HOUSE OF REPRESENTATIVES—*Monday, May 14, 1990*

The House met at 12 noon.

The Reverend James Leo Garrett, Jr., professor of theology, Southwestern Baptist Theological Seminary, Fort Worth, TX, offered the following prayer:

Let us pray:

Almighty God, Lord of nations and peoples and Father of all mercies, we bless Your holy name. Strengthen this day all who labor for peace and justice, encourage and bring release to those held as hostages, and stay the hands of those who would violently abuse or take the lives of fellow human beings. Grant, we pray, to the Members of this House a clean vision of the role of statesmen, a powerful conscience against any abuse of office, a compassionate sensitivity to human need, an abundant supply of true wisdom for decisionmaking, and abiding gratitude for the privilege of public service. In Your name and for Your glory. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia [Mr. WOLF] come forward and lead the House in the Pledge of Allegiance.

Mr. WOLF led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3961. An act to redesignate the Federal building at 1800 5th Avenue, North in Birmingham, AL, as the "Robert S. Vance Federal Building and United States Courthouse."

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 20. An act to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 20) "An act to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLENN, Mr. LEVIN, Mr. PRYOR, Mr. KOHL, Mr. LIEBERMAN, Mr. ROTH, Mr. STEVENS, and Mr. RUDMAN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2364) "An act to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes."

The message also announced, that pursuant to Public Law 99-603, the Chair on behalf of the President pro tempore, appoints Mr. Clarence E. Martin III, of West Virginia, to the Commission on Agricultural Workers, vice, Mr. Russell Pitzer, resigned.

The message also announced, that pursuant to sections 1928a-1928d, title 22, of the United States Code, the Chair on behalf of the Vice President, appoints Mr. BURDICK, as a member of the Senate delegation to the North Atlantic Assembly Meeting during the 2d session of the 101st Congress, to be held in Paris, France, May 11-14, 1990.

The message also announced, that pursuant to sections 1928a-1928d, title 22, of the United States Code, the Chair on behalf of the Vice President, appoints Mr. HATFIELD, Mr. MCCLURE, Mr. MURKOWSKI, and Mr. GORTON, as members of the Senate delegation to the North Atlantic Assembly Meeting during the 2d session of the 101st Congress, to be held in Paris, France, May 11-14, 1990.

THE REVEREND JAMES LEO GARRETT, JR.

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

Mr. HUBBARD. Mr. Speaker, as a Baptist and the son of a Baptist minister, I am understandably proud of my religious heritage. Also Mr. Speaker, I am particularly proud of the commitment of the Southern Baptist religion when it comes to the education and training of its members.

Today, we are honored to have with us a man who has dedicated his life to God, the service of his church and the training of its leaders.

Dr. James Leo Garrett, Jr., is a professor of theology and church history at Southwestern Baptist Theological Seminary in Fort Worth, TX. I have known Dr. Garrett for a number of years through his affiliation and friendship with my father, the late Dr. Carroll Hubbard, Sr., who like Dr. Garrett was a Baptist minister and teacher.

Before joining the staff at Southwestern, Dr. Garrett served as a professor of Christian theology at the Southern Baptist Theological Seminary in Louisville, KY. Dr. Garrett is highly regarded in Kentucky. He has also served on the staff at Baylor University as well as providing pastoral leadership for congregations in Texas, Indiana, and Kentucky. In fact, for a time in 1962 he was the interim pastor of Briggs Memorial Baptist Church here in Washington.

He is a graduate of Baylor University and has done postgraduate work at Southwestern Theological Seminary and Princeton Theological Seminary. He received his doctorate from Harvard University in 1966.

Like my father, I am proud to be associated with Dr. Garrett, his wife, the former Myrta Ann Latimer, and their three children, James Leo Garrett III, Nacogdoches, TX; Robert Thomas Garrett, Washington, DC; and Paul Latimer Garrett, Austin, TX.

Welcome to our House Chamber, Dr. James Leo Garrett, Jr.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution on Thursday, May 10, 1990:

S.J. Res. 275. Joint resolution designating May 13, 1990, as the "National Day in Support of Freedom and Human rights in China and Tibet."

And the following enrolled bills and joint resolution on Friday, May 11, 1990:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H.R. 922. An act to designate the building located at 1515 Sam Houston Street in Liberty, TX, as the "M.P. Daniel and Thomas F. Calhoon, Sr., Post Office Building";

H.R. 2890. An act to designate the Federal building and U.S. courthouse located at 750 Missouri Avenue in East St. Louis, IL, as the "Melvin Price Federal Building and United States Courthouse"; and

H.J. Res. 453. Joint resolution designating May 1990 as "National Digestive Disease Awareness Month."

PERMISSION FOR THE COMMITTEE ON THE JUDICIARY TO FILE REPORTS ON H.R. 4612 AND H.R. 29

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until 5 p.m. today to file reports on H.R. 4612 and H.R. 29.

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

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO FILE REPORT ON H.R. 2273, AMERICANS WITH DISABILITIES ACT

Mr. LAUGHLIN. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until midnight tonight, May 14, 1990, to file a report on H.R. 2273, the Americans with Disabilities Act.

I would advise, Mr. Speaker, this has been cleared with the minority.

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

There was no objection.

DESECRATION OF JEWISH CEMETERIES IN FRANCE

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks, and to include therein extraneous material.)

Mrs. SCHROEDER. Mr. Speaker, this weekend's revelations of graves being desecrated in Jewish cemeteries sickens any civilized person. In 1790 the Hebrew congregation in Newport, RI, was so fearful of persecution, there was an escape door and tunnel put in the middle of the temple. Our first President, George Washington, took up his pen and wrote to this harassed congregation. His words and vision give me goosebumps, they convey the very essence of America's foundation being grounded in religious tolerance. I include the text of George Washington's letter:

AUGUST 17, 1790.

To the Hebrew Congregation in Newport, RI.

Gentlemen, while I receive with much satisfaction your address replete with expressions of affection and esteem, I rejoice in the opportunity of assuring you that I shall always retain a grateful remembrance of the cordial welcome I experienced in my visit to Newport from all classes of Citizens.

The reflection on the days of difficulty and danger which are past is rendered the more sweet from a consciousness that they are succeeded by days of uncommon prosperity and security. If we have the wisdom to make the best use of the advantages with which we are now favored, we cannot fail, under the just administration of a good government to become a great and happy people.

The Citizens of the United States of America have a right to applaud themselves for having given to Mankind examples of an enlarged and liberal policy, a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.

It would be inconsistent with the frankness of my character not to avow that I am pleased with your favorable opinion of my administration, and fervent wishes for my felicity.

May the children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the good will of the other inhabitants, while every one shall sit in safety under his own vine and fig tree, and there shall be none to make him afraid.

May the Father of all mercies scatter light and not darkness in our paths, and make us all in our several vocations useful here, and in his own due time and way everlastingly happy.

G. WASHINGTON.

SUPPORT AMERICANS WITH DISABILITIES ACT

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

Mr. MAZZOLI. Mr. Speaker, the day after tomorrow, on Wednesday, the House will have an opportunity to debate, and then to vote and pass, I hope, the bill called the Americans With Disabilities Act.

This, I believe, Mr. Speaker, will be one of the most important bills and one of the most important civil rights acts which the 101st Congress will have an opportunity to adopt.

The Americans With Disabilities Act is a bill which will give Americans who have disabilities an opportunity to function as workers in the workplace, as mothers and fathers, as citizens and as taxpayers of our community.

This is one opportunity for America, I believe, to cast a vote through the House of Representatives for competitiveness. Because as we look down the road to the year 2000, Mr. Speaker, this Nation will need talented people in the work force if we are to be competitive with all of the trading partners around the world.

Part of this effort to have a solid talented work force is to go into untraditional areas to do our recruiting. We will be recruiting more women, and therefore the bill on child care and the related bills we have had will be helpful. We will have to go into the marketplace for people who have disabilities.

So I would urge my colleagues who have certainly every right to be proud of this to cast that vote on Wednesday with pride on behalf of the Americans With Disabilities Act.

□ 1210

TRIBUTE TO DR. AND MRS. WILLIAM NARVA

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

Mrs. BOGGS. Mr. Speaker, it is with a great deal of sadness that I note the departure of Dr. William Narva as the attending physician of the House of Representatives of the Capitol. We have enjoyed his services for many, many years, for 20 years as a consultant to the attending physician, and for the past 4 years as the attending physician of the Congress. He has rendered such good and efficient service with such a personal attitude of interest and compassion. We will certainly miss his services very much.

Dr. Narva is also retiring after 35 years of distinguished service to the U.S. Navy, and we salute him for his service in that regard. The whole city of Washington will miss Bill Narva and his remarkable wife Rose Narva. She has in this city brought back the Carlton Hotel and the Jefferson Hotel. She has helped to rejuvenate the kind of gracious hospitality for which this city was previously known. We will miss her touch on the Washington scene as well.

Mr. Speaker, I wish them, of course, godspeed in their retirement to California, where they will be joining their son David, and I know that they will have many years of happiness there.

TAX REFORM: CHANGING THE MIX, NOT RAISING THE ANTE

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Iowa [Mr. LEACH] is recognized for 5 minutes.

Mr. LEACH of Iowa. Madam Speaker, as this body understands, deficit predictions are worsening to the extent that Congress and the executive branch have little choice but to enter negotiations to develop a bipartisan, bi-institutional approach to stemming the red ink.

The Republican Party, as the party that stresses individual opportunity in the marketplace, has positioned itself, properly in my judgment, against raising individual or corporate income tax rates; yet as prior administration budget requests to Congress evidence, the White House is prepared to call, with or without additional budget cuts, for revenue increases from other sources. The Democrats, on the other hand, as the party stressing the need for a broader social safety net, want deficit reduction to come somewhat less from paring programs and somewhat more from raising revenue.

Disputes—as well as ill-currents of ill-will—have been triggered, even before parties have met, even before the agenda has been set. What is on the table appears to have engendered as much emotion as what may be decided. As one supportive of my party and my President on general taxation issues, I would like in a spirit of constructive engagement to suggest there is a singular tax change, involving an issue of societal equity, which deserves attention in the context of the yawing deficit.

For too long this Congress has looked the other way as tax policy itself has served to impel concentration rather than dispersion of ownership of corporate assets. The precept that leveraged buyouts are driven as much by the imperative of tax policy as by the case for managerial and organizational streamlining is a scandal made not in boardrooms but in Congress. The case for or against leveraged buyouts may be a mixed one, with judgments varying on individual circumstances. But from the perspective of societal fairness it is an ethical indubitability that the U.S. taxpayer should not subsidize merger-mania and the merger maniacs who are so responsible for the over-leveraging of corporate America.

Whether or not a budget crunch is particularly perplexing at this time, the case for eliminating deductibility of interest in the instance of large leveraged buyouts is compelling. The notion that the average taxpayer should subsidize the games played by Michael Milken, Ivan Boesky, Charles Keating, and Frank Lorenzo is ludicrous. Nonplayers, the innocent, should not have their taxes raised because Wall Street takeover artists have crafted a way to make an egregious loophole out of a tax provision which has historically been considered quite sound.

While it should be premature and probably ill-advised without substantially greater study to adopt a more expansive approach in this area, it is instructive to note that a logical case could be made for eliminating the tax deductibility of all corporate interest in exchange for a lowering of the corporate income tax rate. The Nobel laureate economist, James Tobin of Yale, suggests that in exchange for eliminating the deductibility of interest, the top corporate tax rate could be reduced to 24 percent with no effect on Federal revenues. The problem with such an approach is that smaller companies are often more overleveraged than larger; fairness would dictate a transition period; and rates might look so low as to beckon their raising. These difficulties could partially be obviated by phase-in provisions and, more importantly, the establishment of a threshold level for debt service—$1 million or perhaps even $10 million—below which the deductibility of interest could be maintained, with interest costs above such levels eliminated in a tradeoff for lower corporate income tax rates. This circumstance takes on unusual interest given the assumption of most political observers that President Bush's "lip reading" no-tax commitment relates primarily to the issue of individual and corporate rates and to the prospect of a general excise tax.

Philosophically, a sophist might argue that one disadvantage of eliminating the deductibility of corporate interest, at least for larger transactions, is that it could suggest that there are no cost implications to the employment of money. Actually, such a tax revision would change rather than deny the costs associated with borrowing and put their attendant burden more squarely on the borrower instead of spreading it in part to nonparties to lender/borrower transactions.

Increasingly, corporations have a tendency to increase their leveraging in order to decrease their liabilities to the Government. This assault on the tax codes has the effect of: First, overleveraging American business, making it more vulnerable to sectoral or national downturns in the economy; second, concentrating ownership of equity assets; third, spreading the tax burden to less-leveraged corporations and individuals; fourth, utilizing capital to consolidate ownership of existing assets rather than to invest in the building of new ones; and fifth, increasing the Federal deficit. Just as undisciplined Government borrowing crowds out the private sector, capricious private borrowing crowds out the Government, forcing Treasury rates up.

None of the above strikes me as socially beneficial. In fact, the consolidation of corporate ownership implied in leveraged buyouts runs counter to the presumption that a stabilizing aspect of American capitalism is the extent to which ownership has been spread to include workers and retirees as well as management. It also runs counter to the presumption that citizens can support a tax system only if the burden is spread fairly. Elimination of the deductibility of interest for leveraged buyouts, if not more generally, would reduce substantially the numbers of profitable corporations that pay virtually no income tax. It would help stabilize the economy in the long run and propel the best and the brightest of American business talent back into corporate management instead of corporate raiding.

If America is to rejuvenate its competitive edge, a new premium should be placed on managing companies on Main Street instead of money from Wall Street.

In this context, Congress has an obligation to rethink status quo tax policy, with a goal primarily of equity, not retribution; of end effect, not short-term consequence; of changing the mix, not raising the ante.

A good first place to begin is to understand that what happens in the capital markets is the direct result of what happens in Capitol politics. We must do better to ensure others not do worse.

□ 1220

ENCOURAGING HEARINGS TO ENSURE ENFORCEMENT OF HEALTH AND SAFETY STANDARDS IN THE NATION'S MINES

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Kentucky [Mr. HUBBARD] is recognized for 5 minutes.

Mr. HUBBARD. Madam Speaker, western Kentuckians along with the entire mining community were shocked last September 13 when an explosion at Pyro Mining Co.'s William Station Mine near Wheatcroft, KY, claimed the lives of 10 men. This accident was the Nation's worst coal mine disaster since 27 miners were killed in 1984 in a mine in Utah.

I spoke on the House floor that day to remind my colleagues of the danger that our Nation's coal miners face each day and to urge that we take the necessary steps to ensure that our Federal and State Governments are doing everything possible to prevent such a terrible accident from ever recurring. Madam Speaker and Members of the House, today I repeat that call.

On April 26, at the invitation of Representative JOSEPH GAYDOS, chairman of the Education and Labor Committee's Subcommittee on Health and Safety, I had the occasion to question William J. Tattersall, Assistant Secretary for Mine Safety and Health, regarding the Mine Safety and Health Administration's activities leading up to and following the Pyro Mine disaster. During those proceedings, Mr. Tattersall predicted that the agency's final report would absolve the agency of any fault whatsoever in the events that led up to the explosion.

Well the report is out, and Mr. Tattersall was right. The agency faults the actions of the company as being responsible for the explosion which claimed the lives of these 10 men.

Let me go on record as saying that I do not have the expertise to discount MSHA's findings with regard to this accident. However, I do find it particularly disturbing that the agency had inspectors at the mine almost every day of its operation and that conditions were allowed to deteriorate to the point that this accident occurred.

Safety concerns were not uncommon at the William Station Mine. In fact, prior to the accident production at the mine had to be stopped because of a water blockage that was impeding the mine's flow of ventilation. In this Saturday's edition of the Courier-Journal, a Louisville, KY, daily newspaper, is a story that suggests that MSHA could have in fact prevented the accident by not allowing the company to resume activities in the mine until the entire water blockage was removed. The story implies that such an action would not only have been prudent, but in not doing so that the agency was negligent of its enforcement of Federal safety laws.

Madam Speaker, in 1969 following the disaster at Farmington in West Virginia and later in 1977 following the explosion at Scotia in Letcher County, KY, we in Congress said that something had to be done to address the health and safety concerns of those who work in our mining industry. Today, 8 months and 1 day following the explosion at Pyro, I say that it is time that we take action to ensure that the Department of Labor is fulfilling Congress' mandate in enforcing health and safety standards in the Nation's mines.

I would like to urge Representative GAYDOS and his subcommittee to convene as soon as possible a full oversight hearing with regard to MSHA and its activities leading up to and following the explosion at Pyro.

Perhaps through such an investigation we can learn how to prevent accidents such as the one that occurred at Pyro. That is a worthwhile goal for all of us in the 101st Congress.

MASSACHUSETTS BANKERS OVERLY RIGID IN LOAN PRACTICES

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

Mr. FRANK. Madam Speaker, last week we saw an encouraging event in what had been a discouraging picture. The senior regulators of the banking industry in the country, the Comptroller of the Currency, the head of the Federal Deposit Insurance Corporation, the Chairman of the Federal Reserve Board, and their aides met with bankers, and they urged the representatives of the American banking industry to continue, in fact it seemed to me to increase the lending activities that they were engaged in.

Members might wonder, if they had not been following this, why regulators would think it necessary to tell bankers to do what it is that bankers are in business to do, and therein lies the encouraging aspect of this. In Massachusetts I am convinced from conversations I have had, both with bankers and with borrowers, or would-be borrowers, smaller business people in particular since the large corporate entities these days have other means of financing to a great extent and do not need to be bank borrowers, but those who are bank borrowers at the local level borrowing from regional banks and local banks had been experiencing cases where loans that it seems to me should have been made were not being made.

It was not appropriate for a Member of Congress to intervene in specific applications. It is quite inappropriate. But it is our duty to comment when public policy in general appears to be going in a somewhat mistaken direction, and I am convinced from the conversations I have had that that is what was happening with regard to bank regulation. I think understandably but incorrectly some of the bank regulators were overreacting to their own previous failures.

Madam Speaker, good physics is not always good government. An equal and opposite reaction, at least when I went to school it was an immutable law of physics, and it may have changed because they have had a lot of changes in physics since then, but an equal and opposite reaction is still a pretty good principle of physics, I think, but not necessarily good government regulation.

Having underregulated in the Southwest in the 1980's, it is not a good reason for overregulating in the Northeast in the 1990's. Too often I heard people in the Office of the Comptroller of the Currency refer to their experience in Texas and elsewhere when they talked about the need to be tougher in Massachusetts. To the extent that regulation in Massachusetts has to be tougher, that has very little to do with what happened in Texas. The situations are quite different and the institutions are quite different.

We have had from the head of the FBI a discussion that says there were significant amounts of fraud, I do not mean to single out Texas, but in the savings and loan industry and that is appalling. But it is also important to note that in Massachusetts and in other States in the Northeast no one has alleged any such pattern. That in itself is a difference.

What happened, I think, was that the regulators, understandably, having been criticized, with some justification for underregulating in the 1980's decided that they would err on the other side. I think we faced a situation where the incentive structure of regulators was such that if they were responsible for good loans not being made they suffered no criticism. They were worried only about bad loans and, in fact, in the banking business we are going to have good loans not made and bad loans made, and that is inevitable. There is no magic formula that is going to make every loan that ought to be made and deny every loan that should be denied.

Chairman Greenspan of the Federal Reserve Board said, and I will paraphrase him, after a meeting last week, something to the extent that we cannot expect zero bad loans, and if we are looking for zero bad loans then we are not doing the banking business well.

What happened was I believe particularly in the Office of the Comptroller of the Currency there was an overreaction to the Texas experience and loans were not being made in Massachusetts that should have been made. I do not have any quantified figures here and on one yet did, it seemed to me. We saw the beginning of a discouraging trend. Banks were being discouraged, it seemed to me, from using the kind of judgment about individuals and circumstances that would have made sense.

While the regulators denied that they had done anything wrong, they did have that extraordinary meeting last week, and it is extraordinary for the top regulators to meet with bankers. I take the fact of that meeting and the conversations that were described, because I was not there, and have not seen any transcripts, as an implicit acknowledgment by the regulators that there was an erring on the side of excessive rigidity. It certainly would not have made sense for them simply out of the blue to tell bankers to lend more. If they were perfectly happy with bank practices, there would have been no reason for meeting at all. So I welcome the fact that the regulators appear to have accepted the fact that there was some excess.

Yes, we want tough regulations, but we want reasonable regulations. We do not want excess of either kind, and I hope we are now on the road to that.

□ 1230

REFORMING THE REGULATORY STRUCTURE OF U.S. FINANCIAL MARKETS: H.R. 4477, THE MARKETS AND TRADING REORGANIZATION AND REFORM ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. GLICKMAN] is recognized for 60 minutes.

Mr. GLICKMAN. Madam Speaker, 2½ years have passed since U.S. financial markets suffered their most devastating crash in over 60 years. Not since the crash of 1929's Black Monday have our markets fallen the way they did in October 1987. Less than 2 years later there was a similar dislocater in securities and related markets. Finally, last week, the administration proposed to Congress its plan to prevent another market crash.

Unfortunately, it falls short of the decisive kind of action needed to forestall a potential future calamity. The administration plan fails to recognize the way U.S. markets have changed in the last decade. Perhaps most disappointing, the administration proposal holds little promise for ending the turf battles that have blocked reform efforts and that are sapping energy out of the innovation and creativity needed to keep our markets the world's leaders.

Instead of taking on the established interests and status quo and proposing a bold move for regulatory reform, the administration has opted for a weak piecemeal approach. I believe now is the time to take on the old, comfortable order and, rather than attempt minor shifts in jurisdiction, pursue the establishment of a new foundation for our financial markets.

This may seem like an abstract issue which doesn't affect the lives of average Americans. Nothing could be further from the truth. The resolution of this issue in a sensible way could prevent a financial and market collapse in America.

Mr. Speaker, the legislation I am proposing, along with our colleague Mr. ECKART who has played a pivotal role in its drafting, H.R. 4477, the Markets and Trading Reform and Reorganization Act, will make that new foundation. In many respects it is a sharp break from the status quo, which is why many find it controversial and too farreaching; on the other hand, it recognizes the developments in our financial markets which make it imperative for the Congress to act on this vitally important issue this year.

The key provisions of this bill are: Establishment of a new 5-member independent regulatory commission, the Markets and Trading Commission; Abolish the existing CFTC and SEC, providing for a 2-year transition period; Vest the new commission with responsibility for all the activities and functions, including implementing and enforcing existing securities and futures statutes, of the present-day CFTC and SEC; Transfer authority to establish margins on securities from the Board of Governors of the Federal Reserve System to the MTC; Give the MTC authority, to ensure the financial integrity of those markets, to establish limits on margins on futures and to direct exchanges to adjust margins but leaves day-to-day margin setting authority with exchanges; and Establish a new entity, the Federal Financial Markets Coordinating Council to coordinate the regulatory activities of each member agency, composed of Board of Governors of the Federal Reserve System, Comptroller of the Currency, Markets and Trading Commission, Department of the Treasury, Federal Deposit Insurance Corporation, Office of Thrift Supervision, and National Credit Union Administration.

If there were no Securities and Exchange Commission and no Commodity Futures Trading Commission and Congress set out to design a regulatory system to oversee the securities, futures, options, and related markets, I dare say we would not design the system we have today. Why then, do we continue it? The United States has a regulatory structure rooted in the 19th century and financial markets already well into the 21st century.

Among the world's financial centers, only the United States has such a bifurcated structure. It stifles innovation; it drains resources into turf battles; it confuses overseas investors, to say nothing of the confusion it causes among U.S. investors; and it leaves us ill-equipped for the pressures and strains our financial system is likely to face in the future.

Surveying the options for reforming the way securities and futures are regulated, I see three options: one, do nothing; two, transfer some of the functions of the SEC to the CFTC or of the CFTC to the SEC as the administration proposes; or three, as proposed in my legislation, H.R. 4477, a consolidation and wholesale revamping of the regulatory system.

The first option is a gamble I am not prepared to take nor a gamble we should not force the American public to take. We made it through the crash of 1987 and the turndowns of 1989, paying only the price of millions lost and increased public skepticism of the integrity of our markets. How long will our luck hold?

Each study of the 1987 crash has called for reforms in our regulatory structure, yet 2½ years later, Congress has failed to act in a comprehensive fashion. I am nearly completely certain that if the markets crash again as they did then, we will act. Just as nearly certain of that fact am I certain that in the aftermath of another similar calamity, we will do the hasty, and wrong, thing.

The second option, of transferring functions and responsibilities between agencies is equally inadequate. For one, it begs the larger question which the crash of 1987 demonstrated with a resounding thud: U.S., indeed world, financial markets are inextricably linked. What happens in the futures markets affects the cash markets and what happens at the New York stock exchanges affects what happens in Chicago, Kansas City, Minneapolis, and at the New York futures exchanges.

Computers and instantaneous transfer of funds have enabled sophisticated investors to switch millions, even billions, between markets and instruments in no longer time than it takes to type in the amounts on a computer keyboard. There is only one area of our financial markets which has failed to recognize what study after study and everyday experience have demonstrated: The U.S. Government.

Furthermore, if Congress does indeed transfer regulatory responsibility for stock index futures from the CFTC to the SEC, as many advocate, where does the process stop? The same logic which drives that argument would have us transfer responsibility for futures and options on U.S. Government debt to the Treasury Department and regulation for trading on currency derivatives to the Board of Governors of the Federal Reserve System. Trading in energy contracts would be regulated by the Department of Energy and so on. If you think we have problems with the present system, can you imagine the confusion that would result from this line of reasoning and regulating?

Another point I want to make on this subject is that the present split system diverts energy and creativity not into keeping the United States the world's financial center or in ensuring the security of our markets. Rather it causes investors to focus on shopping around for the most favorable regulation. I would argue that the only kind of competition and innovation the present split system of jurisdiction induces is regulatory forum-shopping. Products are designed not with the needs of the market in mind but with which agency, the SEC or CFTC, will give it most favorable treatment.

For example, exchanges and investors spent months and who knows how much money arguing over whether index participations—IPS—should be regulated by the SEC or the CFTC. Meanwhile, the product has moved off-shore and is trading briskly. A recent court decision concerning a contract on forward contracts on oil appears, at this stage, to foreshadow another needless, wasteful turf-battle.

All the while, developments such as cross-margining between markets and common clearing between exchanges have been hobbled by jurisdictional battles. These are examples of innovations the present system stifles but if they were in place, would strengthen our markets and continue to keep the United States the world's leader.

I agree our paramount concern should be with maintaining our competitive edge. But I disagree strenuously that the status quo fosters productive competition. Competition is critical to innovation, but the kind of competition we have today—over who gets their hooks into what contract—serves none of our interests, unless, quite honestly, you happen to have a client designing the product in question.

Submerging the futures industry into a regulatory system biased against it would be a major mistake. That is where, the futures industry, in my view, most of the innovation and creativity in financial markets has been generated in the last decade.

To reiterate, now is the time to reform our regulatory system, but not the time to approach the task in a piecemeal fashion. We need to enact a comprehensive restructuring of the system. I have for some time advocated this position. The recent debate over jurisdictional matters and my continuing, growing concern about acting before another financial calamity strikes that prompted the drafting of H.R. 4477.

As committed as I am to this regulatory principle, I recognize that improvements in this bill can be and will be made during the legislative process. This product is designed to give focus to the debate and advance a concept. In previous statements I have outlined my intent as well as some recommendations for refining the bill.

First and foremost, this legislation is not a takeover of the SEC by the CFTC, or the other way around. It is regulatory neutral. That is why it is written in the skeletal fashion it is. For example, none of the seats on the new proposed Commission are earmarked. In drafting the bill, I implicitly relied on the nomination and approval process to ensure an even playing field between futures and securities markets in the selection and approval of commissioners.

However, I recognize there may be great concern from both the securities side and the futures side the new commission might be "stacked" in one way or another. I believe it may be appropriate to specify the makeup of the Commission should be balanced, impartial, and give equal weight and consideration to the constituencies of the two agencies being merged.

Alternatively, it may be appropriate to design a voting procedure so that on issues of jurisdiction relating to the underlying securities and commodities statutes the new Commission will implement that a super-majority is required. Otherwise, the Commission might devolve into situations when two members vote one way and two the other, resulting in de facto one person rule with one swing commissioner in the middle deciding alone some of the most contentious issues.

Presently, the legislation leaves to the Commission its own internal organization, with one stipulation that at least one division responsible for regulating trading of futures on physical commodities. I believe and would recommend, again at least in the legislative history of the bill, that this issue needs examination. We might create specific divisions of the Commission—responsible for securities, futures, and so on—all with the aim of keeping the new regulatory structure industry-neutral.

As I indicated, the new Commission should be neutral and evenhanded. These suggestions for appointments of commissioners, internal structure of the Commission, and voting procedure should be explored to ensure that aim.

This legislation also establishes a Federal Financial Markets Coordinating Council composed of all the Federal financial regulatory agencies. Its purpose is two-fold: One, to serve as a forum for coordinating and examining ways to improve upon the entire financial markets regulatory system and two, to examine areas of financial markets which may need further regulation. In this regard, instruments such as interest rate swaps, currency swaps, and other similar exotic, off-exchange instruments should be examined to determine how they fit within the regulatory structure of the bill at hand and whether further regulation is needed. This is an area which needs further study, through the legislative process and by this new entity.

In general, this legislation makes no changes in either the underlying futures or securities laws, except for in one area that I want to address: margins. Specifically, the bill contains a significant change from the way the Federal Government is involved with the setting of margins on futures. Presently, the CFTC is involved only once a market emergency is declared but this bill would go beyond that authority. I know this causes the futures industry great concern so allow me to amplify on the bill's intent.

I believe that the exchanges—futures as well as securities—should have primary authority and responsibility for setting margin on a day-to-day basis. However, the Government should have authority to establish parameters for margin requirements necessary to protect the integrity of the markets. So long as the new Commission is unbiased, I am confident Federal oversight in setting those boundaries will not burden the industry.

Margins on securities and futures are different, in spite of the fact that they are called by the same term. In some instances, however, they are related. In the case of agricultural commodities and contracts on other physicals, there is no similarity in the cash markets. However, on derivative instruments, since the markets are linked the way they are, margins are related to each other. That does not mean, and it is not the bill's intent to cause, equal levels of margins in both markets. It does mean that there should be some central place to coordinate the setting of margins in the two markets.

I have stressed several times that I believe this legislation will create a safer, sounder regulatory structure. I believe it can also lead to a more efficient, effective, and more streamlined regulatory process. As I noted, it can facilitate such developments as cross-margining and common clearing. In addition, it can lead to cross-registration for investors. Under this structure, investors who now must contend with two regulatory bodies will have to comply with just one.

In closing, Mr. Speaker, let me make one final observation. Of all the important reforms and legislation passed during the New Deal, perhaps the most significant were those which restored confidence in our Nation's financial system—the banking and securities markets. It was this body of law which restored confidence in the markets and our financial way of life so people would begin investing again following the disaster of the market crash. More importantly, these laws provided the necessary foundation for recovery from the Depression.

This bill, H.R. 4477, is designed with the same purpose in mind: To lay a new foundation of investor confidence in our financial markets as we move into the 21st century. Now is the time to be equally bold and forward-thinking and seize the opportunity at hand to make real reforms; we will have left the job undone if all we do is approach the problem with half-solutions and limited visions.

□ 1240

FREEDOM FOR IRINA VORONKEVICH

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 60 minutes.

Mr. HOYER. Madam Speaker, recently the Helsinki Commission heard compelling testimony from the Prime Minister of Lithuania on the right of the Lithuanian people to determine their destiny.

Today I rise to talk about the right of a person to exercise her right to also determine her own destiny. Irina Voronkevich is a 77-year-old pensioner living in Moscow. The right she so desperately wants to exercise is to leave and join her son, Igor Uspensky, and her grandson and great-grand child in Israel. This right to leave is embodied in the CSCE Vienna Concluding Document and the International Covenants on Human Rights.

Yet, Madam Speaker, Soviet authorities refuse this 77-year-old woman permission to emigrate based on her alleged knowledge of state secrets from a job from which she retired in 1976 and from an agency that has subsequently been banned by the Soviet Government. Surely, Madam Speaker, any information she may have had at her disposal and which was regarded as secret so many years ago can no longer be considered of any consequence.

Next week Secretary of State Baker meets here in Washington with Soviet Foreign Minister Schevardnadze. Let us hope that the rights of peoples as well as the rights of individuals are advocated at that meeting and that Irina Voronkevich is given permission to emigrate.

□ 1250

CURRENT DEVELOPMENTS IN ROMANIA

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Virginia [Mr. WOLF] is recognized for 60 minutes.

Mr. WOLF. Madam Speaker, I want to take this opportunity to update the Members of the House and others on the current situation in Romania. As many know, the Romanians will hold, hopefully on May 20, the first free and fair democratic elections. That will occur this coming Sunday, and we hope they are free and we hope they are fair.

I think it is important to set the stage so that the Congress and the administration and others will know where we are today and will make some good evaluations of where we will be after the election. It is important to remember that for a number of years our country, the United States, gave most-favored-nation status to the Romanian Government, that is, special trade status to the Romanian Government at the very time they were persecuting members of different religious faiths. They are bulldozing synagogues, they were bulldozing churches, they were bulldozing churches with people in the churches. They beat up a Catholic priest who said that Christmas should be a holiday, and after that they killed him. And all during this period of time, when this brutality was going on, our Govenment unfortunately was giving most-favored-nation status to the barbarous Ceausescu.

We all know that on December 22 of last year Ceausescu was overthrown by individuals in Romania who wanted a different form of government. Fortunately, the Congress, first the House and then the Senate, had the wisdom in 1987 to vote to take away the most-favored-nation status. Even though the Reagan administration—and who knows why—wanted to continue to give it to them and even though previous administrations, including the Carter administration, wanted to give it to them, the Congress had the good sense to overturn that. Now we are going to be faced with the question of whether we should give most-favored-nation status back to them again.

We have had the good fortune of having Secretary Baker visit Romania after the revolution to assess the current situation. I want to commend Secretary Baker and those in the State Department who have been formulating our policy toward Romania. They have been very tough, very aggressive, and very forceful in saying that we must have open, free, and fair elections on May 20 before we grant any most-favored-nation status or give any special trade status to Romania.

Last week, again through the good offices of Secretary Baker, we recalled our ambassador, Ambassador Green, from Romania. Let me read to the Members a little bit of what was said by the State Department, which I commend, and also give the Members some flavor of what was going on.

Margaret Tutwiler said that she had a statement she wanted to make about the recalling of the American Ambassador to Romania, Alan Green, to return to Washington for consultation. She said:

> This decision has been taken in light of the reports of irregularities in the Romanian electoral process which raise questions about whether those elections will be free and fair. Ambassador Green will return to his post before the May 20 balloting.

She went on to say:

> Among the electoral problems which concerns us is the incidence of organized acts of intimidation and harrassment directed against some opposition parties and candidates. We have urged the interim Romanian Government to take more vigorous steps to maintain order and to protect the rights of all candidates in these elections. We are also concerned about complaints that several major parties still encounter obstacles in obtaining their fair share of broadcast time on the publicly-controlled radio and television and in distributing their campaign literature through the mails, as well as problems with distributing independent newspapers.
>
> The United States has repeatedly stated that free and fair elections on May 20, conducted through a truly secret ballot—

And those are the key words, "secret ballot." Will the people of Romania be afraid to vote, or will they really believe it is a secret ballot?—

> are crucial to the further progress of democratization in Romania and to the future of the bilateral relations between our two countries. We call upon all Romanians to conduct themselves as befit the citizens of an emerging democracy and, especially, to vote on May 20. They now have the power and the responsibility to choose who will lead them in the years to come.

One of the press people at the press conference asked:

> * * * is this essentially a diplomatic signal of disapproval to the Romanian government over these things?

The answer was that she thinks it is fair, and this is what she said:

> I think it's a public signal of our concern that these be truly free and fair elections, and we have publicly stated, as a government, what our concerns are. I again go back to pointing out, this does not come as a surprise to Romania. These are the very things that Secretary Baker stated in person when he was there—what was it, two months ago—to both the government leaders and opposition leaders. So it is a way of showing our concern.

As the press briefing went on, there was an expression of concern with regard to minority rights in Romania, and it ended with this answer:

> Look, we obviously have a concern. We have stated our concerns. If we did not have a concern, if it was all going swimmingly well, we wouldn't be making this announcement, would we? We would not be asking our ambassador to come back for consultations. So obviously this is an additional effort we deemed would maybe be helpful there in Romania.

I just want to commend Secretary Baker and his State Department for recalling Ambassador Green and for sending a message to the president of the National Foundation Front, President Iliescu, who is in power now, at least until the elections are held, that our Government will watch this.

Second, I have asked President Bush to appoint a Presidential mission to monitor the elections, a mission that is perhaps similar in some respects to what was done in Nicaragua when we were concerned that there would be free, fair, and open elections. To date, the White House has not appointed the special group, but I understand that they will. That will be very, very beneficial, and I want to commend President Bush for taking this step of appointing an independent Presidential mission, which I hope will be announced sometime today or tomorrow, to go to Romania to monitor the elections, to talk to the opposition groups, and to talk to the Government, so that they can come back and make an assessment as to whether these elections were free and fair. So again I want to thank President Bush.

Third, I think the Members should know that under the leadership of the gentleman from California [Mr. LANTOS] and the gentleman from Illinois [Mr. PORTER], the Congressional Human Rights Caucus, which has an

outstanding record of dealing with human rights abuses around the world, sent a letter on May 10 to President Iliescu, saying the following:

As member of the Congressional Human Rights Caucus, we write to express our concern about the upcoming elections scheduled for May 20th.

Though there have been significant improvements since the overthrow of the Ceausescu dictatorship, serious obstacles to fair elections remain which could affect their legitimacy. We have received several troubling reports concerning the pre-election period in Romania.

In particular, we would like to call your attention to a report recently issued by the International Human Rights Law Group. The report highlights several problems, including the mismanagement and biased allocation of government resources to the political parties, unequal access to the media and the supply of newsprint, the absence of unbiased radio and television programming, and an atmosphere of secrecy, lack of information and confusion.

While it is very late in the election process to fully rectify all of these problems, we want to impress upon you the importance of ensuring that, from this point forward, stringently fair conditions will prevail. Representatives of all opposition political parties as well as Romanian and Western journalists, should have full freedom to assign election observers. Opposition party and civic group observers should have identical access to polling places and ballot-counting stations as that afforded official government representatives. Fair and equal media coverage, especially evenhanded television reporting, will be a significant measure of the legitimacy of these elections.

In addition, we view with grave concern the continuation of activities which obstruct the exercise of basic freedoms necessary to building democratic institutions and promoting free associations. We believe the failure to dismantle the Securitate—

And we all know the brutality of the Securitate under the Ceausescu administration and to some degree currently operating in Romania—

and the ongoing use of intimidation practices particularly in the provinces far from major cities is totally unacceptable.

□ 1300

We also find the activities of the Ministry of Religious Affairs to be troubling and detrimental to achieving religious freedom for all groups.

They have a Ministry of Religious Affairs that determines whether your religious faith is accepted or whether you can build a new synagogue or a church or whether you can have Bible studies and things like that.

I think one of the most progressive and positive steps for the next Romanian Government, whatever that government is, would be to abolish completely the Ministry of Religious Affairs. I know of no religious faith that believes this is necessary. I believe the Romanian people do not believe this is necessary and that would be such a positive signal to those in the West.

These matters will have a bearing on international judgments about the process of democratization in Romania.

By inviting foreign election observers, you have demonstrated a significant commitment towards ensuring the international credibility of the election outcome.

We should commend the National Salvation Front for doing this.

It closes by saying:

It is vital that voters go to the polls without fear of physical injury, and that their vote is confidential and fairly counted. However, we firmly believe that unless additional decisive steps are taken in furtherance of the issues we raise, serious questions will remain regarding the fairness of the elections and the state of democracy in Romania.

It closes by saying:

We join you in the hope that these elections will be the beginning of a truly democratic Romania based on respect for fundamental freedoms:

One final point. The Congressional Human Rights Caucus mentions this report. It mentions the report done by the Human Rights Law Group, called the International Human Rights Law Group, made up of distinguished men and women from around this country. They sent a group to Romania about April 21, maybe it was, to the 25th and they did an extensive report on the conditions in Romania. Just to summarize some of what they said, and they put out an in-depth study which I have here and anyone interested in Romania and in these elections certainly will want to get a copy, it is entitled "International Human Rights Law Group, Report on the Romanian Campaign for President and Parliament for the Elections May 20, 1990," prepared by the International Human Rights Law Group April delegation to Romania, with the law firm of Covington & Burling, which as everyone knows is a highly respected law firm here in Washington, DC.

It says:

The study, which examines the social and political conditions prior to Romania's first free elections in more than 40 years, contains the findings and recommendations of the Law Group's recent seven-member delegation to Romania. The Law Group delegation met with a diverse representation of top government officials, political party leaders, electoral administrators, religious figures, academics and journalists over a six-day period and travelled throughout the country to witness the campaign.

According to the report, the delegation found serious problems and concerns regarding the electoral process, including:

An atmosphere in Romanian society of deep suspicion, mistrust and fear for the future, as the country embarks on a process of democratic transition;

A pervasive belief among sectors of the population that the ruling National Salvation Front has unfair advantages over other political parties in terms of campaign resources and media access;

Charges of incidents of violence and intimidation by Front supporters against opposition parties or their members;

Widespread concern—indeed fear—that members of Ceausescu's nomenklatura remain members of the Provisional Government and the Front; and

Numerous allegations concerning the integrity of the electoral process.

The prevalence of these allegations led the delegation to conclude that further measures must be taken to ensure that the elections are perceived to be free and fair.

Among the recommendations to the Government of Romania and other political parties and movements, the Law Group urges that:

And I read directly from the press release—

The Government take positive steps to equalize the availability of resources to other political parties and access to government-controlled enterprises and services to the extent that those resources are unavailable.

The Government make available all relevant information concerning the allocation of resources and the means by which they may be secured, including a prompt and full accounting of the assets and resources formerly owned by the Communist Party of Romania.

The Government take positive steps to protect the political participants from harassment, violence and intimidation, and provide detailed information as to the procedures undertaken to avoid such occurrences.

All parties adopt a mutual declaration pledging themselves against the use of violence, harassment or intimidation against one another, and that this declaration be distributed widely, especially in rural areas.

A law be adopted requiring all parties and candidates to make complete public disclosure of all resources received in money or in kind, with identification of the sources of significant support.

So we can know where the money is coming from.

Steps be taken to increase the dissemination of fair and objective news information.

They also went on with some other recommendations which I will not go into here today, but overall they have some very instructive and positive recommendations that the members of the National Salvation Front absolutely must implement, or the whole viability and questions of the legitimacy of these elections will be put in doubt.

I want to close by making one final comment to the Romanian Government.

The Congress of the United States has had the good sense and the decency to take away most favored nation status from Ceausescu and is prepared to deny most favored nation status to any country that violates the human rights of any of its citizens. The Congress will be watching carefully to see how these elections are held and whether they are free and fair and open and viable elections will determine what type of benefits, whether they be most favored nation status or whatever this U.S. Government grants.

It was significant, impressive and absolutely essential, and I commend Secretary Baker for the recall of our Ambassador, that should send a signal not only to the Romanian Government that this Government is watching, but even more importantly, send a signal

to the Romanian citizens who will hopefully listen on Radio Free Europe and the Voice of America and the BBC that this Government, the U.S. Government, cares deeply about these elections being open, free, fair, and verifiable, and cares so much about it that they are recalling their Ambassador to give him instructions, and that President Bush hopes they will be sending a Presidential team to go and to monitor those elections, so that we have all the data, and hopefully this election will be fair, that we have all the data to then evaluate, to make and see where we are.

I want to wish the people of Romania who have suffered for so many years, suffered while many in the West sat idly by, although not this Congress. This Congress did not sit idly by, but by many others in the West who sat idly by and who were doing business and gave special treatment to Ceausescu, even though he was training terrorist groups in his government and doing many other distasteful and barbaric things that are only now becoming obvious; but I just want to wish the Romanian people well, hope that there is a massive turnout, tell them that they ought not listen to the polls. The pollsters say something is going to happen.

I cannot help but remember that in Nicaragua several days before the elections, all the pollsters predicted that the Sandinistas and Daniel Ortega would win by an overwhelming ballot. Well, having been in Nicaragua and having seen the terrorism of the activities of the Sandinistas, I knew clearly that any decent-minded person would be fearful of telling a pollster how they were going to vote, never knowing that the elections were going to be free.

So I would hope that these elections will be free so that the pollsters do not necessarily say what is going to happen, but the people of Romania, the men and women and the students of Romania, can go to that election on May 20 and vote in secret and get the type of government that they want, open, free, fair, and democratic elections, a democratic government, with freedom of speech, freedom of press, freedom of religion, freedom of immigration, freedom of movement, and a capitalistic market system to go along with it, where they can finally enjoy the prosperity and the fruits of democracy that we have in the West, that they can join and also have it in Romania, having suffered and been persecuted for so many years.

□ 1310

PROTECT THE ENDANGERED SPECIES ACT

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

Mr. VENTO. Madam Speaker, last Thursday the Secretary of the Interior, Manuel Lujan, made a statement with regard to the Endangered Species Act and the interference of an endangered species, the squawfish, with a water project in Colorado. He did not stop there in stating his concern about the Endangered Species Act, but went on to criticize some problems posed by the Mt. Graham red squirrel, which is indeed an endangered species in Arizona. In the same newspaper article, which I will submit for the RECORD, he stated his concerns about the impacts of protecting the spotted owl in the Northwest.

First of all, I hope that the Secretary will review his comments. In the context of emotionalism and the concerns that people have, it is very easy to focus on a single species like this in a certain area that may be causing some problems and conclude that only economic considerations should be considered in deciding whether to protect a threatened or endangered species.

However, I think that the Secretary and those that would advocate amendment to the Endangered Species Act to eliminate such species are really missing the point. The Endangered Species Act obviously focused upon specific species. But the law really talks about the entire biological diversity that exists within these communities, whether it is the water project in Colorado or the telescope project in Arizona or whether it is the Pacific Northwest. We are talking about maintaining the biological diversity concerning those communities. It is obviously represented by an indicator species like the spotted owl in the Northwest, but there is a whole forest of problems below the spotted owl, Madam Speaker. The fact is I think the American people have a strong conservation ethic, for the preservation of both these endangered plant and animal species of life that exist on our planet. We should take the lead in setting an example to the rest of the world in terms of saving this rich genetic diversity that is so important to the future of mankind.

It is easier to take the lead and give lectures about what is happening in the tropical rain forest in Brazil. It is more difficult, Madam Speaker, to save our own in North America. I hope we would opt to save such ecosystems and uphold the Endangered Species Act.

[From the Washington Post, May 12, 1990]

LUJAN: ENDANGERED SPECIES ACT "TOO TOUGH," NEEDS CHANGES

(By John Lancaster)

Interior Secretary Manuel Lujan Jr. said in a newspaper interview published yesterday that the nation's primary law protecting endangered animals and plants should be weakened and questioned the need to "save every subspecies."

In an interview in Colorado Thursday with the Denver Post, Lujan expressed concern that the 17-year-old Endangered Species Act is threatening jobs and economic development He cited the example of a Colorado reservoir project that threatens the endangered Colorado squawfish and suggested in that case he might seek an exemption the law.

"It's just too tough an act, I think," Lujan was quoted as saying. "We've got to change it."

The remarks by the nation's top conservation official found a sympathetic audience among some conservative western lawmakers and industry representatives, but they touched off a furor among environmentalists and their congressional allies at a time of growing concern over the accelerating loss of species to human activities worldwide.

They also revived criticism, which Lujan's aides have worked hard to dispel, that the former New Mexico congressman is insensitive to environmental concerns and out of steps with President Bush's pledge to be "the environmental president."

"I think there would be very little enthusiasm in the Congress" for Lujan's proposal, said Sen. John H. Chafee (R-R.I.), ranking minority leader on the Senate Environment and Public Works Committee. "We have recognized, and we lecture other nations on, the importance of preserving biological diversity. We inherited this world and I don't think we have the right to lay waste to it before passing it on to our children."

White House spokeman Stephen Hart said Lujan was "representing his personal opinion" and that the administration is not considering a proposal to amend the Endangered Species Act when it is reconsidered by Congress in 1993.

Interior's Fish and Wildlife Service is responsible for enforcing the Endangered Species Act, which thus far has been applied to 1,073 plants, animals and fish, according to a Fish and Wildlife spokesman. The law requires the agency to protect species listed as endangered from any activity that would jeopardize their existence.

Interior officials said Lujan's remarks arose, out of frustration with a series of recent cases involving the law, including the planned Animas-La Plata water-storage complex in southwestern Colorado that he announced earlier this week would be delayed indefinitely due to the presence of the squawfish, a member of the minnow family now on the endangered species list.

In the interview, Lujan noted that squawfish exist elsewhere, and suggested that he might consider seeking an exemption to the act if alternatives cannot be found that will allow the project to be built without jeopardizing the fish.

Lujan also expressed concern that protection of the spotted owl in the Pacific Northwest could cost thousands of timber industry jobs, and he cited the case of the endangered Mount Graham red squirrel, which is holding up a planned astrophysical complex atop Mount Graham, Arizona.

"The red squirrel is the best example," Lujan told the newspaper, "Nobody's told me the difference between a red squirrel, a black one or a brown one."

"Do we have to save every sub-species?" Lujan asked. "Do we have to save [an endangered species] in every locality where it exists?"

Lujan made his comments in an interview at Colorado's Mesa Verde National Park,

where he is meeting with the private National Park Foundation.

Lujan's spokesman, Steven Goldstein, said Lujan was on a tour of the park and could not be reached for further comment. Goldstein said Lujan does not want to weaken the Endangered Species Act, but would like Congress to consider allowing the department more flexibility under a few special circumstances.

"There's a big difference between changing and weakening," Goldstein said. "It amounts to a clarification" of the law.

While Congress has yet to signal any groundswell of support for amending the Endangered Species Act, Lujan's remarks struck a sympathetic chord among conservative western lawmakers who share his concern for local economies based on natural resources such as timber.

"When you apply the Endangered Species Act, everything else takes a back seat," said a spokesman for Sen. James A. McClure (R-Idaho). "Economics is a very legitimate and important concern."

Mark Rey, executive director of the American Forest Resource Alliance, a timber industry group, said the controversy over the spotted owl "is an example of the problems you create when you use an endangered species as a surrogate for a broader objective, in this case preservation of forest land."

Citing a Forest Service estimate that 28,000 loggers will lose their jobs if they are prohibited from cutting "old-growth" forests in the Pacific Northwest, Lujan told the Denver paper, "We are caught between two things."

Under the law, he said, "One may only consider biological facts, not economic facts. "And once a species is listed, he told the paper, "I am obliged to protect them wherever they exist."

MESSAGE FROM THE PRESIDENT

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

MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 30 minutes.

Mr. GONZALEZ. Madam Speaker, I rise and in fact am compelled to rise to take the floor once more in what we call and treasure as a privilege of the House, special orders. I have not had an opportunity to do so since actually last year, the last session. The reason has been the added duties as chairman of the Committee on Banking, Finance and Urban Affairs, as well as the continuing responsibility as chairman of the Subcommittee on Housing and Community Development, which since 1981 has been the largest subcommittee, until last year.

I am compelled to rise because of the fact that we have reached a point in America where I believe there is a tremendous responsibility on those of us serving on this level to inform the American people, whom I do not think are being informed.

For one thing, just this afternoon, preceding my remarks, we had several Members addressing various aspects of what I consider to be the most critical issue or issues at a most dangerous time that this Republic has faced since the founding of this form of government and the adoption of the Constitution. It has to do with a fundamental subject that for over 20 years from time to time I have attempted to address on this same House floor, utilizing the same privilege, and also respecting those privileges.

I think at no time can anyone point to an abuse on my part of attempting to use this forum as a stumping ground that really should be reserved for back home during the political season, but which to my great sadness I have seen this great forum at various times mired down in extremely partisan and what I would consider to be political stumping jurisdiction, not this great deliberative body's great forum and privileged forum.

Madam Speaker, I have over 20 years, but particularly beginning 21 years ago in 1979, it was here that I reported in August the arrival or the conjunction and arrival of forces and events that were taking the power of decision, even from us domestically as we had been exercising from the beginning, and it had to do with the tremendous forces external to our shores over which we no longer had any control that were determining such things as basic interest rates. For so many times I took this floor and mentioned at a time when few Americans thought there would be such a thing as a 20 or 21 percent prime interest rate, which means usurious, extortionate rates of interest, which continue to flagellate our society, and which, as I said over 20 years ago, in fact going back to 1966 and the third credit crunch in June 1966, the handwriting was on the wall for anyone and particularly those of us serving on these levels, to have seen and to have prepared and tried to anticipate.

This has been what I consider the hallmark of my service, which on May 1 rounded out 37 years in public elected office for trust, as I call it, for it was on May 1, 31 years ago, that I was sworn in as a member of the local legislative body known as the city council of San Antonio. Then 3 years later I was elected to the great State senate of Texas and for 5 years served there, and then since 1961 in this great body of the U.S. House of Representatives.

So I think that, given that period of time and given the utterances that I have reported for the RECORD, and at times when we were not being covered by television, and always the purpose is to address the remarks to my colleagues for the RECORD, with the hope that some at least of my colleagues will address those remarks. They were not, and I understood, and I realized that it would be very difficult to penetrate with the plethora of issues hitting daily a Member the conscious level of my colleagues.

But in any event it was in 1966 that I first spoke out. Nobody ever dreamed at the time that there would be anything above a 6-percent interest rate. In 1979 it was obvious that forces had become quite apparent. As I said then, the Nation since the middle of 1970's, that meant 5 years before, is undergoing not one but several money manias. These are bubbles, and all bubbles burst.

The only one who paid any attention to the remarks that I made in August 1979 was apparently the chairman then of the Federal Reserve Board, Mr. Arthur Burns, who called me to invite me to have breakfast with him, which I did.

As a result of that breakfast, I ended up being more concerned than before, because Mr. Burns agreed with the remarks I made that August, the statistics that I produced for the first time and assembled, showing clearly that even the Federal Reserve Board was well under way in losing the ability to control interest rates and that there were forces outside of our shores that were impacting and continue to impact us in such a way that no matter what we did domestically, it could be undone.

□ 1320

There was no serious attempt to do anything about interest rates. It would have been absolutely considered infamous, though I nevertheless introduced legislation to espouse legislation that would control interest rates. I brought out the history that since the National Currency Act of 1965 the Nation had no national antiusury laws. They were eliminated in that act, and that there was nothing to control whatever interest rates could rise to, and given the enormity of the appetites for interest that ever since the founding of the Nation present in our society abounded and would make an attempt to control what I call the allocation of credit and that the American people had no protection, sadly, and we see the results.

We see that first the results were apparent and obvious statistically by 1982 and 1983 with the advent of President Reagan's administration and the compoundment of the problem by his philosophical or ideological turn to take the Government off the backs of not the people but the great corporate interests. So the 1981 tax bill in effect was the basic cause for this enormous public debt.

I am proud of the fact that I am considered, and I hope I shall be, and as I feel I have been what is loosely called

a liberal. A lot depends on definitions there. But I am proud of that because I believe that the whole history of the United States is as that one country that has espoused the liberal principle. It was the liberals who fought the Revolution. The conservatives, then known as the Tories, were faithful to the Crown at every juncture in which we have had a breakthrough in pursuit of let us say universal manhood sufferage. It has been the liberals, it has not been the conservatives, certainly.

I do not want to get lost in this battle of labels because what I have to say today is ominous, and it is something that is agitating my heart and my mind, and makes me terribly apprehensive, and I feel I am impelled to report. As a result of that tax bill to begin with, in 1981 $755 billion after 5 years were drained from the U.S. Treasury. Nothing was done to infuse it with enhanced revenues in any manner, shape or form to make up for that drain. So I took the floor ad nauseum to predict that if something was not done only one of two things would happen. Either we would get a new shift with new taxes and the burden shifted from the shoulders of the richest and the most powerful who ended up paying no taxes in many cases, onto the shoulders of the less able; or we would have a monstrous, monstrous imbalance or deficit.

There are two deficits. We have the annual budgetary deficit and we have what is now the permanent public debt, which is certainly a deficit. It is a debt.

What has happened there? In the case of the deficit we reached incredible proportions of over $100 billion a year, $135 billion, $150 billion a year. Concomitant with that was our international imbalance in trade and what is known as the international currency balance. That meant that the United States as it is now was losing for every 10 billion dollars' worth that it went up, and it reached such terrible proportions, in excess of $150 billion a year, we were losing 250,000 permanent jobs in manufacturing and production. So in the 1980's, between 1981 and 1986, the United States became not a producing nation, but an importing nation. Second, it became the largest debtor nation ever, and a debtor nation for the first time since 1914.

Madam Speaker, I think it is folly to waste time pinning blame there. The record is there and it is inescapable. No matter how much effort is made by political forces to try to change history, the fact is that we have this situation confronting us. One, with the debt exponential, just in the 1980's during President Reagan's term of office, for whatever reason, and we can blame it on anybody, so what, these are the facts, the national debt grew by $2 trillion. Since Gramm-Rudman, which I fought tooth and nail, a losing fight, illusory, in fact delusory, an effort to try to guild a lily and prove to the world that the Congress and the administration was trying to do something about debt reduction, the debt grew since 1985-86, the effective date of Gramm-Rudman, the debt has grown by over $1 trillion.

How can that continue? I believe, like James Madison, that public debt is a public curse. How can we not have the day of reckoning and atonement sooner or later, for we have lost the control of our own destiny, as evidenced by Gramm-Rudman, or Grambo legislation, as I called it then and I call it now.

So where are we now internally? We are faced with the eventual dissolution of the basic predicate or foundation of our financial institutional life. It was obvious since 1966 that if we were going to enter an unstable period in the money markets that the soft underbelly of these financial frameworks of reference, such as the savings and loan industry which was founded and predicated in the 1930's, in the depression area, in another world on low interest rates, stability of interest rates, and even subsidizing, regulation Q, as it was called. Then came the 1970's and the real estate investment trust scandals of 1974 and 1975. It was obvious those were bubbles or speculative ventures. Something was bound to sooner or later have to come back down, like water seeking its level.

But no, instead of that we went into two, or three, even four money manias. That same tax law of 1981 also made it possible to bring out of the woodwork all of these predatory insects, scarabs and moths of our society, and we ended up with what: the Milkens, Blinkens, the Kravises and Roberts, and how did they make their killing? All on the basis of tax law. Every one of these leveraged buyouts, entirely questionable from the word go, were actually being able to have been put together on the basis of tax write-offs, and even tax credits, tax benefits, millions of dollars thanks to the generosity of the U.S. Treasury.

□ 1330

But in our fragmented parliamentary system where, say, the Banking Committee has jurisdiction of banking, financial institutions and debt—everybody forgets that—and you have the Committee on Ways and Means under the Constitution which has the sole prerogative to consider tax matters, then in the case of securities we have the Committee on Energy and Commerce now. With this fragmentation, it is impossible for the Congress under its present setup to meet the developments of this terminal point of the 20th century. We are ill-prepared, if we survive, to go into the 21st century with the eruption and evolution that is happening throughout the world; and every one of them with ominous implications for this very same domestic problem with which we are confronted.

We can talk about rearranging the deck chairs on the Titanic and that is about it; but in the meanwhile very little heed has been paid to what should have been done or at least started to have been done 20 years ago.

So what I am saying today is as far as the Committee on Banking, Finance and Urban Affairs is concerned—and I reported this to you last year soon after I became chairman when I had some time and came on the House floor and reported to the full membership, not just to those on the committee—what the intentions, plans, programs of the Committee on Banking were.

Well, we stuck to them, and we brought about, even though the size of the committee is 51 members, the members arose to the occasion and we tried to provide the kind of leadership that would be accountable beyond any question as to scruple and honesty. So that we could in good faith and with credibility and with confidence then dedicate ourselves to the basic issues as they were agitating us then, even though fragmentary.

Now at the time that we also built up this enormous public debt, this enormous annual budgetary deficit, this very, very unpardonable international, we had an administration that in order to keep funding that debt allowed foreign money and investments to come into the United States as never before.

We are the only nation that does not have some screening process to screen the investors in foreign ownerships who are buying, either direct or indirect, assets.

The Japanese, for example, up to lately, can create a crisis the moment they reveal they are not interested in that market, they own better than 35 percent of our Treasury bills, notes, debts. That is just the Japanese.

In direct investments, in banking, for instance, in California, Japanese interests own about 25 percent. Nationwide, of course, it is less. And the total—remembering that Great Britain, for instance, with all of the concern we expressed about Japan—Great Britain has almost twice as much in the United States. And that does not count West Germany, which today is the strongest economy, the strongest financial market in all of the industrialized world, believe it or not.

So what are the implications at this critical juncture? Here is why I rise and here is what I will conclude with. I have been talking about this. I have

spoken, as I said, ad nauseam. I would not have minded being unaccepted or finding indifference, but to think that I have been criticized for taking special orders, not only up here but in my own hometown. Of course, there were political motivations there. But what was it that they were complaining about? That I was taking special orders that, if printed in the record, would cost x number of dollars.

Were they listening to what I was saying? No. Were they reading what I was saying? No. They just felt that whatever I said was not going to be palatable to their particular political leaning.

Now, if we reach that point—and I think we have not now because since then it is true I have been elected chairman of the Banking Committee and that does change things. It "do make a difference" to be chairman as compared to just being the ranking member as I was all during the time I was making these speeches.

What was I saying? I was saying America cannot continue this way indefinitely. We are in a fool's paradise.

Everybody knows that the lender believes in the Golden Rule. What is the Golden Rule of finance? That he who has the gold makes the rules.

Is Japan investing in Treasuries because it is pro bono? It is wanting to do the American taxpayer a favor? Of course not. They are going to have some profit.

To what extent should it be? Well, the United States has done—even Canada was compelled to have a screening board before foreign investors could come in and have access to direct-asset possession.

The Japanese may come to Canada, but they have to go through that screening board to see if that interest is in keeping with the national interest, and the greatest interest of the greatest number.

I have been denouncing this special selfish interests that have ruled the day in our country, directly and indirectly. I have said that they have traded America's heritage for what will turn out to be a mess of pottage.

But thus far what we have been doing is addressing the crisis. What crisis? S&L? What about banks? We have had more commercial banks go under than S&L's.

What about our deposit insurance fund system? That is what is at stake. If I had thought that I had anything to do with the so-called bailout bill, that is bailing out investors, bailing out stockholders, bailing out bondholders of S&L's, I would not have lifted a finger. The only reason I was concerned was because I have been talking since 1979 about the absurdity that the insurance, or the deposit insurance fund has become.

Let me give you some statistics there to show why. I will ask you: What do you have?

In the commercial banks alone, in total insured deposits you have close to, or I guess by now, $3 trillion of insured deposits. How much do you have in the insurance fund to take care of that? Less than $14 billion. Is that an insurance fund? Is it an insurance fund that was originally intended in the 1930's to protect the little depositor? Absolutely not.

□ 1340

The chairman, the gentleman from Missouri [Mr. VOLKMER] announced the doctrine that a bank, a big big bank, was too big to fail, so that they would pay every depositor, foreign or American, who had as much as millions of dollars on deposit. That certainly is a distortion, so since last year I have communicated to the chairman of the Subcommittee on Financial Institutions Supervision, Regulation, and Insurance that he undertake an evaluation of that problem. Up until now, the thing we have come up with, and have sanctioned it, and approved it, is the contract to be issued so that we will have a detailed evaluative consultant study of the Deposit Insurance Fund system. However, the same thing is true with the other insured entities, S&L's and banks.

What is the crisis of the S&L? The crisis of the S&L industry, 2 years ago, 3 years ago, as some Members were desperately trying to break through and announce to the people was that the Insurance Fund was broke. No person wanted to admit that. So with a combination of greed and selfishness, and myopic indifference, we reached a point where we really have to, from here on out, count every hour, every day, every month, as a situation demanding our unceasing attention.

Here is what the picture is: The dollar, with all of this going on has lost 50 percent of its value just in the last 5 years. In the meanwhile, with the advent of a European monetary system, European currency unit, the European currency unit right now is valued at a little under $1.30. Most transactions today in Europe are based on ECU's. I was the only one reporting that in 1979 after the May summit meeting in Bonn. President Carter was present, who was attacking me then for being partisan. Nobody else seemed to give a hoot. Then I kept discussing in the interim, until it became a reality, how the system was in place and what it meant. What it means is simply this: that with the instability and the danger of the dollar's uncontrolled flow, the danger is that the dollar could, and possibly it is possible, and when anything is possible, then I worry about it. It is possible that the dollar could be replaced as the international currency unit.

Now, some listeners say, what does all that gobbledygook have to do with me? I will tell listeners what it has to do with each person. Since private debt, that is U.S. American citizens are in debt to almost the same amount the government, private indebtedness, and since the disposable income, there is no disposable income for 70 percent of Americans at the end of the month. How can we have savings? With that and the corporate debt almost $3 trillion, it means that if the dollar is replaced, all of that debt will have to be paid back in somebody's else's currency. What that means is the United States has lost its economic freedom.

REPORT OF NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-190)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Foreign Affairs and order to be printed:

(For message, see proceedings of the Senate of today, Monday, May 14, 1990.)

