derrick for, with Mr. Nelson of Florida against.

Mr. Rodino for, with Mr. Rowland of Georgia against.

Mr. Moody for, with Mr. Craig against.

Mr. Slattery for, with Mr. Boulter against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KYL. At the end of title IX of division A (page 163, after line 6), insert the following new section:

SEC. 934. SENSE OF CONGRESS CALLING FOR MODEST BUT SUSTAINED REAL GROWTH IN DEFENSE BUDGETS.

(a) FINDINGS.—The Congress makes the following findings:

(1) The first obligation of the Government of the United States is to provide for the common defense. Citizens of the United States cannot enjoy the basic rights of life, liberty, and the pursuit of happiness without the protection of the sovereignty of the United States through the active defense of our national interests.

(2) Despite recent diplomatic initiatives between the United States and the Soviet Union, the threat posed by the Soviet Union to the United States continues.

(3) The United States must continue to improve its defense capabilities to deter strategic attack and other, more likely threats.

(4) The fluctuating "boom or bust" defense budgets of the period since the end of the Vietnam era are inconsistent with rational defense planning and have prevented the United States from attaining the most efficient national defense for the dollars expended.

(5) The defense budget should not undergo sharp increases or sharp decreases in any year unless there is a corresponding significant increase or decrease in the threats to our national security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, beginning with fiscal year 1990, the defense budget for each fiscal year should provide for modest but sustained real growth compared to the preceding fiscal year.

(c) CONGRESSIONAL DECLARATIONS.—In light of subsections (a) and (b), the Congress—

(1) calls upon the President to submit annual budgets for the Department of Defense consistent with this section;

(2) calls upon the Committees on the Budget of the Senate and House of Representatives to report budget resolutions consistent with this section; and

(3) pledges to support modest but sustained real growth in defense budgets.

The CHAIRMAN. The gentleman from Arizona [Mr. KYL] will be recognized for 5 minutes, and a Member in opposition will be recognized for 5 minutes.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. DARDEN] my distinguished colleague and coauthor of this amendment.

Mr. DARDEN. Mr. Chairman, as we used to say in the Georgia Legislature, this amendment does one thing and one thing only. It does not raise taxes. It does not have any hidden agenda. It is a simple statement that I wish every Member here on the floor would read. It merely states that rather than a roller coaster up and down, high increase, low decrease in the defense budget, what we ought to do is provide for modest but sustained real increases in the defense budget.

It is not binding on the Pentagon. It is not binding on future Congresses. It is not binding on anyone. It merely sets forth a statement of policy which if followed I think would be the proper course that we ought to take in planning for our defense.

Mr. Chairman, we all know that the reason many of our programs and weapons systems cost so much today is because we stretched them out and cut the dollars away from them.

Mr. Chairman, I ask my colleagues to join me in overwhelming approval with a "yes" vote on the Kyl-Darden amendment.

The CHAIRMAN. The Chair will inquire who is in opposition to the amendment?

Mrs. BOXER. Mr. Chairman, I am in opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from California [Mrs. BOXER] for 5 minutes.

Mrs. BOXER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I am going to take just 1 minute to share a chart with my colleagues. I say to my colleagues that because they have voted down a pay-as-you-go amendment, it is the sense of the Congress that they do not wish to pay for these defense increases.

Let us see what these increases will be if the Kyl amendment passes. He is talking about inflation. I figured inflation at 4 percent, which is fairly low. He talks about modest, sustained growth, I figured it at 3 percent. In 1990-91 that is \$11.8 billion for inflation, \$9.2 billion in real growth, and a total of \$21 billion added to the defense budget.

The following year it is \$22.4 billion, the year after that it is \$24 billion, for a total of \$67.4 billion. I would ask the Members in this House not to put blinders on. My colleagues, we are going to have to pay for this increase. I think my colleagues should vote down Kyl because it does not address that one issue, how are we going to pay for this \$67 billion?

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I take this opportunity to compliment the gentleman from Arizona [Mr. KYL] and the gentleman from Georgia [Mr. DARDEN] for offering this amendment. This amendment recognizes a couple of things that are terribly important to us as a nation.

The first is that the first obligation of our Government is to provide for the common defense. That makes sense. It also calls for a sustained predictable increase in defense over the years and to do away with the boom and bust that we have had in recent years. I think this of course is the right thing to do.

This amendment leaves out something, and I would add it were I the author, and what we need for our Nation in addition to the excellent thought put forth by the gentleman from Arizona and the gentleman from Georgia, which is part of a plan, what our Nation needs in order to provide for the common defense is a sustained strategy for our country, a strategy based upon common sense, and based upon certain goals. We need a strategy of containment. We need a strategy for each part of the globe. I think at times we do not have such a strategy, and if we had such a strategy we would then be able to build upon a policy and upon that policy we would be able to build a plan rather than buying weapons systems at random, buying what is good and what is not good. This plan would incorporate what the gentleman from Arizona has in his amendment, sustained predictable growth for our common defense.

What we need to do is to have an overall strategy and not the mismatches of what we have at the present time.

For instance we have at the present time, Mr. Chairman, three Marine divisions and we have the ability for them to use assault craft for only one.

Mr. Chairman, I support the Kyl amendment. I urge its adoption.

Mrs. BOXER. Mr. Chairman, I yield the remaining 4 minutes to the gentleman from Massachusetts [Mr. MAVROULES], a member of the Committee on Armed Services.

Mr. MAVROULES. Mr. Chairman, first I yield to the gentleman from Illinois [Mr. RUSSO].

Mr. RUSSO. Mr. Chairman, over the 14 years that I have been in Congress my conservative colleagues have said to me that there is no such thing as a free lunch. But make no mistake about it, the last vote indicated one thing, that defense gets a free lunch and people programs pay for that free lunch. My colleagues cannot have it both ways in the Congress.

Mr. MAVROULES. Mr. Chairman, I yield to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY of New York. Mr. Chairman, I rise in opposition to the Kyl amendment.

If my colleagues like big deficits, the Kyl amendment is for them. If my colleagues like even more red ink, the Kyl amendment is for them. If my colleagues somehow do not trust the American people to know that if they really need something they have to pay for it, the Kyl amendment is for them. And if my colleagues really believe with all their heart and fiber that the military comes first, beyond any other need of the Government, the Kyl amendment is for them.

□ 1645

Mr. MAVROULES. Mr. Chairman, given the slowdown in economic projections and the looming budget deficit, now is not the time to ask for additional real growth in defense spending. The greatest threat to the national security of this Nation is the Federal budget deficit. Over the last 8 years the Federal debt has increased from \$932.3 billion in 1981 to \$2.6 trillion at the beginning of fiscal year 1988, during which time there was an unprecedented buildup in defense. If the current policy continues, the deficit will increase to \$3.6 trillion in 1993 and defense spending will experience a 52.6-percent growth. Currently, we spend 6 percent of our GNP on defense.

We cannot afford to continue this ill-conceived path of raising deficit spending for defense weapons systems and expect nondefense discretionary programs to bear the brunt of our deficit reduction efforts. While defense spending alone has grown 47.3 percent over the last 8 years and interest on the national debt has grown 92.7 percent, discretionary program spending has actually decreased 38 percent. This trend is expected to continue and grow even larger.

Furthermore, we must recognize that the development and maintenance of a strong economic system is important to our efforts to fully provide for the national security of this country. History shows that this country has grown when our national domestic priorities have shown a strong commitment to human investment. A healthy, educated population, a striving business community and a safe environment are all essential in building and maintaining a strong economy that helps to insure the short- and long-term national security of this Nation.

What good is having the most sophisticated weapons in the world without educated minds and healthy bodies to operate them. Education has been drastically reduced over the last 8 years, health care programs have been curtailed, the number of small business and bank failures have been astronomical, drug trafficking is out of

control and yet we are continuing to ask for more funds for defense. Clearly, this is not responsible governance.

Mr. KYL's amendment proposes a modest but sustained, real growth in the defense budget. We must remain firm to our commitment to eliminate the Federal deficit by 1993. Therefore, I urge my colleagues to support the perfecting amendment which requires a financing provision for any real growth in defense spending.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Chairman, I want to commend the gentleman from Georgia, my colleague, and I want to commend the gentleman from Arizona for a very fine bipartisan effort.

Walter Mondale called for this kind of continuous, steady growth. The chairman of the Committee on Armed Services has called for this kind of steady growth. It provides stability so we can have efficiency in spending by having the Pentagon plan. It provides for strength so the Russians negotiate, so that both sides slow down on the arms race.

Mr. ROWLAND of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I will be happy to yield to the gentleman.

Mr. ROWLAND of Connecticut. Mr. Chairman, I thank the gentleman for yielding. I want to point out that if we are ever criticized for anything in this House it is lack of planning.

This is one of the first instances where we are sitting down and planning for the future, trying to work together for some moderate substantive growth so we will not be criticized for lack of procedures, lack of planning, and certainly in light of the fact that we will be working with the Soviets, I think we will be sending the right message to our colleagues, to the American people, to our allies and our adversaries.

Mr. KYL. Mr. Chairman, I yield myself such time as I have remaining.

The first point I would like to make is that the chart the gentleman from California presented is a misrepresentation of what we are seeking to accomplish here. It presupposes, first of all, an inflation rate that is not in accord with the projections of the Treasury, of OMB and the Council of Economic Advisers and also presupposes a rate of increase.

We are not calling for a specific rate of increase. All we are suggesting here is that this Congress should express its sense to the administration, to the Committee on the Budget to present the budget to us which represents the principle of sustained but moderate growth in defense spending, no more ups and downs such as you see on this chart, no wild increases, no wild decreases, but sustained, moderate

growth that is efficient spending for defense, and it is time for action in this body, not just words.

When we go back to our constituents and tell them that we are doing something to make our defense dollars go just as far as possible, that is all this resolution does, and I urge the support of the Members for the resolution.

Mr. FEIGHAN. Mr. Chairman, I rise in opposition to the Kyl amendment as written. While I oppose the amendment, I recognize the problem that the gentleman is trying to address. I agree that the current "boom-bust" pattern of defense spending is inefficient. Resources promised last year end up somewhere else next year. It's a defense planner's nightmare to build the Nation's defenses while the sands are shifting around his feet.

But, I have to ask if it's sound policy to mandate a mechanically increasing defense budget regardless of the nature of the threat to our national security. The language of the amendment recognizes that we have to strengthen our defenses—not only against strategic nuclear weapons, but other more likely threats. I'd like to see this amendment crafted to deal with the drug problem as a threat to our national security; terrorism as a threat to our national security; and the fact that over half a million Americans are homeless as a threat to our national security. I can support an amendment that speaks to the military threat—but it should also address these other, very real threats to our national security.

The Kyl amendment finds that "the first obligation of the United States is to provide for the common defense" for without defense, we would not enjoy the other freedoms found in the Constitution. But, what does the Constitution call for us to do?

To form a more perfect union;
Establish justice;
Insure domestic tranquility;
Provide for the common defense;
Promote the general welfare; and
Secure the blessings to ourselves and our posterity.

All these tasks are constitutional priorities of government.

We do have a problem in maintaining the value of our defense dollars and we should address it. That's why I will support the amendment offered by Mrs. BOXER. It calls for a balanced and more comprehensive view of the threat to our national security. It also says that we must stay militarily strong and fiscally sound. If defense increases are needed, then we have to figure out how to pay-as-we-go.

I urge my colleagues to join me in supporting the Boxer amendment for a rational, responsible, and comprehensive expression of congressional policy regarding the national defense.

Mr. ROWLAND of Connecticut. Mr. Chairman, I have been following the debate on this issue very closely. I must say that it is utterly fascinating in regard to what we are hearing from the other side of the aisle today.

Pay-as-we-go seems to be one of the buzzwords we are hearing from many Members on the other side of the aisle. Well, I agree wholeheartedly that these budget deficits are intolerable.

I would suggest, however, that action is a lot more significant than the rhetoric we are hearing. If my friends on the other side of the aisle are so supportive of balanced budgets, then why do they continually block floor action on House Joint Resolution 321?

Over 230 Members have cosponsored this legislation which would provide a constitutional guarantee of a balanced Federal budget. Yet, time after time, day after day, the Democratic leadership refuses to bring House Joint Resolution 321 to a vote.

If my friends on the other side of the aisle really want to bring a pay-as-we-go system to defense spending, then I suggest they talk to their leadership and demand that this important legislation be brought to the floor for an up or down vote.

But, let's get specific in regard to the DOD bill. We have a choice to make Thursday in regard to ICBM's. We can continue to develop a mobile basing mode for the already existing MX program, or we can continue to waste money on the so-called Midgetman.

Members who are concerned about the Federal deficit should agree with me that we can afford one or the other, but not both ICBM systems. For those who talk about pay-as-we-go on one hand, but who support development of the Midgetman on the other, I would like to ask a question: "Where do you propose to get the \$42 billion to pay for it?"

Those who support this very dubious system have an obligation today. They should tell us exactly what tax increase they will support or exactly what programs they will cut to fund the \$42 billion.

As I mentioned, the ICBM question will come up Thursday. At that time, I will offer an amendment to kill the Midgetman program outright. If we do so, \$500 billion will be saved in fiscal year 1989 alone. Scrapping the system will enable us to reduce expenditures by \$42 billion over the life of the program.

As a member of the Armed Services Committee, I believe we have crafted a good bill. It provides for our Nation's defense needs. Although I believe it is unfortunate that we had to cut defense spending in real terms for the fourth year in a row, I believe it is important to point out that things could be a lot worse.

Since inflation is running at very low levels—due to the success of President Reagan's economic program—we are able to come close to providing real growth. This would be impossible to do were we to have the kinds of out-of-control, double digit inflation, we had during the 4 years of the Carter/Mondale administration.

The amendment by the gentleman from Arizona [Mr. KYL] is a simple and reasonable policy statement that we should avoid having wild swings in defense spending. It deserves the support of the membership and I urge its adoption.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona [Mr. KYL].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 219, not voting 45, as follows:

[Roll No. 92]

AYES—167

Andrews	Hall (TX)	Myers
Archer	Hammerschmidt	Natcher
Armey	Hansen	Nichols
Aspin	Harris	Nielson
Badham	Hastert	Oxley
Baker	Hatcher	Packard
Barnard	Hefley	Parris
Bartlett	Herger	Pashayan
Bateman	Hill	Petri
Bennett	Holloway	Pickle
Bentley	Hopkins	Quillen
Blibray	Houghton	Ravenel
Billakis	Hubbard	Rhodes
Bliley	Hunter	Richardson
Bosco	Hutto	Robinson
Broomfield	Hyde	Rogers
Buechner	Inhofe	Roth
Bunning	Ireland	Rowland (CT)
Byron	Jeffords	Schulze
Callahan	Jenkins	Sensenbrenner
Chandler	Jones (NC)	Shaw
Cheney	Kasich	Shumway
Clarke	Kemp	Shuster
Clement	Kolbe	Sisisky
Clinger	Kyl	Skeen
Coleman (MO)	Lagomarsino	Skelton
Coleman (TX)	Lancaster	Slaughter (VA)
Combest	Leath (TX)	Smith (TX)
Coughlin	Lent	Smith, Robert
Courter	Lewis (FL)	(NH)
Crane	Lipinski	Smith, Robert
Dannemeyer	Livingston	(OR)
Darden	Lloyd	Solomon
Davis (IL)	Lott	Spence
DeLay	Lowery (CA)	Spratt
DeWine	Lujan	Stangeland
Dickinson	Lukens, Donald	Stenholm
Dicks	Lungren	Stratton
Dornan (CA)	MacKay	Stump
Dowdy	Madigan	Sundquist
Dreier	Marlenee	Sweeney
Edwards (OK)	Martin (IL)	Swindall
Emerson	Martin (NY)	Tauzin
English	McCandless	Thomas (CA)
Erdreich	McCollum	Thomas (GA)
Fawell	McCrery	Valentine
Fazio	McCurdy	Vander Jagt
Fish	McDade	Vucanovich
Flippo	McEwen	Walker
Galleghy	McGrath	Weber
Gallo	McMillen (MD)	Weldon
Gekas	Michel	Wilson
Gilman	Miller (OH)	Wolf
Gingrich	Molinar	Wortley
Glickman	Montgomery	Young (FL)
Goodling	Moorhead	
Grant	Morrison (WA)	

NOES—219

Ackerman	Brown (CA)	Dixon
Akaka	Brown (CO)	Dorgan (ND)
Alexander	Bruce	Downey
Anderson	Bryant	Durbin
Annunzio	Bustamante	Dwyer
Anthony	Campbell	Dymally
Applegate	Cardin	Eckart
Atkins	Carper	Edwards (CA)
AuCoin	Carr	Espy
Ballenger	Chappell	Evans
Bates	Clay	Fascell
Beilenson	Coats	Feighan
Bereuter	Coble	Flake
Berman	Coelho	Florio
Boehlert	Collins	Foglietta
Boggs	Conte	Foley
Boland	Conyers	Ford (MI)
Bonior	Cooper	Ford (TN)
Bonker	Coyne	Frank
Borski	Davis (MI)	Frenzel
Boucher	DeFazio	Garcia
Boxer	Dellums	Gaydos
Brennan	Dingell	Gejdenson
Brooks	DioGuardi	Gephardt

Gonzalez	Mavroules	Sawyer
Gordon	Mazzoli	Saxton
Gradison	McCloskey	Schaefer
Grandy	McHugh	Scheuer
Gray (PA)	McMillan (NC)	Schneider
Green	Meyers	Schroeder
Gregg	Mfume	Schuette
Guarini	Miller (CA)	Schumer
Gunderson	Miller (WA)	Sharp
Hamilton	Mineta	Shays
Hawkins	Moakley	Sikorski
Hayes (IL)	Morella	Skaggs
Hayes (LA)	Morrison (CT)	Slaughter (NY)
Henry	Mrazek	Smith (FL)
Hertel	Murphy	Smith (IA)
Hochbrueckner	Murtha	Smith (NE)
Horton	Nagle	Smith (NJ)
Hoyer	Oberstar	Snowe
Huckaby	Obey	Solarz
Hughes	Olin	St Germain
Jacobs	Ortiz	Staggers
Johnson (CT)	Owens (NY)	Stallings
Johnson (SD)	Owens (UT)	Stark
Jones (TN)	Panetta	Studds
Jontz	Patterson	Swift
Kanjorski	Pease	Synar
Kaptur	Pelosi	Tauke
Kastenmeier	Penny	Torricelli
Kennedy	Pepper	Towns
Kennelly	Perkins	Traficant
Kildee	Pickett	Traxler
Klecza	Porter	Udall
Kolter	Price	Upton
Kostmayer	Pursell	Vento
Lantos	Rahall	Visclosky
Leach (IA)	Rangel	Volkmer
Lehman (CA)	Regula	Walgren
Lehman (FL)	Ridge	Watkins
Leland	Rinaldo	Waxman
Levin (MI)	Ritter	Weiss
Levine (CA)	Roberts	Wheat
Lewis (GA)	Roe	Whittaker
Lightfoot	Rostenkowski	Whitten
Lowry (WA)	Roukema	Williams
Lukens, Thomas	Roybal	Wise
Manton	Russo	Wolpe
Markey	Sabo	Wyden
Martinez	Saiki	Yates
Matsui	Savage	Yatron

NOT VOTING—45

Barton	Frost	Oakar
Bevill	Gibbons	Ray
Blaggi	Gray (IL)	Rodino
Boulter	Hall (OH)	Rose
Burton	Hefner	Rowland (GA)
Chapman	Konnyu	Slattery
Craig	LaFalce	Smith, Denny
Crockett	Latta	(OR)
Daub	Lewis (CA)	Stokes
de la Garza	Mack	Tallon
Derrick	Mica	Taylor
Donnelly	Mollohan	Torres
Duncan	Moody	Wylie
Dyson	Neal	Young (AK)
Early	Nelson	
Fields	Nowak	

□ 1705

The Clerk announced the following pairs:

On this vote:

Mr. Nelson of Florida for, with Mr. Derrick against.

Mr. Rowland of Georgia for, with Mr. Rodino against.

Mr. Craig for, with Mr. Moody against.

Mr. Boulter for, with Mr. Slattery against.

Mr. DAVIS of Michigan changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

EN BLOC AMENDMENTS, AS MODIFIED, OFFERED BY MR. ASPIN

Mr. ASPIN. Mr. Chairman, under the provisions of paragraph 7 of section 2 of House Resolution 436, I offer a second en bloc amendment composed of amendments printed in section 3 of

House Report 100-590, including modifications.

The CHAIRMAN. The Clerk will designate the en bloc amendments.

The Clerk designated, as follows:

Amendment en bloc offered by Mr. ASPIN composed of the following amendments, including modifications, listed as numbered in the order that they are printed in section 3 of House Report 100-580:

(17) Mr. Ritter of Pennsylvania;
(19) Mr. Ritter of Pennsylvania;
(21) Mr. Smith of New Jersey;
(22) Mr. Dymally of California, as modified;
(23) Mr. Mavroules of Massachusetts, as modified;
(27) Mr. Bennett of Florida;
(31) Mr. McCurdy of Oklahoma;
(32) Mr. Aspin of Wisconsin;
(36) Mr. Dickinson of Alabama;
(45) Mr. Spratt of South Carolina, as modified.

Mr. ASPIN (during the designation). Mr. Chairman, I ask unanimous consent that the reading of the designation be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The text of the en bloc amendments, as modified, is as follows:

En bloc amendments, as modified, offered by Mr. ASPIN:

Page 18, after line 14, insert the following:

(c) HIGH-TEMPERATURE SUPERCONDUCTIVITY.—Of the amount appropriated pursuant to section 201 for the Defense Agencies, \$35,000,000 shall be available for the Defense Advanced Research Projects Agency for high-temperature superconductivity work.

At the end of part A of title III (page 37, after line 19), insert the following new section:

SEC. 304. PRISONERS OF WAR IN AFGHANISTAN.

(a) FINDINGS.—The Congress finds the following:

(1) Since the Soviet invasion of Afghanistan in 1979, numerous Soviet Red Army soldiers have either defected to or been captured by Afghan resistance forces.

(2) Of the over 115,000 Soviet occupying troops in Afghanistan, it has been estimated that 250 Soviet soldiers are being held by Afghan resistance forces.

(3) Interviews with several dozen Soviet defectors and prisoners of war in Afghanistan indicate that the vast majority desire political asylum in the West.

(4) The Soviet Government does not admit the presence in Afghanistan of Soviet prisoners of war (POW's), therefore a Soviet POW is subject to imprisonment for up to fifteen years for treason.

(5) At the close of the Second World War many Red Army defectors and Soviet prisoners of war fleeing Stalin's tyranny were forcibly repatriated to the Soviet Union and subsequently sentenced to imprisonment and death for alleged collaboration with the enemy.

(6) Nikolay Ryzhkov, a Soviet soldier who defected in Afghanistan and later obtained asylum in the United States, returned to the Soviet Union at the urging of Soviet KGB agents in New York, and is now serving a 13-year "strict regime" prison camp sentence in Mordovia.

(7) Leaders of the Afghan resistance have indicated a willingness to release Soviet POW's to the custody of responsible representatives of the free world.

(8) The President has not established a mechanism whereby Soviet defectors in Afghanistan are provided an opportunity to seek political asylum in the West.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should direct the appropriate agencies of the United States Government to establish, insofar as logistically feasible, a systematic method for screening and processing Soviet defectors and prisoners of war in Afghanistan, and that such persons should be provided with proper information concerning the Geneva Conventions and United States law regarding political asylum;

(2) Soviet defectors and prisoners of war in Afghanistan who request political asylum and are eligible under United States law should be granted political asylum and be transported to the United States by the proper agencies of the United States Government;

(3) the President should seek to establish a framework, utilizing governmental and private resources, under which Soviet defectors would be helped in adapting to American life, which would include the opportunity to receive counseling, learn English, gain an education, and acquire the necessary skills to obtain gainful employment; and

(4) the President should direct the appropriate agencies of the United States Government to take necessary steps to inform the Afghan resistance forces and Soviet defectors and prisoners of war in Afghanistan of the provisions of this resolution.

Page 35, line 3, insert after "Soviet Union" the following: "and for carrying out section 304".

At the end of part A of title III of division A (page 37, after line 19), insert the following new section:

SEC. 304. AUTHORIZATION FOR SCHOOL DISTRICT ASSISTANCE.

(a) AUTHORIZATION.—Of the funds appropriated for operation and maintenance for the Navy for fiscal year 1989, the Secretary of the Navy, subject to the requirements of subsection (b), may use not more than \$1,500,000 to provide assistance to the Tinton Falls Schools District, Tinton Falls, New Jersey, for the purpose of supporting the education of dependents of members of the naval service or civilian officers and employees of the Department of the Navy who are stationed at Naval Weapons Station Earle during the 1989-1990 school year.

(b) DETERMINATIONS.—The assistance authorized in subsection (a) may be provided only if the Secretary of the Navy determines all of the following:

(1) Federal impact aid and State aid expected to be allocated to the Tinton Falls Schools District will not meet the financial deficits expected to be incurred in the Tinton Falls School District during the 1989-1990 school year as a result of the expansion of Naval Weapons Station Earle.

(2) The Tinton Falls Schools District will face a shortage of operating funds during the 1989-1990 school year if such assistance is not provided.

(3) It is in the best interests of the dependents described in subsection (a) to provide such assistance.

The amendment as modified is as follows:

At the end of part A of title V (page 83, after line 24), insert the following new section:

SEC. 503. MILITARY EDUCATION FOR ARMY NATIONAL GUARD CIVILIAN TECHNICIANS.

(a) **PHASE-OUT OF PROGRAM REQUIRING OUT-OF-STATE TRAINING.**—A civilian technician of the Army National Guard whose military occupational specialty has been approved in accordance with subsection (b) for training by a National Guard school of that technician's State under the Reserve Component Noncommissioned Officers Education Program shall receive military training in that military occupational specialty through that school instead of through the Military Education Program.

(b) **APPROVAL OF STATE COURSE.**—(1) Each State National Guard school which receives from the Department of the Army a training program for National Guard training for a military occupational specialty as part of the Reserve Component Noncommissioned Officers Education Program shall implement that training program by the end of the 45-day period beginning on the receipt of such program by the school or as soon thereafter as feasible. The Secretary of the Army shall, not later than 45 days after any such school notifies the Secretary that it has implemented such a training program, determine whether or not such school has properly implemented such program. Upon the approval by the Secretary of the implementation of such program by such school, subsection (a) shall apply with respect to military education of civilian technicians of the Army National Guard in the applicable military occupations specialty.

(2) In the case of a State National Guard school for which a program has not been approved under paragraph (1) with respect to a military occupational specialty, the Secretary of the Army may, subject to subsection (d), order a civilian technician of the Army National Guard in that State with that military occupational specialty to receive training through the Military Education Program.

(c) **SPECIAL RULE FOR LEADERSHIP TRAINING.**—A civilian technician of the Army National Guard who is required by the National Guard Bureau to receive leadership training through Primary Leadership Development courses shall receive such training through the appropriate State National Guard school.

(d) **TRANSITION.**—In the case of a civilian technician of the Army National Guard for whose military occupational specialty there is not, as of the date of the enactment of this Act, a program of training approved under subsection (b) for the appropriate State National Guard school, the technician shall, at his request, be given the Skill Qualification Test appropriate for his military occupational specialty and skill level. If the technician passes the test and successfully completes the Army National Guard Battles Skills Course for the appropriate grade, the Secretary of the Army may not order the technician to receive training through the existing Military Education Program and may not reduce the technician in military grade, or deny the technician a military promotion, by reason of failure to receive training through the Military Education Program.

(e) **REPORT.**—The Secretary of the Army shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of the Reserve Component Noncommis-

sioned Officers Education Program. The report shall discuss the implementation of such program at each State National Guard school and shall explain, in any case in which the implementation of a training program has not been approved under subsection (b), the reasons for the withholding of such approval. Such report shall be submitted not later than December 31, 1988.

Page 117, strike out lines 19 and 20 and insert in lieu thereof the following:

SEC. 634. EXTENSION OF MINIMUM TERMINATION DATE FOR FORMER PUBLIC HEALTH SERVICE HOSPITALS AND REQUIREMENT THAT SUCH HOSPITALS BE COST EFFECTIVE.

Page 117, after line 22, insert the following (and redesignate the subsequent paragraphs accordingly):

(1) by striking out "1988" in the first sentence and inserting in lieu thereof "1989".

At the end of title VIII of division A (page 144, after line 12), add the following new part (and designate the first sections of title VIII as part A):

PART B—DEFENSE CONTRACTOR PROFITS POLICY

SEC. 821. DEFENSE CONTRACTOR PROFITS AND FINANCES REVIEW.

(a) **SHORT TITLE.**—This part may be cited as the "Defense Contract Profit Policy Act of 1988".

(b) **IN GENERAL.**—(1) Chapter 137 of title 10, United States Code, is amended by inserting after section 2313 the following new section:

"§ 2313a. Major defense contractors: profit analysis

"(a) **CONTRACTOR REPORTING.**—(1) Each covered defense contractor annually shall submit a profits information report to the firm designated under subsection (b).

"(2) For purposes of this section, a profits information report is a report showing balance sheet and income statement information reflecting the financial position and operations of each contractor segment that received covered contracts and that contributed to the revenues the contractor received during the preceding year from covered contracts. The report shall include the following accompanying information:

"(A) Sufficient data so that levels of profitability as described in subsection (d) can be calculated for each such segment.

"(B) Such other information as may be deemed by the Secretary of Defense (acting through the Under Secretary of Defense for Acquisition on a non-delegable basis), after consultation with the Advisory Council established by section 822 of the Defense Contract Profit Policy Act of 1988, to be necessary to analyze the financial status of covered defense contractors.

"(C) The accountant statement required by paragraph (3).

"(D) A reconciliation of the information provided under this paragraph with the most recent annual financial statement the contractor filed with the Securities and Exchange Commission and such information as may be necessary to explain the reconciliation.

"(3) A covered defense contractor shall have the independent certified public accountant who furnished an opinion on the fair presentation of the defense contractor's annual financial statement filed with the Securities and Exchange Commission submit a statement on the reliability of the information submitted in the report required by paragraph (1).

"(4) The Secretary of Defense shall ensure that compliance with the require-

ments of this subsection is a condition of every covered contract entered into by the Department of Defense for the United States.

"(5) The Secretary of Defense may not require a covered defense contractor to report information under this subsection for a segment if the Secretary determines that disclosure of such information would be detrimental to the success of a classified project and injurious to national security.

"(b) **DESIGNATED PRIVATE SECTOR FIRM.**—The Secretary of Defense shall designate an independent firm or organization in the private sector to receive reports required under subsection (a) and to annually transmit to the Secretary of Defense the information contained in such reports in a form that is aggregated by type of industry and that does not reveal the identity of the defense contractor. Such firm or organization shall be the sole recipient of all the information, papers, documents, and records submitted by the covered defense contractors under this section. Such firm or organization shall destroy or return to the defense contractor the reports submitted under subsection (a), after the annual aggregated reports to the Secretary of Defense are completed.

"(c) **CONFIDENTIALITY.**—Notwithstanding any other provision of law—

"(1) any person who publishes or otherwise discloses any information provided by a covered defense contractor under subsection (a) in a manner which allows the covered defense contractor to be identified, shall be fined not more than \$10,000, or imprisoned not more than 3 years, or both, unless such information is made publicly available by such covered defense contractor;

"(2) no person receiving information provided by a covered defense contractor under subsection (a) shall be subject to subpoena or other legal process to compel disclosure of information in a manner which allows the covered defense contractor to be identified; and

"(3) data submitted by covered companies under this section shall be considered commercial or financial information for purposes of section 552(b)(4) of title 5, United States Code.

"(d) **PROFIT STUDY AND REPORT TO CONGRESS.**—(1) The Secretary of Defense shall conduct each year a study of the financial situation and level of profitability of covered defense contractors under covered contracts. Based on an aggregation of the information provided under subsection (a), each such study shall include a determination of the profitability levels of segments of covered defense contractors providing the United States with goods and services under covered contracts. Levels of profitability shall be determined by calculating the return on assets of such segments and by using such other measures of profitability as the Secretary of Defense determines to be appropriate to achieve the purposes of this section. For covered defense contractors that are primarily contractors for professional services, technical services, or research and development services, profitability of such segments shall be determined by calculating the return on assets, the return on sales, or such other measures of profitability as the Secretary of Defense determines to be appropriate to achieve the purposes of this section.

"(2) No later than six months after completion of a profit study under paragraph (1), the Secretary of Defense shall submit to Congress a report on such study. The report shall include any actions to be taken by the

Secretary to assure reasonable levels of profitability by future covered defense contractors on future covered defense contracts.

"(e) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.

"(f) DEFINITIONS.—In this section:

"(1) The term 'covered defense contractor' means a contractor which is awarded covered contracts, or which receives payments from the United States under such contracts, in a total amount of at least \$100,000,000 in any 12-month period.

"(2) The term 'covered contract' means any contract or contract modification with the Department of Defense subject to section 2306a of this title.

"(3) The term 'segment,' with respect to a covered defense contractor, means a division, product department, plant, or other subdivision of the contractor—

"(A) that is usually identified with responsibility for profit or with producing a product or service; and

"(B) that reports directly to an office of the contractor which (i) is responsible for directing or managing two or more such divisions, product departments, plants, or subdivisions, and (ii) typically provides policy and guidance to such divisions, product departments, plants, and subdivisions in their operations.

A covered defense contractor which does not have such a division, product department, plant, or other subdivision shall for purposes of this section be treated as a single segment."

(2) The table of sections at the beginning of chapter 137 of such title is amended by inserting after section 2313 the following new item:

"2313a. Major defense contractors: review of profits and finances."

(c) APPLICABILITY TO NEW CONTRACTS AND CONTRACT MODIFICATIONS.—Section 2313a of title 10, United States Code, as added by subsection (b), shall apply with respect to—

(1) contracts entered into under solicitations issued after the end of the 150-day period beginning on the date of the enactment of this Act; and

(2) modifications entered into after the end of the 150-day period beginning on the date of the enactment of this Act with respect to existing contracts.

SEC. 822. ADVISORY COUNCIL ON PROFIT STUDY METHODOLOGY.

(a) ESTABLISHMENT AND PURPOSE.—(1) There is established an Advisory Council for the purpose of recommending to the Secretary of Defense a financial analysis methodology for the profitability studies required by section 2313a of title 10, United States Code (as added by section 821). The methodology shall be consistent with the purposes of such section 2313a.

(2) In carrying out its duties, the Advisory Council shall pay particular attention to the findings and recommendations of the Comptroller General in the report title "Assessment of the Study of Defense Contractor Profitability," dated December 23, 1986.

(b) APPOINTMENT.—The Secretary of Defense shall appoint seven members to the Advisory Council within 90 days after the date of enactment of this Act, with three representatives from the private sector and four representatives from the public sector, including the General Accounting Office, the Department of Defense, and other relevant government procurement offices.

(c) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5

U.S.C. App.) shall not apply to the Advisory Council established by this section.

(d) REPORT AND TERMINATION OF COUNCIL.—Not later than 180 days after the date of the appointment of the Advisory Council, the Council shall submit to the Secretary of Defense a report on the recommended financial analysis methodology. The Council shall cease to exist 90 days after submission of its report.

(e) REPORT TO CONGRESS.—Not later than 90 days after receipt of the report of the Advisory Council, the Secretary of Defense shall transmit the report to Congress, together with the Secretary's views on the Advisory Council's report.

At the end of title VIII of division A (page 144, after line 12), insert the following new section:

SEC. 812. DEADLINE FOR CERTAIN REGULATIONS.

The regulations required to be issued pursuant to subsections (f) and (h) of section 921 of the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99-661) shall be issued no later than June 1, 1988.

At the end of part A of title IX of division A (page 153, after line 11), insert the following new section:

SEC. 903. INCREASE IN FISCAL YEAR 1988 DEFENSE FUNDS TRANSFER AUTHORIZATION.

Section 1201 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100-180; 101 Stat. 1153) is amended—

(1) in subsection (a)—

(A) by inserting "of this Act or any prior defense authorization Act" in paragraph (1) before "for any fiscal year";

(B) by striking out "\$2,000,000,000" in paragraph (2) and inserting in lieu thereof "\$4,000,000,000"; and

(2) by striking out subsection (d) and inserting in lieu thereof the following:

"(d) SPECIFIED PURPOSES.—In determining the purposes for which the authority provided by subsection (a) will be used, the Secretary of Defense shall ensure that an appropriate portion of that authority is used to transfer to operation and maintenance accounts of the Department of Defense for fiscal year 1988 (1) funds for depot maintenance activities in amounts sufficient to reduce service backlogs which would otherwise occur, and (2) funds for pay of civilian personnel in amounts sufficient to prevent furloughs, reductions-in-force, or release of on-call employees into a nonpay status which would otherwise be required due to insufficient funding for civilian personnel of the Department of Defense for fiscal year 1988.