THE GUARD AND RESERVES IN ALASKA

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

Mr. MONTGOMERY. Madam Speaker, I want to continue to share with my colleagues a series of articles which appeared in the Roll Call newspaper in the April 30, 1990 edition in a special policy brief, titled "National Guard and Reserves In a Changing World." This brief was developed to describe the roles and missions of the Reserve components and to educate the readers. I wrote the lead article in hopes of generating interest by the readers to learn more about the Guard and Reserve. I commend my colleagues to read these articles to gain a better appreciation of the Guard and Reserve. Today I'm sharing another in the series of articles that appeared in that April 30 Roll Call edition.

GUARD AND RESERVES IN ALASKA

(By Senator Ted Stevens)

Even if the dramatic international events of the past months have made Americans heave a collective sigh of relief, we still don't have the luxury of being complacent.

It is true that these major political changes could affect our national defense strategy. But the need to preserve our nation's security and freedom remains.

Despite federal budget constraints, a strong National Guard and Reserves continue to be important factors in the overall preservation of our democracy.

Wartime readiness is only one part of the job of the 500,000 Guardsmen and women

and almost 600,000 Reserves serving across the nation.

The role of the National Guard and Reserves in Alaska is a good illustration of the vital importance these men and women have during peacetime.

This year will mark the activation of the 210th Air Rescue Squadron at Kulis Air National Guard Base in Anchorage. Taking over from the Air Force's 71st Rescue Squadron, the 210th will be responsible for search and rescue operations over much of the 500,000 square miles of Alaska's rugged terrain and unforgiving waters.

The Alaska Air Guard's 168th Air Refueling Squadron currently stationed at Eielson Air Force Base near Fairbanks, provides airlift and refueling support for military aircraft in Alaska and is equipped to render its service on a worldwide basis.

The 210th and the 168th are part of the 176th Composite Group, which furnishes trained air crews and support personnel for airlift and airdrop missions, as well as for search and rescue and refueling operations.

When the Inauguration Day parade came down Pennsylvania Avenue last year, much of the nation became aware for the first time of Alaska's Eskimo Scouts, members of the National Guard.

In their white parkas, they drew enthusiastic cheers along the parade route and were the focus of television cameras and print photographers. One newspaper called them "Alaska's best kept secret."

But to Alaskan's they're no secret. There is no other military unit in the western world like the Eskimo Scouts.

Three battalions of Scouts, based in western Alaska communities, are our nation's first line of defense. One unit of the First Battalion is on Little Diomede Island, just two and a half miles east of the Soviet Union's Big Diomede.

Guard membership is a family affair for the Eskimo Scouts. From the creation of this branch of the National Guard during World War II, awareness of civic responsibility has been passed down from fathers to sons and daughters, and now even to grandchildren of the original scouts. They are the eyes and ears of the Arctic.

Alaska's Adjutant Gen. John Schaeffer began his Guard service as an Eskimo Scout. Now he commands a force of more than 4,300 men and women whose equipment ranges from dog sleds and snowmachines to KD-135s, Army Blackhawk helicopters, and C-130 aircraft.

Taking on new challenges is business as usual for the nation's Reserves. Reserve units will be among the first to field the new technology C-17 airlifter, continuing a Reserve tradition of frontline support.

The contributions made by Reserves in contingency operations were readily apparent last December in Operation Just Cause, the US invasion of Panama, when indispensable missions were performed by Guardsman and Reservists.

As Active Forces and restructured to reflect changing world conditions, our nation will become increasingly dependent on the capabilities and readiness of Reserve components.

Members of the Reserves constitute an invaluable national asset. Those who leave Active service to join the Reserves will find themselves in an organization with traditions dating back to the origins of our union.

At the same time, the Reserves possess the technology training and pride to meet the challenges of the 21st century.

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. WOLF) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes, on May 15, 16, and 17.

Mr. LEACH of Iowa, for 5 minutes, today.

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

Mr. HUBBARD, for 5 minutes, today.

Mr. FRANK, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, on May 17 and May 21.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GONZALEZ, for 30 minutes, today.

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

Mr. MONTGOMERY, 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. WOLF) and to include extraneous matter:)

Mr. FISH.

Mr. MACHTLEY in 10 instances.

Mr. MCEWEN.

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

Mr. RANGEL.

Mr. KANJORSKI.

Mr. BONIOR.

Mr. KASTENMEIER.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which are thereupon signed by the Speaker:

H.R. 922. An act to designate the building located at 1515 Sam Houston Street in Liberty, TX, as the "M.P. Daniel and Thomas F. Calhoon, Senior, Post Office Building;"

H.R. 2364. An act to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes;

H.R. 2890. An act to designate the Federal building and U.S. courthouse located at 750 Missouri Ave., in East St. Louis, IL, as the "Melvin Price Federal Building and United States Courthouse;" and

H.J. Res. 453. Joint resolution designating May 1990 as "National Digestive Disease Awareness Month."

SENATE ENROLLED BILLS AND A JOINT RESOLUTION

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1846. An act to make miscellaneous amendments to Indian laws, and for other purposes;

S. 2300. An act to provide financial assistance to the Simon Wiesenthal Center in Los Angeles, CA, for the education programs of the Museum of Tolerance; and

S.J. Res. 275. Joint resolution designating May 13, 1990, as the "National Day in Support of Freedom and Human Rights in China and Tibet."

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On May 9, 1990:

H.R. 1472. An act to establish the Grand Island National Recreation Area in the State of Michigan, and for other purposes.

On May 10, 1990:

H.R. 4637. An act to amend Public Law 101-86 to eliminate the 6-month limitation on the period for which civilian and military retirees may serve as temporary employees, in connection with the 1990 decennial census of population, without being subject to certain offsets from pay or other benefits; and

H.J. Res. 490. Joint resolution commemorating May 18, 1990, as the 25th anniversary of Head Start.

On May 11, 1990:

H.R. 922. An act to designate the building located at 1515 Sam Houston Street in Liberty, TX, as the "M.P. Daniel and Thomas F. Calhoon, Senior, Post Office Building";

H.R. 2890. An act to designate the Federal Building and U.S. Courthouse located at 750 Missouri Avenue in East St. Louis, IL, as the "Melvin Price Federal Building and United States Courthouse"; and

H.J. Res. 453. Joint resolution designating May 1990 as "National Digestive Disease Awareness Month."

ADJOURNMENT

Mr. GONZALEZ. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 15, 1990, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

3162. A letter from the Administrator, Environmental Protection Agency, transmitting the annual report on conditional registration of pesticides during fiscal year 1989, pursuant to 7 U.S.C. 136w-4; to the Committee on Agriculture.

3163. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of May 1, 1990, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 101-191); to the Committee on Appropriations and ordered to be printed.

3164. A letter from the Secretary of Education, transmitting a notice of final funding priorities—Secondary Schools Basic Skills Demonstration Assistance Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3165. A letter from the Secretary of Health and Human Services, transmitting the 1988 annual report on the status of organ donation and coordination services, pursuant to 42 U.S.C. 274c(4); to the Committee on Energy and Commerce.

3166. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting the semiannual reports for the period April 1989-September 1989 listing voluntary contributions by the United States to international organizations, pursuant to 22 U.S.C. 2226b(b)(1); to the Committee on Foreign Affairs.

3167. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed lease of defense articles to Denmark (Transmittal No. 9-90), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

3168. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed lease of defense articles to Canada (Transmittal No. 8-90), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

3169. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3170. A letter from the Chairman, International Cultural and Trade Center Commission, transmitting a report in compliance with the Inspector General Act Amendments of 1988; to the Committee on Government Operations.

3171. A letter from the Secretary of Agriculture, transmitting notification of the intention to accept a 60-acre land donation to be added to wilderness areas, pursuant to 16 U.S.C. 1135(a); to the Committee on Interior and Insular Affairs.

3172. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3173. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3174. A letter from the Deputy Associate Director for Collection Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3175. A letter from the Deputy Associate Director for Collection Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3176. A letter from the Director, National Legislative Commission, the American Legion, transmitting a copy of the Legion's financial statements as of December 31, 1989, pursuant to 36 U.S.C. 1101(4), 1103; to the Committee on the Judiciary.

3177. A letter from the Secretary of Transportation, transmitting the eighth annual report of accomplishments under the Airport Improvement Program, fiscal year 1989, pursuant to 49 U.S.C. app. 2220; to the Committee on Public Works and Transportation.

3178. A letter from the Secretary of Labor, transmitting the quarterly report on the expenditure and need for worker adjustment assistance training funds under the Trade Act of 1974 for period ending March 31, 1990, pursuant to 19 U.S.C. 2296(a)(2); to the Committee on Ways and Means

3179. A letter from the Secretary, Department of Health and Human Services, transmitting the first annual report on the Indian Health Service health facilities construction priority system for 1989, pursuant to Public Law 100-713, section 301 (102 Stat. 4813); jointly, to the Committee on Energy and Commerce and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on the Judiciary. H.R. 29. A bill to amend the Clayton Act regarding interlocking directorates and officers; with an amendment (Rept. 101-483). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 4612. A bill to amend title 11 of the United States Code regarding swap agreements and forward contracts (Rept. 101-484). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON: Committee on Public Works and Transportation. H.R. 2273. A bill to establish a clear and comprehensive prohibition of discrimination on the basis of disability; with an amendment (Rept. 101-485, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOYER (for himself, Mr. MINETA, Mr. ANDERSON, Mr. BROOKS, Mr. DINGELL, Mr. HAWKINS, Mr. BARTLETT, Mr. EDWARDS of California, Mr. FISH, Mr. GEPHARDT, Mr. GINGRICH, Mr. GRAY, Mr. GUNDERSON, Mr. HAMMERSCHMIDT, Mr. THOMAS A. LUKEN, Mr. MARKEY, Mr. MARTINEZ, Mr. OWENS of New York, Mr. RINALDO, and Mr. SENSENBRENNER):

H.R. 4807. A bill to establish a clear and comprehensive prohibition of discrimination on the basis of disability; jointly, to the Committees on Education and Labor, Energy and Commerce, Public Works and Transportation, the Judiciary, House Administration, and Rules.

By Mr. SHARP (for himself, Mr. MARKEY, Mr. MOORHEAD, Mr. DINGELL, Mr. LENT, Mr. TAUZIN, Mr. BLILEY, Mr. SCHEUER, Mr. WALGREN, Mr. BRYANT, Mr. COOPER, Mr. BRUCE, Mr. TOWNS, Mr. SWIFT, Mr. TAUKE, Mr. SIKORSKI, Mr. FAZIO, and Mr. BERMAN):

H.R. 4808. A bill to encourage solar, wind, and geothermal power production by removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H.R. 4809. A bill to amend title 5, United States Code, to provide higher rates of basic pay for Federal employees within Mercer County, NJ; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

387. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to anti-Semitism; to the Committee on Foreign Affairs.

388. Also, memorial of the General Assembly of the State of Indiana, relative to Manuel Noriega; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 467: Mr. HYDE, Mr. GIBBONS, Mr. LANTOS, Mr. TRAFICANT, and Mr. HUBBARD.

H.R. 668: Mr. LENT.

H.R. 711: Mr. TOWNS.

H.R. 1250: Mr. WAXMAN.

H.R. 1693: Mr. CAMPBELL of California.

H.R. 2353: Mr. STUMP and Mr. MCEWEN.

H.R. 3344: Mrs. ROUKEMA, Mr. WELDON, Mr. HUTTO, Mrs. MEYERS of Kansas, Mr. WYDEN, Mr. HILER, Mr. HEFLEY, Mr. HORTON, and Mr. MILLER of Washington.

H.R. 3735: Mr. RUSSO.

H.R. 3958: Mr. CHANDLER and Mr. CONDIT.

H.R. 3959: Mr. DOWNEY, Mr. HUGHES, Mr. REGULA, Mr. FAUNTROY, Mr. FASCELL, Mr. GORDON, Mr. LEHMAN of Florida, Mr. BORSKI, Mrs. COLLINS, Mr. NEAL of Massachusetts, Mr. FORD of Tennessee, Mr. RAHALL, Mr. THOMAS A. LUKEN, Mr. FRANK, Mr. MCNULTY, Mr. NOWAK, Mr. KILDEE, Mr. CHAPMAN, Mr. TOWNS, Mr. CROCKETT, Mr. TORRES, Mr. LAGOMARSINO, Mr. BILBRAY, Mrs. UNSOELD, Ms. PELOSI, Mr. MRAZEK, Mr. PANETTA, Mr. GLICKMAN, Mr. DYSON, Mr. OWENS of New York, Mr. ATKINS, Mr. SMITH of Florida, Mr. STOKES, Mr. POSHARD, Mr. ENGLISH, Mr. RANGEL, Mr. COUGHLIN, Mr. KOLTER, Mr. JONTZ, Mr. PEASE, and Mr. LEWIS of Georgia.

H.R. 4266: Mr. MFUME.

H.R. 4334: Mr. DEFAZIO.

H.R. 4369: Mr. WATKINS and Mr. COUGHLIN.

H.R. 4492: Mr. SIKORSKI, Mr. DWYER of New Jersey, Mr. VALENTINE, Mr. WALSH, Mr. RINALDO, Mrs. COLLINS, Mr. YATES, Mr. ROWLAND of Connecticut, and Mr. JACOBS.

H.R. 4494: Mr. BLILEY, Mr. HOUGHTON, Mr. RICHARDSON, Mr. OBEY, Mr. MAVROULES, Mr. BUNNING, Mr. GOSS, Mr. PASHAYAN, Mr. COOPER, Mr. PICKETT, Mr. HUBBARD, Mr. MATSUI, Mr. FORD of Tennessee, Mr. BAKER, Mr. YOUNG of Alaska, and Mr. STUMP.

H.R. 4520: Mr. MCMILLEN of Maryland, Mr. BRUCE, Mr. SIKORSKI, Mr. RUSSO, Mr. LANCASTER, and Mr. JONTZ.

H.R. 4590: Mr. TOWNS, Mr. STOKES, Mr. CROCKETT, Mr. FAUNTROY, Mr. SCHEUER, Mr. FRANK, Mr. WALGREN, and Mr. DEFAZIO.

H.J. Res. 554: Mr. MCGRATH, Mr. MACHTLEY, Mr. GUARINI, Mr. BLAZ, Mr. TOWNS, and Mr. PAXON.

H. Res. 78: Mr. MFUME.

H. Res. 240: Mr. HENRY, Mr. BILIRAKIS, Mr. DELLUMS, Mr. MILLER of Washington, and Mr. LANTOS.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

171. By the SPEAKER: Petition of city of Cape Canaveral, FL, relative to the payment of Florida taxes; to the Committee on Government Operations.

172: Also, petition of Veritat Foundation, Los Angeles, CA, relative to the Constitution of the United States; to the Committee on the Judiciary.

SENATE—*Monday, May 14, 1990*

(Legislative day of Wednesday, April 18, 1990)

The Senate met at 1 p.m., on the expiration of the recess, and was called to order by the Honorable THOMAS A. DASCHLE, a Senator from the State of South Dakota.

PRAYER

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

Let us pray:

Mary Jackson, of the Service Department, is in surgery today. Let us remember her with a moment of silence.

*Who can find a virtuous woman? for her price is far above rubies. The heart of her husband doth safely trust in her, so that she shall have no need of spoil. * * * She openeth her mouth with wisdom; and in her tongue is the law of kindness. * * * Favour is deceitful, and beauty is vain: but a woman that feareth the Lord, she shall be praised.*—Proverbs 31:10, 11, 26, 30.

Eternal God, praise Thee for this beautiful tribute to a godly woman with which the Book of Proverbs closes. Thank Thee for this reminder of the incalculable influence of good women throughout history. We thank Thee for our memories of mother and for our awareness of the impact of her guidance which continues to be positive and strong in us as we move into positions of power and great responsibility. Thank Thee for the sacrifices of a mother, for her gentle, tender, firm, faithful touch throughout our lives. Praise Thee, God, for mothers.

In His name whose faithful mother gave her all. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 1990.

To the Senate:

Under the provisions of rule I, section 3 of the Standing Rules of the Senate, I hereby appoint the Honorable THOMAS A. DASCHLE, a Senator from the State of South Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order, the majority leader is recognized.

THE JOURNAL

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

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

SCHEDULE

Mr. MITCHELL. Mr. President, following the time for the two leaders today, there will be a period for the transaction of morning business not to extend beyond 1:30 p.m. with Senators permitted to speak therein for up to 5 minutes each. At 1:30, the Senate will conduct debate only on the motion to proceed to S. 2240, the AIDS C.A.R.E. bill. There will be no rollcall votes today.

Last Friday I filed a cloture motion on the motion to proceed to the AIDS bill. The cloture vote will occur at 10 tomorrow morning. Once the bill has been called up, it is my intention to remain on it until action is completed. Therefore, Senators should be on notice that it is possible that late night sessions might occur early this week, beginning as early as tomorrow, in order to complete action on the AIDS bill as soon as possible.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time, and I reserve all of the leader time of the distinguished Republican leader.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1:30 p.m., with Senators permitted to speak for not to exceed 5 minutes each.

SENATOR PRYOR'S "VOLUNTEER AMERICA" BILL

Mr. MITCHELL. Mr. President, I am pleased to note the presence of the distinguished Senator from Arkansas, Senator PRYOR, on the floor this morning. I would like to take the opportunity to commend him for initiating the idea of a private volunteer organization to provide aid to emerging premarket economies in Eastern Europe.

I noted with interest the President proposed such a program on Saturday. I believe Members of the Senate are aware that it was Senator PRYOR who first suggested this initiative, in statements on January 25 and March 8 of this year. I commend him for that. I think it is significant that the President has now adopted the suggestion of the Senator from Arkansas, and I hope that gives added impetus to the proposal.

I ask unanimous consent that statements by Senator PRYOR regarding and introducing legislation to create a "Volunteer America," such statements being dated January 25, 1990, and March 8, 1990, be printed in the RECORD at this point.

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

SENATORS INTRODUCE BILL TO CREATE "VOLUNTEER AMERICA," MARCH 8, 1990

WASHINGTON.—Sen. David Pryor, D-Ark., and two other senators Thursday introduced a bill seeking to establish a private, volunteer group to provide aid to emerging free-market economies in Eastern Europe.

Pryor was joined by Sens. Nancy Kassebaum, R-Kan., and Slade Gorton, R-Wash., in introducing the "Volunteer America for Eastern Europe Renewal Act." Under the bill, a federal charter would be granted to an organization that will be called "Volunteer America," which will create new volunteer programs and work with existing volunteer programs aimed at Eastern Europe.

"The Volunteer America program we want to establish will send volunteers from the United States with business and agricultural skills to help the budding free-market economies in Eastern Europe and the Soviet Union," Pryor said.

"Volunteer America is the name, but it is also a call to action," the senator said. "It is a call for America to send its greatest resource of all to help Europe—our people."

Although it would be federally chartered, Volunteer America would not be a government program. It would be led by private-sector leaders and, apart from a $250,000 start-up grant, would be self-sustaining and privately funded.

The bill would allow the president to designate, after consultation with Congress, a leader in the business community who will initiate the formation of Volunteer America. The chairman would then select a board of directors whose membership will represent business, labor and agriculture sectors.

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

Pryor said sending people instead of dollars would allow the United States to begin assistance to Eastern Europe without becoming entangled in the current debate on Capitol Hill about how to distribute limited foreign aid dollars.

"We do have a deficit of dollars, but we also have a surplus of good Americans who are willing to give their time, their resources and their skills to help Eastern Europe and the Soviet Union," he said.

Pryor noted that in a recent speech, the president of Czechoslovakia told a joint session of Congress "that Eastern Europe does not need a great deal of foreign aid. Eastern Europe needs help with its business sector; it needs American business know-how and investment, it needs new agricultural ideas, it needs modern manufacturing methods and its people need to be shown how to start up small businesses."

Pryor said he had mentioned the Volunteer America idea in speeches in his home state and found the response "overwhelming." He said the senators have met with private sector groups such as the U.S. Chamber of Commerce and the Business Roundtable to further discuss the idea.

"Everyone, without exception, has been excited about Volunteer America and they are certain that if we can keep the government out of the program, the private sector support will eagerly follow," he said.

PRYOR CALLS FOR "PEOPLE'S CORPS" TO AID EASTERN EUROPE, JANUARY 25, 1990

WASHINGTON.—Sen. David Pryor, D-Ark., Wednesday said the government should create a "People's Corps" to provide volunteer assistance to the emerging non-communist governments of Eastern Europe.

In a speech to Senate colleagues, Pryor said he felt the government should "send people, not dollars" to those countries. He said such a corps of American volunteers could help the countries at a time when U.S. officials are entangled in debate over how to distribute already-strained foreign aid spending.

"We have a deficit of dollars, but a surplus of good Americans who are willing to give their time and their resources of wisdom and skills in sharing," Pryor said.

"Today, there is an army of Americans with big hearts and special skills to share who are ready, willing and able to become a 'People's Corps,' representing the best of America," he said.

"We do not need governments and bureaucracies to intervene and confuse," the senator said. "We do not need misguided dollars. We need Americans to help make today's dreams become tomorrow's reality."

Pryor noted that Senate Minority Leader Robert J. Dole had recently proposed reducing aid to other countries by 5 percent to allow for financial assistance to the eastern countries. Meanwhile, Pryor said, President Bush has discussed an aid package for Panama, and Poland and Hungary have already been targeted to receive American foreign aid.

"We should be very cautious about new programs of massive foreign aid to these newly liberated countries, even as good or altruistic as our motives might be," Pryor said. "I fear our infusion of dollars could be premature and could contribute to the instability of the present unstable environment."

He said most of these countries have yet to adopt a constitution, much less come up with a plan to distribute American aid.

At the same time, he added: "We don't have the money."

"Let us encourage the leaders of business and industry," the senator said. "Let us call upon organizations who represent agriculture. Let us ask the various professions to become a part of a true American experience of sharing."

Pryor said he began proposing a "People's Corps" in speeches back in Arkansas last week, and the response he received was "truly overwhelming." He said a dentist in Benton, a school teacher in Little Rock, an engineer in Jacksonville and an irrigation expert in Pine Bluff all immediately contacted him to volunteer for duty in the eastern countries. A law professor from the University of Arkansas-Little Rock School of Law recommended establishing an "International Legal Assistance Corps."

"We as a people want to make a positive response," the senator said. "We want to extend our hand in friendship and share with eastern Europeans the blessings of liberty."

"Our goal should not be the Americanization of Eastern Europe, but the realization that our great country shared at a moment of need our greatest resource—our people and their ingenuity," he said.

Pryor said he has scheduled meetings to explore this idea with a number of groups, including the U.S. Chamber of Commerce, the Business Roundtable, the International Executive Service Corps and a number of farm organizations.

Mr. MITCHELL. I yield to my distinguished colleague and again congratulate him for this suggestion and look forward to working with him and with the President in this regard.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

VOLUNTEER AMERICA FOR EASTERN EUROPE RENEWAL ACT

Mr. PRYOR. Mr. President, I sincerely thank the distinguished majority leader for allowing me to speak for a few moments on this issue. And also, Mr. President, I thank the majority leader for recognizing the fact that not only myself but several of us in this body, as early as January, when we saw the massive and awesome changes taking place in Eastern Europe, sought to introduce and lay out for debate some type of a volunteer program. We called our program Volunteer America, a people's corps. I am very grateful the majority leader recognized it.

Mr. President, the President, in South Carolina on Saturday, May 12, did lay out the concept that he envisions, called the Democracy Corps. In January of this year and March of this year I joined with Senator KASSEBAUM, from Kansas, and Senator GORTON, of Washington. We ultimately, on March 8, introduced S. 2260. S. 2260, basically, creates a Federal charter for the volunteer program that we envision for America.

That Federal charter would be under the name of "Volunteer America for Eastern European Renewal." Once again, a Federal charter will bring to it the status of a tax-exempt, federally chartered organization.

Mr. President, almost every part of President Bush's proposal that he laid down in South Carolina on Saturday were parts of a program that I truly hope have the same elements that are in the program developed by Senator KASSEBAUM, Senator GORTON, and myself. Mr. President, I have been attempting to reach Senators KASSEBAUM and GORTON this morning. They are en route to Washington and will not be in until later this afternoon or sometime tonight.

Let me first state, Mr. President, it is immaterial and irrelevant—in fact it does not even matter—whose idea this first might have been. The hope is that we can now get together and move forward with this concept of volunteers coming from all across America, from the education sector, from the business sector, from the industrial sector, from retired people.

I know an irrigation specialist who said, "I will give 6 months." A teacher told me she will give a semester. Some retired business people said they are a little bit tired, now, of having nothing to do but play golf; they would like to give a year or 6 months. People from all across America want to be a part, I think, of this movement.

But let me state, Mr. President, there is one difference, and it is a very basic difference between what President Bush threw out for discussion on Saturday and what I have proposed and what Senators KASSEBAUM and GORTON have proposed. I am not speaking for Senators KASSEBAUM and GORTON on this point, but only for myself.

President Bush has stated that this program should be basically run out of the State Department. Mr. President, I strongly disagree. I do not believe this should be a Government program. This should truly be a people's program. It should come from the people. It should be the people. And it should not be a program financed by the taxpayers. More specifically, it must never become a program which is subjected to the turf battles, to the fiefdoms, and to bureaucratic entanglements within our State Department or any other Federal agency of Government.

Truly, this has to remain in the hands of the people.

I hope President Bush will agree to look at his concept, as proud as we are that he has proposed it; as proud as we are that now he sees this to be a very, very important part of our new relationship, and our new hope being part of a rebuilding of Eastern Europe. It is my hope that he will rethink his effort to place this under the control of the U.S. Department of State.

Mr. President, in 1953, Walter Cronkite was interviewing Dwight David Eisenhower in the White House. President Eisenhower had been our President for 1 year. It was on the eve, I think, of that first election of President Eisenhower when Mr. Cronkite was interviewing the President. I would like to quote what the President had to say in 1953.

President Eisenhower:

I like to believe that people, in the long run, are going to do more to promote peace than our governments. Indeed, I think that people want peace so much that one of these days government had better get out of their way and let them have it.

Mr. President, I think this is one of those classic examples when government should get out of the way; when they should encourage volunteers; when we should encourage a non-Federal program; when we should encourage people from all walks of life, if they have resources to give, ideas to share or hopes to bring to Eastern Europe, that truly under the volunteer America program this can happen.

I have talked to some 15 groups, Mr. President, including the U.S. Chamber of Commerce, the Farm Bureau, the Business Roundtable, the Young Presidents Organization, the International Executive Corps.

I ask unanimous consent to print a list of those groups that I visited with, and those people with whom we have been trying to form the concepts of the Volunteer America Program.

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

S. 2260, VOLUNTEER AMERICA FOR EASTERN EUROPEAN RENEWAL ACT, MARCH 8, 1990

PRIVATE INTERESTS

U.S. Chamber of Commerce;
National Association of Manufacturers;
American Farm Bureau;
Business Roundtable;
American Bankers Association;
American Agriculture Movement;
National Telephone Cooperative Association;
Volunteers in Technical Assistance;
International Executive Service Corp.;
World Council of Credit Unions;
American Express;
Armco Steel; and
Young Presidents Organization.

EXECUTIVE AGENCIES

Department of State;
Agency for International Development;
Department of Commerce;
Peace Corps; and
Overseas Private Investment Corporation.

SENATE COSPONSORS

Senators Kassebaum, Gorton, Boren, Simon, Cohen, Heinz, Sanford, Conrad, Johnston, Reid, Sasser, Bumpers, Fowler, Kohl, and Bryan.

Mr. PRYOR. I also ask unanimous consent that Senator SIMPSON be added as a cosponsor to S. 2260 the Volunteer America for Eastern European Renewal Act.

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

Mr. PRYOR. I also ask unanimous consent that the distinguished occupant of the chair, Senator DASCHLE, be added as a cosponsor of S. 2260.

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

Mr. PRYOR. Mr. President, I ask unanimous consent to print in the RECORD a summary of what Volunteer America is about and what it is not about. We think this will be a good summary.

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

SUMMARY OF VOLUNTEER AMERICA FOR EASTERN EUROPE RENEWAL ACT

Recognizing the need for private, volunteer assistance to Eastern Europe, the bill encourages the establishment of a private, non-profit organization called Volunteer America.

Volunteer America will work to develop efficient free market economies in Eastern Europe and the Soviet Union by:

Consulting with appropriate individuals in those nations to identify the need for overall business management and technical advice in areas such as agriculture, manufacturing, financial services and mining;

Creating volunteer programs to be led by experienced business and labor executives to create on-going relationships with those countries to meet the identified needs; and

Operating mainly through private sector contributions of money, people, and materials.

FEATURES OF THE BILL

The President will designate, after consultation with Congress, a lead individual in the business community who will initiate the formation of Volunteer America and become its chairman.

The chairman will select a board of directors whose membership will represent major business sectors, labor, and agriculture.

Authorizes a one-time, start-up grant of $250,000 to be used by the chairman to inaugurate Volunteer America.

States that a Federal charter should be granted to incorporate Volunteer America at the appropriate time.

Establishes that Volunteer America will be non-political and non-governmental.

Mr. PRYOR. Mr. President, I ask unanimous consent that the Washington Post article of Sunday, May 13, announcing President Bush's support of his Democracy Corps, be printed in the RECORD.

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

[From the Washington Post, May 13, 1990]

BUSH BACKS EASTERN EUROPE AID "CORPS"

(By Ann Devroy)

COLUMBIA, SC, May 12.—President Bush today summoned the nation to help complete the "unfinished business" of securing democracy across Eastern Europe by exporting not only American money but also the American experience with two centuries of democracy.

In a commencement address he called "a reflection on democratic change," the president announced the launching of a private-sector "citizens democracy corps" to carry American expertise to Eastern Europe. He also announced a liberalized line of credit to help Poland finance the purchase of U.S. machinery, technology and services as it tries to restructure its economy.

The democracy corps, which would get an initial government grant of $300,000 for start-up costs, would begin by establishing a center and clearinghouse for American private-sector assistance and volunteer activities in Eastern Europe, the president said. It would operate out of the State Department and be run by a commission appointed by the president.

The objective of the new program, the White House said, is to "support democratic change and market-oriented economic reform" in Eastern Europe by mobilizing and coordinating American private-sector efforts. It would also serve as a clearinghouse for requests from new governments for assistance in areas such as constitutional law, English-language training, journalism, market economics, environmental protection and a range of other areas.

The White House said that while the government will provide initial funding, the democracy corps should in time establish its own financial base through contributions and industry grants.

"America has much to contribute, much it can do to help these nations move forward on the path to democracy," Bush said in announcing the initiative.

There have been a number of similar proposals to help Eastern Europe, including one by House Majority Leader Richard A. Gephardt (D-Mo.) that he described as a "modern-day Berlin airlift, bringing planes of people across the Atlantic in both directions." A variety of bills have been introduced in Congress to promote democratic institutions in Eastern Europe.

On the Poland loan initiative, the White House announced the Export-Import Bank has opened a new line of credit to Poland, allowing medium-term loans in addition to the short-term borrowings allowed now. Firms in Poland now can repay loans in five to seven years rather than one year, White House officials said. The bank guarantees private loans and extends its own loans to facilitate foreign purchases of U.S. exports. The effort Bush announced does not involve an increase in the amount of funds available to the bank.

The Bush administration has proposed a $300 million economic aid package for Eastern Europe this year.

Bush also announced he will send presidential delegations to observe elections in Romania next week and another team to next month's elections in Bulgaria.

He also said he will seek to broaden the mandate of the Conference on Security and Cooperation in Europe by asking it to seek "a new consensus" on what he called the "cornerstones of democracy"—free elections, political pluralism and the rule of law.

Addressing about 1,600 graduates of the University of South Carolina, Bush spoke of the nations of Eastern Europe on the "threshold of democracy" and the responsibility of the United States to secure those democracies by rooting them in democratic institutions. The United States, he said, must help the new democracies build "political systems based on respect for individual freedom, for the right to speak our mind, to live as we wish, to worship as our conscience tells us we must."

Bush called for systems "based on respect for property and the sanctity of contract" and laws that allow free association, free speech and strict equality of rights.

The president compared Poland, Czechoslovakia and Hungary today to America two centuries ago, as it began its experiment with democracy. "Who will be their Franklins, their Washingtons, their Hamiltons and Madisons?" he said. Who will be "their nation-builders who will set in place the firm foundations of self-government?"

The fate of Europe, he said, depends not only on this new generation of leaders but also on the political systems they put in place. "The fate of freedom depends not just on the character of the people who govern, but whether they themselves are governed by the rule of law," he said.

"That is why," he added, "we must export our experience, our two centuries of accumulated wisdom on the workings of free government."

The "essence of our vision of Europe," Bush said, is a Europe "where not only are the dictators dethroned, but where the rule of law, reflecting the will of the people, ensures the freedom millions have fought so hard to gain."

Appealing directly to the graduates, Bush said that "freedom's great triumph" does not mean "America's work is done." The "unfinished business that awaits the generation you represent," he said, is "to uphold our American ideals, not in time of war, but in a time of tremendous excitement, helping these nations secure the freedom your fathers and grandfathers fought for."

Before returning to Washington last night, the president gave another commencement address, this one on volunteerism, at Liberty University in Lynchburg, Va. The university was founded by the Rev. Jerry Falwell, founder of the defunct Moral Majority and a longtime supporter of Bush.

In that speech, Bush lauded volunteerism, both in the United States and abroad, as one of the American "ideals" undergirding democracy. "Individuality, we can change a life. Collectively, we can change the world," he said.

THE CORPS OF ENGINEERS AND OUR GREAT RIVER NETWORK

Mr. PRYOR. Mr. President, I would like to state the States of Arkansas, Texas, and Oklahoma are undergoing some of the most serious flooding conditions in the past 100 years. It has always been somewhat of a mystery to all of us involved in that great river network as to how the Corps of Engineers decides which locks to open, which dams to open, what the degree of flow might or might not be into the lower sections of the river channels.

This morning I am sending a letter to the Honorable Charles A. Bowsher, Comptroller General. I am asking for an immediate GAO update as to how these decisions are actually made and if all factors are being considered by the Corps of Engineers. We feel that this is an important time to do this. We also feel that it is a timely request to the General Accounting Office for an independent evaluation of this system of decisionmaking, which is so critical to all of those concerned.

Mr. President, I ask unanimous consent to print the letter in the RECORD.

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

U.S. SENATE,
COMMITTEE ON GOVERNMANTAL AFFAIRS,
Washington, DC, May 14, 1990.

Hon. CHARLES A. BOWSHER,
Comptroller General of the United States, General Accounting Office, Washington, DC.

DEAR MR. COMPTROLLER GENERAL: The State of Arkansas has been inundated during the past several days with floodwaters in three major river basins. This flooding has been described by experts as a one in one-hundred year event. The problems that we are seeing have been both helped and exacerbated by man-made flood control structures within each of the Arkansas, White and Red River basins.

I am writing to request that you initiate an immediate examination of the operations and procedures of the Army Corps of Engineers relating to the regulation of water levels and release schedules in the flood control structures associated with these river basins.

I have nothing that suggests that the Corps of Engineers has done anything but follow standard operating procedures. I am unsure as to whether or not these standard operating procedures are the best procedures we could be using to protect life and property. But I believe it is important that we step back and get an outside opinion, and that is why I am requesting this examination.

There is little doubt that without these federal projects the flooding would be significantly worse. However, there has been much discussing during recent years centering on the multiple missions of these facilities and their priority levels. During this year's event, the Corps has been criticized for not releasing enough water from some of the facilities in advance of the heavy rains to provide for additional flood storage capacity.

This is, as I am sure you can understand, a matter of some importance to those of us from Arkansas. I ask, therefore, that you give this request your prompt and personal attention. Should you have any questions concerning this request, please do not hesitate to contact me directly.

Sincerely yours,

DAVID PRYOR.

Mr. PRYOR. Mr. President, I yield the floor. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

THE FAIR EMPLOYMENT PRACTICES ACT

Mr. McCAIN. Mr. President, the Senate, this esteemed body in which we serve, has yet again reaffirmed to the American public its stubborn insistence on remaining the "last plantation."

Mr. President, last week the Senate voted 67 to 30 in favor of reforming the Hatch Act. By taking this step, we sent a resounding signal to civil servants that they need not live under rules which force them to be second-class citizens.

Regrettably, Mr. President, I sadly noted that an element of hyprocrisy attended our debate on this subject. For 6 days, many of my colleagues rose to eloquently address the merits of the Hatch Act reform bill. Yet, for more than 2 years, I have called on this body to end the double standard that exists right here in the U.S. Senate. We cannot continue to maintain one set of rules of privilege for ourselves and have a set of far different rules for the remainder of our society.

At the end of the last Congress, I submitted Senate Resolution 488, a measure to end the congressional practice of passing laws for the rest of the Nation to obey but exempting itself from compliance. Regrettably, the measure did not pass.

At that time, Senator GLENN expressed an interest in expanding this measure into a comprehensive bill to cover all of Congress, not just the Senate. Together, we crafted S. 1165, a bill that would provide to all congressional employees the protections of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1976, the Fair Labor Standards Act of 1938, the Occupational Safety and Health Act of 1970, and the Rehabilitation Act of 1973.

Mr. President, I think that most American citizens would be astounded to know that employees of the U.S. Senate have no protections or coverage under the pieces of legislation that I just mentioned. I believe that the Members who have served in Congress have made every effort to comply with these laws, but there is no substitute for the force of law. Discrimination cannot be tolerated in any environment, especially on Capitol Hill. We have no right to impose second-class citizenship on those who work here.

Mr. President, last week I listened closely to the debate regarding the Hatch Act reform bill. Proponents of that measure rallied to the side of those they perceived as suffering from an inequity in political rights that exists between civil servants and those in the private sector. Unfortunately, I am forced to ask: Where are these great proponents of equal justice now? When it comes to ending the double standard that we in Congress enjoy, why are so many of my colleagues mute?

The Governmental Affairs Committee has twice now attempted to pass the fair employment practices bill. In both cases, my good friend, Senator GLENN, had to postpone consideration of the bill due to lack of support. According to Roll Call, only 5 of the panels' 14 Members appeared inclined to support the measure. Mr. President, according to my information, nine Members of the Governmental Affairs Committee supported the Hatch Act

reform bill. I would like to point out that on more than one occasion, Members of this group spoke on the floor in favor of Hatch Act reform.

Mr. President, I do not mean to make any negative inference by illuminating this fact. I draw attention solely so that my colleagues will realize the perception the public holds. If we in Congress believe that the laws we pass are truly worthy rules for a just society, then they must apply to Congress. If we truly believe we cannot tolerate a civil service where citizens are denied rights and made second-class citizens, then how can we endorse such a system here?

Mr. President, I call on my colleagues to support S. 1165, the Fair Employment Practices Act, and end this body's shameful legacy as the "last plantation."

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

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

The legislative clerk proceeded to call the roll.

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

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

COMMEMORATING THE 125TH ANNIVERSARY OF THE BIRTH OF DR. GEORGE WASHINGTON CARVER

Mr. HEFLIN. Mr. President, I rise in recognition of the birth of a great American genius—Dr. George Washington Carver. Born a slave on July 12, 1865, Dr. Carver became one of this Nation's most creative minds. He took the lowly sweet potato and the peanut and developed a vast number of products of all varieties.

Dr. Carver began his studies as an art major at Simpson College in Indiana. He was the only black student. To pursue his interest and talent in science and agriculture, Carver transferred to Iowa State University.

In 1896, as he was completing work on his master's degree at Iowa State, Dr. Carver received a job offer from Booker T. Washington inviting him to head the new agricultural department at Tuskegee Institute. Carver replied:

> It has always been the one great ideal of my life to be of the greatest good to the greatest number of "my people" possible and to this end I have been preparing myself for these many years.

The arrival of George Washington Carver in 1896 led to greatly expanded research. Under his leadership, the institute sponsored agricultural demonstrations in rural communities, monthly farmers institutes, and county fairs. An experimental station, partly funded by the State of Alabama, was started in 1897. Even though it was not designated as an 1890 land-grant institution, Tuskegee in fact provided a model for land-grant institutions. By 1897 it had created a fully developed research program and established mechanisms to transmit the knowledge to the farmer.

In 1906, Dr. Carver inaugurated the "Jessup Agricultural Wagon," named for the northern donor of $567 required to outfit the wagon. Equipped with seeds, fertilizers, and a variety of farm implements, the wagon would tour farms and give demonstrations at central points. Black as well as white farmers attended these meetings. Today, visitors to the Carver Museum at Tuskegee can still see a Jessup Wagon.

Dr. Carver was a master teacher, researcher, extension agent, landscaper, farm manager, and inventor. He was awarded three United States patents, two in 1925 and one in 1927. Most of his inventions, however, were turned over to this country as gifts to mankind.

During his career at Tuskegee University, he taught thousands of students who went on to become the county agents, teachers, and community workers throughout my native State of Alabama.

In April of this year Dr. Carver, along with Dr. Percy Julian, the Chicago chemist responsible for synthesizing cortisone and other human hormones, became the first black Americans to be inducted in to the Inventors Hall of Fame. Belatedly, his name was inscribed in the pantheon of 76 American scientists, including Thomas Edison, Alexander Graham Bell, and the Wright Brothers.

I am proud that Tuskegee University is continuing in the tradition of Dr. Carver. Four university scientists have been awarded a patent for a hydroponic system of growing sweet potatoes. This research, supported by NASA, will help this Nation prepare for a new age of space travel and exploration.

Another lasting legacy of Dr. Carver's work is the Tuskegee Institute National Historic Site. This 50-acre site was created by Public Law 93-486, inacted in 1974. The George Washington Carver Museum is the centerpiece of this site, which includes the Booker T. Washington Home and some 19 buildings—many constructed by Tuskegee University students with hand-made bricks. I am proud that over the past 3 years Congress has provided $10.6 million to the Department of the Interior to restore and rehabilitate some of these buildings.

Dr. George Washington Carver was a creative genius dedicated to being of the greatest good to mankind. The State of Alabama and this whole Nation can be proud of his contribution to our lives.

THE U.S. FLAG-WAVERS HALL OF FAME

Mr. HEFLIN. Mr. President, a friend of mine, James Record of Huntsville, AL, has come up with the idea of creating a U.S. flag-wavers hall of fame to honor flag-wavers and other patriots.

Mr. Record is an outstanding individual. He is chairman of the Madison County Constitution Bicentennial Commission, served as State commander of the American Legion in Alabama, and has served in many capacities in veterans organizations as well as civic organizations.

His idea is that if we create a U.S. flag-wavers hall of fame, we would stimulate flag flying, patriotism nationally, and it could have some effect on eliminating flag burning. I think he has an excellent idea.

I ask unanimous consent that his letter to me, along with an attachment which is signed by him, and along with a newspaper column in the Huntsville Times by Bill Easterling, be printed in the RECORD.

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

MADISON COUNTY, U.S.A., CONSTITUTION BICENTENNIAL COMMISSION,

Huntsville, AL, March 12, 1990.

Hon. HOWELL HEFLIN,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR: Through my Chairmanship of the Huntsville-Madison County United States Constitution Bicentennial Celebration and participation in many patriotic activities, including finding out those who have flown the flag in Madison County during our celebration, I got the idea of creating The United States Flag-Wavers Hall of Fame to honor our flag-wavers and other patriots and I am enclosing the creating document asking you to study it. If you agree with it, and could possibly get approval and/or endorsement by Congress, I believe you would be doing much to stimulate flag-flying and patriotism nationally, and possibly even eliminate flag-burning. You would of course also stimulate creation of many Chapters of the H.O.F. nationally. Madison County is Chapter #1.

Looking forwards to hearing from you soon and favorably, I am,

Patriotically yours,

JAMES RECORD,
Chairman.

MADISON COUNTY, U.S.A., CONSTITUTION BICENTENNIAL COMMISSION,

Huntsville, Ala.

The "Flag-Wavers Hall of Fame', previously created October 11, 1989, is hereby recreated as The United States Flag-Wavers Hall of Fame", with it's original chapter located in and known as "The Madison County #1 Chapter of the United States Flag-Wavers Hall of Fame". Other chapters may be simply created by notifying the original chapter of a group believing in and subscribing to the purposes and ideals of the founding chapter. The group will then

be created as a chapter. There may be an unlimited number of chapters nationally.

The primary purpose and ideals of the Flag-Wavers Hall of Fame are as follows:

1. To foster, perpetuate, encourage, and stimulate patriotism by flying the United States Flag, and to show it proper respect as the Symbol of our nation.

2. To foster, perpetuate, encourage, and stimulate patriotism by recognizing acts of patriotism in every way.

3. To act as a watchdog over publicly elected government officials and candidates for office-city-county-state-district and federal, as to their patriotism, or non-patriotism, for disrespect to our flag actions, and to so notify the general public.

4. To help Americans become more informed and active participants in the political, economic and religious life of their community, state and nation.

5. To help schools and school systems teach patriotism, flying of the flag symbolism, and respect for the U.S. Flag, and the United States Constitution.

6. To help honor other patriots, our Armed Services, and Veterans who fought on behalf of our FREEDOMS.

A Flag-Wavers Hall of Fame Medal of Honor for Patriotism is to be designed and struck and given to inductees at each annual induction, to be held at a date near July 4th.

Adopted this 14th day of February 1990.

Huntsville-Madison County United States Bicentennial.

JAMES RECORD,
Chairman.

[From the Huntsville (AL) Times, Feb. 18, 1990]

THE PATRIOT HAS A NEW HALL OF FAME

James Record knows more Madison County history than probably anyone. In fact, he wrote most of the county's history books. His role as a citizen has been well-documented over the years, and if he never puts another word on paper or offers his services again, his place in city and county archives is secure.

But after a long and illustrious public service career, Record didn't want to quietly graze in a pasture when he retired as chairman of the Madison County Commission.

He felt he still had much to offer. And not even a stroke could keep him down. He simply got a wheelchair and kept on trucking.

In his salad days, Record guided many positive ideas through the Commission. During that time, he wrote several local histories, and started a history of Alabama which he continues to research. He also breathed life into the Madison County Military Hall of Heroes, a one-of-a-kind shrine housed in the courthouse dedicated to local men and women who served with distinction in the armed forces.

In retirement, Record headed the Madison County Constitution Bicentennial Commission, was appointed county historian, and helped launch the Huntsville-Madison County Athletic Hall of Fame.

Now he has a new nut to crack. He has created the Madison County Flag Wavers Hall of Fame "to honor those Madison Countians who have been found to have flown the United States flag and-or been involved in one or more patriotic activities."

Record said it's the only such hall of fame in the country, and people who know him won't bet against him getting it done.

Several months ago, Record drove around the city and county and collected business and private addresses where the flag was being flown.

Then he sent letters to those addresses asking occupants to tell him by return mail why they flew it.

Many, many people replied, and their statements were priceless to a man like Record, whose sense of history is only surpassed by his patriotic fervor.

He gave those letters to me for a possible column or feature story.

I lost them all.

Well, I can't just apologize to him and simply let his hard work, and his hope, go to waste.

So I've decided to ask those of you who replied to him the first time and who might read this today to take time and send him another note or letter explaining why you fly the flag.

I'm also asking any who read this who did't get an original inquiry to participate, too, if you fly the flag each day or only on certain days.

This is all I know to do; and I hope it generates some response, because I know the dedicated, heartfelt attitude with which Jim Record attacks any task.

When he gets this latest HOF off the ground—and he will—Record said he plans to have a medal for patriotism called "The Flag Wavers Hall of Fame Medal of Honor which the patriot and his or her descendents can cherish for generations to come."

Record's not in this for personal glory. His achievements stand quite capably on their own. But a sentence he said to me might better explain his motive.

"The project may spread nationwide," he said, "bringing us a nation of flag wavers, not flag burners."

THE 50TH ANNIVERSARY OF MSGR. GEORGE C. HIGGINS' ORDINATION

Mr. MOYNIHAN. Mr. President, this coming Wednesday, May 16, 1990, will mark the 50th anniversary of the ordination of Msgr. George C. Higgins. A mass in celebration of this occasion will take place here in Washington. The Senate will wish to record this fine moment.

For near to half a century, almost from the moment of his ordination, George Higgins has played a singular role in American life, that of the labor priest, advocating the rights and the responsibilities of working people and of trade unions in American life, and of social justice in all of the institutions of our democracy.

As we approach the end of the twentieth century much of this seems settled, even commonplace. It is difficult to recall how contentious and problematic these issues seemed at the outset, a century ago. The great industrial societies of the world, ours not least, were torn with controversy concerning the social issue, as it was then termed. A fierce and at times unfeeling individualism which had given form to industrial society was becoming rigid and indeed reactionary in the face of the demands from workers for some collective role in the decisions which affected their lives. Equally fierce advocates of revolutionary change, Marxists in the main, called for a complete transformation of society, the "expropriation of the expropriators" as the term went. In 1891 the papal encyclical Rerum Novarum set forth a wholly different vision of a cooperative society in which there were collective rights as well as individual responsibilities, and a shared responsibility for well-being. The new concept of a welfare state received the explicit sanction of the oldest institution of the western world. In Europe these ideas led to the formation of Christian Democratic parties, such as now govern in Italy and the Federal Republic of Germany. In the United States their influence was largely confined to the Catholic community, not a small one—indeed, a quarter of our population—but still a minority, and often thinking and acting as a minority. Save in the trade union movement, where the labor priest, as some were called, attained to a singular role as guide and counselor.

None has been so luminous as George C. Higgins. From his base in Washington his quiet counsel, outspoken views, unyielding convictions and gentle manner influenced the entire Nation. I attest. His voice was heard in the White House, heard in the union halls, on ghetto streets, on shop floors, and through his special association with the International Labor Organization, in the great international councils. It has been a voice of reason and of faith; ever a voice of hope. He is one of those who helped the world through the great travail of the 20th century. Through God's grace he has lived to see so much of his efforts bear fruit.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point five of Monsignor Higgins' fine articles. Written during the last 5 years they are fitting examples of his powerful writing and I commend them to my colleague's attention.

There being no objection, the articles were ordered to be printed in the RECORD, as follow:

[From the Catholic Standard, Davenport, IA, Mar. 1988]

POVERTY ANYWHERE IS A DANGER EVERYWHERE

(By Msgr. George Higgins)

"Poverty anywhere constitutes a danger to prosperity everywhere,"

That is a basic axiom of the International Labor Organization, the oldest of the specialized UN agencies. Yet, with global recession taking a mighty toll on humanity, especially in the Third World, poverty is on the rise throughout the world.

The ILO can have a noticeable impact on efforts to secure human rights and to improve working conditions worldwide through its international labor code, its push for expanded economic growth and employment, and its technical assistance program. For this reason, it is highly significant that the U.S. Senate recently ratified

two ILO conventions—the first time it has done so since 1953.

By its action the Senate served notice that America will assume an important new leadership role in the ILO. U.S. influence within the world labor body has waned tremendously during the last 35 years due to the failure to ratify ILO conventions—and the global thrust for human rights has been blunted.

With the new ratifications, the United States has ratified nine of the 162 conventions adopted by the ILO since its creation in 1919. This clears the way for the U.S. delegates—representatives from business, labor and government—to review all the conventions, giving judicious consideration to those which can deeply touch the labor market.

Indeed, the door is now open for the United States to practice within the ILO what it preaches in calling for an extension of democratic values worldwide.

I hope consideration will be given to two ILO conventions which represent an international "bill of rights" for working people.

Convention 87, which concerns freedom of association and protection of the right to organize.

Convention 98, which concerns the right to organize and to bargain collectively.

Since 1988 marks the 40th anniversary of the ILO's adoption of the freedom of association convention, it would be most fitting and satisfying if the United States were to ratify this fundamental convention this year.

Convention 87 is purely democratic, and its precepts are a linchpin of America's industrial democracy. "Workers and employers," this convention provides, "shall have the right to establish and . . . to join organizations of their own choosing without previous authorization."

Clearly, this is a First Amendment right for Americans, and it would be most appropriate for the AFL-CIO, representing workers, and the U.S. Council for International Business, representing employers, to join with the government to endorse its ratification.

As an economic and moral leader of the world, we can demonstrate to men and women of good will everywhere that we are insistent on achieving a just balance between economic and human needs in ratifying this worker "bill of rights."

[From the Catholic New York, June 2, 1988]

THE YARDSTICK: THE FINAL BATTLE IS NEVER WON

(By Msgr. George G. Higgins)

Thousands of striking Polish workers recently returned to work after reaching a settlement with the Polish government. But the "settlement" really settled nothing. It's safe to predict that sooner or later the workers will strike again unless the government recognizes Solidarity, the trade union it suppressed in 1981.

The Polish government's use of force was a key factor in ending the strike. Its show of force had one purpose: to squelch the human spirit of Polish workers.

Ironically, these events took place as democratic societies around the world are observing two watershed events in the history of human rights: the 40th anniversaries of the adoption of the U.N. Universal Declaration of Human Rights and of the International Labor Organization's convention on freedom of association and protection of the right to organize.

The Polish tragedy serves as a fresh reminder that the final battle in pursuit of human rights is never won. It is a constant and endless struggle. People of good will everywhere must join forces to protect freedom and human rights where they exist and to extend those precious rights to people who have yet to secure them.

From the perspective of working people, the ILO offers hope to the world's dispossessed and downtrodden that they might lift themselves from the poverty of body and spirit. Its convention on freedom of association is the centerpiece of ILO efforts to secure basic human rights and thereby elevate the status of working men and women globally.

Fittingly, the ILO's 1988 international convention in June will focus on human rights issues, especially in the developing nations. In the Third World, the arithmetic of deprivation is stark: an estimated 900 million live in poverty, more than 70 million are unemployed and 500 million are underemployed.

"Universal and lasting peace can be established only if it is based upon social justice," says the Universal Declaration on Human Rights. "Poverty anywhere constitutes a danger to prosperity everywhere," the ILO's 1944 Declaration of Philadelphia asserts.

As the leading democracy of the world, the United States has a special bond with the ILO, and our people should give full support to the world labor body's diverse efforts to secure human rights. Those efforts include setting a code of international labor standards and supervising their observance; technical assistance aimed at spurring economic growth and employment; and spotlighting workplace concerns and problems.

ILO Director General Francis Blanchard points us toward a better day in his report for the June conference: "Solidarity, among nations as well as within nations, is an essential aspect of human rights. It involves both a farsighted self-interest in bolstering the chances for a more stable community of nations enjoying reasonable prospects of sustainable well-being and an element of generosity toward the weak and vulnerable."

The Catholic Church has long been a leading advocate of workers' rights in Poland and elsewhere. Pope John Paul II has expressed strong support and full approval for the actions of Polish workers. And the U.S. bishops voiced support for unions in their 1986 pastoral letter on economic justice.

Let us hope that Polish leaders will take these messages to heart and begin to act civilly toward their own people and their free labor unions. The essential lesson to be learned from the Polish tragedy is that free trade unions and collective bargaining are vital instruments to achieve human rights and a higher standard of living all over the world.

[From the Postal Record, June 1988]

THE ILO: HOPE FOR THE HOPELESS

(By Msgr. George Higgins)

An eight-year-old boy in India bears molten glass on the tip of poles. Scurrying to keep up production, he dodges piles of broken glass and blazing open furnaces. His scarred face tells the story of his travails and job dangers.

In Bangkok, a 12-year-old girl, her frail body barely able to keep going, works 15 hours a day in a textile factory for a few cents pay and scraps of food.

An African father of seven wheezes as he inhales a heavy dose of asbestos while battering down the wall of a dilapidated building. A group of Eastern European workers lumber back to their dreary factory jobs after their latest effort to organize a union was crushed by government force.

There is but one multilateral organization that offers these and millions of other workers around the globe hope from oppression: The International Labor Organization, which is the oldest of all the specialized U.N. agencies.

The Geneva-based ILO, through its code of labor standards, has sought to prevent these kinds of human and worker rights violations worldwide since its creation in 1919. The ILO, uniting representatives of workers, employers and governments, also fosters economic growth and employment, and provides wide-ranging assistance on social and development issues.

Its primary focus is this Third World, but the world labor body seeks to improve the status of working men and women everything and to abolish child labor abuses. Yet the ILO faces an uncertain future because of persisting problems of funding that threaten to weaken its programs.

OUR OBLIGATIONS

Although the United States is one of the world's leading champions of human rights, it is a principal cause of the funding plight of this world body today. All Americans with a sense of social and economics justice will find it unconscionable that the United States continues to owe some $15 million toward the now-past ILO budget for 1986-87.

Further, the U.S. failed to meet its 1988 obligation of $40.6 million that was due on January 1.

The failure of America to meet its full contribution of 25 percent of the ILO's operating costs—a pledge made long ago—is the worst record of any major contributing nation.

This poor contribution record will not only serve to diminish American effectiveness in the organization, it will also seriously diminish the ILO's efforts to secure basic human rights and to elevate the status of workers in depressed and totalitarian nations, regardless of whether the oppression is from despots of the left or the right.

Succinctly, our failure to pay what we pledge will hurt us, and, worse, the people we want to help through the ILO's humanitarian efforts.

Concerned Americans and groups should insist that the United States meet its financial obligations so that this world organization can meet its noble goals. We can start by expressing dismay about this funding dilemma to our congressional representatives.

[From the Long Island Catholic, Mar. 16, 1989]

THE INTERNATIONAL WAR AGAINST DRUGS

(By Msgr. George Higgins)

Pedro Leon Pineda, Julio Cesar Uribe, Jose Hernan Usuga and Gilberto Chaverra Robledo had a number of things in common—one of them terrifying and final. Leon, Cesar, Hernan and Chaverra, all Colombian trade unionists seeking to advance the rights of fellow workers, were gunned down by assassins' bullets.

These men of labor were among a staggering total of more than 200 Colombian trade unionists and peasant leaders murdered or missing in the Latin American country between 1986 and 1988. This horrendous violation of human and trade union rights prompted the governing body of the Inter-

national Labor Organization, an agency of the United Nations, to press the Colombian government recently to take stringent steps to halt the genocide—heinous crimes committed for the most part by assassins hired, trained and protected by the nation's drug barons.

Colombia, as dreadful as the situation is, is not alone, for the tragedy of drug trafficking and abuse is a growing global problem. All of us can find some cheer in an effort by the ILO to mobilize an international war against the escalating illicit drug trade that is killing individuals, shattering families, hindering productivity and leading to wholesale violations of human rights.

With a charter to improve the status of working people worldwide, the ILO might seem an improbable organization to try to galvanize efforts to fight drugs. But through its diverse technical cooperation programs it is seeking to encourage peasants who cultivate drugs to move into alternative enterprises.

In terms of reducing drug demand, the ILO is working with employers and unions to discourage workers from abusing drugs and alcohol, thus trying to reduce the terrible cost in human and financial terms.

Recently the ILO's outgoing director-general, Francois Blanchard, took a number of positive steps to mobilize the United Nations, major international unions and his own Geneva-based organization to expand and intensify efforts in the global war on illicit drug trafficking and abuse.

In an appeal to U.N. Secretary General Javier Perez de Cuellar, Mr. Blanchard urged the world organization and its satellite agencies to explore the means by which war against drug trafficking and abuse "can be intensified and made more coherent."

Simultaneously, he asked the heads of three international labor groups, the International Confederation of Free Trade Unions, the World Federation of Trade Unions and the World Confederation of Labor, to lend their active support in fighting this "terrible scourge."

With more than 50 million people worldwide estimated to be dependent on drugs, the stakes in the war on drugs are high in terms of individual and family trauma, job losses, medical costs, lost production and profits, rehabilitation and reintegration expenses, and even death.

Anything less than all-out warfare on drugs and the criminals who push them by the world community of nations is unacceptable. Let your position on this international tragedy be known to your elected officials in Washington and urge them to support this assault on drugs under the banner of the United Nations.

[From the Tidings, Los Angeles, Mar. 31, 1989]

THE YARDSTICK: PROVIDING EMPLOYMENT

(By Msgr. George G. Higgins)

For many years Ramon Zambrano, a child of poverty, struggled about the streets of Caracas, Venezuela, begging as best he could—without legs and without hope. Four years ago, at age 20, he signed up at an International Labor Organization rehabilitation center for the handicapped and in time mastered the skill of watch repair.

Aliat Oda's long desire to have a child gave birth to an idea that led to a successful business venture in Cairo, Egypt—creating children's clothes and new jobs. With the aid of the ILO, she built a thriving business that now employs 100 workers and has begun to export clothes.

In the Sudan, Mohammed Nuri Hamed, one of nearly a half-million Ethiopian refugees and a carpenter by trade, survived on handouts for more than a decade, unable to afford tools. Two years ago, an ILO loan enabled Hamed to buy tools and raw materials and resume working.

These are just three of the tens of thousands of men and women helped each year by the ILO's technical-cooperation program, which is designed to help spur economic and employment growth in the Third World.

In the developing world, the arithmetic of deprivation and suffering is staggering: 900 million people live in poverty; 70 million are unemployed; 500 million are underemployed. The ILO predicts that 1 billion new jobs must be created worldwide by the start of the next century, as the world population soars to 6 billion and an additional 750 million job seekers flood the global work force, nearly 90 percent of them in the underdeveloped countries.

Freely chosen employment, the ILO believes, is key to raising the status of the world's burgeoning labor force. Since its creation by the Treaty of Versailles in 1919, the ILO has dedicated itself to promoting employment and protecting workers from joblessness and poverty.

As we look toward the challenges and opportunities of the 21st century, let us be guided by this basic tenet of the U.N. Declaration of Human Rights: "Everyone has the right to work, to free choice of employment and to just and favorable conditions of work and to protection against unemployment."

The ILO, featuring unions, employers and governments operating with equal voices to elevate the status of workers, offers a pragmatic approach to attaining this goal. It is essential that the United States play a central role in the ILO's efforts by providing effective leadership in the ILO and by fully meeting its funding obligations, which have lagged badly in recent years.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I raise to inform my colleagues that today marks the 1,885th day that Terry Anderson has been held in captivity in Beirut.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT OF 1990

MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of the motion to proceed to S. 2240.

The Senate proceeded to consider the motion.

Mr. CRANSTON. I thank the Presiding Officer of the Senate.

Mr. President, today we begin debate on one of the most important initiatives that the Congress will consider this session—the Comprehensive AIDS Resources Emergency Act of 1990. This legislation quite literally addresses a life and death issue—both for individuals with AIDS and for the health services programs, public and private, that provide care to people with AIDS.

Before I speak about this legislation, I want to congratulate the chairman and ranking member of the Labor and Human Resources Committee, Mr. KENNEDY and Mr. HATCH, for their truly outstanding efforts in bringing this legislation to the floor. They put aside partisanship and philosophical differences and have worked tirelessly together to secure 63 cosponsors and the support of countless organizations for this legislation. They did that for one reason—to save lives. It is not often that an issue is so terribly important and urgent that so many diverse individuals and groups rally around one bill. But, clearly AIDS is such an issue.

Mr. President, on behalf of all people with AIDS and all of us who care deeply about easing their pain, I want to thank Senators KENNEDY and HATCH for expediting this cause. I understand that Senator KENNEDY will be here later this afternoon to make his opening remarks on this legislation. I am glad that Senator HATCH is now on the floor.

Mr. President, I also want to pay tribute to the young man to whom this legislation is dedicated—Ryan White. After fighting AIDS for 6 years, Ryan succumbed to the disease on April 8. His struggle with AIDS was fought in the public's eye—from his first efforts to go back to school with his friends to his last days in the hospital. That is quite a lot for a 13-year-old boy to deal with. but he did so with grace, persistence, and good humor. He faced life with a deadly disease and discrimination head on. He showed America that someone with AIDS could be anyone of us—a friend, a neighbor, or a relative.

Mr. President, with this bill, we carry on Ryan's fight to help people in pain to live their lives to the fullest, and with dignity.

Mr. President, as the sponsor of the first bill in the Senate in 1988 to focus comprehensively on AIDS care issues, I believe that the time is long overdue for the Federal Government to provide leadership to ensure that people with AIDS have access to vital health and social services. I recently met with representatives of community-based organizations that provide services to people with AIDS in California. They said that without this legislation, they simply will be unable to continue providing such services to people with AIDS. As a caring society, we cannot stand idly by and let that happen.

The Federal Government recognizes that true disasters cannot be dealt with by individual cities or States

alone. The magnitude of assistance that is needed in those situations is just too great. We acknowledge the responsibility of the society as a whole to come to the assistance of individual communities and individuals themselves during times of crisis. We responded compassionately and quickly when the residents of South Carolina and of northern California were devastated recently by natural disasters. The time has come to recognize AIDS as a national disaster that is disproportionately affecting certain parts of the country. These areas cannot be expected to continue to cope with this crisis alone.

Unless new drugs are developed, hundreds of thousands of Americans will likely develop AIDS in the coming decade. With new therapeutics, many may be able to continue working and lead productive and full lives. But many will be sick and need a broad spectrum of health and support services. We must begin now to develop a system of care that is compassionate and cost-effective.

NEED FOR LEGISLATION

Mr. President, as of April 1, more than 128,000 Americans have been diagnosed with AIDS and 78,000 Americans have died from this horrible disease. As many as 1 million Americans may be infected with the HIV. By 1993—just 3 short years from now—it is expected that there will be anywhere from 61,000 to 98,000 new cases of AIDS and between 151,000 and 225,000 people alive with AIDS.

Health care costs to provide care to people with AIDS are also increasing rapidly. It is estimated that by next year providing direct medical care to persons with AIDS will cost $8.5 billion. Although nearly 30 percent of people with AIDS today have private health insurance, the number of people with AIDS with no insurance is increasing.

The public hospitals are bearing the brunt of providing uncompensated care to people with AIDS. A recent survey found that in 1988, 10 hospitals treated 38 percent of all people with AIDS in the United States, and public hospitals treated the largest proportions of low-income AIDS patients. Many of our public health systems are on the verge of collapsing because of the growing numbers of people with AIDS.

SUMMARY OF THE CARE ACT

Mr. President, this legislation would provide emergency relief to those metropolitan areas hardest hit by the AIDS epidemic. Funds would be available to support hospitals, clinics, community health centers and other facilities serving a disproportionate share of low-income individuals and families with HIV disease.