"(e) NOTICE TO CONGRESS.—The Secretary of Defense shall submit to Congress notification of each transfer to be made under the authority of this section not less than 15 days before the transfer is made. Any such notification shall include specific identification of any delays or deferrals in programs or other specific actions (including delays permitted by law in payments required to be made) that the Secretary is taking in order to ensure that the transfer is made in compliance with subsection (f)(1).

"(f) CONTROL OF OUTLAYS.—(1) The Secretary of defense shall carry out transfers authorized by this section and (notwithstanding the provisions of the Impoundment Control Act of 1974) shall manage appropriations and other accounts of the Department of Defense for fiscal year 1988 so that any such transfer, and the expenditure of funds so transferred, do not result in an increase in outlays by the Department of Defense during fiscal year 1988.

"(2) The Secretary shall submit to the Committees on Armed Services and Appropriations of the Senate and House of Representatives a report at the close of each month during fiscal year 1988 on any increase or decrease in outlays by the Department of Defense during that month resulting from the exercise of the authority provided by this section."

At the end of title IX of division A (page 163, after line 6), insert the following new section:

SEC. 934. ASSESSMENT OF SECURITY AT UNITED STATES BASES IN THE PHILIPPINES.

The Secretary of Defense shall provide to Congress an annual assessment of security at United States bases in the Philippines, including the cooperation provided by the Philippine Government at both the national and local level in improving such security.

Page 8, strike out line 22 and all that follows through line 19 on page 9 and insert in lieu thereof the following:

(a) ADATS AIR DEFENSE WEAPON.—(1) The Secretary of the Army may obligate funds appropriated for fiscal year 1989 for procurement of the ADATS Air Defense Weapon system in the amount of \$85,000,000 for production of five fire units and 60 missiles to be used specifically for production qualification testing and operational testing, but only after the Director of Operational Test and Evaluation of the Department of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives that he has approved the test plan for such system.

(2) The Secretary of the Army may obligate funds for procurement and advanced procurement for such system for any fiscal year after fiscal year 1989 only after—

(A) the operational tests for such system are completed;

(B) the Secretary of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives that the system meets or exceeds the operational performance criteria of the Army;

(C) the Director of Operational Test and Evaluation of the Department of Defense provides to those Committees his evaluation of the performance of the system; and

(D) the Comptroller General provides to those Committees his evaluation of the performance of the system.

Page 155, strike out line 16 and all that follows through line 3 on page 157 and insert in lieu thereof the following:

(1) FORWARD AREA AIR DEFENSE HEAVY SYSTEM.—Funds appropriated or otherwise made available for the Army for procurement of missiles for fiscal year 1988 may not be obligated for advance procurement for the Forward Area Air Defense Line-of-Sight Forward-Heavy (LOS-F-H) system until—

(A) the Secretary of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives that it is reasonable to obligate funds for such purpose before operational testing of such system; and

(B) the Director of Operational Test and Evaluation of the Department of Defense certifies to those Committees that he has approved the issues and criteria associated with the operational testing of such system.

The CHAIRMAN. Pursuant to paragraph 7 of section 2 of House Resolution 436, said amendments are considered as having been read and are not

subject to amendment or to a demand for a division of the question.

Under the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 30 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes.

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

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

Mr. Chairman, I would like to briefly explain the second en bloc amendment that is offered at this point. This package includes 10 amendments made in order under the second rule. Included is language by Mr. DICKINSON on United States base security in the Philippines, the provision on uniformed services treatment facilities offered by Mr. MAVROULES, Mr. BENNETT's compromise on contractor profit reporting, and other amendments for which there is agreement on both sides.

Under the rule, Members have the authority to insert statements into the RECORD on provisions included in the en bloc amendment.

Those amendments made in order under section 3 of the second rule not included in this en bloc remain eligible for consideration as the general reading of section 3 amendments continue.

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

Mr. ASPIN. I yield to the gentleman from Kansas for the purpose of a colloquy.

□ 1710

Mr. GLICKMAN. Mr. Chairman, the House Defense authorization bill does not at this time include funding for the tanker trainer transport system [TTTS], a program to develop a new trainer aircraft for the Air Force. I understand that when the House Armed Services Committee was marking up the bill, the Office of the Secretary of Defense had not signed off on the USAF trainer masterplan which the House had requested from the Air Force last year. As a result, the \$9.6 million for TTTS procurement was not included in the House bill. The Senate Armed Services Committee has included funding in the Senate bill based on a preliminary draft of the masterplan. While the House Armed Services Committee's decision not to provide funding was without prejudice, I know that you have certain questions which I expect will be answered by the masterplan. I hope that when the two versions of this bill go to conference, the House will recede to the Senate position.

Mr. ASPIN. The gentleman is correct. The committee's action was without prejudice and we recognize the importance of the TTTS Program. We received on Friday a copy of the OSD approved masterplan, which I expect will address the committee's questions

about the long term consideration—in terms of practicability and affordability—the Air Force has given to the program. If those concerns are satisfied, I think that we can work this out in conference.

Mr. GLICKMAN. I thank the chairman.

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

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

Mr. Chairman, I take this time to discuss an amendment I have in the en bloc amendments because I think it is a matter of general interest to all the Members of the House and I think everybody that hears the contents of it will agree with me.

Mr. Chairman, over the last several years the Committee on Armed Services has focused considerable attention on the issue of security of our bases in the Philippines. It has been recognized for a long time that petty theft and common criminal activity on Clark Air Force Base and Subic Naval installations are the highest—and please listen to this—they are the highest of any of our bases worldwide in the Philippines. As a matter of fact, last November the gentlewoman from Maryland [Mrs. BYRON] led an Armed Services Committee trip that stopped in the Philippines. We had a town meeting. We invited all of the people, the dependents and so forth who wanted to come and attend the town meeting and to voice their concern of what their problems were, whether it be base housing, whether it be schooling or whatever. And in the face of the fact that we had just had three terrorist killings and a fourth was attempted to be killed—he was badly wounded but lived—the No. 1 issue that they talked about, the No. 1 complaint that the dependents voiced to us was thievery and burglary of their homes and against their persons.

Over half of all the dependents in the Philippines live off base. We cannot build enough family housing to accommodate all of them on base.

Under the articles of agreement by which we have our military bases there, the Philippine Government has a responsibility for security on the bases. What we are told by American dependents, though, is if they catch somebody burglarizing a house, the only thing that we can do is turn them over to the Philippine Government. They are on the street the next day; they do not even try them.

So we have in the past used guard dogs. These dogs created—when they caught somebody on the base thieving, the dog created an incident by hurting the person that was there. Now we cannot try them. It is the responsibility of the Philippine Government to bring these people to justice and they do not do a thing about it. All they do

is turn them loose, put them at liberty on their own recognizance. They do not come to trial. There is a general unhappiness and a very upset American population there if they have to stay.

Right now there are two things under consideration. There is a question of base renewal that will soon be negotiated with the Philippine Government, "shall we stay at Clark Air Force Base? Shall we stay at Subic? And, if so, at what cost?"

Also there is a very hefty request for foreign aid by the Filipinos to the United States.

My amendment simply says that we shall order the Department of Defense to make a study and report to us as to what is being done to implement and to enhance the security of American dependents stationed there, and what cooperation we are getting from the Philippine Government.

I think it is very important to our dependents that we evidence this concern, that we put something in motion. I have written to the Secretary of State, the Secretary of Defense; I have asked to be allowed to testify before the Committee on Foreign Affairs when they consider foreign aid for the Philippines. We have got to do something to protect our own. If we cannot do it then I say we ought to just pull out and let the Filipinos have it.

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Alabama [Mr. DICKINSON] to require the Secretary of Defense to provide the Congress with an annual report on security at U.S. military bases in the Philippines.

In late November, as chairman of the Subcommittee on Military Personnel and Compensation, I led a House Armed Services Committee delegation that held field hearings on military personnel issues at Okinawa and Clark Air Base in the Philippines. The field hearing at Clark in particular is one that I will long remember.

We were at Clark only a few weeks after three American servicemen were killed by Communist guerrillas in neighboring Angeles City. As a result, we expected a high anxiety level among U.S. military personnel and their families stationed in the Philippines about the possibility of further terrorist attempts on American lives. While there clearly was an undercurrent of concern about the terrorist threat, the burning issue with our men and women in uniform was the security of their homes and personal posses-

sions against petty larceny by the criminal element in the local Filipino population.

We held the field hearing in the packed base gymnasium that sultry late November evening. It was a transfixing experience for all the members present as witness after witness, often to tumultuous applause, spoke of the day-to-day fear of robberies at their quarters on base. One tearful, enlisted member's wife who had recently moved into the base told of her young child's recurrent nightmares after their on-base quarters were broken into 2 days in a row. Her 3½-year-old woke up screaming in the night each time their dog barked at a potential intruder in the area.

Our service members are willing to accept the threat of terrorism as one of the risks of their job—but not the petty thievery that runs rampant. They are justifiably outraged that they have to pay "protection" money to hire Filipino guards to protect their personal belongings from the invasion of local nationals who come "over the wall," as the base perimeter fence is sarcastically called, with impunity.

There is no question about it: The current base security situation at Clark Air Base is intolerable. In renegotiating the Philippine base agreements in the late 1970's, the United States relinquished the responsibility for perimeter security to the Philippine Armed Forces. Unfortunately, they have neither the manpower nor equipment to perform the task. In addition, those local nationals who are apprehended are turned over to a revolving-door Philippine judicial system in which prosecution, much less conviction, is a rarity indeed. United States military authorities are doing their best to shore up security operations within the base perimeter through increased patrols, improved lights, and concrete walls. The ultimate solution lies in a greater willingness by the Philippine Government to live up to the terms of their agreement to ensure the security of United States military installations and personnel stationed there. Based on recent history, the new Philippine base agreement negotiations just getting underway, are likely to move in the opposite direction. Should that occur, we must be prepared at some point to say that the price is simply too high. As the gentleman from Alabama has stated, the United States bases in the Philippines are important—but the Philippine Government must understand very clearly that they are not valuable at any price. It is imperative that the security of United States military installations and military personnel be made a major issue in both the new base agreement negotiations and in consideration of any Philippine foreign aid package. Our

service personnel stationed there deserve no less.

I urge my colleagues' support of the Dickinson amendment as an important first step toward shoring up the security provided to United States service members and their families at Clark Air Base and other United States military installations in the Philippines.

Mr. DICKINSON. I thank the gentlewoman for her statement.

In closing, let me say that you might say, "Why don't we put up a fence? First off, you cannot put up a fence through swamp and many of the areas are such on the U.S. base. We tried putting up a fence in one area. They stole the fence. They rolled up a chain link fence and they stole it when we tried to put it up for base security."

On one occasion, someone stole a fire engine, a fire truck off the base. It was never seen again. They just drove it right off the base.

So we really must do better by our dependents and our military over there. This is simply a good step in the right direction. I thought the Members would be interested that this is one of the amendments in this package.

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

Mr. ASPIN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I rise in support of my amendment on defense contractor profits. This amendment is one of those incorporated in this larger package of amendments which we are considering en bloc.

I thank the chairman and ranking minority member of the committee for incorporating my amendment in this package. I believe that the amendment's inclusion in this way is possible because of all the discussions that I have had with representatives on industry in the interest of making my proposal as practical and constructive as possible while still preserving its main thrust.

This amendment is supported by the U.S. General Accounting Office. Some industry groups have also indicated that they feel that the amendment is constructive and reasonable. At the end of my statement I will discuss a letter to this effect from the Professional Services Council, which has numerous defense contractor members.

The amendment gives the Department of Defense [DOD] the necessary information to eliminate excessive profits on future negotiated defense contracts. The information would not be used retroactively, but rather only to correct regulatory policies covering future contracts.

The amendment is the result of negotiations to meet the major objections of contractors to the much more stringent legislative provisions originally recommended by the General

Accounting Office [GAO]. In particular, this compromise amendment only applies to contractors with more than \$100 million in negotiated defense contracts. Complete confidentiality is ensured, because no Government employee ever gets data on particular contractors. The Secretary of Defense has much discretion to determine what information is reported and how it is analyzed. Finally, a government/industry advisory council is established to recommend a profit study methodology to the Secretary of Defense.

The important thing is that the amendment gives DOD a tool to constructively respond to critical reports by the GAO and the Navy that defense contractor profits are twice as high as comparable commercial profits. There is nothing wrong with profits, but they should be reasonable. Some contractors say their profits are now getting too low. If this is so, then the amendment will help them show this to the Congress and the public. In any case, getting good information cannot hurt.

This is simple because all it does is require the very biggest defense contractors to report information on their profitability to the government in a way that protects the confidentiality of the information. Only contractors who have more than \$100 million in negotiated defense contracts would be covered by the amendment. Further, the intent of the amendment is to measure profitability on negotiated contracts. Unfortunately, the majority of the dollars that the Defense Department spends are for complex items where market competition is not the final determinant of price. Therefore, the Government buyer must negotiate a reasonable profit.

Specifically, the information would be reported to an independent accounting firm hired by the Department of Defense. That independent firm would then aggregate the profitability reports by type of industry for example, aircraft manufacturers, and report this aggregated data to the Department of Defense. The Secretary of Defense would then study this aggregated data and report to Congress on his findings and on any actions he thought were necessary to ensure that these contractors make reasonable profits on future negotiated defense contracts.

This amendment is a very moderate and reasonable version of a bill I introduced last August. I have greatly modified the bill in response to comments from industry. I now believe that the amendment addresses all major concerns that have been raised by industry. The earlier bill, H.R. 3134, was prompted by a disturbing report from the General Accounting Office. GAO reported that profits of

defense contractors on negotiated defense contracts had been as much as 120 percent higher than profits by similar and comparable commercial durable goods manufacturers. GAO further concluded that defense business had been substantially more profitable than commercial business during the 8-year period studied.

GAO was not alone in finding this problem. A study by the U.S. Navy found that major defense contractors earned more than twice as much profit selling weapons to the Pentagon, 22.4 percent return on assets, as they do selling other products in the commercial marketplace, 10.1 percent return on assets. The Navy also found that the disparity in profits between defense and commercial work had been widening in recent years. This study surveyed data from 33 major corporations which together received 52 percent of contract dollars awarded by the Department of Defense, and which also have commercial enterprises.

Just as alarming, GAO found that the Department of Defense [DOD] does not systematically collect information on actual defense contractor profits on negotiated defense contracts. The majority of defense contract dollars are still awarded without competition as the ultimate determinant of price. Rather, DOD negotiates price and it also negotiates profit. Based on complex regulations, DOD negotiates what it anticipates will be a fair profit. Amazingly, DOD almost never checks its predictions by getting information on actual profitability. The current, haphazard DOD practice is to request contractors to volunteer information infrequently—every 6 or 7 years, to ask for different types of data every time, and to analyze the data using inconsistent methodologies. Using analysis from this sloppy process, DOD then adjusts important regulations aimed at ensuring contractors receive a reasonable profit.

That is why GAO recommended that Congress enact legislation to require defense contractor profitability reporting. My amendment is based on GAO's suggested legislation, but is more moderate. This compromise amendment is much different from H.R. 3134.

The amendment that I propose to offer would accomplish a primary objective of my original bill—it would mandate the annual reporting in a consistent manner of meaningful financial data on profitability of segments of contractors receiving more than \$100 million in such contracts annually. From this data, profitability of such contractors, aggregated by line of industry, on negotiated defense contracts would be calculated under a methodology to be determined largely by the Secretary of Defense, with very general guidance from the amend-

ment. In addition, the amendment establishes an advisory council to recommend such methodology to the Secretary. Most importantly, after studying the aggregated profitability information, the Secretary would report to Congress on his findings and the actions to be taken to ensure reasonable levels of profitability by covered contractors on future covered contracts.

Congress should not wait for a big public outcry over this problem. Rather, we should act now to get accurate profit information. Further, many contractors now contend that their profits are actually too low. If this is true, my amendment might actually help them show this to Congress and the public. At any rate, I do not see how getting good information can hurt, and it is surely the first requirement for any further action in the profitability area.

As you know, I have long supported higher levels of defense spending, and have been disappointed with the recent lack of public trust in and support for higher defense spending. By taking care of this problem, I hope we can restore some public confidence in the defense budget. It is in this spirit that I offer this amendment.

During recent discussions with industry, several specific issues have been raised with me. I would like to clarify the intention of the amendment with regard to these issues, and I hope that we will be able to continue discussions to address these concerns. First, the amendment contemplates profitability studies by DOD every year. However, I would like to clarify that I would expect that a comprehensive study would be conducted only every 2 or 3 years. The other studies would be minor and not intended to precipitate policy changes.

Second, some have suggested that the amendment specifically direct the Secretary of Defense to calculate profitability using "return on sales." Although the amendment ensures that return on assets shall certainly be calculated for all nonservice companies, I realize that "return on sales" may be appropriate for certain kinds of nonservice companies. At any rate, the amendment gives the Secretary of Defense discretion to use such measures as he deems appropriate.

Third, some suggest that the amendment should not direct the Advisory Council to focus exclusively on the GAO report in studying profitability methodology. While I believe that the GAO report mentioned is excellent and deserves detailed study by the council, I agree that the council should review a wide range of sources and recommendations.

Fourth, it is my intention that commercial data should only be collected to the extent that it indicates profitability of defense firms, and for pur-

poses of comparisons between parts of one company or segment.

The General Accounting Office wrote to me as follows:

In the absence of overall industry profitability data, it is not possible to determine the full impact of existing policies. A system such as you propose with an Advisory Council would, in the future, correct the current situation and would provide on an aggregated basis, absolute levels of profitability being obtained under existing policies.

Although your amendment differs from some aspects of our proposal, it is nonetheless a major step in the right direction of establishing a requirement for segment reporting for the defense industry.

The Professional Services Council representing many defense contractors, wrote me about my amendment, that "PSC has reservations about mandatory profit reporting, the modified version of your amendment eliminates PSC's major concerns with the original bill. This amendment, as presently drafted, represents a constructive effort to implement profit reporting in a responsive way."

Mr. Chairman, it therefore appears that my amendment is a thoughtful forward step, as described by the GAO; but it has been also found by many in industry to be a reasonable measure, as they say: "a constructive effort to implement profit reporting in a responsible way."

Mr. ASPIN. Mr. Chairman, for the purpose of entering into a colloquy, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. I thank the Chairman for yielding this time.

Mr. Chairman, I have an amendment that, as modified, would extend for an additional year—until December 31, 1989—the earliest date on which the uniformed services treatment facility designation of the former public service hospitals could be terminated. I am very concerned about efforts several months ago by the Department of Defense to terminate the USTF's at the end of this year and would ask the gentleman from Maryland [Mrs. BYRON] to engage in a colloquy on the future of these facilities.

Mrs. BYRON. I would be happy to do so. At the outset, let me describe briefly the current law. As you know, there is no automatic termination of the USTF status. Instead, the Department of Defense must move to terminate the USTF's through an order issued jointly with the Secretary of Health and Human Services. Both the affected facility and the Congress must be given 6 months' advance notice prior to the effective date of the proposed termination.

Mr. MAVROULES. I, frankly, do not understand the rationale for continued efforts by the Department of Defense to get rid of the USTF's. Al-

though there may have been some problems with the program in its early years, several recent studies have found the USTF's to be a cost-effective source of care. The most recent one, a March 1988, General Accounting Office report, found not only that the USTF's are as cost-effective as the current CHAMPUS Program but also that some facilities are a good buy relative to civilian providers in the surrounding community.

Mrs. BYRON. As you may know, the GAO report was prepared at the request of the Subcommittee on Military Personnel and Compensation. As a result of the GAO report, the subcommittee in section 634 of H.R. 4264 revised the criteria for termination of the USTF's by requiring the Secretary of Defense, first, to certify that more cost-effective care is available in the surrounding geographic area and, second, to submit substantiating documentation of that more cost-effective care. With the addition of this cost-effectiveness certification criterion, the Secretary of Defense currently has no justification for attempting to terminate the uniformed services treatment facility designation of the former public health service hospitals.

Mr. MAVROULES. I commend the subcommittee chairman on this important addition to the present statute but remain concerned that the Department of Defense will nonetheless continue its relentless attempts to get rid of the USTF's which currently provide valuable and much-needed medical care to DOD and other beneficiaries in their local communities. For this reason, I feel that further statutory protection of the USTF's is needed. I had originally planned to offer an amendment for a 7-year extension. However, after discussions with the gentlewoman from Maryland [Mrs. BYRON], I have modified my amendment to provide a 1-year extension with the understanding that the subcommittee will hold comprehensive hearings on the uniformed services treatment facilities in the months ahead, in order to find a permanent fix for the USTF Program. I would like to thank the gentlewoman from Maryland for her efforts on behalf of these worthwhile medical facilities and look forward to working closely with her on this matter.

Mrs. BYRON. I thank the gentleman for his efforts and want to assure him that I will be pleased to work together to provide stability and greater security for the USTF's, while ensuring both high quality care for the DOD beneficiary and the most cost-effective sources of that care for the financially strapped military health care system. As you know, improvements to the military health care system have been—and remain—a primary focus of the Subcommittee on Military Personnel and Compensation.

Mr. MAVROULES. I thank the gentlewoman for her support and for her determined efforts to improve the health care available to our men and women in uniform and their families.

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

Mr. MAVROULES. I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. I thank the gentleman for yielding.

Mr. Chairman, I, too, want to compliment the chairman of the Subcommittee on Military Personnel and Compensation of the Committee on Armed Services for the work that she has done on this important question.

In the State of Washington we have had one of these former public health service hospitals. We find that in the GAO report that the cost of the care has been coming down rather dramatically and we feel it would be a detriment to taking care of the service people and the retirees in our area if that facility was closed. So I just want to say I think you are on the right track. Your new criteria make good sense.

I want to compliment the gentleman from Massachusetts and the gentlewoman from Maryland for their help in this effort and we will continue to try to work with them in this important endeavor.

Mr. ASPIN. Mr. Chairman, I have no further requests for time.

Mr. DICKINSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

□ 1725

Mr. RITTER. Mr. Chairman, I come to the floor with two amendments in this en bloc, and one of them has to do with a very exciting new field of science and technology, the field of superconductivity.

The amendment I proposed, having worked on it with Mr. McCurdy, who also serves on the Defense Subcommittee on Research and Development, would authorize \$35 million for high-temperature superconductivity work done at the Defense Advanced Research Projects Agency [DARPA].

I might say that DARPA is an agency which manages R&D. It does not do its own R&D. It largely builds teams of researchers in the private sector. It deals with products and processes, and this is a segment of work in the field of superconductivity which is missing and which DARPA can fill a gap.

Mr. Chairman, I want to stress that out of the approximately 100 proposals judged worthy of DARPA funding, none originated from my own congressional district. I wish some did, but they do not.

I am not interested in funding this for paradoxical reasons, but I do serve

on the Committee on Science, Space, and Technology. I serve on the Energy Subcommittee on Commerce, Consumer Protection and Competitiveness, the task force on high technology and competitiveness. I am active in the competitiveness caucus, and I am committed to some strategies that will help the United States to commercialize its science, bring from the lab bench to the factory floor into the global marketplace things like superconductivity.

Mr. Chairman, we have been losing this race, too often lately mostly to the Japanese, somewhat to the Europeans, and it is our job to create the environment where the trend is reversed.

There have been recent scientific breakthroughs in superconductivity which promise to revolutionize significant products involving motors and motions, from cars, to computers, to home appliances. The President sponsored a major White House conference. The press through cover stories, and national magazines such as *Business Week* and *Time*, and headlines in the *Times* and the *Post* and hearings in the Congress as well as the Committee on Energy and Commerce focused in American industry, and academia have brought significant attention to the subject of high-temperature conductivity, but the rhetoric has so far superseded the kind of funding for manufacturing and processing technologies for these new high-temperature superconductors in U.S. industries.

We could help here. We are not going to do the job ourselves, but the Government can be a partner, and we do not want to lose the race to globalize and commercialize superconductivities. There is a big difference between basic science at a university, or a defense lab, or a national lab and having industry work out the specifics of how processes, and products and manufacturing is developed for these new materials. There is an unparalleled need to go forward at the same time with the applied work, and processing and manufacturing. Even while the basic science still evolves the stakes are so high.

Now I wish we had a civilian DARPA-style agency, someone that brought together American industry to lead the charge in new technologies, but we do not. DARPA at the present time is the only Federal body that is capable of promoting industry development in a case such as this. It is a program of management agencies, and 99 percent of the funds go to mainly private-sector firms.

The present DARPA Program, I might add, is unclassified, and we have discussed this with the DARPA leaders, and the program will be unclassified. And, if we do not give DARPA a

line item for these funds, it is conceivable that DOD weapons systems priorities could obscure the potential civilian commercial development of this technology.

Because of budgetary pressures the President's fiscal year 1989 budget allocated only \$2.9 million for DARPA superconductivity work, an 85-percent reduction. At the same time the field was exploding with discovery. The fact is that high-temperature superconductors constitute perhaps the hottest scientific discovery in recent years, and the commercial potential is enormous.

I would hate to see, Mr. Chairman, the Japanese take the lead in commercializing superconductors as they have taken the lead after decades of American lead with autos, consumer electronics, semiconductors, and other arenas of technology.

Mr. RITTER. Mr. Chairman, this amendment would authorize \$35 million in funding for high temperature superconductor work done by the Defense Advanced Research Projects Agency [DARPA].

As a member of the Science, Space and Technology Committee, Energy and Commerce Committee, chairman of the Republican Task Force on High Technology and Competitiveness, and active member of the bipartisan Competitiveness Caucus, I am committed to developing strategies to improve the United States' ability to move scientific breakthroughs from the lab bench to the factory floor. In too many areas, we are losing this race, mostly to the Japanese and somewhat less to the West Europeans. It is our job to create an environment where this trend is reversed.

Recent scientific breakthroughs in superconductivity promise to revolutionize significant numbers of products involving motors and motion—from cars to computers to home appliances. The President (in a major White House sponsored conference), the press (through cover stories in such magazines as *Business Week* and *Time*, and headlines in major newspapers), and the Congress (through many hearings), as well as American industry and academia, have focused significant attention on this subject. But, while the rhetoric has proceeded apace, the administration and Congress have thus far not provided adequate funding for the development of manufacturing and processing technologies in U.S. industry. And that's where we could well lose the global race to commercialize superconductors. There is a big difference between basic science work at a university, defense lab, or national lab and having industry work out the specifics of how they will develop, process and manufacture these new materials. There is an unparalleled need to go forward with applied work even while the basic science is still evolving; the stakes are so high.

I wish we had a civilian DARPA-style agency. But, we don't. DARPA is the only Federal body capable of promoting industry development of manufacturing and processing technologies. DARPA is a program management agency which funnels 99 percent of its funds mainly to private sector firms. DARPA will fund research and development even

when the private sector will not, due to the high risk and preliminary nature of the work.

The current DARPA program in superconductivity is unclassified. My fear is that if we don't give DARPA a line item for these funds, DOD weapon system priorities will obscure the potential civilian commercial development of this technology. When budget pressures arise, experience has shown that the DOD's civilian oriented programs suffer disproportionately. Because of budgetary pressures, the President's fiscal year 1989 budget allocated only \$2.9 million for DARPA superconductivity work, an 85 percent reduction. At the same time, the field was virtually exploding with discovery.

DARPA has indicated it could spend up to \$60 million this year on superconductivity. My amendment asks for little more than half that amount. This \$35 million investment in our technological future could well be among the best money we spend in the defense budget. I would hate to see the Japanese take the lead in commercializing superconductors as they have with autos, consumer electronics, semiconductors, and other areas. Thus far, the Federal Government has reacted with more talk than action. It's time to move.

I thank the House for considering this amendment and look forward to its passage.

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

Mr. RITTER. Mr. Chairman, I yield to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. We were having a conversation as to how to schedule this. I am trying to get some idea of how much time the gentleman might need.

Mr. RITTER. On this amendment I am just about done. I would like to introduce another amendment along with Mr. FRANK, and I will get to that in about 15 seconds.

Mr. DICKINSON. I would appreciate you being brief because we have something subsequent to this.

Mr. RITTER. My other amendment, along with the gentleman from Massachusetts [Mr. FRANK] is to encourage the President to establish a mechanism to bring Soviet defectors and prisoners of war held by the Afghan resistance to the West.

Mr. Chairman, we have had some very sorry history after World War II with the Soviet prisoners of war. We have had some sorry histories in war since then, and it is appropriate that we take an interest in some 250 defectors from the Red army who are living in cages and living in holes in the ground in Afghanistan literally and provide a mechanism whereby they could come to the United States or to the West in general.

What could happen with the withdrawal of Soviet forces, at least the main bodies of Soviet forces in Afghanistan, they may try to strike a deal for these defectors, and I would hope that we do not allow such a deal.

Mr. RITTER. Mr. Chairman, I rise in support of the Ritter/Frank amendment. This amend-

ment encourages the President to establish a mechanism to bring Soviet defectors and prisoners of war, held by the Afghan resistance, to the United States and the West. In addition, it authorizes the Department of Defense to use funds in section 304 to carry out the purposes expressed in this amendment. This amendment is based on my resolution, House Concurrent Resolution 169, which enjoys significant bipartisan support.

It is estimated that over 250 Soviet Red Army defectors and POW's are in the hands of resistance forces. The resistance forces have indicated that they are willing to allow these young men to go to United States, but the U.S. Government has done nothing to make this happen. Only a handful of Soviet Red Army defectors have made it out of Afghanistan to freedom.

These young defectors and POW's are of many Soviet nationalities and face death or imprisonment if they are forced to return to the Soviet Union. One young Soviet defector from Afghanistan, Nikolay Ryzhkov, who was until recently living in New York, returned to the Soviet Union at the urging of Soviet KGB agents. He is now serving a 13-year "strict regime" prison camp sentence in Mordovia.

At the close of World War II, hundreds of thousands of Soviet POW's were forcibly repatriated to the Soviet Union in Operation Keelhaul, where most were killed or imprisoned because the Soviets regarded, and continue to regard, POW's as traitors. We may be at the close of another war and have it in our power to work to prevent history from repeating itself.

I thank the House for considering this amendment and look forward to its passage.

Mr. Chairman, I yield to the gentleman from California [Mr. LAGOMARSINO].

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

I want to commend the gentleman from Pennsylvania [Mr. RITTER] and the gentleman from Massachusetts [Mr. FRANK] for the amendment that was just described. I strongly support it, and I urge the House to adopt it.

Mr. RITTER. Mr. Chairman, I thank the Chairman for his generosity.

Mr. DICKINSON. Mr. Chairman, I yield back the remainder of my time.

Mr. SMITH of New Jersey. Mr. Chairman, the amendment I am offering at this time authorizes the Navy to make a one-time appropriation as reimbursement to the Tinton Falls School District should any financial deficit be incurred as a result of the expansion of Naval Weapons Station Earle in Colts Neck, NJ. Mr. Chairman, I want to thank my good friend, Subcommittee Chairman MAVROULES of Massachusetts, for his support, and the Rules Committee for making consideration of the amendment in order.

Over the last 2 years, Mr. Chairman, I have worked closely with my constituents in Colts Neck, the Navy and school officials in Tinton Falls to develop a workable solution whereby the Navy children receive quality education while not unduly burdening the local communi-

ty. I believe the arrangement that we have worked out suffices in this regard. There are many in the loop who made considerable contributions to the resolution of what could have been a major crisis. A tremendous amount of credit must go, however, to immediate past mayor of Colts Neck, Hank Meisner, for his untiring and constructive efforts to find a solution to a thorny problem. I would also like to commend Ray Waters, immediate past president of the Tinton Falls Schools Board, for his diligence and creativity in providing the answer to the schooling dilemma.

To help put this entire matter into perspective, Mr. Chairman, I think it might be helpful to share some background regarding the situation at the Navy base. Naval Weapons Station-Earle spans both my district and District Three, that of our late colleague, Jim Howard. Due to the shortage of available housing and the pending relocation of two auxiliary oil and explosive [AOE] ships to Earle, the Navy has been authorized to build 500 units of housing. The units which were begun in 1986 will be built on base property which is physically situated within the Colts Neck School District.

Mr. Chairman, Colts Neck Township, the school board and concerned citizens filed suit against the Navy in February 1987 based on environmental and educational concerns. In March of last year, a court injunction, which halted the building of the homes was successful on the grounds that the Navy had violated several environmental regulations. These environmental issues are being resolved one by one and a settlement on the lawsuit is expected in the next few days.

With respect to the educational concerns, Mr. Chairman, the Tinton Falls School District has agreed to educate the children from Earle. The projected number of school-aged Navy children will increase from the current 76 to approximately 420. New Jersey Gov. Tom Kean recently signed into law the necessary legislation which permits the children who will technically live in the Colts Neck District to be educated in Tinton Falls. This new State law also allows Tinton Falls to receive its State-aid allocation upfront for school year 1988-89 instead of the usual payment in arrears. Mr. Chairman, this will help prevent an undue financial burden on the township in the startup year. Nonetheless, should the housing units not be complete by next March, which, regrettably, is the most likely scenario, the children then would not enroll in the spring 1989. The result would be that the State would withhold the Navy children's proportion of the State aid in school year 1989-90. The withdrawal of State aid for 1 year will essentially negate any benefits derived from the provision to receive the aid upfront in school year 1988-89. And I believe that would be very unfair to Tinton Falls.

Mr. Chairman, the amendment I am offering today will authorize the Navy to make a one-time appropriation as reimbursement to the school district should there be a financial deficit incurred due to the delay in arrival of the schoolchildren. The language of my amendment provides that the Secretary of the Navy will be required to make a determination that the funds are, indeed, needed before any disbursements are granted.

Mr. Chairman, it seems clear to me that Tinton Falls will only be able to educate the Navy children if it has agreed to accept if funds are provided for the startup operating costs; that is, teachers, books, and supplies. Unless the Navy is authorized to provide such funds, Mr. Chairman, Tinton Falls could face a significant shortfall in revenue and the town would be required to increase property taxes. As you can imagine, Mr. Chairman, this undue financial burden is likely to foster ill feelings in the community and resentment against the Navy dependents, not to mention the detrimental effect on the quality of education for the children.

It has been a challenge, Mr. Chairman, to hammer out this agreement whereby the Navy children are afforded a quality education and, at the same time, the surrounding communities spared from a devastating financial burden. I am pleased that this amendment will provide an integral part of the solution and urge my colleagues to support the measure.

Mr. SPRATT. Mr. Chairman, I would like to address the Bennett amendment, dealing with defense industry profits, which was among those approved en bloc yesterday.

Profits made by contractors doing business with the Department of Defense have long been a matter of concern, and probably always will be. When I came to the Department of Defense [DOD] 20 years ago, to work for the Assistant Secretary of Defense, Comptroller, efforts were underway to revamp defense profit policy. It was then believed that if profits were keyed to the contractor's capital commitment to a contract, contractors could be induced to invest more capital, and if more capital were committed, cost efficiencies would be realized. Those efforts culminated in the weighted guidelines, adopted in the mid-1970's. Since then, there have been other profit studies, some conducted by DOD itself, others by the General Accounting Office, and at least one recently by an independent group on behalf of defense industry firms.

Over the years, no one has ever quite settled all the issues involved. Not least among the unresolved issues is the most basic of all questions: What is the right rate of return for a defense contractor? Is the norm the rate earned by all durable manufacturers, or is defense business a species unto itself? Indeed, should there be differing profit rates among defense firms, in light of the disparities in technical complexity, project life, and risk among firms that vary from shipbuilding to tanks to microelectronics?

The Bennett amendment seems to stress return on assets, but is this the right return to focus on? The amendment does not foreclose other indices to profitability, but it also does not resolve which return on investment is the relevant return.

These are questions which frankly I think we should pursue in hearings before we finally enact this amendment into law. Fortunately, our colleague from Massachusetts [Mr. MAVEROULES] as chairman of the Acquisition Panel, has scheduled such a hearing, and I am hopeful that we may address, if not answer, these and other unresolved issues about contractor profits before we go to conference.

When I was in the Department of Defense, I spent the better part of 2 years working on

the financial and contractual problems of Lockheed Aircraft Corp. In order to understand Lockheed's financial problems, our team had to understand the L-1011, its wide-bodied commercial aircraft venture. We obtained from Lockheed significant details about firm sales and second buys; ship sets required for breakeven; and Lockheed's investment in research, development, and work-in-process for the L-1011. We encountered outside requests for disclosure of that data, which we declined, on the position that it was all proprietary. But in time, much of the data had to be revealed to Congress, and I daresay some of it probably reached Lockheed's commercial competitors. Based on that experience, I believe we should carefully guard the confidentiality of commercial data. The Bennett amendment recognizes that need and provides against disclosure. But from data that may be disclosed, profits on commercial work may still be discerned or inferred. Before we enact these provisions into law, I think we should make sure that even inadvertent disclosure of sensitive commercial data is avoided.