Fifty percent of the funding under title I—for which $300 million is authorized—would be distributed immediately to areas with more than 2,000 AIDS cases. Thirteen cities nationwide would qualify. The remaining funds would be awarded to those areas on the basis of need, local investment, and other factors.

Title II—for which $300 million is also authorized—would provide funds to all States to develop networks or consortia of care to provide a continuum of care, provide early intervention and support services, provide outpatient and home health services, provide for the continuity of health insurance coverage, and provide life-prolonging therapeutics for people and families with AIDS and HIV disease.

States would be required to set aside at least 15 percent for health and support services for infants, children, women, and families with HIV disease in order to ensure that women and children, who have unique needs, have access to specialized services.

Finally, States that have a significant incidence of AIDS must distribute at least 50 percent of their funds directly to local entities in order to develop consortia of care.

IMPACT OF THE AIDS EPIDEMIC ON CALIFORNIA

Mr. President, the impact of the AIDS epidemic on California has been enormous. Nearly 25,000 cases of AIDS—20 percent of all the cases that have been reported since the epidemic began—have occurred in my State. San Francisco and Los Angeles each have seen 7,900 and 8,700 cases respectively of AIDS—more than half having resulted in death. In San Francisco, virtually everyone knows someone who has been affected by the epidemic; last year alone, more than one San Franciscan out of every thousand developed AIDS—the highest rate of any city. But other California cities have also been hit hard—San Diego, Oakland, San Jose and Sacramento.

This legislation, if fully appropriated, would mean a significant amount of funding for the people of California. Out of the initial $150 million in title I that is to be distributed within 60 days to cities with more than 2,000 AIDS cases, Los Angeles would receive $15.8 million and San Francisco would receive $23.5 million.

Those cities would also be eligible to receive additional assistance out of the supplemental $150 million under title I. Under title II, in which funding would be provided for the organization, development and operation of comprehensive systems of care for individuals and families with HIV disease, California would receive $53 million. This funding is intended to help many of the second wave cities, like San Diego.

Mr. President, I am especially pleased that this title incorporates the model for establishing comprehensive AIDS CARE services programs—HIV care consortia—that I sought to promote in legislation I introduced on the first day of Congress, S. 14. I based that legislation on the experiences of San Francisco, which has been a leader in developing a network of home and community-based services for people with AIDS.

This case-management-based model has resulted in dramatically lowered costs for AIDS care. Dramatically lower costs. More than the cost savings, however, community-based care was far preferrable to hospitalization because it allows individuals to remain at home with friends and families and, to the maximum extent possible, to function independently.

This legislation would help other communities to develop similar consortia to meet their individual needs.

Mr. President, as the number of AIDS cases continue to grow—and it will grow well into the 1990's, unfortunately—more and more communities and States will have difficulties responding to this crisis. Cities all over the country are reporting that without some relief, the entire public health system that serves all Americans is very seriously threatened.

We must take immediate and decisive action to alleviate the tremendous suffering and to prevent further tragedy. This legislation represents such bold action. It says to the American people that we care when there is great pain, and we respond compassionately. It represents the best hope for hundreds of thousands of Americans infected with the HIV. I urge all my colleagues in the Senate to support the enactment of this important legislation.

I am pleased that Senator HATCH, who has been a very effective leader in this effort, is now on the Senate floor. I trust that he at this time will speak. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank the Chair. I thank my good colleague from California, and I appreciate his kind remarks with regard to both the distinguished Senator from Massachusetts and myself.

I do not know why these public health bills are always such difficult bills, but we have passed two major AIDS bills that have been Kennedy-Hatch bills as well, and I remember the tremendous difficulties of getting them to the floor and getting them enacted.

Now S. 2240, the Comprehensive AIDS Resources Emergency Act of 1990 has had some difficulty getting to the floor, and we will see what happens as far as getting it through. It makes so much common sense. We have faith in this body—and we have 64 cosponsors—that this bill should go through the Senate before the end of this week.

It is also important to note that this bill is named after Ryan White, as the distinguished Senator from California said. It is really a commemoration of one of the most courageous young men any of us have ever met—a courageous, uplifting, always optimistic, sweet, decent, kind young man. I pay tribute to his parents, too. I have only met his mother, as I recall, but the mother is a wonderful woman who is trying to do her best to spread the word that we must do everything to end this terrible malady that affects so many people throughout our country today.

One of the reasons bills, such as this, have some difficulties is because there are people afflicted with AIDS who have differing lifestyles from others. It is a mistake to condemn this bill or find fault with it based upon anybody's lifestyle, because this is not a bill that should be characterized in any way other than as a public health bill. AIDS is a public health epidemic and we must treat those who are suffering from it.

This is a bill trying to alleviate pain and suffering. This is a bill to help communities who treat not only individuals afflicted with AIDS and their immediate families. These communities are having a very difficult time handling these problems. And, in 13 major cities, there are more than 2,000 individuals who have AIDS.

I empathize with California, because California has more than its share of persons infected with AIDS. So no one should make any mistake about this. Today we are debating a public health bill. When it comes to the public health, we should get together and resolve difficulties and problems that exist. We worked very hard to do so, as we have on the prior two AIDS bills. There are issues involving AIDS that are very controversial and very difficult to handle. I do not think this particular bill is one of them.

Let me describe this legislation. In title I, this bill authorizes emergency assistance grants to cities that have reported 2,000 or more cases of AIDS as of March 1990.

Thirteen cities, Atlanta, Boston, Chicago, Dallas, Houston, Los Angeles, Miami, New York, Newark, Philadelphia, San Francisco, San Juan, and Washington, DC, have reported at least 2,000 cumulative cases of AIDS as of that date.

In order to receive these title I funds, each of these cities must establish an HIV-health services planning council by December 1 of next year. The Secretary of HHS must distribute half of the grant funds to the eligible cities by March 1. The remaining grant money must be allocated in the form of supplemental grants to eligible cities. These cities are to use these particular assistance funds to further assist public or private nonprofit health facilities that serve a disproportionate share of low-income people with HIV disease.

The distinguished Senator from California has indicated that there are 1 million cases of AIDS. We know there are estimated that up to 1½ million people are infected with HIV. And, there may be more than that. But, this bill provides care for individuals who have AIDS. When we talk about who needs care, we talk about children—and this bill takes care of children—it takes care of mothers with AIDS and children, heterosexuals with AIDS and homosexuals with AIDS. We should not delineate among these people. These are human beings that are suffering from one of the most dreaded diseases in our society, a disease which we should find a care by spending the money and putting in the time, effort, and research into to end the needless suffering.

It is estimated that there are 2,200 children in this society who actually have AIDS. It is estimated that the number is at least 10 times as great—10 times—or somewhere in the neighborhood of 20,000 to 25,000 children who are infected with AIDS. How do they get AIDS? They get it through contaminated blood given to their mothers during birth, and they get it because some of their mothers are IV-drug abusers.

What are we going to do? Are we going to let these children die because their mothers are IV-drug abusers? Are we going to condemn the mothers to death who have contracted AIDS because during a difficult pregnancy, like Elizabeth Glaser? She had a transfusion of blood that was contaminated with AIDS and contracted AIDS. She has lost one child already and has a second child that she is trying to save, plus her own life? Mr. President, the answer is "No."

I have never seen more courageous people—Ryan White, Elizabeth Glaser, from California, and her husband, a wonderful human being, Paul Michael Glaser. Elizabeth has not just languished and complained and worried about the disease that has afflicted her and her children.

She has gone out and raised millions of dollars for pediatric AIDS research and treatment all over this country. The least we can do as a Government is help the kids like Ryan White; babies, unlike Ryan White, who will die before they even reach Ryan White's age; help them with this difficult burden and problem of AIDS.

Many of these IV drug-abusing mothers became so because of an uncaring and insensitive society. I do not want to compound that lack of care and insensitivity by not doing what we can do now. We must contain this epidemic which was worse a few years back when we passed other AIDS bills. Nevertheless today, AIDS is still of epidemic proportions.

Some say it has leveled off. If it has, it has been because we had the heart, compassion, guts, and ability to fight to enact those prior AIDS bills in spite of the fact that some people are irritated because of the nature of the problem.

What are we going to do? Are we going to ignore the Elizabeth Glasers, Ryan Whites? Are we going to ignore anybody, other IV drug abusers? Are we going to ignore a hemophiliac man with six children, a wonderful family man who because he needed blood transfusions, accidentally contracted AIDS, and not do what we can to alleviate that suffering?

What are we going to do? Just ignore these problems?

This bill, the CARE bill, makes an enlightened attempt to try and solve these problems for everybody, as it should.

I cannot go back to the origination of AIDS and spend a lot of time on that and blame anybody. All I can say is there is a tremendous problem that exists in our society today, one that it seems to me only the Federal Government, in conjunction with the State governments, can do anything about. That is what we are trying to do here. Yes, we will have to expend more money. Yes, I am a fiscal conservative, and I do not want to spend more money. However, the fact of the matter is that we already are, and people are dying, and we have to do it. And, if we do not, we will be penny wise and pound foolish. We will really have an outrageous, raging epidemic that will be unstoppable. So, let us pay the price now, and hopefully, reap the benefits of finding a cure, treating people compassionately, and end the tragic suffering.

Let me describe the bill: In title I the authorization is $300 million for each of fiscal years 1991, 1992, and such sums as may be necessary for fiscal years 1993 through 1995.

Title II authorizes spending designed to improve HIV care in all States including rural urban areas. The Secretary of the HHS can use up to 10 percent of these funds to provide States with technical assistance and to establish a Special Projects of National Significance Program. Title II money is to be used by the States to establish HIV care consortia, to provide care to areas most affected by disease, to provide home care and other community-based services to people with HIV disease, to develop and support mechanisms, to ensure continued coverage for people with HIV disease, and provide HIV therapies for low-income people through primary care, and support services.

Now, I have to say that up to 15 percent of the title II grants go to sup-

port infants, children, women, and families. It is a set amount.

Let me repeat: There are over 2,200 reported cases, as I have said, of children with AIDS. This number does not include children infected with the HIV virus, and it is estimated that for every child reported to have AIDS, for every 1 there are 4 to 10 other unidentified cases.

Further, it is estimated that nearly 3,500 children will have AIDS by 1991, and approximately 20,000 will be HIV-infected. AIDS will be the fifth leading cause of death for all children in the next decade and a major cause of mental retardation.

In the adolescent age group, 500 cases of AIDS have been reported as of March 1990. Health care experts assert that this number masks the true incidence of HIV infection in teenagers. While the extent of infection in teenagers is unknown, the more than 200,000 estimated cases among young people in their twenties may serve as an indicator of the prevalence of the virus among adolescents.

We have heard from these children, teenagers, and their families about the need for a special emphasis on pediatric AIDS research and services, and to address the problem of the fragmentation of education, research, health care, and support services.

This legislation provides infants, children, women, and families with HIV disease access to help. The bill provides that a portion of the States' HIV care grants be used specifically to provide health care and support services for this particular population. It also includes a definition of the term "family centered care" that highlights the pivotal role of the family in care delivery.

Further, the bill provides that transitional care facilities would be eligible to receive HIV emergency relief grant funds, and that home health services to be funded by HIV care grants would include developmental and rehabilitation services.

Transitional care facilities are utilized by children with AIDS who no longer need hospital care but for whom foster care placement has not been finalized. Also, because some children with AIDS are now going home rather than living in the hospital, community and home care services will need to expand to meet the developmental and rehabilitative requirements of children with AIDS, many with mental retardation and motor function problems.

Mr. President, I strongly support the motion to proceed to the consideration of S. 2240, the Comprehensive AIDS Resources Emergency Act. The specific provisions of this particular bill, the Comprehensive AIDS Resources Emergency Act of 1990, are listed on this particular chart. As we said, the purpose is to provide emergency relief for those metropolitan statistical areas hardest hit. This means 2,000 cases, by AIDS public health assessment. The fund used to (a) support health care facilities serving a disproportionate share of low-income families; (b) to provide case managed community-based outpatient health care, including home health care and support services, for the purpose of reducing hospitalization and spending.

The bill authorizes $300 million for 1991 and 1992, and such sums as necessary in 1993, 1994, and 1995. I have talked about the comprehensive care programs under title II including the home health care programs, and, again, the funds are to be distributed to the States based on the number of AIDS cases and relative per capita income.

All States are required by this bill to set aside 15 percent of the funds for delivery of health and support services for infants, children, women, and families with HIV disease. So this authorizes for title II, $300 million in 1991, 1992, and such sums as may be necessary for 1993, 1994, and 1995.

Title III requires research to evaluate various models of AIDS care service delivery and financing system for the care of individuals with HIV disease. I support, strongly, this motion to proceed.

We have talked about the devastating health threat AIDS really is, and what it really means. I think we have to follow President Bush's advice when he stated: "In this Nation and decade, there is only one way to deal with an individual who is sick; with dignity, compassion and care, and confidentiality, and without discrimination."

Let me just talk a little bit about the crisis. According to the Centers for Disease Control, AIDS is not going away. Dr. James Curren, a physician at CDC, stated:

> Just as HIV infection progresses in an individual, it now has done so in society. It has matured. People are getting sick at a rapid pace.

It is predicted between 52,000 and 57,000 Americans will develop full-blown AIDS just this year. New cases of AIDS are up to 12 percent among homosexuals, up more than 20 percent among intravenous drug users, and up 38 percent among heterosexuals.

So, this bill does not threat this just a homosexual issue. Yes, it will help them. But it will also help the intravenous drug users who have AIDS. And yes, it is to help the heterosexuals who contracted AIDS.

It is to help everybody who has AIDS. That is what we should do. We should not restrict who it can and cannot help. Everyone is affected. And, it is believed that AIDS will spread among heterosexuals at about the same level as other sexually transmitted diseases, with some groups being more at risk than others.

The number of currently infected individuals is at least 1 million. At least half do not know they are infected, and only a few hundred thousand seek medical help. Of the more than 1 million infected with HIV, 3 to 5 percent are going to get sick each year, leading to a continued rise in AIDS cases and strain on the health care system.

The Centers for Disease Control has set up other testing programs to measure how far and how fast the AIDS virus is spreading. For example, it tested some 2 million newborns last year for HIV antibodies. The results indicate that between 4,500 and 6,000 HIV-infected women gave birth, resulting in between 1,500 and 2,000 infected babies, and that is happening every year. While we have made some strides in reducing the rate of transmission, the epidemic is not over.

Let me take a minute here to go over a chart on who actually has AIDS and where it is increasing. The AIDS increases in 1988 and 1989 in homosexual and bisexual males, it went up to 8 percent; transmissions through heterosexual contacts, have gone up 27 percent; transmission from mothers to newborns, up 17 percent; and women, up 11 percent. A lot of people are infected by this disease. And a lot of people are affected by this. We are just talking about the people infected. We are not talking about their spouses and families and children and neighbors and others who may not even know that AIDS is in their community.

The fact is we also know that minority communities have been specially hard hit. Let us first take the impact of AIDS on blacks. In the U.S. population—on the chart, the black bars represent men, the gray bars represent women—as a portion of the total U.S. population, blacks are 12 percent. CDC figures for 1981-89 show that 27 percent of black adults and adolescents have AIDS. Homosexual or bisexual men, non-IV drug abusers represent 16 percent of black men who have AIDS. IV drug abusers, who are heterosexual represent 48 percent of the black men with AIDS. In women, the IV drug abusers are 58 percent of the total black women with AIDS, and 53 percent have partners with HIV. In children with AIDS, 53 percent are black children. These are startling. So it is not just among homosexual and bisexual men and women. But even if it is, it is still a problem that ought to be handled.

Mr. HELMS. Will the Senator yield?

Mr. HATCH. Yes.

Mr. HELMS. I will be glad not to ask my question now if he prefers. Would the Senator go back to one of his charts?

Mr. HATCH. This one?

Mr. HELMS. No. Let me see the other one. That one will do. Put that up and let me ask a question or two.

Does the Senator have any raw numbers. He says, in this instance the number of AIDS cases is up 17 percent, but does not say from how many cases we are talking about.

Mr. HATCH. Let me say this. Most of those who are infected have become infected through high-risk behavior. There is no question about that, either through IV drug abuse or promiscuous sex.

Mr. HELMS. The Senator does not know how many?

Mr. HATCH. I think I can give the Senator some idea. Sixty percent of infected adults are homosexual or bisexual.

Mr. HELMS. I agree.

Mr. HATCH. So, if we have 1 million people infected with AIDS, we might extrapolate about 600,000 of them.

Mr. HELMS. Where does the Senator get the 600,000?

Mr. HATCH. It might be a million and a half.

Mr. HELMS. It may be 100. Percentages do not mean a lot unless you know what the base is.

Mr. HATCH. The Centers for Disease Control have said 1 million people have HIV infection. That is their best estimate. I also heard the figure could be as high as a million and a half.

Mr. HELMS. The CDC itself has backed off in saying that the whole terrorizing statistical percentage presentations have been exaggerated; is that not correct?

Mr. HATCH. Not particularly. Be that as it may, whether it is 1 million or a million and a half or 100,000, it is too many. Most authorities think it is too many.

Mr. HELMS. One case is too many.

Mr. HATCH. That is right. One is too many.

Mr. HELMS. I will not interrupt the Senator. I will listen to him with great interest.

Mr. HATCH. Let me give these facts because I think they will help answer the Senator's question. Sixty percent of infected adults are either homosexual or bisexual, 21 percent of the adults are abusers, and another 7 percent are both homosexual and drug abusers. That is part of the 60 percent. That is a total of 88 percent of adult AIDS cases who have AIDS because of high-risk behavior.

Mr. HELMS. But we are still talking in percentages.

Mr. HATCH. That is right.

Mr. HELMS. I have some specific figures that I am going to allude to.

Let me say that I do agree with the Senator about the horror of this disease. But there is one thing about it. I have never heard once in this Chamber anybody say to the homosexuals and IV drug users, who make up over 90 percent of the AIDS population, "Stop what you are doing." Does the Senator realize that if they would stop what they are doing, there would not be one additional new case of AIDS in the United States of America other than those already in progress.

Mr. HATCH. I do not agree with that. There would not be additional cases among homosexuals, but there certainly would be other cases because of the prevalence of the disease right now.

Mr. HELMS. I think I prefaced it, that there would not be one new additional case of AIDS.

Mr. HATCH. Among homosexuals.

Mr. HELMS. Ryan White was an innocent victim of these people. And I think it is about time that this Senate addressed the moral issue. I have not heard one Senator, except listening to myself, who has said, look, this talk about who is causing this, who caused it from the very beginning?

Then I will talk some more about the statistics when I take the floor. I thank the Senator for yielding.

Mr. HATCH. I thank my friend and colleague from North Carolina.

I do not agree with him that if all homosexuals quit having any homosexual contact that that would end the AIDS crisis. I do not think it would. In fact, I do not think it would make a dent. It would certainly help alleviate some of the AIDS problem. But we would still have the problem among heterosexuals, among children, among IV drug abusers and others. This is not just a homosexual problem.

Mr. CRANSTON. If the Senator will yield, would it not require cessation of all sexual activity and all use of blood to stop this?

Mr. HATCH. If you want to reduce the transmission of AIDS, it would require cessation of all sexual activity by everyone who has a potential infection, it would also require no more transfusions and, it would require no more needle-sharing. Now, we are making headway in the transfusion area by doing effective testing on blood. I do not want to have people panic-stricken by the discussion here today. But it is no secret that Ryan White and others—I mentioned Elizabeth Glaser; I mentioned my friend down in Texas, who is the father of six children and fine family man, who contracted AIDS as a hemophiliac, but who got AIDS because of a blood transfusion. Just because AIDS is transmitted through sexual contact, blood transfusions, and IV drug use, I do not think we should condemn those to death who have the disease. We should do what we can to get rid of this disease. I do not think we should condemn people to death, individuals like Mason White, the former president of the Hemophelia Foundation.

I do not think Ryan White should be condemned to death, or anybody else like Ryan. I do not think we should condemn to death Ariel or Elizabeth Glaser, whom I mentioned. I do not think we should condemn to death Linda Mason, a member of the President's Commission on AIDS, a wonderful human being who is doing everything she can to help people who, through no fault of their own, contracted AIDS.

I do not think we should condemn to death the Ray family, of Florida. And, we should not condemn to death over 1 million Americans who are HIV infected, which include at least 4,000 children and their mothers.

I would point out a couple of other things I think are important here. The impact of AIDS on Hispanics: As a percent of American population, they are 8 percent—that is going up dramatically as we know. But of Hispanic adult/adolescents, 15 percent have AIDS. Homosexual or bisexual men who are non-IV drug abusers represent 10 percent of the AIDS cases in Hispanic males, IV-drug abusing men, represent 32 percent of those Hispanic males who have AIDS.

In Hispanic women, IV drug users are 20 percent and those with AIDS because of partners who have HIV, 23 percent. Of the children with AIDS, 24 percent are Hispanic.

So the two largest minority communities in this country are hard hit with AIDS and it is not going to get better unless we face this problem. That is what this bill, I think, forces us to do.

Let me talk just a few minutes about the origin of the AIDS virus. The biggest unanswered question is—since the Senator from North Carolina has raised this issue—we have lots of hypotheses, but no particular facts. We can say, No. 1, the virus was not created in the laboratory. It is not a product of germ warfare.

One of the areas earliest hit was central Africa, an area where homosexuality and IV drug abuse play virtually no role in the transmission of the virus. Transmission is predominantly through heterosexual contact in those areas.

Transmission from monkeys is also one of the hypotheses. Viruses similar to the AIDS virus have been isolated from nonhuman primates. A theory has been put forward that early on humans first acquired AIDS as a variant of those viruses. It is not unique for such viruses to be transmitted to men from nonhuman primates.

In Africa, a likely scenario is that transmission occurred during hunting, with exposure to blood from the infected monkey. There is no evidence that sexual contact was the means for transmission in the early instance of the transmission of AIDS.

In Haiti, transmission during the early part of the epidemic occurred through bisexual or homosexual conduct and contact. However, transmis-

sion now occurs through the whole array of possibilities, including heterosexual contact, blood transfusion, as well as perinatal transmission from mother to child.

So there is no use saying that AIDS all comes from high-risk homosexual conduct.

This body has addressed other landmark AIDS bills. Let me describe how they have worked. Several of the health care programs authorized by the HOPE legislation, have been in operation for several years, and they have a track record of success.

First, we have low-income treatment assistance programs funding the AZT therapy program. AZT alleviates pain and other difficulties and problems that are suffered by HIV-infected people. The Low-Income Treatment Assistance Program has been providing life prolonging therapeutics to people with AIDS since September 1987.

Our strong commitment to biomedical research in AIDS has brought significant advances. Those advances mean AIDS is increasingly being viewed as a chronic, treatable illness.

By helping low-income individuals gain access to AIDS treatment, like AZT, we have been able to keep many HIV infected individuals working and earning, thus eliminating their need to turn to public assistance programs. Through grants to States, thousands of individuals who face both poverty and certain death have been kept, both alive and productive.

In addition, access to early treatment, like AZT, can help reduce utilization of hospitals. Currently, the added demand for services created by the HIV epidemic is taxing many inner city health care systems to the point of breakdown.

Finally, the most compelling incentive for individuals to step forward for HIV testing and counseling is the availability of proven medical interventions, like AZT, which can extend life and reduce suffering. This program has been extremely effective. It is not bureaucracy, it is life-sustaining drugs for individuals desperately in need.

I have here a letter signed by more than 40 Members of the Senate, affirming the critical nature of this program. In addition, I also have a letter signed by the vast majority of the State public health officers in this country, including Dr. Sheldon Elman of Utah. I am pleased that the availability of these drug therapies are being authorized as an eligible use of funds under the AIDS C.A.R.E. block grant of S. 2240.

Home care is authorized in HOPE. As part of the omnibus AIDS package passed by the 100th Congress, Senator KENNEDY and I and a lot of others, including the distinguished Senator from California, worked hard to get that bill through. The Senate unanimously endorsed the delivery of home and community-based care for people with AIDS.

As the Labor and Human Resources Committee has heard during the 2 years of hearings, home care is not only more humane, it is more cost-effective. So, this bill emphasizes home care. And, in the end it really will save us money as well as help to treat those infected with AIDS.

In many areas of the country, an individual can receive home health care for at least a week for less than the cost of a single day in acute care. In addition, home care allows individuals with AIDS to be with family members rather than languishing in expensive hospital beds, isolated from traditional support systems.

The home care authorization in the HOPE legislation will sunset in 1990. So, I am very pleased that we are now about to reauthorize this critical important program that is part of the AIDS C.A.R.E. State Grant Program.

We also authorized AIDS demonstration programs. The AIDS service demonstration projects have been in operation through the Health Resources and Service Administration, HRSA, for 4 years. Currently, HRSA operates adult AIDS C.A.R.E. demonstration projects in 26 cities and pediatrics AIDS C.A.R.E. demonstration projects in 13 cities in this country.

In a recent speech, President Bush stated:

> From Seattle to Boston, from Dallas to Detroit, Federal grants have helped coordinate the efforts of care providers, business and community organizations to set priorities and pool resources to meet the treatment needs of the people with AIDS.

These demonstration projects have built partnerships between the public and private sectors and assisted in both the development and coordination of essential health and support services.

In two recent evaluations, one by the GAO and one by Systemetrics, these projects were applauded for filling critically important gaps in necessary services. Both reports recommended that these programs be expanded to other areas of the country as the AIDS epidemic continues to geographically diversify.

This has also been a clear message from both the Presidential Commission on the HIV Epidemic chaired by Admiral Watkins and the National Commission on AIDS. It is time now to take action, from what we have learned from these projects. I am pleased that the community-based consortia of care for individuals, children, and families has also been incorporated into this legislation.

So, Mr. President, much of what we are trying to do in S. 2240 here now is not entirely new. Some have been in operation and have been proven effective. What we are doing here is merely increasing the flexibility granted to the 50 States so that each can tailor programs designed to meet their needs, their public health special needs.

This action is humane, it is compassionate, and it is fiscally responsible. I think it is time we handle these matters in this type of a way.

Mr. ROCKEFELLER assumed the chair.

Mr. HATCH. Mr. President, I am hopeful that our colleagues will support Senator KENNEDY and me and the 62 other cosponsors—there are 4 of us—in moving forward with this legislation. This bill actually emphasizes aspects of the AIDS epidemic that no other Federal initiative has addressed in such a comprehensive manner. The bill targets funds directly for pediatric AIDS patients. For children who through no fault of their own, no high risk conduct on their part, have contracted AIDS.

We are talking here about children who contracted this deadly virus through no fault of their own. We are talking about children who have AIDS because they received HIV-infected blood, or because their mothers were carriers of the virus. We are talking about children like Ryan White and Ariel Glaser. We are talking about the 2,200 children who have contracted AIDS and the over 1,000 children who have died from this dreadful disease.

This bill also begins to recognize that the AIDS epidemic has not escaped rural America. When we think of AIDS, we may see images of New York City, or Los Angeles, or San Francisco. But the fact is that AIDS is in the rural North, it is in the rural South, rural Midwest, in the rural New England and rural West of the United States, and every other part of the country.

This bill also comes to grips with the adverse ramifications that the disease has on our Nation's health care system. Health care providers, particularly urban hospitals, have been stretched to the limit to provide treatment for AIDS patients who are largely low income.

Mr. President, there is not a single Member of the Senate, Republican or Democrat, who would not jump into the water to save someone who is drowning. I do not think any of us would fail to get in there and do our best. We would do it without first asking how he or she happened to fall into the water or happened to lose their confidence to swim. We would jump in and help.

This bill is not a debate about factors causing individuals to contract AIDS. It is not a debate about the efficacy of education programs. This bill is simply an effort by those of us in this body who want to do something to

heal all the victims of this terrible disease. It is a terrible, debilitating, worrisome, outrageous epidemic disease. This bill provides humane care.

Mr. President, I do not want to condemn to death any person who has AIDS in this country. I do not care, in all honesty, what it was that caused them to contract the disease in the sense of wanting to help. I just want to help them.

It is fair to say that AIDS is a flagrant, widespread epidemic of high-risk conduct, in many of the people. But let me tell my colleagues, everybody in our society from time to time makes mistakes. Many people have emotional illness, or mental diseases, many people have not had the privileges that many of the rest of us have had. Many of them have not had parents that have taught them, as I have to say my parents have taught me, and as I hope Elaine and I have taught our children.

Oddly enough, any of us who may stand by and criticize better look at ourselves. We better look into our own hearts and our own minds and our own lives and if anybody, even in this body, does that, they are going to have to conclude that there are lots of things they can improve upon. We have some very wonderful people in this body, but we all make mistakes. We all do things that are wrong. We all have problems. And, I would hate to think that if people anywhere in this world or this country had diseases, and we could maybe find a cure, that we would not take the time or the effort or spend the money or do the things necessary to get a cure.

Should we just let the disease run rampant because we do not agree with the morals of certain people? For one, I, do not. I do not condone homosexual activity, but that does not have a thing to do with this bill. AIDS is a public health problem. It is hurting our country and hurting people who really should never have had to come in contact with this disease. It is hurting children, and mothers, and families and a lot of people.

Mr. President, I have only been in this world 56 years, but I can say that I know there are a lot of good people who have made mistakes in their lifetime. There are a lot of good people who are infected with the AIDS virus who make contributions to our society. We should provide them compassion and care.

The reason this Nation is great is because of diversity, because of our great laws, because of the great freedoms that we have. This Nation is great because of the rights that we protect, because of so many things that this body does, but also because we are a compassionate Nation, because we look at problems and we do not always worry about how they started. We worry about what to do to end them. That is why this Nation is so great.

I think we all need to keep that in mind as we work on bills like this. It is not pleasant to work on difficult public health issues, but it is always pleasant for me to work on them when we find a way for solutions and have ways to lead to alleviation of the problems.

I hope that all of my colleagues will look at this bill as another step in the way of resolving the difficulties surrounding AIDS. Let us not look so much at how AIDS started, because nobody can really define that, nobody really knows. Regardless, there are people who are infected by this dreaded disease that need treatment. This bill offers that.

I am proud of the two prior bills we have passed because they have made a difference in the lives of people who are effected by AIDS, and that includes many who do not have the virus. It includes family members who have to live with this problem, and it includes you and me as we interrelate with people in our society.

Mr. President, this is an important bill, and it is in the best interest of this country to pass it.

I think that is why we have such overwhelming cosponsorship of it. I hope that our colleagues will vote to invoke cloture tomorrow, and I hope we can go forward on the bill.

If there are amendments which will improve it, I will be the first to try to push to have those amendments adopted. If there are differences that have to be resolved, I know that the distinguished Senator from Massachusetts and others and myself will do our very best to resolve those difficulties.

Mr. President, it is time to move forward. We are running out of time on this issue. I hope that all of our colleagues will help us to do so.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HELMS. Mr. President, this bill is going to pass the same Senate that allowed the Labor/HHS appropriations conference to strip out the amendment which would have let the wife of an AIDS-infected husband know that her husband had AIDS. I have talked about this a number of times on the floor, and I think it bears repeating before we talk about this legislation.

A couple of years ago I received a call from a young woman who was employed in the House of Representatives. She worked for a Congressman. She said, "Senator, I need to talk with you and I need to bring my mother to see you."

I said "Of course." I had not met the young woman, nor her mother, but they came in the following day, two lovely ladies, and we sat, the three of us, for a couple of minutes engaging in the customary pleasantries. Then I asked the young woman, "How may I help you? She said, "I'm going to let my mother tell you."

Tears came to the eyes of the mother, and she said, "Senator, I don't know how to begin." I said, "Just begin somewhere. What is the problem?" She said, "Well, I have AIDS." Then she began to recite the circumstances by which she developed the AIDS disease. Her husband, who was a prominent attorney in a city in the State of Michigan, to be specific, was a homosexual, and he developed AIDS. His doctor told him he had it. The husband refused to permit the doctor to advise the man's wife that he had it. That is how that lady became a victim of AIDS.

A few months ago ABC News did a report on this young lady. Sam Donaldson interviewed her. As the interview progressed he became increasingly amazed that any government could permit this type of horror to go on in the name of civil rights. Well, Sam, I'm horrified also.

Now, let us examine some aspects of this bill. And I say again that the freight train is rolling. It is going to pass. But at this moment the Senate, once again, is in the process of beginning the consideration of an AIDS spending bill. The number is S. 2240, and it has the name, the "Comprehensive AIDS Resource Emergency Act."

Just about everything that goes through this Chamber and the House of Representatives these days bears the word emergency in its title.

Mr. President, President Bush has already called for $3.5 billion in AIDS spending for next year—$3.5 billion—and now in this Chamber we are preparing to consider a 5-year authorization for another $2.9 billion—$2.9 billion—on top of what the President has requested. That is $600 million for next year, $600 million for the year after that, and then the language says whatever may be necessary after that.

It is interesting to see the orchestration of support for this bill. The way the legislative process works is that a great many Senators do not give a great deal of thought to what they agree to cosponsors; there are too many things rolling back and forth in committee and on the floor. But what we have is another legislative flagship for the homosexual segment of the AIDS lobby and its apologists in and out of Congress, and in and out of the major news media. Being whipped up today is a hysteria bordering on terror

by the repeated proclamation, and we have heard it this afternoon, that AIDS is everwhere and that we are on the verge of another bubonic plague.

I think one of the saddest things is that the taxpayers' money is being proposed to be used to proselytize a dangerous lifestyle. In the meantime, millions of other Americans, gravely ill with Alzheimer's or cancer or diabetes—go down the litany of diseases—are being cast aside, along with common sense, in the headlong rush to feed the appetite of a movement which will not be satisfied until the social fabric of this Nation is irreparably changed. I invite any historian sometime in the future to go back through the CONGRESSIONAL RECORD and see how many times there has been even a comment on the floor about the role that immortality has played in this matter. But that is neither here nor there.

This legislation, S. 2240, is dedicated to the memory of Ryan White, and his name will be invoked over and over again, as it has already been this afternoon.

Let me say at the outset that I admired this little boy who died of AIDS on Palm Sunday of this year. He was a gutsy little fellow. The tragedy suffered by Ryan White and his family was and is very real. For Senators who have not looked beyond the People magazine headlines, let us review just a little bit the story of Ryan White and the tragedy that befell him.

Ryan was a young hemophiliac who contracted AIDS from a tainted blood transfusion in 1984. He was immediately ostracized in school because the people in his community had been led to believe that AIDS is readily transmissible by even the smallest of children. Ryan then spent 5½ years with his short life trying to enlighten the public about his own horrifying affliction.

He told Americans that you do not get AIDS by chewing on pencils or saying, "hello" to somebody in school. He told us that children have been the unknowing victims of the madness which brought this disease to Ryan White and America's young people.

Mr. President, no compassionate American can fail to be moved by the Ryan White story. He deserves an honest remembrance. But the American people deserve to have an honest assessment of those who have so callously used the suffering of Ryan White to promote their political agenda.

Think back just a moment. Just before Ryan White died, the Hollywood and media crowd were rushing to Ryan's home. They knew the television cameras would be there. Most of these people had no more credibility in issuing their medical declarations about AIDS than you and I do. Yet, there they were bidding for the time and attention of the TV cameras, helping to promote the type of ignorance and misinformation which has elevated AIDS into a political issue totally out of proportion to its medical impact on the people of this country.

Let men be candid. The homosexual lobby of America knew the Ryan White story was too good to pass up. Therefore, his struggle and his death could be used to frighten the American public into believing that AIDS is waiting to happen to everyone, even if they do not engage in illegal and/or immoral activity.

So Ryan White was portrayed as a typical victim, not the exception that he was. And the AIDS propaganda machine churned out the demand for special treatment and privileges for the kind of people who caused Ryan White's death.

There are many in this body who dare not challenge the homosexual AIDS lobby or even attempt to discuss the real tragedy of the death of Ryan White. Why? Because the rules of debate for this public health crisis are different from every other disease this Nation has ever encounted.

In the AIDS debate, Members of the U.S. Senate operate under a rule which says certain facts and certain issues must be left unmentioned and, therefore, ignored. And if that fails, then try to put down any Senator who attempts to discuss this aspect of it. We cannot talk about the kind of behavior that puts even young children like Ryan White at risk.

This AIDS lobby and its allies in the media and in the political arena are unwilling to say that Ryan White would never have contracted AIDS had it not been for the perverted conduct of people who are demanding respectability. Of course, under the orchestrated rules of the AIDS debate, if anybody talks about the role that homosexuals and drug users play in the epidemic, he or she might as well expect to be condemned as a homophobic.

I frankly do not care whether this Senator is called a homophobic. This Senator cares that AIDS activists are successfully demanding more and more of the taxpapers' money for specific research on AIDS—out of all proportion to the medical threat posed by the disease—and that AIDS patients are on the verge of being given rights which no other Americans enjoy.

Despite all of this, children continue to die because of the focus of most legislation is on the impact that AIDS has on homosexual men and now the drug user.

The real tragedy is that the public health system of this Nation has been ripped apart, and that the death of people like young Ryan White is being exploited to promote a political agenda that will put more innocent children like Ryan White at risk.

As Tony Snow wrote in the April 13 edition of the Washington Times, "That's sick."

Before turning to the statistics of where we have been heading in this epidemic, let me say that if IV drug users and homosexual men would stop their activities today there would never be another case of AIDS in this country other than the ones already in progress. For the information of Senators 94 percent of all cases of AIDS are to be found in homosexual and bisexual men, or IV drug users.

Statistics are being bandied around. I attempted to question my good friend from Utah [Mr. HATCH]. He talked about percentages. I wanted him to talk about the number of cases numerically. It is true, according to the best information available to me, that AIDS has killed 78,000 people since 1980; 78,000 in 10 years. That is bad. That is a tragedy. Each one is an individual tragedy, the same as it is a tragedy when anybody dies of any disease.

The Centers for Disease Control pointed out in its estimate of the impact of the disease that the extent of the problem is far less than was originally predicted in the early 1980's. Almost every day, certainly every week, in the 1980's, we had a new projection of how many cases there were going to be. We will hear that today and tomorrow, and perhaps in the succeeding days. But the estimates by the Centers for Disease Control show that despite all of the dire warnings there has not been an outbreak of AIDS among heterosexuals. In fact, Dr. Rand Stonebrunner, director of AIDS research at the New York City Department of Health, in reporting the discovery of seven cases of AIDS, seven, among heterosexual men in New York City, emphasized his belief that six out of seven lied about their sexual and drug abuse history.

That means that only seven purported cases of strictly heterosexual AIDS—not cases of AIDS passed because of high-risk practices—have been found in all of New York City, among the thousands who have been infected with AIDS; and six of the seven are in doubt, because Dr. Stonebrunner believes that the six lied.

Let me make one thing perfectly clear, as the expression used to go in this city. I do not claim to be a research scientist, but I can understand that the incidents of AIDS have gone down due to the fact that the people among which it thrives have already been saturated by the disease.

Nevertheless, the Federal Government spent $1.5 billion on AIDS research in fiscal year 1990, while overall Federal AIDS spending was $3 billion. As I mentioned earlier, President Bush has asked for $3.5 billion in AIDS spending in fiscal year 1991.

Senators KENNEDY and HATCH now seek to authorize another $600 million on top of that $3.5 billion. What about the possibility, if not the probability, that this is another case endemic to Washington, where solutions are found or hoped to be found by throwing money at them.

Let us look at other diseases. Heart disease, which is the No. 1 killer in the United States, will claim between 760,000 and 950,000 lives in 1990. Yet, heart disease research has been funded at only $649 million. Cancer, I heard on the radio this morning in a news report, is expected to take the lives of 518,000 people this year, but cancer research has been funded at only $1.6 billion.

Alzheimer's disease afflicts 4 million Americans and will kill over 100,000 in 1990. Yet, Alzheimer's funding stands at only $148 million, and that happens to be less than they spend on AIDS education materials and pamphlets, detailing what? So-called safe sex.

I do not know how other Senators feel, Mr. President, but spending the taxpayers' money to promote safe sex seems to me to be an excuse for promoting a dangerously promiscuous lifestyle.

Diabetes: This afflicts 11 million Americans and kills an estimated 36,000 of them each year. Yet, diabetes research received Federal funding of only $267 million for 1990.

Look at it another way, statistically, if you wish. According to the Public Health Service, people with AIDS represent one-tenth of 1 percent of the patients in this country. On the other hand, it may be of interest that 86 percent of the patients in our hospitals and clinics suffer from mental illness in one form or another.

The Centers for Disease Control states that on a yearly average, 10,000 people with AIDS have lost their lives since 1980—10,000 per year. The authors of S. 2240 and all of the cosponsors propose to spend more than $4 billion extra on AIDS programs in fiscal year 1991. To be more precise, the Federal Government spends an average of $10,000 on research for each AIDS patient, while by contrast, cancer patients receive only $185 per patient on research. Those with mental illness receive, would you believe it, $7 per patient, in federally sponsored research.

A lot of people are waking up. Time magazine is not noted for being the most conservative journal in this country, but Time has pointed out the dangers of throwing more and more money at the AIDS problem. I have in hand a copy of the January 22 edition of Time magazine, which included a detailed report entitled "The AIDS Political Machine."

I commend Time magazine for its candor. I know how many rough letters they got from irate readers who are a part of the homosexual community. But the magazine described the activities of a well-oiled special-interest lobby which has altered the way the public health apparatus of the U.S. Government conducts business by raising the legitimate question of whether or not AIDS activists have distorted the national medical response to the disease.

That is the reason I interjected briefly when my good friend from Utah was speaking, to inquire if he would talk in specific numbers of patients, rather than percentage increases, because they will not tell the same story. The dollar figures used for AIDS research represent more than excessive Federal attention to the disease, in my judgment, because money and talent and time are being diverted from other projects in research to AIDS research.

Because AIDS research is so singularly focused, the likelihood of spinoff medical discoveries are remote, according to scientists. Dr. David Korn, who is dean of the Stanford Medical School, said, in Time magazine:

> When you target money too narrowly, you exclude other areas that may prove very fruitful.

Of course, he is right.

Mr. President, the AIDS lobby has pressured Government to discard proven public health measures which have successfully controlled diseases in the past. But now we have the spectacle of these activists demanding quick Federal funding and the approval of untried miracle cures, thereby leaving the door open for quacks and snake oil salesmen.

Approval of AZT was rammed through the FDA system in less than 4 months time. James Todd, of the American Medical Association, noticed, and I quote him: "Penicillin could not get through that fast." The average drug approval time, by the way, Mr. President, is more than 2 years.

So that is the reason I am on my feet today, not because there is even the remotest chance of having the Senate consider all of the facts in this matter. I have heard in the last 5 years various Senators stand up and rail against proposals that a wife be informed that her husband has AIDS. Why? Among other things, it is only common decency that she at least be given a fighting chance to avoid the disease.

I have heard Senators advocate providing drug addicts with needles. I have heard them advocate allowing foreigners with HIV or worse to come into this country with no questions asked. All of this funnels down into one question: How many more Ryan Whites will have to die before we come to our senses? Sure we are all sorry for anybody who is sick with anything, no matter how he or she got it. But that does not require us to throw common sense to the winds.

I have already addressed the cynical exploitation of Ryan White to mask the political movement behind such legislation as we are considering. I have discussed the fact that research on other diseases is drying up as more and more resources of the Federal Government are being used to target AIDS and at a time when there is almost mayhem on Pennsylvania Avenue and on Capitol Hill about some way to control Federal spending. The old process of throwing money at a problem is really with us now.

But let me mention, and I will be as brief as I can, some other troubling aspects of this legislation.

The bill has a section which says that no less than 15 percent of the funds authorized will go to the treatment of those with pediatric AIDS to families and women. Let me tell you something, Mr. President, I certainly agree that that should be the focus of this legislation. So why only 15 percent? How did they reach the 15 percent? What about the other 85 percent?

But if you read a little further down the text of S. 2240, you will find that this legislation allows the States to waive—waive—the money for pediatric-specific programs. Why is that in there? Does that not make the pretense of dedication to Ryan White just a little bit disingenuous? I wonder how many Senators will give that a thought?

The only legislation the Senate should be considering is a proposal to save innocent children and other innocent people from AIDS. That is all. Incidentally, I might add as a footnote, the National Institutes of Health spent $139 million last year on pediatric AIDS. This so-called Comprehensive AIDS Emergency Act, S. 2240, proposes to spend $2.9 billion over the next 5 years primarily—and nobody talked much about this—primarily in 13 cities of this country. They happen to be where the largest number of AIDS cases have been found.

One tactic in getting support for this bill was to encourage the 50 States to declare that they are undergoing an AIDS crisis. See how these words just creep into legislation? Emergency; we have the dire emergency supplemental appropriation bill; we have this emergency bill. Everything is an emergency, and everything involves the use of taxpayers' money, and I think the $3 trillion debt that the coming generations will have to shoulder is testimony to the fact that you do not solve problems by throwing money at them. But that is exactly what this bill proposes to do.

Obviously this business of using States and percentages—not figures, not statistics—percentages—you will

notice the charts there, they are all in percentages, so when you begin to look at the fine print, and I am inclined to do that from time to time at 1 or 2 o'clock in the morning when I am trying to figure out where a piece of legislation is going, I find some interesting things. This tactic of encouraging the States to declare that they are undergoing an AIDS crisis as a prerequisite to their receiving funds, well, it has a bad odor to me. This, of course, orchestrates and promotes the AIDS hysteria.

I was looking at title II of S. 2240, the bill we are talking about. It mandates the formation of AIDS councils in all States, with any, any, rural outbreak of AIDS. And as an attempted justification, the authors of the bill have emphasized, for example, and this is just one example that the State of North Dakota has experienced a 75-percent increase in rural AIDS in the past 10 years. Think of it, a 75-percent increase. Then you look at the fine print, Mr. President, and you find that in 10 years North Dakota has had precisely 18 cases of AIDS, and 13 of the 18 had been reported at the beginning of the 1980's. The same scenario is played out in South Dakota, South Carolina, Wyoming, Idaho, North Carolina, right on down the line.

You can prove anything with figures, particularly percentage figures. Obviously, this has the appearance of a shell game, and it is going to be played out in every State and rural area because they want that free money from Washington. The bottom line is that Greensboro, NC, or Indianapolis, IN, or rural Texas will never have an AIDS epidemic or outbreak such as New York and San Francisco. But the homosexual AIDS lobby does not want the American people to know that.

I listened to my friend from Utah, for whom I have the highest respect and affection. He made an emotional appeal—he is good at it—as he concluded his remarks. He even bordered on acknowledging, insofar as I can recall for the first time, that the cause of this problem is sodomy.

Now, somewhere in the archives of the Centers for Disease Control in Atlanta, GA, is a document, as I understand it, describing how AIDS came to this country. You call down there now, and they say we do not know where it is. But there have been many allusions to that report in the archives of the Centers for Disease Control.

The story I have been told is that a Canadian airline attendant, male, caught the disease overseas. He came to the United States. He stopped at various places. And what do you know? Everywhere, it was documented, that he stopped and spent the night while an airline attendant, that is where AIDS popped up rather promptly. He was known at CDC as Patient Zero and the early discovery of HIV was traced to him.

Now, to be sure, you cannot go back and say, well, that is tough, that should not have happened. But I think it was Patrick Henry who said he had no light to guide him except the light of the past. But one thing is sure, as far as I am concerned: AIDS is, always has been, and always will be a behavioral epidemic confined almost exclusively to homosexual and bisexual men and to IV drug abusers.

The exhortation that this is everyone's disease will not, and does not, survive serious scientific scrutiny. It is, to be blunt about it, a hoax. And, as I tried to say earlier, if the homosexuals and IV drug abusers would stop their abnormal practices this date, there will never be another new case of AIDS in the United States except those that are in progress as a result of previous conduct.

So I return to the political agenda which keeps the AIDS machine rolling along, consuming vast sums of the American taxpayers' money and—and—destroying traditional values as it goes steamrolling along. That is what is at stake.

AIDS is rapidly on its way to becoming a declared handicap for the purpose of establishing a legalistic definition of discrimination. The Americans With Disabilities Act, which passed the Senate back in September, would extend civil rights protections to HIV carriers, even though more than 90 percent of them caught the disease through illegal, unlawful, immoral conduct.

Now, I am very sorry about this. I am a Baptist and I was taught a long time ago to hate the sin and try to love the sinner. But some of these people make the latter part of that tough.

The citizens of America are, of course, compassionate people. They have seen their Government make one concession after another to the AIDS lobby. What originally began as the measured response to a public health emergency has become a weapon for destroying America's Judeo-Christian value system.

Let me tell you something, Mr. President—and I do not hesitate to say it at all—the pratices of homosexual men and IV drug users is still revolting, no matter what coloration is put on it by legislation passed by this Senate or this Congress. But I will tell you this, I seriously doubt that the majority of Americans look with favor on this. I think the polls are pretty clear. And, I also doubt that the majority of Americans would approve this legislation if there were any way for them to know and understand the full implication of S. 2240.

That is about it, Mr. President. As I said at the outset, this is another one that I will not be on the prevailing side.

In conclusion, I ask unanimous consent that an article entitled, "The AIDS Political Machine," from the January 22, 1990, edition of Time magazine, and an editorial "Gay Rights Advancing Under the Banner of AIDS," by Mr. Charles Muggeridge, from the September 21, 1989, edition of the Wall Street Journal, be printed in the RECORD.

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

[From Time magazine, Jan. 22, 1990]

THE AIDS POLITICAL MACHINE

(By Dick Thompson)

Good news rarely kicks up controversy, but this may be an exception. A report soon to be published by the national Centers for Disease Control estimates that the size of the AIDS epidemic is significantly smaller than originally projected. Since 1986, the Federal Government has claimed that as many as 1.5 million Americans were infected with the incurable virus. The number soon to be announced will be around 1 million, and some Government officials suggest that the count could be as low as 650,000. Also, the rate of new infections in New York City, Los Angeles and San Francisco is at last slowing. "In retrospect," says the CDC report, those earlier estimates, "based upon limited data available at the time, were to high."

Why the controversy? Because AIDS lobbyists insisted all along that the scope of the epidemic was being understated. By doing so, AIDS activists overcame conservative resistance and rightfully elevated the fight against the disease to the top of the nation's public-health agenda. Says June Osborn, chair of the National AIDS Commission: "We should not be content or comfortable. The national response to an out-of-control epidemic has been frighteningly modest."

But now that the picture is brightening statistically after a decade of gloom, many research scientists and health-policy analysts question whether the changes brought by AIDS activists harm basic research, the public health and perhaps even those who are at risk of acquiring the virus. Says Joel Hay, a health economist and senior research fellow at the Hoover Institution: "Things are out of whack." Three areas merit special concern:

A swollen budget. After an initially sluggish response by the Reagan Administration, Washington has pumped current AIDS funding to a robust $1.6 billion. That is slightly more than the budget for cancer ($1.5 billion), which killed more than twelve times as many people last year (500,000, compared with 40,000 who died from AIDS). And it is far greater than the $610 million budget for heart disease, the nation's top killer. "It's wrong to spend more money on a disease that will never kill more than 35,000 to 40,000 people a year on a disease that will kill a half-million every year," says Michael Fumento, author of the recently published *Myth of Heterosexual AIDS.*

Cures first, prevention second. The most effective means of controlling a contagious epidemic is through prevention. But the AIDS movement has emphasized the rapid development of treatments for AIDS victims. Says Michael Nesline of the activist

group ACT UP: "We're fighting for people for whom the question of prevention is a moot point." In this regard, the movement found allies in conservative politicians who were unable to support "safe sex" education but saw AIDS research as politically neutral.

Consequently, spending on drug development has outpaced funding of prevention programs 2 to 1. Some public-health officials fear that the concentration on cures has been at the expense of educating Americans who remain at risk—primarily blacks and Hispanics of the inner cities of the East. Thus the epidemic in those ghettos is likely to grow. Says Samuel Thier, president of the National Academy of Sciences' Institute of Medicine: "We should have known that focusing largely on treatment after infection would not be an adequate long-range strategy."

The emphasis on AIDS research is also beginning to draw fire from scientists, whose non-AIDS projects have been squeezed for funds. Traditionally, major health efforts have fueled broad basic-research programs. But "AIDS money is targeted," observes Donald Fredrickson, former director of the National Institutes of Health. The narrow focus reduces the chances of spin-off discoveries for other diseases. Says David Korn, dean of the Stanford School of Medicine: "The course of discovery in biology is not linear. When you target money too narrowly, you exclude other areas that may prove to be very fruitful."

Lowered standards for drug approval. Almost as soon as drugs are shown to be somewhat effective, the AIDS lobby pushes for their immediate release. To overcome bureaucratic delays, some activists have launched so-called underground testing of drugs that have been of questionable value. The lobby's greatest influence has been at the Food and Drug Administration. AZT, for example, won Government approval in less than four months, compared with a current average of two years. Says James Todd, senior vice president of the American Medical Association: "It's distorted all the traditional principles for drug approval. Penicillin couldn't get through that fast." While some modification of FDA regulations may have been necessary, many people believe that the changes being made at the FDA to accommodate AIDS activists threaten a system that has protected the public from quack cures, like the apricot pits once touted for cancer sufferers.

The AIDS lobby has been so successful because early on it grasped a fundamental principle of American research. Explains Philip Lee, University of California at San Francisco professor of social medicine: "The system is a political process." By using Washington connections, media savvy and even civil disobedience, the AIDS movement may have become the most effective disease lobby in the history of medicine. Says Jeff Levi, a former executive director of the National Gay and Lesbian Task Force: "Long after AIDS is gone, we will have changed how research is done in this country."

Certainly every disease has its lobby. But AIDS is the first deadly epidemic to strike an already organized political constituency, the gay-rights movement, which began with a fundamental distrust of mainstream society, including organized medicine. The AIDS lobby, says Columbia law school professor Harold Edgar, "is independent of and really indifferent to the interests of the scientific establishment." AIDS lobbyists have often been motivated by fear and anger about public indifference, or even hostility, to their terrible problem. AIDS activism, "has to do with racism and homophobia," say Nesline of ACT UP. "What's new is that queers and junkies started doing something about it."

Translating the grass-roots movement into legislation was the work of the National Organizations Responding to AIDS. Representing 150 health and civil rights groups, NORA orchestrates long-range strategy and shepherds all AIDS legislation through Congress. "The coalition provides an opportunity for groups to have more influence than their size would dictate," says William Bailey, federal-policy officer for the American Psychological Association and a founding member of NORA. "When you have 40 to 60 groups saying the same thing, that's a very compelling statement."

The efficient AIDS lobby towers over lobbies for other diseases that strike just as many people. NORA executive director Jean McGuire acknowledges, "The unlevelness of the playing field is a result of the gay community's initial articulateness and money." That has come to mean that AIDS has a far greater impact than the number of victims would dictate.

If the current response to AIDS is skewed, it may be because so much effort was required to overcome the inertia of the Reagan years. Congress found every Reagan AIDS budget inadequate and increased funding year after year. The AIDS political machine is running as efficiently as ever, and any modifications of the nation's AIDS response will require a more dispassionate approach among activists.

Still, AIDS remains a significant problem worldwide. And while researchers have made tremendous strides in drug development, these drugs are expensive and more difficult to use elsewhere, especially in the hardest-hit areas of Africa. The challenge to American researchers now is to find not only better treatments but also treatments that are low in cost and easy to use.

Fundamentally, the problem is that scientists are better at making pleas for more money than at setting priorities for research. "There's a lot more to do [in science] than money to do it with," says Stanford's Korn. "Without priorities, we're left to well-organized lobbyists. That's the American way." Bumper stickers and demonstrations may be acceptable in picking a mayor, but the political process is proving to be a mixed blessing when confronting an epidemic.

[From the Wall Street Journal, Sept. 21, 1989]

GAY RIGHTS ADVANCING UNDER BANNER OF AIDS

(By Charles Muggeridge)

Rep. Barney Frank's personal difficulties have caused this society once again to consider the limits of its tolerance for public expression of homosexuality. Barriers to such behavior seem to be falling with gathering speed.

Twenty years ago this summer, New York City police battled with patrons outside a gay bar named the Stonewall, and only the Village Voice reported it prominently. In April, the mayor of New York renamed the site where the riot occurred, "Stonewall Place." But despite the claims often made for it, the Gay Liberation movement that began after the riot scored few advances until recently.

Statutes and ordinances prohibiting discrimination on the basis of "sexual orientation" or "sexual preference" are still comparatively rare. San Francisco was the first jurisdiction to adopt one, in 1972.

Los Angeles enacted a similar law in 1979, as did Austin, Tex., in 1982. Berkeley, West Hollywood, Sacramento and Santa Cruz, Calif., all adopted gay rights laws early. But the slow amelioration of the legal status of homosexuals has dramatically accelerated since 1986—and credit for the acceleration must go to the thing that gay activists feared would hamper their progress most: the AIDS virus. As Cleve Jones, a gay lobbyist from San Francisco, told the fifth annual conference on AIDS research—which met in Montreal in April—"In spite of the horror of the epidemic, in many ways the cause was advanced by it."

The New York City Council approved an ordinance forbidding discrimination against homosexuals in employment, housing and access to public accommodations in March 1986. The Canadian province of Ontario did the same later that year. Gay city employees in Hartford, Conn., were extended special protections in May 1988.

Last January, Colorado Gov. Roy Romer issued an executive order adding "persons perceived to be at risk from HIV infection" to the list of persons protected against discrimination by the state's human rights code. A bill to add sexual preference to the list of complaints that can be brought to the Massachusetts Commission Against Discrimination has reached third reading in the state legislature. Montgomery County, Md., approved special legislation to protect gays and lesbians against hate crimes Wednesday.

AIDS has come to be considered a handicap for anti-discrimination purposes in almost every jurisdiction. The federal handicapped rights bill that passed the Senate in August and that is now before the House would extend protection to AIDS victims. Gay activists hailed the legislation as a milestone in their struggle for equality. AIDS sufferers are explicitly protected by special legislation in, among other jurisdictions, Los Angeles, Colorado, Illinois, Maryland, New Jersey, and New York.

And that is only the beginning of AIDS's contribution to the struggle for gay rights. On Aug. 7, New York Mayor Ed Koch introduced Executive Order 123, creating the status of "domestic partner" for persons who have a "close and committed personal relationship" to a city employee. At least several cities, including Takoma Park, Md., Berkeley, Calif., Madison, Wis., Los Angeles, Seattle and San Francisco have put domestic partnership laws into effect. (Angry citizens have forced the San Francisco Board of Supervisors to put the order to a referendum that's still pending.)

The most important consequence of these laws is to put responsibility for the medical bills of the lovers of homosexual city employees onto the city. The pressure for domestic partnership laws is an obvious consequence of the AIDS crisis and the tremendous cost of treating AIDS. Unionized municipal employees confronting $300,000 in medical bills for a loved one are understandably eager to shift that cost.

One effect of that cost-shifting, and presumably not an unintended one, is an extraordinary change in the legitimacy with which society regards homosexual relationships.

Another legitimating effect of the AIDS crisis is even more pervasive and comes from the "AIDS education" that is now being conducted in the schools, on college campus-

es and in the mass media. A young man sits on the edge of his bed, preparing to go out for the evening. He will be ready for whatever happens because he is bringing condoms along. He pulls on a sock: "It's as easy as that." That is a relatively inexplicit public service announcement that was broadcast in prime time in New York state this summer.

In a more provocative version, made for the City of New York but not yet broadcast, a handsome man talks directly to the camera: "It was a perfect evening. Candlelight, music, stars. And then he asked me whether I enjoyed safer sex. I've never felt so good about saying, 'Yes.' "

In democratic societies, majoritarian habits of thinking elide the difference between what is common and what is normal. These commercials, although ostensibly meant only to tell people how to protect themselves if they do engage in homosexual activity, in fact carry a powerful legitimating message. Perhaps that is why Cardinal John J. O'Connor of New York sent back to committee for re-examination a recent paper from four bishops on AIDS education. The paper, "The Many Faces of AIDS: A Gospel Approach," called for teaching students about the use of condoms, despite the Catholic Church's opposition to artificial birth control. Cardinal O'Connor described the paper as "a very grave mistake."

But other institutions have proven more accommodating to the AIDS-inspired trend than the Catholic Church. Trans World Airlines announced in July that homosexual couples could share frequent flier points. A TWA official told a lawyer representing gay rights groups, "We are aware of the non-traditional lifestyles prevalent in our society and our sole interest is the promotion of travel, not social commentary."

A New York state court held in July that a homosexual man who had shared a rent-controlled apartment for 11 years with a tenant who subsequently died of AIDS was entitled to inherit the apartment from his dead partner. Richard Higgins, the Housing and Community Renewal Commissioner for the city of New York, has said that he will enforce and extend the rights of gay "widowers."

Whatever the symbolic importance of Barney Frank, the future of gay rights does not lie with the dramatic, but with the seemingly inevitable accommodations of city and state officials to AIDS and its suffers. Those officials may have begun by responding to a public health crisis; in the end, they will have sanctioned a transformation of North American moral attitudes.

NEXT ON THE AGENDA?

In "After the Ball," (Doubleday, 1989) Marshall Kirk and Hunter Madsen propose a radical departure from the traditional tactics of the gay rights movement:

Gay life in America is hard, and promises little improvement unless something is done, and promptly, to transform society's antigay attitudes. We have in mind a strategy as calculated and powerful as that which gays are accused of pursuing by their enemies—or, if you prefer, a plan as manipulative as that which our enemies themselves employ. It's time to learn from Madison Avenue.

Some stalwart gay revolutionaries feel strongly that appealing for acceptance through advertising bespeaks groveling capitulation and conformitarianism. It is the public's job, they insist, to disburden itself magically, on its own, of its massive sexual hang-ups; the homosexual's only duty is to "learn how to love" himself or herself. Sooner or later, the public will be impressed by our gay pride, and come around.

We think this radical argument is rubbish. We are Americans, going nowhere living cheek-by-jowl with our persecutors. To gain straight tolerance and acceptance is not just a legitimate goal of gay activism. It must be the principal goal.

How is tolerance forgot? Not just through affirmative self-expression, but through communication. Self-expression, like singing in the shower, is usually its own reward, but communication has failed unless one has persuaded the listener. To date, most public acts by the gay community, ranging from eccentric modes of dress to rancorous mass demonstrations, have accomplished self-expression at the expense of communication.

Every public message in our mass media campaign should be the result of gays having put themselves in the public's binding high-button shoes and asked: If I were straight and felt the hostility most straights feel toward gays, what would it take to get me to change my antigay feelings?

Straights should hear that gays are victims of circumstances, that they no more choose their sexual orientation than straights chose theirs. Gays must also be portrayed as victims of violence and humiliation, job and housing insecurities, loss of child custody and countless other miseries.

Our campaign should not demand explicit support for homosexual practices per se. It must focus, instead, on antidiscrimination and fundamental freedoms. In practical terms, this means that cocky mustachioed leather-men, drag queens and bull dykes, who constitute a small minority within the gay community, would not appear in the first wave of gay commercials. Rather, TV viewers would be introduced to conventional young people, middle-aged women, and older folks of all races, who happen to be gay.

To confound bigoted stereotypes, strongly favorable images of gays must be set before the public. We would summons history's eye-popping honor roll of prominent men and women who were homosexual or bisexual. That roll is long enough to represent gay men and lesbians as a veritable pillar of Western civilization. At the same time, we must make homohatred look bad by vilifying those—Klansmen, neo-Nazis, gay-bashing punks—who persecute gays.

How can gays get their case before the public? It will be easiest to approach the print media first, encouraging magazines and newspapers to accept gay money by showing them ads whose messages are pure white bread. Straight Americans will begin to see them everywhere, small print ads (and, if the campaign has the funds, large billboards):

"In Russia, they tell you what you have to be. In America, we have the freedom to be ourselves. The National Gay & Lesbian Community proudly joins America in celebrating July 4."

"People Helping Instead of Hating—That's What America is All About."

And so forth. Through a hailstorm of such brief messages, the public will become accustomed to gay commercial sponsorship. Several years down the road, our salami tactics will have carved out, slice by slice, a large portion of access to mainstream media. What next? The campaign will launch media messages of open support for the civil rights of gay persons.

Through such efforts over the next decade, we will gradually build a society in which gays are not set apart. We want straights to revoke all laws criminalizing sex acts between consenting adults, as the abhorrently arrogant and invasive barbarisms they are. We want straights to provide for us, by special legislation and affirmative action if need be, the same rights to public speech and assembly, to work, shelter, and public accommodations, to legal marriage and parenthood that straights have always enjoyed.

To get there from here, however, it will be up to gays to clarify for the public what bigots have deliberately obscured: that we are not fighting merely for the right to look different or to have as many one-minute stands as we can possibly line up. We're fighting for the right to love and marry. We're not fighting to eliminate community ethics, to live like selfish libertines, narcissistically and meanly. We're not fighting to eradicate Family; we're fighting for the right to be Family. Once that message has struck home, we can all return to our regularly scheduled programming.

Mr. HELMS. Mr. President, I thank the Chair. I yield the floor.

The PRESIDING OFFICER (Mr. ROBB). The Senator from Alabama is recognized.

Mr. HEFLIN. I thank the Chair.

(The remarks of Mr. HEFLIN pertaining to the introduction of S. 2620 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CRANSTON. Mr. President, quite a bit has been said in the course of the opening stages of the debate about Ryan White, about his valiant struggle and his noble effort to assist others afflicted by AIDS before he died. It has been suggested that some people have sought to use him in ways that were not proper or appropriate.

I would like to read a letter from his mother, that all of us, as Senators, received. I met with her a wee bit ago when she was here. She hoped we might be able to act upon this measure while she was in Washington so she could witness this act that is dedicated to her son as it was considered in the Senate. Unfortunately that was impossible, due to the Senate schedule. So, here we are today, finally dealing with this measure.