The Bennett amendment as passed corresponds closely to a substitute that I had considered offering if the gentleman offered his original profit-policy bill. Mr. BENNETT has since adopted many of the provisions in the substitute, and I think his amendment is improved. But I still believe the whole matter of defense profit policy and reporting bears further study and refinement. For example, the amendment passed yesterday calls for annual profit studies. Given the cycles in defense spending and in the economy, I think it would be wiser to collect the data annually, but do major studies of it over longer periods, at intervals of 3 to 4 years rather than annually.

Mr. Chairman, I believe we need to address issues like these before we finally enact this bill with its important policy implications into law; and I look forward to working with the gentleman from Florida to this end.

The CHAIRMAN. The question is on the en bloc amendments, as modified, offered by the gentleman from Wisconsin [Mr. ASPIN].

The en bloc amendments, as modified, were agreed to.

Mr. FRENZEL. Mr. Chairman, after the first day we worked on this bill, it became obvious that the rule was stifling or trivializing the debate on the Defense authorization. When the second rule, sillier than the first, came around, I voted against it. I am embarrassed to have voted for the first one.

We have been working on this bill for a week now. There has been plenty of debate; there have been plenty of votes. We have yet to talk much about the defense of our country or the items and costs of the bill.

The amendments are either within the jurisdiction of other committees, or are trifling. Arms control is an issue of critical importance, but has been trivialized by restricted debate with time available only to Armed Services Committee members, rather than the Foreign Affairs Committee members, or run-of-pile Congressmen like myself. The same criticism may be made of the Buy America amendments.

Today we, those of us on the Armed Services Committee that is, are debating trifling, micromanagement amendments or blue-sky, sense-of-Congress amendments that have real meaning only to their sponsors.

I would like to join the debate on military spending. I would like to listen to debate on systems or costs, or tradeoffs. Neither seems to be possible under the rule.

The right way to handle this bill is under an open rule with no waivers of germaneness or jurisdiction. The old-fashioned way is probably terrifying to the House leadership. It might cause issues to be raised, or arguments to be made, that aren't under leadership control through the rule.

It might take a few more days to finish the bill under an open rule. So what? We have not been overworked so far this year.

Every time this House votes to control, that means stifle, debate, it diminishes our procedures, our legislation, and our reputation. We gain nothing from this control, but we lose the very character and tradition of the House.

I know as much about the portions of the bill covered on days like last Friday when I was in Minnesota, as I do about the sections on which we are working today. I am left with no choice but to vote against the bill.

H.R. 4264 came to us from committee at a spending level agreed to at the summit last year. That was too high a level, and there have been limited opportunities for reductions. The costs are too dear and the procedures too unfair. I shall vote "no."

□ 1735

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mrs. BOXER] having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4264) to authorize appropriations for the fiscal year 1989 amended budget request for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1989, to amend the National Defense Authorization Act for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 4264.

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

There was no objection.

AMERICANS WITH DISABILITIES ACT OF 1988

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

Mr. MILLER of California. Mr. Speaker, I am pleased to join my colleagues in introducing the Americans with Disabilities Act of 1988.

More than a decade has elapsed since the passage of the landmark legislation that afforded disabled children the right to a free, appropriate public education. We have come a long way since disabled children were educated in school basements or hidden away in institutions.

But we have made little progress in offering these same children equal access to jobs, housing, or transportation once they leave school. In the real world, pervasive and unrelenting discrimination against individuals with disabilities is still a fact of life.

In 1973, Congress enacted section 504 of the Rehabilitation Act to protect the civil rights of disabled individuals—but only in agencies or organizations of the Federal Government or supported by the Federal Government.

As chairman of the Select Committee on Children, Youth, and Families, I am concerned about how we explain to children that their rights are protected only some of the time? How do we tell these children that the principle of equality matters only when Federal funds are specifically engaged?

The administration has hardly been a role model. In their proposal to withdraw Public Law 94-142's protective regulations, in their support of Grove City and in the shameful Presidential veto of the Civil Rights Act, and in their attempt to throw people off of SSI completely or reduce their benefits, they have demonstrated the official administration policy—to condone and carry out their own acts of blatant discrimination.

This legislation says to the administration, and to the Nation, that discrimination against individuals with disabilities is unacceptable anytime, anywhere, and under any circumstances.

To those who suggest that by giving disabled persons the right to enter the same buildings, live in the same neighborhoods, take the same planes and buses, or be able to enjoy the same TV shows that all citizens do is too costly, let them consider the billions of dollars that result from increased dependency, demoralization, and lost opportunities.

By denying basic rights, we are denying 36 million people with disabilities the right to be independent, productive, and economically self-sufficient.

The intent of the legislation is, however, to be reasonable in the pursuit of equality. The scope of discrimination prohibited is in line with other types of civil rights law. Only employers with 15 or more employees would be required to refrain from discriminatory hiring or workplace practices. In improving building accessibility, changes are not required if the existence of the business or facility is jeopardized. Mass transportation authorities would have up to 10 years to institute appropriate modifications.

I am not prepared, and I don't think the Nation is prepared, to tell disabled children

that there are limits on their future, that there will be no protection from prejudicial attitudes or practices in the community or in the workplace, and that equality and free access are available only to some, and then only on certain occasions.

I want to thank my colleagues, especially Mr. COELHO, Mr. CONTE, and Mr. OWENS, for their leadership and for refusing to pass that kind of legacy on to the Nation's children. I pledge to work diligently for the bill's passage.

TRIBUTE TO LADY BIRD JOHNSON

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

Mr. UDALL. Mr. Speaker, I want to take a moment to say thank you to Lady Bird Johnson for all of her fine work. No one has done so much to make our country beautiful. Those of us who are fortunate enough to work in the Nation's Capital are the primary beneficiaries of her efforts. She has made our Capital a beautiful place. It was only about a block away from this Chamber that Lady Bird began her beautification program, and from that small beginning, grew a more attractive Nation. Lady Bird's efforts are not only part of our Nation's history, but are entangled in my family's history as well. My brother Stewart, as Secretary of the Interior, enacted much of the program which Lady Bird envisioned. Stewart always regarded that part of his job as a highlight of his service to this country. Lady Bird, our country owes you so much, and I am happy to see that we are beginning to pay our debt.

PERSONAL EXPLANATION

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

Mr. MACKAY. Mr. Speaker, due to a previous commitment I was forced to miss votes today. Had I been able to vote, I would have voted for H.R. 1811, for Mr. HUNTER's amendment to Mr. FOLEY's amendment, and for Mr. FOLEY's amendment as amended and against Mr. LOWRY's and Mr. MARKEY's amendments.

I appreciate the consideration of the Chair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Alaska (at the request of Mr. MICHEL) for today, on account of official business.

Mr. WYLIE (at the request of Mr. MICHEL), for today, on account of a death in the family.

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. BAKER) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH, for 60 minutes, today.

Mr. McEWEN, for 5 minutes, today.

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

Mr. MacKAY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mr. UDALL, 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. BAKER) and to include extraneous matter:)

Mr. DANNEMEYER.

Mr. MICHEL.

Mr. GALLO.

Mr. McEWEN.

Mr. SMITH of New Jersey in two instances.

Mr. DORNAN of California.

Mr. DANNEMEYER.

Mr. ROWLAND of Connecticut.

Mr. SENSENBRENNER.

Mr. BEREUTER in two instances.

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

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mrs. LLOYD in five instances.

Mr. HAMILTON in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. DE LA GARZA in 10 instances.

Mr. SMITH of Florida.

Mr. SKELTON.

Mr. McMILLEN.

Mrs. SCHROEDER.

Mr. MRAZEK.

Mr. ROE.

Mr. ERDREICH in two instances.

Mr. SKAGGS in two instances.

Mr. TORRICELLI.

Ms. SLAUGHTER of New York.

Mr. RANGEL.

Mr. KENNEDY.

Mr. MAZZOLI.

Mr. KILDEE.

Mr. MOAKLEY.

Mr. DELLUMY.

Mr. TRAXLER.

Mr. BOSCO.

Mr. CONYERS.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1828, An act for the relief of San Juan County Nursing Home, of Blanding, UT; to the Committee on Energy and Commerce.

S. 1886, An act to modernize and reform the regulation of financial services, to strengthen the enforcement authority of depository institution regulating agencies, and for other purposes; to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

S. 2049, An act to establish an independent Commission on the Veterans' Administration Home Loan Guaranty Program; to amend title 38, United States Code, to authorize reductions in the interest rate on loans made by the Veterans' Administration to finance the sales of properties acquired by the Veterans' Administration as the result of foreclosures and to establish creditworthiness requirements and require a 0.5 per centum fee for assumptions of such

loans other than those sold without recourse, and for other purposes; to the Committee on Veterans' Affairs.

S. Con. Res. 95, Concurrent resolution to express the sense of the Congress with respect to the denial of health insurance coverage for disabled adopted children; to the Committee on Energy and Commerce.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 2273, An act to provide for the transfer of certain funds to the Secretary of the Interior for the benefit of certain members of the Crow tribe, and

S.J. Res. 59, Joint resolution to designate the month of May 1988 as "National Foster Care Month."

ADJOURNMENT

Mr. SKAGGS, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 3, 1988, at 12 noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the third and fourth quarters of calendar year 1987 and the first quarter of calendar year 1988 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1987

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Delegations expenses			England								
Local transportation	7/2	7/5						5,944.32		5,944.32	
Control room	7/2	7/5							2,085.47		2,085.47
Delegations expenses			France								
Local transportation	7/5	7/7							1,040.35		1,040.35
Control room	7/5	7/7							1,178.60		1,178.60
Committee total									10,248.74		10,248.74

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM H. GRAY III, Chairman, Apr. 21, 1988.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1987

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Paul McNulty, staff	7/12	7/17	Costa Rica		792.00						792.00
Commercial transportation							734.00				734.00
Hayden Gregory, staff	7/12	7/18	Costa Rica		792.00		224.63		107.07		1,123.70

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1987—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial transportation.....							718.26				718.26
Rafael Maestri, staff.....	7/12	7/18	Costa Rica.....		792.00		21.60				813.60
Commercial transportation.....							478.00				478.00
Committee total.....					2,376.00		2,176.49		107.07		4,659.56

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER W. RODINO, JR., Chairman.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1987

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. William D. Ford.....	8/20	8/25	Great Britain.....				1,570.00		17.55		1,587.55
Hon. Gary L. Ackerman.....	8/18	8/21	Great Britain.....				942.00		17.55		959.55
Committee total.....							2,512.00		35.10		2,547.10

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Apr. 20, 1988.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1987

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Wise, Samuel G.....	6/21	8/1	Austria.....						5,171.26		5,171.26
Committee total.....									5,171.26		5,171.26

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Hotel expenses.

STENY H. HOYER, Apr. 12, 1988.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1987

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Wise, Samuel G.....	9/14	10/17	Austria.....						4,753.03		4,753.03
	10/24	12/18	Austria.....						8,137.51		8,137.51
Committee total.....									12,890.54		12,890.54

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Hotel expenses.

STENY H. HOYER, Apr. 12, 1988.

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Harold L. Volkmer	1/6	1/7	El Salvador		110.00						110.00
	1/7	1/9	Tahiti		350.00						350.00
	1/10	1/13	New Zealand		504.00						504.00
	1/13	1/17	Australia		562.00						562.00
	1/17	1/19	Papua New Guinea		322.00						322.00
	1/19	1/21	Taiwan		364.00						364.00
	1/21	1/24	South Korea		447.00						447.00
Military transportation							8,500.00				8,500.00
Hon. E. Thomas Coleman	1/9	1/13	West Germany		872.00						872.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation							962.00				962.00
William O'Connor	2/1	2/6	Singapore		864.00						864.00
	2/6	2/10	Hong Kong		8,268	1,060.00					1,060.00
Commercial transportation							2,612.00				2,612.00
A.M. Castillo	2/4	2/5	West Germany		336.21	199.00					199.00
	2/6	2/15	Italy	2,325.655	1,865.00						1,865.00
Commercial transportation							3,943.00				3,943.00
Timothy Galvin	2/4	2/5	West Germany		336.21	199.00					199.00
	2/6	2/15	Italy	2,325.655	1,865.00						1,865.00
Commercial transportation							3,943.00				3,943.00
Hon. Arian Stangeland	2/25	2/26	Sweden	3,027.80	502.00						502.00
	2/27	2/29	Norway	3,823.80	600.00						600.00
Commercial transportation							4,090.00				4,090.00
Hon. Edward R. Madigan	1/6	1/8	Hong Kong								
	1/11	1/12	Hong Kong	4,948.10	636.00						636.00
	1/8	1/11	China	1,625	438.00						438.00
Commercial transportation							305.40				305.40
Code: Diane Liesman	1/6	1/8	Hong Kong								
	1/11	1/12	Hong Kong	4,948.10	636.00						636.00
	1/8	1/11	China	1,625	438.00						438.00
Commercial transportation							305.40				305.40
Jacqueline Parke	1/6	1/8	Hong Kong								
	1/11	1/12	Hong Kong	4,948.10	636.00						636.00
	1/8	1/11	China	1,625	438.00						438.00
Commercial transportation							305.40				305.40
Charles Hilly	1/6	1/8	Hong Kong								
	1/11	1/13	Hong Kong								
	1/17	1/19	Hong Kong	9,896.10	1,272.00						1,272.00
	1/8	1/11	China	1,625	438.00						438.00
	1/13	1/17	Philippines	13,941.96	670.00						670.00
Commercial transportation							538.85				538.85
Code: Madigan other expenses:											
Local transportation							1,018.75				1,018.75
Foreign Service personnel									117.53		117.53
Miscellaneous (telephone)									186.02		186.02
Hon. Robin Tallon	3/6	3/8	Switzerland		410.00						410.00
Military transportation							5,531.00				5,531.00
Hon. James R. Olin	3/6	3/8	Switzerland		275.86						275.86
Military transportation							5,531.00				5,531.00
Hon. Arian Stangeland	3/6	3/8	Switzerland		410.00						410.00
Military transportation							5,531.00				5,531.00
Hon. Bill Emerson	3/6	3/8	Switzerland		410.00						410.00
Military transportation							5,531.00				5,531.00
Hon. Robert F. Smith	3/6	3/8	Switzerland		410.00						410.00
Military transportation							5,531.00				5,531.00
Committee total					19,352.86		54,178.80		330.12		73,861.78

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Marge Roukema	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Bruce Vento	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Pat Swindall	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Thomas Manton	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Gerald Kleczka	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Tom McMillen	1/4	1/6	Sao Paulo, Brazil		308.00						308.00
	1/6	1/8	Buenos Aires, Argentina		405.00				77.48		482.48
	1/8	1/9	Santiago, Chile		139.00		3,606.87		24.86		3,770.73
Hon. Walter Fauntroy	1/5	1/7	Barbados				780.00		21.00		801.00
Hon. Pat Swindall	1/20	1/27	Peoples Republic China		1,113.07						1,113.07
	1/27	1/29	Republic of Korea		166.00		14,461.90				14,627.90
Hon. Kweisi Mfume	2/4	2/8	Barbados		779.00		14,484.22				15,263.22
Hon. George Wortley	2/14	2/16	Madrid, Spain		303.72						303.72
	2/16	2/18	Paris, France		476.55				23.30		499.85
	2/18	2/19	Milan, Italy		674.78		2,736.87				3,411.65
Hon. Walter Fauntroy	3/20	3/22	Caracas, Venezuela		250.00		1,162.00				1,412.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Alfred McCandless	3/18	3/21	Caracas, Venezuela		375.00		^a 813.00				1,188.00
Robert Browne	3/19	3/24	Caracas, Venezuela		625.00		^a 806.00				1,431.00
Marc Constantine	3/19	3/24	Caracas, Venezuela		625.00		^a 806.00				1,431.00
Committee total					6,240.12		39,656.86		146.64		49,043.62

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military transportation.⁴ Ground transportation.⁵ Commercial transportation.

FERNAND J. ST GERMAIN, Chairman, Apr. 27, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Congressman Martin Frost	2/14	2/16	Spain		415.84						415.84
	2/17	2/18	France		582.45				207.67		790.12
	2/19	2/20	Italy		885.39						885.39
Commercial transportation							2,303.88				2,303.88
Patrick Bogenberger	1/2	1/4	Hong Kong		324.00						324.00
	1/4	1/7	China (PRC)		404.00						404.00
	1/7	1/8	Japan		242.00						242.00
	1/8	1/11	South Korea		348.00						348.00
	1/11	1/12	Philippines		134.00						134.00
Department of Army transportation							2,139.56				2,139.56
Peter Storm	1-30	2-2	Austria		578.00						578.00
	2-2	2-4	Italy		418.00						418.00
	2-4	2-6	Germany		402.00						402.00
	2-6	2-9	England		790.00				66.55		856.55
Commercial carrier (Pan Am)							2,429.00				2,429.00
Lawrence Adams	1-3	2-2	Austria		578.00						578.00
	2-2	2-4	Italy		418.00						418.00
	2-4	2-6	Germany		402.00						402.00
	2-6	2-9	England		790.00						790.00
Commercial carrier (Pan Am)							2,429.00				2,429.00
Linda Hartke	1/2	1/15	Thailand				^a 3,034.00				5,533.00
			Bangkok		2,499		⁴ 124.31				124.31
			Chiang-Kham								
			Chiang-Rai								
			Hat Yai								
			Phuket								
	1/15	1/16	Laos, Vientiane				⁴ 86.11				86.11
	1/16	1/19	Thailand								
Committee total					10,210.68		12,545.86		340.77		23,030.76

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Commercial air transportation.⁴ Local transportation.

WILLIAM H. GRAY III, Chairman, Apr. 21, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Patricia Morrissey	3/22	3/30	Italy		800.00		1,355.00				2,155.00
Ricardo Martinez	3/19	3/25	France		1,000.00		907.00				1,907.00
Lawrence Zaglaniczny	3/17	3/26	France		1,000.00		818.00				1,818.00
Hon. Tom Sawyer	1/9	1/13	West Germany	1,442.29			^a 1,105.00				2,190.00
	1/13	1/17	Soviet Union		708.00		^a 846.00		26.57		1,580.57
Committee total					4,593.00		5,031.00		26.57		9,650.57

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military transportation, U.S./Europe and in Europe.⁴ Commercial transportation, Europe/U.S.

AUGUSTUS F. HAWKINS, Chairman, Apr. 25, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Ackerman, G.	3/23	3/25	Panama		212.00						212.00
Military transportation							4,599.10				4,599.10
Andross, S.	2/8	2/9	France		248.00						248.00
	2/9	2/11	Italy		418.00						418.00
	2/11	2/13	England		506.00						506.00
Commercial transportation							2,430.90				2,430.90
Agris, N.	3/23	3/25	Panama		212.00						212.00
Military transportation							4,599.10				4,599.10
Atkins, C.	1/4	1/19	Thailand		1,176.00						1,176.00
	1/12	1/15	Vietnam		441.00		534.05				975.05
	1/15	1/16	Laos		73.50		87.00				160.50
	1/16	1/19	Thailand		441.00		753.01		496.97		1,690.98
Commercial transportation							4,741.25				4,741.25
Bereuter, D.	1/20	1/27	PRC (China)		1,113.07						1,113.07
	1/27	1/29	South Korea		332.00						332.00
Military transportation							14,461.90				14,461.90
White House transportation	3/5	3/8	Switzerland		420.00						420.00
Berry, S.	1/20	1/27	PRC (China)		1,113.07						1,113.07
	1/27	1/29	South Korea		332.00						332.00
Military transportation							14,461.90				14,461.90
	2/29	3/2	Switzerland		426.00						426.00
Biegun, S.	1/20	1/27	PRC (China)		1,113.07						1,113.07
	1/27	1/29	South Korea		332.00						332.00
Military transportation							14,461.90				14,461.90
Bolognese, K.	1/31	2/4	Switzerland		800.00						800.00
Commercial transportation							3,871.00				3,871.00
Boyer, R.K.	1/10	1/13	Yugoslavia		462.00						462.00
	1/13	1/14	Poland		139.50		58.97				139.50
	1/14	1/16	West Germany		398.00						398.00
	1/16	1/20	England		968.00		181.97				1,149.97
Commercial transportation							3,723.00				3,723.00
Bowman, M.	2/4	2/8	Barbados		779.00						779.00
Military transportation							1,484.22				1,484.22
Broomfield, W.	2/29	3/2	Switzerland		426.00						426.00
Military transportation							7,085.10				7,085.10
Bruce, T.	3/7	3/11	South Korea		498.00						498.00
	3/11	3/14	Hong Kong		636.00						636.00
	3/14	3/17	Singapore		432.00						432.00
Commercial transportation							4,660.00				4,660.00
Bush, R.	1/6	1/17	Philippines		1,474.00		337.67		258.00		2,069.67
	1/17	1/20	Taiwan		647.00						647.00
	1/20	1/23	Japan		876.00				920.92		1,796.92
Commercial transportation							3,995.00				3,995.00
Calabia, D.	1/4	1/19	Thailand		2,205.00				496.97		3,448.97
	1/12	1/15	Vietnam				747.00				747.00
	1/15	1/16	Laos				150.00				150.00
Commercial transportation							4,541.00				4,541.00
Commercial transportation	2/2	2/7	India		^a 272.67						272.67
Chambers, F.M.	1/10	1/14	Paraguay		500.00						500.00
	1/15	1/17	Panama		294.00						294.00
	1/17	1/20	Costa Rica		528.00				82.19		610.19
	1/20	1/22	Honduras		426.00						426.00
Commercial transportation							3,477.00				3,477.00
Crockett, G.W.	1/6	1/7	El Salvador		110.00						110.00
	1/7	1/9	Tahiti		350.00						350.00
	1/10	1/13	New Zealand		486.00						486.00
	1/13	1/17	Australia		528.00						528.00
	1/17	1/19	Papua, New Guinea		363.00						363.00
	1/19	1/21	Taiwan		364.00						364.00
	1/21	1/24	Korea		447.00						447.00
Military transportation							8,500.00				8,500.00
	2/4	2/8	Barbados		779.00						779.00
Military transportation							1,484.22				1,484.22
Daoust, E.	1/9	1/13	West Germany		1,085.00						1,085.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation							3,401.00				3,401.00
Military transportation							1,105.00				1,105.00
Donovan, M.	2/29	3/2	Switzerland		426.00						426.00
Military transportation							7,085.10				7,085.10
Dornan, R.	1/18	1/19	Nicaragua								
	1/19	1/20	Honduras								
Commercial transportation							852.11				852.11
Military transportation 1 way	3/23	3/25	Honduras				1,566.18				1,566.18
Commercial transportation 1 way							250.00				250.00
Dunman, T.	3/23	8/25	Panama		212.00						212.00
Military transportation							4,599.10				4,599.10
Dymally, M.	1/4	1/10	Zaire		1,126.00						1,126.00
	1/10	1/11	Belgium		195.00						195.00
	1/11	1/13	Israel		225.00						225.00
	1/14	1/14	Jordan		107.00		88.95				195.95
	1/14	1/16	Saudi Arabia		^a 468.00		96.00				564.00
Commercial transportation							2,903.20				2,903.20
Eckert, S.	1/11/	1/16	Japan		1,752.00				13.20		1,765.20
Commercial transportation							2,019.00				2,019.00
Fascell, D.	2/4	2/8	Barbados		779.00						779.00
Military transportation							1,484.22				1,484.22
	2/29	3/2	Switzerland		^a 207.44						207.44
Military transportation							7,085.10				7,085.10
Finley, M.	1/19	1/25	Portugal		^a 624.70						624.70
Commercial transportation							4,053.00				4,053.00
	2/4	2/8	Barbados		^a 612.77						612.77
Military transportation							1,484.22				1,484.22
	2/29	3/2	Switzerland		^a 335.55						335.55
Military transportation							7,085.10				7,085.10
Finn, D.	1/11	1/11	England		121.00						121.00
	1/13	1/21	South Africa		^a 994.00						994.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988—

Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial transportation							4,468.00				4,468.00
Fite, W.	1/13	1/14	Belgium		195.00						195.00
	1/14	1/17	France		582.00		43.65				625.65
	1/17	1/20	Soviet Union		550.00						550.00
	1/20	1/21	Austria		191.00						191.00
	1/21	1/24	Germany		675.00		65.60				740.60
	1/24	1/27	England		726.00						726.00
Commercial transportation							4,583.00				4,583.00
Ford, B.	1/9	1/13	Germany		1,085.00						1,085.00
	1/13	1/17	Soviet Union		708.00		26.57				734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation							3,401.00				3,401.00
Military transportation							1,105.00				1,105.00
Fuster, J.	1/4	1/6	Brazil		308.00						308.00
	1/6	1/8	Argentina		405.00						405.00
	1/8	1/9	Chile		139.00		26.53		77.48		243.01
Military transportation							3,606.87				3,606.87
Galey, M.	2/29	3/2	Switzerland		^a 267.76						267.76
Military Transportation							7,085.10				7,085.10
Gilman, B.	1/9	1/13	Germany		1,278.00						1,278.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
Commercial transportation							1,766.00				1,766.00
Military transportation							1,105.00				1,105.00
Goodman, M.	3/23	3/31	India		^a 902.82						902.82
Commercial transportation							5,568.00				5,568.00
Grunberg, C.	1/11	1/17	Japan		1,752.00				13.20		1,765.20
Commercial transportation							2,019.00				2,019.00
Hickey, D.	2/4	2/8	Barbados		779.00						779.00
Military transportation							1,484.22				1,484.22
Huber, R.	1/9	1/13	Germany		1,085.00						1,085.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation							3,401.00				3,401.00
Military transportation							1,105.00				1,105.00
Inglee, W.	1/13	1/14	Belgium		195.00						195.00
	1/14	1/20	Soviet Union		^a 1,100.00						1,100.00
	1/20	1/21	Austria		191.00						191.00
	1/21	1/24	West Germany		675.00						675.00
	1/24	1/26	England		484.99						484.99
Commercial transportation							4,583.00				4,583.00
Ingram, G.	2/4	2/8	Barbados		779.00						779.00
Military transportation							1,484.22				1,484.22
Jackson, D.	1/9	1/13	West Germany		1,085.00						1,085.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation 1 way							3,401.00				3,401.00
Military transportation 1 way							1,105.00				1,105.00
Jenkins, R.	1/10	1/14	Paraguay		500.00						500.00
	1/15	1/16	Panama		294.00						294.00
	1/16	1/20	Costa Rica		528.00						528.00
	1/20	1/22	Honduras		426.00				82.19		610.19
Commercial transportation							3,477.00				3,477.00
Kostmayer, P.	3/23	3/25	Panama		212.00						212.00
Military transportation							4,599.10				4,599.10
Lantos, T.	1/9	1/13	West Germany		872.00						872.00
	1/13	1/17	Soviet Union		708.00		26.57				734.57
	1/17	1/19	Czechoslovakia		328.00						328.00
Commercial transportation 1 way							1,303.58				1,303.58
Military transportation 1 way							1,105.00				1,105.00
Levine, M.	1/3	1/10	Israel		1,120.00						1,120.00
	1/10	1/10	Jordan		164.00		45.01		49.86		258.87
	1/10	1/12	Iraq		200.00		353.89				553.89
	1/12	1/13	Kuwait		228.00				22.85		250.85
	1/13	1/15	Bahrain		208.00				367.18		575.18
	1/15	1/16	Saudi Arabia		180.00						180.00
	1/16	1/19	Oman		485.00				215.43		700.43
Commercial transportation							4,805.00				4,805.00
Lonie, D.	1/20	1/27	PRC (China)		^a 663.07						663.07
	1/27	1/29	South Korea		332.00						332.00
Military transportation							14,461.90				14,461.90
Lukens, D.	12/23	12/27	Czechoslovakia		632.00						632.00
	12/27	1/2	Hungary		1,036.00						1,036.00
Commercial transportation							1,999.10				1,999.10
Mack, C.	3/17	3/19	Panama		63.25						63.25
No transportation cost											
Miller, J.	1/9	1/13	West Germany		872.00						872.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation 1 way							1,383.00				1,383.00
Military transportation 1 way							1,105.00				1,105.00
Morrison, S.	1/12	1/13	Italy		700.00						700.00
	1/14	1/21	Angola		700.00						700.00
	1/21	1/22	Brazil		700.00						700.00
Commercial transportation							4,254.00				4,254.00
Nellius, R.	2/4	2/8	Barbados		^a 535.82						535.82
Military transportation							1,484.22				1,484.22
Oliver, R.S.	2/11	2/13	Belgium		394.00						394.00
	2/13	2/17	France		992.00						992.00
	2/17	2/17	Switzerland				37.14				37.14
	2/17	2/20	Austria		588.00				103.71		691.71
Commercial transportation							2,976.34				2,976.34
	3/7	3/8	Belgium		195.00						195.00
	3/8	3/12	Soviet Union		750.00						750.00
Commercial transportation							4,364.00				4,364.00
Owens, W.	2/14	2/14	Egypt								
No transportation cost											
Paolo, B.	1/31	2/4	Switzerland		800.00						800.00
Commercial transportation							3,871.00				3,871.00
Peckham, G.	1/11	1/11	England		121.00						121.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988—

Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial transportation	1/13	1/21	South Africa		1,309.00						^a 1,309.00
Peel, K.	1/10	1/13	Yugoslavia		462.00		4,529.00				4,529.00
	1/13	1/14	Poland		139.00		58.97				520.97
	1/14	1/16	West Germany		398.00						139.50
	1/16	1/21	England		1,210.00						398.00
Commercial transportation							3,723.00				1,210.00
Quilter, P.	2/4	2/8	Barbados		779.00						3,723.00
Military transportation							1,484.22				779.00
Roberts, A.	1/7	1/11	Korea		664.00						1,484.22
	1/11	1/15	Japan		1,460.00						664.00
	1/16	1/21	Thailand		735.00				103.24		1,460.00
Commercial transportation							4,762.00				838.24
Roth, S.	1/3	1/4	Singapore		140.00						4,762.00
	1/4	1/7	Korea		498.00						140.00
	1/7	1/16	Philippines		^a 657.04		337.67		258.00		498.00
Commercial transportation							4,898.00				1,252.71
Roth, T.	2/4	2/8	Barbados		779.00						4,898.00
Military transportation							1,484.22				779.00
Smith, C.	1/7	1/8	Romania		256.00						1,484.22
	1/8	1/9	Germany		175.00						256.00
Commercial transportation							2,715.00				175.00
Smith, L.	1/3	1/14	Israel		1,760.00						2,715.00
Commercial transportation							3,879.00				1,760.00
Snowe, O.	1/10	1/13	Yugoslavia		462.00		58.97				3,879.00
	1/13	1/14	Poland		139.50						462.00
	1/14	1/16	Germany		398.00						139.50
Commercial transportation							3,647.00				398.00
Solarz, S.	1/3	1/4	Singapore		140.00						3,647.00
	1/4	1/7	Korea		498.00						140.00
	1/7	1/17	Philippines		1,474.00		337.67		258.00		498.00
	1/17	1/20	Taiwan		647.00		104.27		1,955.41		2,069.67
	1/20	1/23	Japan		876.00						2,706.68
Commercial transportation							4,898.00				876.00
	2/5	2/7	Germany		603.00						4,898.00
Military transportation							3,432.15				603.00
Solomon, G.	1/20	1/27	PRC (China)		1,113.07						3,432.15
	1/27	1/29	Korea		332.00						1,113.07
Military transportation							14,461.90				332.00
Spalatin, I.	1/13	1/14	Belgium		195.00						14,461.90
	1/14	1/16	France		244.00		43.65				195.00
	1/16	1/20	Soviet Union		75.00		70.00				287.65
	1/20	1/21	Austria		191.00		84.20				820.00
	1/21	1/24	Germany		675.50		65.60				191.00
	1/24	1/27	England		726.00						741.10
Commercial transportation							4,583.00				726.00
Sprunger, C.	1/2	1/4	Hong Kong		324.00						4,583.00
	1/4	1/7	PRC (China)		^a 329.00						324.00
	1/7	1/8	Japan		242.00						^a 329.00
	1/8	1/11	Korea		^a 298.00						242.00
	1/11	1/12	Philippines		^a 84.00						^a 298.00
Commercial transportation							2,139.56				84.00
Torricelli, R.	1/10	1/11	Jordan				45.01		49.86		2,139.56
	1/11	1/12	Iraq		100.00		458.10				49.86
	1/12	1/12	Kuwait		228.00				22.85		558.10
	1/13	1/15	Bahrain		208.00		367.18				22.85
	1/15	1/16	Saudi Arabia		180.00						575.18
	1/16	1/19	Oman		485.00		215.43				180.00
Commercial transportation							7,203.51				700.43
Verstendig, T.	1/10	1/13	Yugoslavia		462.00		58.97				7,203.51
	1/13	1/14	Poland		139.50						462.00
	1/14	1/16	Germany		398.00						58.97
	1/16	1/20	England		968.00						139.50
Commercial transportation							3,723.00				398.00
Watson, L.	2/4	2/8	Barbados		779.00						968.00
Military transportation							1,484.22				779.00
Weinberg, H.	1/9	1/13	Germany		1,065.00						1,484.22
	1/13	1/17	Soviet Union		708.00				26.57		1,065.00
	1/17	1/19	Czechoslovakia		328.00						708.00
Commercial transportation							4,577.00				328.00
Military transportation							1,105.00				4,577.00
	1/19	1/21	Austria		382.00		17.43		206.00		1,105.00
	1/21	1/23	Germany		386.00		60.16		100.00		382.00
	2/4	2/8	Barbados		779.00						386.00
Weiss, T.							1,484.22				779.00
Military transportation							1,484.22				1,484.22
White, J.	1/11	1/17	Japan		1,752.00				13.20		1,752.00
Commercial transportation							2,019.00				13.20
	2/4	2/8	Barbados		779.00						2,019.00
Military transportation							1,484.22				779.00
Wilkins, K.	1/9	1/13	Germany		872.00						1,484.22
	1/14	1/16	France		488.00						872.00
	1/16	1/20	Soviet Union		750.00						488.00
	1/20	1/21	Austria		191.00						750.00
	1/21	1/24	Germany		675.00		25.60				191.00
	1/24	1/27	England		^a 534.00						701.10
Commercial transportation							4,701.90				534.00
Military transportation							1,105.00				4,701.90
Wright, J.	1/13	1/14	Belgium		195.00						1,105.00
	1/14	1/16	France		244.00		43.65				195.00
	1/16	1/20	Soviet Union		750.00		70.00				244.00
	1/20	1/21	Austria		191.00		84.20				750.00
	1/21	1/24	Germany		675.00		65.60				191.00
	1/24	1/27	England		726.00						740.60
Commercial transportation							4,583.00				726.00
Committee total					111,363.66		365,016.70		6,326.13		482,706.49

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Represents refunds of unused per diem.

DANTE B. FASCELL, Chairman, Apr. 29, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. William Clinger, Jr.	1/9	1/13	West Germany	1,442.29	872.00					1,442.29	872.00
	1/13	1/17	Soviet Union		708.00				26.57		734.57
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial airfare							640.56				640.56
Military airfare							1,105.00				1,105.00
Committee total					2,022.00		1,745.56		26.57		3,794.13

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JACK BROOKS, Chairman, Apr. 20, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Barbara Vucanovich	1/20	1/27	People's Republic of China		1,113.07						1,113.07
	1/27	1/29	South Korea		332.00						332.00
Committee total					1,445.07						1,445.07

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MORRIS K. UDALL, Chairman, Apr. 11, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1988.

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Andrew Feinstein	2/9	2/16	Japan	233,748	1,812.00					233,748	1,812.00
Commercial transportation							4,225.00				4,225.00
Kristin Gilbert	3/22	3/29	Italy		700.00		114.75				814.75
Commercial transportation							1,423.68				1,423.68
Committee total					2,512.00		5,763.43				8,275.43

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Apr. 12, 1988.

EXECUTIVE COMMUNICATIONS, ETC.

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

3541. A communication from the President of the United States, transmitting the fiscal year 1989 budget of the District of Columbia and revised fiscal year 1988 request, pursuant to Public Law 93-198, section 446 (87 Stat. 806); Public Law 98-473, section 101(b) (98 Stat. 1837) (H. Doc. No. 100-188); to the Committee on Appropriations and ordered to be printed.

3542. A letter from the Assistant General Counsel (Legal Counsel), Department of Defense, transmitting a report of individuals who filed DD Form 1787, report of DOD and defense related employment, for fiscal year 1987, pursuant to 10 U.S.C. 2397(e); to the Committee on Armed Services.

3543. A letter from the Deputy Secretary of Defense, transmitting notification of the

transfer of funds in support of the Nicaraguan Democratic Resistance, pursuant to 10 U.S.C. 114nt.; to the Committee on Armed Services.

3544. A letter from the Assistant Secretary of Defense (Force Management and Personnel), transmitting the defense manpower requirements report for fiscal year 1989, which in conjunction with Secretary Carlucci's annual report to the Congress for fiscal year 1988, addresses the Department's total manpower resources, pursuant to 10 U.S.C. 115(b)(3); to the Committee on Armed Services.

3545. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the Soviet ballistic missile test near Hawaii, pursuant to Public Law 100-204, section 1201(b)(3) (101 Stat. 1410); to the Committee on Foreign Affairs.

3546. A communication from the President of the United States, transmitting a report on developments since his last report of October 30, 1987, concerning the national emergency with respect to Nicaragua, pur-

suant to 50 U.S.C. 1641(c) and 1703(c) (H. Doc. No. 100-190); to the Committee on Foreign Affairs and ordered to be printed.

3547. A letter from the Deputy Assistant Secretary of Defense, transmitting notification of a proposed new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

3548. A letter from the Secretary of Health and Human Services, transmitting the twenty-first in a series of reports on refugee resettlement in the United States covering the period October 1, 1986 through September 30, 1987, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

3549. A letter from the Chief Immigration Judge, Executive Office for Immigration Review, Department of Justice, transmitting copies of the grants of suspension of deportation of certain aliens, pursuant to 8 U.S.C. 1254(c); to the Committee on the Judiciary.

3550. A communication from the President of the United States, transmitting notification of his intent to remove Brunei Dar-

ussalam, Bermuda, Bahrain, and Nauru from the list of beneficiary developing countries under the generalized system of preference [GSP], pursuant to 19 U.S.C. 2462(a) (H. Doc. No. 100-189); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE: Committee on Space, Science, and Technology. H.R. 2737. A bill to direct the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program; with amendments (Rept. 100-580, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FRENZEL:

H.R. 4504. A bill relating to the temporary tariff treatment of impact line printers; to the Committee on Ways and Means.

By Mrs. LLOYD:

H.R. 4505. A bill to authorize appropriations to the Department of Energy for civilian research and development programs for fiscal year 1989; to the Committee on Science, Space, and Technology.

By Mr. RITTER:

H.R. 4506. A bill to amend the Internal Revenue Code of 1986 to allow individuals to withdraw not more than \$4,000 from their individual retirement accounts within a 2-year period for the purpose of obtaining job training or retraining, without incurring additional tax; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 4507. A bill to amend the Internal Revenue Code of 1986 to remove certain limitations on charitable contributions of certain items; to the Committee on Ways and Means.

By Mr. SKAGGS:

H.R. 4508. A bill to provide for independent health and safety regulation of Department of Energy nuclear facilities; jointly, to the Committees on Energy and Commerce, Armed Services, and Interior and Insular Affairs.

By Mr. ATKINS:

H.J. Res. 561. Joint resolution to designate the week beginning September 11, 1988, as "Let's Face It Week"; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

345. By the SPEAKER: Memorial of the Legislature of the State of New Hampshire, relative to adjustment of the shelter deduction permitted under the Food Stamp Program; to the Committee on Agriculture.

346. Also, memorial of the House of Representatives of the State of Florida, relative

to deferring OCS oil and gas lease sale 116 scheduled for November 1988; to the Committee on Interior and Insular Affairs.

347. Also, memorial of the General Assembly of the State of Delaware, relative to a constitutional amendment prohibiting Federal taxation of State and local government bonds; to the Committee on the Judiciary.

348. Also, memorial of the Legislature of the State of New Hampshire, relative to legislation requiring Federal review and a delay in the imposition or increase of airport fees; to the Committee on Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. OBERSTAR introduced a bill (H.R. 4509) for the relief of John A. Smrek; which was referred to the Committee on Interior and Insular Affairs.

ADDITIONAL SPONSORS

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

H.R. 81: Mr. MORRISON of Washington and Mr. DAVIS of Michigan.

H.R. 245: Mr. KYL and Mrs. MEYERS of Kansas.

H.R. 551: Mrs. VUCANOVICH and Mr. DONNELLY.

H.R. 631: Mr. MACKEY.

H.R. 632: Mr. CHANDLER.

H.R. 1036: Mrs. BOXER.

H.R. 2580: Mr. LUNGREN.

H.R. 2999: Mr. MARKEY, Mr. MOODY, Mr. HOCKBRUECKNER, Mr. GOODLING, Mr. GRAY of Illinois, Mr. HAYES of Illinois, Mr. SMITH of Florida, Mr. TRAXLER, Mr. HAWKINS, Mr. LEVIN of Michigan, Miss SCHNEIDER, Mr. JOHNSON of South Dakota, Mr. BOSCO, Mr. PORTER, and Mr. TORRES.

H.R. 3340: Mr. MOODY.

H.R. 3565: Mr. OBERSTAR and Mr. WEBER.

H.R. 3791: Mr. NIELSON of Utah, Mr. DAVIS of Michigan, and Mr. BAKER.

H.R. 3840: Mr. GUARINI.

H.R. 3969: Mr. LIPINSKI, Mr. HUCKABY, and Mr. GUNDERSON.

H.R. 4008: Mr. VANDER JAGT, Mr. COLEMAN of Missouri, and Mr. KILDEE.

H.R. 4009: Mr. LIGHTFOOT and Mr. BOUTER.

H.R. 4060: Mr. ORTIZ, Mr. LEVIN of Michigan, Mr. LANTOS, Mr. HENRY, Mr. DOWNEY of New York, Mr. CLAY, Mr. BRYANT, Mr. BUSTAMANTE, Mr. FUSTER, Mr. FORD of Michigan, and Mr. MOLLOHAN.

H.R. 4072: Mr. SWINDALL.

H.R. 4074: Mr. GRANDY.

H.R. 4091: Mr. BROWN of Colorado and Mr. WHITTAKER.

H.R. 4139: Mr. GONZALEZ.

H.R. 4140: Mr. GONZALEZ.

H.R. 4150: Mr. SCHAEFER, Mr. SOLARZ, Mr. TRAXLER, Mr. DAUB, Mrs. JOHNSON of Connecticut, Mr. HERTEL, Mr. GEXAS, Mr. MOLINARI, Mr. LANCASTER, Mr. CRAIG, Mr. DINGELL, Mr. LIPINSKI, Mr. SCHUMER, Mr. CLEMENT, Mr. WILLIAMS, Mr. TORRES, Mr. COLEMAN of Texas, Mr. PICKETT, Mr. SCHEUER, Mr. BARNARD, Mrs. BOXER, Mr. WOLPE, Mr. FASCELL, Mr. LEVIN of Michigan, Mr. MARTINEZ, Mr. BATEMAN, Mr. MCCURDY, Mr. ASPIN, Mr. COYNE, Mr. OWENS of Utah, Mr. FAZIO, Mr. STANGELAND, Mr. PENNY, Mr. GUARINI, Mr. BILBRAY, Mr. STUDDS, Mr. MONTGOMERY, Mr. HASTERT, Mr. LAGOMARSINO, Mr. JEF-

FORDS, Mr. BOUCHER, Mr. ROYBAL, Mr. SISKY, Mr. ROBERT F. SMITH, and Mr. MINETA.

H.R. 4170: Mr. BEREUTER, Mr. CALLAHAN, Mr. CLARKE, Mr. DARDEN, Mr. DE LA GARZA, Mr. DELAY, Mr. DE LUGO, Mr. DERRICK, Mr. DEWINE, Mr. FAWELL, Mr. HUGHES, Mr. DENNY SMITH, and Mr. TORRES.

H.R. 4216: Mr. BILIRAKIS and Mr. SMITH of New Hampshire.

H.R. 4221: Mr. COYNE, Mr. MOORHEAD, and Mr. SOLOMON.

H.R. 4230: Mr. BEVILL, Mr. BIAGGI, Mr. EDWARDS of Oklahoma, Mr. GARCIA, Mr. GORDON, Mr. HYDE, Mr. LANCASTER, Mr. LELAND, Mr. MAZZOLI, Mr. PORTER, Mr. ROE, Mr. ROWLAND of Georgia, and Mr. SHAW.

H.R. 4247: Mr. PERKINS, Mr. SABO, and Mrs. KENNELLY.

H.R. 4273: Mr. HAWKINS, Mr. CHAPMAN, Mr. GARCIA, Mr. TRAFICANT, and Mr. WORTLEY.

H.R. 4325: Mr. COYNE, Mr. SABO, and Mr. SUNIA.

H.R. 4334: Mr. WOLPE, Mr. SENSENBRENNER, and Mr. DAVIS of Michigan.

H.R. 4335: Mr. MRAZEK, Mr. BEILENSEN, Mr. HAYES of Illinois, Mrs. BOXER, Mr. BORSKI, Mr. HAMILTON, Mr. JONTZ, Mr. KOSTMAYER, Mr. FOGLIETTA, Mr. LANTOS, and Mr. NEAL.

H.R. 4444: Mr. DONNELLY and Ms. SNOWE.

H.J. Res. 137: Mr. McEWEN, Mr. BARNARD, Mr. BILIRAKIS, Mr. BOULTER, Mr. CHENEY, Mr. CLINGER, Mr. COBLE, Mr. COURTER, Mr. DREIER of California, Mr. HASTERT, Mr. HOPKINS, Mr. KEMP, Mr. LIGHTFOOT, Mr. LUNGREN, Mr. MCCOLLUM, Mr. McGRATH, Mr. McMILLAN of North Carolina, Mr. MACK, Mr. PETRI, Mr. GRANT, Mr. GILMAN, Mr. BROWN of Colorado, Mr. EDWARDS of Oklahoma, Mr. GRANDY, Mr. LOWERY of California, Mr. LUJAN, Mr. McCANDLESS, Mr. MOLINARI, Mr. ROGERS, Mr. McMILLEN of Maryland, Mr. COLEMAN of Missouri, Mr. GALLO, Mr. SAXTON, Mr. SKEEN, Mr. DENNY SMITH, and Mr. SMITH of New Hampshire.

H.J. Res. 360: Mr. VENTO and Mr. GRAY of Illinois.

H.J. Res. 452: Mr. EDWARDS of Oklahoma, Mr. QUILLIN, Mr. STUMP, and Mr. BUECHNER.

H.J. Res. 464: Mr. STUMP, Mr. SMITH of New Jersey, Mr. DOWNEY of New York, Mr. STALLINGS, Mr. JOHNSON of South Dakota, Mr. BRYANT, Mr. McMILLEN of Maryland, Mr. SCHAEFER, Mr. ARCHER, Mrs. PATTERSON, Mr. SUNIA, Mr. MILLER of Washington, Mr. ROBERT F. SMITH, Mr. ANDREWS, and Ms. SNOWE.

H.J. Res. 467: Mr. ROWLAND of Georgia.

H.J. Res. 474: Mr. WOLPE, Mr. FLORIO, Mr. HYDE, Mr. FORD of Michigan, Mr. COURTER, and Mr. MOAKLEY.

H.J. Res. 481: Mr. ACKERMAN, Mr. ARCHER, Mr. AKAKA, Mr. ATKINS, Mr. BARNARD, Mr. BOLAND, Mr. BONKER, Mr. BOULTER, Mr. BRUCE, Mr. BUNNING, Mr. CARDIN, Mr. CARR, Mr. COBLE, Mr. COLEMAN of Missouri, Mr. COLEMAN of Texas, Mr. COOPER, Mr. DAVIS of Illinois, Mr. DEFazio, Mr. DIXON, Mr. DWYER of New Jersey, Mr. EDWARDS of Oklahoma, Mr. ENGLISH, Mr. FASCELL, Mr. FOLEY, Mr. FRANK, Mr. GEJDENSON, Mr. GILMAN, Mr. GORDON, Mr. GRANT, Mr. GRAY of Illinois, Mr. HARRIS, Mr. HOPKINS, Mr. HUTTO, Mr. IRELAND, Mr. JACOBS, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. KEMP, Mr. LANTOS, Mr. LEVINE of California, Mr. LEWIS of Florida, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. LOWRY of Washington, Mr. MACKEY, Mr. McCLOSKEY, Mr. McGRATH, Mr. MACK, Mr. MANTON, Mrs. MARTIN of Illinois, Mr. MARTINEZ, Mrs. MORELLA, Mr. MORRISON of Connecticut, Mr. NEAL, Mr. NIEL-

son of Utah, Mr. PASHAYAN, Ms. PELOSI, Mr. PERKINS, Mr. PICKETT, Mr. PURSELL, Mr. QUILLLEN, Mr. RAVENEL, Mr. RINALDO, Mr. ROWLAND of Georgia, Mr. RUSSO, Mr. SCHAEFER, Mr. SHUMER, Mr. SCHEUER, Mr. SIKORSKI, Mr. SKELTON, Mr. SPENCE, Mr. SPRATT, Mr. STAGGERS, Mr. SYNAR, Mr. TALLON, Mr. TAUKE, Mr. TAYLOR, Mr. THOMAS of Georgia, Mr. TORRICELLI, Mr. WATKINS, Mr. WELDON, Mr. WHEAT, Mr. WYLIE, Mr. ANDERSON, Mrs. BOGGS, Mr. COYNE, Mr. DAUB, Mr. DAVIS of Michigan, Mr. DORGAN of North Dakota, Mr. DUNCAN, Mr. FLAKE, Mr. GALLO, Mr. GRANDY, Mr. HAWKINS, Mr. JENKINS, Mr. KILDEE, Mr. LIVINGSTON, Mr. MILLER of Washington, Mr. MOAKLEY, Mr. ORTIZ, Mrs. PATTERSON, Mr. RANGEL, Mr. ROBERTS, Mr. ROBINSON, Mr. SCHUETTE, Mr. SMITH of New Hampshire, Mr. STALLINGS, Mr. STENHOLM, Mr. TRAXLER, Mr. VALENTINE, Mr. WISE, Mr. MINETA, and Mr. EMERSON.

H.J. Res. 485: Mr. AKAKA, Mrs. BOGGS, Mr. BONIOR of Michigan, Mr. CARDIN, Mr. CLINGER, Mr. COUGHLIN, Mr. CROCKETT, Mr. DEWINE, Mr. ESPY, Mr. EVANS, Mr. FIELDS, Mr. FUSTER, Mr. GOODLING, Mr. JACOBS, Mr. HAYES of Illinois, Mr. HUGHES, Mr. KILDEE, Mr. LANTOS, Mr. LEHMAN of California, Mr. LEWIS of Georgia, Mr. McDADDE, Mr. MANTON, Mr. RHODES, Mr. RUSSO, Mr. ST GERMAIN, Mr. SCHEUER, Mr. STAGGERS, Mr. STRATTON, Mr. SUNIA, Mr. VALENTINE, Mr. WALGREN, Mr. WHEAT, Mr. WOLF, Mr. WORTLEY, and Mr. YATRON.

H.J. Res. 505: Mr. FISH, Mr. LUNGREN, Mrs. KENNELLY, Mr. ROWLAND of Georgia, Mrs. MORELLA, and Mr. LELAND.

H.J. Res. 528: Mrs. SAIKI.

H.J. Res. 530: Mr. SUNDQUIST.

H.J. Res. 537: Mr. LEVINE of California, Mr. LUNGREN, Mr. BIAGGI, Mr. ROWLAND of Georgia, Mr. LAGOMARSINO, Mr. CARR, Mr. DWYER of New Jersey, Mr. HUGHES, Mr.

CHAPMAN, Mr. McEWEN, Mr. MacKAY, and Mr. CAMPBELL.

H.J. Res. 542: Mr. LIPINSKI and Mr. LaFALCE.

H. Con. Res. 257: Mr. FAZIO, Mr. SHAYS, Mr. CHAPMAN, Mr. HUBBARD, Mr. JONTZ, Mr. HAYES of Illinois, Mr. HERGER, Mr. HOLLOWAY, and Mr. WAXMAN.

H. Con. Res. 280: Mr. BORSKI and Mr. FORD of Michigan.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

165. The SPEAKER introduced a petition of the Selectman, Town of Isle au Haut, ME, relative to ending aid to the Contras; which was referred to the Committee on Foreign Affairs.

EXTENSION OF REMARKS

OMNIBUS TRADE BILL

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. BEREUTER. Mr. Speaker, I want to draw the attention of my colleagues to two recent editorials which discuss the trade bill.

This first editorial entitled "The Senate Trade Vote" appeared in today's Washington Post. While the editorial supports passage of the trade bill, it states that "... the trade deficit cannot be legislated away." This is a correct, but rather obvious statement. Unfortunately, some inside and especially outside Congress have used this strawman argument to oppose the trade bill. The flaw with the Post editorial is that it assumes that most Members of Congress believe the trade deficit will disappear with the passage of the trade bill.

On the contrary, most Members knowledgeable on trade matters know that the trade deficit is not going to disappear overnight. Most of the conferees involved with the trade bill were well aware the trade bill alone was not going to immediately solve all of our trade problems directly, or eliminate the reasons for more than one-quarter of the current trade deficit. Nevertheless, the trade bill does move our country in the right direction on trade, and it deserves to become law.

The second editorial entitled "Sign the Trade Bill" appeared in yesterday's Journal of Commerce. While I disagree with part of its assessment of the Toshiba provision of the trade bill, the editorial correctly states the reasons for passing the bill, and it describes some of the consequences if the trade bill is not enacted.

The editorials follow:

[From the Washington Post, Apr. 29, 1988]

THE SENATE TRADE VOTE

The trade vote in the Senate—more than enough to pass the enormous bill on which such effort has been spent, not quite enough to override the promised veto—means that negotiations between the president and Congress will go on. The provision requiring advance notice of plant closings, though peripheral to the bill, is said to be central to the president's objections. Maybe so, though major bills are rarely brought down for such minor reasons, and the president is said as well to object to other features that would restrict his and successors' freedom of action in this difficult field. The bill's proponents may also stray beyond plant closings as they try to find a combination to pick up the votes they need. It isn't clear what will emerge.

This is curious legislation. The early, objectionable protectionist features in both the House and Senate bills were swiftly scrapped in conference. The remaining provisions mostly range from harmless to useful. In addition to applying various

minor salves and stimuli to the U.S. economy, they would stiffen U.S. trade posture a little—which is why Japan, the Europeans and such other major trading partners as Korea continue officially to object. But the stiffening would not be excessive. Though the burden on him would be greater, a president would still have the right at almost every major juncture not to retaliate against an aggressive trading partner if he chose.

That's half the story. The other half is that there continues to be a wondrous mismatch between this bill and the problem it purports to solve—a mismatch also between the bill and the inflated rhetoric surrounding it. The trade deficit cannot be legislated away. The direction of trade is not a matter of conspiracy, but of the relative strengths of the U.S. and foreign economies. At one point in its history, this bill could have done a lot of damage. Now the conflicting claims as to both the good and the damage it might do are vastly overblown. The country could live very comfortably both with and without it.

Nowhere is that truer than with regard to the plant-closing provision around which the debate now revolves. Most companies of the size that would be affected already give the notice the bill requires. The requirement that they all do so is as modest as it would be benign. Both business and labor lobbyists have pumped it up into something it is not. The political calendar has helped them, but this provision neither threatens nor will save American civilization as we know it.

The best thing about finally passing this bill is that then the movie will be over.

[From the Journal of Commerce, May 1, 1988]

SIGN THE TRADE BILL

After three years of wheeling and dealing, Congress has sent a trade bill to President Reagan's desk. Mr. Reagan's disparaging comments and veto threats notwithstanding, it is a bill he should sign.

The omnibus bill is not a perfect piece of legislation. But, given its checkered history, it offers a surprisingly sound and non-protectionist approach to trade.

Administration officials themselves apparently agree. Their opposition stems not from the trade provisions but from two sections of marginal importance. One punishes two foreign companies, Japan's Toshiba Corp. and Norway's Kongsberg Vappenfabrikk, for their role in selling restricted milling machine technology to the Soviet Union. The other is the much-ballyhooed plant-closings provision. Both of these objections concern matters whose importance is far more symbolic than real.

The "Toshiba provision" bars affiliates of Toshiba and of Kongsberg from doing most non-defense business with the U.S. government for three years, and would bar all imports from a single Toshiba affiliate, Toshiba Machine Co., for the same period. Japanese rightly object to one of their firms being singled out, among all violators of export control regulations, for special treatments. The provision is undesirable, but it is

also enormously popular on Capitol Hill. If the trade bill is vetoed, President Reagan can expect to find another version of the Toshiba provision on his desk soon.

The plant-closings provision requires companies to give their workers 60 days' notice of major layoffs or closings, except under certain circumstances. The exceptions, however, are so wide that lawyers will have no difficulty helping their clients navigate through them. In any case, the penalties for violation—back pay for the workers involved, plus a maximum fine of \$500 a day—are trivial. Although it does indeed move the government into a new area of labor relations, the amendment will make little difference in the way businesses do business.

The special-interest provisions that many members of Congress repeatedly attempted to engraft upon the trade bill have all but disappeared. When The New York Times ordered up a front-page story revealing the bill's favors for particular companies or industries, it could find only one, extending a patent owned by Warner-Lambert Co. All the other "favors" The Times identified involved tariff reductions—the kind of special-interest provision that helps increase, rather than diminish, the flow of international trade. There really isn't much to point a finger at.

In return for accepting two sections it dislikes, the administration would gain some provisions it dearly desires. One extends until 1993 the president's authority to negotiate new multilateral agreements to reduce trade barriers, subject only to an up-or-down vote in Congress. Another re-establishes the president's right to agree to tariff reductions. A third puts the United States on the harmonized system of tariff classifications, an internationally agreed-upon system of tariff categories that our major trading partners already have adopted. A fourth makes it easier for U.S. companies to go after imported goods that infringe upon their patents.

Some administration officials suggest that if Congress would simply reconsider the bill and remove the few sections to which the administration objects, a new bill could receive the president's signature within a matter of weeks.

That is unlikely: Congress remains rightly upset at the way the administration has handled trade matters and is not prepared to pass a bill incorporating only those provisions the president desires. In any case, Mr. Reagan is in a poor position to strike a bargain, since he has never been willing to specify exactly which changes would lead him to sign the bill. The plant-closings provision itself was retained only after administration officials specifically refused to pledge Mr. Reagan's approval if it were dropped.

A veto now has the potential to shatter the world's trading system. The current round of the General Agreement on Tariffs and Trade, in which the United States has been pushing for freer trade in agricultural products and services, stronger protection of patents and copyrights and fewer restraints on foreign investment, might well collapse if the U.S. president remains without author-

● 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.

ity to strike a deal. The prospects for ratification of the U.S.-Canada free trade agreement will be much diminished if Congress takes weeks to consider a veto override. The hundreds of industry-specific provisions that congressional leaders managed to exclude from the final bill will be back, attached to so many different pieces of legislation that the president will find it difficult to veto them all.

President Reagan is fond of proclaiming his faith in freer trade. Signing the Omnibus Trade Bill would show his pragmatism in helping that faith gain ground in the world.

AMERICA'S LIBERTY—OUR HERITAGE

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. McMILLEN of Maryland. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies' Auxiliary conduct the Voice of Democracy Broadcast Scriptwriting Contest. I would like to bring to the attention of my colleagues the winning script from the State of Maryland. The winning "America's Liberty—Our Heritage" theme was written by William H. Rubin of Odenton, MD:

AMERICA'S LIBERTY—OUR HERITAGE

"We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." This—the Preamble to our Constitution—underlies the hopes and dreams of freedom-seeking individuals, from times past into the future, throughout the world. It set the precedent for government that not suppresses but rather upholds the liberty of the governed. For liberty did our Founding Fathers throw off the British yoke in open rebellion and declare our independence; for liberty was our august nation thus born. Truly, America's liberty is our heritage.

Americans have always prized liberty. Even before the American Revolution, it was a much sought-after commodity. Instances such as the Zenger trial and Boston Tea Party merely illustrated the inherent love for liberty held by all Americans. The War for Independence, then, was but the climax in a short drama that had been set by the British over a century earlier; the finale was the birth of our nation amidst liberty.

Undoubtedly, the freedoms we as Americans have enjoyed have allowed us to incorporate even greater liberty into our lives. Given the fundamental First Amendment guarantees of religion, speech, press, and assembly, the American citizenry has acted with remarkable determination to enjoy such privileges. Freedom of religion has molded scores of previously antagonistic religious sects into an interdependent theological community. Whether Catholic or Protestant, Jew or Gentile, Americans coexist peaceably. Free speech has provided us with the means by which we can rally behind and voice our support for any number of causes. Censorship is exercised only sparingly in our society, where truth is

all-important. This want for truth is the basis for our free press. The news media can print freely that which the American public has the right to know. Freedom of assembly, too, has provided for a naturally democratic people. From the town meetings of early New England to the presidential caucuses of the Midwest, the right to assemble is longstanding in our history. Clearly, then, these precepts of liberty have given the American populace the flexibility it needs to survive in the shining example of democracy that is America.

And these precepts of liberty have delivered far beyond those modest expectations. With the First Amendment as a sound constitutional basis, Americans have striven to achieve far greater freedom in their lives. Demonstrations have become an accepted part of the American way of life. Without them, we might never have known Dr. Martin Luther King, Jr., or his civil rights movement in the 1960's. Without them, we would not have women nor blacks at the polls on election days. Without them, our men might still be fighting the endless conflict in Vietnam. Certainly, these rights have built our national character into one of the most respected in the world.

It should come as no great surprise then, to learn that America has come to be equated with the very concept of liberty that it has fostered. From our earliest days, immigrants and refugees have flocked to our shores in search of liberty, the liberty of which they were deprived in their homelands. From Central America, the Caribbean, Southeast Asia and Europe, came an onslaught of new people who have become integrated in the American Melting Pot. Defectors from the Soviet Union come to America to find the freedom of choice that has eluded them in Mother Russia. Only in America was there—is there—liberty. Such a swelling of numbers would have devastated other countries, forcing them to reject any newcomers. But in the United States, the disgruntled have always been welcome, if in limited numbers. But they have always been welcome. They have strengthened our nation with the addition of their culture, their values, their beliefs. They have given fresh insight into new problems. They have served as the backbone of the American labor force, and consistently move up the labor chains. Such successes as these immigrants have had in America—where elsewhere they had nothing—pays tribute to liberty in America. Such success proves that only where freedom reigns can the people truly live. Only with liberty can the people endure, as the American people have endured half a dozen global conflicts and its own civil strife. Only with liberty—for as Patrick Henry pleaded before his colleagues: "Give me liberty or give me death."

DR. MAX COOPER: ALABAMA'S FIRST NATIONAL ACADEMY OF SCIENCES MEMBER

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. ERDREICH. Mr. Speaker, the medical center at the University of Alabama at Birmingham has firmly established its outstanding reputation as world-class medical and research facility, and has long been on the cutting edge of the development of new avenues

of treatment for a variety of medical diseases and disorders.

Much of the credit for our Medical Center's much-deserved reputation must go to the high calibre of scientists and physicians it employs, and it is with great pleasure that I take a few moments to tell my colleagues in the House about one medical researcher at UAB who has garnered one of the highest honors that can be accorded an American scientist or engineer.

Dr. Max Cooper, UAB professor of pediatrics and medicine and director of the school's laboratory of cellular immunology, was named on Tuesday, April 26, 1988, to the National Academy of Sciences. He was one of only 61 scientists and engineers across the country to receive this much-coveted recognition of distinguished and continuing achievements in original research.

The National Academy of Sciences is a private organization of scientists and engineers dedicated to the furtherance of science and its use for the general welfare. It was established in 1863 by an act of Congress that calls upon the academy to act as an official advisor to the Federal Government, upon request, in any matter of science or technology. The election of 61 new members brings the total number of current members to 1,540. The academy also elected 15 foreign associates from 8 countries, bringing the total number of foreign associates to 257.

New members to the academy, in addition to having made a significant achievement in original research, must be nominated by a present member of the academy. Existing academy members select new members during their annual meeting in Washington, DC.

Dr. Cooper's research has focused on the relationship between breakdowns in the immune system and the development of medical disorders such as pneumonia, meningitis, organ rejection, and some forms of cancer. He made a major discovery of two types of immune cells, the T cell and the B cell, that attracted worldwide attention in the early 1960's. He also identified a specific type of leukemia.

We in Alabama are particularly proud that Dr. Cooper is the first person from any Alabama institution ever to be elected to the National Academy of Sciences.

I can think of no greater acknowledgement of one's achievements than that received from one's own peers, and I am certain that all my colleagues in the House join me in congratulating Dr. Max Cooper on being included among the best scientists and researchers in the world.

Congratulations must also go to the University of Alabama at Birmingham, for providing the type of nurturing and supportive research environment that fosters scientific and medical breakthroughs and the development of new forms of treatment.

I commend Dr. Max Cooper on his election to the National Academy of Sciences. All of us in Alabama, and the Nation, are proud of your outstanding accomplishments. Your past and future achievements mean a better quality of life and standard of living for all of us, and

we look forward to your continued success as your research work continues.

NORTHERN IRELAND

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. KENNEDY. Mr. Speaker, yesterday the British Government tried to pressure the country's independent television network to withhold a documentary on the "shoot-to-kill" attack against IRA members in Gibraltar that occurred last month.

While I do not approve of the IRA's use of violence, I also don't approve of the kind of government-sponsored violence used by the SAS in Gibraltar. What if the British death squad had caught innocent people in the crossfire? What if there had been a case of mistaken identity? Nor do I approve of government censorship of a broadcast designed to inform the British citizenry of questionable government actions. The network that carried the broadcast acted courageously and in the interest of the British public by giving them information they had a right to know.

British Foreign Secretary Sir Geoffrey Howe allegedly requested that the program not be aired because it would prejudice jurors at the coroner's inquest. By attempting to censor the program, Howe in fact would have prevented the British people from finding out that the three IRA members had their hands in the air when they were killed. In earlier statements, the British Government implied that the victims had made threatening movements.

Mr. Speaker, the British Government has been accused by Amnesty International and the Government of Ireland of delaying criminal investigation of the Gibraltar killings. Now it has added another outrage: attempting to hoodwink the British people. Mr. Speaker, polls indicate the British want their troops out of Northern Ireland. Not only does the government use the tactics of terrorists and censor information, but it acts against the wish of the people as well.

THEIR ONLY HOPE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. McEWEN. Mr. Speaker, I rise today to submit into the RECORD a statement by Armando Valladares that he gave to the 44th session of the United Nations Commission on Human Rights, and which appeared in a recent edition of National Review magazine. Mr. Valladares, as many of my colleagues will remember, spent 22 years of his life in one of Fidel Castro's gulags being tortured for speaking out against that Communist dictatorship. As a member of the Congressional Human Rights Caucus, I urge all Members to read this very disturbing commentary on life in the prisons 90 miles off the coast of Florida:

EXTENSIONS OF REMARKS

THEIR ONLY HOPE

As many of you know, I spent 22 years in prison for political reasons. Perhaps I am the only delegate to this Commission who has spent such a long time in prison, although I do know that some of you know in your own flesh what torture means. I do not care what your ideology might be; I offer you my solidarity, that of one tortured person to another.

I had many friends in prison. One of them, Roberto López Chávez, was practically a child. He went on a hunger strike to protest abuses. The guards denied him water. Roberto, on the floor of his punishment cell, delirious and in agony, asked only for water . . . water. The guards entered his cell and asked: You want water? They urinated into his mouth and onto his face. He died the following day.

I remember when they had me in a punishment cell, naked, my leg fractured in several places—fractures that were never treated and eventually fused into a mass of deformed bones. Through the wire mesh that covered the cell, the guards would pour over me buckets of urine and excrement that they had collected earlier.

Mr. Chairman, I know the taste of other men's urine and excrement. That form of torture leaves no physical trace. What does leave traces are the beatings with metal bars or bayonets. My head is covered with still detectable scars and wounds. But what is more harmful to human dignity? Buckets of urine and excrement thrown in one's face or blows from a bayonet? Under which item should we discuss this question? Under what mass of numbers, hyphens, or strokes should we include this trampling of human dignity?

For me and for so many others around the world, human-rights violations were not a matter of reports, negotiated resolutions, and elegant and diplomatic rhetoric. For us, it meant daily sorrow. For me, it meant eight thousand days of hunger, systematic beatings, forced labor, solitary confinement. Eight thousand days struggling to show that I was still a human being. Eight thousand days of testing for my religious convictions, my faith, of struggling not to allow the hatred that my atheist guards sought to sow with their bayonets to flower in my heart.

The world of those who suffer and endure pain often has certain poetic characteristics. I think it was in a book by Victor Frankel, a survivor of the Nazi extermination camps, that I read that in the midst of their total despair, the camp inmates were kept alive by a violinist—a companion in misery who every afternoon played a piece of classical music. That violin, with its musical notes scraped out in the midst of so much pain, was a ray of hope.

Totalitarians treat their adversaries like animals. At times, when one is treated like a beast, the only thing that saves you is knowing that somewhere, someone loves you, respects you, fights to return to you your dignity. I was lucky: I had someone to fight for my freedom; I had my wife, who traveled the world knocking on doors and on the consciences of peoples and governments, pressuring them to demand my freedom. But the majority of those who suffer violations of human rights have only the hope that the international community, against all hope, will think about them. You are their only hope.

Many years ago, a political prisoner named Fernando López del Toro came to my cell. In a tone of despair, he said to me that

what hurt the most, out of all of the torment, was that our sacrifice might be in vain. It was not the pain, but the apparent uselessness of enduring it that was defeating Fernando.

Some years later, I found out that one night Fernando could no longer endure; he took his life. Later, I learned the details. Fernando climbed up on his bunk, coiled a dirty towel around his neck, and with a sharp piece of metal tore open his skin, searched with his fingers for the jugular vein, and in one stroke cut it. He died a few minutes later. Fernando was the victim of indifference, of silence, of that terrible echoless universe in which, in this century of horrors and violations, so many good men and women die.

We must raise our voices without fear and use all available means in defense of those who are persecuted. We have to shout about the pain that they suffer and we must accuse their executioners without fear. We have to reach into the cells of all the world's Fernando López del Toros to tell them with firmness and solidarity, "Listen, do not take your life; men of good will are with you. In some corner, in your honor and in your memory, there will always be the note of a violin, the voice of compassion of those who will defend you. Look, you are not an animal. Do not take your life. Liberty will never disappear from the face of the earth."

DIAL-A-PORN

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. DANNEMEYER. Mr. Speaker, for the last 2 months the House heatedly debated the issue of dial-a-porn. Finally, the House voted in favor of banning this garbage. Opponents of a total ban repeatedly cited concerns about the constitutionality of such a ban. Proponents argued that its constitutionality should be decided by the Supreme Court but, notwithstanding this ultimate consent, legal precedent was on the side of a ban.

The Supreme Court has firmly established that obscenity is not protected by the first amendment—*Miller v. California* (1973). While the mere possession of obscene material in the home cannot be made a crime—*Stanley v. Georgia*, (1967), there is no correlative right to purchase obscenity in the marketplace or have it distributed to your house through commercial channels—*United States v. 12 200-ft Reels*, 413 U.S. 123 (1973). The Court has clearly held that there is no right to receive obscenity in "the privacy of the home" and no right to use "common carriers in interstate commerce" for delivery of obscene material to the home—*United States v. Orito*, (1973).

Also, in *FCC v. Pacifica Foundation* (1978), the Court specifically held that radio and TV do not have a right to broadcast indecent material into the home and rejected the contention that an individual has a right of access in the home to indecent broadcasts. In so holding, the Court reasoned that such broadcasts are "uniquely accessible to children" and that the Government interest in protecting the

"well-being of its youth" justified the regulation of otherwise protected speech.

The Supreme Court has rejected the contention that the distribution or transmission of obscene materials between consenting adults is constitutionally sanctioned. In *Paris Adult Theatre v. Slaton* (1973) the Court held that:

We categorically disapprove the theory that obscene, pornographic films acquire constitutional immunity from state regulation simply because they are exhibited for consenting adults only. . . . We hold that there are legitimate state interests at stake in stemming the tide of commercialized obscenity, even assuming it is feasible to enforce effective safeguards against exposure to juveniles and to passersby. Rights and interests other than those of the advocates are involved.

All of these precedents were recently sustained when, on April 25, the U.S. Supreme Court refused to hear arguments that a self-imposed ban by a western phone company violates freedom of speech rights. *Carlin Communications, et al. v. Mountain States Telephone and Telegraph Co.*, docket No. 87-1479. This refusal to entertain these arguments is very significant. It means that phone companies, themselves, have the power to pull the plug on dial-a-porn. Now America will see if the good of the whole is worth more to these company executives, as they have insinuated all along, than the millions of dollars they make off of this sleaze.

Mr. Speaker, I commend the following news report for my colleagues who may have missed any coverage of the Court's refusal to consider the claims of the phone-smut peddlers.

[From the Washington Times, Apr. 26, 1988]

DIAL-A-PORN BAN IN ARIZONA UPHOLD (By Richard Carelli)

The Supreme Court, confronted with its first "dial-a-porn" case, yesterday let stand a ban on sexually explicit telephone dial-up message services in Arizona.

The justices, without comment, refused to hear arguments that the ban violates free speech rights.

The court's action comes at a time when Congress, the Federal Communications Commission and state governments have taken steps to crack down on dial-a-porn companies whose services are available to callers through 976 numbers and AT&T's 900 long-distance lines.