On April 26, not long ago, she wrote the following letter, Ryan's mother, to every Member of the U.S. Senate:

DEAR SENATOR: My son, Ryan White, spent the last five years of his life not only fighting for his life, but also fighting for the lives of all people living with AIDS. Although we have now lost Ryan, we cannot lose sight of his courage and his hope. Ryan

always said that we must fight the disease of AIDS and not the people who have it. No one more than Ryan understood the fear, prejudice, and discrimination suffered by people with AIDS. This fear must be eliminated, and people with AIDS must be treated with the dignity and compassion that all our fellow citizens deserve.

I am therefore tremendously proud that the Senate Labor and Human Resources Committee has chosen to dedicate the Comprehensive AIDS Resources Emergency (CARE) Act of 1990 to the memory of Ryan. This bill will help ensure that all people with AIDS and HIV infection receive the health care they need and deserve. I know that Ryan was always somewhat bewildered by the attention he received. At the same time he was determined to use this attention to ensure that all Americans learned more about how to help people with AIDS, rather than fear them. I believe Ryan would be proud to know that his struggle may help pass a bill that will aid thousands of others in their fight against this dreaded disease.

The CARE bill will accomplish two important goals. First, the bill will provide 300 million dollars in emergency assistance to our cities most severely affected by the AIDS epidemic. Second, the bill will provide another 300 million dollars to help smaller communities throughout the country develop comprehensive care programs for people with AIDS.

My own experience tells me how desperately this funding is needed. Shortly before Ryan died, we were in Los Angeles for an Academy Awards party. Ryan suddenly fell ill and we desperately tried to find some medical attention for Ryan in L.A. We found that the AIDS care specialists in L.A. were overwhelmed by the ever-growing caseload and they were unable to see Ryan. If Ryan, perhaps one of the most well-known persons with AIDS in the United States, could not get medical attention, can you imagine what it must be like for those who are less privileged?

We then flew overnight back to Indiana where Ryan was immediately admitted to Riley Hospital. There, Ryan was fortunate enough to get outstanding medical care and Riley Hospital generously offered to pay for all of Ryan's medical costs. But what happens to those who are not so fortunate? What happens to the hospitals that are increasingly facing bankruptcy because they continue to provide free medical care to persons with AIDS who can't afford to pay? What happens to people with AIDS in the thousands of other rural communities across the country that are not equipped to meet their special needs?

Title II of the CARE bill will provide much needed funds to smaller communities throughout the country to enable them to plan comprehensive care programs for people with AIDS. As my experience has shown, rural America is desperately unprepared to meet this growing epidemic. Without careful planning, many smaller communities could find themselves in a position similar to that of our large urban cities today. The CARE bill will help ensure that rural America will be prepared for AIDS, and that no one will ever again have to experience the frustration and despair that Ryan and I have to face when trying to get him the health care he needed.

I urge you with all my heart, knowing that Ryan would join me in this if he could, to give the CARE bill your urgent attention and ensure that it swiftly passes through Congress.

It is signed, "Very truly, Jeanne White," the mother of Ryan White.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, earlier this afternoon my colleague and friend, the Senator from Utah [Mr. HATCH], reviewed this legislation, different provisions of the legislation, in very careful detail, and so now available to the Members not only in the report but in the full RECORD there is a very ample examination of the reasons that this legislation has been developed and an analysis of the various provisions and the reasons for those various provisions.

I will touch on the major provisions just briefly this afternoon. But I want to thank him for his explanations, and also the Senator from California [Mr. CRANSTON], for his excellent statement.

Senator CRANSTON and Senator HATCH and other members of our committee in a very strong bipartisan fashion bring this legislation which is reported out of our committee virtually unanimously. I think that says a good deal on where we have come as a committee, and also the Senate, in terms of coming to grips with this particular disease which affects so many of our fellow citizens and is increasingly a danger and threat to the public health of the people of this Nation.

And also I think the American people have developed a better understanding about how we can and should be dealing with this particular disease. In this legislation, we are providing some special help and assistance to those areas of the country, those cities, which have the highest degree or high incidence of HIV and AIDS.

Then the other section, section 2, provides a formula grant to the States so that they can focus those resources within the State that may have high concentrations but that may not meet the other title I requirements. It provides some very special recognition of the increasing growth of AIDS in many of the rural areas of this country.

This is a new phenomenon. If you will examine the report, you will see the actual percentage in the increase of AIDS. The percentagewise increase is much more dramatic in rural America and in small communities. That is certainly something that has not been generally understood, but I believe the Members certainly are increasingly appreciating that.

We attempted to recognize that in the development of the legislation, particularly in title II. We have incorporated in title I and title II what I consider to be the cutting edge—I guess in terms of delivery of a range—of services that those afflicted with this disease need, and to do it in a way which stresses compassion, stresses care, stresses good-quality medicine.

Also as a result of the way this is approached, we will provide, we believe for actual savings of hundreds of millions of dollars to the States that are increasingly picking up the charges in Medicaid provisions, and the local taxes which is picking it up in terms of the support for public health service and community hospitals.

So we will have a chance to get into all of these areas in the course of the debate as we move through the consideration.

I know the name of Ryan White has been mentioned earlier, Mr. President, but I want to draw to the attention of the membership, in the report that was issued by our committee, the dedication of this legislation:

> * * * to the memory of Ryan White, who died on April 8, 1990, after a 6-year battle against AIDS. Beginning at the age of 13, Ryan valiantly fought not only the human immunodeficiency virus itself, but also fears about AIDS that were based on ignorance and senseless discrimination against people with AIDS and HIV disease. With dignity, patience, and almost unvarying good cheer, Ryan White introduced to people across America and across the world a face of AIDS that caring human beings could not turn their back upon. First through his courageous fight to be allowed to go to school with his peers, then through his tireless efforts to educate and explain the realities of his illness, young Ryan White changed our world. By dedicating this legislation to Ryan, the committee affirms its commitment to provide care, compassion, and understanding to people with AIDS everywhere Ryan would have expected no less.

Mr. President, I welcome the opportunity to bring this legislation to the floor with our colleague, Senator HATCH. We express our appreciation to the leadership, to Senator MITCHELL and Senator DOLE, for giving us the opportunity to address this extremely important health challenge that we are facing all across our country.

We really are facing an emergency. This legislation is necessary. It is essential for helping and assisting millions of our fellow citizens, and helping and assisting many of our neediest communities.

The measure which we ask the Senate to consider has overwhelming bipartisan support; 65 sponsors. In authorizing legislation of this type, we rarely achieve such a large number of cosponsors, particularly on a bill that was introduced such a short time ago.

By backing this measure, over two-thirds of the Senate is acknowledging the continuing urgency of the AIDS

problem. The HIV infection is a lethal, transmittable disease that is systematically claiming the lives of American men, women, and children. The most recent reports indicate that the AIDS nightmare is by no means behind us.

I draw attention of the membership to this report, whereas I just mentioned earlier the increase percentagewise in terms of rural communities and small towns. It was increased most dramatically. The other very dramatic area of increase is among children. The dramatic increase in the number of young children that are being afflicted with this also presents a matter of, I believe, enormous need.

In fact, new data from the CDC's "Sentinel Survey" revealed that in certain hospitals in New York City and Newark, NJ—nearly one in four young men are now infected with HIV. CDC epidemiologists conclude that the epidemic is not declining but continuing to spread. The toll that AIDS is taking on local communities and health care systems is literally overwhelming.

This legislation, which received unanimous approval by the Labor Committee, is designed to provide two different types of immediate financial relief: Grants to the States to develop care systems, and fund essential health care and support services; direct grants to the other 13 cities which have reported over 2,000 AIDS cases, or more than 55 percent of the total AIDS cases.

In preparing this measure with Senator HATCH, we have worked hard to address the concerns of dozens of Senators.

We believe we have developed a proposal that is responsive to the special needs of both inner city populations, and individuals and families in rural areas.

We feel we have devised a workable framework for the delivery of HIV health services to children, women, and families, and we have given State and local governments enough flexibility to send funds to those areas where the need is the greatest.

This measure marks a critical step forward in responding to the catastrophic situation in hard-hit cities in developing services for the hundreds of thousands of Americans who will become ill with AIDS over the next few years.

In particular, I want to recognize Senator HATCH for his continuing leadership in the issue. He has again demonstrated how much he cares about Americans who are suffering. The $600 million in emergency funding authorized by this legislation will not end the pain and sorrow unleashed by this killer. What it can and will do is diminish the devastating toll that AIDS has taken on our entire health delivery system.

It is our hope that programs funded by this measure can help reduce the large number of needless tragedies associated with the AIDS epidemic.

Mr. President, we know that we have, I believe, a health care crisis in our Nation with those that are uninsured, as well as those who are paying the bills. We will expend about $650 billion this year on health care costs. That is going to go up to $1 trillion 300 billion in the next 20-25 years. We know that we have millions of our fellow citizens who are not covered. We know that a great percentage of those who are not covered are children and women, particularly single women with children.

We see with the decline in the coverage of health care that the one facility which is being vastly overused and utilized is the emergency room. There has been about a 40- to 50-percent increase in the use of emergency rooms over the period of the last 4 years, and it is estimated that 40 to 50 percent of those that are using emergency rooms, if they had been treated outside of the hospital setting and early enough, could have avoided going to the hospital in the first place.

But that happens to be a fact, Mr. President, and those numbers, and that flow line is continuing. So we have a dramatic increase and burden that is being placed on emergency rooms and on municipal hospitals.

Then you have the additional kind of burden that is being placed because of the failure to rationalize the health care system. That is just one aspect of it, one feature.

Then you add to that the impact of substance abuse in our society with the increasing utilization of emergency rooms as a result of substance abuse, and also the violence which is associated with the substance abuse.

You have those two additional phenomenons which have taken place. Now you add this whole tragedy of the significant growth of AIDS, and the impact that is having on our health care system—they all converge, Mr. President, into the municipal hospitals across this country.

Five percent of the public hospitals have 50 percent of the AIDS patients. We have that phenomenon that is taking place, Mr. President, where many of the rooms in major hospitals across this country, which may cost $800 or $900 a day, have individuals who may have HIV but could be at home or in nursing home care; nonetheless, they are unable to, because we have not been able to coordinate the range of different systems to take care of them.

Well, Mr. President, we attempt to address that issue in this legislation as well, and to try to recognize the extraordinary burden on the hospitals which have been receiving the burden of treating these HIV and AIDS patients, also to try to provide some imaginative and creative ways to have a more efficient way of treatment, and certainly one which is more humane.

Mr. President, in particular, this measure addresses the unmet needs of the growing number of the disadvantaged persons who have this illness, as well as those, as I mentioned earlier, that live in smaller towns and communities and in rural America. Society ends up paying, one way or another, for the delivery of uncompensated health services. By acting to provide critical services early in the course of this disease, we can actually reduce the total lifetime expense of caring for a patient with AIDS.

Unplanned service delivery—through overcrowded hospital emergency rooms and in precious acute-care beds—ends up costing all of us more. With this measure, we are creating the possibility of a more rational and compassionate use of our limited health care resources.

I thank the Members of the Senate for their support in developing this sensible approach to this difficult national problem, and I urge all Members to give the Comprenhensive AIDS Resource Emergency Act their swift approval.

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

The PRESIDING OFFICER (Mr. PRYOR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, I want to draw the attention of the Members to the report that we had put out in support of this legislation. On page 7 we go into the HIV disease in rural areas. I refer to some of the highlights of this particular report. We had been asked, is this legislation just to skew a handful of cities, and will it really help and assist in some of the rural areas and some of the smaller communities.

We did address the issue in our legislation to show that it does have a balanced approach, although we do target the resources where the need is the greatest. But let me point out some of the material that we developed in the course of our committee's consideration:

While HIV disease remains most heavily concentrated in the Nation's urban areas, and especially in the inner cities, the number of new cases diagnosed in similar smaller cities and rural areas is growing. Cases outside metropolitan areas accounted for 18.5 percent of new AIDS cases reported in the 12 months ended March 1990, compared to 16.1 pecent in the preceding 12 months. In 1989, the Centers for Disease Control reported a 5 percent increase in diagnosed AIDS cases in metropolitan areas with populations over 500,000 and a 37 percent increase in rural areas. The Atlanta

Journal and Constitution reported a tripling of AIDS cases in Georgia over the past two years and noted that for the first time, the spread of AIDS in rural areas and small towns was keeping pace with the increase in Altanta—with Macon experiencing a 400 percent increase. AIDS cases more than doubled in areas such as Gary, Indiana, Lubbock, Texas, Biloxi, Mississippi, and Portland, Maine.

Here is another rather tragic and disturbing development, Mr. President. As of March 31, 1990, there are almost 2,200 reported cases of children with AIDS. This number does not include children who are HIV infected. And it is estimated for every child reported to have AIDS, there are 2 to 10 other unidentified cases, and estimated that nearly 3,500 children will have AIDS by 1991 and approximately 20,000 will be HIV infected.

AIDS will be the fifth leading cause of death for all children in the next decade, and a major cause of mental retardation.

This, Mr. President, is a matter of very considerable concern to all of us.

Mr. President, I will include in the RECORD a random sample of many of the editorials from newspapers all over the country that support the legislation, and I will also include a more comprehensive list of the various supporting national organizations.

I think we come to this legislation with the kind of support which we see occasionally, but not as often as those of us who are involved in public policy would like to see. This legislation has the support of the U.S. Conference of Mayors, U.S. Conference of Local Health Officials, National Association of Counties, National Association of County Health Officials, National Governors Association, National Conference of State Legislatures, Association of State and Territorial Health Officers, and the National Commission on AIDS.

Then, I will not list off the various groups, but I will include the health, social service, religious, and labor organizations. There must be 75 of those, both the religious and the various health organizations, which support this legislation, most of whom were very helpful to us in the development of the program itself.

The National Commission on AIDS, in a recent letter to the President, pointed out—and I will include that in the RECORD—the Federal disaster relief for direct emergency relief is urgently needed to help State and localities seriously impacted to provide the AIDS prevention and treatment care and services in short supply. The Commission strongly supports the efforts in Congress embodied in S. 2240 to address these needs. The resources simply must be provided now or we will pay very dearly later.

Mr. President, this is from the AIDS Commission, some extremely knowledgeable individuals. It is a balanced panel and a very strong letter of support and endorsement by the National Commission on AIDS that has probably as much expertise on the particular need, and we work very closely with them. We welcome their strong support and appreciate their reasons for it. In fact, Mr. President, of the resources now that are expended at the Federal level, 97 percent of the money is basically on research. Research has to be done. It certainly should be supported.

But what we have seen in this very unique and devastating illness and disease is that we have not been as creative in trying to deal with this disease in the kind of humane and compassionate way that this bill incorporates. That is, I think, one of the very important aspects besides the resources to help and assist many of the communities which have been so impacted by this disease. This will provide the range of different kinds of ways of delivery of services which we think is enormously important.

I ask unanimous consent to have printed in the RECORD the material to which I have referred.

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

COMPREHENSIVE AIDS RESOURCES EMERGENCY [CARE] ACT OF 1990

COSPONSORS

Kennedy, Hatch, Adams, Bentsen, Biden, Bingaman, Boren, Bradley, Breaux, Bryan, Bumpers, Burdick, Chafee, Coats, Cohen, Conrad, Cranston, D'Amato, Danforth, Daschle, DeConcini, Dodd, Dole, Durenberger, Fowler, Glenn, Gore, Gorton, Graham, Harkin, Hatfield, Heinz, Inouye, Jeffords, Johnston, Kassebaum, Kerrey, Kerry, Kohl, Lautenberg, Leahy, Levin, Lieberman, Lugar, Mack, Matsunaga, McCain, Metzenbaum, Mikulski, Mitchell, Moynihan, Nunn, Packwood, Pell, Reid, Riegle, Robb, Rockefeller, Sarbanes, Sasser, Simon, Specter, Warner, Wilson, Wirth.

SUPPORTING NATIONAL ORGANIZATIONS
(PARTIAL LISTING ONLY)

Governmental organizations

United States Conference of Mayors.
United States Conference of Local Health Officials.
National Association of Counties.
National Association of County Health Officials.
National Governors Association.
National Conference of State Legislatures.
Association of State and Territorial Health Officers.
National Commission on AIDS.

Health, social service, religious, and labor organizations

AIDS Action Council.
AIDS National Interfaith Network.
American Academy of Pediatrics.
American Anthropological Association's Task Force on AIDS.
American Association for Counseling and Development.
American Association for Marriage and Family Therapy.
American Association of University Affiliated Programs for Persons with Developmental Disabilities.
American College Health Association.
American College of Preventive Medicine.
American Federation of State, County and Municipal Employees (AFSCME).
American Foundation for AIDS Research.
American Home Economics Association.
American Hospital Association.
American Indian Health Care Association.
American Medical Student Association.
American Nurses Association.
American Psychological Association.
American Public Health Association.
Association of Junior Leagues International.
Association of Minority Health Professions Schools.
Association of Schools of Public Health.
Black Women's Agenda.
Catholic Health Association of the United States.
Center for Women and Government.
Child Welfare League.
Childrens Foundation.
Church of the Brethren.
Citizens Commission on AIDS.
Coalition for the Homeless.
Coalition of Labor Union Women.
Committee for Children.
Consortium of Social Science Associations.
Corporate Health Management Consultants, Inc.
Council on Perinatal Substance Abuse.
Disability Rights Education and Defense Fund.
Episcopal Church.
Federation of Parents and Friends of Lesbians and Gays.
Friends Committee on National Legislation.
Girls Clubs of America.
Hispanic AIDS Committee for Education and Resources.
Human Rights Campaign Fund.
Infectious Diseases Society of America.
Latin American Research and Service Agency.
Legal Action Center.
Mexican American Women's National Association.
National AIDS Network.
National Association for the Advancement of Colored People (NAACP).
National Association for Home Care.
National Association of Children's Hospitals and Related Institutions.
National Association of Commissions for Women.
National Association of Community Health Centers, Inc.
National Association of People with AIDS.
National Association of Protection and Advocacy Systems.
National Association of Public Hospitals.
National Association of Social Workers.
National Association of State Alcohol and Drug Abuse Directors.
National Conference of Puerto Rican Women.
National Council of Churches.
National Council of La Raza.
National Council of Negro Women.
National Council of Alcoholism and Drug Dependence.
National Hemophilia Foundation.
National Hospice Organization.
National Institute for Women of Color.
National Medical Association.
National Minority AIDS Council.
National Network of Runaway and Youth Services.
National Puerto Rican Coalition, Inc.
National Urban Coalition.
National Women's Health Network.
Pediatric AIDS Foundation.

Presbyterian Church USA.
Service Employees International Union (SEIU).
Synagogue Council of America.
Unitarian Universalist Association.
United Auto Workers.
United Church of Christ.
United Jewish Appeal.
Women and AIDS Resource Network.

[From the Atlanta Constitution, Mar. 8, 1990]

CITIES NEED "AIDS DISASTER" RELIEF

The AIDS epidemic has slammed into the nation's biggest cities, causing as much economic damage as any hurricane or tornado. Because the disease has struck so unevenly, just 4 percent of the nation's hospital are treating more than half the people with AIDS.

The burden of AIDS care threatens to overwhelm city hospitals, severely limiting their ability to help other seriously ill people. In addition, the low incomes of many AIDS patients and the high cost of their care threatens to drive public hospitals into insolvency.

To address this problem, an unlikely tandem in the U.S. Senate—liberal Edward M. Kennedy (D-Mass.) and conservative Orrin G. Hatch (R-Utah)—has proposed that Congress create a $600 million-a-year fund to help Atlanta and 12 other major cities get "AIDS disaster" relief.

Of the nation's 120,000 AIDS victims, about two out of three live in just those 13 cities. Under the Kennedy-Hatch bill. Atlanta, with its 2,300 AIDS cases, would be entitled to $4 million to help the city's beleaguered social service agencies and Grady Memorial Hospital.

The federal aid not only would help hospitals stay afloat financially, but also would provide much better care for sick people by concentrating resources in key cities. Small towns generally are poorly equipped to deliver appropriate help to people with AIDS.

For example, AIDS patients need nutritional services, experienced doctors, home health care, transportation, counseling, skilled nursing care and hospice services. Such comprehensive care networks are best developed in bigger cities.

Besides making good medical sense, the AIDS disaster bill is fair-minded as well. The U.S. government has long been willing to give funds to cities hard hit by disasters, and it should not turn away from this responsibility.

When the earthquake struck San Francisco last fall, President Bush flew in with reassurances that federal dollars would help relieve the suffering. He should do no less for the cities' swamped hospitals.

[From the Dallas Morning News, Mar. 23, 1990]

AIDS EPIDEMIC REQUIRES FEDERAL DISASTER ASSISTANCE

(By Bob Moos)

Days after an earthquake struck San Francisco last year, killing 17 people, Congress agreed to spend more than $3 billion in emergency disaster relief. Nine years into the AIDS epidemic, which has claimed 5,000 lives in that city alone, a similarly dramatic federal response has yet to be seen there.

That contrast did not go unnoticed among public health officials and others who have been struggling to care for the growing number of people living with acquired immune deficiency syndrome. What it did was inspire a novel approach for trying to obtain more assistance for trying to obtain more assistance for those cities hardest hit by the epidemic.

Why not begin treating AIDS like a natural disaster, the group asked. If the federal government can rush in and help communities recover from a flood or hurricane or tornado, why couldn't it do the same for cities whose health care systems have become overburdened by AIDS cases?

Legislation that would provide $600 million in disaster relief for AIDS has been introduced in Congress. This money would be in addition to the $1.6 billion the federal government now spends for discretionary AIDS programs, only $112 million of which goes directly to communities for care.

One of the bill's authors is Sen. Edward Kennedy, D-Mass. But lest anyone think this is a liberal giveaway, the other drafter is Republican Orrin Hatch of Utah. At last count, 29 senators have signed on as cosponsors, including such fiscal conservatives as Lloyd Bentsen of Texas, Alfonse D'Amato of New York and Pete Wilson of California.

All of them understand that the public health care system is fast approaching the day of reckoning. They have seen the figures and know that the hardest-hit cities and states are choking on the enormous cost of caring for AIDS patients and that the federal government needs to come to the rescue.

Public health officials report that the average daily cost of hospital care for an AIDS patient is $681. Only $545 is covered by public or private insurance. The rest must be paid for by local taxpayers or absorbed by the hospitals. All told, uncompensated care adds up to $2,285 per AIDS admission.

As taxing as the epidemic has been to the public health care system, the worst is yet to come. The first 100,000 cases of AIDS occurred over nine years. The next 100,000 are expected to require only 15 months. In all, a million Americans are thought to be infected by the virus and may become sick.

The Kennedy-Hatch bill seeks to do essentially two things. First, it would direct $300 million in emergency relief to the 13 cities with the highest number of AIDS cases. The money would pay for both hospital and outpatient care. Dallas would receive about $3.8 million immediately and more later.

Next, the measure would distribute another $300 million to states to develop comprehensive programs to care for people with AIDS. One of the uses for the money might be to defray the high cost of drugs like AZT for patients who cannot afford them. Texas would be expected to get about $20.5 million.

Notwithstanding the long list of sponsors, the legislation is likely to face tough questions, the most pointed of which will be: Why spend another $600 million on AIDS when heart disease and cancer claim many more lives? Isn't this a case of a special interest group looking after its own?

Nine years into the epidemic, it is frustrating that such questions still must be answered. No one fighting for AIDS money seeks to undercut heart or cancer funding. But a distinction needs to be made. AIDS is a communicable disease with a frightening rate of growth. Heart disease and cancer are not.

Many of the public and private grants that have helped pay for AIDS care are expiring. Community-based organizations' fund raising is becoming exhausted. Public hospitals, having barely made it this far, wonder how they will care for the next 100,000 cases—and the 100,000 after that.

The fact that the hardest-hit cities should turn to the federal government for aid is not at all unreasonable. As with a natural diaster like a flood or tornado, the taxpayers of these communities did not ask for this crisis. Yet they are being expected to bear its heavy costs by themselves.

The grief the AIDS epidemic has caused their cities is just as real as the heartache that follows an earthquake or violent storm. In some cases, far more so. Federal disaster relief is warranted.

[From the Los Angeles Times, Mar. 30, 1990]

BUSINESS LEADERS CALL FOR MORE U.S. AIDS FUNDS

(By Victor Zonana)

WASHINGTON.—Members of the National Business Leadership Conference on AIDS, like President Bush, called Thursday for an end to the stigma that surround the disease, although some castigated the Administration for not spending more to fight it.

"As business leaders, we must make it clear that we expect more of the government than mere words," said Robert D. Haas, chairman and chief executive of Levi Strauss & Co., in a sharply worded speech that preceded the President's. "Even if the private sector helps create 'a thousand points of light' across the land, it will be of no avail if there is darkness in the White House."

Haas called on the federal government to enact a number of initiatives, including a disaster relief plan for the 13 hardest hit metropolitan areas. The $600-million bill was introduced earlier this month by Sens. Edward M. Kennedy (D-Mass.) and Orrin G. Hatch (R-Utah).

The Bush White House has asked Congress for almost $3.5 billion for AIDS—which includes Medicaid spending. Not including Medicaid, the figure is $1.6 billion.

Haas argued that such cities as Los Angeles, New York, Chicago and his own city, San Francisco, "need emergency help that parallels the aid we provide to communities in the aftermath of earthquakes, hurricanes and floods."

He charged that the President's decision to concentrate the resources of his war on drugs on law enforcement—rather than on prevention and treatment of drug abuse—"represents nothing less than a death sentence" for many needle-using addicts and their sex partners and children. AIDS is spread by the use of contaminated needles.

Nearly 500 business and labor leaders and AIDS workers attended a daylong session of the leadership conference.

Time Warner Inc. Co-Chairman J. Richard Munro noted that most corporations are relative newcomers in the fight against AIDS. Five years ago, he said, Fortune magazine surveyed top corporate executives and responses "ranged from casual to callous."

Leaders from the epicenters of the epidemic of the epidemic shared their executive with others who are still bracing for their first cases.

Indeed, Dr. James W. Curran of the Federal Centers for Disease Control told the gathering that epidemiologists are currently witnessing "the ruralization of AIDS".

"We have had no AIDS cases among employees, but it is just a matter of time," said Dr. Stephen Goldman, corporate medical director of Mack Trucks Inc. in Allentown, PA.

In contrast, Munro said, "We began to lose talented, wonderful people at Time very early in the epidemic."

He said that policies to keep infected workers on the job and reimburse sick employees for alternatives to hospital care are both humane and "in your business interest."

AIDS, according to the CDC, has stricken 125,000 U.S. citizens and killed 75,000.

Although the agency recently lowered its estimate of the number of infected Americans, CDC still forecasts that the cumulative total of AIDS cases will at least triple, to between 390,000 and 480,000, by the end of 1993.

[From the New York Times, Apr. 4, 1990]

RELIEF FOR THE AIDS DISASTER

In a recent heartfelt speech, President Bush called for more compassion and less discrimination against victims of AIDS. That was welcome moral leadership, but AIDS, now pushing health care systems of big cities into crisis, demands much more from Washington. A bill pending in Congress recognizes the urgent need.

More than 121,000 cases of AIDS have been diagnosed in the United States since 1981; it's estimated that a million people now are infected, with a high percentage likely to develop the disease. Medical care for each case costs tens of thousands of dollars, and the total for AIDS care may now be more than $5 billion annually.

Those bills are paid haphazardly, forcing hospitals to absorb huge losses. Private insurers shrink from the problem. The poor are entitled to some help from Medicaid, the Federal-local insurance program. But state reimbursement rules differ; rates aren't always sufficient to cover actual costs of treatment, and not all poor patients get covered. One recent study found that a quarter of AIDS patients have no insurance at all.

In addition to inflicting financial stress, AIDS may severely aggravate crowding in urban hospitals already troubled by drug-related illnesses and staff shortages. AIDS swells the numbers seeking hospital treatment; many remain when they no longer need the full range of hospital services. Some are in no shape to function completely on their own, but have no way to get help at home. AIDS leaves other unemployed and homeless.

There is universal agreement on the need for more resources and for alternatives to the hospital: nursing homes, home-care services, hospices and apartment complexes that offer access to medical help. Use of such facilities and services to limit hospital stays can, typically, cut the cost of care to half or even a quarter of the usual $150,000 per case.

The new Federal legislation, introduced by Senators Edward Kennedy of Massachusetts and Orrin Hatch of Utah, would address the need. It calls for spending $300 million in the next two years in emergency relief for urban hospitals with high AIDS caseloads. The most afflicted are in New York, New Jersey, California, Florida and Texas, five states that account for 64 percent of all American AIDS cases.

The bill would provide $300 million more to communities that come up with comprehensive case management plans. Such money could equip smaller cities, where the problem remains in the early stages, to avoid the ruinous costs and crowding experienced by New York or Los Angeles.

Late last year, Congress quickly voted $4 billion in disaster relief for victims of the northern California earthquake and Hurricane Hugo. Cities bearing the brunt of the AIDS epidemic are experiencing similar disaster, even if not quite so sudden.

Perhaps more important, the Kennedy-Hatch bill would promote aggressive management of the AIDS-care crisis rather than reactive management. Continued neglect of that need compounds devastating disease with financial waste.

[From the Washington Post, May 5, 1990]

AIDS: AN EXPANDING EMERGENCY

Each year the sobering figures move inexorably higher. As of March 31, it is estimated that about a million Americans are infected with the virus that causes AIDS. More than 128,000 cases of full-blown AIDS have been reported, and more than 78,000 people have died. By the end of this year, public health experts expected that another 50,000 cases will be diagnosed. By next year, AIDS will be the leading cause of death for Americans between 25 and 44.

The toll on individuals is, of course, indescribable. But there is a public health impact, too, and it must be addressed, or the nation's hospitals—particularly the large, urban, public facilities—will collapse under the weight of this burden. The problem is concentrated: 13 metropolitan areas—Washington is one—have 55 percent of all reported AIDS cases, and 5 percent of the nation's hospitals care for half of all AIDS patients. Fortunately, emergency legislation is now moving through Congress to deal with this crisis. In the Senate, a bill with 65 cosponsors has been reported unanimously by the Labor and Human Resources Committee, and in the House, another proposal has been reported unanimously by the Health subcommittee of the Committee on Energy and Commerce. Both bills would authorize federal grants of $300 million a year to help cities with severe AIDS problems. The Senate measure would include hospital care, and the House bill would limit assistance to outpatient services and hospices. Both bills also provide money—the Senate $300 million, and the House $500 million—for services including counseling and testing, early intervention help and drugs. Only the House provision is means tested.

On another track, Rep. Henry Waxman and Sen. Daniel P. Moynihan have introduced bills to broaden the Medicaid program to include HIV-infected poor people before they become disabled and to provide new subsidies to hospitals that bear a disproportionate share of caring for AIDS Medicaid patients. When the epidemic was in its early stages, about half of all patients were covered by private insurance. Now, as the number of patients who are drug abusers and generally uninsured increases, the demands on Medicaid have doubled. Funding must be increased and eligibility standards adjusted to account for these developments.

The principles that underlie these bills are clear: help those suffering from this devastating disease who have neither resources nor insurance. Provide early intervention that can delay the onset of the disease. Promote the development of alternatives to expensive hospital care when clinics, home health services and hospices are preferable. And save the big city hospitals that can no longer cope with the crisis unaided.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, President Bush made a speech on March 29, 1990, to the National Leadership Coalition on AIDS. I ask unanimous consent to have that speech printed in the RECORD.

There being no objection, the speech is ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY.

TEXT OF REMARKS BY THE PRESIDENT TO THE NATIONAL LEADERSHIP COALITION ON AIDS, ARLINGTON BALLROOM, CRYSTAL GATEWAY MARRIOTT, ARLINGTON, VA, MARCH 29, 1990

I am delighted to be with you, the leaders who guide American business as it helps those suffering with HIV and AIDS. You make our hearts glad. And you make your country proud.

Other generations have faced life-threatening medical crises, from polio to the plague. This virus is our challenge. Not a challenge we sought. Not a challenge we chose. But today our responsibility is clear: We must meet this challenge. We must beat this virus. For whether talking about a nation or an individual, character is measured not by our tragedies—but by our response to those tragedies.

And for those who are living with HIV and AIDS, our response is clear: They deserve our compassion. They deserve our care. And they deserve more than a chance—they deserve a cure.

America will accept nothing less. We are slashing red tape. Accelerating schedules. Boosting research. And somewhere out there, there's a Nobel prize—and the gratitude of planet Earth—waiting for man or woman who discovers the answer that's eluded everyone else.

We pray that day will come soon. But until that day—until this virus can be defeated by science—there's a battle to be waged by society.

Because in 1990, the most effective weapon in our arsenal against AIDS is not just medication, but also education.

Our goal is to turn irrational fear into rational facts.

Every American must learn what AIDS is—and what AIDS is not. And they must learn now. You in this room already know. The HIV virus is not spread by handshakes or hugs. You can't get it from food or drink, coughing or sneezing, or by sharing bathrooms or towels or conversation.

The transmission of HIV is as simple as it is deadly. In most cases, it's determined not by what you are—but by what you do—and by what you fail to do.

Let me state it clearly: People are placed at risk not by their demographics, but by their deeds—by their behavior.

And so it is our duty to make certain that every American has the essential information needed to prevent the spread of HIV and AIDS. Because while the ignorant may discriminate against AIDS, AIDS won't discriminate among the ignorant.

Like many of you, Barbara and I have had friends who have died of AIDS. Our love for them when they were sick and when they died was just as great and just as intense as for anyone lost to heart disease or cancer or accidents.

Probably everyone here has read the heartbreaking stories about AIDS babies and those infected by transfusions. When our own daughter was dying of leukemia, we asked the doctor the same question every HIV family must ask—why—why this was happening to our beautiful little girl. And the doctor said: "You have to realize that every well person is a miracle. It takes billions of cells to make a well person. And all it takes is one cell to be bad to destroy a whole person."

In this Nation, in this decade, there is only one way to deal with an individual who is sick. With dignity, compassion, care, confidentiality, and without discrimination.

Once disease strikes—we don't blame those who are suffering. We don't spurn the accident victim who didn't wear a seatbelt. We don't reject the cancer patient who didn't quit smoking. We try to love them and care for them and comfort them. We do not fire them, or evict them, or cancel their insurance.

Today I call on the House of Representatives to get on with the job of passing a law—as embodied in the Americans with Disabilities Act—that prohibits discrimination against those with HIV and AIDS. We're in a fight against a disease—not a fight against people. And we won't tolerate discrimination.

The disease is attacking our most precious resource—our people, especially our young. The statistics are numbing. You heard them this morning. But just look at the amazing quilts hanging here today. They prove that no one is a statistic. Every life has its own fabric, its own colors, its own purpose, its own soul. And like the quilts, no two are alike.

When Barbara and I left Washington for Christmas, our last stop was a clinic up at NIH. We were impressed by the determination of the people there—the doctors, nurses, and health care workers—and especially the brave people who are living with HIV. We learned a lot about caring, a lot about family, and a lot about hope. We saw the face of humanity in the face of AIDS.

You, too, are in a powerful, unique position to influence the response to HIV and AIDS. Washing our hands of it won't help solve this problem, but rolling up our sleeves will.

The roster of participants at this Conference is an honor roll. Allstate sponsored a landmark conference on HIV and work. Fortune magazine launched a survey on C.E.O.'s response to HIV. General Motors pledged to conduct an education program. Others are fighting the spread of HIV by fighting to keep schools and workplaces drug-free. This is America responding to a crisis. This is America at its best.

This epidemic is having a major impact on our health care system. The Federal response is unprecedented. In 1982, we knew little about AIDS—and spent only $8 million. But this year I have asked Congress for almost $3.5 billion to battle HIV—money for basic research, for HIV treatment and education, for protecting civil rights.

From Seattle to Boston, from Dallas to Detroit, Federal grants have helped coordinate the efforts of care providers, business and community organizations to set priorities and pool resources to meet the treatment needs of people with AIDS.

We've initiated clinical trials for promising new therapies for HIV, expanded the availability of experimental drugs. Approved three new therapies that for the first time offer help to HIV-infected people before they become sick with AIDS. We've started a toll-free number where HIV patients and doctors can get state-of-the-art information on new treatments; worked with the P.T.A. to distribute hundreds of thousands of copies of the "AIDS Prevention Guide" for use in schools and families nationwide.

And our $10 billion war on drugs is also a war on AIDS. IV drug use now accounts for some of the fastest growing infection rates—afflicting Americans that are often among those least able to get adequate medical help.

America has the most sophisticated health care system in the world, but it is not without its problems. We face many challenges. Our system depends on private insurance and individual payments, as well as government programs. AIDS magnifies the challenges, including the challenge of expanding access, bringing costs under control, and overcoming obstacles to quality care. With these concerns in mind, I asked Dr. Louis Sullivan to lead a Cabinet-level review of health care in the 1990's, and businesses like those you represent must play a major role in helping improve our Nation's health care system.

The crisis is not over. We report tens of thousands of new cases every year. And many predict we can expect to continue to do so in this decade, and even into the next century.

And yet, "where there is life there is hope." There are hopeful signs. To begin with, we can be encouraged by the news that current projections of the infection rate will not be as high as we thought just a year ago.

My Administration recently acted to extend AZT coverage to help HIV-infected people not yet sick with AIDS. All 50 states now provide Medicaid coverage for AZT treatments. Thanks to these actions, more and more people will be able to live and work with HIV. Keep them in your workforce—as I know many of you are already doing, as leaders in this effort. They can serve many, many more productive years with no threat to you, your other workers, or your companies. It will reduce costs for everyone. And it's the right thing to do.

The pace of progress is promising. The HIV virus has been identified, isolated, and attacked with experimental treatments in a span of less than 10 years. The normal, centuries-long evolution of disease and treatment compressed into a decade.

And this race against time has produced an explosion in knowledge and basic understanding about the nature of disease and immunology. Like the unexpected technological boons from Apollo's race to the moon, some physicians predict the race to cure AIDS may even lead to a cure for cancer.

Dollars spent for AIDS research are dollars spent for the better health of all Americans. AIDS research strikes at the heart of many human health problems from infectious disease to aging and cancer. It includes research on a class of viruses now increasingly believed to be the cause of not only AIDS, but also incurable diseases like muscular dystrophy, multiple sclerosis and at least two forms of leukemia.

We're on a war-time footing at NIH and CDC—the Centers for Disease Control. Tonight, like every night, the lights will burn late in Bethesda and Atlanta, as a group of American pioneers work to solve this problem. If they do—I should say, when they do—it will be one of the greatest things our Nation could do for the world.

We're going to continue to fight like hell. But we're also going to fight for hope. America has a unique capacity for beating the odds—and astounding the world.

During my own childhood, the silent, whispered terror was a mysterious killer called polio. Like HIV, the virus ignored class distinctions and geographic boundaries. Monday would come, and kids who'd been in school on Friday were simply never seen again. Theaters were closed, summer camps, swimming pools.

As with AIDS, there was a lot of ignorance. Thousands of stray cats and dogs put to death. Kids sleeping with camphor inhalers. At least one town was fumigated with D.D.T.

There was terrifying outbreaks in the teens, in the thirties, in the fifties. A cure was so far distant the experts refused to speculate. And then, suddenly, it was over. The dreaded iron lung, unused, cluttering hospital hallways. Children again growing up in a world without fear.

Many comparisons have been made to epidemics past—cholera, small pox, yellow fever—none of them perfect. So let me boil down the lessons of polio to two: There was a lot of ignorance—let's learn from that. And in the darkest of hours—hope came unexpectedly, powerfully and with finality. Let's work hard to see that day come to pass.

Together, we will make a difference, for those with HIV and AIDS—and for all Americans.

Mr. KENNEDY. Mr. President, I will just mention very briefly the parts of it which I think are very powerful and certainly ought to be listened to as this debate moves along. I quote from the speech of the President.

Other generations have faced life-threatening medical crises, from polio to the plague. This virus is our challenge. Not a challenge we sought. Not a challenge we chose. But today our responsibility is clear: We must meet this challenge. We must beat this virus. For whether talking about a nation or an individual, character is measured not by our tragedies—but by our response to those tragedies.

And for those who are living with HIV and AIDS, our response is clear: They deserve our compassion. They deserve our care. And they deserve more than a chance—they deserve a cure.

America will accept nothing less. * * *

In this Nation, in this decade, there is only one way to deal with an individual who is sick. With dignity, compassion, care, confidentiality, and without discrimination.

Once disease strikes—we don't blame those who are suffering. We don't spurn the accident victim who didn't wear a seatbelt. We don't reject the cancer patient who didn't quit smoking. We try to love them and care for them and comfort them. We do not fire them, or evict them, or cancel their insurance.

Mr. President, I have included the statement in the RECORD. One part of it which I would just mention that I take some issue with in the speech is where the President says "I have asked Congress for almost $3.5 billion

to battle HIV—money for basic research, for HIV treatment and education, for protecting civil rights."

I find it difficult to find out where that figure comes from because I think during the course of this debate we will be asked, Are we spending enough, are we spending too much, are we spending as much as is suggested in this legislation? There is no real accurate information on exactly how much we can expect to spend on HIV disease through the Federal entitlement programs for the next year.

The President's 1991 budget assumes approximately $1.4 billion in AIDS CARE outlays. This is $870 million for Medicaid, $180 million for Medicare, and $227 million through the Veterans' Administration. The Health Care Financing Administration itself cautions us that this Medicaid estimate is very soft data from only a handful of States and cities. So we should be careful of the number the President has used of $3.4 billion for the total AIDS commitment in 1991.

The AIDS spending we can talk about with certainty is the discretionary funding. For all AIDS programs of the Public Health Service, the President has asked for a total of $1.7 billion. While that includes an overall increase for AIDS of 7 percent from last year, the White House budget actually cuts the Public Health Service dollars available for care and treatment by 35 percent. So when you are talking about what the Federal response is, that is a very, very significant and important reduction and one that does have an important impact on the care and treatment for AIDS victims.

Given what we know about the expanding number of AIDS cases flooding into our health care system, it just does not make any sense to be reducing care and treatment funding.

I might also mention, Mr. President, a quotation that appeared in the New England Journal of Medicine written by Dr. David Rogers, who is President Bush's appointee to the National Commission on AIDS:

> I believe that we are spending vastly too little on AIDS from the Federal purse and are targeting some of it very poorly. Although the amount of scientific knowledge about HIV infection that has been generated in a very short time has been breathtaking and bodes well for the future, the degree of human misery and suffering associated with AIDS far exceeds anything I have witnessed during my 40-year professional lifetime. What has happened to too many persons with AIDS is so heartwrenching as to be almost unbelievable. It shames us as a nation. Not all this sorrow could have been prevented by increased expenditures on the disease, but some of the tragedies could have been softened by better funding, coupled with aggressive but compassionate leadership at all levels.

The following quotation is by Elizabeth Glaser, founder of the Pediatric AIDS Foundation, and is from her testimony before the House Budget Committee. I think it is a very powerful message. I will just quote a part of that:

> My last fear is what I hear all over Washington and around the country. That AIDS spending has topped off, that the percentage of increases has been enough. Let me ask you—if you needed to go to war and a military bomber cost $1 million to build and the first year only $100,000 was allocated, you know you wouldn't have a bomber to do battle with. If the next year $500,000 was allocated, one could say: "Look, we've increased the budget by 500%," and this would be true, but you still would not have the necessary weapon to do battle with. The same is true with AIDS. Partial funding won't win this war either.

Mr. President, even if we accept the expenditures, the outlays, I think, quite frankly, all of us know around here that particularly today everything is measured in the bottom line, dollars and cents. That is important, clearly. But what the budget also does is an indication of our priorities, our priorities as a nation and what we do think we ought to be expending on. I, for one, feel that investment in basic research and other kinds of programs is a wise investment in terms of the future of the American people.

But, nonetheless, if there are those that want to play with these numbers, there are some numbers which I will include and these are part of the Medicare Program spent in 1988 on inpatient hospital care for some of the common illnesses: For heart failure and shock, $1.5 billion; cerebrovascular disease, $1.3 billion; pneumonias and pleurisy, $1.1 billion. The Federal Government spends over $4.4 billion for the care of dementia, such as Alzheimer's disease.

The proposed expenditure, Mr. President, is not out of line with what we are doing in other areas of health policy commitment, in terms of investing both in the areas of research and providing some degree of care.

The last point I want to make in this part of the discussion is about the current situation and the current condition. There are those who think we have gone past the brink, in terms of the AIDS virus. That could not be further from the truth.

I ask unanimous consent to have printed in the RECORD the selected part of our National Commission on AIDS report that indicates what the current condition is with regard to those cases which are reported and those cases which are underreported.

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

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME,

Washington, DC, December 5, 1989.

President GEORGE BUSH,
The White House,
Washington, DC.

DEAR PRESIDENT BUSH: The official charter for the National Commission on Acquired Immune Deficiency Syndrome (AIDS) was signed on August 2, 1989. Since that time the National Commission has convened a series of hearings to solicit information and recommendations from experts in the field of medicine and public health policy to assist the Commission in meeting its statutory mandate of "promoting the development of a national consensus on policy concerning acquired immune deficiency syndrome."

The testimony we recently heard on health care and financing was so compelling we felt it is vital to write to you now, rather than wait until our statutorily required annual report next August. In fact, the Commission will continue to bring these urgent matters to your attention and to the attention of Congress as we hear from the experts about the Human Immunodeficiency Virus (HIV) epidemic and what is needed to respond to it.

The following represents the first of such reports which we hope will prompt appropriate action.

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME, REPORT NO. 1

Overview

"We don't have time to sit around and have this Commission live out its life and issue another report and have another report, another Commission . . . . We have to act and we have to act swiftly."

This testimony was presented before the National Commission on Acquired Immune Deficiency Syndrome at a hearing held in Washington, D.C., November 2nd and 3rd of this year. The Commission convened a meeting of experts to examine the global, national and local challenges confronting the United States in the HIV epidemic. The message from the experts was clear and alarming:

There is a dangerous, perhaps even growing, complacency in our country toward an epidemic that many people want to believe is over.

Far from over, the epidemic is reaching crisis proportions among the young, the poor, women and many minority communities. In fact, the 1990's will be much worse than the 1980's.

The link between drug use and HIV infection must be acknowledged and addressed in any national drug strategy.

There is no national plan for helping an already faltering health care system deal with the impact of the HIV epidemic.

Over the coming months, the Commission intends to bring the message of experts who have studied the problems and proposed the solutions to those who have the power to act. The Commission believes it is time to match rhetoric with action.

This letter is intended to outline the first of these messages from experts in the field of health care and financing: the public health care system in this country is not working well and nowhere is that more evident than for people with HIV infection and AIDS. While AIDS is not the cause of the health care system's disarray, it may well be the crisis that could pressure responsible national action to correct its serious shortfalls.

Scope of the problem

To date, AIDS has claimed more American lives than the Vietnam War. Over the course of the next four years in this country, AIDS will likely claim an additional 200,000 lives. It is estimated that by 1991 AIDS will be among the top ten leading

causes of death in the United States. Nearly one-half of all AIDS cases reported to the Centers for Disease Control (CDC) through May 1989 were diagnosed in people 30 to 39 years old. By 1991, ten years after the first AIDS cases were reported, AIDS will far exceed all other causes of death for people between the ages of 25 and 44 years. In testimony before the Commission, it was stated that nine times more adults around the world may develop AIDS during the 1990's than have developed AIDS during the 1980's.

The proportion of AIDS cases with intravenous drug use as a risk behavior has risen from 25 percent prior to 1985, to 30 percent in 1988. In New York City, alone, an estimated 100,000 intravenous drug users are HIV-infected.

The HIV epidemic is not just a New York City or a San Francisco problem as some would like to believe. While it is true that before 1985, 44 percent of all cases of AIDS were diagnosed in the New York City or San Francisco areas, by 1988 this proportion had fallen to 25 percent. By 1991, it is expected that 80 percent of new AIDS cases will come from outside New York City and San Francisco.

In increasing numbers, these new cases will be women and children. As one prominent pediatrician from New Jersey told the Commission, "As a society, we claim to protect and cherish our children, but in fact, we have placed women and children squarely in front of an onrushing HIV epidemic."

The cumulative incidence of AIDS cases is disproportionately higher in Blacks and Hispanics than in whites. Fully 25 percent of all persons with AIDS in the United States are African-American and the number is growing. In fact, there has been, as one witness told the Commission, "a disproportionate impact of HIV on disenfranchised populations, gays, the poor, racial minorities, women, adolescents and drug users—populations having already less than optimal access to quality health care. . . . The development of a national care and treatment strategy will require a rethinking of our past effort."

Access to care

Recent years have seen considerable advances in the development of new HIV-related drugs, including the prospect of treating HIV infection before symptoms develop. But scientific breakthroughs mean little unless the health care system can incorporate them and make them accessible to people in need.

The belief that Medicaid will pay for the health care needs of the growing number of low income people with HIV infection and AIDS is, as one expert witness told the Commission, a "Medicaid fantasy." According to a 1987 U.S. Hospital AIDS Survey, almost one quarter of all AIDS patients have no form of insurance, private or public. Less than 20 percent of the persons with AIDS treated in southern hospitals were covered by Medicaid, compared with 55 percent in the Northeast and 44 percent nationwide.

For the medically disenfranchised, there is no access to a system of care. For those who have no doctor, no clinic, no means of payment, access to health care services is most often through the emergency room door of one of the few hospitals in the community that treats people with HIV infection and AIDS. Five percent of the nation's hospitals treat fifty percent of the people with AIDS.

For those who are covered by Medicaid, access to care is better than for those who have no insurance at all. However, the obstacles to care under Medicaid funding can be insurmountable for many. One obstacle is the wide variation among states in Medicaid eligibility and scope of benefits. The Food and Drug Administration (FDA), under considerable public pressure, has struggled with mechanisms to speed new drugs to the market. Yet there is no requirement that Medicaid make even life-prolonging drugs such as zidovudine (AZT) available.

Another obstacle to needed care for persons with HIV infection and AIDS who qualify for Medicaid is the low reimbursement rates. Stunning examples of Medicaid physician compensation rates far below those by private insurance or Medicare were illustrated during the Commission hearing. For example, a new patient intermediate office visit in New York City is compensated by Blue Cross at $78, by Medicare at $80, and by Medicaid at $7. One witness indicated that physicians in New York with large AIDS practices were reluctant to refer Medicaid patients for specialty consultations because of low levels of reimbursement—levels so low that several physicians said the few dollars to stake per office visit were not worth the time and paperwork to bill the Medicaid program.

In summary, a series of problems have resulted in a health care system singularly unresponsive to the needs of HIV infected people: the initial appearance of HIV infection and AIDS in groups often shunned by the larger society—gay men, the poor, minorities, and intravenous drug users encouraged a slow response, a gross lack of training support for primary care physicians to treat people with HIV infection and AIDS, and serious disincentives for physicians to take Medicaid patients and perhaps poor people in general.

What is needed?

First, frank recognition that a crisis situation exists in many cities that will require extraordinary measures to overcome. Significant changes must be made not only in our health care system but in how we think about the system and the people it is designed to serve. As one witness told the Commission, it can no longer be "business as usual."

Second, the creation of a flexible, patient-oriented, comprehensive system of care, closely linking hospital, ambulatory, residential, and home care. Primary care physicians must be central to such a system. But if primary care doctors are to care for patients with HIV infection and AIDS, they need the financial, social and institutional support to assist them in managing complicated patients.

Third, consideration of the creation of regional centers or networks, of care, perhaps using the already existing regionalized hemophilia treatment program as a model. These centers would not serve as a replacement for the care provided by primary care physicians but would provide backup and consultation to help strengthen community based primary care.

It is essential that everyone be afforded early intervention and access to care. In addition, the availability of backup and consultation from appropriate specialists is required to provide the assistance and encouragement primary care doctors need to see more people with HIV infection and AIDS. Regional centers should also provide the appropriate link with the hospital when hospital services are needed.

Fourth, create units which can treat patients who have both HIV infection and drug addiction. The availability of drug treatment on request is essential for responding to the combined HIV and drug epidemic that imperils not only drug users but also their sexual partners and children.

Given the massive link between drug use and HIV infection, and the fact that there is an alarming increase in the number of new infections among intravenous drug users, the Commission wishes to go on record in expressing its surprise and disappointment that the White House National Drug Control Strategy mentions AIDS only four times in its ninety pages of text and not at all in its recommendations or discussions of how to allocate resources. The President's drug strategy simply must acknowledge and include HIV infection and AIDS.

Fifth, provide comprehensive health care services under one roof. Fragmented services create additional barriers to needed health care. Often mothers will seek health care services needed for their babies but are not able to then gain access to care for themselves. Health care services for women and children need to be provided in one place. For the homeless, housing and health care need to go hand-in-hand. This is true not only for those who are homeless today but for those who will become homeless tomorrow because of the HIV epidemic.

What will it cost?

Estimates of the national costs of direct medical care for persons with AIDS in 1991 range from $2.5 to 15.1 billion (in 1988 dollars). These estimates represent a small fraction of the total health care costs for the nation—from less than one to slightly more than three percent. We simply must be prepared to make these expenditures.

Who is responsible for action?

In carrying out its mandate, the National Commission on AIDS will attempt to delineate clearly the roles and responsibilities of various levels of government and the private sector in responding to and managing the HIV epidemic.

To date, there is no national policy or plan, and no national voice. Currently, as one witness testified, without the definition of roles each level of government points a finger at another and says it is their job. Clearly, managing the HIV epidemic is a responsibility which must be shared by all.

Without federal leadership the states have assumed various degrees of responsibility for planning, coordination and the provision of care. Likewise some local governments have played key roles in determining how patient services could be provided and in demonstrating important models for service delivery.

The role of the private sector voluntary and professional AIDS service organizations has been all important in managing the HIV epidemic to date. Foundations and corporations have also been important and their roles need better recognition and definition.

"We must," the Commission was told, "move swiftly to bring the missing players to the table . . . this includes a greater presence of our federal, state and local governments in terms of leadership, financing and service delivery. It includes the support and cooperation of the insurance industry, employers, physicians and other medical providers, and last but profit-wise not least, the pharmaceutical industry as well."

Responding to the challenge to bring the "missing players to the table," the National Commission on AIDS intends to do just that in hearings, working groups and other forums that can swiftly translate the facts into action and hold us all accountable for the national strategy that is long overdue. The time has come to define exactly what needs to be done, and measure how far we have come, and how much farther we still have to go.

On behalf of all the members of the National Commission on AIDS, we look forward to being able to continue to bring important information to your attention.

Sincerely,

DAVID D. ROGERS, M.D.,
Vice Chairman.
JUNE E. OSBORN, M.D.,
Chairman.

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME,
Washington DC, April 24, 1990.

President, GEORGE BUSH,
The White House,
Washington, DC.

DEAR PRESIDENT BUSH: We much appreciated your meeting with us on March 29 and your historic speech that same day.

In our continuing effort to bring important and urgent matters to your attention, and to the attention of Congress, enclosed is a second report on the HIV epidemic from the National Commission on Acquired Immune Deficiency Syndrome (AIDS). Again, it contains a short series of recommendations for swift action.

Sincerely,

JUNE E. OSBORN, M.D.,
Chairman.
DAVID E. ROGERS, M.D.,
Vice Chairman

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME, REPORT NO. 2

Introduction

On December 5, 1989, the National Commission on AIDS wrote to President Bush indicating that "significant changes must be made not only in our health care system but in how we think about the system and the people it is designed to serve." It was also the Commission's belief that a clear statement from the President indicating that in this crisis, care must be dispensed equitably, non-judgmentally, and without discrimination to all who had AIDS and HIV infection would do much to improve the climate and permit swifter progress in combatting this tragic epidemic.

On March 29, 1990, in a speech to a national meeting of business leaders the President responded to the Commission's call. In it he said:

"And for those who are living with HIV and AIDS, our response is clear: They deserve our compassion. They deserve our care. And they deserve more than a chance—they deserve a cure . . . In this Nation, in this decade, there is only one way to deal with an individual who is sick. With dignity, compassion, care, confidentiality, and without discrimination."

In addition to establishing a national standard for caring for people living with HIV infection and AIDS, the President outlined the challenge confronting all of us in the HIV epidemic.

"It is our duty to make certain that every American has the essential information needed to prevent the spread of HIV and AIDS. Because while the ignorant may discriminate against AIDS, AIDS won't discriminate among the ignorant."

"Once disease strikes—we don't blame those who are suffering. We don't spurn the accident victim who didn't wear a seatbelt. We don't reject the cancer patient who didn't quit smoking. We try to love them and care for them and comfort them. We do not fire them, or evict them, or cancel their insurance."

We congratulate the President on his important and historic statement. It sets the stage for expansion of efforts of critical importance if we are to genuinely contain the spread of the HIV epidemic. His call for more preventive education, vaccines and new therapies to improve the care for the increasing number of Americans who will fall ill with this disease moves this nation in the proper direction. Now the President's commitment needs translation into action.

Since 1981, more than 75,000 people have died of AIDS and the 1990's will be much worse than the 1980's. This second report from the National Commission on AIDS to the President and the Congress highlights another set of critical issues and focuses on the particular needs of communities most heavily impacted by the epidemic. It contains an additional five recommendations for swift action.

Overview

"Much in AIDS care is happening all over this nation. But like an orchestra without a conductor, we are all playing our own tune. Sometimes we harmonize, sometimes we don't . . . It's pretty tough without a conductor."

The above quote is from National Commission Member Diane Ahrens summarizing the testimony the Commission received at a Working Group Meeting in St. Paul, Minnesota. The call for leadership in response to the Human Immunodeficiency Virus (HIV) epidemic was heard repeatedly during the Commission's hearing in Southern California and again during our visit to New York City's homeless shelters and New Jersey's hospital and drug treatment programs.

We were told, "Governments must assume leadership in this crisis," and, "Leaders often must take unpopular stances and try that which has not been tried." And, we were reminded that Thomas Jefferson once said, "The care of human life and happiness is the first and only legitimate object to good government." The President's speech was an important initial step in this direction.

Commission findings

Nowhere was it more evident that the care of human life must be a priority for our government than in the streets of New York City. Here the estimates of the numbers of homeless vary from 20,000 to as many as 70,000. It is further estimated that 20 to 30 percent of the overall number of homeless individuals are HIV positive. Perhaps 10,000 have AIDS or HIV-related illness. They live in places that are beyond belief in their horror. We heard that the number of homeless in New York City now exceeds the number seen at the height of the great depression. "The new Calcutta" is a term now often applied to this, our premier city.

On February 26th, the Commission visited a variety of homeless "shelters"—ranging from subway tunnels to flophouses to an aging armory. At the armory, which can really best by described as a human warehouse, we stood on a balcony and saw stretched out below us nearly 900 tightly packed cots in a gloomy, cavernous old building. Each night the cots are filled with homeless men. The very great likelihood is that many of those huddled there (we visited on the coldest night of the year) were infected with HIV. While we were there two homeless men, showing their positive tuberculin skin tests to us, voiced their concern that—"people who are extra-susceptible to infections should never be sleeping in a place like this!"

Fort Washington Armory was not the only human catastrophe we witnessed. During our travels we heard about families not only broken but kept asunder by rigid visitation rules for addicted mothers—even those under treatment. We met women with HIV infection who sleep in shelters during the night and struggle to maintain their health (and their children) on the streets and in the shelters during the days. We heard about a supportive housing program that funds only 140 units when at least 2,400 could be filled immediately. We talked to teenagers who trade sex for drugs and money, putting themselves at risk for HIV infection everyday. Now referred to as "throwaway kids," these teenagers seek shelter not only from the cold but from the Hudson River piers and neighborhood streets where adults visiting from out of town, out of state, and, in some cases, out of the country, seek sex for $15 without a condom and $10 with one.

We met with outreach workers who go down into the subway tunnels day after day fighting a battle where they have no ammunition and, indeed, no battlefield on which to stand. The outreach workers hope that one day the "down under" people will come to one of the day programs offered in the Bowery where they can receive medical assessement, treatment and referrals. "Many homeless people are suspicious of promises made for better lives," staff of the Bowery Residence Committee (BRC) told the Commission." "Too often these promises have been broken." In fact, the promise of health care for many of the homeless HIV-infected population in New York's Bowery will be further delayed if, as we were told, the federal dollars are terminated.

In California, New York and New Jersey, we heard repeatedly about the "disaster relief" needed from the federal government for those cities hardest hit by the epidemic.

In Los Angeles, the Commission was deeply troubled by the hamstringing restrictions on the use of public dollars imposed by the elected local officials. Here local decision makers are prohibited from initiating the very efforts that could prevent further spread of the epidemic in a county with the second highest number of reported cases of AIDS in the United States.

In some areas of California there is absolutely no outpatient care available to people with HIV infection and AIDS. In yet other areas, there are six to eight week waits for outpatient services. "Outrage," the Commission was told, "is the only morally credible response."

In February of 1990, the Commission visited a drug treatment program in northern New Jersey. We were told that, this year, New Jersey received in excess of $6 million in federal funds to reduce its waiting list for drug treatment services. New Jersey created more than 1,000 new treatment slots with the funds, but the Commission was told these funds will run out at the end of September. When we asked what drug treatment programs would do when the one-year-only federal dollars run out the re-

sponse was, "Serve more with less—just like we always to." New Jersey ranks fifth among the states in its reported number of AIDS cases and first in its proportions of cases among intravenous drug users, minorities, women and children.

Across the country, the Commission also heard tales of health care denied unless it required acute hospitalization, and we heard desperate pleas that something be done to insure that all hospitals participate equally in provision of under-reimbursed AIDS care, rather than continue the grossly disproportionate distribution resulting from the subtle "patient dumping" now apparently practiced all too frequently in too many parts of the country.

Summary

A lack of clear definition of government roles at all levels has hampered our national ability to organize health care services, to recruit and train human services personnel, to provide housing for the sick, to provide effective AIDS education and prevention programs, to provide coordinated, comprehensive substance abuse treatment and prevention and to develop sufficient monies to finance all of these efforts. All across the country there is a cry for leadership from the federal government and partnership between the different levels of government. There is no question that there have been creative and often heroic efforts at every level of government to address the HIV epidemic, but coordination of these efforts is the missing link to an effective national strategy.

We are increasingly convinced that one set of actions recommended in our first report must be swiftly implemented. A national plan, with clearly delineated responsibilities and agreement on the roles of federal, state and lcoal government and the private sector is essential and long overdue. If we are to respond effectively to the HIV epidemic we must have a clear cooperative plan and make responsibile use of the limited dollars available.

The National Commission on AIDS, therefore, makes the following recommendations:

1. The National Commission on AIDS will continue to recommend policy goals for a national plan. However, the Commission believes it is essential that a federal interagency mechanism be in place to coordinate a national plan. In this way, those who are ultimately responsible for the implementation will have an active role in its development.

2. Federal disaster relief or direct emergency relief is urgently needed to help states and localities most seriously impacted to provide the HIV prevention, treatment, care and support services now in short supply. The Commission strongly supports the efforts in Congress, now embodied in S. 2240, to address this need. The resources simply must be provided now or we will pay dearly later.

3. Housing is an absolutely vital component of any comprehensive effort to address the multiple problems posed by HIV infection and AIDS. While the Commission recognizes that coordination between the state and local government, with input from community based organizations, is essential to effectively respond to the homeless crisis, we also believe the federal government must take the lead in providing the dollars needed to respond to this overwhelming, indeed catastrophic, problem.

4. Government restrictions imposed on the use of education and prevention funds are seriously impeding HIV control. They are clearly serving to prolong the HIV epidemic and should be removed.

5. Because the Americans with Disabilities Act (ADA) guarantees protection against discrimination for people with HIV infection and AIDS, the National Commission on AIDS strongly urges the U.S. House of Representatives to pass the ADA in a swift and timely manner. State and local governments should pass laws forbidding discrimination in areas not covered by the ADA or other federal statutes.

Mr. KENNEDY. We are able to say now with a good deal of credibility that there are vast numbers of cases that are underreported and many of those, percentagewise, exist in parts of the country where the forms of discrimination against those individuals and facilities is more widespread than in others.

I will read just this. The full National Commission on Acquired Immune Deficiency Syndrome said:

There is a dangerous, perhaps even growing, complacency in our country toward an epidemic that many people want to believe is over. Far from over, the epidemic is reaching crisis proportions among the young, the poor, women and many minority communities. In fact, the 1990's will be much worse than the 1980's. * * * There is no national plan for helping an already faltering health care system deal with the impact of the HIV epidemic.

Mr. President, I did include other relevant provisions in this part of the record.

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

The PRESIDING OFFICER (Mr. HEFLIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 118

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

I hereby report to the Congress on developments since the last report of November 14, 1989, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170, dated November 14, 1979, and matters relating to Executive Order No. 12613 of October 29, 1987. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)), and section 505(c) of the International Security and Development Cooperation Act of 1985 (22 U.S.C. 2349aa-9). This report covers events through March 31, 1990, including those that occurred since the last report under Executive Order No. 12170, dated November 14, 1989. That report covered events through September 6, 1989.

1. Since the last report, there have been no amendments to the Iranian Assets Control Regulations, 31 C.F.R. Part 535 (the "IACRs"), or the Iranian Transactions Regulations, 31 C.F.R. Part 560 (the "ITRs"), administered by the Office of Foreign Assets Control ("FAC"). The major focus of licensing activity under the ITRs remains the importation of certain nonfungible Iranian-origin goods, principally carpets, which were located outside Iran before the embargo was imposed, and where no payment or benefit accrued to Iran after the effective date of the embargo. Since September 6, 1989, FAC has made 333 licensing determinations under the ITRs.