Congress last week sent to the president a bill that would ban all dial-a-porn services.

American Civil Liberties Union lawyers said the proposed law likely would be ruled unconstitutional. They support providing means of having the services available only to those who want them.

The FCC last week levied \$600,000 in fines against two California dial-a-porn firms accused of failing to prevent children from hearing their messages.

Among the states, the California Public Utilities Commission most recently ordered the state's telephone companies to provide low-cost blocking for customers who want to cut off access from their phones to dial-a-porn and other pay services.

Blocking is available to phone subscribers in 21 of the 34 states where local 976 services are available, according to a recent survey by State Telephone Regulation Report, a Virginia-based industry newsletter.

Only in Utah can customers have 976 calls blocked at no cost.

Anti-pornography groups do not like the blocking alternative to flat bans because they say it puts a financial burden on the phone subscriber and not the provider.

The 976 and 900 exchanges also are used for other, non-controversial types of messages such as sports scores, time checks and stock market and weather reports.

In Arizona, Mountain Bell in 1985 announced a new policy banning from its 976 message network all firms that "provide adult entertainment messages with sexually oriented content."

The policy—not imposed in other states where Mountain Bell provides phone service—was challenged by two firms, Carlin Communications Inc. and Sapphire Communications Inc., as impeding their freedom of speech.

Only the government or some agency of the government can violate someone's constitutional rights, and so the two dial-a-porn companies argued that Mountain Bell's policy represented "state action."

They said Mountain Bell is a heavily regulated public utility and pointed to various pressures state authorities put on Mountain Bell to rid its 976 network of such message services.

For example, the Maricopa County prosecutor cited a state criminal law shielding minors from harmful items in a letter which said, "Should Mountain Bell continue to air these messages, it is the intention of this office to prosecute not only the subscribers who provide the messages but Mountain Bell."

A federal trial judge ruled Mountain Bell could not refuse to carry the dial-a-porn messages but the 9th U.S. Circuit Court of Appeals reversed that ruling last year.

Noting that "modern telephonic technology permits the pervasive transmission of vast quantities of information, as well as Shakespeare, Shaw and smut," the appeals court said Mountain Bell's policy did not amount to "state action."

A similar decision by another federal appeals court previously enabled Southern Bell to keep dial-a-porn services out of Florida, Georgia, North Carolina and South Carolina.

Justice Sandra Day O'Connor did not participate in the court's denial of review to Carlin Communications vs. Mountain States Telephone & Telegraph Co.

In another action, the high court let stand a ruling that property owners' rights are not violated when they are required to remove structures that could interfere with low-flying planes.

DOUBTS REMAIN ON ABORTION PILL'S SAFETY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SMITH of New Jersey. Mr. Speaker, on April 23, 1988, the New York Times published an informative letter by Dr. Richard Glasow, education director for the National Right to Life Committee. Dr. Glasow's letter raises some serious questions about the development of the new abortion pill, RU486.

Citing well-documented evidence about adverse health effects and the fact that the pow-

erful abortion pill is lethal for unborn babies, Dr. Glasow states that "no conclusive evidence exists that RU486 is other than a killer drug." I urge my colleagues to carefully review Dr. Glasow's letter as Congress gives further consideration to this life and death issue. The letter follows:

DOUBTS REMAIN ON ABORTION PILL'S SAFETY

To the Editor: How can you rationalize promotion of the newly developed French abortion pill, RU486, in "Abortion, Intimidation and RU486" (editorial, March 25), in the wake of the Dalkon Shield intrauterine device disaster?

Much like the ill-fated IUD, RU486 is being hyped as a "safe" method of birth control, and you are not alone among the news media in repeating this unsubstantiated claim by its promoters. This powerful abortion pill is lethal for unborn babies, but it also has extremely hazardous short- and long-term side effects for pregnant women who take it.

Every pregnant woman who takes RU486 has a miscarriage and heavy bleeding. Researchers reported in the British Medical Journal Lancet (Dec. 19, 1987) that half the women who took RU486 bled 12 days or more, and some bled for six weeks. Most of them had twice as much bleeding as in a normal menstrual period, and some had six times as much. If a woman with an ectopic pregnancy (in the Fallopian tube) takes RU486, the bleeding will give a false impression that she is no longer pregnant; however, eventual rupture of her Fallopian tube would endanger her life.

Moreover, when this pill does not produce a complete abortion (5 percent to 15 percent of the time), the woman must have immediate surgery to stop the bleeding and repair the damage. Also, because the drug has been tested for less than five years, the first generation of RU486 users will be guinea pigs for long-term effects on health and fertility.

No conclusive evidence exists that RU486 is other than a killer drug. Advocates have exaggerated the fragmentary results from a handful of tests about possible therapeutic uses.

Your projection that the American public would welcome an abortion pill is based on an inaccurate and one-sided reading of opinion polls. The majority of Americans are opposed to legal abortion for a narrow set of cases, such as rape, incest and endangerment of the mother's life. Most Americans definitely do not support the current situation, where no more than 1 percent of abortions are done for these reasons. Marketing RU486 in the United States would heighten uneasiness about abortion because the pill further trivializes the decision to take innocent human life.

National Right to Life's opposition to RU486 arises out of a concern for the life of the unborn child and the life and health of the mother. If any pharmaceutical company attempts to manufacture or market such a killer drug in the United States, it would face so massive a boycott by right-to-life organizations, church groups and pro-life hospitals that RU486 profits would be swallowed up many times over by the loss of other business.

American women aren't looking for a "chemical Dalkon Shield." Neither are we.

WORLD POPULATION
AWARENESS WEEK

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday May 2, 1988

Mr. SKAGGS. Mr. Speaker, for the last 3 years, many people in Colorado and across the Nation have recognized April 17-23 as "World Population Awareness Week" and have used that week to promote awareness of the consequences of continued rapid population growth. Their efforts are very important and deserve our attention.

The world's population grew by some 90 million persons last year, the largest annual increase ever. Most of this increase occurred in the world's developing nations, where the rising population has put severe strains on those nations' ability to feed, clothe, house, educate, and provide health care for their citizens. This has led to deepening poverty and to desperate human settlement and farming practices that can cause long-term damage to the environment.

There is much we can do in our own country to help our neighbors in the developing world achieve the population stability we enjoy, and the economic improvements that stability makes possible. I am proud that Coloradans are playing an important role in making us aware of those possibilities through World Population Awareness Week. I congratulate them on their efforts, and I insert Gov. Roy Romer's proclamation in the RECORD:

WORLD POPULATION AWARENESS WEEK, APRIL 17-23, 1988

Whereas, the world's population of more than five billion may double in the next 40 years; and

Whereas, rapid population growth can overwhelm the capacity of human societies to provide food, housing, education, employment and basic health services and may undermine economic development as well as social, cultural and political stability; and

Whereas, population growth can place strains on the global environment, contributing to the depletion of natural resources, the conversion of cultivable fields and forests into desert, the pollution of the earth's lands and waters, and damage to its ozone;

Now, therefore, I, Roy Romer, Governor of Colorado, proclaim April 17-23, 1988, as World Population Awareness Week in the State of Colorado.

PERSONAL EXPLANATION

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. RAHALL. Mr. Speaker, due to a long-standing committee in Beckley, WV, I unavoidably missed a number of votes that took place earlier today on the floor of the House. Had I been present, I would have voted as follows:

"Yea" on passage of H.R. 1811, the Atomic Veterans Compensation Act.

"Yea" on the Hunter substitute to the Foley amendment.

"Yea" on the Foley amendment as amended.

"Yea" on the Lowry amendment.

REMARKS OF HON. CHARLES J.
HAUGHEY

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. MRAZEK. Mr. Speaker, recently I had the opportunity to read a speech given by Hon. Charles J. Haughey, Prime Minister of Ireland. The Prime Minister presented his comments on April 22, 1988, to the Kennedy School of Government at Harvard University. Because I was struck by Prime Minister Haughey's insight on world affairs and the long relationship between our two countries I am inserting it in the CONGRESSIONAL RECORD for the edification of my colleagues.

REMARKS BY HON. CHARLES J. HAUGHEY

This the second occasion on which I have had the pleasure of speaking in this great seat of learning. I was last here in 1972 and at that time I was surprised, as I suppose many others have been, to discover how old Harvard is and at what an early stage in the history of America it was decided to found a University here.

The famous Irish philosopher and pioneer of American education, George Berkeley, was one of the earliest benefactors of the Harvard Library, and in his celebrated verses "On the prospect of planting arts and learning in America" confidently predicted "Time's noblest offspring is the last".

Harvard today is one of the great egalitarian educational institutions of the world to which access is earned through academic excellence.

When I came here before, it was to reflect on the arts and on what should be the policy of a modern democracy towards the arts.

Today I would like to reflect on democracy itself with special reference to some of the issues and problems facing my own country at the moment; and I would like to illuminate my observations by a few reflections on the history of democracy in America. If in speaking about that history I appear to trespass, I can only plead that it is of interest to us all and that it would be foolish for any citizen of our modern world not to attempt to learn as much as he or she could from the American experience.

How deeply the world is indebted to American ideas of democracy is well known, but it may be worth reflecting on the fact that the very words "ballot", "devolution", and "proportional representation", familiar to every schoolchild in Ireland, are of American origin. In any case Harvard is a place which tempts one to reflect on the history of democracy in America as well as its progress in the world generally, for this great University both mirrored and influenced that history and the names of Emerson, the great prophet of democratic self-reliance, and Thoreau, who posed fundamental questions about government, will always be associated with it.

American history can be seen largely as a struggle to attain three great objectives, liberty, democratic equality and political cohesion. The first thing to be said about these three noble objectives is that they were not attained more easily in America than anywhere else. They had to be struggled for right from the very beginning, against ob-

stacles that seemed much larger to those who engaged in the struggle than they do to us in retrospect. "There is" said the second President of the Republic, John Adams, "an overweening fondness for representing this country as a scene of liberty, equality, fraternity, union, harmony and benevolence. But let not your sons and mine deceive themselves. This country, like all others, has been a theatre of parties and feuds for near 200 years."

Because of the tendency of time to simplify issues we look back on the founding fathers of the Republic as people who were engaged in a noble struggle for certain high ideals. But as C.A. Beard reminds us, the members of the Convention were soon "weary of talk about the rights of the people". They "were not seeking to realise any fine notions about democracy and equality but were concerned much more urgently in a desperate effort to establish a Government which would be strong enough to pay the national debt, regulate interstate and foreign commerce, provide for national defence, prevent fluctuations in the currency created by paper emissions and control the propensities of legislative majorities to attach private rights."

That understanding by the Convention members of the realities of the world around them and in the light of which they had to formulate their decisions could, with benefit, be transmitted to many similar bodies today.

The ideals of liberty, democratic equality and political cohesion were not and are not to be attained without the overcoming of many obstacles, not least those inherent in human nature itself. More than that, in the history of the United States as in that of other countries, these ideals often seem to be in conflict not only with individual or regional or sectional interests, but even one with another.

In the history of the United States the rights of individual states seemed from the very beginning to have been in conflict with the larger interests of the Federal Union. Several times in its history the Union was on the point of dissolution or on the point of begin torn apart by the assertion of these rights. Three weeks before the Declaration of Independence, the legislature of Virginia adopted a Bill of Rights which said that "The people have a right to a uniform Government; and, therefore, no Government separate from, or independent of, the Government of Virginia, ought to be erected or established within the limits thereof."

Within the States themselves there were those who looked to an extension or strengthening of Federal power to further individual liberty or democratic equality. But there have likewise been those to whom the rights of the States themselves were the first guarantee of both. It probably is true to say that throughout the entire history of the United States every step taken to defend or increase one of the three great objectives has seemed to somebody or other to be an encroachment on or a weakening of the other two and often with a great deal of justification.

Other countries too must face these apparent contradictions and seek sometimes unwelcome compromises. Ireland as a nation is older than the United States but as a democracy on the modern model it is younger and has learned a good deal from you. The sense of nationhood goes very far back in Ireland, much further back than modern ideas of politics. Irish poets and men of learning down to the 17th century

and beyond took the whole island as their domain. True, Ireland lacked a centralised Government of the modern kind. But it had a sense of unity, a unity of language and of culture, the essence of nationhood. That unity was fractured firstly by invasion and the divisions of language, culture and religion that colonisation brought, and later in our time by partition.

In re-establishing that unity as I believe we must, we face something of the same problems that the United States faced in maintaining the union since it was first established over two hundred years ago. From the moment when the Convention met at Philadelphia compromise was essential as well as the acquiescence in the decisions of the majority which Thomas Jefferson postulated in his first inaugural address as "the vital principle of republics". At the time there was much debate about democratic tyranny. Many contemporaries were inclined to believe that to submit oneself to the will of the majority rather than to that of the ring was to swap one tyranny for another. And yet democracy triumphed.

The principal political or constitutional problem that all the people on the island of Ireland face today is how to bring about unity or political cohesion while satisfying the minority on the island of Ireland that it would not involve the loss of that part of their tradition which they must dearly cherish and that democratic rule for the whole island could enhance their status and guarantee their rights and their security. Partition was imposed for the benefit of those who distrusted majority rule. Its imposition by an outside power in the Government of Ireland Act of 1920 can be seen as a violation of democracy, a negation of the right of the Irish people to self-determination, since up to that point Ireland had been agreed by everybody to be one political unit.

The challenge that we face over Northern Ireland is to create a solution that will restore political cohesion through the exercise of self-determination by the Irish people. This will not be created overnight and though there are analogies with the problems other countries have faced there are no instant formulae that can be summoned to our assistance. Violence must first cease as it can have no place in the building of the Ireland of the future that we desire. There will have to be a deliberate and careful assembling of the elements of a solution, a cautious and prudent assessment of how the various elements might interlock with each other, and a conscious cultivation of a sense of shared identity and collective purpose among the various parties in search of a solution.

In my view many of these elements were contained in the Report of the New Ireland Forum, which represents the agreed position of all the democratic Nationalist parties North and South. The Forum envisaged new constitutional arrangements which would accommodate the differing traditions in Ireland in a unity which had been achieved by consent. That is the outcome that this Government are committed to work for.

To achieve lasting peace and stability in Northern Ireland as well as reconciliation requires that the substance of the issues at stake be addressed. Temporary, ad hoc solutions, crisis management or horrified response or reaction to the latest atrocity are not enough. Political developments in recent years have been influenced mainly by the Anglo-Irish process initiated at a meeting between the British Prime Minister and

myself at Dublin Castle in December 1980. It is clearly the responsibility of the two Governments involved, the Irish and British, to create a framework within which progress and political dialogue can take place.

The problem involves what was called in the communiqué issued after that meeting the totality of the relationships between the two islands. There followed the Anglo-Irish Agreement of November 1985, about which my party had reservations because of its constitutional implications. On coming into office my Government accepted it as an internationally binding agreement signed between two sovereign Governments and we set about using to the full the mechanisms of the agreement, particularly the Intergovernmental Conference and the Secretariat, to bring about any improvement that was possible in the situation of the people of Northern Ireland, and in particular the nationalist people.

The Intergovernmental Conference offers scope to confront a long agenda of issues; issues that are both difficult and divisive. But let me isolate those issues which I believe have a particular resonance here in the United States, because of American experience and sensitivities. These are: the administration of justice, the upholding of the rule of law, and fair employment.

In the United States the debates that surround judicial nominations, particularly nominations to the Supreme Court, are of great length and seriousness, because of the conviction that prevails in this Republic that the lives of citizens in a democracy are shaped in an important and fundamental way by the manner in which justice is administered. This perception is widely shared in Ireland and attention is focussed intensely on the administration of justice in Northern Ireland. The defects in the administration of justice are seen as symptomatic of an inadequate society, and the operation of the non-jury Diplock Courts, for example, have an effect well beyond the ranks of those who are ever likely to appear before such Courts.

Democratic parliaments today have cause to be concerned about the control and methods of operation of their own and other countries intelligence services and security forces. They see increasingly the need for democratic supervision and the need for Governments to uphold without fear or favour the rule of law. It cannot be acceptable that perversion of the course of justice by officers of the state should be publicly acknowledged and then left at that. While the United States is justly proud of its free institutions, it has not allowed that pride to stand in the way of investigating and dealing with any infringements of the law or the Constitution. On the contrary, the strength of American democracy lies in the lengths to which its representatives are prepared to go to uphold the rule of law and the belief that a democratic state must never in combatting its enemies depart from the high ground of moral rectitude.

Of basic importance too where modern concepts of democracy are concerned is the equal access to employment by all sections of the community. Experience of civil rights in the United States in the '60s brought the fair employment issue here to the centre of national concern. During the administrations of John Fitzgerald Kennedy and Lyndon B. Johnson, vigorous methods were devised to combat racial prejudice in employment. The methods devised here in the U.S. might not always be the best adapted

to suit the somewhat different circumstances of Northern Ireland but, nevertheless, the heightened consciousness of employment equality issues which resulted from the trauma of the 1960s in the U.S. must also be brought to bear in Northern Ireland and a sense of real urgency created.

The nationalist community in Northern Ireland has been discriminated against in employment for too long. It is intolerable that nationalists still remain over twice as likely to be unemployed as unionists. Improvements are contemplated but there is an urgent need for comprehensive and effective legislation that will have clear and visible results.

Though the long shadow of the tragedy of Northern Ireland does fall over too many aspects of life in Ireland and affects the quality of Anglo-Irish relations, it must be understood that in the Republic of Ireland by contrast democracy has long grown to full maturity. Ireland as a modern parliamentary democracy plays a modest but honourable role in international affairs as an enlightened member of the community of nations.

From one global perspective the Irish are a small family, deeply concerned with their internal problems, political and economic. But we are also very conscious of the fact that there is a far wider dimension to the Irish in the modern world.

We are not in fact an insular family but one which extends around the world. The totality of the Irish nation reaches out far beyond the island of Ireland, beyond the boundaries of Europe and around the globe. There are major communities of Irish people on every continent. These communities are of great importance and significance in the life of these countries of adoption but they also represent potentially a powerful world-wide public voice of peace, justice and democratic government.

The Prime Minister of Australia, Bob Hawke, when he addressed the Irish Parliament last year, referring to those who had previously done so, said:

"The choice of two Americans and on Australian reflects the historical truth of this most anti-imperialist of nations—that Ireland is the head of a huge empire in which Australia and the United States are the principal provinces.

"It is an empire acquired not by force of Irish arms but by force of Irish character, an empire not of political coercion but of spiritual affiliation, created by the thousands upon thousands of Irish men and women who chose to leave these shores, or who were banished from them, to help in the building of new societies over the years."

The Irish Government has the responsibility to foster and promote Ireland's link with these communities and keep them fully informed of our political hopes and aspirations and our economic and social progress. We also have a responsibility to ensure that the Irish everywhere stand up for democratic Government wherever it may be threatened. By an enlightened and courageous stand on human rights, freedom, world hunger, the role of the UN, the nuclear menace and disarmament we can offer the Irish around the world moral leadership and encourage them to exert a powerful world-wide influence for the good in international affairs.

Ireland is one of the few nations of the European Community which has suffered colonisation and because of our history in that regard we are in a privileged position in

regard to most of the small and emerging nations of the modern world. Our work in the mission fields and in health and welfare projects makes us keenly aware of the plight of smaller Third World nations with whom we have the privilege of special relationships. We stand, respected, in the middle ground between the affluent North and the underdeveloped South, ideally suited to play a valuable bridging role.

Because of our folk memory of the Great Famine which devastated the Irish people in 1845, the presence or the fear of famine and malnutrition strikes a deep chord amongst the Irish people. They have responded with overwhelming generosity to recent crises in Africa and elsewhere.

The promotion of respect for human rights is an important stand in Irish foreign policy. Historical experience and the humanitarian instincts of our people combine to ensure a real concern on the part of public opinion in Ireland for the rights of those whose essential freedoms are denied. Torture, disappearances, summary executions, denial of freedom of speech and association, obstacles to the free practice of religion—these are but some of the violations which are an everyday tragic reality for people in many regions of the world.

Ireland has always insisted that the international community has a right, and indeed an obligation, to concern itself with human rights violations wherever they occur. We have never accepted the argument that involvement in these matters can be construed as interference in the internal affairs of states; the fallacy of that argument is thankfully increasingly understood. Such concern can be expressed in a way that fully respects the legitimate rights of self-determination.

A particularly glaring example of the denial of human rights is the system of apartheid which is an institutionalised and brutally enforced system of racial discrimination. Ireland has long supported the total abolition of the apartheid system and the emergence in its place of a democratic and multi-racial society as far as possible by peaceful means.

Ireland has played a small but useful part in efforts throughout the democratic world to advance these objectives. At a national level the importation of agricultural products from South Africa into Ireland has been prohibited since the beginning of 1987. In accordance with its support for the principle of non-discrimination in sport, the Irish Government seeks to prevent sporting fixtures involving Ireland and South Africa. We have no diplomatic relations with South Africa and minimal official contacts. State agencies are strongly discouraged from purchasing South Africa goods. Within the European Community we continue to seek consensus on further measures, such as a ban on the import of coal, while at the UN Ireland continues to support the imposition of selective mandatory sanctions.

A firm approach by democratic countries, particularly with the support of the United States, has succeeded in the last number of years in bringing many tyrannies to an end. Consistent support for humane and civilised values in other parts of the world should not conflict with enlightened self-interest.

As a maritime nation and an agricultural producer Ireland has a keen interest in an international approach to the protection of the environment. Experts from many disciplines are convinced that we are in the middle of a global ecological crisis and that our planet is now at a critical point in its

evolution. There is the danger from nuclear emissions and accidents and the dumping of nuclear waste. Carbon dioxide in the atmosphere is increasing steadily and the warming of the atmosphere as a result has far-reaching implications. By the end of this century at least one-third of the earth's tropical forests which have a great influence on our climate and environment will have been destroyed. By the same date the total area of the world's desert will be increased by two-thirds. Marine resources are being seriously damaged and acid rain destroys lakes, rivers and forests.

Perhaps most serious of all is the destruction of the diversity of the earth's species. We are losing a species a day and some scientists put it even higher than that. Species are being destroyed before we even have time to research what benefits they might have for us. Professor O'Wilson of this University has called it "the terrible catastrophe, the loss of genetic and species diversity by the destruction of habitats."

In my view there is an urgent need for a new and enlightened international approach to the management of this planet that will take account of the interdependence and linkage between all living things.

An excellent document "The World Conservation Strategy" was published in 1980 and endorsed by FAO and UNESCO. There are a number of Treaties and Conventions in place such as the Convention on International Trade in Endangered Species to help in the work of preserving the diversity of species. It is also true that we have in fact the scientific capacity to reverse the process of destruction and renew the planet's resources. What is needed is enlightened international action by all the nations, but especially the powerful dominant countries, and by all the appropriate international agencies.

While statesmen generally have been concerned with the threat to the survival of mankind posed by the proliferation of nuclear weapons, the general public in Ireland and I believe in many other countries have recently begun to focus just as anxiously on civilian nuclear power and the real danger of nuclear accidents and the dumping of nuclear waste.

The grim reality of our modern world is that serious nuclear accidents do occur with effects which are in our human time-scale everlasting and range far beyond political boundaries. A serious accident at Windscale in 1957 on the north-west coast of Britain is suspected by expert medical opinion of being responsible for birth defects in children born many years later on parts of the east coast of Ireland.

The Three Mile Island accident in 1979 made responsible people everywhere think again about the wisdom of building more and more plants.

The Chernobyl nuclear accident in 1986, which forced the permanent evacuation of the immediate surrounding area, occurred a thousand miles from Ireland but posed threats to our health and welfare.

It was sadly ironic that after Chernobyl children all over Europe were admonished by their parents not to do all those things that generations of children had formerly been advised to do for their health; get out in the fresh air, drink milk, eat fresh vegetables, swim in the sea. Is this the sort of future that mankind must look forward to?

It is clear that nuclear dangers cannot be regarded in isolation or that the safety of installations is only of concern to the nation involved. The effects of radioactivity re-

leased into the natural environment will inevitably cross national boundaries.

In Ireland while we are nuclear free and intend to stay that way we live in the shadow of nuclear installations, some fifty or sixty miles away across the Irish sea. The Irish Parliament by a unanimous resolution has called for the closure of some of these installations which have a poor safety record and constitute a serious threat to the health and livelihood of our people. We oppose also the practice of dumping nuclear waste at sea, which is contrary to the best international practice and which the United States Administration in the past has expressed opposition to as being unsound. We are entitled to express our fears and anxieties but there is no way in which we can take the matter further.

While I believe that the wisest and safest thing to do is to phase out nuclear power altogether, the least the people of the world are entitled to at this stage is that it be subjected to the most stringent impartial international inspection and controls that respect the legitimate interests and rights of neighbouring jurisdictions.

I believe these concerns about the transnational effects of domestic nuclear activity are widely shared by many countries but there is no forum or tribunal to which we can have recourse. There is in my view an unanswerable case for an international body to police this dangerous sector and to act as a court of appeal, to which nations who feel that the safety and welfare of their people is endangered by the activity of their neighbours can go to seek remedial action.

The frightening growth within one generation of huge nuclear weapons arsenals, with the capacity to destroy mankind, has been a source of the greatest concern to every country.

The primary responsibility to disarm lies with the major military powers. The world must warmly welcome the agreement to eliminate intermediate-range nuclear weapons and the positive developments which have taken place in the US-Soviet relationship. This welcome is for both what has been achieved and for the possibility for further progress that it opens up. We hope that there can be substantial progress at the forthcoming Moscow US-Soviet meeting towards greater reductions in nuclear arsenals. The ultimate goal must remain the complete elimination of all nuclear weapons, and the early completion of a comprehensive nuclear test ban treaty would constitute another step in this direction. We also need more rapid progress towards the prohibition of chemical weapons and the reduction of conventional forces and armaments.

For good historical and political reasons Ireland maintains a steadfast policy of military neutrality in the modern world. It is a policy which is very widely supported by the people of Ireland. It has not always perhaps been fully understood here, but I should point out that during the course of its history the United States too has maintained for long periods an honourable tradition of neutrality.

I must emphasise that our neutrality is positive and outward-looking. It does not involve a passive role in world affairs; exactly the opposite. It involves a commitment, for example, to United Nations peacekeeping operations, a role which we have honourably and effectively discharged on many occasions; it involves disinterested action in international fora based on a fair and equitable evaluation of international political

issues and human problems which is informed by humane values and our commitment to democratic principles.

There is a sense in which all democracies are one. As Professor Carl Becker has pointed out, "in the Declaration of Independence the foundation of the United States is indissolubly associated with a theory of politics, a philosophy of human rights, which is valid, if at all, not for Americans only, but for all men." Democracy thus described is an ideal to which all men and women everywhere aspire. It was a great Irishman, Dean Swift, who first said that "all Government without the consent of the governed is the very definition of slavery". This underlies the historical fact that if the peoples of the old world had not carried their democratic yearnings with them into the new there might well be no American democracy today. This School of Government is named after a great man of Irish descent who was also a great democrat. In his inaugural address John Fitzgerald Kennedy spoke not only to his fellow Americans, but, as he put it, to his "fellow citizens of the world" and he urged them to ask themselves "what together we can do for the freedom of man". The democratic goal and the right of people everywhere to self-determination is thus seen as something which must be of universal and permanent concern to Americans.

The history of our two countries suggest that their achievement in Ireland should have a very high priority for America today.

SALUTE TO HACKENSACK MEDICAL CENTER ON ITS 100TH ANNIVERSARY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. ROE. Mr. Speaker, during the last century we have seen incredible advances in the field of medicine and medical technology that have improved both the length and quality of life for countless millions of people the world over. Back in my home State of New Jersey, I am proud to say we have an institution which, for the past century, has been on the cutting edge of these advances in the medical field.

I am referring to the Hackensack Medical Center, of Hackensack, NJ, which, in 1988, is celebrating its 100th anniversary. This outstanding health care facility has not only provided excellent care for generations of residents of the metropolitan northern New Jersey area, it has also achieved national recognition for its high quality physicians and innovative programs.

Mr. Speaker, the many fine people who have been associated with the Hackensack Medical Center is honoring this outstanding facility's century of a commitment to health care excellence with a week-long celebration which commenced on April 30 with the "Centennial Ball" at the Loews Glenpointe Hotel in Teaneck and will culminate with a gala birthday party this Saturday, May 7, on the campus of Hackensack Medical Center.

I know the great success of this 100-year anniversary celebration is a great tribute to the leadership of John P. Ferguson, president and chief executive officer of Hackensack Medical Center, as well as Charles Rothschild,

chairman of the 100th Anniversary Advisory Committee and the 100th anniversary coordinators, Barry K. Hurtt and Lauren Giani.

Mr. Speaker, as the culmination of this celebration approaches, I would like to recite for you and our colleagues the illustrious past of this great institution as detailed in the official history of the Hackensack Medical Center:

In March of 1888, a great blizzard buried most of the eastern United States, along with all of the New York metropolitan area—including a small town on the western bank of the Hackensack River in Bergen County, New Jersey.

Unable to find secure footing on the ice, a brakeman on the Susquehanna Railroad fell on the Hackensack railroad platform and severely injured his head.

The nearest hospitals were in other countries, and according to newspaper accounts at the time of the man's death was blamed at least in part on the delay in reaching Paterson.

With a young widow and small child left behind, local sympathies ran high for the creation of a hospital in Hackensack. On June 13, a 10-room residence purchased by an association of 24 civic leaders for \$4,000 officially became known as Hackensack Hospital.

What began as 12 beds in 1888 after "The Great Blizzard" has snowballed into Hackensack Medical Center, a 529-bed, regional-care, teaching hospital that offers a number of specialized services unique in Bergen County in 1988.

Today, Hackensack Medical Center is celebrating its 100th anniversary.

Hackensack Medical Center now operates one of the four largest open-heart surgery programs in the state. It has a state-of-the-art \$2.4-million cardiac intensive care and stepdown and unit for patients just out of open-heart surgery, as well as a modernized \$1.6-million cardiac catheterization laboratory that features bi-plane diagnostic equipment not in use at any other Bergen County hospital. Nationally recognized cardiac surgeon John E. Hutchinson III, M.D., recently operated on the medical center's 1,500th open-heart surgery patient.

The medical center has the largest and more comprehensive program in New Jersey for children with cancer. Michael Harris, M.D. and Michael Weiner, M.D., transferred their practice from Mount Sinai Medical Center in New York to Hackensack Medical Center in 1987, bringing 250 children with them to the program, called The Tomorrow's Children's Institute for Cancer and Blood Disorders. A 4,800-square-foot outpatient clinic and 24-bed inpatient unit feature ultra-modern design and the latest equipment.

The medical center also has a nationally recognized Institute for Child Development (ICD) led by Marvin Gottlieb, M.D., an evaluation and treatment program for children with developmental and behavioral problems that attracts children and young adults from across the country and from nations around the world. The ICD has the only children's hearing program in a Bergen County hospital that is fully accredited by the American Speech-Language-Hearing Association. In addition, the medical center has merged with South Bergen Hospital, and uses part of the Hasbrouck Heights facility for ICD programs.

The county's only burn service and diabetic unit are at Hackensack Medical Center.

The medical center also is the regional paramedic dispatch center for all hospitals in northern New Jersey, and has a CPR

Training Center that is busier than any other hospital in the county.

Other services include a newborn intensive care unit, limb replantation service, genetic counseling, and a Comprehensive Cancer Program affiliated with Memorial Sloan-Kettering in New York City that includes a pain service and the first Medicare-accredited Hospice program in Bergen County.

As a major affiliate of the University of Medicine and Dentistry of New Jersey, the medical center trains some 250 medical students and 70 resident physicians each year.

There are more than 460 physicians on staff, representing many different medical specialties, and more than 800 nurses.

The medical center is Bergen County's fourth largest employer, with 2,700 employees.

In recent years, the medical center has placed a strong emphasis on out outpatient programs. One-third of all surgical procedures performed at the medical center are done without patients having to spend a night in the hospital.

Through such programs as nutrition counseling, sports medicine, home health care, phobia clinic, and many others, Hackensack Medical Center reaches out to the community.

"From its founding as Bergen County's first hospital in 1888, Hackensack Medical Center has grown to become a truly regional facility, providing the highest quality medical care to New Jersey and the metropolitan area," said John Ferguson, president of the medical center.

Mr. Speaker, as illustrated in its official history the Hackensack Medical Center was created out of necessity and deep need by the residents of the greater Bergen County area. Over the past century, however, this model health care institution has excelled far beyond the basic needs of the community by providing services which not only save lives in times of emergency, but enhance the day-to-day quality of life for countless numbers of people throughout the Bergen County area and beyond. I invite you and our colleagues to join me in extending heartiest congratulations to the Hackensack Medical Center for its century long record of achievement and outstanding service to the greater north Jersey area, the entire State of New Jersey and to our Nation, as well.

A TRIBUTE TO THE DISTINGUISHED CAREER OF STATE SENATOR NICHOLAS C. PETRIS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. DELLUMS. Mr. Speaker, recently, many citizens gathered in Oakland, CA, to honor the distinguished career of State Senator Nicholas C. Petris. In our State House there is no parallel record of leadership that is so soundly committed to the enhancement of society, the betterment of people, the security of justice and the performance of duty than that of Senator Petris. I rise today to share with the Nation this extraordinary person.

Senator Petris served in the California assembly from 1959 through 1966 and has been

in the senate since 1967. His impressive legislative career includes: an unprecedented assault on the poison producing internal combustion engine as the principal source of air pollution; a bill of rights for patients in mental health institutions; collective bargaining rights for farmworkers; a requirement for every parent to provide a child passenger seat restraint; more money for urban schools; housing for the poor; a bill of rights for tenants; and, Senator Petris led the fight to save the San Francisco Bay from polluters. This listing includes just a few of his legislative accomplishments.

Senator Petris has positioned himself on a lonely island of leadership taking on issues not for popularity but because it was right. His position of leadership has proven time and time again to be a place where the ship of state must pass to find real solutions to the problems of our society. Senator Petris' unselfish willingness to position himself at the cutting edge of change is by no means an accident. As a native of Oakland, CA, his exposure to inner-city life has rounded his experience, and his family's deep allegiance to Greece and his ancestry has certainly shaped his character and self-confidence.

Senator Nicholas C. Petris has shown more than wisdom and high principles in influencing and shaping public policy. I can say without fear of contradiction that Nicholas Petris is the embodiment of a statesman.

REPORT OF THE U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. MICHEL. Mr. Speaker, for the past few years I have been inserting in the RECORD excerpts from the annual report of the U.S. Advisory Commission on Public Diplomacy. I am glad to be able to do so this year.

The Commission's members are Chairman Edwin J. Feulner, Jr., president, the Heritage Foundation; Vice Chairman Tom Korologos, president, Timmons and Co.; Priscilla Buckley, senior editor, National Review; Herbert Schmertz, vice president, public affairs, Mobil Oil Corp.; Richard M. Scaife, publisher, the Tribune Review Publishing Co.; and Hershey Gold, chairman of the Board, Super Yarn Mart.

At this point, I want to insert in the RECORD the "Summary of Recommendations and Findings" of the Advisory Commission's report for 1988.

SUMMARY OF RECOMMENDATIONS AND FINDINGS

Recommendations

Public diplomacy should be treated as a primary strategic element in summit planning. It is the public attention given to summit meetings that makes them unique and distinguishes them from other forms of diplomatic dialogue.

A comprehensive and coordinated public diplomacy strategy for the Moscow summit should be developed at the highest levels of the White House, the Department of State,

and the U.S. Information Agency. The Special Planning Group (SPG), established (NSDD) 77, should be convened at an early date by the Assistant to the President for National Security Affairs to consider such a strategy and its implementation through the SPG's International Information Committee (IIC).

Key elements in a summit public diplomacy strategy should include early guidance on U.S. policy goals; early decisions on summit themes; analysis of the anticipated public opinion impact of proposed U.S. policies; assessment of potential public affairs strategies of other nations and responses to them; reports on foreign public opinion and media trends; close cooperation between policymakers and the public diplomacy community; and a well-conceived plan of public affairs activities focused on foreign media and opinion elites.

Senior USIA officers should be assigned to the White House and all interagency planning groups to participate in the summit planning process.

President Reagan's appearance on Soviet television immediately prior to the next summit should be a major public diplomacy goal.

The United States should insist that the Soviets provide press treatment and access at the Moscow summit comparable to that extended by the U.S. at the Washington summit. This should be covered in a written understanding with the Soviets prior to the summit.

Equal access for foreign and domestic media should be pursued in pre-summit negotiations with the host country for all summits taking place overseas, and combined press centers should be the norm in all future summits in the United States.

U.S. spokespersons and senior officials should go to Moscow before the principals arrive to provide background information on the U.S. agenda and goals for the gathering world press.

U.S. officials and other experts should participate in post-summit briefings and other public diplomacy programs overseas.

Analyses of foreign elite, media, and public attitudes on summit issues should be fully considered in the National Security Decision Directives that establishes U.S. summit goals.

The United States should undertake more systematic evaluation of the Soviet Union's public diplomacy to provide as full a picture of its impact as we have of Soviet military, economic, and diplomatic activities.

Regional pre-summit meetings of senior policymakers and USIA's Public Affairs Officers can contribute significantly to public diplomacy planning and programming.

FINDINGS

In addition to President Reagan's skillful public diplomacy at the U.S.-Soviet summit in Washington, the United States Information Agency contributed a great deal to its success. Lessons from the Washington summit can serve U.S. interests well.

Favorable disposition of overseas audiences towards U.S. positions is important to the success of a Moscow summit and may be more difficult to achieve with the summit taking place outside of the United States.

USIA began public diplomacy planning for an INF agreement and a possible summit in Washington more than six months before the event. Although USIA received positive responses to its thematic and public affairs proposals, their quality and authoritativeness would have been en-

hanced by earlier policy guidance from the White House and the Department of State.

The Washington summit would have benefited from an early public diplomacy planning meeting involving senior officials from the White House, the National Security Council, the Department of State, USIA, the Department of Defense and other agencies.

Effective summit public diplomacy involves effort over an extended period of time and requires interagency coordination well before the summit becomes a certainty and its agenda is set.

Briefings of USIA's Public Affairs Officers in Geneva by principal U.S. arms control negotiators prior to the Washington summit significantly helped USIA's posts contribute to a favorable climate in Europe for the INF Treaty.

President Reagan's broadcasts on the Voice of America and Worldnet prior to the Washington summit and Secretary Shultz's interviews at USIA's Foreign Press Center were notable examples of successful high level participation in summit public diplomacy.

The combined foreign and domestic press center, recommended by USIA and agreed to by the White House and the State Department, contributed to positive foreign press coverage at the Washington summit.

"TELEPHONE FRIENDS" MUTUALLY GRATIFYING FOR SENIORS, YOUTHS

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. ERDREICH. Mr. Speaker, It is not often that two segments of a community can come together in a mutually fulfilling endeavor, responding each to the needs of the other. I would like to tell my colleagues in the House about just such an experience, and how a pilot project that I initiated has helped fill a void in the lives of local senior citizens and young children.

Last year several staff members informed me that my district office in Birmingham, AL, often received calls from senior citizens who were not seeking help with a problem with the Federal Government, but rather, were lonely and in search of someone with whom to talk. I saw an opportunity to link them to others in the community in need of friendship and companionship, and thought of the many preschool children who could benefit from friendship and guidance from adults other than family members.

I initiated "Telephone Friends" in October of last year as a way of providing telephone companionship for senior citizens, and a caring adult friend for area youth. The project was established through the cooperation of the Jefferson County Office of Senior Citizens' Activities and the Jefferson County Committee for Economic Opportunity [JCEO] Head Start Program. Head Start was responsible for selecting children for the program, with the permission of the parents, and assisting in planning the initial meeting between the child, his family, and the Office of Senior Citizens' Activities.

The Office of Senior Citizens' Activities selected senior citizens to participate in the program, provided seniors with transportation for initial meetings with children, and assisted Head Start in matching seniors with children and monitoring the "Telephone Friends" project.

After participating children and seniors were paired together, the "Telephone Friends" talked by phone several evenings a week. Some got to know each other so well that they shared Thanksgiving and Christmas meals and exchanged gifts. During the 6-month pilot program, coordinators monitored the participants with occasional telephone calls, and reported that the program was running smoothly.

I am pleased to report that the pilot program for "Telephone Friends" has proven to be a truly gratifying endeavor, enhancing the lives of all those who participated in the program and improving self-worth and self-esteem for both seniors and children alike. Plans are underway to expand the project, and the groundwork is being laid to use "Telephone Friends" as a model for other Head Start programs around the country.

I congratulate all those involved with the pilot program of "Telephone Friends," and would like to personally thank Charles Henry, executive director of JCCEO Head Start; Barbara Bonfield, director of the Jefferson County Office of Senior Citizens' Activities; Gail Cunningham, JCCEO Head Start project director; Mary Bess Price, Assistant senior citizens' coordinator, Office of Senior Citizens' Activities; Pamela Packer, JCCEO Head Start parent involvement coordinator; and Viola "Tish" Peoples, who coordinated the "Telephone Friends" project in my office. All of these people took great time and effort to assure that the project was the great success that it was.

I am certain that my colleagues in the House join me in commending all those who participated in the pilot program of "Telephone Friends" and I encourage my colleagues to take a closer look at the program for possible implementation in their own congressional districts.

TOO EXPENSIVE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. BEREUTER. Mr. Speaker, I want to share with my colleagues an editorial entitled "Too Expensive" which appeared in the Norfolk Daily News of Norfolk, NE. The editorial applauds Brazil's elimination of its wheat subsidy which last year alone cost Brazil \$880 million. This action by the Brazilians will have positive consequences not only for its economy, but also United States producers. It is the type of action which should be taken by other foreign agricultural producers.

Brazil's decision to eliminate the subsidy was based on the fact that it could no longer afford the subsidy given its present economic circumstances. While other agricultural producing nations may have stronger economies,

they should multilaterally, across the board follow the Brazilian example and work toward eliminating costly agricultural subsidies which distort world markets and increase food costs for their consumers.

The United States has advocated a reduction in agricultural subsidies at the Uruguay round of GATT negotiations in Geneva, Switzerland. Brazil for economic reasons has now reduced its subsidies and moved a bit closer toward a free market form of agriculture. European countries that subsidize and continue to dump their surplus commodities on world markets should follow suit and eliminate their export subsidies; the United States has proposed to participate in such a multilateral effort in the Uruguay round.

[From the Norfolk Daily News, Apr. 29, 1988]

TOO EXPENSIVE

Officials in Brazil made an announcement recently that should be heartening to farmers in Northeast Nebraska and elsewhere. In order to reduce its national budget deficit, Brazil plans to eliminate an \$880 million subsidy on wheat production. The news is encouraging for those who want to see international agriculture as free of government subsidies as possible.

American farmers know all about the kind of reductions in government farm programs that Brazil is now planning. For the past several years, government payments to U.S. farmers have been edging downward. The reason is twofold: the need to push agriculture into more of a free market situation and the simple fact that the cost of U.S. farm programs was in danger of becoming prohibitively expensive.

Numerous farmers and ranchers didn't appreciate the reduction in farm program benefits, primarily because they were forced into receiving fewer government benefits while their counterparts in other nations weren't. It may have been a move on the part of the United States toward free trade, but it didn't seem to some farmers as much progress toward fair trade.

But now the agricultural playing field appears to be becoming more level. The European Community has encountered the kind of budget problems already faced in the United States and responded with reductions in agricultural subsidies for European farmers. Now, Brazil faces a money crunch and plans the same kind of response.

Slowly, but surely, the international marketplace for farm products is moving toward more of a free trade system. The farm subsidies that were so prevalent in the past are being reduced as their cost takes a greater toll.

It is unlikely that every foreign nation eventually will eliminate every one of its farm subsidies. But any kind of reduction is good news for the United States and its farmers.

NORTHERN IRELAND

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. KENNEDY. Mr. Speaker, on April 14 the House of Lords decided it would not hear the final appeal of the Birmingham six. This decision troubles me deeply.

There has been widespread and continuing concern that there may have been a miscarriage of justice in the cases of some of these six individuals. Nonetheless, the Birmingham six remain imprisoned, having spent more than 13 years in jail. The avenues of legal appeal have now been exhausted; it is the responsibility of the government of Prime Minister Margaret Thatcher to consider that there are compelling humanitarian reasons for using the powers of her office in this case.

The people of Northern Ireland have no faith in their right to fair treatment under the law. The categorical refusal of the British Government to examine questions regarding the cases of the six is further indication that Mrs. Thatcher's government will continue to pursue events in Northern Ireland with the mentality of an occupying nation in a conquered territory.

A TRIBUTE TO JOHN G. BREEN

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. McEWEN. Mr. Speaker, on May 4, one of Ohio's truly great business leaders will be honored by the Harvard Business School Club of Cleveland as "Business Statesman of the Year." The award is presented annually to a Cleveland-area chief executive officer who combines excellence in business management with civic involvement. This is an honor and distinction which Mr. Breen richly deserves.

Eight years ago, John G. Breen took the helm of the Sherwin-Williams Co. during difficult times—inflation was running rampant, interest rates were at all-time record highs and investment capital was shrinking. In the face of this economic adversity John Breen provided the energy, leadership and ideas to bring Sherwin-Williams through these hard times. Today, Sherwin-Williams is entering its ninth year of uninterrupted growth.

Born in Cleveland and growing up on its inner-city streets, my friend, Jack Breen began selling newspapers at the age of 7 to help support his family. After serving our Nation in the U.S. Army, he worked his way through John Carroll University and later received an MBA from Case Western Reserve University. Jack Breen climbed the ladder of corporate success beginning first as general manager of the foil division of the Clevite Corp. and then as group vice president of Gould Inc. before moving to Sherwin-Williams as executive vice president in 1977.

Jack Breen is an inspiration to us all. He is a tribute to our success as a nation.

Mr. Speaker, Jack Breen is deserving of our praise. I want to congratulate him and his wife, Mary Jane, as well as their five children on this outstanding distinction.

I commend to the attention of my colleagues an article from Business Week magazine on Mr. Breen; and thank the Harvard Business School Club of Cleveland for this splendid and much deserved honor.

I also include a news article commending Jack Breen:

THE TOUGH SO-AND-SO WHO SAVED SHERWIN-WILLIAMS: JACK BREEN FIRED HUNDREDS OF EXECUTIVES WHEN HE TOOK CHARGE. NOW THE PAINTMAKER IS RIDING HIGH

Seven years ago, John G. Breen rescued a company by tearing it apart. As the new chief executive officer of Sherwin-Williams Co., he embarked on a draconian mission to save the ailing paintmaker from itself. Hundreds of executives, many of whom had been with the company for years, were summarily dismissed. The 12th-floor conference room, where employees were fired and sometimes given desks and telephones to hunt for other jobs, was soon dubbed the Silver Bullet Lounge. Today, Breen looks back on the mass firings without regret. "It was a question of survival—I suppose I could have moved even faster," he says. "I tried not to be ruthless, but we were at the bottom of the well."

The legacy of Breen's uncompromising toughness has been seven years of uninterrupted growth for Sherwin-Williams—a remarkable turnaround for a company that some outsiders believed was headed for Chapter 11. The recovery was so swift that by the end of Breen's first year, profits and return on equity had more than tripled, despite almost no increase in sales. Since 1983 paint and coating sales have jumped 34%—an astonishing leap in a stagnant industry. In the first quarter of 1986 paint-store sales gained 11%. But Breen is not letting up. "Turning the company around was the easy part," he says. "The hard part is taking it from here."

HATCHET MAN?

Few who know him doubt Breen's ability to spur Sherwin-Williams to new heights. Yet some complain about the tactics he has used to reach them. Critics argue that Breen places too much emphasis on quick results—and could probably achieve the same goals by going slower and being more patient with his managers. "He ruined a lot of lives, a lot of families, to get where he's going," says one former executive, referring to the firings. "Sure, there was a lot of deadwood when he came in, but a lot of good people were tossed out during the purge."

These days, Breen worries about his image as a hatchet man. "The vast majority of those firings occurred a long time ago," he says, stressing that he now promotes from within. But the unbending emphasis on performance has not faded. "Our mission is to be No. 1 in every business we're in," he snaps. "We don't reward failure around here." Breen's own efforts have been well rewarded: Over the past three years he has been one of the best-paid chief executives in the country, based on this company's financial performance (page 51).

Intense and competitive, he drives himself as hard as he does his staff. Friends still marvel at a recent display of endurance. A long-distance runner since high school, Breen, 51, ran the New York City Marathon last October, finishing in a respectable 3 hours and 40 minutes. Then, while younger friends were still massaging their aching muscles, he flew to Chicago and gave a speech that evening before a group of Sherwin-Williams retirees.

Breen has always been tireless. Growing up poor on the inner-city streets of Cleveland, he started hawking newspapers at age 7 to help support his family. Now, Breen measures others by their capacity for hard work. Because he worked all through high school and college, Sherwin-Williams' college recruiters look only at candidates who

earned at least part of their tuition by holding down a job while in college. "Fortunately, I never had to overcome the disadvantage of being born rich," says Breen.

HOOKED ON CASH

After graduating from Cleveland's John Carroll University, Breen took a job in 1957 at Clevite Corp., which was later bought by Gould Inc. Breen eventually became vice-president of Gould's industrial group, where he earned a reputation as a tough executive. "Some people think Jack is overly aggressive," says his former boss, Gould Chairman William T. Ylvisaker. "I think he's a superior manager."

Breen's formula has paid off at Sherwin-Williams. When he joined the company in 1979, it was disorganized and directionless. The company was thick with executive deadwood and "addicted to cash," says Breen. Sherwin-Williams had borrowed heavily to fund expansion plans, but the growth wasn't there. Its 1,400 retail stores were viewed as inventory outlets rather than profit centers.

Breen imported crack financial types to mop up. He revived the stores division by instituting strict controls and paid down long-term debt. Then he decentralized, giving top executives plenty of latitude—as long as they met agreed-on goals. If they failed, they got a one-way ticket to the Silver Bullet Lounge.

Breen dismisses the turnaround as "just doing the basics." Now he is pushing for more growth through acquisitions and expansion of the company's stores division. He has opened 200 new Sherwin-Williams decorating centers and in 1980 purchased Dutch Boy paints. Dutch Boy, which languished somewhat after its acquisition, is being heavily promoted through home-center stores.

'CRISIS TO CRISIS'

Not all of Breen's purchases have become immediate successes. Gray Drug Fair, the \$600 million drug chain he bought in 1981, has so far failed to live up to expectations. Breen hoped the chain would make a major contribution to Sherwin-Williams' bottom line. Instead, Gray's performance has been erratic, with profit margins hovering around 1%. Breen faces formidable opponents in his market-share battles: PPG Industries, Glidden, and Sears in paint, and the likes of Jack Eckerd and Revco in drugstore sales.

The expansion will be costly. Yet because of his reputation for producing in the short term, he will be under pressure to keep returns high while spending more to increase market share. In classic Breen style, he is turning up the heat under his managers. Says one of his staffers: "The company is very short-term oriented. It's often crisis to crisis. People don't feel like they can be away too long."

The siege mentality pervades Breen's executive corps. One top-ranking executive, following a leg amputation, continued to hold staff meetings in his hospital room at a Cleveland clinic.

Some critics charge that Breen has sometimes played too tough in his headlong race for the top, citing Breen's order to stretch out accounts payable to 60 days from 30 for six months in 1979. At the end of the six months, the order continued. "We were told we'd go to 60 days for six months, and that's what we told our suppliers," says a former purchasing agent. "But then it just became a permanent arrangement. That, to me, isn't right." Breen says the arrangement was always meant to be permanent.

Breen has also angered competitors apparently used to a more friendly management style. When "the outsider from Gould," as some call him, pulled Sherwin-Williams out of the industry trade association—supposedly to save money—other members were offended. "Breen did not want to share any information with us," says the president of another paint company. Sherwin-Williams has since rejoined the group.

More serious allegations have been raised by Sherwin-Williams' recent hiring of competitors' employees. SCM Corp., owner of Glidden Coatings & Resins, sued Sherwin-Williams in 1984, charging the company and a group of former Glidden researchers with theft of trade secrets. Though the case has been sealed, Business Week obtained copies of the complaint and depositions. SCM claims that Sherwin-Williams lured away six research and development employees involved in a paint research project, then put them to work on a similar project at Sherwin-Williams' research center. The company's lawyers deny the charges. The case hasn't yet come to trial.

STANDING ALONE

Such legal battles are unlikely to tame Breen's aggressiveness. Less than a year he became CEO of Sherwin-Williams. Breen would probably have lost his company if he hadn't stood his ground. The late Charles G. Bluhdorn, the legendary chairman of Gulf & Western Industries Inc., already owned a substantial stake in the old-line paint manufacturer, and he wanted to buy the rest. "Jack, I have to have this company, and I want you to come with it," Bluhdorn told Breen, throwing his arms around him. But Breen backed off. "You can't have it, Charlie," he said, "because I have to run my own show."

Breen and Bluhdorn eventually negotiated a buyback premium that was slightly higher than Sherwin-Williams' market price of around \$7 a share. Then Breen engineered his turnaround, and the stock took off. Bluhdorn "used to call me from time to time after that and say, 'You so-and-so, you knew that stock was worth more than you gave me,'" Breen remembers, grinning broadly. "And of course, he was right." For Jack Breen, being called a so-and-so is a compliment.

STATESMAN OF THE YEAR

John G. Breen, chairman and chief executive officer of Sherwin-Williams Co., has been named the "Business Statesman of the Year" by the Harvard Business School Club of Cleveland. The award will be presented at the club's annual dinner May 4 at Stouffer's Tower City Plaza Hotel. The award is presented annually to a Cleveland-area chief executive officer who combines excellence in business management with civic involvement.

THE ESTABLISHMENT OF A SISTER CITIES PROGRAM BETWEEN HOWELL, NJ, AND SHINTIEN, ROC

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday May 2, 1988

Mr. SMITH of New Jersey. Mr. Speaker, today I am pleased to announce that repre-

sentatives from the Fourth Congressional District of New Jersey will be traveling to the Republic of China to negotiate the creation of a Sister Cities Program.

With my enthusiastic support, the people of Howell, NJ will begin a mutually beneficial relationship with the citizens of Shin Tien, Taiwan. These two residential communities have several similarities. Both are located close to large commercial centers, Howell is near New York City, and Shin Tien is very close to Taipei. Furthermore, both have a true desire for a dynamic and useful relationship.

This Sister Cities Program can assist businesses and consumers in these two cities by opening new markets for international trade. However, the most important benefits which can result are in the educational area. By exposing people to new and different cultures, their horizons can be expanded and stereotypes can be eliminated. Closer relations can emerge through the sharing of ideas and historical experiences. Additionally, all can enjoy the beauty of the arts that Taiwan and the United States have produced.

The differences in language, religion and culture could be seen as a barrier to a meaningful relationship by some. However, under these circumstances, the differences between the two communities are what make a sister cities relationship so interesting. Learning more about one another is part of the reason for establishing this program. By sharing our views and communicating new ideas, the citizens of these communities can gain insights into each other's lives and can benefit from the other's knowledge.

Mr. Speaker, with this statement I proclaim my support for the successful development of the sister city relationship between Howell and Shin Tien.

NATIONAL HOMEBREW DAY

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SKAGGS. Mr. Speaker, I would like to take this opportunity to bring to my colleagues' attention a day of national recognition for an art that predates our Republic: Homebrewing. The American Homebrewers Association has declared May 7 as "National Homebrew Day." As American as apple pie, homebrewing was practiced by the Mayflower pilgrims, George Washington, and Thomas Jefferson. Today, it is estimated that over a million Americans from all walks of life brew their own beer.

The Homebrewers Association, located in Boulder, CO, was incorporated as a nonprofit, educational corporation in 1978. This year, the association is celebrating its 10-year anniversary under its founder, Charlie Papazian. With nearly 6,000 members internationally, the AHA's goals are:

First, to promote public awareness and appreciation of the quality and variety of beer through education, research, and the collection and dissemination of information;

Second, to encourage responsible use of beer as an alcohol-containing beverage;

Third, to serve as a forum for the technological and cross-cultural aspects of the art of brewing; and

Fourth, to help maintain quality in the production and distribution of beer.

Please join me in saluting the members of AHA and recognizing May 7th as "National Homebrew Day."

PERSONAL EXPLANATION

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. RAHALL. Mr. Speaker, due to a longstanding commitment in Logan, WV, I unavoidably missed a number of votes that took place on the floor of the House on Friday, April 29, 1988. Had I been present, I would have voted as follows:

Rollcall No. 80, "yea."

Rollcall No. 81, "yea."

Rollcall No. 82, "yea."

Rollcall No. 83, "yea."

Rollcall No. 84, "nay."

Rollcall No. 85, "yea."

A TRIBUTE TO MAXWELL M. RABB, U.S. AMBASSADOR TO ITALY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. RANGEL. Mr. Speaker, I rise to pay tribute to Maxwell M. Rabb, the U.S. Ambassador to Italy. A short time ago a special order to honor Max Rabb took place in this Chamber. Unfortunately I was not able to participate, but I do not want to let the occasion of the longest tenure of an American Ambassador to Italy go by without saying some words about the man who established this record.

I have been fortunate enough to have had a warm, ongoing, personal friendship with Max Rabb. When I first met Max, I was immediately charmed by his warm and open manner. Max Rabb has been the U.S. Ambassador to Italy since 1981. His humanity, energy and warmth has made him a well-respected and effective Ambassador.

The United States and the Republic of Italy have worked together on various issues which have resulted in outcomes which have been beneficial to both countries. During his tenure, the United States and Italy agreed to the deployment of intermediate range missiles on Italian soil. This brought on the INF Treaty between the United States and the Soviet Union, which eliminated all short- and medium-range nuclear missiles from Europe. In addition, three international peacekeeping forces were sent to the Middle East comprised of Italian and American servicemen and a new Extradition Treaty between Italy and the United States was established. This Extradition Treaty is especially significant because it has permitted a much needed coordination in both countries' efforts in prosecuting international drug traffickers and organized criminals.

However, Max Rabb's tenure as Ambassador was not without its share of crises and tense moments. In late 1981, he was the point man for the United States when Brig. Gen. James L. Dozier was kidnaped by Red Brigade terrorists and worked brilliantly with the Italian police to free him from his captors. In the *Achille Lauro* incident Max Rabb successfully repaired strained United States-Italian relations. These outcomes were made possible because of the deep respect which the Italian Government has for Max Rabb.

But, prior to his appointment as United States Ambassador to Italy, Max Rabb has had a long and distinguished career as a public servant and humanitarian. After having graduated from Harvard University Law School in 1935, Max Rabb practiced law in Boston until 1937, when he became the administrative Assistant to Senator Henry Cabot Lodge. In World War II he served in the U.S. Navy and earned the Navy Commendation Ribbon. After the war he served as the legal and legislative consultant to Secretary of Navy James Forrestal.

During 3 years of President Eisenhower's two terms, he served as his Secretary of the Cabinet. In 1958, he became chairman of the U.S. delegation to the 10th UNESCO Conference. Subsequently, President Johnson, appointed Max Rabb as a member of the Presidential Commission on Income Maintenance Programs. President Nixon then appointed him to the Presidential Panel for Relief Aid for India, Pakistan, and Bangladesh.

Max Rabb, is a member of many educational and charitable organizations, among them the U.S. Committee for Refugees, the NAACP Legal Defense and Education Funds, and the American Immigration and Citizenship Conference.

In closing, I would like to say we are lucky to have such a capable and distinguished man represent the United States and that I have been lucky to have the privilege of having a warm and close friendship with the longest serving United States Ambassador to Italy.

HUMAN RIGHTS IN GUATEMALA SUMMARY OF AMERICAS WATCH CONCERNS

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. MOAKLEY. Mr. Speaker, the Arias peace plan has been an important tool in promoting human rights in Nicaragua. However, the agreement also extends to other countries in the region. In particular, it is important that we not neglect ongoing human rights problems in both El Salvador and Guatemala.

It is in that spirit that I urge my colleagues to review the following summary of current events in Guatemala that has been compiled by the Americas Watch. I would also like to call attention to a recent editorial in the Boston Globe which comments on the present situation in that country:

The Cerezo Government has been in office over two years. It has taken a number of initiatives on human rights, such as the

creation of a special judicial office to investigate past disappearances. Americas Watch commends the Guatemalan Government for recently allowing the International Committee of the Red Cross to operate within the country, which the military has prevented for many years.

In spite of positive actions, Americas Watch continues to have grave concerns about continuing gross abuses of human rights in Guatemala. A summary follows.

1. *Political Killings:* It is difficult to know how many political killings have been committed in Guatemala because no human rights group has been able to monitor and document abuses. According to information received by the Americas Watch, however, political killings take place and many of the victims are from the same sectors which were particularly at risk from the military in the past. In 1987, 7 university students were killed and another 5 abducted. Others killed or abducted include 11 schoolteachers, 3 physicians, and 7 political leaders. Since President Cerezo took office, at least 6 trade unionists have been killed and 8 others have disappeared.

2. *Disappearances:* The 1987 State Department Country Report on Guatemala concedes that "disappearances are undoubtedly still taking place" but denies that they are government-sanctioned. In fact, there is abundant evidence that the military and police are involved in numerous disappearances, as they were in the past. Guatemalan Archbishop Prospero Penados submitted to President Cerezo 10 cases of disappearances between September and December 1987 (several of which took place in 1986). To date, there has been no response. In February, 1988, Americas Watch submitted 20 disappearances cases from 1987 and 1988 to President Cerezo, who promised us a response in two weeks. We have not yet received a response.

According to Amnesty International and Guatemalan sources, the military or police have been implicated in a number of murders and disappearances, including the following:

January 1987: Maria Odilia Raxjal-Sisimit denounced the kidnapping of her husband to the Special Operations Brigade (BROE) of the National Police. On January 27, she received a telegram from the BROE ordering her to come to the station. She then disappeared. That same day, her mother, Maria Esteban Sisimit was kidnapped from her home. Both women's bodies were found January 30th; the husband remains disappeared.

April 1987: Debora Carolina Vasquez was abducted; fifty people witnessed the abduction and the beating of her father who attempted to save her. Two uniformed policemen chased the vehicle but stopped when it entered military headquarters. On April 21, Vasquez's father met with President Cerezo, who told him that the military had abducted his daughter, and that she would be released if he did not talk to the press. Ms. Vasquez was released, and later told the Americas Watch that she had been tortured.

October 29, 1987: Manuel Chin Bosos, Jose Ruiz Ramirez and Jose Velasquez Garcia were abducted from the Finca San Basilio in Suchitepequez, and were reportedly taken to the local military detachment on the San Basilio estate. The body of Manuel Chin Bosos was found dead in early November, the other two remain disappeared.

February 10, 1988: Ana Elizabeth Panigua Morales was kidnapped by three heavily

armed men whom witnesses believe to be members of the National Police. Her body was found several days later.

February 15, 1988: Seven peasant workers from San Lucas Toliman, Solola Department, were detained by uniformed members of the armed forces. Their detention has not been acknowledged and they remain disappeared. These disappearances follow a wave of abuses in the area which began in December, 1987, when soldiers based at Santiago Atitlan circulated an alleged list of 220 guerrillas. In December, the naked bodies of two women were found in the area, who had been raped and shot. In January four men were kidnapped by uniformed men and disappeared, their tortured bodies were later found.

3. *Military immunity from prosecution:* To date, no member of the military or police has been convicted for a human rights abuse committed in this decade, though tens of thousands of murders have been attributed to them. The sole exception appears to be a case in which members of the National Police in Quetzaltenango are being held on charges of murdering two university students. To our knowledge, the perpetrators have not been tried and convicted, but, rather, have been denounced in the press by Interior Minister Rodil as those responsible for the murders.

Americas Watch was informed confidentially in February, 1988 by a top official in the Guatemalan security forces that the BIEN (the plainclothes investigative arm of the National Police) carried out investigations of 104 disappearances in 1987 which were all attributed to the Army.

The Guatemalan government has told human rights advocates that it has prosecuted military and police for human rights violations. Most recently, President Cerezo claimed that his government has prosecuted 172 military agents. A record of these cases has not been made available, however, in spite of repeated requests. We would welcome a chance to see the details on these cases, in particular, what was the crime, who perpetrated it, what was the charge, the verdict, and the punishment.

4. *Political Prisoners:* In December, 1987, the chief of prisons, Julio Rivera Claveria announced publicly that there were five political prisoners in Guatemala, though they were not named. Americas Watch has requested their names on five occasions, but the Government has not provided them. We would like the names and location of any political prisoners in Guatemala, and an explanation of the charges against them.

5. *Civil Patrols:* Civil patrols are a key aspect of military repression and control in the countryside. There are approximately 600,000 men and boys who participate in the civil patrols, most of them involuntarily. In some communities civil patrol members are forced to spend as much as 25% of their time in unpaid service to the Army. For peasants barely scratching out a living from farming in the highlands, this obligation has a serious impact on their ability to feed their families.

Since only 10% of the civil patrols are armed at any given time, the patrol system is clearly more a means for the Army to control the participants than it is a way to counter insurgency. Military control in the countryside is so pervasive that the notion that participation in the patrols is "voluntary" is laughable. In fact, Supreme Court President Edmundo Vasquez told the Americas Watch delegation in January that the civil patrols were "unconstitutional, illegal, and despicable."

6. *Model Villages:* The military has resettled some 60-70,000 Guatemalans in "model villages," where freedom of movement is strictly controlled. Most of those detained are highland Indians who fled to the mountains after the military destroyed their villages. Since then, the military has conducted periodic sweeps to round up these displaced people and force them to settle in model villages, where they are subjected to constant military surveillance and cannot leave without permission from the Army. One such sweep began in September, 1987, and some 2,000 peasants were rounded up by the end of the year. Before being assigned to a model village, these people are held in containment areas near military garrisons and subjected to interrogation and indoctrination.

In January, 1988, the Americas Watch delegation in Guatemala observed such a group of approximately 180 people, a third of whom were children, who were packed into a squalid pen in Nebaj, in the Department of Quiché. They had been brought down from the mountains and were in military detention, and receiving "reeducation" from the military. Six days later an additional 110 displaced people were brought down, following a combined Army-Civil Patrol sweep in the same area.

[From the Boston Globe, May, 1, 1988]

GUATEMALAN GESTURES

The airport arrest in Guatemala last month of two members of a delegation of exiles returning under the Arias peace plan suggested that Guatemalan politics has not changed much. Rigoberta Menchu, a Quiché Indian woman who leads a peasant union, and Rolarido Castillo, a physician and medical school dean, survived their brief detention and were released by court order. For Guatemala, that was an advance.

As one vice president of Guatemala put it in 1980 before he, like Menchu and Castillo, fled into exile: "In Guatemala, there are no political prisoners, only political corpses." Menchu's father died in one of Guatemala's most flamboyant atrocities. He was one of a group of Indians who staged a sit-in in the Spanish Embassy in 1980 to call attention to demands for land reform. The military government burned the embassy down, Indians, Spanish diplomats and all. It was a peculiarly Guatemalan gesture.

Political murder is less frequent now, but there were more than 1,000 such killings in 1987. In December, an international commission evaluating Guatemala's compliance with the Arias plan found no political prisoners; all had been killed.

The military, installed by a CIA coup in 1954, is venal and efficient, and it is tightening its grip on the state. To be labeled "subversive" still means to be marked for death. The White Hand, the death squad that tutored El Salvador's assassins in 1979-80, issued a communique warning against the return of the Menchu-Castillo delegation. After the delegation's arrival in a Mexican airline plane, the plane was dynamited.

Menchu and Castillo, accompanied by international observers during their brief visit, are presumably safe. Their less prominent associates are in danger of being eliminated for "activities against the security of the state." President Cerezo avoids talking with representatives of victims "disappeared" by the authorities. So goes Guatemalan "democracy."

FINANCIAL STATEMENT OF F. JAMES SENSENBRENNER, JR.

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 1988, a matter of public record. I have filed similar statements for each of the 9 preceding years I have served in the Congress.

ASSETS

Real property	Value
Single family residence at 609 Fort Williams Parkway, Alexandria, VA, at assessed valuation. (Assessed at \$513,800. Ratio of assessed to market value—100%.) (Encumbered.)	\$513,800.00
Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, WI, at assessor's estimated market value. (Unencumbered.)	69,300.00
Undivided 23/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, WI, at 23/44ths of assessor's estimated market value of \$220,400. (Unencumbered.)	115,209.09
Total real property	698,309.09

PERSONAL PROPERTY

No. of shares	Common and preferred stocks	Value
338	First Wisconsin Corp. @ \$22.25	\$7,520.50
418.468	American Telephone & Telegraph @ \$27.00	11,298.64
558	Idaho Power Corp. @ \$23.375	13,043.25
450	First Interstate Bancorp. @ \$42.75	19,237.50
62.679	American Information Technologies @ \$86.50	5,421.73
83.120	Bell Atlantic @ \$66.125	5,496.31
186.790	Bell South @ \$38.75	7,238.11
84.042	NYNEX, Inc. @ \$64.375	5,410.20
148	Pacific Telesis, Inc. @ \$28.625	4,236.50
128.485	Southwest Bell, Inc. @ \$36.25	4,657.58
84.387	US West, Inc. @ \$52.375	4,419.77
548.105	Tenneco Corp. @ \$42.625	23,362.98
580	Nevada Power Co. @ \$20.125	11,672.50
300	Newell Corp., Preferred @ \$32.00	9,600.00
720	General Mills, Inc. @ \$47.50	34,200.00
800	Kellogg Corp. @ \$52.125	41,700.00
2000	Dunn & Bradstreet, Inc. @ \$46.875	93,750.00
1000	Halliburton Co. @ \$33.875	33,875.00
1983.4	Kimberly-Clark Corp. @ \$53.75	1,066,077.50
467	Insilco Corp. @ \$19.125	8,931.38
400	Minnesota Mining & Manufacturing @ \$57.50	23,000.00
100	Rack Organization ADR @ \$13.00	1,300.00
1232	Exxon Corp. @ \$42.00	51,744.00
480	Amoco Corp. @ \$73.375	35,220.00
72	W.A. Krueger Co. @ \$6.875	1,072.50
1080	Eastman Kodak Co. @ \$40.75	44,010.00
510	Kraft, Inc. @ \$53.50	27,285.00
400	General Electric Co. @ \$40.375	16,150.00
204	General Motors Corp. @ \$71.375	14,560.00
20	General Motors Corp., Series H @ \$34.25	685.00
1200	Merck & Co., Inc. @ \$157.00	188,400.00
200	Warner Lambert Co. @ \$71.75	14,350.00
100	Continental Corp. @ \$37.75	3,775.00
200	Sears Roebuck & Co. @ \$35.75	7,150.00
910	Ogden Corp. @ \$30.25	27,527.50
455	OMI Corp. @ \$4.25	1,933.75
268	International Business Machines @ \$107.625	28,843.50
26	Sandusky Voting Trust @ \$70.00	1,820.00
26	Wis. Securities of Delaware Liquidating Trust @ \$70.00	1,820.00
504	Monsanto Corp. @ \$80.625	40,635.00
127	Premark International, Inc. @ \$30.375	3,857.63
100	Unisys, Inc., Preferred @ \$60.50	6,050.00
333	Benton County Mining Co. @ no value	nil.
Total common and preferred stocks		1,952,318.42

Face amount	Life insurance policies	Cash surrender value
\$12,000	Northwestern Mutual, # 4378000	\$15,111.30
\$30,000	Northwestern Mutual, # 4574061	35,971.56
\$10,000	Massachusetts Mutual, # 4116575	3,462.33
\$100,000	Massachusetts Mutual, # 4228344	61,261.37
\$25,000	Old Line Life Insurance Co., # 515950	17,814.86
Total life insurance policies		133,621.42

BANK AND SAVINGS AND LOAN ACCOUNTS

Marine Bank, N.A. of Milwaukee, checking account No. 0046-2366	\$51.22
Marine Bank, N.A. of Milwaukee, money market checking account No. 4011-5247	59,973.70
Marine Bank, N.A. of Milwaukee, savings account No. 497-525	552.64
Federated Financial Savings & Loan of Butler, WI, savings account No. 2-0033296	974.28
Sergeant at Arms, U.S. House of Representatives, checking account No. 748	461.98
Burke & Herbert Bank of Alexandria, VA, checking account No. 601-301-5	1,232.68
Federated Financial Savings & Loan of Butler, WI, individual retirement account	19,144.68
Total bank and savings and loan accounts	82,391.18

MISCELLANEOUS

1985 Pontiac 6000 automobile (at Blue Book trade-in value)	\$5,200.00
Office furniture and equipment (estimated)	1,000.00
Furniture, clothing and personal property (estimated)	85,000.00
Stamp collection (estimated)	19,000.00
Interest in Wisconsin Retirement Fund	24,770.03
Deposits in Congressional Retirement Fund	47,225.23
Deposits in Federal Thrift Savings Plan	5,220.82
Traveler's checks	4,550.00
Total miscellaneous	191,996.06
Total assets	3,058,606.17

LIABILITIES

Sovran Mortgage Co. of Richmond, VA (Amount due on mortgage on Alexandria, VA residence) Loan 564377	\$185,312.67
Cohen, Hottel & Garlan, attorneys at law	22,531.45
Miscellaneous 30 day charge accounts (estimated)	2,000.00
Total liabilities	209,844.12
Net worth	2,848,722.05

STATEMENT OF 1987 TAXES PAID

Federal income tax	\$31,612.00
Wisconsin income tax	10,006.00
Menomonee Falls, WI, property tax	1,909.00
Chenequa, WI, property tax	5,672.00
Alexandria, VA, property tax	4,963.00

I further declare that I am the direct beneficiary of one trust. I have no control over the assets of this trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of our minor sons, F. James Sensenbrenner III and Robert Alan Sensenbrenner and are also custodians of accounts established for the benefit of each son under the Uniform Gifts to Minors Act.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other State or foreign country.