During the reporting period, the Customs Service has effected numerous seizures of Iranian-origin merchandise, primarily carpets, caviar, and pistachios, for violations of the Iranian Transactions Regulations. FAC and Customs Service investigations of these violations have resulted in forfeiture actions and imposition of civil monetary penalties amounting to $409,736. Numerous additional forfeiture and civil penalties actions are under review.

In the case of *United States* v. *Ahmad Elyasian*, the defendant was sentenced to 2 years' probation, a $3,000 fine, and the merchandise was forfeited. Criminal proceedings are pending in various jurisdictions involv-

ing several individuals and corporate entities. One arrest warrant is outstanding.

2. The Iran-United States Claims Tribunal (the "Tribunal"), established at The Hague pursuant to the Algiers Accords, continues to make progress in arbitrating the claims before it. Since the last report, the Tribunal has rendered 38 awards, for a total of 476 awards. Of that total, 341 have been awards in favor of American claimants: 210 of these were awards on agreed terms, authorizing and approving payments of settlements negotiated by the parties, and 131 were decisions adjudicated on the merits. The Tribunal has dismissed a total of 30 other claims on the merits and 65 for jurisdictional reasons. Of the 40 remaining awards, 2 were withdrawn and 38 were in favor of Iranian claimants. As of March 31, 1990, awards to successful American claimants from the Security Account held by the NV Settlement Bank stood at $1,296,219,879.08.

As of March 31, 1990, the Security Account has fallen below the required balance of $500 million 33 times. Iran has replenished the account 33 times, as required by the Algiers Accords, by transferring funds from the separate account held by the NV Settlement Bank in which interest on the Security Account is deposited. Iran has also replenished the account twice when it was not required by the Accords, for a total of 35 replenishments. This figure includes the transfer of $243 million to the Security Account on November 22, 1989, from Dollar Account No. 2 held at the Bank of England. The total amount in the Security Account as of March 31, 1990, was $643,268,583.07. The amount in the interest account as of March 31, 1990, was $118,520,896.63. The aggregate amount that has been transferred from the interest account to the Security Account is $695,648,999.39.

3. The Tribunal continues to make progress in the arbitration of claims of U.S. nationals for $250,000 or more. Over 70 percent of the nonbank claims have now been disposed of through adjudication, settlement, or voluntary withdrawal, leaving 145 such claims on the docket. The largest of the large claims, the progress of which has been slowed by their complexity, are finally being decided, sometimes with sizable damage awards to the U.S. claimant. Since the last report, eight large claims have been decided.

4. The Tribunal continues to process claims of U.S. nationals against Iran of less than $250,000 each. As of March 31, 1990, a total of 432 small claims have been resolved, 38 of them since the last report, as a result of decisions on the merits, awards on agreed terms, or Tribunal orders. Eight contested claims have been decided since the last report, raising the total number of contested claims decided to 36, 18 of which favored the American claimant. These decisions will help in establishing guidelines for the adjudication or settlement of similar claims. To date, American claimants have also received 72 awards on agreed terms reflecting settlements of claims under $250,000. The Tribunal's current small claims docket includes approximately 200 active cases.

5. In coordination with concerned government agencies, the Department of State continues to present U.S. Government claims against Iran, as well as responses by the U.S. Government to claims brought against it by Iran. Since the last report, the Department has filed pleadings in eight government-to-government claims. The Department defended a claim concerning standby letters of credit brought by Iran against the United States in a hearing before the Tribunal. In addition, 15 claims have been settled.

6. Since the last report, nine bank syndicates have completed negotiations with Bank Markazi Jomhouri Islami Iran ("Bank Markazi," Iran's central bank) and have been paid a total of $2,403,504.53 for interest accruing for the period January 1-18, 1981 ("January Interest"). These payments were made from Dollar Account No. 1 at the Federal Reserve Bank of New York ("FRBNY"). Moreover, under the April 13, 1988, agreement between the FRBNY and Bank Markazi, the FRNBY returned $1,748,999.00 of Iranian funds to Bank Markazi. This amount includes settlement amounts for two syndicates that made no claim to the funds held on their behalf in Dollar Account No. 1. All such funds were consequently returned to Bank Markazi. That transfer represents the excess of amounts reserved in Dollar Account No. 1 to pay off each bank syndicate with a claim for January Interest against Bank Markazi.

On November 3, 1989, the United States and Iran agreed to the disposition of $810 million in Dollar Account No. 2 at the Bank of England that was not needed to pay remaining claims against that account. Pursuant to that agreement, on November 22, 1989, $243 million was transferred to the Security Account and $567 million was returned to Iran. The latter payment was made in accordance with the Algiers Accords, which calls for the return of excess funds in Dollar Account No. 2 to Iran.

7. Since the last report, there have been no amendments to the Iranian Assets Control Regulations, 31 C.F.R. Part 535, administered by the Office of Foreign Assets Control. There have been no amendments to the Iranian Transactions Regulations, 31 C.F.R. Part 560, since their publication on November 17, 1988.

8. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive Order No. 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States properly to implement the Algiers Accords. Similarly, the Iranian Transactions Regulations issued pursuant to Executive Order No. 12613 continue to advance important objectives in combatting international terrorism. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

GEORGE BUSH.

THE WHITE HOUSE, *May 14, 1990.*

MESSAGES FROM THE HOUSE

At 1:29 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 3910) to require the Secretary of Education to conduct a comprehensive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965; with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House agrees to the amendments of the Senate numbered 1 and 3 to the bill (H.R. 1805) to amend title 5, United States Code, to allow Federal annuitants to make contributions for health benefits through direct payments rather than through annuity withholdings if the annuity is insufficient to cover the required withholdings and to make a technical correction relating to the life insurance program; it disagrees to the amendment of the Senate numbered 2 to the bill; and it agrees to the amendment of the Senate to the title of the bill, with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 1594) to extend nondiscriminatory treatment to the products of the People's Republic of Hungary for 3 years; it insists upon its amendment to the amendment of the Senate; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Ways and Means, for consideration of the House

amendment to the Senate amendment, and the Senate amendment, and modifications committed to conference: Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. JENKINS, Mr. DOWNEY, Mr. PEASE, Mr. RUSSO, Mr. GUARINI, Mr. ARCHER, Mr. VANDER JAGT, Mr. CRANE, and Mr. FRENZEL.

As additional conferees, soley for consideration of title II of the House amendment to the Senate amendment, and for title II of the Senate amendment, and modifications committed to conference: Mr. PICKLE and Mr. SCHULZE.

From the Committee on Agriculture, for consideration of titles VI and VII of the Senate amendment, and modifications committed to conference: Mr. DE LA GARZA, Mr. VOLKMER, Mr. BROWN of California, Mr. OLIN, Mr. STALLINGS, Mr. MORRISON of Washington, Mr. ROBERT F. SMITH, and Mr. HERGER.

From the Committee on Interior and Insular Affairs, for consideration of titles VI and VII of the Senate amendment, and modifications committed to conference: Mr. UDALL, Mr. VENTO, Mr. WILLIAMS, Mr. DEFAZIO, Mr. MCDERMOTT, Mr. YOUNG of Alaska, Mr. CRAIG, and Mr. DENNY SMITH.

From the Committee on Foreign Affairs, for consideration of titles VI and VII of the Senate amendment, and modifications committed to conference: Mr. FASCELL, Mr. WOLPE, Mr. GEJDENSON, Mr. KOSTMAYER, Mr. FEIGHAN, Mr. BROOMFIELD, Mr. ROTH, and Mr. MILLER of Washington.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

S. 1846. An act to make miscellaneous amendments to Indian laws, and for other purposes;

S. 2300. An act to provide financial assistance to the Simon Wiesenthal Center in Los Angeles, CA, for the education programs of the Museum of Tolerance; and

H.R. 2364. An act to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes.

The enrolled bills were subsequently signed by the Acting President pro tempore [Mr. DASCHLE].

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 14, 1990, he had presented to the President of the United States the following enrolled bills:

S. 1846. An act to make miscellaneous amendments to Indian laws, and for other purposes;

S. 2300. An act to provide financial assistance to the Simon Wiesenthal Central in Los Angeles, CA, for the education programs of the Museum of Tolerance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-483. A resolution adopted by the Senate of the State of Minnesota; to the Committee on Appropriations.

"RESOLUTION

"Whereas, in the 1930s and 1940s, the Civilian Conservation Corps engaged in many public works including constructing public buildings; and

"Whereas, many of these buildings are now considered historic buildings and quite a few of them are still in use in public parks such as Itasca State Park and other public areas; and

"Whereas, the buildings are now fifty and sixty years old and in need of repair and restoration; and

"Whereas, the cost of such an undertaking is great, but these buildings are important public resources and should at all costs be preserved as part of the American heritage; Now, therefore,

"*Be it Resolved* by the Legislature of the State of Minnesota that it urges the President and the Congress of the United States to appropriate the necessary funds to aid in the restoration and preservation of the Civilian Conservation Corps buildings.

"*Be it Further Resolved,* That the Secretary of the Senate of the State of Minnesota is directed to prepare certified copies of this memorial and transmit them to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Chief Clerk of the United States House of Representatives, and Minnesota's Senators and Representatives in Congress."

POM-484. A concurrent resolution adopted by the Legislature of the Commonwealth of Kentucky; to the Committee on Armed Services.

"CONCURRENT RESOLUTION

"A concurrent resolution requesting the United States Congress, the President of the United States and the United States Secretary of Defense to replace cerain aircraft of the 123rd Tactical Airlift Wing of the United States National Guard with more modern aircraft.

"Whereas, the 123rd Tactical Airlift Wing of the United States Air National Guard based at Standiford Field, Louisville, Kentucky, is operating in and over the Commonwealth of Kentucky, accomplishing its principal military training and total force missions in the defense of the United States and in the humanitarian service of its people; and

"Whereas, the General Assembly of the Commonwealth of Kentucky supports the efforts of the 123rd Tactical Airlift Wing to improve and update their aircraft fleet through assignment of newer C-130H model aircraft to replace the present 30 year old C-130B aircraft; and

"Whereas, the 123rd Tactical Airlift Wing has a consistent record of excellence in flight operations, aircraft maintenance and unselfish service to the United States and its allies; and

"Whereas, the members of the 123rd Tactical Airlift Wing are largely citizens of the Commonwealth of Kentucky and represent an important segment of this state's community; and

"Whereas, it is in the best interest of this state and the 123rd Tactical Airlift Wing, and its members, that the C-130B model aircraft now being flown be replaced with C-130H model aircraft to ensure the continued safe operations of the 123rd Tactical Airlift Wing; Now, therefore,

"*Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, the House of Representatives concurring therein:*

"Section 1. That the United States Congress, the President of the United States and the United States Secretary of Defense are requested to take the appropriate procurement action in fiscal year 1991 to replace the C-130B model aircraft now being flown by the 123rd Tactical Airlift Wing with C-130H model aircraft.

"Section 2. That the Clerk of the Senate shall send a copy of this resolution to the President of the United States, the Secretary of the United States Department of Defense, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Chairmen of the House and Senate Armed Services and Appropriation Committees, and each member of the United States congresssional delegation from Kentucky."

POM-485. A resolution adopted by the Legislature of the State of Hawaii; to the Committee on the Budget.

"SENATE RESOLUTION 219

"Whereas, the Federal Highway Trust Fund was established in 1956 for the specific purpose of financing improvements to highway systems and the users fees collected into this fund are allowed to be spent for transportation purposes only; and

"Whereas, in recent years the Highway Trust Fund has been made a part of the United Federal Budget, thereby subjecting it to arbitrary expenditure ceilings for the purpose of reducing the national deficit, despite the fact that Trust Fund expenditures do not contribute to the federal deficit; and

"Whereas, the imposition of such expenditure limitations has resulted in the accumulation of over $9 billion in unapportioned highway funds; and

"Whereas, the unapportioned funds and withheld interest in the Highway Trust Fund have been borrowed for non-highway related purposes and the cash balance has been replaced by U.S. Treasury notes against the General Fund: Now, therefore,

"*Be it Resolved by the Senate of the Fifteenth Legislature of the State of Hawaii, Regular Section of 1990,* That the United States Congress is requested to remove the Highway Trust Fund from the Unified Federal Budget and to protect the Trust Fund from predatory proposals to divert highway user revenues to programs unrelated to the transportation purposes for which it was established; and

"*Be it Further Resolved,* That the United States Congress is requested to have those funds repaid to the Highway Trust Fund which have been borrowed from it and that the excess funds accumulated be paid out for highway projects over a five-year period, beginning in Fiscal Year 1992; and

"*Be it Further Resolved,* That U.S. Senators Daniel K. Inouye and Spark M. Matsunaga, and U.S. Representatives Daniel K. Akaka and Patricia Saiki take all necessary and appropriate measures to ensure that the foregoing requests are implemented; and

"Be it Further Resolved, That certified copies of this Resolution be transmitted to the President of the United States the Secretary of the Department of Transportation, the President of the Senate and the Speaker of the House of Representatives of the United States, and Hawaii's Congressional Delegation."

POM-486. A resolution adopted by the Municipal Council of the township of Wayne, New Jersey; to the Committee on Commerce, Science, and Transportation.

POM-487. A resolution adopted by the General Assembly of the State of Indiana; to the Committee on Commerce, Science, and Transportation.

"HOUSE CONCURRENT RESOLUTION 79

"Whereas, The federal government has spent two years and committed $6,500,000 on an airport study for the location of a new international airport off the southern tip of Lake Michigan;

"Whereas, The Gary Regional Airport is one of four sites that have been included in that study since it began, the other three being south of Chicago, in Illinois;

"Whereas, Recently, when promoting a fifth site for the proposed airport, the mayor of Chicago referred to Gary as "deadhead space", while a spokesman for the mayor recalled that FAA officials have denigrated Gary Regional's suitability for airport development;

"Whereas, It has been reported that United States Transportation Secretary Sam Skinner, who is from Chicago, has given verbal support to the late entry of a fourth site in Illinois for the location of the new airport, even though $6,500,000 has been committed by the FAA to a study that confines consideration to the other four sites; and

"Whereas, Gary Regional Airport is ideally located for the convenience of the people in northwestern Indiana and northeastern Illinois and is an area in great need of economic development; Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate Concurring:

"Section 1: That we urge United States Transportation Secretary Sam Skinner and the Federal Aviation Administration to disavow the inflammatory remarks of the mayor of Chicago concerning Gary, Indiana.

"Section 2: That we urge Secretary Skinner to make an unqualified statement that the plan of the mayor of Chicago will not be considered because it was suggested more than two years too late, and that the site chosen will be one of the four that have been under consideration since 1986, if not earlier.

"Section 3: That we urge Secretary Skinner and the Federal Aviation Administration to select Gary Regional Airport as the site for the new international airport south of Lake Michigan.

"Section 4: That copies of this resolution be sent to the United States Transportation Secretary, Sam Skinner, the Federal Aviation Administration, the presiding officers and the majority and minority leaders of both houses of Congress, and to each member of the Indiana Congressional Delegation."

POM-488. A resolution adopted by the Senate of the State of Hawaii; to the Committee on Energy and Natural Resources.

"SENATE RESOLUTION 55

"Whereas, the State of Hawaiii has a fiduciary responsibility to native Hawaiians as defined by the Hawaiian Homes Commission Act of 1920, as amended, and the Statehood Admissions Act of 1959; and

"Whereas, the Federal Government has a special relationship with native Hawaiians dating back to its relationship with the Kingdom of Hawaii and its last reigning monarch, Queen Lili'uokalani; and

"Whereas, the Federal Government has recognized native Hawaiians as native Americans because they are aboriginal peoples of what is not a member State of the United States; and

"Whereas, the Federal Government has passed numerous acts on behalf of native Hawaiians addressing specifically identified needs and concerns; and

"Whereas, one of the great needs of native Hawaiians yet to be addressed is housing; and

"Whereas, the Hawaiian Homes Commission Act of 1920, as amended, is the first compact signed between the Federal Government and native Hawaiians and its purpose is the rehabilitation of native Hawaiians, which includes the educational, economic, political, social, and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved and perpetuated; and

"Whereas, the Hawaiian Homes Commission and the Department of Hawaiian Home Lands have made a commitment to focus their energies on building homes for native Hawaiians and developing viable contributing communities to island society; and

"Whereas, the State of Hawaii has provided substantial support to the Hawaiian Homes Commission and the Department of Hawaiian Home Lands to carry out this program; now, therefore,

"Be it resolved by the Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990; That the Congress of the United States is respectfully urged to enact legislation so that the Federal Government can become equal partners in the Hawaiian Homes Commissions' plans to build homes and develop viable native Hawaiian communities throughout the State of Hawaii; and

"Be it further resolved, That Hawaii's congressional delegation is urged to seek the support of pertinent federal agencies in this endeavor; and

"Be it further resolved, That certified copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, Hawaii's congressional delegation, the Governor of the State of Hawaii, and to the Chairman of the Hawaiian Homes Commission."

POM-489. A joint resolution adopted by the General Assembly of the State of Colorado; to the Committee on Energy and Natural Resources.

"SENATE JOINT RESOLUTION 90-12

"Whereas, There is currently pending before the United States Congress legislation to establish additional wilderness areas in Colorado; and

"Whereas, The benefits of designating wilderness areas must be balanced against the consequences of such designation upon the economic and social welfare of the citizens of Colorado; and

"Whereas, The designation of wilderness areas may significantly affect the economic health of this state by adversely impacting private and public property interests and rights in land, water, and mineral resources, by establishing barriers to access to such property interests, by preempting existing private property rights, and in other ways; and

"Whereas, Readily available and reliable water supplies are absolutely vital to the health and economic development of the people of this state; and

"Whereas, Uncertainty relative to the existence of implied federal reserved water rights for existing and new wilderness areas clouds property titles, discourages natural resource management and development, and disrupts the State's water rights administration system, resulting in economic stagnation and unproductive litigation; and

"Whereas, The recognition of federal reserved water rights for wilderness areas in Colorado, be such rights expressed or implied, damages the integrity of the property system in water established by the Colorado Constitution and the doctrine of prior appropriation set forth therein, and impedes the ability of Colorado to effectively manage and fully utilize its valuable water resources; and

"Whereas, The laws of Colorado and the instream flow program of the Colorado Water Conservation Board afford adequate protection for any wilderness values which the United States may wish to secure for wilderness areas in Colorado; and

"Whereas, National forest lands are foreclosed from multiple use while they remain in wilderness study status, resulting in loss of economic and recreational opportunities, and sufficient time has passed for study of the suitability of such lands for wilderness designation; Now, therefore,

"Be It Resolved by the Senate of the Fifty-seventh General Assembly of the State of Colorado, the House of Representatives concurring herein:

"That Congress is urged to adopt only such wilderness legislation as embodies the following principles:

"(1) Wilderness legislation must fully protect private property rights:

"(2) Boundaries for wilderness areas must be drawn so as to include only those areas which are suitable for such designation, while excluding conflicting uses within such boundaries to the extent possible;

"(3) Reasonable rights of access for private property must be reconfirmed and maintained;

"(4) Implied federal reserved water rights for all existing and new wilderness areas must be expressly disclaimed;

"(5) Any water rights for wilderness areas in this state must be obtained pursuant to the laws of the State of Colorado; and

"(6) Public lands which have been studied for possible designation as wilderness areas and which are not being designated as wilderness areas at this time should be released from study status and returned to multiple use.

"Be It Further Resolved, "That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, each Member of Congress from the State of Colorado, the Chairman of the United States Senate Energy and Natural Resources Committee, and the Chairman of the Committee on Interior and Insular Affairs of the United States House of Representatives."

POM-490. A joint resolution adopted by the Legislature of the State of Wisconsin; to the Committee on Veterans Affairs.

"JOINT RESOLUTION 80

"Whereas, on May 8, 1989, a U.S. district court in California struck down the U.S. department of veterans affairs regulations issued in response to P.L. 98-542, the Veterans' Dioxin and Radiation Exposure Compensation Standards Act, requiring the U.S. department of veterans affairs to establish standards for disability compensation for veterans suffering from diseases associated with exposure to agent orange; and

"Whereas, that decision confirms what Vietnam veterans, scientific studies and veterans organizations have recognized for the last decade, that despite delays, denials and deceptions, there is sufficient evidence to warrant compensation to veterans injured as a result of their exposure to agent orange; and

"Whereas, those delays have caused additional suffering and distress among Vietnam veterans and their families; and

"Whereas, the principal findings of the district court were that the cause and effect standard the U.S. department of veterans affairs has required veterans to meet for agent orange-related claims is unfair and unprecedented, that the U.S. department of veterans affairs has failed to give veterans the benefit of the doubt mandated by federal law and afforded other veterans when considering agent-orange claims and that the U.S. department of veterans affairs must reopen the cases of more than 30,000 veterans who were denied compensation under the unlawful regulations; and

"Whereas, the district court ruling offers the secretary of the U.S. department of veterans affairs and the federal administration a remarkable opportunity to break with the unfortunate policy of the past and assume a positive leadership role on the issue of agent orange; and

"Whereas, P.L. 95-542, designed to make compensation more accessible to disabled agent orange veterans, gives the U.S. secretary of the department of veterans affairs the power to amend the department's compensation regulations to include any diseases that may be associated with exposure to agent orange; and

"Whereas, studies have shown increased incidences of non-Hodgkin's lymphoma and soft tissue sarcoma among veterans exposed to agent orange and others exposed to components of agent orange; therefore, be it

"Resolved by the assembly, the senate concurring, That the Wisconsin legislature urges congress to pass legislation including these 2 forms of cancer as compensable diseases for veterans exposed to agent orange; and, be it further

"Resolved, That the Wisconsin legislature urges the secretary of the U.S. department of veterans affairs to include on the list of compensable diseases under P.L. 98-542, non-Hodgkin's lymphoma and soft tissue sarcoma; and, be it further

"Resolved, That the U.S. department of veterans affairs and congress allow compensation for additional conditions as the evidence accumulates; and, be it further

"Resolved, That the chief of the assembly shall transmit copies of this resolution to the president of the U.S. senate, the speaker of the U.S. house of representatives, each member of the congressional delegation from this state and the secretary of the U.S. department of veterans affairs."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 396: A bill to amend title 11 of the United States Code, the bankruptcy code, regarding swap agreements (Rept. No. 101-285).

S. 994: A bill to amend the Clayton Act regarding interlocking directorates and officers (Rept. No. 101-286).

By Mr. BIDEN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 995: A bill to amend the Clayton and Sherman Acts regarding antitrust procedures (Rept. No. 101-287).

By Mr. BIDEN, from the Committee on the Judiciary, without amendment:

S. 996: A bill to amend the Clayton Act regarding damages for the United States (Rept. No. 101-288).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. KENNEDY (for himself, Mr. HATCH, Mr. HARKIN, Mr. PELL, Mr. COCHRAN, Mr. ADAMS, Mr. BAUCUS, Mrs. KASSEBAUM, and Mr. BURDICK):

S. 2617. A bill to amend the Public Health Service Act to make various improvements in existing scholarship and loan repayment programs, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. HEFLIN (for himself and Mr. SHELBY):

S. 2618. A bill to amend title 5, United States Code, to establish the appropriate grade and rates of pay for certain administrative law judges; to the Committee on Governmental Affairs.

By Mr. GLENN:

S. 2619. A bill to amend title XVIII of the Social Security Act to provide for coverage of bone mass measurements for certain individuals under part B of the Medicare Program; to the Committee on Finance.

By Mr. HEFLIN:

S. 2620. A bill to provide for a 5-year intercircuit conflict resolution demonstration within the judiciary; to the Committee on the Judiciary.

S.J. Res. 313. Joint resolution designating October 3, 1990, as "National Teacher Appreciation Day;" to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY (for himself, Mr. HATCH, Mr. HARKIN, Mr. PELL, Mr. COCHRAN, Mr. ADAMS, Mr. BAUCUS, Mrs. KASSEBAUM, and Mr. BURDICK):

S. 2617. A bill to amend the Public Health Service Act to make various improvements in existing scholarship and loan repayment programs, and for other purposes; to the Committee on Labor and Human Resources.

NATIONAL HEALTH SERVICE CORPS REVITALIZATION ACT

Mr. KENNEDY. Mr. President, today, on behalf of myself and Senators HATCH, HARKIN, PELL, COCHRAN, ADAMS, KASSEBAUM, BAUCUS, and BURDICK, I am introducing legislation to extend the authority of the National Health Service Corps for an additional 4 years. This reauthorization will revitalize this vital public health program and establish the basis on which to increase funding over the next few years to achieve this goal. The great need for health professionals in many regions of the country makes it essential that we give this measure a high priority.

For 20 years the National Health Service Corps has served as a major source of medical help for communities and populations which have been unable to recruit and retain physicians, nurses, and other health providers on their own. The corps' mission has always been the same, to improve and maintain the health status of medically underserved populations by addressing the shortage and geographical maldistribution of physicians. The Scholarship Program of the National Health Service Corps, in which students receive scholarships to medical school in exchange for a minimum of 2 years of service in designated shortage areas, has been the principal source of providers who have served in these areas and has enabled many minority and disadvantaged students to attend medical schools.

Despite its success in providing access to care for millions of medically underserved people, the National Health Service Corps was one of the social programs targeted for elimination during the Reagan years. Two national health manpower studies provided the rationale for the phasing out of the corps. It was thought that a physician surplus would force physicians to migrate to isolated rural communities and inner-city underserved areas. The number of new corps scholarship awards were sharply reduced and the program was scheduled for termination. While the number of new scholarships peaked at 2,380 in 1979, no new awards were made in fiscal year 1989. The total field strength of health physicians declined from 3,127 in 1986 to 1,920 in 1989.

The shrinking of the National Health Service Corps Scholarship Program could hardly have come at a worse time. The anticipated overflow of physicians into underserved areas never occurred. Instead, we are faced with a major shortage of primary care physicians and obstetrician/gynecologists. The Public Health Service estimates that 4,000 physicians are needed to provide primary care services in 1,955 health manpower shortage areas. Less populated rural areas are experiencing particular difficulty in attracting health care professionals. In the United States as a whole, an average of 163.3 physicians are available for every 100,000 citizens, but only 53 phy-

sicians exist for the same number of people in counties with populations of less than 10,000. Whether because of geographic isolation, extreme poverty, or deterioration of local health systems resulting from general economic decline, certain areas have not benefited from the increased supply of physicians. In 1988, the National Health Service Corps identified 500 to 600 communities where providers refuse to locate for prolonged periods, including frontier areas and hard-core inner cities.

The legislation we are introducing today will reinvigorate the National Health Service Corps and restore its capacity to serve populations with limited access to quality health care.

This effort will add new categories of health professionals to the ranks of the corps and improve both the recruitment and retention of service providers. Physicians are desperately needed in many communities. But there is also a great need for trained nurses, nurse practitioners certified nurse midwives, and physician's assistants. Studies by the Office of Technology Assessment and the Institute of Medicine in the 1980's have demonstrated that midlevel providers are capable of delivering many services in their respective scopes of practice that are equal in quality to those provided by physicians. The OTA report indicated that physician's assistants and nurse practitioners can perform 60 to 80 percent of the tasks done by primary care physicians. By adding such providers to the programs of the National Health Service Corps, we can increase access to health care and guarantee a mix of providers that responds to the wide range of needs in every community.

My bill establishes new incentives for joining and staying in the corps. Career advisers will be designated by the corps to maintain contact with scholarship recipients during their training, and keep them informed of corps activities and events at their future practice sites. The career advisers are essential to the development of a professionalized corps with members who proudly look forward to serving instead of viewing it solely as an obligation.

Corps members will gain the opportunity to hold faculty appointments at health professions schools, participate in exchange programs with teaching institutions, and earn leave time to attend professional conferences. We also propose the creation of respite squads to provide services while established corps providers are participating in career development activities or are on vacation. The respite squads would be particularly helpful in rural areas where solo practitioners with large responsibilities and no time off are often located.

Corps assignees would also be permitted to join the commissioned corps of the U.S. Public Health Service and benefit from the privileges that this uniformed service offers. Scholarship-obligated medical students would be able to begin a service obligation in the third year of a residency program, on a part-time basis.

All of these incentives will attract practitioners into areas they might otherwise not have considered, and will alleviate the geographic, professional and social isolation that practitioners frequently feel.

The bill also identifies minorities and the disadvantaged, as well as certain midlevel and mental health providers, as priority applicants to both the scholarship and loan repayment programs, since such students are more likely to serve populations in their socioeconomic groups. I would like to commend Senator ADAMS for his persistent efforts to assure that minorities and the economically disadvantaged get the priority they deserve in this program.

In anticipation of this proposed revitalization of the National Health Service Corps, some administrative adjustments must be made to assure successful implementation of the bill's provisions. In the 1970's, the corps expanded too quickly, without a corresponding increase in programming staff, and the administration of the program, was undermined. Our bill allows an increase in the number of administrative staff to carry out the new initiatives. At the same time, we are asking for a General Accounting Office review of the program by 1993 to help the corps identify any administrative and managerial deficiencies and recommend solutions.

In order to support these innovations, substantial new funding will be required. We envision at least a doubling in funds for this program in the next fiscal year and a tripling in the year after. The authorization levels have been defined on a "such sums" basis to allow for this increase.

The mission and purpose for which Congress established the National Health Service Corps are as relevant today as they were in 1970. No new bureaucracy is needed, just a rejuvenation of existing mechanisms and a tailoring of the program to the needs of the 1990's. This bill represents a worthwhile effort to help the National Health Service Corps fulfill its mission and provide new sources of urgently needed health care providers to populations and communities across the Nation. I urge my colleagues to join in supporting this essential legislation.

Mr. President, I ask unanimous consent that the full text of my remarks, the bill, and the bill summary be inserted in the RECORD.

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

S. 2617

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 "National Health Service Corps Revitalization Act of 1990".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the mission of the National Health Service Corps is to improve access to health care services for medically underserved populations by addressing the geographic maldistribution of physicians and other health care personnel;

(2) over the years, more than 13,000 health care providers have been placed in communities that greatly needed their services with the peak field strength of the National Health Service Corps occurring in 1986 with 3,127 providers;

(3) the key contributor to this field strength were the individuals who had received medical school scholarships in return for a commitment to serve with such Corps;

(4) the number of scholarship awards by the National Health Service Corps peaked in 1979 when 2,380 were awarded;

(5) due to a planned phase out of the scholarship program combined with reductions in funding, the number of scholarships and commitments to serve in the Corps declined steadily throughout the 1980's, and between 1986 and 1989, the number of providers in place around the country declined by over 1000;

(6) the cut back described in paragraph (5) was based on the theory that a physician surplus would drive physicians into underserved communities, but the anticipated overflow of physicians into underserved areas did not happen and many communities lost their sole provider of health services due to the cutback in this Federal program;

(7) inner city and rural communities face an especially serious deterioration in the availability of health services that has been greatly exacerbated by the decline in the strength of the Corps with the situation reaching a crisis level in some communities;

(8) as of December 1987, the Department of Health and Human Services had designated the following number of health personnel shortage areas—

(A) 786 dental shortage areas;

(B) 562 psychiatry shortage areas; and

(C) 1,944 primary care shortage areas;

(9) it would take more than 4,000 physicians to fill the primary care shortage areas and eliminate the designations referred to in paragraph (8);

(10) approximately 50 percent of the medically indigent population in the shortage areas reside in rural areas and rural areas constitute roughly 70 percent of the shortage area designations;

(11) in 1987, to begin to address the shortage created by the cuts in the scholarship program, a new loan repayment program for health professionals was established;

(12) the loan repayment program referred to in paragraph (11) was offered to doctors and nurses with the response making it clear that additional funds were needed for such program;

(13) the number of mid-level health practitioners, including nurse practitioners and

physicians assistants, in underserved areas, and especially in rural areas, has increased significantly in recent years, and such practitioners have provided an important source of care when physician services are not available and have often been complementary to existing physician services;

(14) a mix of providers that include nurses, nurse practitioners, certified nurse midwives, physicians assistants, social workers, mental health workers, and physicians is needed in order to provide for the full range of services needed by underserved communities;

(15) though loan repayment may represent a useful incentive to bring such health personnel to underserved areas, scholarships are specially needed in order to successfully recruit nurses, certified nurse midwives, and nurse practitioners to serve in such areas; and

(16) due to the high turnover of health professionals in underserved areas, improved methods of retention are needed to keep existing National Health Service Corps personnel in underserved communities to which such personnel are assigned to serve.

(b) PURPOSE.—It is the purpose of this Act—

(1) to increase the supply of vital health professionals to urban and rural underserved health professional shortage areas;

(2) to halt proposals to phase out the National Health Service Corps scholarship program and to increase the number of scholarships and loan repayments for physicians and other providers to address the serious decline in the availability of health professionals in underserved areas; and

(3) to revitalize the National Health Service Corps by improving the recruitment and retention of providers and by diversifying the Corps so that it includes mid-level practitioners, social workers, and mental health professionals.

SEC. 3. PUBLICITY AND RECRUITMENT.

Section 338A(c)(2) of the Public Health Service Act (42 U.S.C. 254l(c)(2)) is amended by inserting before the period the following: ", including a statement of all factors considered in the selection of applicants and the assignment of corps members".

SEC. 4. SCHOLARSHIP AND LOAN REPAYMENT PROGRAM PRIORITIES.

(a) SCHOLARSHIP PROGRAM.—Section 338A(d) of the Public Health Service Act (42 U.S.C. 254l(d)) is amended—

(1) in paragraph (1), by striking out "and" at the end thereof;

(2) in paragraph (2)(C), by striking out the period and inserting in lieu thereof a semicolon; and

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

"(3) to applications from individuals who are legal residents of health manpower shortage areas or who, at the time of the submission of the application, reside in a health manpower shortage area;

"(4) to applications from disadvantaged individuals and minorities;

"(5) to applications from individuals who have demonstrated an interest in providing primary care service for the underserved through the participation of such individuals in clinical programs;

"(6) to applications from nurses, nurse midwives, nurse practitioners, physicians assistants, social workers, and counseling professionals; and

"(7) to applications from physicians in the primary care fields.".

(b) LOAN REPAYMENT PROGRAM.—Section 338B(d) of the Public Health Service Act (42 U.S.C. 254l-1(d)) is amended—

(1) in paragraph (1), by striking out "and" at the end thereof;

(2) in paragraph (2), by striking out the period and inserting in lieu thereof a semicolon; and

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

"(3) to applications from individuals who are legal residents of health manpower shortage areas or who, at the time of the submission of the application, reside in a health manpower shortage area;

"(4) to applications from disadvantaged individuals and minorities;

"(5) to applications from individuals who have demonstrated an interest in providing primary care service for the underserved through the participation of such individuals in clinical programs;

"(6) to applications from nurses, nurse midwives, nurse practitioners, physicians assistants, social workers, and counseling professionals; and

"(7) to applications from physicians in the primary care fields.".

SEC. 5. INCENTIVES AND ADMINISTRATIVE PROVISIONS.

Subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254l et seq.) is amended by adding at the end thereof the following new sections:

"SEC. 338K. INCENTIVES FOR RECRUITMENT AND RETENTION.

"(a) IN GENERAL.—The Secretary shall establish and implement a program of incentives, as described in subsection (b), to improve National Health Service Corps recruitment and retention.

"(b) INCENTIVES.—

"(1) PRIORITY SCHOOLS.—The Secretary shall give priority in the awarding of scholarships and loans to those schools and training programs that can demonstrate a record of success in training, or a comprehensive effort to train, individuals to enter primary care fields, and to serve underserved areas.

"(2) MATERIALS.—The Secretary shall distribute materials that encourage the financial aid offices of medical, nursing, and social work schools, primary care oriented medical school departments, and residency programs to inform all students and residents about the Scholarship and Loan Repayment Program.

"(3) STUDENT TRAINING AND EXTERNSHIP PROGRAM.—The Secretary shall make grants and enter into contracts with health professions institutions and public and private nonprofit entities for the conduct of programs that would expose and train health professions students throughout their academic careers to clinical settings administered by countries, States, or the Public Health Service that provide primary care services to medically underserved areas.

"(4) CAREER ADVISOR.—The Secretary shall appoint individuals to serve within the National Health Service Corps as career advisors to assist Corps members from the time such members enter into a contract with the Corps until such members complete their obligation.

"(5) FELLOWSHIPS IN PRIMARY CARE.—The Secretary, in conjunction with eligible residency programs and other training programs, shall establish fellowship programs for physicians, nurse practitioners, nurse midwives, and physician assistants who have an interest and commitment to primary care, to enable such health professionals to gain exposure and expertise in the delivery of medical services to underserved populations in health professional shortage areas.

"(6) FACULTY APPOINTMENTS.—The Secretary shall encourage the provision of faculty appointments for Corps providers at health professional schools, to provide access for such providers, and the communities they serve, to university facilities and to make such providers a source of expertise for health professions students.

"(7) EXCHANGE PROGRAMS, ETC.—The Secretary shall establish exchange programs with teaching centers, leave time for professional conferences, sabbatical leave, and traveling medical consultation teams to increase opportunities for patient case presentations and discussions and research by Corps personnel.

"(8) COMMISSIONED CORPS.—The Secretary shall establish a program to provide Corps members the opportunity to join the Commissioned Corps of the United States Public Health Service and take advantage of membership privileges such as—

"(A) ability to move to different parts of the country without losing accrued benefits (such as pay status, saved vacation and sick leave, and acquired time toward retirement);

"(B) access to military base privileges (such as athletic facilities, commissary and exchange stores); and

"(C) free use of military space available travel.

"(9) JOB SHARING, ETC.—The Secretary shall establish options, such as job sharing and couple recruitment, and other flexible work programs for Corps members.

"(10) RESPITE SQUAD.—The Secretary shall establish a 'respite squad' that shall consist of mid-career health professionals who would work in underserved areas on a short-term basis, such as a two-week period or a one day a month basis.

"(11) INDEPENDENT RECRUITMENT.—The Secretary shall establish an independent recruitment program to recruit individuals, who are not participants in the Scholarship or Loan Repayment Programs, to become Corps members.

"(c) TRACKING AND EVALUATION.—

"(1) IN GENERAL.—The Secretary shall track and evaluate the incentive programs established under subsection (b), to determine the effectiveness of such programs in increasing the participation of individuals in the programs established under this part, and in the continuing participation of such individuals in such programs.

"(2) EFFECTIVENESS.—The Secretary shall evaluate the effectiveness of the programs established in paragraphs (3) and (5) of subsection (b) in influencing the specialty choice and practice setting of program participants.

"(3) REPORTING.—Not later than March 1 of every even numbered year, the Secretary shall prepare and submit to the appropriate Committees of Congress, a report concerning the evaluations conducted under paragraphs (1) and (2).

"SEC. 338L. INCREASE IN STAFF.

"The Secretary shall ensure that the administrative staff of the National Health Service Corps is adequate and appropriate to administer the programs established and operated under this subpart. The Secretary shall increase such staff if such increase is necessary to effectively administer such programs.".

SEC. 6. DEPENDENT ALLOWANCE.

(a) SCHOLARSHIP PROGRAM.—Section 338A(g)(1) of the Public Health Service Act (42 U.S.C. 254l(g)(1)) is amended—

(1) in clause (ii) of subparagraph (A), by striking out "and";

(2) in subparagraph (B), by striking out the period and inserting in lieu thereof "; and"; and

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

"(C) a reasonable dependent allowance as determined by the Secretary.".

(b) LOAN REPAYMENT PROGRAM.—Section 338B(g)(1) of such Act (42 U.S.C. 254l-1) is amended—

(1) in subparagraph (B), by striking out "or";

(2) in subparagraph (C), by striking out the period and inserting in lieu thereof "; or"; and

(3) by inserting at the end thereof the following new subparagraph:

"(D) a reasonable dependent allowance as determined by the Secretary.".

SEC. 7. CONTRACT FOR FINANCIAL ASSISTANCE.

(a) TECHNICAL AMENDMENT.—Section 338A(g)(1) of the Public Health Service Act (42 U.S.C. 254l-1(g)(1)) is amended in the material preceding subparagraph (A) by striking out "A scholarship" and inserting in lieu thereof "Except as provided for in paragraph (5), a scholarship".

(b) TERMS AND CONDITIONS.—Section 338A(g) of such Act (42 U.S.C. 254l) is amended by adding at the end thereof the following new paragraphs:

"(4) In developing a contract under this subsection, the Secretary is authorized to individually tailor a package of financial assistance that includes both scholarship components and loan repayment components.

"(5) Notwithstanding paragraph (1), the Secretary may award a partial scholarship to an individual with circumstances that warrant less financial assistance than the financial assistance provided under paragraph (1).

SEC. 8. TRACKING AND EVALUATION REQUIREMENTS.

(a) SCHOLARSHIP PROGRAM.—Section 338A(i) of the Public Health Service Act (42 U.S.C. 254l(i)) is amended—

(1) in paragraph (3), by striking out "and" at the end thereof;

(2) in paragraph (4), by striking out the period and inserting in lieu thereof "; and"; and

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

"(5) the effectiveness in maintaining or increasing the interest in and commitment of individuals participating in the Scholarship Program to primary care and service to the underserved; and

"(6) the retention rate of participants in the Scholarship Program.".

(b) LOAN REPAYMENT PROGRAM.—Section 338B(i) of such Act (42 U.S.C. 254l-1(i)) is amended—

(1) in paragraph (3), by striking out "and" at the end thereof;

(2) in paragraph (4), by striking out the period and inserting in lieu thereof "; and"; and

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

"(5) the effectiveness in maintaining or increasing the interest in and commitment of individuals participating in the Loan Repayment Program to primary care and service to the underserved; and

"(6) the retention rate of participants in the Loan Repayment Program.".

SEC. 9. FULFILLMENT OF OBLIGATION.

(a) PART-TIME FULFILLMENT.—Section 338C(b)(5)(C) of the Public Health Service Act (42 U.S.C. 254m(b)(5)(C)) is amended—

(1) by striking out "No" and inserting in lieu thereof "(i) Except as provided in clause (ii), no";

(2) by inserting at the end thereof the following new clause:

"(ii) Notwithstanding clause (i), the Secretary may permit a resident in-training with the approval of the training program director, in the third year of residency to begin fulfilling a service obligation on a part-time basis, including providing services referred to in 338K(b)(9).".

(b) RESPITE SQUADS.—Section 338E(d) of such Act (42 U.S.C. 254o(d)) is amended by adding at the end thereof the following new paragraph:

"(4) If an individual defaults on an obligation under the Scholarship Program (or a contract thereunder) or the Loan Repayment Program (or a contract thereunder), the Secretary may permit such individual to partially fulfill such obligation through service. Such service shall not in a substantial way supplant the penalties referred to in section 338E.".

SEC. 10. TRANSFER OF FUNDS.

Section 338G of the Public Health Service Act (42 U.S.C. 254q) is amended by adding at the end thereof the following new subsection:

"(c) TRANSFER OF FUNDS.—The Secretary may transfer funds between the Scholarship Program and the Loan Repayment Program as needed due to the availability of applicants for such programs.".

SEC. 11. ADMINISTRATIVE REVIEW.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by inserting after section 336A the following new section:

"SEC. 336B. ADMINISTRATIVE REVIEW.

"Not later than January 1, 1993, the General Accounting Office shall complete an administrative review of the Corps including the administration of the Scholarship Program and the Loan Repayment Program.".

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL HEALTH SERVICE CORPS.—Section 338(a) of the Public Health Service Act (42 U.S.C. 254k(a)) is amended to read as follows:

"(a) To carry out this subpart, there are authorized to be appropriated—

"(1) $65,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994; and

"(2) such sums as may be necessary in each of the fiscal years 1991, 1992, 1993, and 1994, which in no event shall be less than 8 percent of the amount appropriated under paragraph (1), with respect to nurses, nurse practitioners, certified nurse midwives, physician assistants, social workers, and other non-physician health providers.".

(b) SCHOLARSHIP AND LOAN REPAYMENT PROGRAM.—Section 338G(b) of such Act (42 U.S.C. 254q(b)) is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for scholarships and loan repayments under this subpart.

"(2) SET-ASIDE.—Of the amount appropriated under paragraph (1) for each fiscal year, the Secretary shall make available not less than 10 percent for scholarships and loan repayments under this subpart with respect to nurses, nurse practitioners, nurse midwives, physician assistants, social workers, and other non-physician health providers.".

(c) STATE PROGRAMS.—Section 338H(d) of such Act (42 U.S.C. 254q-1(d)) is amended to read as follows:

"(d) The Secretary shall use such sums as may be necessary from amounts available under section 338G(b)(1) to carry out the physician loan repayment program, and such sums as may be necessary from the amounts available under section 338G(b)(2) for loan repayment for nurses, social workers, and other health professionals.".

SEC. 13. GRANTS TO STATES FOR OPERATION OF OFFICES OF RURAL HEALTH.

Subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254l et seq.) (as amended by section 5) is further amended by adding the end thereof the following new section:

"SEC. 338M. STATE OFFICES OF RURAL HEALTH.

"(a) IN GENERAL.—The Secretary shall make grants to States in accordance with this section to enable such States to establish State Offices of Rural Health, or to assist existing State rural health offices, to engage in the activities described in subsection (d)(2).

"(b) AMOUNT OF GRANT.—

"(1) MAXIMUM AMOUNT.—The Secretary shall not make grants to a single State for a fiscal year under this section in an amount that is more than the quotient of the aggregate amount appropriated pursuant to subsection (g) for such fiscal year divided by the number of applications under subsection (f) that are approved for such fiscal year.

"(2) MATCHING REQUIREMENT.—Except as provided in paragraph (3), a State that receives a grant under this section shall provide an amount equal to the amount provided under such grant to establish, administer, or enhance the ongoing operations of the Office. Such amounts may be provided in cash or in-kind.

"(3) EXCEPTION.—To assist in the establishment of new rural health offices, for the first year of operation of a State Office of Rural Health, the Secretary may modify the matching requirement under paragraph (2) to the extent that the State shall contribute not less than $1 for each $3 of Federal funds provided.

"(c) LIMITATION ON USE OF GRANT FOR RESEARCH ACTIVITIES.—Each State receiving a grant under this section shall not use in excess of 5 percent of the amounts provided under such grant for research activities.

"(d) STATE OFFICES OF RURAL HEALTH.—

"(1) ESTABLISHMENT.—Each State that receives a grant under this section may establish, or continue the operations of, the State Office of Rural Health in a State agency, or through contract with a public or private educational institution or other organization, or any combination of the preceding entities, as determined by the State.

"(2) ACTIVITIES.—

"(A) DUTIES.—Each State Office of Rural Health established or operated under a grant made under this section shall—

"(i) provide leadership and advocacy for rural residents with regard to rural health;

"(ii) coordinate the activities of such Offices with Federal, State, local, and private health entities, and with the rural development activities of, and cooperate with, the Agricultural Extension Service;

"(iii) make recommendations on improving the quality and cost effectiveness in the delivery of rural health care;

"(iv) identify Federal and State programs regarding rural health, and provide technical assistance to public and nonprofit private entities regarding participation in such programs;

"(v) prepare and submit reports periodically to the Office of Rural Health Policy concerning the activities of the office; and

"(vi) communicate and cooperate with rural health research centers established by the Federal Office of Rural Health Policy established under section 301.

"(B) OPTIONAL ACTIVITIES.—Each State Office of Rural Health established under a grant made under this section may—

"(i) assist rural areas in responding to changes in access to health care;

"(ii) plan and assist in the professional recruitment and retention of medical professionals and assistants in rural areas;

"(iii) improve community involvement in health care delivery through methods including the conduct of leadership development programs for the members of the community;

"(iv) improve rural emergency medical services;

"(v) improve access to health care in rural areas through innovative transportation and communications services;

"(vi) encourage the sharing of rural health care information;

"(vii) evaluate data on rural health conditions and needs; and

"(viii) provide technical assistance for rural hospital transition grants.

"(3) ANNUAL MEETINGS.—Representatives from each State Office of Rural Health that receives a grant made under this section shall meet annually with representatives from the Office of Rural Health Policy to share information and coordinate strategies for improving quality and cost effectiveness in the delivery of rural health care.

"(4) LIMITATION.—No amounts appropriated under subsection (g) shall be used for health planning uses of the type performed under title XV (as such title existed prior to January 1, 1987,) such as certificate of need programs.

"(e) STATE DEFINED.—As used in this section, the term 'State' means the 50 States.".

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

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $3,750,000, for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 through 1994.".

SEC. 14. TECHNICAL AMENDMENTS.

(a) ASSIGNMENT OF PERSONNEL.—Section 333(h) of the Public Health Service Act (42 U.S.C. 254f(h)) is amended—

(1) in paragraph (1), by inserting "(M.D. and D.O.)" after "physicians"; and

(2) in paragraph (2), by inserting "payment," after "utilization,".

(b) COST SHARING.—Section 334(f)(2)(B)(ii) of such Act (42 U.S.C. 254g(f)(2)(B)(ii)) is amended by inserting "payments or" after "third party".

(c) PROVISION OF HEALTH SERVICES.—Section 335 of the Public Health Service Act (42 U.S.C. 254h) is amended—

(1) in subsection (b)(1), by inserting "(M.D. and D.O.)" after "physicians";

(2) in subsection (c), by inserting "(M.D. and D.O.)" after "medical; and

(3) in subsection (e)(1)(A), by inserting "(M.D. and D.O.)" after "physician".

(d) SCHOLARSHIP PROGRAM.—Section 338B of the Public Health Service Act (42 U.S.C. 254l-1) is amended—

(1) in subsection (b)(1), by inserting "nursing," after "dentistry,"; and

(2) in subsection (g)—

(A) by inserting "all" after "related expenses on" in paragraph (1);

(B) by striking out "may" in paragraph (3), and inserting in lieu thereof "shall"; and

(C) by striking out "or part" in paragraph (3).

SEC. 15. CONFORMING AMENDMENTS.

(a) UNIFORMED SERVICES HEALTH PROFESSIONS REVITALIZATION ACT OF 1972.— Section 2123(e) of title 10, United States Code, is amended by striking out "an area of health manpower shortage" and inserting in lieu thereof "a health professional shortage area".

(b) PUBLIC HEALTH SERVICE ACT.—

(1) Sections 303(d)(2)(B), 331, 333, 334, 335, 336(a), 336A, 338A, 338B, 338C, 338D, 338F(a)(1), 735, 741(f)(1)(C), 759(a), 781(a)(2)(B)(iii), and 822 of the Public Health Service Act (42 U.S.C. 242a(d)(2)(B), 254d, 254f, 254g, 254h, 254h-1(a), 254i, 254l, 254l-1, 254m, 254n, 254p(a)(1), 294h, 294n(f)(1)(C), 294aa(a), 295g-1(a)(2)(B)(iii), and 296m) are amended by striking out "health manpower shortage area" each place such appears and inserting in lieu thereof "health professional shortage area".

(2) Section 332 of the Public Health Service Act (42 U.S.C. 254e) is amended—

(A) by striking out the section heading and inserting in lieu thereof the following:

"DESIGNATION OF HEALTH PROFESSIONAL SHORTAGE AREAS";

and

(B) by striking out "health manpower shortage area" each place it appears and inserting in lieu thereof "health professional shortage area".

(c) SOCIAL SECURITY ACT.—The Social Security Act is amended—

(1) in section 1156(b)(5) (42 U.S.C. 1320c-5(b)(5)), by striking out "health manpower shortage area (HMSA)" and inserting in lieu thereof "health professional shortage area"; and

(2) in sections 1833(m), 1842(b)(4)(F), and 1861 (42 U.S.C. 1395l(m), 1395u(b)(4)(F), and 1395x), by striking out "health manpower shortage area" each place it appears and inserting in lieu thereof "health professional shortage area".

(d) COMPREHENSIVE HEALTH MANPOWER TRAINING ACT OF 1971.—Section 202 of the Comprehensive Health Manpower Training Act of 1971 (42 U.S.C. 3505d) is amended—

(1) by striking out the section heading and inserting in lieu thereof the following:

"NATIONAL HEALTH PROFESSIONAL SHORTAGE CLEARINGHOUSE";

and

(2) in subsection (a), by striking out "manpower" and inserting in lieu thereof "professional".

(e) HEAD START ACT.—Section 645(a)(2)(B) of the Head Start Act (42 U.S.C. 9840(a)(2)(B)) is amended by striking out "health manpower shortage area" and inserting in lieu thereof "health professional shortage area".

SUMMARY OF THE PROPOSAL TO REVITALIZE THE NATIONAL HEALTH SERVICE CORPS

1. Scholarship and Loan Repayment Program Priorities.

For applicants to both the Scholarship and Loan Repayment Programs, priority would be given to the following:

Residents of HMSA's minorities, and the disadvantaged;

Students who attend for or plan to attend schools or residency programs that have records of training primary care providers who work with the underserved;

Individuals who have demonstrated an interest in providing primary care service for the underserved through participation in clinical programs;

Nurses, nurse midwives, nurse practitioners and physicians assistants, social workers, and other counseling professionals; and

Physicians in primary care fields.

2. Incentives for Recruitment and Retention.

A. The bill directs the Secretary to—

Give priority in the awarding of loans and scholarships to schools and training programs that can demonstrate success in training graduates for primary care fields or to serve underserved areas;

Disseminate materials to the financial aid offices of health professions schools and training programs to promote awareness of opportunities in the Corps;

Make grants and enter into contracts to expose health professions students to underserved areas;

Appoint individuals to serve as career advisors to assist Corps members;

Establish fellowship programs to provide experience in the delivery of services in health professional shortage areas;

Encourage the provision of faculty appointments for Corps members at health professions schools to provide members access to university facilities;

Establish exchange programs, sabbatical leave and traveling medical consultation teams to increase opportunities for patient case presentations and discussion;

Extend the opportunity to Corps members to become Commissioned Officers in the U.S. Public Health Service;

Provide opportunities for job sharing, couple recruitment, and flexible work programs;

Establish a respite squad to relieve Corps members on a short-term basis; and

Establish a recruitment program for nonscholarship or loan programs participants.

B. The bill requires that the Secretary track and evaluate the incentive programs and report to the Congress on their effect.

3. Increase in Administrative Staff.

The bill provides for an increase in NHSC administrative staff as needed to administer the new programs.

4. Dependent Allowance.

Dependent allowances would be permitted for both Scholarship and Loan Repayment Program participants.

5. Flexibility in Scholarship and Loan Repayment Determinations.

Corps members could receive a financial assistance package with both scholarship and loan repayment components. The awarding of partial scholarships would be permitted.

6. Tracking and Evaluation of Program Effectiveness.

The Secretary will submit an annual report to Congress on the success of NHSC program initiatives to increase enrollment and retention of health care personnel in HMSA's.

7. Fulfillment of Obligation.

Medical students would be able to begin fulfilling a service obligation in the third year of residency on a part-time basis.

8. Transfer of Funds.

Funds may be re-allocated between the Scholarship and Loan Repayment programs as needed on the basis of the applicant pool.

9. Administrative Review.

The General Accounting Office would perform an administrative review of the Corps for presentation to the Congress in 1993.

10. Authorization of Appropriations.

A. Field Program.

The Secretary is authorized to appropriate $65 million FY 1991, such sums in FY 1992, 1993, and 1994 for the NHSC field program. No less than 8% of the funds appropriated will be allocated for nurses, nurse practitioners, certified nurse midwives, physicians assistants, social workers, and other non-physicians health providers.

B. Scholarship and Loan Repayment Program.

No less than 10% of the amounts appropriated shall be allocated for nurses, midwives, etc. as above.

C. State Programs.

From such sums appropriated for the scholarship and loan repayment program, funds may be appropriated for the state loan program; such sums shall be appropriated from the 10% set aside under B for nurses, midwives, etc.

11. Technical Amendments.

12. State Offices of Rural Health.

Creates a federal matching grant program to establish or enhance state offices of rural health.

13. Conforming Amendments.

Changes the term Health Manpower Shortage Area to Health Professional Shortage Area throughout the Public Health Service Act.

Mr. HATCH. Mr. President, I am pleased to support the reauthorization of the National Health Service Corps Program [NHSC]. The NHSC has played a key role in providing many communities with the health care they so desperately need.

This legislation is important because there are currently 1,955 health manpower shortage areas [HMSA] that need health care providers. A majority of them are located in rural areas. In Utah, 15 of the National Health Service Corps health care providers completed their service in 1988 and 1989, leaving only 2 providers. Eight of the fifteen vacancies remain unfilled today.

I am proud to join Senator KENNEDY as a cosponsor of this bill which will revitalize and expand the National Health Service Corps to meet the health care needs of underserved areas. Several changes have been made in the current law which I believe are vital to increased effectiveness of the program.

We have all heard the news reports about the lack of health care providers in rural America. It is not easy to encourage recent medical school graduates to work in such out-of-the-way places. Their medical responsibilities in such areas can be overwhelming. But, we must do all we can to help citizens living in rural areas get the health care they need. A person who is sick or injured needs care regardless of whether he or she lives in Salt Lake City or Emery, UT.

I would urge my colleagues to support this bill that calls for the reauthorization of the National Health Service Corps. I look forward to developing a bipartisan bill that will strengthen the ability of the National Health Service Corps to recruit, retain, and place health care providers in underserved areas.

Mr. HARKIN. Mr. President, I am very pleased today to join my distinguished chairman on the Labor and Human Resources Committee, Senator KENNEDY, as well as our ranking minority member, Senator HATCH, ranking majority member, Senator PELL, fellow committee members, Senators COCHRAN, ADAMS, KASSEBAUM, BAUCUS, and BURDICK, in introducing the National Health Service Corps Revitalization Act of 1990. This legislation represents a major step toward addressing the crisis in rural health care which exists today. It will bring doctors and other health professionals to many areas where today there are none. It will bring quality health care to millions of Americans who live in rural and other medically underserved areas.

Nearly 2,000 communities, home to over 33 million Americans face a shortage of medical personnel and have been designated as shortage areas by the Federal Government. These communities, including 23 in my State of Iowa, are literally starving for access for basic medical care. Small town after small town have no doctor or other basic health care provider. Over 150 towns in Iowa are actively seeking family doctors and many more face similar problems as doctors retire and replacements must be found.

Mr. President, the National Health Service Corps has done much good since its establishment in 1970. Medical and other health professional students are given scholarships and offered loan repayments in exchange for practicing in medically underserved areas. Over 30,000 doctors, nurses, and other health professionals have received scholarships under the program. In 1980, 6,409 scholarships were awarded and as a result, in 1986, the National Health Service Corps [NHSC] had 3,127 health personnel repaying their scholarships and loans through providing care to over 5 million Americans in medically underserved areas.

However, under the Reagan administration, this critical program was seriously retrenched. Based largely on a report which has been proven to be inaccurate, the importance of the program was questioned and the number of new students brought into the NHSC was slashed. As a result, by August it is predicted that the NHSC will have only 900 members providing care across the Nation. Last year, I am pleased to say, as chairman of the appropriations subcommittee which funds the NHSC and other health programs, I was able to reverse the downward spiral of funding for the corps. Its total funding for fiscal year 1990 represented an increase of $33 million over the administration's proposal.

The legislation we are introducing today builds on that reversal, seeking to fully revitalize the NHSC. The National Health Service Corps Revitalization Act of 1990 calls for a number of important program improvements. First, it authorizes $65 million for the field program and additional funds for scholarship and loan repayments to substantially increase the supply of doctors and other health providers to rural and other underserved areas.

The bill also establishes new incentives to improve the program's recruitment and retention, including: A publicity and recruitment program through health professions schools and medical residency programs to promote increased awareness of the opportunities available in the NHSC; the appointment of career advisers to assist corps members; job sharing and flex time, and the creation of special respite squads to relieve corps members on a short-term basis. Perhaps most importantly, the bill gives priority to the recruitment of students and residents who live in rural and other underserved communities and are thus more likely to continue to practice in these areas past their service obligation. In addition, the bill gives priority to scholarship and loan applicants who are from these areas, minority and disadvantage students, and to individuals who have demonstrated an interest in providing primary care service for the underserved.

I am very pleased that a primary component of the revitalization of the NHSC contained in this bill is the expansion of support for nurses, nurse practitioners, nurse-midwives, physician assistants, social workers, and other nonphysician health care providers. This critical expansion will greatly improve access to basic health care services in our rural communities. It properly reflects the increasingly important role these quality, cost-effective providers are playing in the care provided Americans, especially those in rural areas. Since, 1973, an average of only 1.2 percent of all NHSC funds have been used to support these alternative health care providers. Under a provision of this legislation, which I was pleased to author, no less than 10 percent of the funds appropriated for scholarships and loan repayments will go to nurses, nurse-midwives, nurse practitioners, physician assistants and other nonphysician health providers. This provision will also increase the total number of NHSC providers as scholarships and

loans for alternative providers are less costly than those for physicians.

I was also pleased to author, along with my colleague from Mississippi, Senator COCHRAN, provisions in this bill which will support the establishment and operation of State offices of rural health. These offices, such as the one currently operating in my State of Iowa, provide leadership and advocacy for rural health and improve the coordination and availability of rural health care. The provision we have included will provide $3.75 million a year in grants to the States for this purpose.

Mr. President, I also want to take this opportunity to provide special thanks to my distinguished colleagues, Senator BURDICK and Senator DASCHLE and Majority Leader MITCHELL for their continued outstanding leadership in rural health issues and specifically for their help with this legislation.

Mr. COCHRAN. Mr. President, I am an original cosponsor of the National Health Service Corps Revitalization Act of 1990, which reauthorizes and improves our current National Health Service Corps program. I commend my colleague from Massachusetts for carefully drafting this bill so that it has generated broad support, particularly from the rural health community. I also want to thank him for adding to the bill an important title similar to legislation I introduced in February, establishing State Offices of Rural Health.

This year marks the 20th anniversary of the National Health Service Corps [NHSC], which provides scholarships or repays health education loans for physicians and other health professionals willing to serve in areas with shortages of health care providers.

Over 12 million Americans live in areas lacking primary health care services. According to the Department of Health and Human Services, my own State of Mississippi has 58 health manpower shortage areas. We need 107 additional health care providers in Mississippi to serve citizens living in these areas. The National Health Service Corps Revitalization Act of 1990 will help Mississippi and other States meet health needs by enhancing the Federal commitment to help States address their shortages of health care professionals.

The National Health Service Corps Revitalization Act emphasizes the need to recruit a variety of health care providers, such as nurses, midwives, physician assistants, and mental health workers, and gives special attention to recruitment of more primary care physicians in short supply in rural communities throughout the Nation.

The bill improves the current program by targeting scholarships and loan repayments to individuals whose backgrounds and educational experiences increase the likelihood of long-term service. Priority will be given to applicants residing in health manpower shortage areas, coming from disadvantaged and minority backgrounds, or showing an interest in providing primary care services to underserved areas by participation in clinical programs. It also establishes incentives for medical schools and other health professional schools which expose their students to programs that provide primary care services to medically underserved areas.

Another important element of the bill is the establishment of State Offices of Rural Health. In February, I introduced S. 2187, the State Offices of Rural Health Act of 1990. The House companion version, introduced last August by Congressman STENHOLM of Texas, has been incorporated into the House version of the National Health Service Corps reauthorization bill.

The Department of Health and Human Services established the Office of Rural Health Policy in 1987 to work within the Department and with other Federal agencies, States, national associations, foundations, and private sector organizations to seek solutions to rural health care problems. The office has very effectively disseminated information to those seeking assistance in rural health care delivery.

To supplement Federal efforts, I believe it is important for each State to build its own infrastructure to facilitate coordinated approaches to rural health care problems. Since it is evident that solutions to these problems will require cooperative effort, I introduced the State Offices of Rural Health Act to establish Federal matching grants to encourage creation of State offices of rural health and to augment those already in existence.

These offices will concentrate on eliminating deficiencies in our rural health care delivery systems. Unhampered by unnecessary Federal requirements, they will have maximum flexibility to meet community needs within each State and will coordinate with other public and private health agencies and with the Agricultural Extension Service.

Among other things, they will examine rural health care and recommend improvements in quality and cost effectiveness, assist in recruitment and retention of health professionals, make recommendations to the Federal Office of Rural Health Policy for consideration as part of Federal rural health policy, identify Federal and State programs regarding rural health, and provide technical assistance to public and nonprofit private entities regarding participation in such programs.

States will decide how to organize these offices, whether within another agency or through an educational institution or private contracting organization. However organized, the aim of these State Offices of Rural Health will be the integration of State, Federal, and private sector activities and the development of innovative solutions for improving access to quality care in rural communities.

Mr. President, I am pleased to be an original cosponsor of the National Health Service Corps Revitalization Act of 1990. Through this bill and the administration's commitment to the corps through its budget request, I hope we can remedy the health care deficiencies in the 1,955 health manpower shortage areas in the Nation, 1,337 of which are located in rural America.

I urge other Senators to work for enactment of this important legislation.

Mrs. KASSEBAUM. Mr. President, I am pleased to join today as an original cosponsor of legislation to reauthorize and revitalize the National Health Service Corps.

Although it has been weakened by budget cuts in recent years, the National Health Service Corps continues to play a vital role in making primary health care available to medically underserved areas. The corps offers scholarships or repays loans for doctors and other health professionals. In return, these providers agree to practice in health manpower shortage areas for a determined period of time.

If adopted, the legislation introduced today will breath new life into this 20-year-old program and, in so doing, will help bring desperately needed primary health care services to the 33 million Americans who continue to live in areas without such care.

This bill will be particularly beneficial to America's remote rural communities, many of which are suffering from increasingly acute medical manpower shortages. As we are all aware, low Medicare reimbursements, declining population bases, and drought-burdened economies have dangerously weakened rural hospital care and have helped drive physicians and other health professionals out of rural practice. In my own home State of Kansas, for example, fully 50 of the State's 105 counties have been identified by the University of Kansas Medical Center as being critically underserved in primary care.