A TRIBUTE TO ROBERT A. HANSEN, SUPERINTENDENT, NAPA VALLEY UNIFIED SCHOOL DISTRICT

HON. DOUGLAS H. BOSCO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. BOSCO. Mr. Speaker, I rise today to pay tribute to Robert A. Hansen, who is retiring after 12 years of distinguished service as superintendent of the Napa Valley Unified School District.

Mr. Hansen has been involved in the education of California's young people for over a quarter of a century. He began his career in education as a teacher in Los Angeles, and a few years later he moved to Fresno, where he

added a variety of administrative responsibilities to his duties as a mathematics instructor.

The Napa Valley Unified School District has been extremely fortunate to have Mr. Hansen in its employ since 1976. Over the past dozen years the Napa schools have maintained a national reputation for excellence in instruction, and the school district has kept its head above water during particularly rocky financial times. This is a true tribute to Mr. Hansen's administrative skills, for too many California school districts have not kept pace in the postproposition 13 era.

Mr. Hansen has also devoted himself for many years to other important forms of service in Napa, participating in local church, educational, and community affairs. He has served with distinction on many national, State, and local educational studies, boards, and commissions.

Superintendent Hansen leaves behind a dedicated and highly competent teaching staff as well as hundreds of students who have gone on to success in many fields. I encourage my colleagues to join me in thanking Robert Hansen for his many years of service to the people of Napa and in wishing him the very best in his future endeavors.

TRADE BILL PROVISION IS CONSTITUTIONAL

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. WOLPE. Mr. Speaker, as the principal author of section 2424 of the omnibus trade bill, I rise to set the record straight about whether Congress has adopted constitutionally sound restrictions on the export of certain refined and partially refined products from Alaska. In recent days, opponents of this provision have argued that it is unconstitutional, without citing any relevant judicial authority. Their attack should be seen for what it is: An attack on the substance of the amendment, using the Constitution as a crutch.

The prohibition in section 2424 against the export of certain refined and partially refined products does not differ from the prohibition contained in section 7(d) of the Export Administration Act that limits exports of Alaskan North Slope crude oil. Indeed, section 2424 merely augments section 7(d) by closing a loophole that would otherwise permit exports of North Slope crude in the form of product. The longstanding export restrictions in section 7(d) have never been challenged as unconstitutional in court, presumably because there has been little doubt that no court would strike them down.

Mr. Speaker, for the benefit of my colleagues, let me lay out the constitutional case in support of section 2424. First, economic legislation normally raises questions of equal protection and due process. This provision is thus no different from other legislation before the Congress. Moreover, the burden here falls not on the State of Alaska but on private commercial interests. The State itself is not being subjected to discriminatory treatment. In reviewing legislation of this kind, the courts

apply the so-called minimum rationality test. In its very recent decision in *News America Publishing v. FCC*, the U.S. Court of Appeals for the D.C. circuit stated:

Scrutiny under this view is so casual that validity is virtually assured.

The different outcome in that case depended on the court's construction of the statute as limiting free speech and therefore invoking the much more searching standards of the first amendment.

As the court emphasized, the constitutional question is whether "the statutory classification * * * is rationally related to some legitimate governmental interest." The national interest in preserving Alaskan oil for internal consumption in view of growing dependence on imports both in peace and war underlay the original TAPS Act. Congress clearly acted to further a legitimate governmental interest. The same policy underlies the congressional purpose of preventing evasion of the prohibition against exports through enactment of section 2424 of the trade bill.

Second, it is contended that section 2424 violates the port preference clause of the Constitution. That contention is wholly without substance. The port preference clause prohibits a preference "to the Ports of one State over those of another." The clause has never been applied to invalidate an act of Congress. As articulated by the Supreme Court over a century ago in *Pennsylvania v. Wheeling & Belmont Bridge Co.*, the clause applies at most only to a "direct privilege or preference of the ports of any particular State over those of another." It does not apply to a provision which makes no distinctions between ports, but is directed at refineries. It is not a refinery preference clause.

Section 2424 does not grant a preference to a port in violation of the clause. Even if Alaskan ports could show some disadvantage, the Supreme Court has made clear that such "incidental effects" of a statute do not violate the clause; nor do results that flow from "accidents of geography," such as Alaska's proximity to Japan. Were this not so, in the words of the Supreme Court, the result would be to "strip Congress of much of the power that it long has been accustomed to exert and which always has been held to have been granted to it by the commerce clause." *Louisiana Public Service Commission v. Texas & New Orleans Railroad Co.*

Finally, it is said that, since the trade bill does not contain a so-called severability clause, the entire bill would be found unconstitutional if this one provision were struck down. This assertion as well is unfounded. In the *Chadha* legislative veto case, the Supreme Court affirmed the longstanding principle that if one section of a statute is declared unconstitutional, the remainder of the bill remains in full effect, except in the narrow circumstance in which it is evident that Congress would not have enacted the rest of the bill without the infirm section. This principle of severance applies whether or not there is a severability clause in the legislation. As the Supreme Court stated, a provision is "presumed severable if what remains after severance is fully operative as a law." Thus, even if there were a constitutional infirmity in section 2424—which there is not—the remainder of the trade

bill would in no way be threatened. A court would simply sever section 2424 from the rest of the bill, which would remain fully operative.

In short, the claims that this provision is unconstitutional are without merit. This provision is consistent with and furthers longstanding congressional policy of ensuring that Alaskan North Slope crude is not exported unless doing so is demonstrably in the national interest.

SUPPORT THE MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. CONYERS. Mr. Speaker, I rise today to introduce a bill to extend indefinitely the Martin Luther King, Jr., Federal Holiday Commission and to provide Federal funding for this worthwhile endeavor. This legislation is essential to transforming Dr. King's vision of a just and harmonious world into a reality.

Dr. Martin Luther King, Jr., was a brilliant civil rights leader, a distinguished member of the clergy, and a Nobel laureate. His vision of equal rights and opportunity for all people transformed this country and energized social justice movements around the globe. Unfortunately, the impact and importance of Dr. King's life is being diluted by commercialism and selective memory.

The continuation of the Martin Luther King Federal Holiday Commission will help prevent further distortion in Dr. King's message and will help to spread his true legacy to the uninformed. When the Commission began its work in the fall of 1984, only 19 States observed Dr. King's birthday. This year, however, all but 7 States and over 100 foreign countries have made his birthday an official holiday.

Millions of Americans participated in seminars, rallies, prayer services, and other tributes. People of all races, cultures and political persuasions came together in the same spirit of good will and fellowship that characterized Dr. King's life. The Commission has developed and helped to distribute "Living the Dream" pledge cards on which over 2 million people have affirmed their commitment to the ideals of freedom, justice and opportunity for all. In preparation for the third national holiday celebration, the Commission distributed more than 300,000 pamphlets, posters and maps, responded to 5,000 inquiries, and serviced over 135 State and local holiday commissions. The Commission has also published and distributed the new "Living the Dream" newsletter which provides information to King holiday celebrants around the country.

Consistent with the teachings of Dr. King, the Commission participates in projects addressing issues of national concern such as teen pregnancy, drug and alcohol abuse, illiteracy, urban economic development, child abuse, family violence, job placement and counseling, and voter registration.

On the night before Dr. King was assassinated, he asked a crowd in Memphis to remember him neither for his celebrity nor for

his countless awards, degrees and publications. He asked only that he be remembered for leading a committed life. Two decades after Dr. King made the ultimate sacrifice for the betterment of the Nation, we have the chance to offer something in return to this man who gave us all so much.

The challenge remains for us to complete the work that he began. The celebration of his birthday will serve as an annual reminder of the task that lies before us. And the Commission will serve the essential role of making sure that Dr. King's life retains its special significance in our lives and memories.

That is why I urge my colleagues to join me in supporting the Martin Luther King Federal Holiday Commission.

H.R. 4443

A bill to make permanent the Martin Luther King, Jr., Federal Holiday Commission

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 "Martin Luther King, Jr., Federal Holiday Commission Extension Act".

SEC. 2. REMOVAL OF TERMINATION.

(a) REMOVAL.—Section 9 of Public Law 98-399 (98 Stat. 1475) is amended to read as follows:

"SEC. 9. The Commission shall continue in existence until terminated by law."

(b) CONFORMING AMENDMENTS.—

(1) FINDINGS.—Paragraph (3) of the first section of Public Law 98-399 (98 Stat. 1473) is amended by striking "first".

(2) PURPOSES.—Section 3(1) of Public Law 98-399 (98 Stat. 1473) is amended by striking "first occurs on January 20, 1986" and inserting "occurs on the third Monday in January each year".

SEC. 3. MEMBERSHIP.

(a) TERMS IN GENERAL.—Section 4(c) of Public Law 98-399 (98 Stat. 1474) is amended to read as follows:

"(c)(1) Except as provided in paragraph (2) and (3), members of the Commission shall be appointed not later than June 1 of each year for terms of 1 year, and any vacancy in the Commission shall be filled in the manner in which the original appointment was made. Any vacancy in the Commission shall not affect its powers.

"(2) Coretta Scott King shall serve as a member for life. In the event of a vacancy, her position on the Commission shall be filled by a member of the family surviving Martin Luther King, Jr., not already a member of the Commission, who shall be appointed by the family and shall serve as a member of the Commission at the discretion of the family.

"(3) The 2 members of the Commission appointed as members of the family surviving Martin Luther King, Jr., shall serve as members of the Commission at the discretion of the family."

(b) CONTINUATION OF TERMS OR EXISTING MEMBERS.—The individuals who are members of the Commission on the date of the enactment of this Act shall be considered to have been appointed members for a term ending on the first June 1 that occurs after the date of the enactment of this Act.

SEC. 4. REPORTS.

Sections 8 of Public Law 98-399 (98 Stat. 1475) is amended by striking the period at the end and inserting the following: "with

respect to the most recent observance of the Federal legal holiday honoring the birthday of Martin Luther King, Jr."

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Section 7 of Public Law 98-399 (98 Stat. 1474) is amended to read as follows:

"Sec. 7. There is authorized to be appropriated to carry out this Act \$300,000 for each fiscal year."

(b) CONFORMING AMENDMENTS.—

(1) EXPENSES OF MEMBERS.—Section 4(d) of Public Law 98-399 (98 Stat. 1474) is amended by striking "subject to section 7" and inserting "subject to the availability of sufficient funds".

(2) PAY FOR STAFF.—Section 6(a) of Public Law 98-399 (98 Stat. 1474) is amended by striking "Subject to section 7" and inserting "Subject to the availability of sufficient funds".

PERSONAL EXPLANATION

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SCHUETTE. Mr. Speaker, due to the death of a close friend of my family, I was unable to be present on Friday, April 29, to record my votes. Had I been present, I would have voted:

"No," on approval of the Journal.

"Aye," on the en bloc amendments.

"No," on the amendment offered by Mr. TRAFICANT.

"No," on the amendment offered by Mr. BRYANT.

"No," on the amendment offered by Mr. ROBINSON.

"Aye," on the amendment offered by Mr. McMILLAN.

LAW DAY 1988

HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. ROWLAND of Connecticut. Mr. Speaker, I am pleased to announce "Law Day 1988," which will be celebrated today, May 2d, in my hometown of Waterbury, CT. "Law Day" is sponsored by the Waterbury Bar Association, and this year's national theme is "Legal Literacy." This theme stresses not only the vital importance of being able to read and write, but also encompasses the way in which basic literacy is closely intertwined with the ability to understand the law. It is only when we can read and write that we can truly begin to understand how the law affects our everyday lives.

I commend the Waterbury Bar Association for providing a forum to bring much needed attention to the national tragedy of illiteracy. In order to maintain our legal system, knowledge and hence compliance with the law is essential. Yet with thousands of people across the State of Connecticut unable to read or write, this becomes impossible.

Our entire system of democracy is based on the participation of all. When people cannot

read and write, they are precluded from participating fully in this democracy. This in turn undermines the foundations of our Government, and democracy is not as effective as it should be.

I ask my colleagues to stand with me in celebrating "Law Day USA 1988." The efforts of the Waterbury Bar Association show that the compassion and dedication of our local attorneys and judges goes beyond the confines of the courts and into the community. Their sponsorship of "Law Day 1988" makes Waterbury a better place to live and work.

RONALD G. ACTIS: A MOST DISTINGUISHED INDIVIDUAL

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. TRAXLER. Mr. Speaker, I rise to pay tribute to a good friend and most distinguished individual, Ronald G. Actis, who has been divisional director of Public Relations and Government Relations at the Saginaw Division of General Motors Corp. in Saginaw, MI, since 1981. He has recently been promoted and we bid him a fond farewell as he leaves our community.

I would like to take this opportunity to share with my colleagues some information about Ron Actis and his service to the community of Saginaw. Originally a native of Illinois, Ron worked for General Motors there upon his college graduation, but after many years of hard work and several promotions, Ron came to Saginaw to take on the position of divisional director.

Not only has Ron excelled in his job with General Motors, he has also been generous with his spare time and has made significant contributions to his community. Ron has been vice chairman of the Saginaw Area Economic Development Alliance, of the Saginaw-Midland-Bay Counties Private Industry Council, chairman of the Saginaw County Chamber of Commerce, a member of the Governor of Michigan's Task Force on Airline Transportation Service, and a charter member of the Saginaw Area Growth Alliance.

In addition to these honorable positions, Ron has been outstanding in his personal efforts to make a difference in Saginaw County. He is the cofounder and coordinator of the Business-Union-Government group, which bi-monthly brings together 150 leaders from the three sectors to discuss economic development. He also helped coordinate Thompson Industries which brought 200 jobs to the Saginaw area. Finally, although there are many other noteworthy activities I haven't time to mention, Ron is cofounder of Leadership Saginaw, an awareness program for emerging civic leaders.

While to some, these may just be titles and job descriptions, to those of us who have known Ron, and have been touched by his service and dedication, these are the marks left by a man who has worked hard, not to make a name for himself, but to contribute to others. He has made special efforts to bring minority and non-minority groups together,

and to provide greater economic opportunities for blacks and Hispanics. And he has worked enthusiastically to encourage other people to contribute their own skills and expertise to help reach a common goal.

It has been a pleasure for me to know Ron and to call him a friend, and while it is difficult to see him leave, it is with gratitude that we in the Saginaw area say farewell to him. I am certain that in his next assignment, and wherever else he goes, Ron Actis will continue to initiate and promote positive developments in his community.

PERSONAL EXPLANATION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent on Friday, April 29. Had I been present I would have voted:

"Yea" on rollcall No. 80, to approve the Journal of Thursday, April 28;

"Aye" on rollcall No. 81, the Aspin amendment en bloc consisting of 43 separate non-controversial amendments;

"No" on rollcall No. 82, the Traficant amendment that sought to prohibit contracting out of any base support function at Air Force Reserve bases to private contractors;

"No" on rollcall No. 83, the Bryant amendment, that sought to reduce United States troops in Europe by 30,000 and in Japan by 7,000 unless NATO countries and Japan increase their spending on defense at a rate equal to their economic growth plus 1 percent and take other actions to assume a greater share on their defense;

"No" on rollcall No. 84, the Robinson amendment that sought to provide for the phased withdrawal of United States forces in Europe unless other NATO countries collectively increase their defense spending as a percentage of GNP to a level equivalent to that of the United States; and

"Aye" on rollcall No. 85, the McMillen amendment expressing the sense of Congress that the United States should enter into defense burdensharing negotiations with our allies.

JIM FLORIO ON THE INSURANCE CRISIS

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. TORRICELLI. Mr. Speaker, I would like to bring to the attention of my colleagues an article in the Newark Star-Ledger concerning the proposals of my friend and colleague from New Jersey, JIM FLORIO, on ways to deal with problems in the insurance industry. The financial stability of the insurance industry should be a matter of interest to all Members, and in this context JIM's remarks deserve special attention:

SHORTCOMINGS IN INSURANCE CAN'T BE IGNORED

As chairman of a House subcommittee that has spent the better part of the last several years probing the subterranean maze of the nation's far-flung insurance industry, Rep. James Florio (D-1st District) has reached one basic conclusion, that the Armageddon of the insurance world is drawing near.

"The real insurance crisis may only be around the corner, a few years away at the very most," Florio said after another in a series of hearings last week by his Commerce Committee's subcommittee on consumer protection and competitiveness.

"I'm convinced that when it hits—and not if—people will flock to Washington to ask us what can be done. That's why we have been holding these hearings. We're hopeful of educating some of those in Congress, so that maybe we can respond capably," the Camden County congressman said in an interview.

His reference was to a growing uneasiness in the entire insurance world over the industry's financial stability. Florio said that the growing potential for insolvencies among insurance companies is spreading rapidly, "and we haven't been doing too much to either prevent or counter it."

Last week's hearing was heralded in advance as an effort to respond to the rapid increase in auto insurance rates and the growing unavailability of auto insurance in the voluntary markets of New Jersey and most of the other heavily populated states.

But just as previous hearings by Florio's subcommittee on consumer protection started by exploring issues dealing with commercial liability, insurance risk management and product liability, and ultimately reverted to the expectations of Armageddon, so it happened again.

The fact that the hearing turned to the dangers of insolvency in no way minimized the extent of the auto insurance peril. It merely emphasized the priority that is being given to what may well be the gravest of all insurance dilemmas.

Florio explained that some federal assistance may be needed to help insurers avoid the potential for insolvencies, despite the fact that the insurance industry is by far the largest in the nation that is almost totally devoid of any form of federal regulatory involvement.

"We do not yet have a consensus on just what should be done," Florio said. "We are trying to develop a consensus for some moderate reform before the crisis occurs."

"If enough insurance commissioners say what the three testified before us, and if their words filter back to the public about the impending chaos," then Florio expects there may be sufficient support for a consensus in Congress to help avert the expectations.

"The National Association of Insurance Commissioners has identified 800 property and casualty companies on its troubled list. There are another 600 health and life insurance companies on that same list," Florio pointed out.

The three insurance commissioners who testified were Kenneth Merin of New Jersey, Constance Foster of Pennsylvania and Herman Coleman of Michigan.

Merin explained one facet of the insolvency dilemma that has been growing in the last decade, since the commercial liability crisis of the late 1970s and early 1980s.

"We have some very antiquated laws in New Jersey. For example, \$300,000 can get

you into the auto insurance business in New Jersey," Merin said, noting that such undercapitalization can also create a major level of danger that the public might not recognize.

For example, a driver who is unable to buy auto insurance because of the current tight conditions in New Jersey is concerned only about getting coverage so that he can comply with the State's requirements that he be insured in order to be permitted to drive on the state's roads.

However, one or two heavy claims against such an under-funded company would not only wipe out the operation but it would leave the "insured" driver with nothing.

"Some of the large insurance companies in New Jersey are very concerned about this question of solvency," Merin told the hearing. "We already had an insolvent life insurance company in Red Bank and now a health insurer, an HMO, and we have no guarantee fund in the state to protect claimants," the commissioner added.

Merin said that New Jersey is one of only eight states that does not have state-administered guarantee funds to protect health and life claimants from insolvent insurers.

But Merin emphasized that even a guarantee fund is not a totally acceptable solution. He explained that creation of such a fund would force the insurers to provide the fund's resources, then they would merely pass the cost along to their policyholders.

"So it's really the policyholder who is paying for bad laws, or inadequate laws that permit this situation," Merin testified of the under-funded or poorly regulated insurance companies.

Florio responded, "it sounds to me like this is a potential crisis that is as serious as the ones affecting some of the banks and savings and loans."

"It's even worse," said Merin.

Florio asked the commissioners of Pennsylvania and Michigan if that is so, if the insurance insolvency dangers are as Merin stated.

"Yes," both replied simultaneously.

NEW JERSEY LEADERSHIP

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. GALLO. Mr. Speaker, I take a great deal of personal pride in the fact that New Jersey produces more than its share of national leaders in almost every field of productive work.

We do so because countless New Jersey men and women are dedicated to the betterment of their chosen fields and stand by their principles in the never-ending process of give-and-take that is required of individuals living in a free and democratic society such as ours.

I am particularly proud when a New Jersey native, who has worked diligently and moved up through the ranks, is chosen by his peers to serve as national leader in his or her chosen field.

New Jersey's Sigurd Lucassen was chosen general president of the United Brotherhood of Carpenters and Joiners of America after more than 25 years of service.

Sigurd Lucassen has worked in all phases of his trade, as journeyman carpenter, foreman, and superintendent. A member of Carpenters Local 2250, Red Bank, NJ, he was

elected a local business representative in 1960, and in 1963 he was elected to the general executive board of the New Jersey State Council of Carpenters. He became president of the State council in 1975.

He became a general representative of his international union in 1972 and became UBC second district executive board member in 1978. He became second general vice president of the union in 1980 and first vice president in 1982.

With the retirement of Patrick J. Campbell on February 1, 1988, Sigurd Lucassen became general president of the union.

As UBC president, Sigurd Lucassen brings a wealth of knowledge and experience in union affairs.

While residing in New Jersey, he was instrumental in the formation of the New Jersey Alliance for Action, a labor-management group whose purposes are to develop jobs and provide economic advancement within the State through the cooperation of labor, management, and government organizations.

As vice-president of the UBC, he provided leadership for the union's apprenticeship and training program, and for the union label program.

On Friday, June 17, 1988, the New Jersey State Council of Carpenters will honor Sigurd Lucassen at a testimonial dinner.

As a New Jersey native who spends a great deal of time in Washington, I have the opportunity to meet with a great many people who now live in the Nation's Capital, but who have strong New Jersey connections.

This event will provide Sigurd Lucassen with the opportunity to renew old friendships and catch up on the news from back home. Of equal importance, it provides his friends and colleagues with the opportunity to honor him for his leadership, as well as his friendship. I urge my colleagues to join in recognition of Sigurd Lucassen.

THE 100TH ANNIVERSARY OF THE MISSOURI FUNERAL HOME DIRECTORS ASSOCIATION

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SKELTON. Mr. Speaker, I would like to take this opportunity to commend the Missouri Funeral Home Directors Association on its 100th anniversary. This statement is to recognize the outstanding service rendered to the people of the State of Missouri with their dedication and commitment to service.

On April 3, 1888, a large number of funeral directors assembled at a convention in Kansas City, MO, to establish and organize a State association. Their first president, Mr. G.B. Hickman of Butler, was elected and served until 1893. With the exception of 1945, during the war, the funeral directors have met in convention every year since the association's inception.

The Missouri Funeral Directors Association was represented at the National Funeral Directors Association Convention for the first

time on October 1, 1890, by its delegate John W. Wagner. In 1895, initial legislation was enacted to regulate the practice of embalming throughout the State of Missouri. Gov. William J. Stone appointed the first State Board of Embalming consisting of five members.

Since its inception, the Missouri Funeral Home Directors Association has worked to provide services and administrative assistance to its membership through many and varied educational programs. They work to secure legislation to advance the status of the cause of licensed funeral directors and embalmers. Their current president is Mr. H.A. Roberson of Bethany, MO.

The association is celebrating the 100 years of service at their annual convention to be held June 5-8. I believe they have earned the congratulations from not only myself, but the entire U.S. House of Representatives.

SCOTT COUNTY ALL-STARS WIN NATIONAL JUNIOR PRO CHAMPIONSHIP

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. COOPER. Mr. Speaker, the people of Scott County, TN, are extremely proud these days because of the outstanding accomplishments of the Scott County Junior Pro Junior Varsity All-Star girls basketball team. I am pleased to add my voice in congratulations to Head Coach Connie Bertram, Assistant Coach Paulette Todd and all the players for winning the national championship.

This impressive team not only ended the season with a 13 to 0 record, they were also victors in the Tennessee State Championship. They then advanced to the national tournament, which was held this year in Knoxville's Stokely Center. And on April 2, Mr. Speaker, this great team won the title of national champions.

As we all know, it takes very dedicated individuals to make a team, and a team cannot win unless there is unselfish cooperation among its individual players. Allow me, then, to congratulate the team members individually for their accomplishments, both personal and collective.

The all-star team included: Lisa Pace, Kim Banks, Lorie Wright, Lisa Marcum, Brandy Brown, April Reagan, Toya West, Misty Coffey, Christy Chambers, Sandy Newport, Crystal Lewallen, and Marsha Eads.

I know I speak for all of Scott County and all of Tennessee when I say congratulations. We are very proud of you.

THE 40TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Ms. SLAUGHTER of New York. Mr. Speaker, April 21 marked the 40th anniversary of the founding of the modern State of Israel. I

rise today to congratulate the citizens and friends of Israel on the remarkable achievements of these past 40 years.

The 600,000 Jews who declared independence 40 years ago had just survived the unimaginable horror of the holocaust in which one-third of the Jewish people perished. Additionally, from its inception Israel has been surrounded by nations which have vowed to destroy it. In the face of these threats and major wars in 1948, 1956, 1967, and 1973 Israel has managed to not only field one of the world's most sophisticated defense forces, but also has developed a robust democracy, a technologically advanced industry, and an agriculture which has truly made the desert bloom. That a nation facing such odds can accomplish so much so quickly is truly a cause for celebration.

Like all nations Israel has faced problems as it matured; it continues to struggle with the linked problems of achieving national security and resolving the status of the Palestinians in the West Bank and Gaza Strip. But the last 40 years bear testimony that Israel will be able to work out these difficulties. Fledgling democracies ordinarily succumb to far less adversity than Israel has endured. Israel's democracy continues to debate the nation's policy directions openly and vigorously. It continues to safeguard such basic civil rights as equality for women, free press, freedom of religion, and equal rights for all citizens. The strength of Israel's commitment to democracy and the courage it demonstrated in working with Egypt in the Camp David process are strong signals that it can and will work toward a lasting and secure peace with its neighbors.

Over the past 40 years Israel has developed into a strong military, economic, and political ally and friend of the United States. The 1983 memorandum of strategic cooperation between the two countries underlines Israel's status as a bulwark of the defense of the free world. Similarly the 1985 United States-Israel Free Trade Agreement emphasizes the closeness and vitality of our trade relations. We all look forward to continuing and strengthening these special relationships between our nations.

As Israel celebrates this important milestone, I join all its friends in rejoicing in the accomplishments of these four decades. They provide a firm foundation for what we all desire: an Israeli future of prosperity, freedom, and peace. Mr. Speaker, I ask all Americans to join me in honoring Israel on the 40th anniversary of its founding.

OTA—THE HOME OF MODERN- DAY LUDDITES

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. DORNAN of California. Mr. Speaker, I am continually amazed at the ostrich-like attitude of my liberal colleagues who refuse to believe that effective defenses can be developed to protect the American people. As proof they parade MADcapped scientists, who first and foremost, share the dream that the

best hope for peace is to keep the American people hostage to the threat of nuclear annihilation. These scientists, most of which are not weapons specialists, much less military experts, develop strawman scenarios which they can conveniently tear down. I fear, from what I have read so far on the soon to be released Office of Technology Assessment report on strategic defense, that it will again skirt the real issue and argue that President Reagan's strategic defense initiative will not work. This is not only a gross error in judgment, but flies in the face of reality. It totally ignores the results of objective, empirical tests conducted within the constraints of the ABM Treaty, the tremendous advances in high-speed computing, aerospace technology, and nonnuclear weapons development. Further, it is an insult to the tens of thousands of scientists, technicians, and workers who labor on strategic defenses on a daily basis and know the truth—SDI is not only desirable to defend our American homeland but it can bring an end to the proliferation of nuclear weapons. SDI can and will work.

Mr. Speaker, the attitude of the American antidefense lobby is simply astounding. I think Tom Clancy, the well-known author of "Red Storm Rising" and the "Hunt for Red October," has made the best analogy I have heard on the whole issue. He compares the liberal arms control lobby and their illogical fear of defense with the 19th-century Luddites. I enjoin my colleagues to read Mr. Clancy's commentary and contemplate his analysis.

[From the Wall Street Journal, Apr. 28, 1988]

LUDDITES ARE WRONG ABOUT SDI TOO

(By Tom Clancy)

In the old days they were called Luddites. The first Luddites, members of a quasi-social movement in England at the beginning of the 19th century, thought that the Industrial Revolution would end a social order and replace it with something worse. Specifically, they feared that industrial production would make cottage craftsmen obsolete.

This is precisely what happened, of course, but what the Luddites failed to recognize was that the Industrial Revolution would have the net effect of creating far more than it destroyed. After a brief, violent history, the first Luddites faded to become a curious historical footnote, and the world moved forward to an age in which ordinary people could obtain wares hitherto limited to the very rich.

Unfortunately for us all, the ethos of the Luddites has never quite disappeared. It's rather like the Flat-Earth Society, which at least admits to being an anachronism.

PERSONAL COMPUTERS

In a modern context, the Luddites are found in many communities including the scientific one, whose members should know better. Roughly half the scientists at Los Alamos in 1945 thought that the atomic bomb would not fire. They were wrong. As recently as 30 years ago some very learned people decided that the U.S. needed only four computers—each of which was less capable than the Apple Macintosh on which I am writing this article—to handle all of America's scientific and research needs. Fortunately no one listened, and an industry was born.

One can imagine the same people, less than 15 years ago, questioning the rationale for personal computers. After all, what possible use does a private citizen have for a computer? To write books? We already have typewriters for that. It will put secretaries out of work, and who will buy a personal computer, anyway?

Several tens of millions of Americans have bought computers, it turns out, and they've made life a lot easier for secretaries, authors and a lot of Americans who never dreamed that a personal computer could be such a useful tool. Every time you see a TV commercial for a personal computer, you should remind yourself of the learned study made 30 years ago, then consider that the multi-billion-dollar PC industry did not exist even as a dream less than 15 years ago. That such a thing is possible is evidence of that which the Luddites abhors. We call it "progress."

Today's Luddites are most often found in the anti-defense community in the U.S. They oppose every new weapon. The Stinger surface-to-air missile, for example, was decried as a weapon that required its operator to have a master's degree; it was too complex, too costly, too unreliable, and should not be bought. As we all know now, the U.S. gave Stingers to the Afghan freedom fighters, few of whom have advanced degrees in physics, and those overly complex, ineffective and expensive weapons are being wielded by semi-literate hill people and were decisive in winning a war against the Soviet Union. The Luddites were wrong. Again. But don't expect any of them to admit it.

The current manifestation of the Defense Luddites is the soon-to-be-released (and already partly leaked) report on the Strategic Defense Initiative by the congressional Office of Technology Assessment. One hardly needs to be a rocket scientist to know exactly what the Defense Luddites will say.

SDI will never work, they proclaim. (Surprise!) Their method of arriving at this conclusion is rather curious. When you strip all the technospeak away, they're claiming that it can't be done because it hasn't been done yet, and therefore, we ought not even to try doing it, because it can't be done. That's Luddite Logic if ever I heard it.

The world is replete with people who think things are impossible. These are largely people who don't do very much—or haven't done much in recent years—and are spiritually offended by those who do. They are, in fact, people who prefer to look for problems instead of looking for solutions; they are people who fear change.

The Luddites observe that we already have deterrence to keep the peace. Deterrence is a kind of political agreement between East and West that says in essence, if you murder our civilians, we will murder yours. This is the strategy—if we can dignify that lunatic statement with such a word—to which the Luddites adhere, and with which, they tell us, we should all be content. To try to break out of the deterrence trap might destabilize the world, they warn us, as though nuclear deterrence represents some form of stability.

Mutual Assured Destruction—which isn't even good grammar—has never made sense. Everything about it is counterintuitive. No tribe of primitives ever came up with an idea like this. The early Romans carried off the Sabine women; they didn't slaughter them as MAD dictates. Today, those women would be reduced to glowing dust. This is progress? This is stability? People think this is a good idea? The Luddites do.

SDI, despite what the Defense Luddites say, is not an adventure in technology application. It is a tool of national policy, and as with any tool it is supposed to be used with a specific objective in mind. The object, lest we forget it, is to prevent a global nuclear war.

At minimum, what SDI can and will do is make the process of launching a nuclear strike infinitely more complex and, therefore, far less likely. That is something worth doing regardless of cost or effectiveness.

NO ADEQUATE MODEL

At the same time, it is worthwhile to remember that the Luddites are useful in that they are always wrong. Among other things, they tell us in the OTA report that computer science will not race forward fast enough to handle the task of making SDI work. Evidently they have failed to notice computers that once filled a basketball court now can rattle around inside a wristwatch. Of course, they said 30 years ago that computers weren't really needed anyway, and they ignored Seymour Cray's comment that the Apple Mac-II on the market today is in some ways comparable to his first supercomputer. But, of course, who needs such capability? We will all be surprised by the answer to that question—the Luddites most of all.

The OTA report says that "no adequate model" exists for testing full-scale SDI-system concepts. Yet I saw such a model last week, and in two months it will be used for precisely that purpose. The people who made it say that, sure, there are problems with SDI technology, as with any kind of new technology. But Americans have always viewed problems as things to be solved, and we have never yet failed to solve a major technological problem. The Luddites fail to take note of that, too, but it is hardly surprising, since Luddism is a philosophy alien to America.

BREAKING DOWN THE BARRIERS

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. SMITH of Florida. Mr. Speaker, as our Nation commemorates National Barrier Awareness Day on May 7, 1988, we will have the opportunity to give special recognition to the social, cultural, physical, architectural, and attitudinal barriers which pose daily challenges to disabled persons.

Fortunately, our Nation has taken great strides to break down these barriers which inhibit the disabled from conducting their lives in the fashion they want and deserve. It is comforting to see city buses equipped with wheelchair lifts, parking places reserved for the handicapped, ramps where stairs were commonplace, and closed captions for the hearing impaired television viewer. These advances must continue.

Without question, these critical barrier adaptations and improvements are a result of the hard work of awareness organizations, such as the Broward County Barrier Awareness Committee. This committee strives to educate and inform our society of the hidden, as well as obvious, impediments confronting the handicapped throughout our nation.

The Broward County Barrier Awareness Day 1988 Committee will conduct a county-wide, educational campaign and celebration during the week of May 1, 1988 culminating in the observance of National Barrier Awareness Day on May 7. This week-long celebration will provide the committee an opportunity to relay this important message to the public about existing barriers.

The Broward County Barrier Awareness Day Committee should be praised for their perseverance in the unrelenting struggle to open our Nation's eyes to the reality of barriers. It is my hope that National Barrier Awareness Day will encourage other organizations across the Nation to engage in similar activities.

I urge my colleagues to join me in support of National Barrier Awareness Day and to pursue legislation to break down all of the barriers impeding our Nation's disabled.

PERSONAL EXPLANATION OF ABSENCE

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. PICKLE. Mr. Speaker, I was absent from the floor on Friday afternoon, April 29, due to scheduled engagements in my district.

Had I been here, I would have voted "no" on rollcall No. 84, to withdraw United States forces from Europe; and "aye" on rollcall No. 85, to enter into defense burdensharing negotiations with our allies.

TRIBUTE TO THE HERRICK MEMORIAL HEALTH CARE CENTER

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. PURSELL. Mr. Speaker, I rise today to pay tribute to Herrick Memorial Health Care Center in Tecumseh, MI, in honor of its 50th anniversary celebration this month.

The Herrick Memorial Health Care Center is a full-service facility committed to providing quality health care services vital to Tecumseh area residents. Herrick is a member of the American Hospital Association, the Michigan Hospital Association and is licensed by the State of Michigan Department of Public Health. It also is fully accredited by the Joint Commission on Accreditation of Hospitals.

The medical staff and hospital board of trustees, executives and hospital employees and retirees are proud of the 50 years of service the hospital has provided. Residents of Herrick's surrounding communities have reason to be grateful for such a fine service and community oriented health facility.

Mr. Speaker, the professionals at Herrick understand the importance of thoughtful, personal care and service and how it contributes to wellness and patient comfort. I would like to take this opportunity to publicly recognize and commend the work that all individuals as-

sociated with Herrick perform. May the next 50 years at Herrick continue to reflect a commitment to excellence and growth in service.

**CONGRESSMAN KILDEE HONORS
ANTHONY RAGNONE**

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the long and distinguished career of Mr. Anthony (Tony) Ragnone of Flint, MI. Tony will be honored by his friends and professional affiliates for his tremendous accomplishments in Flint and Genesee County on the evening of May 5, 1988. As Drain Commissioner for Genesee County for 25 years, Tony has been the mastermind and No. 1 advocate in our community for clean lakes and streams, the comfort and convenience of our population, and the effective and efficient provision of water and sewers for our industry.

In Michigan, the position of Drain Commissioner dates well back to the previous century when developing cities, towns, and villages recognized the need to adequately plan and protect lakes and streams, wetlands, and delta areas for the purpose of providing for orderly growth. It is a position of great importance to our respective Michigan communities and one that truly tests the mettle of those willing to run for an office that requires around-the-clock responsibility for public safety, adherence to a myriad of Federal regulations, and strong foresight for orderly growth is an environment consisting of several competing interests. Tony Ragnone has not only met these and countless other qualities, he is a living legend who has set an example that will forever stand in the history of environmental protection and development in Michigan.