Early in this decade, Congress and the administration reacted to projections of an upcoming physician surplus by significantly reducing funding for the National Health Service Corps. As a result, the corps' total field strength has declined dramatically, from over 3,100 providers in 1986 to fewer than 1,700 in 1989.

Tragically, the anticipated physician surplus did not, as expected, ease the medical manpower shortage in underserved areas. In fact, the number of federally designated primary care shortage areas has increased by 36 percent since 1981. Currently, there are nearly 2,000 such areas nationwide, and the Department of Health and Human Services estimates that there would have to be an infusion of more than 4,200 health professionals to bring these communities up to even a minimal level of primary care.

This bill would reauthorize the corps at such sums as may be necessary to eliminate the medical manpower shortages in underserved regions. In addition, it would make a number of constructive changes in the corps, a few of which I would like to highlight here.

First, the bill would strengthen the corps' focus on primary care by giving priority to students interested in pursuing a career in family medicine, as well as to schools which can demonstrate an ability to graduate a high proportion of primary care providers.

Second, this legislation would increase the corps' attention to non-physican providers, such as nurse practitioners or physician assistants. Such practitioners have consistently shown themselves to be valuable components of health care delivery systems—particularly in rural areas, where doctors are especially scarce. This bill would increase the access of such practitioners to corps programs.

Third, the bill contains a number of provisions designed to improve recruitment and retention of corps providers. These efforts would include greater outreach to current medical students, as well as the creation of special "respite squads" to provide temporary relief to corps providers serving in difficult placements.

A number of States—including Kansas—have set up medical scholarship or loan repayment programs of their own. These programs are extremely valuable, but they cannot solve the problem alone. The continued high number of manpower vacancies is sobering evidence that a strong National Health Service Corps is as vitally necessary as ever.

Combined with enhanced appropriations for the corps, the reforms authorized in this revitalization bill will significantly improve the access of rural and inner city Americans to quality health care. I look forward to working with my colleagues on the Labor Committee in preparing the legislation for prompt consideration by the full Senate.

Mr. President, although I strongly support this bill as a whole, I want to comment briefly on one provision which does trouble me: the bill's creation of a dependent allowance for corps providers. Having dealt with this issue in the context of other student aid programs, I am concerned that establishing a dependent allowance in the National Health Service Corps could create undo administrative burdens out of proportion to potential benefits.

The added paperwork and regulatory apparatus which would accompany a dependent allowance would be substantial. Consider, for example, that detailed determinations would have to be made relating to factors such as eligibility, amount, working spouses, and disability. It may well be that the advantages of such an allowance would turn out to be worth the trouble, but I think we ought to carefully consider whether our limited corps funding might better be spent directly on the loan repayments and scholarships themselves.

It is my understanding that the Department of Health and Human Services shares my concern about this issue, and I am hopeful that the question can be more carefully addressed before the bill goes to markup.

Mr. BAUCUS. Mr. President, I am pleased to join with Senator KENNEDY and others in introducing this very important legislation to reauthorize the National Health Service Corps.

This is truly a rural health bill. The corps is critically important to meeting the health needs of rural areas. Since the corps was established in 1970, it has been a vital tool for placing physicians in underserved areas, known as health manpower shortage areas, especially in rural areas. Traditionally, approximately 70 percent of the corps providers who have served, have done so in rural areas. This bill beefs up the corps and authorizes more funding to carry it out.

Mr. President, my own State is a perfect example of why this legislation is so badly needed. Although Montana has 29 designated health manpower shortage areas, only five corps physicians currently serve in the State.

In rural areas, access to care requires traveling more than just across town. It means traversing entire counties, often in bad weather. In many isolated areas, local hospitals have closed because of their inability to retain or recruit a physician in the community. When a hospital closes, the single source of health care has been eliminated, taking with it jobs, and forcing people to travel long distances for even the most basic health care services. For example, in my own State, the town of Jordan, MT, saw its hospital close because it lost its physician. The nearest remaining hospital is 67 miles away.

Rural areas in general, and especially Montana's less populated communities, have had trouble maintaining an adequate number of physicians. The problem is even more acute for some of the most basic services, such as prenatal care and delivering babies. The number of doctors who deliver babies in rural areas throughout the country fell 20 percent over the last 5 years, sometimes leaving entire counties without obstetrics care. Montana has only eight obstetrician/gynecologists per 100,000 women of childbearing age, putting Montana among seven States with the lowest ratio of ob-gyns to patients.

Mr. President, I would like to mention that the author of this bill, Senator KENNEDY, has graciously listened to my concerns on this bill and the concerns of other Senators. Two months ago I worked with 44 other members of the Senate Rural Health Caucus in expressing our strongly held view that the National Health Service Corps must maintain its traditional rural focus. The chairman heard our concerns and addressed them very thoroughly and generously. The bill we are introducing today is evidence of that, and I thank him for his willingness to accommodate our interest.

By Mr. HEFLIN (for himself and Mr. SHELBY):

S. 2618. A bill to amend title 5, United States Code, to establish the appropriate grade and rates of pay for certain administrative law judges; to the Committee on Governmental Affairs.

CHANGING THE METHOD OF PAYING ADMINISTRATIVE LAW JUDGES

Mr. HEFLIN. Mr. President, today I rise to introduce legislation to bring a degree of parity and fairness to the current method of paying administrative law judges [ALJ's].

Currently, some administrative law judges are capped at a GS-15 level while other administrative law judges are capped at a GS-16 pay level. This disparity developed over time due to the different practices of various agencies in the manner in which they addressed issues involving these judges. The current distinction in these pay levels turns upon an archaic and meaningless definition of the degree of latitude exercised by ALJ's in carrying out their responsibilities.

I believe that this distinction is outdated. The functions of all ALJ's, whether GS-15 judges or GS-16 judges, are very similar and require an equal degree of complexity and flexibility, and most importantly knowledge and skill. As a result, this pay disparity deserves to be eliminated.

To achieve this fairness, I am introducing legislation today which would cure this inequity. The effect of this bill would be to raise all current judges subject to the GS-15 cap to the GS-16 level. Further, this legislation provides that this conversion not be treated as a transfer or promotion. I do not believe that this legislation

would serve as a raise for one class of ALJ's, but rather as a balancing and resolution of a problem of inequity which has developed over time.

It is important to note that this change is widely supported. This issue has the support of the American Bar Association's National Conference of Administrative Law Judges and the Federal Administrative Law Judges Conference. These groups represent all ALJ's, not only those judges who would benefit from this legislation.

Administrative law judges plan an important role in the United States. I know that this is a modest proposal, but I hope that this legislation is enacted to address a problem which deserves to be resolved.

I urge my colleagues to support this principle of fairness and endorse this legislation.

Mr. SHELBY. Mr. President, I rise today to join with my distinguished colleague, Senator HEFLIN, in introducing legislation that will upgrade all administrative law judges [ALJ's] from GS-15 to GS-16.

The legislation is designed to correct an inequity in the existing classification structure affecting ALJ's. Last year the House of Representatives Committee on Post Office and Civil Service completed a series of hearings concerning the recommendations of the National Commission on the Public Service. Included in those testifying before the House committee were witnesses representing various ALJ organizations detailing their specific observations and experiences regarding the current state of Federal compensation.

The evidence presented in those hearings keenly illustrated that the current distinction between the GS-15 and GS-16 grades should be discarded. The disparity in grade structure is outdated and no longer truly identifies any distinction in the expertise required for work as an ALJ.

Administrative law judges, or the "hidden judiciary" as they are called, provide essential services that affect average citizens on a daily basis. ALJ's act as checks on State and Federal agencies that make millions of administrative decisions each year—dealing with everything from the issuance of drivers' licenses and the payment of jobless benefits and Social Security pensions to the regulation of utility rates and television stations. In addition, when regulations are being written—whether the subject is surface mining, building design for the handicapped, mechanically deboned meat or one of the myriad other areas in which Government intervenes—ALJ's preside over the hearings.

Mr. President, the legislation before you today would treat the functions and responsibilities of the administrative law judge in the GS-15 or GS-16 levels as being of equal complexity and flexibility. This area of the Federal benefit and pay system is in need of reform. The maintenance of a competent and motivated work force is important if Government is to function effectively and efficiently.

Therefore, I urge my colleagues to consponsor the legislation.

By Mr. GLENN:

S. 2619. A bill to amend title XVIII of the Social Security Act to provide for coverage of bone mass measurements for certain individuals under part B of the Medicare Program; to the Committee on Finance.

MEDICARE BONE MASS MEASUREMENT COVERAGE ACT OF 1990

● Mr. GLENN. Mr. President, today I am introducing S. 2619, the Medicare Bone Mass Measurement Coverage Act of 1990, which would provide Medicare reimbursement for bone mass measurement for individuals likely to suffer from osteoporosis. An identical bill is being introduced in the House of Representatives by Congresswoman OLYMPIA SNOW.

Osteoporosis is a condition characterized by a gradual and initially painless decrease in the amount of bone tissue. It is the most common bone disease affecting older Americans, particularly older women. As osteoporosis progresses, the bones become weaker and more porous, which makes them increasingly susceptible to fractures. The condition can affect any bone in the body, but the most common fracture sites are the hip, spine, and wrist.

The number of people afflicted with osteoporosis is overwhelming. Today, at least 24 million Americans have some degree of osteoporosis. At least 1.3 million Americans a year—including 250,000 hip fractures—are attributable to this condition. Beyond the tremendous emotional and physical toll, osteoporosis has greatly increased our health care bill, costing over $10 billion annually in health care services and lost income.

Osteoporosis, with its associated fractures, is an enormous public health problem; and there is no doubt that the emotional, physical, and financial costs related to osteoporosis will continue to increase as our population ages. This could be ameliorated if individuals who are at the greatest risk of fractures were identified and treated to prevent further bone loss. The best method for identifying persons at risk of fracture is bone mass measurement.

S. 2619, the Medicare Bone Mass Meeasurement Coverage Act of 1990, would define four of the most at-risk groups of individuals—estrogen-dependent women, individuals with verteral abnormalities, individuals receiving long-term glucocorticoid steroid therapy, and individuals with primary hyperparathyroidism—who would then be eligible for Medicare reimbursement of procedures to determine whether or not they were at risk of developing fractures. Measurements would be done through the use of single and dual photon absorptiometry, dual energy x-ray absorptiometry, or quantitative computed tomography, and would include a physician's interpretation of the result of the procedure.

The purpose of this legislation is not only to provide Medicare reimbursement for bone mass measurement, but also to send a message to private insurers to provide reimbursement for individuals who are not Medicare-eligible. This is important since, ideally, women at risk of fractures due to osteoporosis should be measured before they reach age 65 and become eligible for Medicare. Preventing fractures would save money for Medicare and would reduce our Nation's expenditures for long-term care.

Mr. President, I ask that a paper summarizing the National Osteoporosis Foundation's position on bone mass measurement be submitted in the RECORD following my remarks. This paper discusses the many benefits of bone mass measurement, including its importance as a means of preventing fractures in individuals likely to suffer from osteoporosis.

Osteoporosis presents a challenge to all of us. I urge my colleagues to support S. 2619, to enable us to prevent some fractures and their associated costs—physical, emotional, and financial—which can be so devastating for people with osteoporosis. I am hopeful that Congress will pass the Medicare Bone Mass Measurement Act, as well as legislation I recently introduced with Senator GRASSLEY to increase Federal funding for research on osteoporosis and for educational programs that can help prevent osteoporosis.

Mr. President, I ask that the text of the bill be printed in the RECORD at this point.

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

S. 2619

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 "Medicare Bone Mass Measurement Coverage Act of 1990".

SEC. 2. MEDICARE COVERAGE OF BONE MASS MEASUREMENTS.

Section 1861 of the Social Security Act (42 U.S.C. 1395x), as revived by section 201(a)(1) of the Medicare Catastrophic Coverage Repeal Act of 1989 and as amended by the Omnibus Budget Reconciliation Act of 1989, is amended—

(1) in subsection (s)—

(A) in paragraph (11), by striking all that follows "(bb))" and inserting a semicolon,

(B) in paragraph (12)(C), by striking all that follows "area)" and inserting "; and", and

(C) by inserting after paragraph (12) the following new paragraph:

"(13) bene mass measurement (as defined in subsection (jj));"; and

(2) by inserting after subsection (ii) the following new subsection:

"BONE MASS MEASUREMENT

"(jj)(1) The term 'bone mass measurement' means a radiologic or radioisotopic procedure performed on a qualified individual (as defined in paragraph (2) for the purpose of detecting bone loss through the use of single and dual photon absorptiometry, dual energy X-ray absorptiometry or similar dual energy techniques, or quantitative computed tomography, and includes a physician's interpretation of the results of the procedure.

"(2) For purposes of paragraph (1), the term 'qualified individual' means (in accordance with regulations prescribed by the Secretary)—

"(A) an estrogen-deficient woman at clinical risk for osteoporosis;

"(B) an individual with vertebral abnormalities;

"(C) an individual receiving long-term glucocorticoid steroid therapy; or

"(D) an individual with primary hyperparathyroidism.".

NATIONAL OSTEOPOROSIS FOUNDATION POSITION ON BONE MASS MEASUREMENT

EXECUTIVE SUMMARY

Osteoporosis is the most common metabolic bone disorder, resulting in reduced bone strength and increasing the risk of bone fractures. Osteoporosis is a complex, chronic disease that may progress silently for decades—there are no symptoms until fractures occur.

In the United States, at least 1.3 million fractures are attributable to osteoporosis annually. The cost of care for these fractures is estimated to exceed 10 billion annually and at current rates will exceed $30 billion within 30 years.

The *only* effective means of preventing fractures is to preserve bone mass; lost bone cannot be replaced effectively. At present, relatively few people are diagnosed in time for therapy to be effective.

Bone mass measurement is the *only* basis for selecting therapy. Single Photon Absorptiometry ("SPA"), Dual Photon Absorptiometry ("DPA"), Dual Energy X-ray Absorptiometry ("DEXA"), and Quantitative Computed Tomography ("QCT") are the *only* effective and accurate means of measuring bone mass.

In recently published prospective studies, bone mass as measured with SPA and DPA accurately measures the risk of fracture.

Bone mass measurement is indicated for four population groups:

Certain estrogen-deficient women;

Patients with vertebral abnormalities;

Patients receiving long-term steroid therapy;

Patients with primary hyperparathyroidism.

NOF recommends that HCFA approve the use of SPA, DPA, DEXA or QCT for these limited indications.

I. EXTENT AND COST OF OSTEOPOROSIS-ASSOCIATED FRACTURES

Osteoporosis with its associated fractures is an enormous public health problem. At least 1.3 million fractures in the United States each year are attributable to osteoporosis. The cost of acute and long-term care resulting from fractures is staggering: fractures of the proximal femur (hip) were estimated to cost $7.3 billion in 1984, and distal forearm fractures may cost more than $140 million annually. Costs for vertebral fractures have not been estimated, but undoubtedly are substantial; in patients aged 45 years or older, these fractures account for 161,000 physician office visits annually and over 5 million restricted patient activity days. This situation will worsen as the population ages. It is projected that in 30 years' time, there could be as many as 350,000 hip fractures each year in the United States at an annual cost estimated to be between $31 and $62 billion.

Fractures result from low bone mass. Bone mass declines with age in all individuals, but falls precipitously in women following menopause. Thus, millions of women in the United States are currently at risk for fractures. U.S. Bureau of the Census data from 1984 show that between 1988 and 2050, the number of individuals aged 65 years and over will increase from 30 to 67 million. The number of fractures in our elderly population will grow accordingly.

This picture may be partially ameliorated if individuals who are at greatest risk of fracture can be identified and treated to prevent further bone loss. Bone loss is the only contributing cause of fractures that can be manipulated in mid-life so as to reduce the incidence of fractures later in life. Bone loss can be reduced by treatment; in contrast, it is difficult, if not impossible, to restore the biomechanical competence of the skeleton once bone has been lost. The best method for identifying persons at risk of fracture is bone mass measurements.

Safe and accurate techniques are now available for measuring bone mass. These techniques include single photon absorptiometry (SPA), dual photon absorptiometry (DPA), quantitative computed tomography (QCT), and dual energy x-ray absorptiometry (DEXA), all of which are far superior to standard x-rays. Accuracy of bone mass measurements with these techniques compares favorably with that of other accepted tests, such as serum cholesterol for assessing risk of heart disease. Use of these techniques is the only way to measure bone mass accurately and to assess fracture risk. These bone mass measurements also influence the choice of therapy.

II. DESCRIPTION OF AND INDICATIONS FOR THESE TECHNOLOGIES

A. Description of SPA, DPA, QCT, and DEXA

All four technologies are based on the fact that bone absorbs photons at a different rate than does soft tissue. The common element of these technologies is that photons are directed at that body, and their differential absorption is measured. SPA uses photons at a single energy level, and is limited to measuring bone at peripheral sites such as the forearm and heel. QCT also uses single energy photons, but has the capability to measure bone mass in the spine. DPA and DEXA use photons at two energy levels and can measure bone deep in the body, in the spine and hip. All of these methods are safe and acceptable to patients.

The accuracy of these technologies is quite good:[1] the accuracy error of SPA is 4-5%; the accuracy error of both DPA and DEXA is 3-6%; and, the accuracy error of QCT is 5-10%. Similarly, these technologies show excellent precision. The precision error is only 1-2% for SPA, 2-4% for DPA, 1% for DEXA, and 1-3% for QCT. These error levels are small relative to differences in bone mass between individuals. Because bone mass is normally distributed in women at every age, those with low, average, or high bone mass easily can be detected.

Any of the four technologies can be used to assess the risk of fracture, and any is sufficient for determination of bone mass in estrogen-deficient women (indication #1, discussed below) and patients with asymptomatic primary hyperparathyroidism (indication #4, discussed below). Because the spine is the focus of diagnosis for patients with vertebral abnormalities and those on long-term steroid therapy (indications #2 and #3, discussed below), only DPA, QCT, and DEXA should be used to measure bone mass in these patients.

B. Indications for bone mass measurements

1. Those Estrogen-deficient Women Who Are Candidates for Estrogen Replacement Therapy

Estrogen deficiency following menopause, oophorectomy, or prolonged amenorrhea from any cause is associated with accelerated bone loss. Long-term estrogen replacement therapy (ERT) of approximately 5- to 10-years' duration is the most effective means of preventing or slowing bone loss and reducing the associated fracture risk. The Food and Drug Administration has approved the use of ERT for "abnormally low bone mass;" this can only be detected by bone mass measurements. As with any drug regimen, ERT is associated with side effects and costs, including the possibility of an increased risk of uterus and breast cancer. It is thus important to select only those at greatest risk of future fractures for long-term ERT. Bone mass measurement will allow a rational decision regarding long-term ERT for protection from osteoporosis. Use of ERT guided by bone mass measurement would reduce lifetime risk of hip fracture by an estimated 20% (from 10% to 8%), with a 12% reduction in vertebral fracture risk (from 25% to 22%), and a 25% reduction in all other limb fractures (from 35% to 26%).

2. Patients with Vertebral Abnormalities or X-ray Evidence of Osteopenia

Vertebral abnormalities or X-ray evidence of spinal osteopenia are present in many older patients. While both conditions may be caused by osteoporosis, many individuals with these abnormalities do not have significant osteoporosis. Suspicion of osteoporosis should prompt a further evaluation to determine if aggressive therapy to prevent further bone loss is indicated. However, a full work-up and evaluation is potentially quite costly, and such therapy is associated with significant health risks. Consequently, it is essential to identify those patients who actually have reduced bone mass. This can only be done with bone mass measurement.

Practitioners have found the use of a bone density threshold to be helpful in determing the need for a full work-up or therapy; one common guideline is 1.0g/cm^2, or about 1.5 standard deviations below the mean level in normal young women. Where a patient's bone mass exceeds this level, a fracture should not be attributable to osteoporosis. Where a patient's bone mass falls below this threshold, however, a fracture should be at-

[1] "Accuracy" refers to how well the technology measures bone mass compared to a reference of known mass. "Prescision" refers to whether the technology gives the same result upon multiple scans of the same bone.

tributed to osteoporosis. Recent data suggest that over 2 million middle-aged women nationally have vertebral abnormalities; of these women, an estimated 20% have normal or above normal bone mass. Thus, through use of bone mass measurement, a comprehensive workup may be averted for an estimated 400,000 middle-aged women with vertebral abnormalities whose spinal bone mass is above the fracture threshold. The potential savings from bone mass measurements are thus substantial.

In addition, bone mass measurements guide the choice of a specific therapy. For example, the appropriate course of therapy for patients with bone mass above $1.0g/cm^2$ may involve only adequate calcium intake and exercise; bone mass between 1.0 and $0.85g/cm^2$ would indicate the need for estrogen therapy in estrogen-deficient women under age 70. Higher doses of estrogen may be indicated for those patients with bone mass below 0.85 cm^2, and experimental drugs to augment bone mass might be considered as well. Calcitonin could be used if estrogen were contraindicated.

3. Patients Receiving Long-term Steroid Therapy

Steroid (glucocorticoid) therapy is required for such diseases as rheumatoid arthritis, chronic active hepatitis, inflamatory bowel disease, asthma, and chronic obstructive pulmonary disease. It has serious side effects, including rapid bone loss leading to vertebral and other fractures. Since steroid therapy often is a long term therapy, assessment of bone mass is extremely important for these patients. In addition, children on chronic steroid theraphy require bone mass measurements to determine, if skeletal development is abnormal. Bone mass measurements, therefore, may permit improved patient management through more precise adjustments of the required dosage and duration of steriod therapy. This in turn should minimize skeletal complications.

4. Patients with Asymptomatic Primary Hyperparathyroidism

Primary hyperparathyroidism is associated with a decrease in bone mass in some patients. Such a reduction in bone mass is accompanied by an increased frequency of fractures of the vertebrae, distal forearm, and hip. Thus, low bone mass in patients with otherwise asymptomatic hyperparathyroidism should be considered a possible indication for surgery. This bone loss only can be detected by measurement of bone mass, not be standard x-ray.

Bone mass more than 1 standard deviation below values for young "normals" indicates a greater risk of fractures. The greater the deviation below this value, the greater the risk of future fractures. Thus, bone mass can be used as a quantitative measure to assist in determining the need for surgery. Following successful surgery bone mass has been found generally to increase, which should reduce the incidence of fractures.

III. RESPONSE TO THE OHTA REPORT

Several of the authors of the papers cited in the OHTA reports dispute the applicability and conclusions of those reports. For example, Drs. Melton, Johnston, and Lindsay, whose research is cited throughout the OHTA reports on SPA and DPA, participated in the preparation of the position paper supporting coverage of SPA, DPA, DEXA, and QCT. Dr. Cummings, whose research is also cited in the OHTA reports, has provided the attached letter indicating his support for coverage of these technologies. Clinically, the reports' conclusions are based on outdated research; recently published studies show that bone mass measurements accurately assess the risk of fracture. Further, the OHTA reports do not reflect several important practical implications of HCFA's decision regarding these technologies. SPA and DPA should not be reviewed in a vacuum, apart from the context in which they are used.

A. Clinical Issues

1. Bone Mass Measurements Accurately Predict Fracture Risk

OHTA's conclusion that bone mass measurements are not adequately predictive of the risk of fracture is seriously out of date; the studies cited in the OHTA report do not reflect current clinical experience with these technologies. Recently published prospective studies show that bone mass measurements made with DPA and SPA at various skeletal sites can identify those who have the greatest risk of developing fractures (and thus those who should benefit most from therapy). Hui and colleagues (1988) studied 521 women an average of 6.5 years (3,399 person years), and 138 fractures (excluding spine) were observed. Forearm bone mineral content measured by SPA predicted fracture risk, even after adjusting for age. Likewise, Wasnich and colleagues (1987) followed 1,237 women aged 43 to 80 years who had bone mass measured at four sites (mid-forearm, distal forearm, and heel measurements by SPA; lumbar spine measured by DPA) for an average of 4.4 years. During that time, 52 new fractures at all sites occurred. The fracture incidence rate was inversely related to bone mineral content at all four sites, and the relationship was statistically significant for the lumbar spine and heel measurements. After adjustment for age, height and weight, women in the lowest quartile of heel bone mineral content were 8 times more likely to suffer fractures than women in the highest quartile.

As with other chronic diseases, there is a gradient of risk of fracture. Bone mass measurements determine the extent of the person's risk. Obviously, not all persons with low bone mass will sustain fractures, and some persons with high bone mass will suffer fractures. Nonetheless, it is important to recognize that persons with low bone mass are at significantly higher risk of fracture. The technologies in question are not diagnostic tests for fractures. They are, however, important tests which accurately establish a particular patient's risk of fracture. They are the only tests which do so with sufficient accuracy for making treatment decisions.[1]

2. Risk Factors Do Not Predict Bone Mass or Fracture Risk

While some clinicians believe that osteoporosis-prone individuals can be identified through common "risk factors," a number of studies have shown that a patient's history and physical examination are not good predictors of bone mass. Bone mass is pertinent to treatment decisions and must be measured directly.

[1] While not all persons with high serum cholesterol will suffer a heart attack, and some persons with cholesterol in the normal range will suffer a heart attack, serum cholesterol is nonetheless an important indicator of the *risk* of heart attack in a given person. No one would suggest that, because serum cholesterol cannot separate totally those who will suffer a heart attack from those who will not, physicians should not measure cholesterol and base treatment on the results.

B. Policy Issue

In deciding whether a technology should be covered by the Medicare Program, it is important to consider the alternatives available for each indication; for evaluation of low bone mass, no alternatives exist. No other clinical tests accurately measure whether bone density is dangerously low, and analysis of risk factors have proven to be an inadequate measure of the risk of fracture. In the absence of access to these technologies, hundreds of thousands of persons at risk will not be diagnosed, and thus will not receive therapy which could prevent fractures. Others will be exposed to costly treatment that bone mass measurement would show to be unnecessary.

2. Potential Cost Savings to the Medicare Program are Enormous

Bone mass measurement technologies will bring savings to the Medicare Program in two significant ways. First, prevention of fractures in the elderly will reduce hospital and physician treatment costs, as well as associated physical therapy costs. Nursing home costs for those patients whose hip fractures result in further health complications also should be reduced, with significant savings to the Medicare and Medicaid programs. If only one in ten hip fractures are prevented, the savings could reach one billion dollars annually.

Second, as noted above, bone mass measurements will indicate that related treatment is unnecessary for as many as a third of the estimated 400,000 women with abnormalities of the spine that might indicate osteoporosis. The cost savings from avoidance of expensive estrogen-replacement therapy will be substantial.

3. HCFA's Coverage Policy Decision Will Have Profound Implications for Private Insurers' Coverage of Osteoporosis-Related Technologies

Private insurers frequently use HCFA's coverage determinations as guidance in their own decisions regarding coverage of new technologies. A HCFA decision not to cover these technologies would discourage private payer coverage of the only effective diagnostic tool for measuring a person's risk of sustaining fractures. Because a reduction in bone mass may occur before a person is Medicare-eligible, coverage of these technolgies by private insurers is most important to timely and effective diagnosis and treatment. For example, those estrogen deficient women who are candidates for hormone replacement therapy are usually identified prior to age 60. Many persons at risk from long-term steroid therapy are young adults. There is particular justification, therefore, for HCFA to encourage the coverage of technologies which promote osteoporosis treatment and fracture reduction.

IV. CONCLUSION

Osteoporosis with its attendant fractures is associated with significant morbidity and mortality, particularly in the elderly. The cost of this disease in terms of dollars, reduced activity, dependence on public monies, and impaired quality of life has reached alarming proportions. These costs can only be reduced by identifying those individuals at risk for low bone mass and fractures, so that treatment may be provided where indicated. The technology to safely and accurately measure bone loss is now available. Its application is essential to reduce the monumental costs associated with osteoporosis. bone mass measurement must be approved for the indications listed

in this report in order to protect the elderly and other individuals in our society from the pain and suffering caused by osteoporosis.●

By Mr. HEFLIN:

S. 2620. A bill to provide for a 5-year intercircuit conflict resolution demonstration within the judiciary; to the Committee on the Judiciary.

JUDICIAL INTERCIRCUIT CONFLICT RESOLUTION DEMONSTRATION ACT

Mr. HEFLIN. Mr. President, I rise today to introduce legislation entitled the Judicial Intercircuit Conflict Resolution Demonstration Act. This legislation directly arises from the work of the Federal Courts Study Committee. This committee, of which I was proud and honored to be a member, recently provided many important and worthwhile recommendations to Congress.

The committee was established under legislation enacted during the 100th Congress. The committee was assigned the ominous task of making recommendations to Congress of ways in which the Federal system of justice could be improved. On April 2, 1990, the committee presented its findings and recommendations to Congress and the public. One of the specific and important tasks of the committee was to review the work of the Federal appellate courts. The committee found that one of the most important issues which continued to face the Federal appellate courts was the question of resolving conflicts between the Federal circuit courts over various issues of law. To address this problem, the Federal Courts Study Committee recommended a proposal to establish a trial project in which legal conflicts between different Federal circuit courts could be resolved short of a decision by the Supreme Court. The legislation which I am offering today establishes this trial program.

This legislation provides for a scheme by which the Supreme Court can refer a case which presents a conflict of law question. Under this scheme once the Supreme Court makes such an order, the clerk shall select at random a Federal circuit which has not issued an opinion on the point of law which is in conflict. That appellate court is then given jurisdiction over all issues in that case and can make all necessary orders. Upon disposition by the selected appellate court, the case is deemed final, subject only to a further petition to the Supreme Court for review.

The bill further provides that the Supreme Court may establish rules to govern the specific procedures of this procedure. Also, the bill provides that the judicial conference shall establish a committee to monitor and evaluate the operations and effects of this act. Finally, this bill provides for the sunsetting of this legislation after 5 years.

I believe that the work of the Federal Courts Study Committee was very important. The committee made many positive contributions, and I am confident that over time the work of the committee will be praised by scholars and historians. In crafting this bill, I wish to thank the committee, and especially the valuable work of Dennis Hauptley and Judge Levin Campbell for their skill and dedication to the improvement of the Federal courts.

In introducing this bill I am making a small, but I believe important, first step in seeing that many of the valuable recommendations of the committee are enacted into law. I believe that this trial project will be a success, and that at its conclusion the Congress and the Federal courts will have a much clearer picture of the problem and possible solutions to the issue of intercircuit conflicts.

I heartily endorse this proposal and ask my colleagues to support this legislation.

By Mr. HEFLIN:

S.J. Res. 313. Joint resolution designating October 3, 1990, as "National Teacher Appreciation Day"; to the Committee on the Judiciary.

NATIONAL TEACHER APPRECIATION DAY

Mr. HEFLIN. Mr. President, I rise today to introduce legislation designating October 3, 1990, as "National Teacher Appreciation Day."

In the United States, over 3 million teachers strive to shape the life of each and every American. I am sure that each of us can recall the importance of a special teacher who influenced our thoughts and helped shape our career. These dedicated men and women strive to spur not only the academic growth of their students, but also their ethical, social, and emotional development.

America's superior teachers have been integral to the success of our Nation, and they will continue to play a vital role in the future. In almost every major challenge currently faced by the United States, from maintaining our global competitiveness to stemming drug abuse, teachers are in the front trenches. If anyone deserves our recognition and appreciation, it is the teachers of this country.

It has been said that a teacher affects eternity. No one can tell where his or her influence stops. The foundation of America's future rests on our children and I can think of no group more influential in their development or more deserving of this recognition than our teachers. By enacting this legislation, we will be giving America's educators but a small token of our appreciation for the personal sacrifices they make while enabling us to build an even greater nation.

Our society depends upon its teachers to ensure a bright future for this Nation. Unfortunately, we often overlook the contributions of these teachers and fail to reward them with the recognition and respect which they deserve. This is our opportunity to shine the spotlight squarely on our teachers illuminating their many selfless deeds and outstanding devotion.

Please join me in supporting this joint resolution to name October 3, 1990, as "National Teacher Appreciation Day."

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. HEINZ, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 260, a bill to amend the Internal Revenue Code of 1986 to make the exclusion from gross income of amounts paid for employee educational assistance programs.

S. 273

At the request of Mr. HEINZ, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 273, a bill to amend title 39, United States Code, to designate as nonmailable matter solicitations of donations which could reasonably be misconstrued as a bill, invoice, or statement of account due, solicitations for the purchase of products or services which are provided either free of charge or at a lower price by the Federal Government connection or endorsement, unless such matter contains an appropriate, conspicuous disclaimer, and for other purposes.

S. 1304

At the request of Mr. GLENN, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of S. 1304, a bill to enhance nuclear safety at Department of Energy nuclear facilities, to modify certain functions of the Defense Nuclear Facilities Safety Board, to apply the provisions of OSHA to certain Department of Energy nuclear facilities, to clarify the jurisdiction and powers of Government agencies dealing with nuclear wastes, to ensure independent research on the effects of radiation on human beings, to encourage a process of environmental compliance and cleanup at these facilities, to protect communities that contain these facilities, and for other purposes.

S. 1511

At the request of Mr. PRYOR, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1511, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older indivdiuals in regard to employee benefit plans, and for other purposes.

S. 2051

At the request of Mr. HEFLIN, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 2051, a bill to amend the Social

Security Act to provide for more flexible billing arrangements in situations where physicians in the solo practice of medicine or in another group practice have arrangements with colleagues to "cover" their practice on an occasional basis.

S. 2111

At the request of Mr. INOUYE, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 2111, a bill designating the month of May as "Asian/Pacific American Heritage Month."

S. 2187

At the request of Mr. COCHRAN, the name of the Senator from Mississippi [Mr. LOTT] was added as cosponsor of S. 2187, a bill to amend the Public Health Service Act to make grants to encourage States to establish Offices of Rural Health to improve health care in rural areas.

S. 2260

At the request of Mr. PRYOR, the names of the Senator from Wyoming [Mr. SIMPSON], and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of S. 2260, a bill to promote the formation of a private, nonprivate organization to foster development of free market economies in Eastern Europe and the Soviet Union.

S. 2556

At the request of Mr. CRANSTON, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 2556, a bill to amend title 38, United States Code, to expand the list of diseases presumed to be service-connected in the case of veterans who were exposed to radiation from a nuclear detonation and to eliminate the requirement that the listed diseases become manifest within certain time periods; and to require that the Secretary of Veterans Affairs consider creation of similar presumptions for veterans who were exposed to radiation from another activity.

S. 2561

At the request of Mr. GORTON, the names of the Senator from New York [Mr. D'AMATO], the Senator from Washington [Mr. ADAMS], and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 2561, a bill to amend the Controlled Substances Act with respect to the regulation of precursor chemicals.

S. 2591

At the request of Mr. BAUCUS, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 2591, a bill to amend title XVIII of the Social Security Act to provide relief from certain regulations relating to physicians' services.

SENATE JOINT RESOLUTION 267

At the request of Mr. THURMOND, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 267, a joint resolution to authorize and request the President to designate May 1990 as "National Physical Fitness and Sports Month."

SENATE JOINT RESOLUTION 274

At the request of Mr. LAUTENBERG, the names of the Senator from Alabama [Mr. SHELBY] and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of Senate Joint Resolution 274, a joint resolution to designate the week beginning June 10, 1990, as "National Scleroderma Awareness Week."

SENATE JOINT RESOLUTION 278

At the request of Mr. ROCKEFELLER, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Joint Resolution 278, a joint resolution designating July 19, 1990, as "Flight Attendant Safety Professionals' Day."

SENATE JOINT RESOLUTION 304

At the request of Mr. SHELBY, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from North Carolina [Mr. SANFORD], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of Senate Concurrent Resolution 304, a joint resolution to designate October 17, 1990, as "National Drug-Free Schools and Communities Education and Awareness Day."

SENATE CONCURRENT RESOLUTION 127

At the request of Mr. KENNEDY, the names of the Senator from Iowa [Mr. HARKIN], the Senator from Illinois [Mr. SIMON], the Senator from Maryland [Mr. SARBANES], the Senator from Nevada [Mr. REID], the Senator from South Dakota [Mr. DASCHLE], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of Senate Concurrent Resolution 127, a concurrent resolution to express the sense of Congress that Greyhound Lines, Inc., and the Amalgamated Transit Union should pursue meaningful negotiations under the auspices of the Federal Mediation and Conciliation Service and the Secretary of Labor to resolve their dispute and restore vital transportation services to American communities.

NOTICES OF HEARINGS

COMMITTEE ON VETERANS' AFFAIRS

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that the Committee on Veterans' Affairs, which I am privileged to chair, is scheduled to hold a hearing on Friday, May 18, 1990, in SR-418 at 9:30 a.m., to consider titles I and III of S. 2100, S. 2556, S. 1887, S. 2454, S. 2499, S. 2102, S. 2482, and S. 2615.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services Subcommittee on Defense Industry and Technology be authorized to meet during the session of the Senate on Monday, May 14, 1990, at 2 p.m. to continue to receive testimony on implementation of the Defense Management Report in review of S. 2171, the Department of Defense Authorization Act for fiscal year 1991; and S. 2440, the Defense Management Improvement Act.

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

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet on May 14, 1990, beginning at 2 p.m., in 485 Russell Senate Office Building, to consider and report the nomination of Anthony J. Hope for the position of chairman for the National Indian Gaming Commission, and to mark up S. 2203, the Zuni Land Claims Settlement Act, to be followed by an oversight hearing on S. 1021, the Native American Grave and Burial Protection Act, S. 1980, the Native American Repatriation of Cultural Patrimony Act, and the Heard Museum Report.

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

ADDITIONAL STATEMENTS

A TRIBUTE TO THE GAINESVILLE THEATER ALLIANCE, THE PRIDE OF GEORGIA'S COLLEGE THEATER

● Mr. FOWLER. Mr. President, I bring to your attention today the accomplishment of Georgia's first college theater group to be honored by an invitation to perform at the John F. Kennedy Center for the Performing Arts in Washington, DC.

The Gainesville Theater Alliance, a group of students and professors from Georgia's Gainesville College and Brenau College who have pooled their resources to form a joint theater program, won the honor of performing in national competition at the Kennedy Center after an initial competition in the American College Theater Festival XXII. They were one of seven schools chosen from a group of 795 competing schools to participate in the national competition. The Gainesville Theater Alliance performed "The Scarlet Pimpernel" at the Kennedy Center on April 25 and April 26, 1990.

Mr. President, the Gainesville Theater Alliance, founded 10 years ago by Brenau College's theater professor Ed Cabell is a perfect example of how co-

operation and goodwill between two institutions can produce shining success. The hard work of these students and their advisors deserves the highest recognition. Their determination and spirit of cooperation has earned my most sincere admiration.

I would like to recognize the director of "The Scarlet Pimpernel," Ed Cabell, and the play's technical team: Lawrence L. Graham, Angela Brown, Dan Carter, Ann Elizabeth Armstrong, Hugh Adams, Roy Forrester, Virginia Deayton, Hahn C. Hanrahan, Christopher C. Mabry, Ben P. Williams, Laura Buchanan, Laura Carlson, Joe Jones, and Francine Dibben. Their expertise has certainly guided and polished this production. Ed Cabell, Lawrence Graham, and Jeff Nichols should be commended for their accomplishments as professors in charge of the Gainesville Theater Alliance.

The actors, who have been rehearsing since September 1989, deserve recognition for their dedication and hard work. Not only have they carried the work load of a college education, but they have also committed one year and a half of their time to the production of "The Scarlet Pimpernel." The cast includes: Robin Hale, Brent Glenn, Amy Nichols, Danny Acres, Ted Bill, Shannon Hannah, Sabrina Mazer, Jeff McClure, Tracy Palma, Amy Ray, Elaine Simpson, Sara Wilkinson, Gretchen Fennell, Matt Magill, Mitchell Wood, Michael Granberry, Glaire Porter, Scott Simpson, Ken Wright, Hugh Adams, Daniel Jones, Charlie Knoch, and Nicole Dodd.

The Gainesville Theater Alliance clearly serves as an example of both educational and artistic excellence for Georgia and the Nation. I congratulate the students and teachers for their fine work.●

MISSOURI COUPLE HELPS ABUSED AND NEGLECTED CHILDREN

● Mr. BOND. Mr. President, I rise today in recognition of Kay and Francis Ater of Shelbina, MO. The Aters have participated for the last 7 years in the Shiloh Christian Children's Ranch Homeparents Program. During their years as participants in the program, they have improved the quality of life for many children who have been abused and neglected. The Aters' special brand of caring lives on in the mind of every child who has crossed their doorstep, and I am sure each child has fond memories and many thanks for the time they spent in the Aters' house.

To the Aters, I extend my congratulations and appreciation for their 7 years of service with the Shiloh Christian Children's Ranch. I trust that they will continue to help children involved in the program for many years to come.●

JIM LAMPHEAR NAMED COLORADO AND WESTERN REGION TEACHER OF THE YEAR

● Mr. WIRTH. Mr. President, I offer my congratulations to Irving Junior High School English Teacher Jim Lamphear, recently named Colorado and western region Teacher of the Year. IBM Corp. and Classroom Learning magazine were inspired to offer the award to the seventh grade teacher upon learning of his students' sophisticated response to a chronic national problem. The seventh graders, concerned with a news report about American students trailing their international counterparts in spelling, wrote a sophisticated research project examining America's fall from preeminence in major fields entitled, "When Decades Collide: From Crisis to Solution." In a time when the teaching profession is under criticism, this man's obvious love of his job is a refreshing change, and I ask that an article on Jim Lamphear and the Teacher of the Year Award be inserted into the RECORD.

The article follows:

[From the Gazette Telegraph, Apr. 27, 1990]

CLASS RESEARCH PROJECT HELPS LAMPHEAR EARN AWARD

(By Angela Dire)

It was more of the same old thing—a news report about American students trailing their international counterparts, this time in spelling.

But what a stir it made among Jim Lamphear's and Kathy Mathers' 7th grade students at Washington Irving Junior High School. The accelerated English class groaned like an old assembly line grinding to a halt.

"It's it's,"—a girl could not put her finger on the word.

"Symptomatic?" asked Lamphear.

"Yes!"

"So what are we going to do about it?"

What the students did was a sophisticated research project examining America's fall from preeminence in major fields, called "When Decades Collide: From Crisis to Solution."

Since September, they studied trends in health, education, space exploration, scientific research and the automotive and electronic industries.

They sought solutions for problems ranging from the drop-out rate to rising medical malpractice suits.

And it inspired IBM Corp. and Classroom Computer Learning Magazine to tab Lamphear "Teacher of the Year" for Colorado and the Western Region.

"This is a renaissance," he said. "To watch them say something, and to look into those faces and see, 'That kid knows!' "

Said Mathers, "this project has rejuvenated two, 20-year-old teaching careers. At a time when the profession is being criticized roundly right and left, we have never been more happy to be teachers."

The students found information in a variety of research journals.

They sent electronic messages to companies for reports—and received their requests on the superintendent's fax machine. They did computer searches via the school modem.

Their work brought them in contact with leaders in government and business. They attended Vice President Quayle's U.S. Space Symposium address, conducted a conference call with top Hewlett Packard executives in Japan, and have an interview set with an American Honda chief executive.

The sources who never replied was a lesson in itself. The Big Three auto companies have yet to reply.

When they sought an audience with Secretary of Education Lauro Cavazos they were told, "We're very busy here." A secretary told Mathers whoever might respond would not be "very high up in the department" because the students were too young to understand complex issues.

The students hope to present their work to leaders in the fields they have researched.

"We can speak like experts now," 12-year-old Marre Shedden said. "It's not just a little 7th grade report. It's something that 85 to 95 percent of adult Americans don't know."●

THE SECOND ANNUAL GLORIA STEINEM AWARDS A NATIONAL SALUTE TO WOMEN OF VISION

● Mr. LAUTENBERG. Mr. President, on May 7 the Second Annual Gloria Steinem Awards was held in New York as a National Salute to Women of Vision. The Ms. Foundation for Women sponsors the awards. Founded 15 years ago, it is the only national, public, and multi-issue women's foundation in the United States. It has funded ground breaking projects that have brought issues vital to the social and economic well-being of women and children to the public at large.

The Ms. Foundation supports the grassroots efforts of women in the fight against discrimination and violence and in protecting children. Its efforts go toward development of healthy families by helping to achieve economic and social empowerment, and supports and helps launch nonsexist, multiracial education programs and safeguards reproductive rights.

Nearly $5 million has been distributed by the Ms. Foundation since it began grantmaking. The funds have been distributed to over 600 grassroots women's groups in 49 States and Puerto Rico.

The awards program is a part of the foundation's commitment to recognize grassroots women leaders. I want to acknowledge and congratulate the recipients of the Second Annual Gloria Steinem Awards. Individuals who have consistently worked toward achieving the foundation's goals, they are recognized in areas of concern to the foundation.

For her work on behalf of children, Judith Webb of Young Peacemakers and Teen Peacemakers was recognized,

and Sarah Fields-Davis of the Poultry Workers-Center for Women's Economic Alternatives was honored for her work in the field of economic justice.

Maria Christina Lopez of the Santa Fe women's health project was recognized for leadership development-empowerment, and Julia Scott of Washington, DC was honored for her work with women of color and reproductive rights in the field of reproductive rights, health, and AIDS. Gayle Woodsum of Looking Up of Augusta, ME, was the recipient of the award in the category of safety-prevention of violence. Phoebe V. Valentine was honored with the Philanthropic Vision Award.

At the second annual awards program, the founding members were awarded the Founding Sisters Award. Visionaries, they with Gloria Steinem saw the need for the establishment of the Ms. Foundation for Women. These outstanding individuals are: Patricia Carbine, Letty Cottin Pogrebin, and Marlo Thomas.

Mr. President, I congratulate and salute all of these worthy recipients. They are women of vision. May their fine work and that of the Ms. Foundation for Women continue in the future.●

SUSAN ANDERSON RECEIVES FELLOWSHIP FROM U.S. DEPARTMENT OF EDUCATION

● Mr. WIRTH. Mr. President, I offer my congratulations to Sandburg Elementary School second grade teacher Susan Anderson, the recipient of a prestigious $32,000 grant for her pioneering of the Design for Learning Program that improves upon the traditional elementary school structure in many ways. In her Design for Learning Program, the ratio between students and teachers is decreased for part of the school day without adding extra staff; students of different grades have the opportunity to work with each other while studying different coordinated subjects—math with English with social studies, et cetera—and skills are being taught that help apply subject matter to real-life situations. In a time when the teaching profession seems under constant criticism, Ms. Anderson's obvious love of her job is a refreshing change, and I ask that the article on the creative efforts of Susan Anderson and her colleagues at the Sandburg School be inserted in the RECORD.

The article follows:

[From the Denver Post, Mar. 3, 1990]

A SALUTE TO SANDBURG SCHOOL

At a time when our educational system is being criticized roundly for its shortcomings, it is refreshing to hear of teachers and schools with innovative programs that are making real progress toward improving the quality of education.

One such example is Suan Anderson, a second-grade teacher at Carl Sandburg Elementary School in the Littleton district. Mrs. Anderson has been awarded the Christa McAuliffe fellowship by the U.S. Department of Education, a prestigious $32,000 grant given to just one teacher in each state for work on new educational techniques that show promise.

Anderson and other teachers at Sandburg are pioneering a "Design for Learning" program that improves upon the traditional elementary school structure in several ways. Student-teacher ratios are lowered for part of the school day without adding staff: there are opportunties for students of different grades to work together part of the time; different subjects are being coordinated with each other (math with English with social studies, etc.) and youngers are being taught new methods to apply subject matter to real-life situations.

Coloradans should salute Anderson and the Sandburg staff for winning the national award, plus a $5,000 grant from Gov. Roy Romer, and we should encourage the school to continue working on such creative programs as "Design for Learning" that will better prepare our children for the 21st century.●

THE NOMINATION OF JOHN D. SHANSTROM

● Mr. BAUCUS. Mr. President, the Senate considered a judicial nomination of great importance to my home State of Montana on last Friday.

We are considering the nomination of Judge Jack D. Shanstrom to be a U.S. district court judge.

Judge Shanstrom has dedicated his career to public service.

After graduating from the University of Montana Law School in 1957, Jack served in the Judge Advocate's Office of the Air Force. After leaving the service, he went on to become an assistant city attorney in Livingston, then was elected to be the Park County attorney.

He was a Montana State district court judge for 18 years, until December 1982. The following month he became the U.S. magistrate for the district of Montana and has served in that position ever since.

Judge Shanstrom has been recommended for this position by highly respected members of Montana's judicial community. His many years of experience in the legal profession have been cited as examples for others who wish to enter public service.

I am confident Judge Shanstrom will execute his duties as a U.S. district court judge with the same diligence and dedication he has exhibited in the past.

I would like to thank the Members of the Senate Judiciary Committee for working so quickly to fill this judicial position.

The people of my home State of Montana and I thank the committee for its dedication to filling this opening. I wish Judge Shanstrom and his wife Audrey well as the judge assumes his new duties.●

NATIONAL POLICE WEEK AND PEACE OFFICERS MEMORIAL DAY

● Mr. D'AMATO. Mr. President, I rise today to pay tribute to our 500,000 sworn law enforcement officers as they prepare for the upcoming National Police Week and Police Officers Memorial Day.

Policemen in the United States have long been our first line of defense against crime, and it is our responsibility to provide them with all the encouragement and support possible as they attempt to stem the tidal wave of crime and drug-related violence in this country.

National Police Week, which will occur from May 13 to May 19, 1990, will seek to highlight through various activities and celebrations the extraordinary service provided by our 500,000 officers. A candlelight vigil will be held on May 13 to commemorate the beginning of National Police Week, and a National Police Survivors' Seminar will be hosted by the Concerns of Police Survivors on May 13 and 14. Also, at noon on May 15, the National Fraternal Order of Police and the National FOP Auxiliary will be hosting the ninth annual National Peace Officers' Memorial Day Service. Any officers killed in the line of duty since 1989 will be recognized in this special service.

Finally, the new National Law Enforcement Officers Memorial, located in Judiciary Square, will be completed and dedicated sometime between May 13 and May 18 to coincide with National Police Week. The memorial will include the names of all officers who have served the United States, as well as those who have died in the line of duty. The memorial, funded by the contributions of over 500,000 American citizens, will serve as a permanent expression of our collective respect and appreciation.

The contributions of our national police force are overwhelming, and their courage and dedication demand our constant support and recognition. I welcome this opportunity to commend their extraordinary efforts, and also to convey my sincerest wishes for a successful celebration week.●

ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

Mr. MITCHELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 3910.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 3910) entitled "An Act to require the Secretary of Education to conduct a comprehen-

sive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965", with the following amendment:

Page 9, after line 21, insert:

SEC. 7. TECHNICAL AMENDMENT.

(a) IN GENERAL.—Section 2 of Public Law 81-874 is amended by inserting at the end thereof the following new subsection (d):

"(d) The United States shall be deemed to own Federal property, for the purposes of this Act where—

"(1) prior to the transfer of Federal property, the United States owned Federal property meeting the requirements of subparagraphs (A), (B), and (C) of subsection (a)(1); and

"(2) the United States transfers a portion of the property referred to in paragraph (1) to another nontaxable entity, and the United States—

"(A) restricts some or any construction on such property;

"B) requires that the property be used in perpetuity for the public purposes for which it was conveyed;

"(C) requires the grantee of the property to report to the Federal Government (or its agent) setting forth information on the use of the property;

"(D) prohibits the sale, lease assignment or other disposal of the property unless to another eligible government agency and with the approval of the Federal Government (or its agent); and

"(E) reserves to the Federal Government a right of reversion at any time the Federal Government (or its agent) deems it necessary for the national defense.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1989.

Mr. MITCHELL. Mr. President, I move that the Senate concur in the House amendment to the Senate amendment.

The motion was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FEDERAL EMPLOYEES HEALTH BENEFITS

Mr. MITCHELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 1805.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendments of the Senate numbered 1 and 3 to the bill (H.R. 1805) entitled "An Act to amend title 5, United States Code, to allow Federal annuitants to make contributions for health benefits through direct payments rather than through annuity withholdings if the annuity is insufficient to cover the required withholdings, and to make a technical correction relating to the life insurance program.".

Resolved, That the House disagree to the amendment of the Senate numbered 2 to the aforesaid bill.

Resolved, That the House disagree to the amendment of the Senate to the title of the aforesaid bill, with the following amendment:

Amend the title so as to read: "An Act to amend title 5, United States Code, to allow Federal annuitants to make contributions for health benefits through direct payments rather than through annuity withholdings if the annuity is insufficient to cover the required withholdings, and for other purposes.".

Mr. MITCHELL. Mr. President, I move that the Senate recede from Senate amendment No. 2 and concur in the House amendment to the Senate amendment to the title.

The motion was agreed to.

OMNIBUS TRADE AND TARIFF ACT

Mr. MITCHELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 1594.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the text of the bill (H.R. 1594) entitled "An Act to extend nondiscriminatory treatment to the products of the Peoples' Republic of Hungary for 3 years" with the following amendment:

In lieu of the matter inserted by said amendment, insert:

TABLE OF CONTENTS

Sec. 1. Short title.

TITLE I—TRADE AGENCY AUTHORIZATIONS, CUSTOMS USER FEES, AND OTHER CUSTOMS PROVISIONS

Subtitle A—Trade Agency Authorizations for Fiscal Years 1991 and 1992

Sec. 101. United States International Trade Commission.
Sec. 102. United States Customs Service.
Sec. 103. Office of the United States Trade Representative.

Subtitle B—Customs User Fees

Sec. 111. Customs user fees for formal entries made during fiscal year 1990.
Sec. 112. Enforcement authority.
Sec. 113. Exemption of Israeli products from user fees.
Sec. 114. GAO report.
Sec. 115. Extension of customs user fee program.
Sec. 116. Effective dates.

Subtitle C—Miscellaneous Customs Provisions

Sec. 121. Customs forfeiture fund.
Sec. 122. Increase in value subject to administrative forfeiture; processing of money seized under the customs laws.
Sec. 123. Annual national trade and customs law violation estimates and enforcement strategy.
Sec. 124. Reports regarding expansion of customs preclearance operations and recovery for damage resulting from customs examinations.
Sec. 125. Eligibility of Czechoslovakia and East Germany under the generalized system of preferences.
Sec. 126. Extension of time for preparation of report on supplemental wage allowance demonstration projects under the worker adjustment assistance program.
Sec. 127. Technical amendments regarding nondiscriminatory trade treatment.

TITLE II—CARIBBEAN BASIN ECONOMIC RECOVERY

Subtitle A—Short Title and Findings

Sec. 201. Short title.
Sec. 202. Congressional findings.

Subtitle B—Amendments to the Caribbean Basin Economic Recovery Act and Related Provisions

PART 1—AMENDMENTS TO CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Sec. 211. Repeal of termination date on duty-free treatment under the Act.
Sec. 212. Duty reduction for certain leather-related products.
Sec. 213. Worker rights.
Sec. 214. Reports.
Sec. 215. Application of Act in eastern Caribbean area.

PART 2—AMENDMENTS TO THE HARMONIZED TARIFF SCHEDULE AND OTHER PROVISIONS AFFECTING CBI BENEFICIARY COUNTRIES

Sec. 221. Sugar imports from beneficiary countries.
Sec. 222. Increase in duty-free tourist allowances.
Sec. 223. Duty-free treatment for articles assembled in beneficiary countries from components produced in the United States.
Sec. 224. Rules of origin for beneficiary country products.
Sec. 225. Cumulation involving beneficiary country products under the countervailing and antidumping duty laws.
Sec. 226. Ethyl alcohol and mixtures thereof for fuel use.
Sec. 227. Conforming amendment.

Subtitle C—Scholarship Assistance and Tourism Promotion

Sec. 231. Caribbean-Central American Scholarship Partnership.
Sec. 232. Promotion of tourism.
Sec. 233. Pilot preclearance program.

TITLE III—TARIFF PROVISIONS

Sec. 301. Reference.

Subtitle A—Temporary Suspensions and Reductions in Duties

PART 1—NEW DUTY SUSPENSIONS AND TEMPORARY REDUCTIONS

Sec. 311. Castor oil and its fractions.
Sec. 312. Certain jams, pastes and purees, and fruit jellies.
Sec. 313. Mercuric oxide.
Sec. 314. Hexyl chloride.
Sec. 315. Tertiary-Butyl chloride.
Sec. 316. Hexachlorobutadiene.
Sec. 317. DMBS and HPBA.
Sec. 318. MBEP.
Sec. 319. 6-t-Butyl-2,4-xylenol.
Sec. 320. 4,4¹-Methylenebis-(2,6-dimethylphenylcyanate).
Sec. 321. Neville and winter's acid.
Sec. 322. 7-Hydroxy-1,3-naphthalene-disulfonic acid, dipotassium salt.
Sec. 323. 7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene.
Sec. 324. Anthraquinone (AQ).
Sec. 325. 1,4-Dihydroxyanthraquinone.
Sec. 326. 2-Ethylanthraquinone.
Sec. 327. Chlorhexanone.
Sec. 328. P-Toluic acid.
Sec. 329. Naphthalic acid anhydride.
Sec. 330. Diflunisal.
Sec. 331. Diphenolic acid.
Sec. 332. 6-Hydroxy-2-naphthoic acid.
Sec. 333. Methyl and ethyl Parathion.
Sec. 334. N-Methylaniline and m-Chloroaniline.
Sec. 335. 4,4¹,-Methylenebis-(3-chloro-2,6-diethylaniline).
Sec. 336. 4,4¹-Methylene-bis-(2,6-diisopropyl aniline).
Sec. 337. 2-chloro-4-nitroaniline.
Sec. 338. 4-chloro-a-a-a-trifluoro-o-toluidine.
Sec. 339. Trifluoromethylaniline.
Sec. 340. 5-Amino-2-naphthalenesulfonic acid.
Sec. 341. 7-Amino-1,3-naphthalene-disulfonic acid monopotassium salt.
Sec. 342. 4-Amino-1-naphthalenesulfonic acid, sodium salt.
Sec. 343. 8-Amino-2-naphthenesulfonic acid.
Sec. 344. Mixtures of 5- and 8-amino-2-naphthalenesulfonic acid.
Sec. 345. 1-Naphthylamine.
Sec. 346. 6-Amino-2-naphthenesulfonic acid.
Sec. 347. Broenner's acid.
Sec. 348. D salt.
Sec. 349. 2,4-Diaminobenzenesulfonic acid.
Sec. 350. Paramine acid.
Sec. 351. Tamoxifen.
Sec. 352. K-acid.
Sec. 353. O-anisidine.
Sec. 354. 2-Amino-4-chlorophenol.
Sec. 355. Ornithine.
Sec. 356. Demap.
Sec. 357. 7-Anilino-4-hydroxy-2-naphthalenesulfonic acid.
Sec. 358. 1,4-Diamino-2,3-dihydroanthraquinone.
Sec. 359. TFA LYS PRO in free base and tosyl salt forms.
Sec. 360. Levodopa.
Sec. 361. 1-Amino-2-bromo-4-hydroxyanthraquinone.
Sec. 362. ADC-6.
Sec. 363. L-Carnitine.
Sec. 364. Quizalofop-ethyl.
Sec. 365. Acetoacet-para-toluidide (AAPT).
Sec. 366. Naphthol as types.
Sec. 367. N-[[(4-chlorophenyl)-amino]-2,6-difluorobenzamide.
Sec. 368. Anis base.
Sec. 369. Acetoacetsulfanilic acid, potassium salt.
Sec. 370. Iohexol.
Sec. 371. Iopamidol.
Sec. 372. Ioxaglate.
Sec. 373. 4-Aminoacetanilide.
Sec. 374. D-Carboxamide.
Sec. 375. 2,6-dichlorobenzonitrile.
Sec. 376. Octadecyl isocyanate.
Sec. 377. 1,6-Hexamethylene diisocyanate.
Sec. 378. 1,1-Ethylidenebis-(phenyl-4-cyanate).
Sec. 379. 2,2-Bis(4-cyanatophenyl-1,1,1,3,3,3-hexafluoropropane.
Sec. 380. 4,4-Thiodiphenyl cyanate.
Sec. 381. 2[(4-Aminophenyl)sulfonyl] ethanol, hydrogen sulfate ester.
Sec. 382. Dimethoate.
Sec. 383. Diphenyldichlorosilane and phenyltrichlorosilane.
Sec. 384. Bendiocarb.
Sec. 385. Rhodamine 2C base.
Sec. 386. 2,5-Dichloro-4-(3-methyl-5-oxo-2-pyrazolin-1-yl)benzenesulfonic acid.
Sec. 387. Nimodipine.
Sec. 388. BPIP.
Sec. 389. 2,2,6,6-Tetramethyl-4-piperidinon and amino hydroxy- and imido derivatives.
Sec. 390. Norfloxacin.
Sec. 391. Ciprofloxacin and ciprofloxacin hydrochloride.
Sec. 392. 6-Methyluracil.
Sec. 393. 2,4-Diamino-6-phenyl-1,3,5-triazine.
Sec. 394. Amiloride hydrochloride.
Sec. 395. Trimethyl base.
Sec. 396. Ala pro.
Sec. 397. Thiothiamine hydrochloride.
Sec. 398. Ethyl 2-(2-Aminothiazol-4-yl)-2-Hydroxyiminoacetate (ATHAET).
Sec. 399. Ethyl 2-(2-Aminothiazol-4-yl)-2-Methoxyiminoacetate(ATMAET).
Sec. 400. 7-Nitronaphth[1,2]-oxadiazole-5-sulfonic acid.
Sec. 401. Ceftazidime tertiary butyl ester.
Sec. 402. Chemical intermediate.
Sec. 403. Sulfachloropyridazine.
Sec. 404. Mixed ortho/para toluene sulfonomide.
Sec. 405. Herbicide intermediate.
Sec. 406. N-{4-[[(2-Amino-5-formyl-1,4,5,6,7,8-hexahydro-4-oxo-6-pteridinyl) methyl]amino]benzoyl}-1-glutamic acid.
Sec. 407. Theobromine.
Sec. 408. (6R-(6a, 7B(Z)))-7-(((2-Amino-4-thiazolyl)((carboxymethoxy)imino)acetyl)amino)-3-ethenyl-8-oxo-5-thia-1-azabicyclo(4.2.0) oct-2-ene-2-carboxylic acid (CEFIXIME).
Sec. 409. Teicoplanin.
Sec. 410. Carfentanil citrate.
Sec. 411. Calcium acetylsalicylate.
Sec. 412. Resolin red F3BS.
Sec. 413. Certain acid black powder and presscake.
Sec. 414. Pigment red 178.
Sec. 415. Pigment red 149 dry and presscake.
Sec. 416. Solvent yellow 43.
Sec. 417. Solvent yellow 44.
Sec. 418. Modeling pastes.
Sec. 419. Mono- and dibenzyl toluenes.
Sec. 420. Chemical light activator blends.
Sec. 421. Polymin p and polymin p hydrochloride, and polymin SNA 60.
Sec. 422. Specialty thermoset resin.
Sec. 423. Hydrocarbon novolac cyanate ester.
Sec. 424. Chlorinated synthetic rubber.
Sec. 425. Wicker products.
Sec. 426. Certain plastic web sheeting.
Sec. 427. Protective sports apparel.
Sec. 428. Garments specially designed for handicapped persons who are not ambulatory.
Sec. 429. Gripping narrow fabrics.
Sec. 430. In-line roller skate boots.
Sec. 431. Self-folding collapsible umbrellas.
Sec. 432. Glass bulbs.
Sec. 433. Drinking glasses with special effects in the glass.
Sec. 434. Certain glass fibers.
Sec. 435. Articles of semiprecious stones.
Sec. 436. Luggage frames of aluminum.
Sec. 437. Molten-salt-cooled acrylic acid reactors.
Sec. 438. Zinc printing type.
Sec. 439. Impact line printer.
Sec. 440. Machines used in the manufacture of bicycle parts; certain bicycle parts.
Sec. 441. Motor vehicle parts.
Sec. 442. Parts of generators for use on aircraft.
Sec. 443. Magnetic video tape recordings.
Sec. 444. Certain infant nursery monitors and intercoms.
Sec. 445. Certain machined electronic connector contact parts.
Sec. 446. Certain piston engines.
Sec. 447. Timing apparatus with opto-electronic display only.
Sec. 448. Furniture and seats of unspun fibrous vegetable materials.
Sec. 449. Christmas ornaments.
Sec. 450. 3-dimensional cameras.
Sec. 451. Operatic scenery, properties, including sets.

PART 2—EXISTING TEMPORARY DUTY SUSPENSIONS

Sec. 461. Extension of certain existing suspensions of duty.
Sec. 462. Extension of, and other modifications to, certain existing suspensions of duty.
Sec. 463. Termination of existing suspension of duty on c-amines.

Subtitle B—Other Tariff and Miscellaneous Provisions

PART 1—TARIFF CLASSIFICATION AND OTHER TECHNICAL AMENDMENTS

Sec. 471. Certain edible molasses.
Sec. 472. Certain woven fabrics and gauze.
Sec. 473. Classification of certain articles in whole or part of fabrics coated, covered, or laminated with opaque rubber or plastics.
Sec. 474. Gloves, mittens, and mitts.
Sec. 475. Chipper knife steel.
Sec. 476. Elimination of inverted tariff on cantilever brakes and brake parts for bicycles.
Sec. 477. Bicycles having 26-inch wheels.
Sec. 478. Processing of certain blended syrups.

PART 2—MISCELLANEOUS PROVISIONS

Sec. 481. Renewal of existing customs exemption applicable to bicycle parts in foreign trade zones.
Sec. 482. Rail cars for the State of Florida.
Sec. 483. Reliquidation of certain entries.
Sec. 484. Protest relating to certain entries.
Sec. 485. Effective dates.

39-059 O-91-37 (Pt. 7)

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Customs and Trade Act of 1990".

TITLE I—TRADE AGENCY AUTHORIZATIONS, CUSTOMS USER FEES, AND OTHER CUSTOMS PROVISIONS

Subtitle A—Trade Agency Authorizations for Fiscal Years 1991 and 1992

SEC. 101. UNITED STATES INTERNATIONAL TRADE COMMISSION.

Section 330(e)(2) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended to read as follows:

"(2)(A) There are authorized to be appropriated to the Commission for necessary expenses (including the rental of conference rooms in the District of Columbia and elsewhere) not to exceed the following:

"(i) $41,170,000 for fiscal year 1991.

"(ii) $44,052,000 for fiscal year 1992.

"(B) Not to exceed $2,500 of the amount authorized to be appropriated for any fiscal year under subparagraph (A) may be used, subject to the approval of the Chairman of the Commission, for reception and entertainment expenses.

"(C) No part of any sum that is appropriated under the authority of subparagraph (A) may be used by the Commission in the making of any special study, investigation, or report that is requested by any agency of the executive branch unless that agency reimburses the Commission for the cost thereof.".

SEC. 102. UNITED STATES CUSTOMS SERVICE.

Section 301(b) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)) is amended to read a follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—

"(1) FOR NONCOMMERCIAL OPERATIONS.—There are authorized to be appropriated for the salaries and expenses of the Customs Service that are incurred in noncommercial operations not to exceed the following:

"(A) $510,551,000 for fiscal year 1991.

"(B) $536,079,000 for fiscal year 1992.

"(2) FOR COMMERCIAL OPERATIONS.—There are authorized to be appropriated from the Customs User Fee Account for the salaries and expenses of the Customs Service that are incurred in commercial operations not less than the following:

"(A) $672,397,000 for fiscal year 1991.

"(B) $706,017,000 for fiscal year 1992.

"(3) FOR AIR INTERDICTION.—There are authorized to be appropriated for the operation (including salaries and expenses) and maintenance of the air interdiction program of the Customs Service not to exceed the following:

"(A) $143,047,000 for fiscal year 1991.

"(B) $150,199,000 for fiscal year 1992.".

SEC. 103. OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

Section 141(g)(1) of the Trade Act of 1974 (19 U.S.C. 217(g)(1)) is amended to read as follows:

"(g)(1)(A) There are authorized to be appropriated to the Office for the purposes of carrying out its functions not to exceed the following:

"(i) $23,250,000 for fiscal year 1991.

"(ii) $21,077,000 for fiscal year 1992.

"(B) Of the amounts authorized to be appropriated under subparagraph (A) for any fiscal year—

"(i) not to exceed $98,000 may be used for entertainment and representation expenses of the Office; and

"(ii) not to exceed $1,000,000 shall remain available until expended.".

Subtitle B—Customs User Fees

SEC. 111. CUSTOMS USER FEES FOR FORMAL ENTRIES MADE DURING FISCAL YEAR 1990.

(a) IN GENERAL.—Section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) is amended—

(1) by inserting "(except fiscal year 1990)" after "1987" in paragraph (10); and

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

"(11) For the processing of any merchandise (other than an article described in subparagraph (A), (B), or (C) of paragraph (9)) that is formally entered, or withdrawn from warehouse for consumption, during fiscal year 1990, a fee (not exceeding $575) in an amount equal to—

"(A) 0.17 percent ad valorem, or

"(B) an ad valorem rate which the Secretary of the Treasury estimates will provide a total amount of revenue during fiscal year 1990, equal to—

"(i) the total amount authorized to be appropriated for such fiscal year to the United States Customs Service for salaries and expenses incurred in conducting commercial operations during such fiscal year, reduced by

"(ii) the excess, if any, of—

"(I) the total amount authorized to be appropriated for such salaries and expenses for such fiscal year, over

"(II) the total amount actually appropriated for such salaries and expenses for such fiscal year,

except that if appropriations are not authorized for fiscal year 1990, the fee imposed under this paragraph with respect to that year shall be in an amount equal to 0.17 percent ad valorem or $575, whichever is less.".

(b) CONFORMING AMENDMENTS.—Section 13031 of such Act of 1985 is further amended as follows:

(1) Subsection (b) is amended—

(A) by striking out "(a) (9) or (10)" in paragraph (8)(A) and inserting "(a) (9), (10), or (11)";

(B) by amending paragraph (10) to read as follows:

"(10) The fee charged under subsection (a) (10) or (11) of this section with respect to goods of Canadian origin (as determined under section 202 of the United States-Canada Free-Trade Agreement Implementation Act of 1988) shall be in accordance with article 403 of the United States-Canada Free-Trade Agreement."; and

(C) by inserting at the end thereof the following:

"(11) No fee may be charged under subsection (a) (10) or (11) with respect to products of Israel if an exemption with respect to the fee is implemented under section 113 of the Customs and Trade Act of 1990.

"(12) For purposes of applying subsection (a)(11)(B), expenses incurred in conducting commercial operations do not include costs incurred in—

"(A) air passenger processing;

"(B) export control; and

"(C) international affairs.".

(2) Subsection (f)(2) is amended—

(A) by inserting "(A)" after "(2)",

(B) by striking out "(other than costs for which direct reimbursement under paragraph (3) is required)" and inserting "(other than costs described in subparagraph (B))", and

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

"(B) The following costs may not be funded with money contained in the Customs User Fee Account:

"(i) Costs for which direct reimbursement under paragraph (3) is required.

"(ii) Costs for any of the following services (other than a service for which direct reimbursement is made under paragraph (3)):

"(I) Any service for which a fee exemption is provided by reason of subsection (b)(10).

"(II) Any service for which a fee exemption is provided by reason of the determination referred to in section 113 of the Customs and Trade Act of 1990.

"(III) Any service provided in processing during fiscal year 1990 air passengers and articles described in subparagraph (A), (B), or (C) of subsection (a)(9).".

SEC. 112. ENFORCEMENT AUTHORITY.

Section 13031(g) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(g)) is amended—

(1) by amending the side heading to read as follows: "REGULATIONS AND ENFORCEMENT.—"; and

(2) by adding at the end the following new paragraph:

"(3) Except to the extent otherwise provided in regulations, all administrative and enforcement provisions of customs laws and regulations, other than those laws and regulations relating to drawback, shall apply with respect to any fee prescribed under subsection (a) of this section, and with respect to persons liable therefor, as if such fee is a customs duty. For purposes of the preceding sentence, any penalty expressed in terms of a relationship to the amount of the duty shall be treated as not less than the amount which bears a similar relationship to the amount of the fee assessed. For purposes of determining the jurisdiction of any court of the United States or any agency of the United States, any fee prescribed under subsection (a) of this section shall be treated as if such fee is a customs duty.".

SEC. 113. EXEMPTION OF ISRAELI PRODUCTS FROM USER FEES.

If the United States Trade Representative determines that the Government of Israel has provided reciprocal concessions in exchange for the exemption of the products of Israel from the fees imposed under section 13031(a) (10) and (11) of the Consolidated Omnibus Budget Reconciliation Act of 1985, such fees may not be charged with respect to any product of Israel that is entered, or withdrawn from warehouse for consumption, on or after the 15th day (but not before October 1, 1989) after the date on which the determination is published in the Federal Register.

SEC. 114. GAO REPORT.

The Comptroller General of the United States, within 180 days after the effective date of this section, shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the costs incurred by the Customs Service in conducting commercial operations and on appropriate fees to be charged to the beneficiaries of such services.

SEC. 115. EXTENSION OF CUSTOMS USER FEE PROGRAM.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking out "September 30, 1990" and inserting "September 30, 1991".

SEC. 116. EFFECTIVE DATES.

This subtitle (except section 113) takes effect October 1, 1989. Section 113 takes effect on the date of the enactment of this Act.

Subtitle C—Miscellaneous Customs Provisions

SEC. 121. CUSTOMS FORFEITURE FUND.

Section 613A of the Tariff Act of 1930 (19 U.S.C. 1613b) is amended as follows:

(1) Subsection (a)(1) is amended—

(A) by striking out "and" at the end of subparagraph (D);

(B) by striking out the period at the end of subparagraph (E) and inserting "; and"; and

(C) by adding at the end thereof the following new subparagraph:

"(F) equitable sharing payments made to other Federal agencies, State and local law enforcement agencies, and foreign countries under the authority of section 616(c) of this Act or section 981 of title 18, United States Code.".

(2) Subsection (a)(2) is amended—

(A) by inserting "(A)" after "(2)"; and

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

"(B) Any payment made under subparagraph (F) of paragraph (1) with respect to a seizure or forfeiture of property shall not exceed the value of the property at the time of disposition.".

(3) Subsection (c) is amended by inserting "forfeited currency and" before "proceeds".

(4) Subsection (e)(1) is amended—

(A) by striking out "and" after the semicolon at the end of subparagraph (A);

(B) by amending subparagraph (B)—

(i) by striking out clause (ii),

(ii) by redesignating clauses (iii) through (vi) as clauses (ii) through (v), respectively,

(iii) by striking out "and" after the semicolon in clause (iv) (as so redesignated); and

(iv) by striking out the period at the end thereof and inserting "; and"; and

(C) by adding at the end thereof the following new subparagraph:

"(C) a report containing, for the previous fiscal year—

"(i) a complete set of audited financial statements (including a balance sheet, income statement, and cash flow analysis) prepared in a manner consistent with the requirements of the Comptroller General, and

"(ii) an analysis of income and expenses for cases closed showing the revenue received or lost—

"(I) by property category (general property, vehicles, vessels, aircraft, cash, and real property) and

"(II) by type of disposition (sales, remissions, cancellations, placed into official use, sharing with State and local agencies, and destructions).".

(5) Subsection (f) is amended to read as follows:

"(f)(1) Subject to paragraph (2), there are authorized to be appropriated from the Fund not to exceed $20,000,000 for each fiscal year to carry out the purposes set forth in subsections (a)(3) and (b) for such fiscal year.

"(2) Of the amount authorized to be appropriated under paragraph (1), not to exceed the following shall be available to carry out the purposes set forth in subsection (a)(3):

"(A) $14,855,000 for fiscal year 1991.

"(B) $15,598,000 for fiscal year 1992.".

SEC. 122. INCREASE IN VALUE SUBJECT TO ADMINISTRATIVE FORFEITURE; PROCESSING OF MONEY SEIZED UNDER THE CUSTOMS LAWS.

Section 607 of the Traiff Act of 1930 (19 U.S.C. 1607) is amended—

(1) by striking out "$100,000" in subsection (a)(1) and inserting "$500,000";

(2) by striking out "or" at the end of subsection (a)(2);

(3) by inserting "or" after the semicolon at the end of subsection (a)(3);

(4) by inserting after paragraph (3) of subsection (a) the following new paragraph:

"(4) such seized merchandise is any monetary instrument within the meaning of section 5312(a)(3) of title 31 of the United States Code;";

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

"(c) The Commissioner of Customs shall submit to the Congress, by no later than February 1 of each fiscal year, a report on the total dollar value of uncontested seizures of monetary instruments having a value of over $100,000 which, or the proceeds of which, have not been deposited into the Customs Forfeiture Fund under section 613A within 120 days of seizure, as of the end of the previous fiscal year."; and

(6) by striking out "$100,000" in the section heading and inserting "$500,000".

SEC. 123. ANNUAL NATIONAL TRADE AND CUSTOMS LAW VIOLATION ESTIMATES AND ENFORCEMENT STRATEGY.

(a) VIOLATION ESTIMATES.—Note later than 30 days before the beginning of each fiscal year fiscal year 1991, the Commissioner of Customs shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (hereafter in this section referred to as the "Committees") a report that contains estimates of—

(1) the number and extent of violations of the trade, customs, and illegal drug control laws listed under subsection (b) that will likely occur during the fiscal year; and

(2) the relative incidence of the violations estimated under paragraph (1) among the various ports of entry and customs regions within the customs territory.

(b) APPLICABLE STATUTORY PROVISIONS.—The Commissioner of Customs, after consultation with the Committees—

(1) Shall, within 60 days after the date of the enactment of this Act, prepare list of those provisions of the trade, customs, and illegal drug control laws of the United States for which the United States Customs Service has enforcement responsibility and to which the reports required under subsection (a) will apply; and

(2) may from time-to-time amend the listing developed under paragraph (1).

(c) ENFORCEMENT STRATEGY.—Within 90 days after submitting a report under subsection (a) for any fiscal year, the Commissioner of Customs shall—

(1) develop a nationally uniform enforcement strategy for dealing during that year with the violations estimated in the report; and

(2) submit to the Committees a report setting forth the details of the strategy.

(d) CONFIDENTIALTY.—The contents of any report submitted to the Committees under subsection (a) of (c)(2) are confidential and disclosure of all or part of the contents is restricted to—

(1) officers and employees of the United States designated by the Commissioner of Customs;

(2) the chairman of each of the Committees; and

(3) those members of each of the Committees and staff persons of each of the Committees who are authorized by the chairman thereof to have access to the contents.

SEC. 124. REPPORTS REGARDING EXPANSION OF CUSTOMS PRECLEARANCE OPERATIONS AND RECOVERY FOR DAMAGE RESULTING FROM CUSTOMS EXAMINATIONS.

(A) CUSTOMS PRECLEARANCE.—The Secretary of the Treasury, in consulation with the Secretary of State, shall assess the advisability of expanding the use of preclearance operations by the United States Customs Service at foreign airports. The Secretary of Treasury shall submit a report on the assessment to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (hereafter in this section referred to as the "Committees") no later than February 1, 1991.

(b) RECOVERY FOR CUSTOMS DAMAGE.—

(1) The Secretary of the Treasury, in consultation with the Attorney General, shall determine and evaluate various means by which persons whose merchandise is damaged during customs examinations may seek compensation from, or take other recourse against, the United States Customs Service regarding the damage.

(2) No later than February 1, 1991, the Secretary of the Treasury shall submit to the Committees a report on the evaluation required under paragraph (1), together with any legislative recommendation that the Secretary considers appropriate.

(c) MERCHANDISE DAMAGE STATISTICS.—The Commissioner of Customs shall keep accurate statistics on the incidence, nature, and extent of damage to merchandise resulting from customs examinations and shall provide an annual summary of these statistics to the Committees.

SEC. 125. ELIGIBILITY OF CZECHOSLOVAKIA AND EAST GERMANY UNDER THE GENERALIZED SYSTEM OF PREFERENCES.

The table in section 502(b) of the Trade Act of 1974 (19 U.S.C. 2462(b)) is amended by striking out "Czechoslovakia"and "Germany (East)".

SEC. 126. EXTENSION OF TIME FOR PREPARATION OF REPORT ON SUPPLEMENTAL WAGE ALLOWANCE DEMONSTRATION PROJECTS UNDER THE WORKER ADJUSTMENT ASSISTANCE PROGRAM.

Section 246(d) of the Trade Act of 1974 (19 U.S.C. 2318(d)) is amended by striking out "3 years" and inserting "6 years".

SEC. 127. TECHNICAL AMENDMENTS REGARDING NONDISCRIMINATORY TRADE TREATMENT.

(a) WAIVER AUTHORITY.—

(1) Subsection (d) of section 402 of the Trade Act of 1974 (19 U.S.C. 2432(d)) is amended to real as follows:

"(d) If the President determines that the further extension of the waiver authority granted under subsection (c) will substantially promote the objectives of this section, he may recommend further extensions of such authority for successive 12-month periods. Any such recommendation shall—

"(1) be made not later than 30 days before the expiration of such authority;

"(2) be made in a document transmitted to the House of Representatives and the Senate setting forth his reasons for recommending the extension of such authority; and

"(3) include, for each country with respect to which a waiver granted under subsection (c) of this section is in effect, a determination that continuation of the waiver applicable to that country will substantially promote the objectives of this section, and a statement setting forth his reasons for such determination.

If the President recommends the further extension of such authority, such authority shall continue in effect until the end of the 12-month period following the end of the previous 12-month extension with respect to any country (except for any country with respect to which such authority has not been extended under this subsection), unless before the end of the 60-day period following

such previous 12-month extension a joint resolution described in section 153(a) is enacted into law disapproving the extension of such authority generally or with respect to such country specifically. Such authority shall cease to be effective with respect to all countries on the date of the enactment before the end of such 60-day period of a joint resolution disapproving the extension of such authority, and shall cease to be effective with respect to any country on the date of the enactment before the end of such 60-day period of a joint resolution disapproving the extension of such authority with respect to such country.".

(2) Subsection (a) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193(a)) is amended to read as follows:

"(a) CONTENTS OF RESOLUTION.—For purposes of this section, the term 'resolution' means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on with respect to .', with the first blank space being filled with the appropriate date, and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the clause beginning with 'with respect to' being omitted if the extension of the authority is not approved with respect to any country.".

(3) Subsection (b) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193(b)) is amended—

(A) by striking out ", and, in the case of a resolution related to section 402(d)(4), 20 calendar days shall be substituted for 30 days" in paragraph (2),

(B) by striking out "an except clause, in the case of a resolution described in subsection (a)(1), or" in paragraph (3),

(C) by striking out ", in the case of a resolution described in subsection (a)(2)" in paragraph (3),

(D) by striking out "an except clause, in the case of a resolution described in subsection (a)(1), or" in paragraph (4), and

(E) by striking out ", in the case of a resolution described in subsection (a)(2)" in paragraph (4).

(4) Subsection (c) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193) is amended by striking out "in subsection (a)(1)" and inserting "in subsection (a)".

(b) BILATERAL COMMERCIAL AGREEMENTS.—

(1) Subsection (c) of section 405 of the Trade Act of 1974 (19 U.S.C. 2435(c)) is amended to read as follows:

"(c) An agreement referred to in subsection (a), and a proclamation referred to in section 404(a) implementing such agreement, shall take effect only if a joint resolution described in section 151(b)(3) that approves of the agreement referred to in subsection (a) is enacted into law.".

(2) Section 151 of the Trade Act of 1974 (19 U.S.C. 2191(b)) is amended—

(A) by amending paragraph (2) of subsection (b) to read as follows:

"(2) The term 'implementing revenue bill or resolution' means an implementing bill or approval resolution which contains one or more revenue measures by reason of which it must originate in the House of Representatives.",

(B) by striking out "concurrent" in subsection (b)(3) and inserting "joint",

(C) by striking out "revenue bill" each place it appears in subsection (e)(2) and inserting "revenue bill or resolution", and

(D) by striking out "such bill" each place it appears in subsection (e)(2) and inserting "such bill or resolution".

(3) Subsection (c) of section 407 of the Trade Act of 1974 (19 U.S.C. 2437(c)) is amended—

(A) by striking out paragraphs (1) and (2) and inserting the following new paragraph:

"(1) In the case of a document referred to in subsection (a), the proclamation set forth in the document may become effective and the agreement set forth in the document may enter into force and effect only if a joint resolution described in section 151(b)(3) that approves of the extension of nondiscriminatory treatment to the products of the country concerned is enacted into law.", and

(B) by redesignating paragraph (3) as paragraph (2).

(c) COMPLIANCE REPORTS.—

(1) Paragraph (2) of section 407(c) of the Trade Act of 1974 (19 U.S.C. 2437(c)(2)), as redesignated by subsection (b)(3)(B) of this section, is amended—

(A) by striking out "either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of those present and voting in that House, a resolution of disapproval (under the procedures set forth in section 152)" and inserting "a joint resolution described in section 152(a)(1)(B) is enacted into law that disapproves", and

(B) by striking out "the adoption" and inserting "the enactment".

(2) Subparagraph (B) of section 152(a)(1) of the Trade Act of 1974 (19 U.S.C. 2192(a)(1)(B)) is amended to read as follows:

"(B) a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Congress does not approve transmitted to the Congress on .', with the first blank space being filled in accordance with paragraph (2), and the second blank space being filled with the appropriate date.".

(3) Paragraph (2) of section 152(a) of the Trade Act of 1974 (19 U.S.C. 2192(a)(2)) is amended—

(A) by adding "and" at the end of subparagraph (A),

(B) by striking out "407(c)(3)" in subparagraph (C) and inserting "407(c)(2)",

(C) by striking out subparagraph (B),

(D) by redesignating subparagraph (C) as subparagraph (B).

(4) Subsection (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192(f)) is amended to read as follows:

"(f) FINAL PASSAGE IN THE SENATE.—A resolution that has passed the House of Representatives shall, when received in the Senate, be placed on the calendar. The procedures in the Senate with respect to a resolution introduced in the Senate that concerns the same matter as the resolution that passed the House of Representatives shall be the same as if no resolution had been received from the House of Representatives, but the vote on final passage in the Senate shall be on the resolution that passed the House of Representatives.".

(5) Subsection (b) of section 154 of the Trade Act of 1974 (194 U.S.C. 2194(b)) is amended by striking out ", 407(c)(2), and 407(c)(3)" and inserting "and 407(c)(2)".

TITLE II—CARIBBEAN BASIN ECONOMIC RECOVERY

Subtitle A—Short Title and Findings

SEC. 201. SHORT TITLE.

This title may be cited as the "Caribbean Basin Economic Recovery Expansion Act 1989".

SEC. 202. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) a stable political and economic climate in the Caribbean region is necessary for the development of the countries in that region and for the security and economic interests of the United States;

(2) the Caribbean Basin Economic Recovery Act was enacted in 1983 to assist in the achievement of such a climate by stimulating the development of the export potential of the region; and

(3) the commitment of the United States to the successful development of the region, as evidenced by the enactment of the Caribbean Basin Economic Recovery Act, should be reaffirmed, and further strengthened, by amending that Act to improve its operation.

Subtitle B—Amendments to the Caribbean Basin Economic Recovery Act and Related Provisions

PART 1—AMENDMENTS TO CARIBBEAN BASIN ECONOMIC RECOVERY ACT

SEC. 211. REPEAL OF TERMINATION DATE ON DUTY-FREE TREATMENT UNDER THE ACT.

Section 218 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2706(b)) is repealed.

SEC. 212. DUTY REDUCTION FOR CERTAIN LEATHER-RELATED PRODUCTS.

(a) IN GENERAL.—Section 213 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703) is amended by adding at the end thereof the following new subsection:

"(h)(1) The rate of duty on any handbag, luggage, flat good, work glove, or leather wearing apparel that—

"(A) is a product of a beneficiary country; and

"(B) was not designated on August 5, 1983, as an eligible article for the purpose of the generalized system of preferences under title V of the Trade Act of 1974;

is a rate equal to 50 percent of the general column 1 rate of duty under the HTS that would apply to such article but for this paragraph.

"(2) The President shall proclaim the rates of duty imposed under paragraph (1).

"(3) The duty applied under paragraph (1) to an article is in lieu of the duty provided for that article under general column 1 of the HTS.".

(b) CONFORMING AMENDMENT.—Section 213(b) of such Act is amended—

(1) by striking out ", handbags, luggage, flat goods, work gloves, and leather wearing apparel" in paragraph (2);

(2) by striking "or" at the end of paragraph (4);

(3) by striking out the period at the end of paragraph (5) and inserting "; or"; and

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

"(6) articles to which reduced rates of duty apply under subsection (h).".

SEC. 213. WORKER RIGHTS.

Section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702) is amended—

(1) by striking out "and" after the semicolon at the end of subsection (b)(5);

(2) by striking out the period at the end of subsection (b)(6) and inserting "; and";

(3) by adding at the end of subsection (b) the following new paragraph:

"(7) if such country has not or is not taking steps to afford internationally recognized worker rights (as defined in section 502(a)(4) of the Trade Act of 1974) to workers in the country (including any designated zone in that country).";

(4) by amending the last sentence in subsection (b) by striking out "and (5)" and inserting "(5), and (7)";

(5) by amending subsection (c)(8) to read as follows:

"(8) whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights."; and

(6) by adding the following new subparagraph at the end of subsection (e):

"(3) Not later than January 4, 1991 and biennially thereafter, the President shall conduct a general review of eligible countries based on the considerations described in subsections (b) and (c).".

SEC. 214. REPORTS.

Section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702) is amended by adding at the end thereof the following new subsection:

"(f) On or before October 1, 1992, and the close of each 3-year period thereafter, the President shall submit to the Congress a complete report regarding the operation of this title.".

SEC. 215. APPLICATION OF ACT IN EASTERN CARIBBEAN AREA.

It is the sense of the Congress that there should be undertaken special efforts in order to improve the ability of the Organization of Eastern Caribbean States countries and Belize to benefit from the Caribbean Basin Economic Recovery Act.

PART 2—AMENDMENTS TO THE HARMONIZED TARIFF SCHEDULE AND OTHER PROVISIONS AFFECTING CBI BENEFICIARY COUNTRIES

SEC. 221. SUGAR IMPORTS FROM BENEFICIARY COUNTRIES.

(a) ALLOCATIONS TO BENEFICIARY COUNTRIES.—Paragraph (c) of additional U.S. note 3 of chapter 17 of the Harmonized Tariff Schedule of the United States is amended—

(1) by inserting after note 2 of subparagraph (i) the following:

"NOTE 3: The Secretary shall determine whether any country is not utilizing fully the base quota amount allocated to it for a quota year and any amount determined to be unused during such year shall be reallocated on a pro rata basis among the countries listed in general note 3(c)(v) (hereinafter in this paragraph referred to as the 'CBI countries') receiving base quota allocations for such year. The unused quota amount reallocated to any CBI country under this note for any quota year is in addition to any reallocation made under subparagraph (iv) to that country for such year. No portion of any reallocation made to a CBI country for a quota year under this note or subparagraph (iv) that is unused at the close of such year is available for use in any other quota year";

(2) by amending subparagraph (iii) to read as follows:

"(iii) Notwithstanding any authority given to the United States Trade Representative under paragraphs (e) and (g) of this note, in allocating any limitation imposed under any paragraph of this note on the quantity of sugars, syrups, and molasses described in the subheadings cited under paragraph (a) of this note which may be entered—

"(A) the percentage allocation made to the Philippines under this paragraph may not be reduced,

"(B) no allocation may be made to the Republic of South Africa, and

"(C) the aggregate of the amounts of the base quota allocations to the CBI countries for any quota year beginning after December 31, 1988, may not be less than 371,449 metric tons, raw value."; and

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

"(iv) If under law authorizing such an action for purposes of dealing with a threat to the national security or foreign policy of the United States, the allocation under subparagraph (i) for any quota year is suspended or terminated with respect to any country, the amount of the suspended or terminated allocation shall be reallocated on a pro-rata basis among the CBI countries receiving allocations for that year. Any quota amount reallocated to any CBI country under this subparagraph for any quota year is in addition to any reallocation made under note 3 of subparagraph (i) to that country for such year.

"(v) The President may enter into trade agreements with foreign governments for purposes of granting appropriate compensation, and may proclaim such compensation, if any action taken by the United States under the authority of note 3 of subparagraph (i), subparagraph (iii)(C), or subparagraph (iv) is found to be inconsistent with the international obligations of the United States (including the General Agreement on Tariffs and Trade). Before offering compensation under this subparagraph, the President shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate regarding the reasons for taking the action concerned and the compensation proposed to be offered.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to the quota year in effect on the date of the enactment of this Act and to quota years thereafter.

SEC. 222. INCREASE IN DUTY-FREE TOURIST ALLOWANCES.

(a) DUTY-FREE ALLOWANCE FOR RETURNING RESIDENTS.—Subchapter IV of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by inserting the following new note at the end of the notes to such subchapter.

"4. As used in subheadings 9804.00.70 and 9804.00.72, the term 'beneficiary country' means a country listed in general note 3(c)(v)(A).";

(2) by striking out "subheading 9804.00.65 or 9804.00.70" and all that follows thereafter in the superior article description to subheadings 9804.00.65 and 9804.00.70 and inserting "subheadings 9804.00.65, 9804.00.70, and 9804.00.72 within 30 days preceding his arrival, and claims exemption under only one of such items on his arrival.";

(3) by striking out "$800" in subheading 9804.00.70 and inserting "$1,200";

(4) by inserting "or up to $600 of which have been acquired in one or more beneficiary countries" before the parenthetical matter in subheading 9804.00.70; and

(5) by inserting after subheading 9804.00.70 the following new subheading with the article description for the new subheading having the same degree of indentation as subheading 9804.00.70:

"9804.00.72 Articles whether or not accompanying a person, not over $600 in aggregate fair market value in the country of acquisition, including—. *(a) but only in the case of an individual who has attained the age of 21, not more than 1 liter of alcoholic beverages or not more than 2 liters if at least one liter is the product of one or more beneficiary countries, and.* *(b) not more than 200 cigarettes, and not more than 100 cigars.* *If such person arrives directly from a beneficiary country, not more than $400 of which shall have been acquired elsewhere than in beneficiary countries (but this item does not permit the entry of articles not accompanying a person which were acquired elsewhere than in beneficiary countries)*	*Free*	*Free".*

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to residents of the United States who depart from the United States on or after the 15th day of the enactment of this Act.

SEC. 223. DUTY-FREE TREATMENT FOR ARTICLES ASSEMBLED IN BENEFICIARY COUNTRIES FROM COMPONENTS PRODUCED IN THE UNITED STATES.

(a) IN GENERAL.—U.S. Note 2 of subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking out "2. Any" and inserting "2. (a) Except as provided in paragraph (b), any"; and

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

"(b) No article (except a textile or apparel article) may be treated for purposes of this Act as a foreign article, or as subject to duty, if—

"(i) the article is—

"(A) assembled in whole of fabricated components that are a product of the United States, or

"(B) processed in whole of ingredients (other than water) that are a product of the United States, in a beneficiary country; and

"(ii) neither the fabricated components or ingredients, after exportation from the United States, nor the article itself, before importation into the United States, enters the commerce of any foreign country other than a beneficiary country. As used in this paragraph, the term 'beneficiary country' means a country listed in general note 3(c)(V)(A).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) applies with respect to goods assembled or processed abroad that are entered on or after the 15th day after the date of the enactment of this Act.

SEC. 224. RULES OF ORIGIN FOR BENEFICIARY COUNTRY PRODUCTS.

(a) IN GENERAL.—For purposes of administering the Caribbean Basin Economic Recovery Act and subject to subsection (b), the President may proclaim new rules, to take effect on January 1, 1991, for determining whether articles originate in beneficiary countries.

(b) CONSULTATION AND LAY-OVER REQUIREMENTS.—Rules of origin may not be proclaimed under subsection (a) unless—

(1) the President has obtained advice regarding the proposed rules pursuant to consultation with—

(A) the appropriate advisory committees established under section 135 of the Trade Act of 1974,

(B) the governments of the beneficiary countries,

(C) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and

(D) other interested parties;

(2) the President has submitted a report to such Committees that sets forth the rules proposed to be proclaimed and the reasons thereof;

(3) a period of at least 90 calendar days that begins on the first day on which the President has met the requirements of paragraphs (1) and (2) with respect to such action has expired; and

(4) the President has further consulted with such Committees regarding the proposed action during the period referred to in paragraph (3).

SEC. 225. CUMULATION INVOLVING BENEFICIARY COUNTRY PRODUCTS UNDER THE COUNTERVAILING AND ANTIDUMPING DUTY LAWS.

(a) MATERIAL INJURY.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(c)(iv)) is amended to read as follows:

"(iv) CUMULATION.—

"(I) IN GENERAL.—For purposes of clauses (i) and (ii) and subject to subclause (II), the Commission shall cumulatively assess the volume and effect of imports from two or more countries of like products subject to investigation if such imports compete with each other and with like products of the domestic industry in the United States market.

"(II) CBI EXCEPTION.—When the imports subject to investigation are products of a country designated as a beneficiary country under the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), the volume and effect of imports from such country may only be cumulatively assessed with imports of like products from one or more other countries designated as beneficiary countries.".

(b) THREAT OF MATERIAL INJURY.—Section 771(7)(F)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(F)(iv)) is amended by striking out "(C)(v)," and inserting "(C)(iv)(II)and (v),".

(c) EFFECTIVE DATE.—The amendments made by subsection (a) and (b) apply with respect to investigations initiated under section 720 or 732 of the Tariff Act of 1930 on or after the date of the enactment of this Act.

SEC. 226. ETHYL ALCOHOL AND MIXTURES THEREOF FOR FUEL USE.

(a) DETERMINATION OF INDIGENOUS PRODUCTS.—Section 423(c) of the Tax Reform Act of 1986 (19 U.S.C. 2703 note) is amended—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(2) by striking out paragraph (2) and inserting the following:

"(2) Ethyl alcohol or a mixture thereof that is produced by a process of full fermentation in an insular possession or beneficiary country shall be treated as being an indigenous product of that possession or country.

"(3)(A) Ethyl alcohol and mixtures thereof that are only dehydrated within an insular possession or beneficiary country (hereinafter in this paragraph referred to as 'dehydrated alcohol and mixtures') shall be treated as being indigenous products of that possession or country only if the alcohol or mixture, when entered, meets the applicable local feedstock requirement.

"(B) The local feedstock requirement with respect to any calendar year is—

"(i) 0 percent with respect to the base quantity of dehydrated alcohol and mixtures that is entered;

"(ii) 30 percent with respect to the 35,000,000 gallons of dehydrated alcohol and mixtures next entered after the base quantity; and

"(iii) 50 percent with respect to all dehydrated alcohol and mixtures entered after the amount specified in clause (ii) is entered.

"(C) For purposes of this paragraph:

"(i) The term 'base quantity' means, with respect to dehydrated alcohol and mixtures entered during any calender year, the greater of—

"(I) 60,000,000 gallons; or

"(II) an amount (expressed in gallons) equal to 7 percent of the United States domestic market for ethyl alcohol, as determined by the United States International Trade Commission, during the 12-month period ending on the preceding September 30;

that is first entered during the calendar year.

"(ii) The term 'local feedstock' means hydrous ethyl alcohol which is wholly produced or manufactured in any insular possession or beneficiary country.

"(iii) The term 'local feedstock requirement' means the minimum percent, by volume, of local feedstock that must be included in dehydrated alcohol and mixtures."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to calendar years after 1989.

SEC. 227. CONFORMING AMENDMENT.

Section 503(b) of the Trade Act of 1974 (19 U.S.C. 2463(b)) is amended to read as follows:

"(b)(1) The duty-free treatment provided under section 501 shall apply to any eligible article which is the growth, product, or manufacture of a beneficiary developing country if—

"(A) that article is imported directly from a beneficiary developing country into the customs territory of the United States; and

"(B) the sum of (i) the cost or value of the materials produced in the beneficiary developing country or any 2 or more countries which are members of the same association of countries which is treated as one country under section 502(a)(3), plus (ii) the direct costs of processing operations performed in such beneficiary developing country or such member countries is not less than 35 percent of the appraised value of such article at the time of its entry into the customs territory of the United States.

"(2) The Secretary of the Treasury, after consulting with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this subsection, including, but not limited to, regulations providing that, in order to be eligible for duty-free treatment under this title, an article must be wholly the growth, product, or manufacture of a beneficiary developing country, or must be a new or different article of commerce which has been grown, produced, or manufactured in the beneficiary developing country; but no article or material of a beneficiary developing country shall be eligible for such treatment by virtue of having merely undergone—

"(A) simple combining or packaging operations, or

"(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.".

Subtitle C—Scholarship Assistance and Tourism Promotion

SEC. 231. CARIBBEAN-CENTRAL AMERICAN SCHOLARSHIP PARTNERSHIP.

(a) ESTABLISHMENT OF SCHOLARSHIP PROGRAM.—The Administrator of the Agency for International Development shall establish and administer a program of scholarship assistance, in cooperation with State governments, universities, community colleges, and businesses, to provide scholarships to enable students from eligible countries in the Caribbean and Central America to study in the United States.

(b) GRANTS TO STATES.—In carrying out this section, the Administrator may make grants to States to provide scholarship assistance for undergraduate degree programs and for training programs of one year or longer in study areas related to the critical development needs of the students' respective countries.

(c) CONSULTATION WITH STATES.—The Administrator shall consult with the participating States with regard to the educational opportunities available within each State and on the assignment of scholarship recipients.

(d) FEDERAL SHARE.—The Federal share for each year for which a State receives payments under this section shall be not less than 50 percent.

(e) NON-FEDERAL SHARE.—The non-Federal share of payments under this section may be in cash, including the waiver of tuition or the offering of in-State tuition or housing waivers or subsidies, or in-kind fairly evaluated, including the provision of books or supplies.

(f) FORGIVENESS OF SCHOLARSHIP ASSISTANCE.—The obligation of any recipient to reimburse any entity for any or all scholarship assistance provided under this section shall be forgiven upon the recipient's prompt return to his or her country of domicile for a period which is at least one year longer than the period spent studying in the United States with scholarship assistance.

(g) PRIVATE SECTOR PARTICIPATION.—To the maximum extent paracticable, each participating State shall enlist the assistance of the private sector to enable the State to meet the non-Federal share of payments under this section. Wherever appropriate, each participating State shall encourage the private sector to offer internships or other opportunities consistent with the purposes of this section to students receiving scholarships under this section.

(h) FUNDING.—Any funds used in carrying out this section shall be derived from funds allocated for Latin American and Caribbean regional programs under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 and following; relating to the economic support fund).

(i) DEFINITIONS.—As used in this section—

(1) The term "eligible country" means any country—

(A) which is receiving assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) or chapter 4 of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund); and

(B) which is designated by the President as a beneficiary country pursuant to the Caribbean Basin Economic Recovery Act.

(2) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the

Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 232. PROMOTION OF TOURISM.

(a) CONGRESSIONAL FINDING.—The Congress finds that the tourism industry must be recognized as a central element in the economic development and political stability of the Caribbean Basin region because of the potential that the industry has for increasing employment and foreign exchange earnings, establishing important linkages with other related sectors, and having a positive complementary effect on trade with the United States.

(b) FEDERAL AGENCY PRIORITY.—It is the sense of the Congress that increased tourism and related activities should be developed in the Caribbean Basin region as a central part of the Caribbean Basin Initiative program and, to that end, the appropriate agencies of the United States Government should assign a high priority to projects that promote the tourism industry in the Caribbean Basin.

(c) STUDY.—The Secretary of Commerce shall complete the study begun in 1986 regarding tourism development strategies for the Caribbean Basin region. The study shall include—

(1) information on the mutual benefits received by the United States and the Caribbean Basin economies as a result of tourist activity in the area; and

(2) proposals for developing increased linkages between the tourism industry and local industries in the region such as the agro-business.

SEC. 233. PILOT PRECLEARANCE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Subject to subsection (b), the Commissioner of Customs shall carry out, during fiscal years 1990 and 1991, preclearance operations at a facility of the United States Customs Service in a country within the Caribbean Basin which the Commissioner of Customs considers appropriate for testing the extent to which the availability of preclearance operations can assist in the development of tourism.

(b) RESTRICTIONS REGARDING PROGRAM.—

(1) The Commissioner of Customs may not consider a country within the Caribbean Basin to be appropriate for the testing referred to in subsection (a)—

(A) if preclearance operations are currently carried out by the United States Customs Service in that country; or

(B) unless immigration preinspection operations are currently carried out in that country with respect to individuals traveling to the United States.

(2) Preclearance operations may not be commenced in the country selected for testing under subsection (a) unless the Commissioner of Customs and the Commissioner of Immigration and Naturalization jointly certify that—

(A) there exists a bilateral agreement between the United States Government and the government of such country which protects the interests of the United States and affords diplomatic protection to United States employees working at the preclearance location;

(B) the facilities at the preclearance location conform to Federal Inspection Services standards and are suitable for the duties to be performed therein;

(C) there is adequate security around the structure used for the reception of international arrivals;

(D) the government of such country grants the United States Customs Service and the United States Immigration and Naturalization Service appropriate search, seizure, and arrest authority; and

(E) United States employees and their families will not be subject to fear of reprisal, acts of terrorism, and threats of intimidation.

(c) REPORT.—As soon as practicable after September 30, 1991, the Commissioner of Customs shall submit to the Congress a report regarding the preclearance operations program carried out under subsection (a). The report shall include—

(1) a summary of the preclearance operations, including the number of individuals processed, any administrative problems encountered, and cost of the operations;

(2) an evaluation of the extent to which the preclearance operations contributed to—

(A) the stimulation of the tourism industry of the country concerned, and

(B) expedited customs processing at United States ports of entry;

(3) the opinion of the Commissioner of Customs regarding the efficacy of extending preclearance operations to other countries within the Caribbean Basin that are developing tourism industries, and if the opinion is affirmative, the identity of those countries to which such operations should be extended and the estimated costs and results of such extensions; and

(4) such other matters that the Commissioner of Customs considers relevant.

TITLE III—TARIFF PROVISIONS

SEC. 301. REFERENCE.

Whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

Subtitle A—Temporary Suspensions and Reductions in Duties

PART 1—NEW DUTY SUSPENSIONS AND TEMPORARY REDUCTIONS

SEC. 311. CASTOR OIL AND ITS FRACTIONS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"990215.15	*Castor oil and its fractions (provided for in subheading 1515.30.00)....*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 312. CERTAIN JAMS, PASTES AND PUREES, AND FRUIT JELLIES.

Subchapter II of chapter 99 is amended—

(1) by adding at the end of the U.S. notes thereto the following:

"10. (a) The general column 1 rate of duty for goods provided for under heading 9902.20.07 is a rate equal to the column 1 rate of duty that would have applied to such goods under the Tariff Schedules of the United States (19 U.S.C. 1202) on the day before the effective date of this schedule.

"(b) If the President determines that appropriate trade concessions, including the correction of errors and oversights in foreign tariff schedules, have been obtained, the President may proclaim such modifications to the column 1 rates of duty on jams, pastes, and purees, and fruit jellies of peaches, apricots, or cherries, classified in subheading 2007.99 as are necessary and practicable to restore with respect to such goods the tariff treatment that applied under the Tariff Schedules of the United States (19 U.S.C. 1202) on the day before the effective date of this schedule.";

(2) by inserting in numerical sequence the following new heading:

"990220.07	*Jams, pastes, and purees, and fruit jellies, the foregoing of peaches, apricots, or cherries (provided for in subheading 2007.99).....*	*The rates of duty prescribed in U.S. note 10(a) to this subchapter*	*No change*	*No change*	*On or before the earlier of—(1) 12/31/92 or (2) the effective date of the rates proclaimed under U.S. note 10(b) to this subchapter".*

SEC. 313. MERCURIC OXIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.28.25	*Mercuric oxide (provided for in subheading 2825.90.60)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 314. HEXYL CHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.07	*1-Chlorohexane (hexyl chloride) (CAS No. 544-10-5) (provided for in subheading 2903.19.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 315. TERTIARY-BUTYL CHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.08	*2-Chloro-2-methylpropane (tertiary-Butyl chloride) (CAS No. 507-20-0) (provided for in subheading 2903.19.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 316. HEXACHLOROBUTADIENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.09	*Hexachlorobutadiene (provided for in subheading 2903.29.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 317. DMBS AND HPBA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"9902.30.10	*4.4-Isopropylidenedicyclohexanol (CAS No. 80-04-6) (provided for in subheading 2903.19.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92;" and*
"9902.30.83	*Bis-O-[(4-methylphenyl)methylene]-D-glucitol (CAS Nos. 54686-974 and 58956-31-3) (dimethylbenzylidene sorbitol) (provided for in subheading 2932.90.41)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 318. MBEP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.11	*2-(1,1-Dimethylethyl)-4-ethylphenol (CAS No. 96-70-8) (provided for in subheading 2907.19.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 319. 6-T-BUTYL-2,4-XYLENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.12	*6-t-Butyl-2,4-xylenol (provided for in subheading 2907.19.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 320. 4,4'-METHYLENEBIS-(2,6-DIMETHYLPHENYLCYANATE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.13	*4,4'-Methylenebis-(2,6-dimethylphenylcyanate) (CAS No. 101657-77-6) (provided for in subheading 2907.29.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 321. NEVILLE AND WINTER'S ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.14	*1-Naphhol-4-sulfonic acid and the monosodium salt (CAS Nos. 84-87-7 and 6099-57-6) (provided for in subheading 2908.20.10)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 322. 7-HYDROXY-1,3-NAPHTHALENEDISULFONIC ACID, DIPOTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading

"9902.30.15	*7-Hydroxy-1,3-naphthalenedisulfonic acid, dipotassium salt (CAS No. 842-18-2) (provided for in subheading 2908.20.50)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 323. 7-ACETYL-1,1,3,4,4,6-HEXAMETHYLTETRAHYDRONAPHTHALENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.16	7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene (CAS No. 1506-02-1) (provided for in subheading 2914.30.00)	Free	No change	No change	On or before 12/31/92".

SEC. 324. ANTHRAQUINONE (AQ).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.17	Anthraquinone (CAS No. 84-65-1) (provided for in subheading 2914.61.00)	Free	No change	No change	On or before 12/31/92".

SEC. 325. 1,4-Dihydroxyanthraquinone.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading;

"9902.30.18	1,4-Dihydroxy-anthraquinone (CAS No. 81-64-1) (provided for in subheading 2914.69.50)	Free	No change	No change	On or before 12/31/92".

SEC. 326. 2-ETHYLANTHRAQUINONE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.19	2-Ethylanthraquinone (CAS No. 84-51-5) (provided for in subheading 2914-69.50)	Free	No change	No change	On or before 12/31/92".

SEC. 327. CHLORHEXANONE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.20	1-Chloro-5-hexanone (CAS No. 10226-30-9) (provided for in subheading 2914.70.50)	Free	No change	No change	On or before 12/31/92".

SEC. 328. P.TOLUIC ACID.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.21	p-Toluic acid (provided for in subheading 2916.39.50)	Free	No change	No change	On or before 12/31/92".

SEC. 329. NAPHTHALIC ACID ANHYDRIDE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.22	Naphthalic acid anhydride (CAS No. 81-84-5) (provided for in subheading 2917.38.10)	Free	No change	No change	On or before 12/31/92".

SEC. 330. DIFLUNISAL.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.23	2',4'-Difluoro-4-hydroxy-3-biphenyl-carboxylic acid (provided for in subheading 2918.29.40)	Free	No change	No change	On or before 12/31/92".

SEC. 331. DIPHENOLIC ACID.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.24	4,4-Bis(4-hydroxyphenyl)-pentanoic acid (CAS No. 126-00-1) (provided for in subheading 2918.29.40)	Free	No change	No change	On or before 12/31/92".

SEC. 332. 6-HYDROXY-2-NAPHTHOIC ACID.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.25	6-Hydroxy-2-naphthoic acid (CAS No. 16712-64-4) (provided for in subheading 2918.29.40)	Free	No change	No change	On or before 12/31/92".

SEC. 333. METHYL AND ETHYL PARATHION.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.26	0,0-Diethyl-O-(4-nitrophenyl) phosphorothioate and 0,0-Dimethyl-0-(4-nitrophenyl) phosphorothioate (provided for in subheading 2920.10.20)	Free	No change	No change	On or before 12/31/92".

SEC. 334. N-METHYLANILINE AND M-CHLOROANILINE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.42.20	N-Methylaniline (provided for in subheading 2921.32.20)	Free	No change	No change	On or before 12/31/92".
"9902.30.28	m-Chloroaniline (provided for in subheading 2918.42.50)	Free	No change	No change	On or before 12/31/92".

SEC. 335. 4,4'-METHYLENE-BIS-(3-CHLORO-2,6-DIETHYL ANILINE).

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.29	4,4'-Methylene-bis-(3-chloro-2,6-diethylaniliine) (CAS No. 106246-33-7) (provided for in subheading 2921.42.30)	Free	No change	No change	On or before 12/31/92".

SEC. 336. 4,4'-METHYLENE-BIS-(2,6-DIISOPROPHYL ANILINE).

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.30	4,4'-Methylene-bis-(2,6-diisoprophyl-aniline) (provided for in subheading 2921.42.50)	Free	No change	No change	On or before 12/31/92".

SEC. 337. 2-CHLORO-4-NITROANILINE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.31	2-Chloro-4-nitroaniline (CAS No. 121-87-9) (provided for in subheading 2921.42.50)	Free	No change	No change	On or before 12/31/92".

SEC. 338. 4-CHLORO-α-α-α-TRIFLUORO-O-TOLUIDINE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.32	4-Chloro-α-α-α-trifluoro-o-toluidine (CAS No. 445-30-4) (provided for in subheading 2921.43.10)	Free	No change	No change	On or before 12/31/92".

SEC. 339. TRIFLUOROMETHYLANILINE.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.33	Trifluoromethylaniline (CAS No. 98-16-8) (provided for in subheading 2921.43.50)	Free	No change	No change	On or before 12/31/92".

SEC. 340. 5-AMINO-2-NAPHTHALENESULFONIC ACID.

Subchaper II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.34	5-Amino-2-naphthalenesulfonic acid (CAS No. 119-79-9) (provided for in subheading 2921.45.10)	Free	No change	No change	On or before 12/31/92".

SEC. 341. 7-AMINO-1,3-NAPHTHALENEDISULFONIC ACID, MONOPOTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.35	7-Amino-1,3-naphthalenedisulfonic acid, monopotassium salt (CAS No. 842-15-9) (provided for in subheading 2921.45.10)	Free	No change	No change	On or before 12/31/92".

SEC. 342. 4 AMINO-1-NAPHTHALENESULFONIC ACID, SODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.36	4-Amino-1-naphthalenesulfonic acid, sodium salt (CAS No. 130-13-2) (provided for in subheading 2921.45.20)	Free	No change	No change	On or before 12/31/92".

SEC. 343. 8-AMINO-2 NAPHTHENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.37	8-Amino-2 naphthenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.20)	Free	No change	No change	On or before 12/31/92".

SEC. 344. MIXTURES OF 5- AND 8-AMINO-2 NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.38	Mixtures of 5- and 8-amino-2 naphthalenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.30)	Free	No change	No change	On or before 12/31/92".

SEC. 345. 1-NAPHTHYLAMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.39	1-Naphthylamine (CAS No. 134-32-7) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92".

SEC. 346. 6-AMINO-2-NAPHTHENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.40	6-Amino-2-naphthenesulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92".

SEC. 347. BROENNER'S ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.41	2-Naphthylamine-6-sulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92".

SEC. 348. D SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.42	2-Naphthylamine-1,5-disulfonic acid and its monosodium salt (CAS Nos. 117-62-4 and 19532-03-07) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92".

SEC. 349. 2,4-DIAMINOBENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.43	2,4-Diaminobenzenesulfonic acid (CAS No. 88-63-1) (provided for in subheading 2921.51.50)	Free	No change	No change	On or before 12/31/92".

SEC. 350. PARAMINE ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.44	1,4-Diaminobenzene-2-sulfonic acid (CAS No. 88-45-9) (provided for in subheading 2921.59.50)	Free	No change	No change	On or before 12/31/92".

SEC. 351. TAMOXIFEN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.45	Tamoxifen citrate (provided for in subheading 2922.19.10)	Free	No change	No change	On or before 12/31/92".

SEC. 352. K-ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.46	1-Amino-8-hydroxy-4,6-naphthalenedisulfonic acid, monosodium salt (CAS No. 85292-32-2 (provided for in subheading 2922.21.20)	Free	No change	No change	On or before 12/31/92".

SEC. 353. O-ANISIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.47	1-Amino-2-methoxybenzene (o-Anisidine) (CAS No. 90-04-0) (provided for in subheading 2922.22.10)	Free	No change	No change	On or before 12/31/92".

SEC. 354. 2-AMINO-4-CHLOROPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.48	2-Amino-4-chlorophenol (CAS No. 95-85-2) (provided for in subheading 2922.29.10)	Free	No change	No change	On or before 12/31/92".

SEC. 355. ORNITHINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.49	L-Omithine, ethyl ester (L-2,5- Diaminopentanoic acid, ethyl ester) (CAS No. 84772-29-2) (provided for in subheading 2922.49.50)	Free	No change	No change	On or before 12/31/92".

SEC. 356. DEMAP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.50	m-Diethylaminophenol (CAS No. 91-68-9) (provided for in subheading 2922.29.15)	Free	No change	No change	On or before 12/31/92".

SEC. 357. 7-ANILINO-4-HYDROXY-2 NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.51	7-Anilino-4-hydroxy-2-naphthalenesulfonic acid (CAS No. 119-40-4) (provided for in subheading 2922.29.50)	Free	No change	No change	On or before 12/31/92".

SEC. 358. 1,4-DIAMINO-2,3 DIHYDROANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.52	1,4-Diamino-2,3 dihydroanthraquinone (CAS No. 81-63-0) (provided for in subheading 2922.30.30)	Free	No change	No change	On or before 12/31/92".

SEC. 359. TFA LYS PRO IN FREE BASE AND TOSYL SALT FORMS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.53	Trifluoroacetyl-L-lysine-L-proline in free base and tosyl salt forms (provided for in subheadings 2922.49.50 and 2922.49.30, respectively)	Free	No change	No change	On or before 12/31/92".

SEC. 360. LEVODOPA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.54	3-Hydroxy-L-tyrosine (provided for in subheading 2922.50.25)	Free	No change	No change	On or before 12/31/92".

SEC. 361. 1-AMINO-2-BROMO-4-HYDROXYANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.55	1-Amino-2-bromo-4-hydroxyanthraquinone (CAS No. 116-82-5) (provided for in subheading 2922.50.40)	Free	No change	No change	On or before 12/31/92".

SEC. 362. ADC-6.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.56	3-Amino-2-(1-hydroxethyl) pentanedioic acid, 5-methyl ester (provided for in subheading 2922.50.50)	Free	No change	No change	On or before 12/31/92".

SEC. 363. L-CARNITINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.57	L-Carnitine (CAS No. 541-15-1) (provided for in subheading 2923.90.00)	Free	No change	No change	On or before 12/31/92".

SEC. 364. QUIZALOFOP-ETHYL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.58	2-{4-[(6-Chloro-2-quinoxalinyl)oxy)-phenoxy}propionuc acid, ethly ester (Quizalofop-ethyl) (provide for in subheading 2924.21.15)	Free	No change	No change	On or before 12/13/92".

SEC. 365. ACETOACET-PARA-TOLUIDIE (AAPT).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.59	Acetoacet-para-toluidide (AAPT) (CAS No. 2415-85-2) (provided for in subheading 2924.29.09)	Free	No change	No change	On or before 12/31/92".

SEC. 366. NAPHTHOL AS TYPES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.60	3-Hydroxy-2-naphthanilide (CAS No. 92-77-3); 3-hydroxy-2-naphtho-o-toluidide (CAS No. 135-61-5); 3-hydroxy-2-naphtho-o-anigidide (CAS No. 135-62-6); 3-hydroxy-2-naphtho-o-phenetidide (CAS No. 92-74-0); 3-hydroxy-2-naphtho-4-chloro 2,5-dimethoxyanilide (CAS No. 4273-92-1); and N,N'-bis(acetoscetyl-o-toluidine) (CAS No. 91-96-3) (provided for in subheading 2924.29.14)	Free	No change	No change	On or before 12/31/92".

SEC. 367. N-[[(4/CHLOROPHENYL)-AMINO]CARBONYL]-2,6-DIFLUOROBENZAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"9902.30.61	N-[[(4-chlorophenyl)-amino]carbonyl]-2,6-difluorobenza-mide, 90% or more (provided for insubhead 2924.20.19	Free	No change	No change	On or before 12/31/92". and
"9902.38.13	mixtures of N-[[(4-chlorophenyl)-amino]carbonyl]-2,6-difluorobenza-mide and inert substances (provided for in subheading 3808.10.20	Free	No change	No change	On or before 12/31/92".

SEC. 368. ANIS BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.62	3-Aminomethoxyben-zanilide (CAS No. 120-35-4) (provided for in subheading 2924.29.25)	Free	No change	No change	On or before 12/31/92".

SEC. 369. ACETOACETSULFANILIC ACID, POTASSIUM SALT.

SUBCHAPTER II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.63	Acetoacetsulfanilic acid, potassium salt (CAS No. 70321-85-6) (parovided for in subheading 2924.29.40)	Free	No change	No change	On or before 12/31/92".

SEC. 370. IOHEXOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.64	N,N'-Bis(2,3-dihydroxpropyl)-5-[N-(2,3-dihydroxpropyl)-acetamido]-2,4,6-truodoisophthalamide (iohexol) (provided for in subheading 2924.29.,40)	Free	No change	No change	On or before 9/30/90".

SEC. 371. IOPAMIDOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.65	1.3-Benzenedicarboxa-mide (provided for in subheading 2924.29.40)	Free	No change	No change	On or before 9/30/90".

SEC. 372. IOXAGLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new item:

"9902.30.66	N-(2-Hydroxyethyl)-2,4,6-truodo-5-[2(2,4,6-truodo-3(N-methylacetamido)-5-(methylkcarbamoyl)-abenzamidoaceta-mido]-isophthalamic acid (provided for in subheading 2924.29.40)	Free	No change	No change	On or before 9/30/90".

Sec. 373.4-AMINOACETANILIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.67	4-Aminoacetanilide (CAS No. 122-80-5) (provided for in subheading 2924.29.45)	Free	No change	No change	On or before 12/31/92".

SEC. 374. D-CARBOXAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.68	2,2-Dimethylcyclo-propylcarboxamide (CAS No. 75885-58-4) (provided for in subheading 2924.29.50)	Free	No change	No change	On or before 12/31/92".

SEC. 375. 2,6-DICHLOROBENZONITRILE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.69	Mixtures of 2,6-dichlorobenzonitrile and inert substances (provided for in subheading 2926.90.10)	Free	No change	No change	On or before 12/31/92".

SEC. 376. OCTADECYL ISOCYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.70	Octadecyl isocyanate (provided for in subheading 2929.10.40)	Free	No change	No change	On or before 12/31/92".

SEC. 377. 1,6-HEXAMETHYLENE DIISOCYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.71	1,6-Hexamethylene diisocyanate (provided for in subheading 2929.10.50)	Free	No change	No change	On or before 12/31/92".

SEC. 378. 1,1-ETHYLIDENEBIS-(PHENYL-4-CYANATE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.72	1,1-Ethylidenebis-(phenyl-4-cyanate) (provided for in subheading 2929.90.10)	Free	No change	No change	On or before 12/31/92".

SEC. 379. 2,2',BIS(4-CYANATOPHENYL)-1,1,1,3,3,3-HEXAFLUOROPROPANE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.73	2,2'-Bis(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane (CAS No. 32728-27-1) (provided for in subheading 2929.90.10)	Free	No change	No change	On or before 12/31/92".

SEC. 380. 4,4'-THIODIPHENYL CYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.74	4,4'-Thiodiphenyl cyanate (CAS No. 101657-79-8) (provided for in subheading 2930.90.20)	Free	No change	No change	On or before 12/31/92".

SEC. 381. 2[(4-AMINOPHENYL) SULFONYL]ETHANOL, HYDROGEN SULFATE ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.75	2-[(4-Aminophenyl) sulfonyl]ethanol, hydrogen sulfate ester (CAS No. 2494-89-5) (provided for in subheading 2930.90.20)	Free	No change	No change	On or before 12/31/92".

SEC. 382. DIMETHOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.76	0,0-Dimethyl-S-methylcarbamoyl-methyl phosphorodithioate (provided for in subheading 2930.90.40	Free	No change	No change	On or before 12/31/92".

SEC. 383. DIPHENYLDICHLOROSILANE AND PHENYLTRICHLOROSILANE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.77	Diphenyldichlorosilane and phenyltrichlorosilane (provided for in subheading 2931.00.40)	Free	No change	No change	On or before 12/31/92".

SEC. 384. BENDIOCARB.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.78	2,2-Dimethyl-1,3-benzo-dioxol-4-yl methylcarbamate (Bendiocarb) (provided for in subheading 2932.90.10)	Free	No change	No change	On or before 12/31/92".

SEC. 385. RHODAMINE 2C BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.79	Rhodamine 2C base (CAS No. 41382-37-0) (provided for in subheading 2932.90.45)	Free	No change	No change	On or before 12/31/92".

SEC. 386. 2,5-DICHLORO-4-(3-METHYL-5-OXO-2-PYRAZOLIN-1-YL) BENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.80	2,5-Dichloro-4-(3-methyl-5-oxo-2-pyrazolin-1-yl) benzenesulfonic acid (CAS No. 84-57-1) (provided for in subheading 2933.19.42)	Free	No change	No change	On or before 12/31/92".

SEC. 387. NIMODIPINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.81	Nimodipine (provided for in subheading 2933.39.35)	Free	No change	No change	On or before 12/31/92".

SEC. 388. BPIP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.82	Hexamethylenebistriacetonediamine (provided for in subheading 2933.39.47)	Free	No change	No change	On or before 12/31/92".

SEC. 389. 2,2,6,6-TETRAMETHYL-4-PIPERIDINON AND AMINO HYDROXY- AND IMIDO DERIVATIVES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.83	2,2,6,6-Tetramethyl-4-piperidinone (CAS No. 61260-55-7); 2,2,6,6-Tetramethyl-4-piperidylamine (CAS No. 36768-62-4); 2,2,6,6-Tetramethyl-4-piperidinol (CAS No. 2403-88-5); 3-Dodecyl-1-(2,2,6,6-tetramethyl-4-piperidyl)-pyrrolidin-2,5-dione (CAS No. 79720-19-7); 3-Dodecyl-1-(1,2,2,6,6-pentamethyl-4-piperidyl)-pyrrolidin-2,5-dione (CAS No. 106917-30-0); and 3-Dodecyl-1-[1-acetyl-(2,2,6,6-tetramethyl-4-piperidyl)-pyrrolidin-2,5-dione (CAS No. 106917-31-1) (the foregoing provided for in subheading 2933.39.47)	Free	No change	No change	On or before 12/31/92".

SEC. 390. NORFLOXACIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.84	(1)3-Quinolinecar-boxylic acid, 1-ethyl-6-fluoro-1,4-dihydro-4-oxo-7-(1-piperazinyl) (provided for in subheading 2933.59.27)	Free	No change	No change	On or before 12/31/92".

SEC. 391. CIPROFLOXACIN AND CIPROFLOXACIN HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.85	Ciprofloxacin and ciprofloxacin hydrochloride (provided for in subheading 2933.59.27)	Free	No change	No change	On or before 12/31/92".

SEC. 392. 6-METHYLURACIL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.86	6-Methyluracil (CAS No. 626-48-2) (provided for in subheading 2933.59.50)	Free	No change	No change	On or before 12/31/92".

SEC. 393. 2,4-DIAMINO-6-PHENYL-1,3,5-TRIAZINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.87	2,4-Diamino-6-phenyl-1,3,5-triazine (CAS No. 91-76-9) (provided for in subheading 2933.69.00)	Free	No change	No change	On or before 12/31/92".

SEC. 394. AMILORIDE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.88	N-amidino 3,5-diamino-6-chloropyrazine-carboxamide monohydrochloride dihydrate (provided for in subheading 2933.90.36)	Free	No change	No change	On or before 12/31/92".

SEC. 395. TRIMETHYL BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.89	(1,3,3-Trimethylindolin-2-ylidene)-acetylaldehyde (CAS No. 118-12-7) (provided for in subheading 2933.90.39)	Free	No change	No change	On or before 12/31/92".

SEC. 396. ALA PRO.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.90	L-Alanyl-L-proline (CAS No. 13485-59-1) (provided for in subheading 2933.90.50)	Free	No change	No change	On or before 12/31/92".

SEC. 397. THIOTHIAMINE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.91	Thiothiamine hydrochloride (CAS No. 2443-50-7) (provided for in subheading 2934.10.50)	Free	No change	No change	On or before 12/31/92".

SEC. 398. ETHYL 2-(2-AMINOTHIAZOL-4-YL)-2-HYDROXYIMINOCETATE (ATHAET).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.92	Ethyi 2-(2-aminothiazol-4-yl)-2-hydroxyiminoacetate (ATHAET) (CAS No. 64485-82-1) (provided for in subheading 2934.10.50)	Free	No change	No change	On or before 12/31/92".

SEC. 399. ETHYL 2-(2-AMINOTHIAZOL-4-YL)-2-METHOXYIMINOACETATE (ATMAET).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.93	Ethyl 2-(2-aminothiazol-4-yl)-2-methoxyiminoacetate (ATMAET) (CAS No. 64485-88-7) (provided for in subheading 2934.10.50)	Free	No change	No change	On or before 12/31/92".

SEC. 400. 7-NITRONAPHTH[1,2]-OXADIAZOLE-5-SULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.94	7-Nitronaphth[1,2]-oxadiazole-5-sulfonic acid (CAS No. 84-91-3) (provided for in subheading 2934.90.06)	Free	No change	No change	On or before 12/31/92".

SEC. 401. CEFTAZIDIME TERTIARY BUTYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new item:

"9902.30.95	(6R,7R)-7-[(Z)-2-(2-Aminothiazol-4-yl)-2-[(2-tert.-butoxycarbonyl) prop-2-oxyiminol acetamido]-3-(1-pyridimium-methyl)ceph-3-em-4-carboxylate (provided for in subheading 2934.90.25)	Free	No change	No change	On or before 12/31/92".

SEC. 402. CHEMICAL INTERMEDIATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.96	(6R, 7R)-7-amino-3-chloro-8-oxa-5-thal-1-azabicyclo[4-2-0]oct-2-ene-2-carboxylic acid, (4-nitrophenyl) methyl ester (provided for in subheading 2934.90.40)	Free	No change	No change	On or before 12/31/92".

SEC. 403. SULFACHLOROPYRIDAZINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new item:

"9902.30.97	Sulfachloropyridazine (provided for in subheading 2935.00.39)	Free	No change	No change	On or before 12/31/92".

SEC. 404. MIXED ORTHO/PARA TOLUENE SULFONOMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.30.98	Mixed ortho/para toluenesulfanomide (provided for in subheading 2935.00.47)	Free	No change	No change	On or before 12/31/92".