In 1962, when Tony first ran for Drain Commissioner in Genesee County, one of his first public statements was that government should be the eager servant of all the people. I, too, was beginning my public career at that time, and I believe the reason Tony and I have always had a strong working relationship and sincere friendship is that we believe with all our hearts in upholding the public's trust and in the need to promote, protect, and defend human dignity. That is why Tony Ragnone would not think twice about arriving at the scene in the middle of the night when a home or neighborhood was flooded or when a family business was threatened by destruction.

In Flint, where we are facing some very difficult economic times as a result of reorganization measures taken by the automobile industry, I very often refer in public speeches to the superior infrastructure that we can promote for the purposes of retaining the presence of that industry as well as recruiting new business and people. Out of sight under the homes and businesses in Genesee County exists an infrastructure, Mr. Speaker, that is second to none. In the 1980 census, Genesee County led the Nation in percent of population served by public sanitary sewers. In Genesee County, our sanitary sewer system consists of

activated sludge plants, pumping stations, and lagoons and serves a total of 17 townships, 8 cities, and 5 villages. At the same time, Tony Ragnone has managed the construction and improvement of a water system serving 11 townships, 6 cities, and 1 village. This system consists of two major pumping stations and 12 million gallons of storage. And soon to be constructed is the first phase of a master planned water system referred to as the county loop. Over time, the water loop will save our communities millions of dollars. This one project is exact embodiment of the spirit of forward think for which Tony is famous. Some of Tony's other responsibilities that are carried out with distinction include solid waste management and recovery and county flood plan control.

Mr. Speaker, aside from being a devoted husband and father to his loving wife, Dorothy, and their three wonderful children, Lucia Marie, Josephine, and Samuel, Tony Ragnone has many other personal qualities that I admire. An avid sportsman and outdoorsman, Tony recognized early on the benefits of providing temporary summer jobs in an outdoor setting for hundreds of youth in Genesee County. He has been the mentor to dozens of developing engineers and planners who individually attest to the career start provided them by Tony Ragnone. One of the most rewarding parts of my career has been the opportunity to work closely with Tony in packaging projects worth tens of millions of dollars. Tony is in the truest sense an expert and professional in leveraging Federal and State funds, making the individual assessments for local projects as reasonable as possible. Going back in history to agencies and programs that have long since ended, to today, with the Environmental Protection Agency, Tony Ragnone has championed an effort resulting in over \$100 million in Federal funds coming home to Genesee County.

Mr. Speaker, during his tenure in Genesee County, Tony Ragnone has succeeded in far surpassing his expected duties as Drain Commissioner. Our water supply system, our sewage collection and treatment structures, our solid waste plan, and our storm drainage systems are second to none in the United States. It is indeed an honor and privilege to pay tribute to a man who has not only made history, but who has left a legacy that will be appreciated by generations to come.

H.R. 4150, THE POSTAL REORGANIZATION AMENDMENTS ACT OF 1988

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mrs. SCHROEDER. Mr. Speaker, I strongly support H.R. 4150, legislation introduced by my good friend and colleague, Mr. FORD of Michigan, to take the Postal Service off-budget.

In the past few months, the Postal Service has simultaneously raised rates and cut service. As a result, many of our constituents are hopping mad: What does the post office mean by charging more and delivering less?

What most citizens do not know is that the service cuts came not because the Postal Service could not make ends meet. Rather the cuts were ordered as part of a Reagan administration plan to privatize the Postal Service. Jim Miller, the OMB head, used the arcane procedures of the Gramm-Rudman budget law to force the Postal Service to make the public mad. Miller figured that the public reaction to closed post offices would be enough to win approval of his lifelong dream of having Dominos Pizza deliver the mail.

The only way to prevent Miller and his co-conspirators from striking again is to remove the Postal Service from the Federal budget, which is just what H.R. 4150 does. We do not appropriate any money to subsidize the operations of the Postal Service and, because postal income covers postal costs, Postal Service operations do not increase the size of the Federal deficit. So keeping the Postal Service on budget serves only one purpose: permitting ideologues to slash public service to build support for privatization.

A majority of our colleagues in the House have now cosponsored this bill. They know that the bill will prevent further service cuts affecting our constituents. It is time to let the Postal Service do what it does best—deliver the mail.

**FEDERAL NUCLEAR FACILITIES
ENVIRONMENTAL RESTORATION
AND MANAGEMENT ACT
H.R. 4193/S. 2189 FEDERAL NUCLEAR
FACILITIES CLEANUP
ACT**

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. BONKER. Mr. Speaker, the recently discovered plutonium leak at the Department of Energy's [DOE] radioactive waste management complex of the Idaho National Engineering Laboratory, underscores the need for an aggressive environmental cleanup and compliance program for DOE facilities.

Plutonium leaks, first discovered at the 36-year-old radioactive waste management complex in June 1987, are now threatening to contaminate an underground water reservoir supplying thousands of southern Idaho residents. This occurrence is not an isolated incident. More than 20 major DOE nuclear facilities around the country have serious contamination problems. Studies by the General Accounting Office found that the Idaho site is one of 1,300 in which wastes from atomic weapons production were buried or stored. The particular problem of waste leakage has arisen at 12 other Government facilities.

Clearly, DOE facilities should be brought under the same environmental standards as the private sector. And the Federal Government, which created the waste problems, should be responsible for the cleanup of the radioactive and hazardous waste and contamination at DOE facilities. Senator BROCK ADAMS and I recently introduced the Federal Nuclear Facilities Environmental Restoration

Act (H.R. 4193/ S.2189), legislation to accomplish both of these goals.

Under the Bonker-Adams bill, the Environmental Protection Agency would develop cleanup plans for DOE facilities in the form of "compliance agreements" with DOE, which would include cleanup standards based on Federal environmental laws (especially CERCLA and RCRA), a timetable for action, and an outlay schedule. The bill would establish a cleanup trust fund and allocate costs among DOE, the Department of Defense, and other Federal and private users of DOE nuclear services. In addition, the legislation would establish a special environmental counsel to enforce the compliance agreements and Federal environmental laws of Federal nuclear facilities.

The problem of contamination and nuclear waste disposal at Federal nuclear facilities is one which we can ill-afford to ignore. The longer we wait to adopt a comprehensive cleanup plan, such as the one Senator ADAMS and I have proposed, the greater will be the cost and the threat to human health and the environment.

The following excerpt from an article in the New York Times by Keith Schneider is an excellent account of the plutonium leakage at DOE's Idaho facility, and the problem of contamination at DOE facilities generally:

PLUTONIUM LEAK IN IDAHO SYMPTOM OF ATOMIC ILLS

(By Keith Schneider)

IDAHO FALLS, ID.—The discovery of a plutonium leak in one of the nation's oldest and largest nuclear waste dumps has presented both a problem and an opportunity in the Federal Government's effort to deal with a legacy of dangerous wastes from the buildup of the nation's nuclear arsenal.

Against a pristine panorama of mountains, desert and brilliant sky in southeastern Idaho, engineers using delicate monitoring equipment have confirmed that traces of plutonium have drained from shallow waste pits at the Radioactive Waste Management Complex. They are moving through rock layers toward a vast underground water reservoir that supplies thousands of southern Idaho residents. The deadly elements have been confirmed 110 feet beneath the waste site and tests indicate they are as deep as 240 feet, nearly halfway to the reservoir.

The leaks at 36-year-old waste site, part of the Government's Idaho National Engineering Laboratory, were first identified in June 1987. It is a problem that has arisen in 12 other states at the national laboratories and industrial plants that spent almost five decades making nuclear weapons for the military, leaving behind radioactive waste that could take until the 22d century to clean up.

A LONG CLEANUP PROCESS

At the same time, the Idaho plant is one of those at which the Government is attempting to develop methods for stopping leaks at nuclear waste sites as well as developing methods for disposing of other radioactive substances, including contaminated soil.

"We're going to be in this cleanup business 50, 100, 150 years from now," said George Kritz, a physicist and director of the Energy Department's hazardous waste and remedial action division in Germantown, Md.

The Energy Department said last month that it would cost a total of about \$100 billion to determine how much waste there is at sites nationwide, to contain it and to clean it up. This is an effort that emerged this year at one of the department's principal missions.

\$895 MILLION WASTE PLAN

In the fiscal year 1988, the department will spend \$895 million to manage its radioactive wastes, or nearly 12 percent of the \$7.5 billion budget for nuclear weapons production. Two years earlier the amount was \$618 million, 8 percent of the department's weapons budget.

Engineers in Idaho say the particles of plutonium that have penetrated to the deep rocks do not pose an immediate threat to any of the 10,000 employees at the Idaho laboratory, the 40,000 residents of Idaho Falls, or to any other citizen. Health specialists agreed.

But Federal engineers said they are concerned about future generations. Plutonium remains radioactive for 250,000 years and even microscopic particles can be lethal if they are inhaled or swallowed. If enough of the man-made element penetrates to the underground reservoir, the aquifer's use to farmers or households could be limited or ruined, the Federal authorities acknowledged.

WE'RE WATCHING CAREFULLY

"We don't expect that to happen," said James E. Solecki, director of waste management at the Idaho laboratory. "The levels of plutonium we've found are very low, about the same as what you'd find on the ground in New York or Washington from atmospheric testing in the 1950's. We're watching the situation very carefully."

According to studies by the General Accounting Office, the investigative arm of Congress, the Idaho site is one of 1,300 in which wastes from atomic weapons production were buried or stored. The agency said many had become substantial environmental and public health threats. Here are some of those situations:

Radioactive substances from waste pits holding 11 million gallons of uranium at an Energy Department plant in Fernald, Ohio, are leaking into an aquifer and have contaminated wells a half-mile south of the facility.

More than 500,000 gallons of highly radioactive liquids have leaked from tanks at the Hanford Reservation near Richland, Wash. Other radioactive substances have contaminated water under the ground. In another part of the reservation, billions of gallons of contaminated water were poured into the ground and a steady stream of radioactive tritium is flowing into the Columbia River.

Chemicals and radioactive material have contaminated the aquifer beneath the Savannah River Plant near Aiken, S.C., and are not present at levels 400 times greater than what the Government considers safe. The General Accounting Office and envi-

ronmental and scientific groups say the 300-square-mile region could be irreversibly contaminated.

GOVERNMENT'S BIGGEST CHALLENGE

"The nation faces a formidable task to clean up thousands of sites owned by the Federal Government at which uncontained hazardous and radioactive wastes are contaminating soil and ground water," Dexter Peach, Assistant Comptroller General of the G.A.O., told a House Energy and Commerce subcommittee last month. "Cleaning up the Energy Department's nuclear facilities may be the Government's biggest challenge."

The department is completing a \$1.3 billion plant to turn highly radioactive liquid wastes stored at the Savannah River Plant into glass logs for safer storage and a similar plant is planned for the Hanford Reservation. A \$700 million waste repository is under construction in New Mexico to permanently store plutonium-contaminated wastes.

The agency is also studying how to decontaminate old reactors and production facilities that have been abandoned. Since 1982, workers clad in protective suits and outfitted with acetylene torches have been dismantling a laboratory building in Miamisburg, Ohio. Taking the plutonium-contaminated laboratory apart by hand and transporting the pieces to Idaho or New Mexico will not be completed until the mid-1990's when the cost is expected to total \$50 million. . . .

SUPPORT FOR THE ATV CONSENT DECREE SHOULD MEAN OPPOSITION TO LEGISLATIVE ACTION

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1988

Mr. DANNEMEYER. Mr. Speaker, on Monday, April 18, 1988, Federal Judge Gerhard Gessell heard arguments regarding the efficiency of the final consent decree that was filed by the Justice Department [DOJ] on behalf of the Consumer Product Safety Commission [CPSC] and by the all terrain vehicle [ATV] distributors. On April 27, 1988, the final consent decree was approved by Judge Gessell.

Since many of us represent ATV dealers and riders, it is important that Members be aware of the substantial progress of this issue. There are approximately 2.4 million ATVs in use in America with about 6.75 million riders. In addition, there are 4,900 independent ATV dealers nationwide. Because there is such widespread local interest in this issue and because of the attention this issue has received in the press, I commend to my colleagues the following information from the DOJ's brief in support of the final consent decree:

APPENDIX A

[Comparison of relief in section 12 complaint, PCD and FCD]

Category of relief sought in complaint	Relief agreed to in PCD	Relief agreed to in FCD
(1) Free hands on training courses for all past and future ATV purchasers and their immediate families, coupled with incentives for participation [Paragraph 2(a)].	(1) Framework for free, hands-on training program, to be operated nation-wide, coupled with participation incentives; details of program were to be fleshed out in FCD [PCD Paragraph K].	(1) Remaining details of nation-wide free hands-on training program and anticipated structure agreed upon [FCD paragraph K].
(2) Free written and visual training materials to past and future purchasers and their immediate families [Paragraph 2(b)].	(2) Not addressed in PCD.	(a) Country divided into six regions, each staffed by Administrator and support personnel, each broken down into Areas under jurisdiction of Area Administrators who bear direct responsibility for administering training component at sites reasonably accessible to purchasers. (b) Six-hour course content agreed upon; features practical riding experience coupled with lessons on proper riding behavior. (c) Course content to be field tested and modified from time to time to meet student needs better. (d) Each purchaser of a new ATV who completes training course will receive \$100 U.S. Savings Bond, \$50.00 in cash, or a merchandise certificate (where offered), at his option. (e) Distributors begin implementation of structure within 60 days of Court's approval of FCD. Instructor training to begin upon completion of field testing, with pool of 1,000 trained instructors anticipated within six months of Court approval. Rider training to begin as instructors are trained. (f) Distributors provide to dealers a 25% discount on ATVs loaned for use in training courses. (g) Reporting and verification requirements to CPSC on course content, level of participation, and the number of instructors available. (2) Student handbook provided free to each participant [FCD Paragraph K.2.a].
(3) Extensive media campaign to advertise [Paragraph 2(c)]. (a) the operating characteristics of an ATV and of the availability of free training; and, (b) age recommendations.	(3) Media public awareness campaign. (a) Distributors to mount a substantial nation-wide print and broadcast media public awareness campaign, within 45 days of entry of FCD: agreement on precise contours of media campaign to be agreed upon in FCD [PCD Paragraph J]. (b) within twenty days of entry of PCD. Distributors to make affirmative representations, including in electronic media if used for advertising, recommending ATVs with engines of 70 cc to 90 cc for riders aged 12 and older and ATVs with engines of greater than 90 cc for riders aged 16 and older and to use best efforts to ensure dealer compliance with these recommendations; agreement expressly made enforceable with entry of PCD, and survives even absent later agreement on FCD [PCD Paragraph G]. Right to proceed against vehicles marketed for children under 12 reserved to Commission [Paragraph P].	(3) Media public awareness campaign. (a) (i) Distributors to mount substantial media campaign to increase public awareness of ATV safety; campaign to be conducted on network cable, and spot television, and in enthusiast and outdoor magazines in late 1988; to be featured in print a second time in early 1989. Distributors to notify by mail specified public service organizations of availability of free written and videotaped safety material; CPSC to be provided copies of advertising, and to monitor compliance [FCD Paragraph J]. (a) (ii) Distributors to contact consumer groups and every County Extension Service to offer free safety brochures and safety videos. (b) No material modification from PCD [FCD Paragraphs G and P].
(4) Ban on advertising alleged to encourage unsafe riding [Paragraph 2(d)].	(4) Distributors to develop for inclusion in FCD, and to follow, marketing guidelines acceptable to Commission that alert public to potential risks associated with ATVs. The availability of free training, and that address the age recommendations for ATVs and the image of ATVs.	(4) All future advertising and promotional materials to conform to media guidelines [Paragraph J.1.]. (a) Guidelines address depictions of and statements about ATV stability, necessary skills and training, terrain, age recommendations, use of children in advertisements, speed/racing, operator behavior, protective equipment, and cargo. (b) Safety messages regarding training, helmets, recommended ages, and other safety tips required in advertisements and promotional materials. (5) Already completed.
(5) Direct mailing of notices and warnings to all known past purchasers [Paragraph 2(e)].	(5) Detailed and agreed-upon safety notice (Appendix A in PCD) regarding alleged risks associated with ATV use to be mailed to known past purchasers of ATVs within twenty days of the entry of the PCD [PCD Paragraph E.1.a.].	(6) Format and language of warning labels agreed upon; to be mailed to all known purchasers and to dealers within 45 days of Court's approval of FCD or testing program, whichever is later [FCD Paragraph H.1.]. (a) Labels designed and tested to conform to generally accepted labeling practices. (b) Labels address age recommendations, proper tire pressure and potential hazards associated with carrying passengers, paved surfaces, public roads, use of alcohol, excessive speed, and stunt maneuvers.
(6) New labeling on all new models, with new labels sent to known past purchasers [Paragraph 2(f)].	(6) Distributors to agree on new warning label, posted on all new ATVs and mailed to all known past purchasers, bearing important safety information and age recommendations in language and format agreeable to Commission and specified in FCD [PCD Paragraph H].	(7) Manual supplement and guidelines for new owner's manuals [FCD Paragraph H.2.]. (a) Manual Supplement contains information on 26 potential hazards and how to avoid the potential hazard. To be mailed to known past purchasers with the new labels and provided to all dealers to include with existing manuals. (b) Manuals for new models will contain introductory section highlighting the potential hazards in the manual supplement and will follow guidelines addressing content, format, and readability. (8) Safety Alert poster already distributed; no material modification of PCD except that safety verification form no longer required and purchaser is to be given a revised safety alert. All safety material to follow guidelines addressing content and form [FCD Paragraph H.3.b.].
(7) New owner's manuals emphasizing techniques of safe ATV operation [Paragraph 2(g)].	(7) Within 45 days of entry of PCD. Distributors to agree on revised owner's manuals, agreeable in language and format to CPSC, to give warnings regarding potential hazards associated with ATV use, and to send new manuals to dealers within 45 days of court approval of FCD [PCD Paragraph I.2.].	(9) Already completed.
(8) Enhanced point-of-purchase safety material [Paragraph 2(h)].	(8) Provide all ATV retailers with a variety of point-of-purchase safety material, including: mandatorily displayed posters, measuring four feet by four feet, bearing ATV Safety Alert; hang tags with appropriate safety messages mounted in each ATV in showroom; safety videos; and copies of a Safety Verification Form (Appendix C) [PCD Paragraphs E.1.b., I.2.b.].	(10) No material modification of PCD [FCD Paragraph H.3.a.].
(9) Undertaking to encourage independent dealers to convey safety information to customers [Paragraph 2(i)].	(9) Within twenty days of approval of PCD, each dealer to receive specified letter (PCD Appendix B) providing terms of PCD, copy of PCD, advising them to encourage safety awareness and to take special care in matching riders with appropriate sized vehicles [PCD Paragraphs E.1.c., I.2.b.(6)].	(11) No material modification of PCD [FCD Paragraph H.4.].
(10) Distributor oversight of dealer compliance [Paragraph 2(j)].	(10) Exercise oversight, to extent permitted by law, to encourage dealer compliance with safety requirements of consent decrees. [FCD Paragraph I.2.b.(5)].	(12) No material modification of PCD [FCD Paragraphs F and Q].
(11) Toll-free safety hotline [Paragraph 2(k)].	(11) Toll-free hotline established by Distributors to provide safety information to consumers and to advise consumers how to contact CPSC with ATV questions [PCD Paragraph I.c.].	
(12) Immediate halt in sales of three-wheel ATVs, and an undertaking to repurchase dealer inventory [Paragraph 4].	(12) Effective with Court's approval of the PCD, each Distributor to halt marketing and distribution to dealers of all three-wheel ATVs immediately, within five days of entry of PCD, each Distributor to notify retailers to halt all marketing and sales of three-wheel vehicles immediately, and to offer commercially reasonable adjustment for all such vehicles in dealer inventory. CPSC reserves the right to take further actions if, twelve months or more after entry of FCD, Commission determines on new and substantial evidence that "a further and more extensive ATV recall and repurchase remedy is warranted" [PCD Paragraph F].	
(13) Refunds to all interested owners of three-wheel ATVs or of four-wheel ATVs purchased for use by children under age 16 [Paragraph 3].	(13) No comparable provision.	(13) No comparable provision.

APPENDIX A—Continued

(Comparison of relief in section 12 complaint, PCD and FCD)

Category of relief sought in complaint	Relief agreed to in PCD	Relief agreed to in FCD
(14) No request for relief	(14) Distributors to continue participation in voluntary performance standards process. To make good faith effort to reach agreement on such standards within four months of entry of FCD [PCD Paragraph L].	(14) No material modification of PCD [FCD Paragraph L].
(15) No request for relief	(15) Distributors will not oppose state legislation that provides for consistent age recommendations and hands-on training for ATV licensing and certification [PCD Paragraph O].	(15) No material modification of PCD [FCD Paragraph O].
(16) No request for relief	(16) Government retains right to bring separate proceeding under FHSA against ATVs marketed for use by children under age twelve [PCD Paragraph P].	(16) No material modification of PCD [FCD Paragraph P].
(17) No request for relief	(17) Government reserves right to initiate other rulemaking proceedings, under either the CPSA or the FHSA, against any additional hazards alleged to be presented by ATVs [PCD Paragraph Q].	(17) No material modification of PCD [FCD Paragraph Q].
(18) No request for relief	(18) No comparable provision.	(18) No safety-related communication generally distributed from Distributor to consumer shall be inconsistent with the terms of FCD [FCD Paragraph I].
(19) Not applicable	(19) Not specified.	(19) JD shall have effect for term of ten years from date of Court's approval [FCD Paragraph E].

[In the U.S. District Court, District of Columbia, Civil Action No. 87-3525 GAG]

UNITED STATES OF AMERICA, PLAINTIFF, v. AMERICAN HONDA MOTOR CO., INC., HONDA MOTOR CO., LTD., HONDA RESEARCH & DEVELOPMENT CO., LTD., YAMAHA MOTOR CO., LTD., YAMAHA MOTOR CORP., U.S.A., SUZUKI MOTORS CO., LTD., U.S. SUZUKI MOTOR CORP., KAWASAKI HEAVY INDUSTRIES LTD., KAWASAKI MOTORS CORP., U.S.A., POLARIS INDUSTRIES, L.P., DEFENDANTS.

MEMORANDUM OF THE UNITED STATES IN SUPPORT OF FINAL CONSENT DECREES

D. The absence of a refund provision does not render the decree an unfair, inadequate, or unreasonable resolution of the ATV controversy

As demonstrated above the settlement before the Court fully satisfies the requirement that it be fair, reasonable and adequate. The absence of an agreement by defendants to provide a refund to past purchasers of ATVs in no way undermines this conclusion, notwithstanding the position of Amici to the contrary.

While a refund remedy is authorized by Section 12 if necessary to protect the public from an imminently hazardous product, we start from the premise that there has never been a case granting relief of this kind across an entire industry's product line. The breadth and novelty of such a remedy would, standing alone, create significant uncertainty about the Government's likelihood of success in litigation. But the legislative history of the CPSA suggests a cost-benefit approach in regulating consumer products. See S. Rep. No. 749, 92d Cong., 2d sess. 14-15 (1972); 118 Cong. Rec. S 18199 (October 14, 1972). The Government, as part of its pre-litigation preparation, did an exhaustive analysis of this factor, interviewing fact witnesses, consulting with experts, and examining the legal principles involved. While prudence dictates that our precise risk analysis not be disclosed here (because these privileged documents would be highly useful to adversaries in other CPSA cases or in this one, if the Final Consent Decree is not approved), suffice it to say that the Government's case would not be without difficulties.

The primary focus of the CPSA is, of course, safety. By contrast, the protection which a refund remedy would afford to ATV owners is in large measure financial, as some of the Amici readily acknowledge in their briefs. See Brief of Amici Curiae States, pp. 32-34. A refund would be designed to serve primarily as equitable compensation for those who bought ATVs under the mistaken belief that they were harmless easy-to-ride vehicles and would provide a kind of "insurance" in the event

of a declining resale value for ATVs on the used market as a result of the hazards of ATVs becoming known. As useful a remedy as that might be, it is far from a central element of the safety-related remedies sought by the CPSC. As a result, its absence from the settlement agreement in no way renders the settlement unfair, unreasonable or inadequate, specifically given the preeminent purpose behind Section 12 of protecting the lives and limbs of consumers. The extensive safety-oriented relief achieved by the Final Consent Decree—relief which the Government could not have obtained in settlement had it persisted with its demand that defendants provide a refund—is indisputably more critical than a provision for restitution.¹⁵

The extent to which a refund remedy would advance consumer safety beyond what the relief achieved through settlement also cannot be known. Arguably, however, the availability of a refund would do little, if anything, to enhance consumer safety in any significant way that the settlement relief does not. Amici appear to suggest that a refund is essential for inducing ATV owners to stop using their ATVs and to stop allowing their children to use them, thereby reducing deaths and injuries associated with ATV use. See Brief of Amici Curiae States, p. 33; Brief of United States Senator Alfonse M. D'Amato As Amicus Curiae, p. 3; Memorandum In Support Of Intervenor's Motion Requesting Court To Hold A Hearing Before Approving Any Final Consent Decree, p. 9. Yet, based on its analysis of the data, the CPSC did not conclude that a recall or ban of ATVs was warranted at this time. Accordingly, the relief sought by the CPSC, including the voluntary repurchase proposal, was not designed to create the *de facto* recall Amici appear to support. Thus, to criticize the settlement because it does not have the effect of a ban or recall is to urge an approach to ATV safety not even adopted in the government's complaint.

At the same time, while it may be true that a refund would induce ATV owners to sell their ATV when they otherwise would not, the relief secured through settlement, with its numerous notification provisions, provides ample incentive for these individuals to discontinue their use (and their children's use) of ATVs if, fully informed of ATV risks by virtue of the settlement, he or she decides that operating the vehicle poses

an unacceptable risk of harm. Amici have not presented any reason to believe that a refund, in addition to the notification relief, is necessary to coax informed consumers into taking steps, appropriate in their judgment, to protect themselves and their families, whether that is careful use of the machine or abandonment of it altogether.

Given the lack of assurance that a refund remedy would do anything to reduce the number of deaths and severe injuries associated with ATV operation beyond what the relief provided for in the consent decree will do,¹⁶ the position that only a settlement which includes a refund remedy would fairly, adequately and reasonably resolve the ATV controversy is untenable. The Court, therefore, should approve the settlement agreement reached by the parties despite the fact that it does not require consumer refunds, a remedy which could only be obtained, if at all, through protracted litigation lasting several years. Any other ruling would completely vitiate the certain benefits of the wide-ranging, timely remedial actions to which the Final Consent Decree obligates defendants.

CONCLUSION

The ATV industry has committed itself in the Final Consent Decree to offering consumers relief that will substantially abate the hazards associated with ATV usage. The defendants are now prepared, at considerable cost, to disclose the dangers of their product to the public and to equip users of their product with the skills needed for its safe operation. There is simply no adequate reason for the Court to keep the public from receiving this long overdue relief. For the foregoing reasons, the Government respectfully requests that the court approve the final consent decree as promptly as possible.

Respectfully submitted,

JOHN R. BOLTON, Assistant Attorney General.

JAY B. STEVENS, U.S. Attorney.

ROBERT J. CYNKAR, Deputy Assistant Attorney General.

The ATV distributors agreed to implement every program sought in the Government's

¹⁵ The decree does not, moreover, foreclose ATV owners from seeking restitution against the defendants under state deceptive marketing laws. In fact, a class action is now pending in U.S. District Court in Philadelphia asserting such claims on behalf of all ATV owners. *Reinheimer, et al. v. American Honda Motor Co., Inc., et al.*, C.A. No. 88-0237 (E.D. Pa.) (filed January 13, 1988).

¹⁶ A conceivable safety benefit to be attained through a refund remedy that is not attained by the consent decree is a deterrent in the future against product manufacturers and distributors defendants making the same mistakes that were made in the ATV industry. However, this result, albeit desirable, would do nothing to redress the imminent danger posed by ATVs and is therefore irrelevant to the purpose behind the government's Section 12 action.

complaint, except one. The only action requested by the Government that was not included in the settlement was the provision that would have required the ATV distributors to provide refunds to all interested owners of three-wheel ATV's or of four-wheel ATV's purchased for use by children under age 16. In an effort to provide some perspective on the absence of this provision from the consent decree, I have also attached pages 34-38 from DOJ's brief. As DOJ noted, "[a] refund would be designed to serve primarily as equitable compensation for those who bought ATV's." * * * Moreover, DOJ concluded that * * * the availability of a refund would do little, if anything, to enhance consumer safety in any significant way that the settlement does not." Given the importance of the immediate relief contained in the consent decree, the CPSC would have breached its statutory duty to protect consumer safety if it had rejected the settlement because there was not refund provision.

I support the consent decree because of the immediacy and the nature of the relief contained in it. I urge my colleagues to join me in supporting the judge's decision in the final consent decree and opposing any legislative effort to undermine or vitiate it by legislatively imposing a requirement that ATV distributors provide refunds.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 3, 1988, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 9

9:30 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of the Interior and certain related agencies.

SD-192

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Housing and Urban Development and related agencies.

SD-124

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1989 for the Department of the Interior and certain related agencies.

SD-192

Governmental Affairs
To hold hearings on the U.S.-Canada Free Trade Agreement signed on January 2, 1988, to provide increased economic activity, higher trade levels, jobs, and enhanced competitiveness for the U.S. and Canada.

SD-342

MAY 10

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Education.

SD-116

Joint Economic
Education and Health Subcommittee
To resume hearings on the future of health care in America.
2325 Rayburn Building

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for defense programs.

SD-192

Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Housing and Urban Development and related agencies.

SD-124

MAY 11

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Compensatory Education for the Disadvantaged, School Improvement Programs, Impact Aid, Bilingual, Immigrant and Refugee Education, Education for the Handicapped, Rehabilitation Services and Handicapped Research, and Vocational and Adult Education.

SD-192

Energy and Natural Resources
Business meeting, to consider pending calendar business.

SD-366

Special on Aging
To hold hearings to review biomedical advances in aging research.

SD-G50

10:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 1869, Dairy Farm Protection Act, and milk marketing orders.

SR-332

Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Air Force military construction and family housing programs.

SD-124

Governmental Affairs
Business meeting, to consider pending calendar business.

SD-342

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To resume hearings on S. 1480, to promote the integration of universities and private industry in the National Laboratory system of the Department of Energy in order to improve the development of technology in areas of economic potential, and Amendment No. 1627 proposed thereto.

SD-366

Small Business
Business meeting, to mark up S. 1993, to improve the growth and development of small business concerns owned and controlled by socially and economically disadvantaged individuals, especially through participation in the Federal procurement process, and proposed legislation to authorize funds for fiscal year 1989 for the Small Business Administration.

SR-428A

MAY 12

8:00 a.m.
Veterans' Affairs
To hold hearings on S. 1692, to provide for the payment of a veterans' disability benefit in the case of certain veterans who have non-Hodgkin's lymphoma, S. 1787, to prescribe certain presumptions in the case of veterans who performed active service during the Vietnam era, and to review other related agent orange issues.

SR-418

9:00 a.m.
Rules and Administration
To resume hearings on S. 2061, to establish national standards for voter registration for elections for Federal office.

SR-301

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Student Financial Assistance, Guaranteed Student Loans, Higher Education, Higher Education Facilities Loans and Insurance, College Housing Loans, Howard University, Special Institutions (includes American Printing House for the Blind, National Technical Institute for the Deaf, and Gallaudet) Education Research and Statistics, and Libraries.

SD-192

Governmental Affairs

To resume hearings on restructuring the Nuclear Regulatory Commission.

SD-342

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1989 for bilateral economic assistance programs.

S-126, Capitol

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for trade activities of the Department of Commerce and the U.S. Trade Representative.

S-146, Capitol

Rules and Administration

To hold hearings on S. 182 and H.R. 435, bills to establish a single poll closing time in the continental United States for Presidential general elections.

SR-301

2:00 p.m.

Energy and Natural Resources

To hold hearings on S. 2203, to extend the expiration date of title II of the Energy Policy and Conservation Act.

SD-366

MAY 13

9:30 a.m.

Governmental Affairs

To hold hearings on regulatory reform.

SD-342

MAY 17

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1989 for bilateral economic assistance programs.

S-126, Capitol

MAY 18

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

10:00 a.m.

Governmental Affairs

Government Efficiency, Federalism, and the District of Columbia Subcommittee

To resume hearings on S. 1992, to promote intergovernmental and inter-agency cooperation in the development of groundwater policy.

SD-608

1:30 p.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To resume hearings on S. 1731, to establish a demonstration program to provide educational and job-training services for severely disadvantaged youths.

SD-430

2:00 p.m.

Energy and Natural Resources

Energy Research and Development Subcommittee

To hold oversight hearings on the President's proposed budget request for fiscal year 1989 for the Department of Energy, focusing on renewable energy and energy conservation programs.

SD-366

MAY 19

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

Commerce, Science, and Transportation

Foreign Commerce and Tourism Subcommittee

To hold hearings on tourism as an export.

SR-253

Energy and Natural Resources

To hold hearings on the Economic Regulatory Administration's prosecution of individuals in oil overcharge cases under the "central figure" theory of recovery in restitution, as adopted in Citronelle-Mobile Gathering, Inc. et al. v. Herrington, 826 F.2d 16 (TECA 1987).

SD-366

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1989 for bilateral economic assistance programs.

S-126, Capitol

MAY 20

10:00 a.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1461, to convey certain lands to the YMCA of Las Vegas, Nevada, S. 1687, to correct historical and geographical oversights in the establishment and development of the Utah component of the Confederated Tribes of the Goshute Reservation, S. 1849, for the relief of Mr. Conwell F. Robinson and Mr. Gerald R. Robinson, and S. 2264, to exchange certain Federal mining rights for certain lands in New Mexico.

SD-366

MAY 23

8:30 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain

activities of the Department of the Interior and Energy.

S-128, Capitol

10:00 a.m.

Energy and Natural Resources

Mineral Resources Development and Production Subcommittee

To hold oversight hearings on the Department of the Interior's royalty management program.

SD-366

MAY 24

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

Energy and Natural Resources

Energy Research and Development Subcommittee

To hold oversight hearings on the President's proposed budget request for fiscal year 1989 for the Department of Energy, focusing on nuclear reactor and space nuclear power research and development programs.

SD-366

10:00 a.m.

Finance

To resume hearings on children's health care issues.

SD-215

MAY 25

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

Commerce, Science, and Transportation

To hold hearings on insurance antitrust matters.

SR-253

10:00 a.m.

Veterans' Affairs

To hold hearings on S. 1997, to reduce the monthly reduction of an individual's basic pay for the provision of basic educational assistance and provide for the payment to survivors of basic educational assistance paid for, but unused, by the participant, provisions of H.R. 4213, Montgomery GI Bill Amendments of 1988, and S. 2307, to make certain improvements in the educational assistance programs for veterans and eligible persons.

SR-418

MAY 26

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of

Labor, Health and Human Services, and Education, and related agencies.

SD-138

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1967, to provide for the establishment of the Tallgrass Prairie National Preserve in the State of Oklahoma.

SD-366

10:00 a.m.

Finance

To resume hearings on children's health care issues.

SD-215

JUNE 7

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for export financing programs.

S-126, Capitol

JUNE 8

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of

Labor, Health and Human Services, and Education, and related agencies.

SD-192

JUNE 9

9:00 a.m.

Veterans' Affairs

To hold hearings on S. 2011, to increase the rate of VA compensation for veterans with service-connected disabilities and dependency and indemnity compensation for the survivors of certain disabled veterans, S. 1805, to protect certain pensions and other benefits of veterans and survivors of veterans who are entitled to damages in the case of "In re: 'Agent Orange' Product Liability Litigation", and to hold oversight hearings on activities of the Board of Veterans' Appeals, and related matters.

SR-418

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for certain programs of the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

JUNE 10

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for defense security assistance programs.

S-126, Capitol

JUNE 14

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for foreign assistance programs.

S-126, Capitol

JUNE 16

9:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1989 for foreign assistance programs.

SD-192

9:30 a.m.

Veterans' Affairs

To hold hearings on S. 2207, to authorize the Administrator of Veterans' Affairs to provide assistive simians and dogs to veterans who, by reason of quadriplegia, are entitled to disability compensation under laws administered by the Veterans' Administration, S. 2105, to extend for 4 years the authority of the VA to contract for drug and alcohol treatment and rehabilitation services in halfway houses and other certain community-based facilities, and S. 2294, to extend the authority of the 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.

SR-418

JUNE 24

9:30 a.m.

Commerce, Science, and Transportation

Foreign Commerce and Tourism Subcommittee

To hold hearings on Japanese patent policy.

SR-253