SEC. 405. HERBICIDE INTERMEDIATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new item:

"9902.30.99	N-(2,6-Dichloro-3-methylphenyl)-5-amino-1,3,4-triazole-2-sulfonamide (provided for in subheading 2935.00.47)	Free	No change	No change	On or before 12/31/92".

SEC. 406. N-[4-[(2-AMINO-5-FORMYL-1,4,5,6,7,8-HEXAHYDRO-4-OXO-6-PTERIDINYL)METHYL]AMINO]BENZOYL]-L-GLUTAMIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.00	N-[4-]](2-Amino-5-formyl-1,4,5,6,7,8-hexahydro-4-oxo-6-pteridinyl)-methyl]amino]benzoyl]-L-glutamic acid (provided for in subheading 2936.29.20)	Free	No change	No change	On or before 12/31/92".

SEC. 407. THEOBROMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.01	Theobromine (provided for in subheading 2939.90.10 or 2939.90.50)	Free	No change	No change	On or before 12/31/92".

SEC. 408. (6R-(6a,7B(Z)))-7-(((2-AMINO-4-THIAZOLYL) ((CARBOXYMETHOXY)IMINO) ACETYL)AMINO)-3-ETHENYL-8-OXO-5-THIA-1-AZABICYCLO(4.2.0) OCT-2-ENE-2-CARBOXYLIC ACID (CEFIXIME).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.02	(6R-(6a,7B(Z)))-7-(((2-amino-4-thiazolyl)((carboxymethoxy)imino) acetyl)amino)-3-ethenyl-8-oxo-5-thia-1-azabicyclo(4.2.0) oct-2-ene-2-carboxylic acid (cefixime) (provided for in subheading 2941.90.50).....	Free	No change	No change	On or before 12/31/92".

SEC. 409. TEICOPLANIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.03	Teicoplanin (provided for in subheading 3004.20.00).....	Free	No change	No change	On or before 12/31/92."

SEC. 410. CARFENTANIL CITRATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.04	Carfentanil citrate (provided for in subheading 3004.90.60).....	Free	No change	No change	On or before 12/31/92."

SEC. 411. CALCIUM ACETYLSALICYLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.31.05	Calcium acetylsalicylate, put up in measured doses or in forms or packings for retail sale (provided for in subheading 3004.90.60).....	Free	No change	No change	On or before 12/31/92."

SEC. 412. RESOLIN RED F3BS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.05	N-[2-[2,6-dicyano-4-methylphenyl)azo]-5-(diethylamino)phenyl]methanesulfonamide and N-[2-[(2,6-dicyano-4-methylphenyl)azo[-5-(di-1-propylamino)- phenyl]-methanesulfonamide (provided for in subheading 3204.11.20).....	Free	No change	No change	On or before 12/31/92."

SEC. 413. CERTAIN ACID BLACK POWDER AND PRESSCAKE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.06	Acid black 210 powder and acid black 210 presscake (CAS No. 112484-44-3) (provided for in subheading 3204.12.40).....	Free	No change	No change	On or before 12/31/92".

SEC. 414. PIGMENT RED 178.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.07	Pigment red 178 (CAS No. 3049-71-6) (provided for in subheading 3204.17.10.....	Free	No change	No change	On or before 12/31/90".

SEC. 415. PIGMENT RED 149 DRY AND PRESSCAKE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.08	Pigment red 149 dry and pigment red 149 presscake (CAS No. 4948-15-6) (provided for in subheading 3204.17.50.....	Free	No change	No change	On or before 12/31/90".

SEC. 416. SOLVENT YELLOW 43.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.09	Solvent yellow 43 (CAS No. 19125-99-6) (provided for in subheading 3204.19.15.....	Free	No change	No change	On or before 12/31/92".

SEC. 417. SOLVENT YELLOW 44.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.32.10	Solvent yellow 44 (CAS No. 2478-20-8) (provided for in subheading 3204.19.19.....	Free	No change	No change	On or before 12/31/92".

SEC. 418. MODELING PASTES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.34.07	Modeling pastes (provided for in heading 3407.00.00)	Free	No change	No change	On or before 12/31/92".

SEC. 419. MONO- AND DIBENZYL TOLUENES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.38.24	Mono- and dibenzyl toluenes (provided for in subheading 3823.90.29	Free	No change	No change	On or before 12/31/92".

SEC. 420. CHEMICAL LIGHT ACTIVATOR BLENDS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.38.25	Mixtures of dimethyl phthalate, t-butanol, hydrogen peroxide, and sodium salicylate (provided for in subheading 3823.90.29	Free	No change	No change	On or before 12/31/92".

SEC. 421. POLYMIN P AND POLYMIN P HYDROCHLORIDE, AND POLYMIN SNA 60.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"9902.39.08	Polymin SNA 60 (CAS No. 28825-79-8) (provided for in subheading 3908.90.00)	Free	No change	No change	On or before 12/31/92". and
"9902.39.10	Polymin P and polymin P hydrochloride (CAS Nos. 9002-98-6 and 26338-45-4) (provided for in subheading 3911.90.50)	Free	No change	No change	On or before 12/31/92".

SEC. 422. SPECIALTY THERMOSET RESIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.39.11	Hydrocarbon cyanate ester (provided for in 3911.90.30)	Free	No change	No change	On or before 12/31/92".

SEC. 423. HYDROCARBON NOVOLAC CYANATE ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.39.12	Hydrocarbon Novolac Cyanate ester (provided for in subheading 3911.90.30	Free	No change	No change	On or before 12/31/92".

SEC. 424. CHLORINATED SYNTHETIC RUBBER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.39.13	Chlorinated synthetic rubber (provided for in subheading 3913.90.50)	Free	No change	No change	On or before 12/31/92".

SEC. 425. WICKER PRODUCTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.46.02	Wicker products (provided for in subheading 4602.10.11, 4602.10.13, 4602.10.19, 4602.10.40, or 4602.10.50)	Free	No change	No change	On or before 12/31/92".

SEC. 426. CERTAIN PLASTIC WEB SHEETING.

(1) by adding at the end of the U.S. notes thereto the following new note:

"11. For purposes of heading 9902.56.01, the term 'nonwoven fiber sheet' means sheet comprising a highly uniform and random array of polyester fibers 1.5 to 3.0 denier, thermally bonded and calendered into a smooth surface web having—

"(a) a thickness of 3.7 to 4.0 mils;

"(b) a basis weight of 2.5 oz. per sq. yd.;

"(c) a machine tensile strength of 30 lb. per sq. in. or greater,

"(d) low cross-direction tensile (approximately ⅓ of MD tensile strength); and

"(e) a Frazier air permeability of 1.0 to 1.5 cfm per sq. ft."; and

(2) by inserting in numerical sequence the following new heading:

"9902.56.01	Nonwoven fiber sheet (provided for in subheading 5603.00.90)	Free	No change	No change	On or before 12/31/92".

SEC. 427. PROTECTIVE SPORTS APPAREL.

Subchapter II of chapter 99 is amended—

(1) by adding at the end of the U.S. notes thereto the following:

"12. The general column 1 rate of duty for goods provided for under heading 9902.62.01 is a rate equal to the column 1 rate of duty that would have applied to such goods under the Tariff Schedules of the United States on the day before the effective date of this schedule."; and

(2) by inserting in numerical sequence the following new heading:

"9902.61.10	Goods provided for under subheading 6201.93 or 6203.43 which because of their design, fabric, construction and special features provide protection to athlete participants against the hazards of a sport such as injury from blows, falls, flying objects, road burns, or fire	The rates of duty prescribed in U.S. note 12 to the subchapter	No change	No change	On or before 12/31/92".

SEC. 428. GARMENTS SPECIALLY DESIGNED FOR HANDICAPPED PERSONS WHO ARE NOT AMBULATORY.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

	"Garments, however provided for under heading 6203. 6204, or 6205, of cotton or of man-made fibers, specially designed for use by handcapped persons who are not ambulatory:.				
"9902.62.10	Dresses that open at the back, have hook and loop closings, and are cut so there is no fabric beneath the seated wearer	Free	No change	No change	On or before 12/31/92
9902.62.15	Pants designed with a 60 angle at the hip area to provide for comfortable seating and— (i) are too low in front, too high in back, and too full in seat to be worn by the ambulatory, or (ii) have no seat and are designed to be put on a seated individual without lifting	Free	No change	No change	On or before 12/31/92
9902.62.20	Blouses or shirts that open at the back, have hook and loop closings, and have large side gussets for comfortable sitting	Free	No change	No change	On or before 12/31/92".

SEC. 429. GRIPPING NARROW FABRICS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.58.06	Fastener fabric tapes of man made fibers (provided for in subheading 5806.10.20)	7%	No change	No change	On or before 12/31/92".

SEC. 430. IN-LINE ROLLER SKATE BOOTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.64.02	Skating boots actually used in the manufacture of inline roller skates (provided for in subheading 6402.19.10)	Free	No change	No change	On or before 12/31/92".

SEC. 431. SELF-FOLDING COLLAPSIBLE UMBRELLAS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.66.01	Self-folding telescopic shaft collapsible umbrellas chiefly used for protection against rain (provided for in subheading 6601.91.00)	Free	No change	No change	On or before 12/31/92".

SEC. 432. GLASS BULBS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.70.11	Monochrome glass envelopes with both (1) gray, tinted skirted faceplates, and (2) either a video display diagonal of 14 inches and under or a transmission level of 37% or less (provided for in subheading 7011.20.00)	Free	No change	No change	On or before 12/31/92".

SEC. 433. DRINKING GLASSES WITH SPECIAL EFFECTS IN THE GLASS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.70.14	Drinking glasses decorated with metal flecking, glass pictorial scenes, or glass thread-like or ribbon-like effects, any of the foregoing embedded or introduced into the body of the glassware prior to its solidification; millefiori glassware (provided for in subheading 7013.29.10 or 7013.29.20)	6.6%	No change	No change	On or before 12/31/92".
9902.70.15	Drinking glasses colored prior to solidification, and characterized by random distribution of numerous bubbles, seeds, or stones, throughout the mass of the glass (provided for in subheading 7013.29.10 or 7013.29.20)	20%	No change	No change	On or before 12/31/92".

SEC. 434. CERTAIN GLASS FIBERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.70.19	Cord, yarn or woven fabric, all the foregoing of electrically nonconductive continuous glass fiber filaments measuring 9 or 10 microns in diameter, impregnated, coated or covered with resorcinol formaldehyde latex (provided for in subheadings 7019.10.10, 7019.10.20, 7019.10.60, 7019.20.10, 7019.20.20, or 7019.20.50)	Free	No change	No change	On or before 12/31/92".

SEC. 435. ARTICLES OF SEMIPRECIOUS STONES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.71.16	Graded semiprecious stones (except rock crystal) strung temporarily for convenience of transport (provided for in subheading 7116.20.20)	21%	No change	No change	On or before 12/31/92".

SEC. 436. LUGGAGE FRAMES OF ALUMINUM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.76.16	Luggage frames of aluminum (provided for in subheading 7616.90.00)	Free	No change	No change	On or before 12/31/92".

SEC. 437. MOLTEN-SALT-COOLED ACRYLIC ACID REACTORS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.19	Molten-salt-cooled acrylic acid reactors and their associated parts, accessories, and equipment (provided for in subheadings 8419.89.50, 8419.90.30 or 8419.90.90), when imported as an entirety	Free	No change	No change	On or before 12/31/92".

SEC. 438. ZINC PRINTING TYPE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.30	Zinc printing type (provided for in subheading 8442.50.90)	3.7%	No change	No change	On or before 12/31/92".

SEC. 439. IMPACT LINE PRINTERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.65	Impact line printers using band drive mechanisms and which are capable of printing speeds of not less than 1,300 lines per minute (provided for in subheading 8471.92.65)	No change	No change	3.75%	On or before 12/31/92".

SECTION 440. MACHINES USED IN THE MANUFACTURE OF BICYCLE PARTS; CERTAIN BICYCLE PARTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.79	Wheelbuilding, wheelturning, rim punching, tire fitting and similar machines suitable for use in the manufacture of wheels for bicycles (provided for in subheading 8479.89.90)	Free	No change	No change	On or before 12/31/92"; and
"9902.87.15	Bicycle handlebar stems wholly of aluminum alloy (including their hardware of any material), valued over $2.15 each (provided for in subheading 8714.99.90)	Free	No change	No change	On or before 12/31/92".
"990287.16	Bicycle handlebar stem rotor assemblies (provided for in subheading 8714.99.90)	Free	No change	No change	On or before 12/31/92".

SEC. 441. MOTOR VEHICLE PARTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.83	*Motor vehicle parts, however provided for in heading 8483 and subheading 7014.00.20*	*Free*	*No change*	*No change*	*On or before the effective date of a Presidential proclamation extending duty free treatment under general column 1 to such motor vehicle parts".*

SEC. 442. PARTS OF GENERATORS FOR USE ON AIRCRAFT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.85.03	*Parts of generators suitable for use on aircraft (provided for in subheading 8503.00.60)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 443. MAGNETIC VIDEO TAPE RECORDINGS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.85.24	*Video tape recordings of a width exceeding 6.5mm but not exceeding 16mm, in cassettes of United States origin as certified by the importers, and valued at not over $7.00 per pre-recorded cassette unit (provided for in subheading 8524.23.10)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 444. CERTAIN INFANT NURSERY MONITORS AND INTERCOMS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"9902.85.25	*Infant nursery monitor systems, each consisting in the same package of a radio transmitter, an electrical adapter, and a radio receiver (provided for in subheading 8504.40.00, 8525.10.60, or 8527.39.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*
"9902.85.26	*Infant nursery intercommunication systems, each consisting in the same package of a pair of transceivers operating on frequencies from 49.82 to 49.90 mHz and an electrical adapter (provided for in subheading 8504.40.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 445. CERTAIN MACHINED ELECTRONIC CONNECTOR CONTACT PARTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.85.35	*Machined electronic connector contact parts, ½ inch or less in diameter suitable for use in aerospace or military equipment applications (provided for in subheading 8538.90.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 446. CERTAIN PISTON ENGINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.84.07	*Internal combustion piston-type engines, of a cylinder capacity exceeding 50 cc but not exceeding 1,000 cc (provided for in heading 8407.32.20 or 8407.33.20), to be installed in vehicles specially designed for traveling on snow, golf carts, non-amphibious all-terrain vehicles, and burden carriers, (provided for in subheading 8703.10.00, 8703.21.00 or 8704.31.00)*	*Free*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 447. TIMING APPARATUS WITH OPTO-ELECTRONIC DISPLAY ONLY.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.91.06	*Apparatus for measuring, recording or otherwise indicating intervals of time, with clock or watch movements, battery or AC powered and with opto-electronic display only (provided for in subheading 9106.90.80)*	*3.9% on the apparatus + 5.3% on the battery.*	*No change*	*No change*	*On or before 12/31/92".*

SEC. 448. FURNITURE AND SEATS OF UNSPUN FIBROUS VEGETABLE MATERIALS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.94.01	Furniture seats and parts thereof, of cane, other, bamboo or other similar materials, including rattan (provided for in subheading 9401.50.00, 9401.90.25, 9403.80.30, or 9403.90.25	Free	No change	No change	On or before 12/31/92".

SEC. 449. CHRISTMAS ORNAMENTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.95.05	Christmas ornaments other than ornaments of glass or wood (provided for in subheading 9505.10.25)	Free	No change	No change	on or before 12/31/92".

SEC. 450. 3-DIMENSIONAL CAMERAS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.90.06	Cameras incorporating 4 fixed lenses which together are capable of producing a 3-dimensional effect (provided for in subheading 9006.53.00)	Free	No change	No change	On or before 12/31/92".

SEC. 451. OPERATIC SCENERY, PROPERTIES, INCLUDING SETS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"9902.44.21	Operatic scenery and properties, including operatic sets (provided for in subheading 4421.90.90, 5907.00.10, 5907.00.90, 9701.10.00, 9706.00.00, or 9813.00.65	Free	No change	No change	On or before 12/31/92".

PART 2—EXISTING TEMPORARY DUTY SUSPENSIONS

SEC. 461. EXTENSION OF CERTAIN EXISTING SUSPENSIONS OF DUTY.

(a) EXTENSIONS UNTIL JANUARY 1, 1993.—Each of the following subheadings or headings is amended by striking out the date in the effective date column and inserting "12/31/92":

(1) Subheadings 9902.06.10 and 9902.05.11 (relating to crude feathers and down).
(2) Heading 9902.08.07 (relating to fresh cantaloupes).
(3) Heading 9902.09.04 (relating to mixtures of hot red peppers and salt).
(4) Heading 9902.29.04 (relating to p-Toluene-sul-foynl chloride).
(5) Heading 9902.29.05 (relating to certain menthol feedstocks).
(6) Heading 9902.29.06 (relating to Dicofol).
(7) Heading 9902.29.11 (relating to triethylene glycol dichloride).
(8) Heading 9902.29.13 (relating to 2,6-Dichlor-obenzaldehyde).
(9) Heading 9902.29.14 (relating to Dinocap).
(10) Heading 9902.29.21 (relating to m-Hydroxy-benzoic acid).
(11) Heading 9902.29.22 (relating to d-6-Meth-oxy-a-methyl-2 napthaleneacetic acid and its sodium salt).
(12) Heading 9902.29.24 (relating to 3-amino-3-methyl-l-butyne).
(13) Heading 9902.29.30 (relating to 8-Amino-1-naphthalenesulfonic aid and its salts).
(14) Heading 9902.29.31 (relating to 5-Amino-2 (p-aminoarrilino) benzenesulfonic acid).
(15) Heading 9902.29.33 (relating to 1-Amino-8-hydroxy-3,6-naphthalenedisulfonic acid; and 4-Amino-5-hydroxy-2.7-naphthalenedisulfonic acid, monosodium salt (H acid, monosodium salt).
(16) Heading 9902.29.43 (relating to 1-Amino-2,4-dibromoanthraquinone).
(17) Heading 9902.29.44 (relating to Broma-mine acid).
(18) Heading 9902.29.51 (relating to N-(7-Hydroxy-1-naphthyl)acetamide).
(19) Heading 9902.29.57 (relating to N,N-Bis(2-cyanothyl)aniline).
(20) Heading 9902.29.60 (relating to triallate).
(21) Heading 9902.29.64 (relating to 6-(3-Methyl-5-oxo-1-pyrazolyl-1,3-naphthalenedisulfonic acid (Amino-J-pyrazolone) CAS No. 7277-87-4); and 3-Methyl-1-phenyl-5-pyrazolone (Methylphenyl-pyrazo-lone)).
(22) Heading 9902.29.66 (relating to m-Sulfa-minopyrazolone (m-Sulfamidophenyl-methylpyrazo-lone)).
(23) Heading 9902.29.76 (relating to suspension of the day on 2-n-octyl-4-isothiazolin-3-one, and mixtures of 2-n-octyl-4-isothiazolin-3-one and application adjuvants).
(24) Heading 9902.29.79 (relating to 2-Amino-N-ethylbenzenesulfonanilide).
(25) Heading 9902.32.04 (relating to methylene blue).
(26) Heading 9902.38.06 (relating to mixtures of dinocap with application adjuvants).
(27) Heading 9902.38.07 (relating to mixtures of mancozeb and dinocap).
(28) Heading 9902.38.08 (relating to mixtures of maneb, zineb, mancozeb, and metiram).
(29) Heading 9902.38.10 (relating to mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one,2-methyl-4-isothiazoline-3-one, magnesium chloride and stabilizers, whether or not containing application adjuvants).
(30) Heading 9902.38.11 (relating to mixtures of dicofol and application adjuvant).
(31) Heading 9902.39.14 (relating to Cholestyramine resin USP).
(32) Heading 9902.40.11, 9902.73.12, 9902.73.15, 9902.85.12, and 9902.87.14 (relating to certain bicycle parts).
(33) Heading 9902.51.11 (relating to certain wools).
(34) Heading 9902.62.10 (relating to disposable surgical gowns and drapes).
(35) Heading 9902.84.42 (relating to certain narrow weaving machines).
(36) Heading 9902.84.45 (relating to certain wool carding and spinning machinery).
(37) Heading 9902.84.48 (relating to certain knitting machines designed for sweater strip or garment length knitting).
(38) Heading 9902.84.50 (relating to certain lace braiding machines).
(39) Heading 9902.95.01 (relating to stuffed dolls and doll skins).

(b) EXTENSION UNTIL DATE OTHER THAN JANUARY 1, 1993.—Heading 9902.61.00 (relating to certain knitwear fabricated in Guam) is amended by striking out "10/31/92" and inserting "10/31/96".

SEC. 462. EXTENSION OF, AND OTHER MODIFICATIONS TO, CERTAIN EXISTING SUSPENSIONS OF DUTY.

(a) CORNED BEEF IN AIRTIGHT CONTAINERS.—Heading 9902.16.02 is amended—

(1) by striking out "3%" and inserting "Free"; and

(2) by striking out "12/31/89" and inserting "12/31/92".

(b) CERTAIN JEWELRY.—Heading 9902.71.13 is amended—

(1) by amending the article description to read as follows: "Toy jewelry provided for in subheading 7117.19.10, 7117.19.50, 7117.90.40 (except parts) or 7117.90.50 (except parts) valued not over 5¢ per piece; and articles (except parts) provided for in heading 9502, 9503, or 9504 or subheading 9505.90 (except balloons, marbles, dice, and diecast vehicles), valued not over 5¢ per unit"; and

(2) by striking out "12/31/90" and inserting "12/31/92".

(c) ELECTROSTATIC COPYING MACHINES.—Heading 9902.90.90 is amended—

(1) by inserting "and accessories," after "Parts,"; and

(2) by striking out "12/31/89" and inserting "12/31/92".

(d) TOY FIGURES.—

(1) Heading 9902.95.02 is amended—

(A) by striking out "toy figures of animate objects (except dolls)" and inserting "toys representing animals or nonhuman creatures,"; and

(B) by striking out "12/31/90" and inserting "12/31/92".

(2) Heading 9902.95.03 is repealed.

(3) Heading 9902.95.04 is amended—

(A) by striking out "toy figures of animate or inanimate objects" and inserting "toys representing animals or nonhuman creatures"; and

(B) by striking out "12/31/90" and inserting "12/31/92".

SEC. 463. TERMINATION OF EXISTING SUSPENSION OF DUTY ON C-AMINES.

Heading 9902.29.29 is repealed.

Subtitle B—Other Tariff and Miscellaneous Provisions

PART 1—TARIFF CLASSIFICATION AND OTHER TECHNICAL AMENDMENTS

SEC. 471. CERTAIN EDIBLE MOLASSES.

Additional U.S. notes 2, 3, and 4 of chapter 17 are each amended by striking out "170.90.40," each place it appears therein.

SEC. 472. CERTAIN WOVEN FABRICS AND GAUZE.

(a) WOVEN FABRICS OF CARDED WOOL OR CARDED FINE ANIMAL HAIR.—Heading 5111 of chapter 51 is amended—

(1) by inserting after subheading 5111.11.10 the following new subheading with the article description having the same degree of indentation as the article description in subheading 5111.11.10:

"5111.11.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%"

(2) by inserting after subheading 5111.20.05 the following new subheading with the article description having the same degree of indentation as the article description in subheading 5111.20.05:

"5111.20.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%"

(3) by inserting after subheading 5111.30.05 the following new subheading with the article description having the same degree of indentation as the article description in subheading 5111.30.05:

"5111.20.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%" and

(4) by inserting after subheading 5111.90.30 the following new subheadings with the article descriptions having the same degree of indentation as the article description in subheading 5111.90.30:

"5111.90.40	Tapestry fabrics and upholstery fabrics of a weight not exceeding 300 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
"5111.90.50	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%"

(b) WOVEN FABRICS OF COMBED WOOL OR OF COMBED FINE ANIMAL HAIR.—Heading 5112 of chapter 51 is amended by striking out subheadings 5112.11.00 through 5112.90.60, inclusive, and inserting the following with the article descriptions for subheadings 5112.11 and 5112.19 having the same degree of indentation as the article description in subheading 5111.90.60 and with the article descriptions for subheadings 5112.20, 5112.30, and 5112.90 having the same degree of indentation as the article description in subheading 5111.90:

"5112.11	Of a weight not exceeding 200g/m²:			
5112.11.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.11.20	Other	36.1%	13.2% (IL) 32.4% (CA)	68.5%
5112.19	Other:			
5112.19.10	Tapestry fabrics and upholstery fabrics	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.19.60	Other	36.1%	13.2 (IL) 32.4% (CA)	68.5%
5112.20	Other, mixed mainly or solely with man-made filaments:			
5112.20.10	Tapestry fabrics and upholstery fabrics of weight exceeding 300 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.20.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% 6.3% (CA)	68.5%

5112.20.30	Other	48.4¢/kg+38%	19.2¢/kg+15.2% (IL) 43.6¢/kg+34.2% (CA)	48.5¢/kg+68.5%
5112.30	Other mixed mainly or solely with man-made staple fibers:			
5112.30.10	Tapestry fabrics and upholstery fabrics of a weight exceeding 300g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.30.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.30.30	Other	48.5¢/kg+38%	19.2¢/kg+15.2 (IL) 43.6¢/kg+34.2% (CA)	48.5¢/kg+68.5%
5112.90	Other:			
5112.90.30	Containing 30 percent or more by weight of silk or silk waste, valued over $33/kg	7.8%	3.1% (IL) 7% (CA)	80%
5112.90.40	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.90.50	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5112.90.60	Other	33%	3.4% (IL) 29.7% (CA)	68.5%

(c) GAUZE.—Chapter 58 is amended by striking out subheading 5803.90.10 and inserting the following with the superior heading to subheadings 5803.90.20:

"5808.90.11	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.8% (IL) 6.3% (CA)	68.5%
5803.90.12	Other	33%	13.2% (IL) 24.7% (CA)	68.5%

SEC. 473. CLASSIFICATION OF CERTAIN ARTICLES IN WHOLE OR PART OF FABRICS COATED, COVERED, OR LAMINATED WITH OPAQUE RUBBER OR PLASTICS.

Chapter 42 is amended—

(1) by striking out "Additional U.S. Note" and inserting "Additional U.S. Notes"; and

(2) by inserting after additional U.S. note 1 the following:

"2. For purposes of classifying articles under subheadings 4202.12, 4202.22, 4202.32, and 4202.92, articles of textile fabric impregnated, coated, covered or laminated with plastics (whether compact or cellular) shall be regarded as having an outer surface of textile material or of plastic sheeting, depending upon whether and to the extent the textile constituent or the plastic constituent comprises the exterior surface of the article.".

SEC. 474. GLOVES, MITTENS AND MITTS.

The article description in subheading 6116.10.10 6116.92.10, 6116.93.10, 6116.99.30, 6216.00.10, 6216.00.34 or 6216.00.44 is amended to read as follows: "Gloves principally designed for sports use, including ski and snowmobile gloves, mittens and mitts".

SEC. 475. CHIPPER KNIFE STEEL.

Subchapter XV of chapter 72 is amended by striking out subheadings 7226.91.10 and 7226.91.30 and inserting the following with the article description for subheading 7226.91.05 having the same degree of indentation as subheading 7226.91.50:

"7226.91.05	Of chipper knife steel	Free		34%	
	Other:				
"7226.91.15	Of a width of 300mm or more	9.6%	Free (E, IL) 8.6%(CA)	29%	
"7226.91.25	Of a width of less than 300mm	11.6%	Free (E, IL) 10.4% (CA)	34%	".

SEC. 476. ELIMINATION OF INVERTED TARIFF ON CANTILEVER BRAKES AND BRAKE PARTS FOR BICYCLES.

The following provisions are amended as follows:

(1) Subheading 8714.94.20 is amended by striking out "Caliper brakes" and inserting "Caliper and cantilever brakes and parts thereof".

(2) Heading 9902.73.12 is amended by inserting "and Cantilever" immediately after "caliper".

(3) Heading 9902.87.14 is amended by inserting "cantilever brakes," immediately after "caliper brakes,".

SEC. 477. BICYCLES HAVING 26-INCH WHEELS.

Chapter 87 is amended—

(1) by striking out "65 cm" in subheadings 8712.00.10 and 8712.00.20 and inserting "63.5 cm"; and

(2) by striking out "4 cm" in subheading 8712.00.20 and inserting "4.13 cm".

SEC. 478. PROCESSING OF CERTAIN BLENDED SYRUPS.

U.S. note 2 to subchapter IV of chapter 99 is amended by adding the following at the end thereof:

"(e) Blended syrups of heading 9904.50.20, if entered by a foreign trade zone user, to the extent that the annual quantity entered into the customs territory does not contain an amount of sugar of nondomestic origin greater than that authorized by the Foreign Trade Zones Board for processing by such user during calendar year 1985.".

PART 2—Miscellaneous Provisions

SEC. 481. RENEWAL OF EXISTING CUSTOMS EXEMPTION APPLICABLE TO BICYCLE PARTS IN FOREIGN TRADE ZONES.

Section 3(b) of the Act of June 18, 1934 (commonly known as the Foreign Trade Zones Act, 19 U.S.C. 81c(b)), is amended by striking out "before January 1, 1991" and inserting in lieu thereof "on or before December 31, 1992".

SEC. 482. RAIL CARS FOR THE STATE OF FLORIDA.

Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Secretary of the Treasury shall admit free of duty each bi-level rail passenger car that was—

(1) entered after March 14, 1988, and before January 1, 1989, and classified under item 690.15 of the Tariff Schedules of the United States (19 U.S.C. 1202); and

(2) designed for, and is for the use of, the Department of Transportation of the State of Florida.

If the liquidation of the entry of any such rail car has become final before the date of the enactment of this Act, the entry shall, notwithstanding any other provision of law, be reliquidated in accordance with the provisions of this Act and the appropriate refund of duty made.

SEC. 483. RELIQUIDATION OF CERTAIN ENTRIES.

(a) CERTAIN ANTIDUMPING DUTIES.—(1) Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to paragraph (2), the entries listed in paragraph (3) shall be reliquidated, without liability of the importer of record for antidumping duties, and if any such duty has been paid, either through liquidation or compromise under section 617 of the Tariff Act of 1930 (19 U.S.C. 1617), refund thereof shall be made within 90 days after reliquidation.

(2) reliquidation may be made under paragraph (1) with respect to an entry only if a request therefor is filed with the appropriate customs officer within 180 days after the date of the enactment of this Act that contains sufficient information to enable the Customs Service—

(A) to locate the entry; or

(B) to reconstruct the entry if it cannot be located.

(3) The entries referred to in paragraph (1) are as follows:

Entry number	Date of entry	Entry number	Date of entry	Entry number	Date of entry
74-222089	May 7, 1974.	80-224447	November 27, 1979.	80-225845	April 29, 1980.
74-225275	June 17, 1974.	80-224448	November 27, 1979.	80-226742	August 13, 1980.
76-237223	July 9, 1976.	80-225842	April 29, 1980.	80-226748	August 13, 1980.
76-247178	October 1, 1976.	80-225843	April 29, 1980.		
79-251251	September 11, 1979.	80-225844	April 29, 1980.		
80-223851	October 9, 1979.				

(b) DIGITAL PROCESSING UNITS.—(1) Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer within 180 days after the date of the enactment of this Act, any entry of a processing unit that—

(A) was classified under item 676.15, 676.54, 945.83, or 945.84 of the Tariff Schedules of the United States (19 U.S.C. 1202);

(B) occurred after January 16, 1986, and before July 2, 1987; and

(C) was unliquidated as of December 31, 1987; shall be liquidated as free of duty.

(2) For purposes of this subsection, the term "processing unit" means a digital processing unit for an automated data processing machine, unhoused, consisting of a printed circuit (single or multiple) with one or more electronic integrated circuits or other semiconductor devices mounted directly thereon.

(c) CERTAIN OTHER ENTRIES.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer within 180 days after the date of the enactment of this Act—

(1) any entry of 1-(3)-Sulfopropyl pyridinium hydroxide (provided for in item 406.39 of the Tariff Schedules of the United States (19 U.S.C. 1202)) that occurred after September 30, 1988, and before January 1, 1989, shall be reliquidated as free of duty;

(2) any entry of brussels sprouts (provided for in item 903.29 of such Schedules (19 U.S.C. 1202)) that occurred after December 31, 1987, and before November 11, 1988, shall be liquidated at the rate of 12.5 percent ad valorem; and

(3) any entry of 1,6-Hexamethylene diisocyanate (provided for in subheading 2929.10.50 of the Harmonized Tariff Schedule of the United States) that occurred after December 31, 1988, and before the effective date defined in section 10686(a)(1) shall be liquidated or reliquidated at the rate of 7.9 percent ad valorem.

SEC. 484. PROTEST RELATING TO CERTAIN ENTRIES.

For purposes of section 514 of the Tariff Act of 1930 (19 U.S.C. 1514), and notwithstanding any other provision of law, Protest Numbered 1801-000027 shall be deemed to have been filed with the appropriate customs officer within 90 days of the liquidation of entries 81-103533-2 and 81-103789-3.

SEC. 485. EFFECTIVE DATES.

(a) DEFINITIONS.—For purposes of this section:

(1) The term "effective date" means the 15th day after the later of—

(A) October 1, 1989; or

(B) the date of the enactment of this Act.

(2) The term "entered" means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(3) The term "entry" includes any withdrawal from warehouse.

(b) IN GENERAL.—

(1) Except as otherwise provided in this section, the amendments made by this Act apply with respect to goods entered on or after the effective date.

(2) The amendments made by sections 461(a) and 462 (a)(2), (b)(2), and (c)(2) apply with respect to goods entered after December 31, 1990.

(3) The amendment made by section 461(b) applies with respect to goods entered after October 31, 1992.

(4) The amendment made by section 478 applies with respect to goods entered after December 31, 1988.

(c) RETROACTIVE APPLICATION OF CERTAIN AMENDMENTS.—

(1) Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officers on or before the 90th day after the effective date of entry of any good described in paragraph (2) shall be treated as provided in such paragraph.

(2)(A) In the case of the application of any amendment made by section 311, 312, 401, 427, 429, 433, 435, 437, 438, 439, 441, 442, 443, 446, 447, 462(c)(1), 472, 474, 475, or 477 to any entry—

(i) which was made after the applicable date and before the effective date; and

(ii) with respect to which there would have been no duty or a lesser duty if the amendment made by such section applies to such entry; such entry shall be liquidated or reliquidated as though such entry had been made on the effective date.

(B) For purposes of subparagraph (A), the term "applicable date" means—

(i) in the case of sections 401 and 443, January 1, 1988;

(ii) in the case of section 439, October 1, 1988;

(iii) in the case of sections 311, 312, 427, 429, 433, 435, 438, 441, 442, 446, 447, 462(c)(1), 472, 474, 475, and 477, January 1, 1989; and

(iv) in the case of section 437, July 1, 1989.

(d) STAGED RATE REDUCTIONS FOR CERTAIN GOODS.—

(1) Any staged rate reduction of a rate of duty set forth in subheading 5111.19.10 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before the effective date and takes effect after the effective date also applies to the corresponding rates of duty set forth in subheadings 5111.11.20, 5111.20.10, 5111.30.10, 5111.90.40, 5111.90.50, 5112.11.10, 5112.20.10, 5112.20.20, 5112.30.10, 5112.30.20, 5112.90.40, 5223.90.50, and 5803.90.11 (relating to certain woven fabrics and gauze) of such Schedule (as added by section 472).

Any staged rate reduction proclaimed by the President before the effective date that would—

(A) take effect after the effective date; and

(B) apply, but for any amendment made by section 472 (relating to certain woven fabrics) or 475 (relating to chipper knife steel), to a rate of duty set forth in any subheading of the Harmonized Tariff Schedule of the United States that is listed in column A;

applies to the corresponding rate of duty set forth in the subheading of such Schedule that is listed in column B opposite such column A subheading:

Column A	Column B	Column A	Column B	Column A	Column B
5112.11.00	5112.11.20	5112.91.10	5112.90.12	7226.91.30	7226.91.25
5112.20.00	5112.20.30	7226.91.10	7226.91.15		
5112.31.00	5112.30.30				

(3) The amendments made by section 472 shall not affect any staged rate reduction of a rate of duty set forth in subheadings 5112.19.10, 5112.19.60, 5112.90.30, 5112.90.60 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before the effective date.

Mr. MITCHELL. Mr. President, I move that the Senate disagree to the House amendment and agree to the conference requested by the House and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. HEFLIN) appointed Mr. BENTSEN, Mr. MOYNIHAN, Mr. BAUCUS, Mr. PACKWOOD, and Mr. DOLE conferees on the part of the Senate.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, if the distinguished Republican has no further business, and if no Senator is seeking recognition, I now ask unanimous consent that I be recognized to address the Senate and, that upon the completion of my remarks, the Senate stand in recess under the order until 9:30 a.m. tomorrow, Tuesday, May 15.

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

THE ENDANGERED SPECIES ACT

Mr. MITCHELL. Mr. President, the Denver Post reported on Friday that Secretary of the Interior Manuel Lujan called on Congress to consider taking some of the teeth out of the Endangered Species Act because it "frequently is used to block development or threaten jobs."

According the person who is supposed to be the Nation's top conservation officer, "It is just too tough an act, I think * * * We've got to change it."

But any objective reading of the Endangered Species Act and any analysis of its implementation demonstrates that Secretary Lujan's premise and his conclusions are wrong.

Secretary Lujan complains, for instance, that under the law "one may only consider biological facts, not economic facts" when determining whether to place a species on the list.

Listing decisions and biological opinions are, of necessity, solely biological in nature. It is essential to the credibility of the Endangered Species Program that listing decisions and biological opinions be based on scientific evaluation of the status of species, not on consideration of economic interests.

There is nothing new in the suggestion to consider economic impacts in biological decisions about the status of a species. In 1978, Congress tried requiring economic assessments at the time of listing, but Congress repealed that requirement in 1982 because it nearly halted the listing process in the intervening years, undermined the scientific credibility of the Endangered Species Program, and opened the program to charges of political manipulation.

But the Endangered Species Act does not preclude consideration of economic effects. Instead, it properly segregates such considerations from scientific, biological decisions.

The act requires, for example, that an effort be made to identify "reasonable and prudent alternatives" in the way projects are carried out that would allow them to go forward while ensuring the continued existence and recovery of endangered species. Such alternatives have nearly always been found.

As a result, less than 1 percent of the 48,538 biological opinions issued from 1979 through 1986 concluded that a project would be likely to jeopardize a species' continued existence. Only about 3 projects in every 10,000 were withdrawn or canceled because of jeopardy opinions issued under the Endangered Species Act during that 8-year period.

Let me repeat that, Mr. President: Only 3 in 10,000 were withdrawn or canceled because of jeopardy opinions under the act during that period. In 1987, the General Accounting Office reviewed over 3,000 consultations on water projects in the West and found that only about 2 percent actually had any effect on the project. "Most importantly," the GAO concluded, "no water project was terminated as a result of a consultation, and cost increases caused by consultation requirements generally represented a small percentage of total project costs."

I repeat and emphasize that no project was terminated as a result of the consultation, that is, of the 3,000 water projects reviewed by the General Accounting Office in 1987.

The Endangered Species Act also provides an exemption process to balance economic and conservation interests when an irreconcilable conflict exists between the needs of a listed species and a necessary Federal action; that this process has been used only twice is testimony to the act's effectiveness in avoiding such conflicts.

In short, Secretary Lujan has his facts wrong when he claims that the Endangered Species Act frequently is used to block development or threaten jobs.

According to the Denver Post, Secretary Lujan asked Congress to consider "Do we have to save—an endangered species—in every locality where it exists?"

I would remind Secretary Lujan that under the law he is not required to save species in every locality where they exist. He is required to protect species in enough localities to ensure that they continue to exist and recover to the point where they no longer are in need of protection under the Endangered Species Act. That does not seem too much to ask.

Secretary Lujan also asked "Do we need to save every subspecies?"

I would ask Secretary Lujan, in turn, whether he wants to save the bald eagle, peregrine falcon, gray wolf, grizzly bear, and southern sea otter in the 48 coterminous States?

These animals are coming back in California, Montana, Minnesota, and Maine precisely because the Endangered Species Act protects subspecies and populations of these species.

The approach Secretary Lujan appears to be suggesting is to abandon these efforts because they involve only subspecies or populations of species that exist in Alaska and Canada.

I reject that suggestion, and I think the overwhelming majority of the American people would reject it as well.

Secretary Lujan would do well to remember that extinction of species and subspecies is irrevocable. Nothing we can do, no human act, no computer, no mechanical ingenuity can ever duplicate even one of the simplest forms of life that is being wiped from the face of the Earth.

Some now estimate that by the end of this century, 1 million species will have been permanently eliminated from the Earth. This is an unforgivable dereliction of our duty to the natural Earth and to our descendants.

Although many believe and argue that human needs, human comfort and human development should take precedence over all other concerns, the fact of the matter is that mankind is part of the natural order of the world. And if one only looks at human interest, he should be aware that mankind benefits from the enormous diversity of plant and animal life on our planet.

To take but one example, the active ingredients of 40 percent of all medical prescriptions written in the United States are derived from planets. A periwinkle flower from Madagascar yields compounds that are effective against leukemia. The miracle drug of penicillin, from the Second World War, derives from a mold, a lowly kind of fungus. The active ingredient in the common aspirin was originally derived from an Aspen tree.

Who among us, Secretary Lujan or anyone else, can now predict which of the obscure plants and insects or animals now being decimated may hold the genetic key to the next medical miracle? Who among us has the knowledge to predict what species or subspecies will never be needed?

We are losing forever the priceless genetic heritage of our world. Our efforts should be directed at doing our utmost to combat that loss. To that end, I call upon Secretary Lujan to support and enforce the law.

ORDERS FOR TOMORROW

RECESS UNTIL 9:30 A.M.; MORNING BUSINESS; RECESS FROM 12:30 P.M. TO 2:15 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Tuesday, May 15; and that following the time for the two leaders, there be a period for morning business not to extend beyond 10 a.m., with Senators permitted to speak therein for up to 5 minutes each.

I further ask unanimous consent that the Senate stand in recess from 12:30 to 2:15 p.m. tomorrow in order to accommodate the party conference luncheons.

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

SCHEDULE

Mr. MITCHELL. Mr. President, at 10 o'clock tomorrow morning there will be a cloture vote on the motion to proceed to S. 2240, the AIDS care bill.

RECESS UNTIL TOMORROW AT 9:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9:30 a.m., Tuesday, May 15, 1990.

Thereupon, the Senate, at 4:54 p.m., recessed until Tuesday, May 15, 1990, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 14, 1990:

DEPARTMENT OF JUSTICE

STEVEN D. DILLINGHAM, OF SOUTH CAROLINA, TO BE DIRECTOR OF THE BUREAU OF JUSTICE STATISTICS, VICE STEVEN ROGER SCHLESINGER, RESIGNED.

JIMMY GURULE, OF UTAH, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE RICHARD BENDER ABELL, RESIGNED.

CHARLES M. HOUSE, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE FOR VICTIMS OF CRIME (NEW POSITION).

LOURDES G. BAIRD, OF CALIFORNIA, TO BE U.S. ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF 4 YEARS, VICE ROBERT C. BONNER, RESIGNED.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. LOUIS C. MENETREY, [redacted] U.S. ARMY.

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS AND CHIEF OF STAFF, HEADQUARTERS, MARINE CORPS, AND APPOINTMENT TO THE GRADE OF GENERAL WHILE SERVING IN THAT POSITION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 601 AND 5044:

To be general

LT. GEN. JOHN B. DAILEY, [redacted] U.S. MARINE CORPS.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. WILLIAM R. ETNYRE, [redacted] U.S. MARINE CORPS.

IN THE NAVY

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 20, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. STANLEY R. ARTHUR, [redacted] U.S. NAVY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. ROBERT K.U. KIHUNE, [redacted] U.S. NAVY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. EDWIN R. KOHN, JR. [redacted] U.S. NAVY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. REASON, [redacted] U.S. NAVY.

EXTENSIONS OF REMARKS

FAMILY LEAVE PRO-FAMILY AND PRO-ECONOMIC GROWTH

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mrs. SCHROEDER. Mr. Speaker, the Denver Post today and the Los Angeles Times yesterday published insightful essays on the changing American economy, global competitiveness, and the family leave legislation., H.R. 770, just passed by the House.

The Denver Post concludes that President Bush's "threatened veto of the measure simply is anti-family and anti-economic growth."

I commend both essays to my colleagues' attention:

[From the Denver Post, May 14, 1990]

FAMILY LEAVE BILL MAKES SENSE

Americans harbor an idealized myth about the family—built from the images of paintings by Norman Rockwell and reruns of Leave It to Beaver—and that fantasy may cripple this country as an economic power.

The family where Dad goes to work and Mom stays home to care for the kids now describes less than 10 percent of all American households.

Economic pressures and increased global competition are forcing more parents into the workplace; the notion that mothers in large numbers will ever again stay home with the kids is an unrealistic pipe dream.

Yet American businesses and U.S. law have ignored this radical transformation of the American family.

There are five countries on Earth that don't require employers to grant workers a leave of absence for family emergencies: the Third World lands of Sudan, Guyana, and Burkina Faso, and the industrialized nations of South Africa and the United States.

West Germany, Japan, Singapore and other thriving economic powers have dedicated, efficient workforces partly because they recognize that employees are human beings who cannot separate their home lives from their workplace performance.

But as technology continues to shrink the globe, corporations will locate their operations wherever they please—and they won't chose countries with high drug abuse, crime or illiteracy rates. The United States has trouble with all three social ills, and each of them can be traced to weak family ties.

It just makes economic sense to let American workers take good care of their families.

That's why it is so appalling that President George Bush and a few other high-ranking Republicans oppose a reasonable measure that would require U.S. employers to give their workers unpaid leaves of a absences for familly emergencies.

Co-sponsored by U.S. Rep. Pat Schroeder of Colorado, the proposal would cover 60 percent of the American workforce. It passed the House by a large margin last week, and soon will come up for a vote in the Senate.

Bush's threatened veto of the measure simply is anti-family and anti-economic growth.

No doubt the business groups pressuring Bush to oppose the measure also would have objected to the eight-hour workday and prohibitions against child labor.

But both of Colorado's U.S. senators should support the family leave proposal.

Sen. Tim Wirth regularly has supported progressive measures on issues such as child care, and this measure complements those other efforts.

Sen. Bill Armstrong long has advocated moves to strengthen the family—and there is no more important support the government could offer than a measure to let family members take the time to care for a loved one. That's all this measure really asks employers to do.

Bush and his advisers—one of whom flippantly told women who don't like their employers' maternity leave policies to find other jobs—simply are out out of touch with the daily troubles that confront American families.

The president should ponder, for a moment, what it would be like to be a single parent and sole breadwinner, who has an ill child but no money to hire a full-time babysitter. The economic toll would be exceeded only by the emotional agony.

It is time to ready the American workplace for the 21st Century. The alternative is to let the United States languish while it watches the rest of the industrialized world continue to soar toward economic victory.

[From the LA Times, May 13, 1990]

THE POWER OF THE CHANGING WORK FORCE

(By James Flanigan)

Just in time for Mother's Day the House of Representatives last week passed a Family and Medical Leave bill that would allow employees to take 12 weeks unpaid time off to care for a newborn or adopted child, or a parent or spouse, without endangering their jobs.

But the White House said President Bush would veto the bill if it gets through the Senate and comes before him.

What's going on? A big trend for the '90s—the importance of work and family issues—that is being obscured by politics.

The House bill is opposed by small-business groups, which don't like Congress mandating benefits that big companies can afford more easily than small firms. But the bill is supported by big firms—the so-called Fortune 1,000—because they would rather cope with a uniform federal law that would apply to all competitors equally in every state.

So the House bill would exempt 95% of the nation's 8 million businesses, but still would apply to more than half the work force by covering companies with 50 or more employees and all federal, state and local governments.

But even if Bush vetoes the bill, companies large and small are going to have to offer family leave and other new and varied benefits if they want to keep employees in the '90s. Because the forces driving the legislation are those that will preoccupy business throughout the decade: change, diversity and looming labor shortages in the U.S. work force.

Women will comprise 12 million of the 19 million new entrants to the U.S. labor force in this decade, rising from 45% of the total at present to 47%.

And the proportion of black, Hispanic and Asian workers will rise to 26% of the work force, from 21%.

But the most important change will be scarcity of new workers as the labor force grows much more slowly in the '90s than in the past two decades.

Faced with change and shortages, many companies are already offering help with family issues. American Telephone & Telegraph allows up to six months unpaid leave. IBM offers a personal leave of up to three years, during which health benefits remain in force, employees can work part time and are guaranteed a full-time job upon return.

Marriott, the chain that employs 230,000 people in hotels and food service outlets, asked employees two years ago what they wanted. In response, it now offers a pretax savings plan to finance parental leave—unpaid leave being to luxury to many people—as well as discounts on child care and seminars on parenting. Like most large companies, Marriott offers extended unpaid time off—with continued health benefits—beyond the required maternity leave.

US Sprint, the telephone network with 16,000 staffers, allows employees to share jobs—splitting duties and days at work—or to work flexible hours for many reasons, not necessarily child rearing.

Such benefits are called women's issues, but "family" is a more accurate term because the common concern is modern family life—two-earner couples or single parents raising children and caring for aging relatives. Recognition of such needs is new, even if the problems aren't. And work and family issues are often subject to rhetoric and misunderstanding. There's a fond belief, repeated even by experts, that in past centuries women stayed home and men worked.

But that's not true. In past centuries, both men and women worked on farms—and worked until they dropped. It is only for a historically brief period in this century that the idea of keeping women in the home took hold—and it's doubtful that anybody asked the woman for her opinion. Women at the higher end of the social scale worked: Frances Perkins in 1933 was the first Secretary of Labor. And at the lower end, domestic servants were a constant 5% to 6% of the U.S. work force until World War II, (Domestics are 1% of today's work force.)

In any event, that war brought women back into the general work force and they never really left, even though television in the 1950s portrayed the American woman as a homebound spouse—June Cleaver of "Leave It to Beaver," Alice Kramden of "The Honeymooners" and Lucy Ricardo of "I Love Lucy."

By contrast, today's TV mothers go out to work—Claire Huxtable on "The Cosby

Show" and Roseanne Conner on "Roseanne."

Yet despite their years in the work force, women still get short pay. Median weekly earnings for retail sales workers, for example, are $304 for men, $208 for women. Among editors and reporters, men make $589 a week and women $442. Women do better in light manufacturing—earning $254 a week to $287 for men. And among lawyers and MBAs, women earn 82 cents for every $1 of male wages—the differences in part reflecting seniority in the profession but also the big money that men haul down from top partnerships and executive positions.

Trends for the '90s? A sure bet is that those wage gaps will close-and those executive positions will open up. Or else talented employees will go elsewhere. Recent surveys by Opinion Research and Wick & Co., a management consultancy, show women leaving corporations faster than men—not for family reasons but to seek opportunity—or out of frustration with the lack of it.

In the new decade, companies that let talented people get away will decline, and those that motivate and keep employees will prosper. The equation is that simple, which is not to say that solving it will be easy.

Catering to a diverse work force takes time and money—there is no one program to suit all of today's workers. Hiring temporary replacements for workers on leave will be a boon to firms such as Manpower Inc., but an added cost for companies pressed to economize. And family issues promise new demands for medical benefits, just when all of business is determined to cut medical costs.

So there will be tension—which is not to say it might not be creative. Thanks to labor shortages, employees may finally be judged on competence and not gender or race. It can happen.

Recall that when the Hubble Telescope was in trouble, two skilled mission specialists were alerted to go out in a spacewalk and fix it. Kathryn D. Sullivan and Bruce McCandless.

No big deal: When jobs need doing, you get people who can do them.

SALVATORE C. BATTISTI, CELEBRATES 70 YEARS OF SERVICE TO THE WYOMING VALLEY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Mr. Salvatore C. Battisti, of Pittston, PA, who has just reached a milestone of service to the people of the Wyoming Valley that no other individual has ever attained. Mr. Battisti, a senior vice president of the First Eastern Bank of Wilkes-Barre, has just celebrated his 70th year as a community banker.

The life of Salvatore Battisti is a classic American success story. An immigrant from Sicily just after the turn of the century, he attended Pennsylvania public schools and graduated in the mid-1920s from the distinguished Wharton School of Business.

Mr. Battisti's fluency in Italian won him an entry level job at the Miners Savings Bank where he survived the Great Depression, the passage of the Glass-Steagall Act, the National Banking Act, and numerous other recessions and new laws. Eventually he rose all the way to the top and became president of Miners Savings Bank, orchestrating its merger with First Eastern Bank in 1986.

At age 87 Mr. Battisti remains active with First Eastern Bank even though most of his colleagues had not even been born when he started work. He is a wealth of information about financial history and traditions, and remembers the days of ink wells and evening hours, as well as the days of direct deposit and automated teller machines.

Mr. Battisti's career is a testament to the importance of hard work and personal service in the banking industry. While other individuals and institutions have failed to weather the financial storms of the last seven decades, Salvatore Battisti, the institutions he has served, and the people he has served, have persevered and prospered.

Over the last 70 years Salvatore Battisti has touched the lives of tens of thousands, if not hundreds of thousands, of Wyoming Valley families—providing them with home mortgages, safe savings accounts, and business loans. I want to join all those families in thanking Salvatore Battisti for his contribution to our community, and in wishing him continued success and good health.

I would also like to share with my colleagues in the House the excellent profile to Mr. Battisti which appears in the May 11, 1990, "People in the News" column of the American Banker.

PEOPLE IN THE NEWS—A BANKER IN COAL COUNTRY MARKS 70 YEARS IN BUSINESS

(By Franklin Smith)

No one keeps comparative data on the length of banking careers, but even so, Salvatore C. Battisti has a legitimate claim on the record for longevity.

On Thursday, the 87-year-old Pittston, Pa., resident celebrated the 70th anniversary of his entry into banking. He is still active as senior vice president and honorary director of First Eastern Bank, Wilkes-Barre, the principal subsidiary of the $2.7 billion-asset First Eastern Corp.

Mr. Battisti got his start less than 10 years after immigrating from Sicily. While he was working at a drugstore next to the former Miners Savings Bank of Pittston, "the cashier of the bank used to come in every day for a soda," Mr. Battisti recalled. "And one day he offered me a job at the bank."

The banker viewed Mr. Battisti's fluency in Italian as an asset: He would be able to communicate with the many Italian-speaking bank customers who worked in nearby mines.

Mr. Battisti worked in the Miners Savings note and mortage department through the stock market crash of 1929 and the Depression of the 1930s. He rose to treasurer and trust officer on Aug. 1, 1954; trustee on Aug. 9, 1961; and vice president on Jan. 8, 1963. He served as president of Miners Savings Bank from 1971 to 1986, when the $70 million-deposit institution was merged into First Eastern.

Now he is a senior executive in one of First Eastern Bank's retail banking regions.

"Banking today is like day and night compared with when I started—moving with great strides in areas such as technology," Mr. Battisti said. "The changes in the industry are so great and so many. We used ink wells, and we had to fill them ourselves."

The banking hours have also changed, he said. "Today you have 24-hour banking and automated banking machines.

"I used to work on Saturday until noon, and then I would go back to work in the evening from 7 to 9. Many of the breadwinners were miners, and we had to accommodate their schedule."

YOU NEED A LOT OF PATIENCE

He remembers the Glass-Steagall Act of 1933, which prohibited commercial banks from issuing corporate bonds or serving as investment banks. "But now the banks are sliding into everything," Mr. Battisti said.

"Banking has always been a challenge for me, and I look forward to going to work every day. I feel you need a lot of patience because you are dealing with people on a daily basis. They will try your patience."

Mr. Battisti said he is in good health and goes to his doctor for regular checkups. "I eat the right food, and I don't drink any alcoholic beverage or junk food."

Last week, colleagues and friends threw him a 70th-anniversary party, where he received gifts and a plaque. The Pennsylvania Senate passed a resolution in his honor, and President Bush and Gov. Robert Casey sent congratulatory messages.

"I am lucky I made it to work after the two ginger ales I drank at the party," Mr. Battisti quipped.

He completed the first 2½ grades of school in his native Sicily, attended public schools in Pennsylvania, and was graduated in the mid-1920's from the University of Pennsylvania's Wharton School of Business.

He was married in 1927 to the former Mamie Rosati of Scranton, who died in 1989. They had three children.

Mr. Battisti is a member of the Pennsylvania Bankers Association and past president of the Northern Anthracite Bankers Association. He is also a member and past president of the Wyoming Valley Chapter, American Institute of Banking.

Mr. Battisti said he likes opera and classical music, reads a lot, and walks to work most days.

He does not want to retire just yet. "It's pretty hard to say what's going to happen today, tomorrow, or the next day," Mr. Battisti said. "I've always been the type that wants to learn about everything."

TRIBUTE TO CHIEF M. SGT. BUD SEXTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. RANGEL. Mr. Speaker, on the occasion of his retirement from the U.S. Air Force, I want to recognize Chief M. Sgt. Bud Sexton, for his 20 years of dedicated service to our country. In his most recent assignment as Chief, Correspondence Control, Congressional Inquiry Division, Office of Legislative Liaison, Chief Sexton provided invaluable service to every Member of Congress. Having demonstrated superior leadership, initiative, and strong management abilities, he was personally selected to manage the overall operation of the Correspondence Control Center which processes all Presidential, Vice Presidential and congressional correspondence for the Secretary of the Air Force and the Chief of

Staff, USAF. Chief Sexton personally developed an extensive and timely training program which successfully indoctrinated new personnel to all facets of correspondence control. His dedicated efforts averted a potentially devastating breakdown in operations, an improved management of correspondence flow and a well trained staff capable of performing any function within the branch. Additionally, he initiated a long overdue study to evaluate and acquire a replacement for outdated datafax and microfiche data storage and retrieval systems. His contributions during this tour have been enormous and far beyond that expected. They culminate a long and distinguished career in the service of his country.

Born on March 4, 1949, in Johnson City, TN, Chief Sexton graduated from Lima Senior High School, Lima, OH, in 1967. He is also a graduate of the Community College of the Air Force, Maxwell AFB, AL; Air Training Command Noncommissioned Officer's Academy, Lackland AFB, TX, and the U.S. Air Force Senior Noncommissioned Officer Academy, Gunter AFB, AL.

Chief Sexton began his military career as a member of the U.S. Army. He completed Basic Infantry Training at Fort Knox, KY, followed by Advanced Infantry Training at Fort Ord, CA. En route to South East Asia, the chief attended jungle training in Hawaii. He served a 1-year combat tour in Vietnam, and earned the Army Commendation Medal.

After a 3-year break in service, Chief Sexton entered the Air Force in 1972, attended Administrative Specialists School at Keesler AFB, MS, and was subsequently assigned to Scott AFB, IL. He performed duties as NCOIC Essex House, Billeting, and orderly room administrative specialists. His other assignments include: assistant chief, enlisted career matters, directorate of information management and administration, Secretary of the Air Force, the Pentagon, Washington, DC; Air Force Academy group sergeant major, and chief, Air Force Academy Command Section Administration, U.S. Air Force Academy, Colorado Springs, CO; Unit, NCOIC Maintenance Administration, 57th Fighter Interceptor Squadron, Keflavik, Iceland; group professional development instructor, instructor training branch, Lackland AFB, TX; squadron military training instructor, 3726 Basic Military Training Squadron, Lackland AFB, TX; and orderly room clerk and chief clerk, 5010 Combat Support Group, Eielson AFB, AK.

Chief Sexton's military awards and decorations include the Meritorious Service Medal with two oak leaf clusters; Army Commendation Medal; Presidential Unit Citation; Air Force Outstanding Unit Award with three oak lead clusters; Air Force Organizational Excellence Award; Navy Meritorious Unit Citation; Air Force Good Conduct Medal and one silver cluster; Army Good Conduct Medal; National Defense Service Medal; Air Force Overseas Short Tour Ribbon; Air Force Overseas Long Tour Ribbon with one oak leaf cluster; Air Force Longevity Ribbon with four oak leaf clusters; Noncommissioned Officer Professional Military Education Graduate Ribbon with two oak leaf clusters; Air Force Basic Training Ribbon; Republic of Vietnam Gallantry Cross with Palm; and the Republic of Vietnam Campaign Medal. Chief Sexton also wears the Army Combat Infantry Badge and the Air Force Information Manager's Badge.

Chief Sexton is married to the former Nancy E. Slate from Virginia Beach, VA; and has one son, Todd.

I want to join others in commending Chief Sexton on a full and productive service career and wish him every success in civilian life.

A TRIBUTE TO CONGRESSWOMAN COYA KNUTSON

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. OBERSTAR. Mr. Speaker, Friday, May 18 marks the release date of a book about a remarkable American. "Coya, Come Home" is the biography of Coya Knutson, Minnesota's first woman to be elected to a full term in Congress.

The title of the book refers to a letter from Coya's husband, asking her to give up her congressional career after 4 years and return to Minnesota. The letter was leaked to the press and grabbed the attention of the voters in Coya's rural district. It also brought on her defeat in the next election.

In her short tenure in Washington, from 1955 through 1959, Coya Knutson's career is studded with remarkable accomplishments:

She was the first woman appointed to the House Agriculture Committee. Acting on the counsel of my predecessor, Congressman John Blatnik, Coya wrote to Speaker Sam Rayburn and Majority Leader John McCormack asking for the appointment.

Rayburn appointed her to the committee over the protests of its chairman, Representative Harold Cooley. The Speaker responded to Cooley's objections by telling the chairman, "Coya Knutson did the impossible by getting elected and she's going to get her pick of committees." Knutson and Cooley later became good friends.

As a member of the Agriculture Committee, Coya was a champion of the family farm. She was instrumental in establishing credit programs for farm improvement and expansion. She worked for price supports for sugar beet farmers and supported soil conservation programs. She helped enlarge the Federal school lunch program as a solution to farm surplus problems. Her first speech on the House floor pleaded for maintaining farm price supports, declaring that "adequate farm income is a task we must achieve for the economic health and welfare of the country."

In 1957, Americans looked upward and saw the Soviet Sputnik orbiting the Earth. Our post-war bubble of euphoria burst and new initiatives in education were needed. Coya Knutson introduced the "Dollars for Scholars" Program to help worthy students afford a college education. "Even though education is a right in a democracy," she told her House colleagues, "we have seen destitute students go by unnoticed. The opportunity for capable students to go to college is the latest horizon to be faced." Her program was written into title II of the National Defense Education Act of 1958 and enabled a generation of young people to receive college degrees.

She proposed an omnibus education bill that would channel one-fourth of the defense budget into elementary and secondary education. Although this bill—nicknamed the Paul Bunyan bill, after the north country lumberjack who accomplished great things—did not pass during her term in office, a modified version of it passed during the Kennedy administration and became the first large-scale Federal Education Program.

The first Federal grant to support cystic fibrosis research was the result of Coya's work. H.R. 12331, passed May 5, 1958, appropriated $1 million to fight this disease, at that time the third leading killer of children. A major portion of the funds was awarded to the University of Minnesota, and Coya was honored for her efforts by the Minneapolis-St. Paul chapter of the Cystic Fibrosis Foundation.

It was Coya Knutson who proposed a Federal income tax checkoff to support public funding for Presidential campaigns. Like the Paul Bunyan bill, this legislation did not become law until after Coya had left Congress.

These accomplishments are chronicled in "Coya Come Home," the biography of Coya Knutson by Gretchen Urnes Beito. I recommend this book to my colleagues in the House.

Coya Knutson was a dedicated and able legislator. She was a champion of working people and family farmers. She worked to educate our children and keep them healthy. She was cut from the same cloth as Senator Hubert Humphrey, with whom she worked very closely. Her accomplishments and the spirit with which she achieved them make me proud to continue the tradition of service to the people of Minnesota in Congress.

Coya Knutson is now a 77-years-young grandmother, living in Bloomington, MN. She will be the guest of honor at a special reception hosted by Governor and Mrs. Rudy Perpich at the Governor's residence on May 18, to celebrate the release of her biography.

Mr. Speaker, my colleagues, please join me in paying tribute to a very special lady, Congresswoman Coya Knutson.

INTRODUCING LEGISLATION TO PROVIDE FAIRNESS TO MERCER COUNTY, NJ, FEDERAL EMPLOYEES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing a bill to address the pay disparity endured by those Federal employees working in Mercer County, NJ. My new legislation would include the public servants of Mercer County in the 8 percent pay hike proposed for those Government workers from the New York Consolidated Metropolitan Statistical Area.

I commend President Bush for recognizing the acute retention and recruitment problems

that the Federal Government is experiencing in various high cost-of-living cities across the United States. These difficulties, while obvious in the larger cities of New York, Los Angeles, and San Francisco, exist in other cities as well. Therefore, I have drafted legislation to provide this necessary 8 percent pay raise for the Federal employees in the city of Trenton and the surrounding Mercer County, NJ.

While the Federal Government suffers due to the recruitment and retention problems, the individual workers suffer due to the high cost of living. Market forces have driven the salaries of non-Federal workers in New Jersey high above the pay of our Government employees. The size of the private-public pay gap is debatable. My bill calls for an immediate 8 percent raise; identical to the President's proposal contained in his budget recommendation. Yet, in the 1989 annual report by the Advisory Committee on Federal Pay, they cite a need for a 25-percent raise for northern New Jersey's Federal employees from "A Report on the Decline of Federal Service in New Jersey." Clearly, with renumeration for work done in a private sector enterprise is vastly higher than the pay for similar services in a public work setting.

Mercer County's high cost of living is seen in the median home prices. How can Federal workers expect to be home owners in Mercer County where the median home prices in one municipality are over $332,000. In the entire county, only one municipality has home prices averaging below $122,000. The present general schedule is obviously insufficient to meet these housing costs.

There is compelling evidence to suggest that Mercer County's need for a pay differential is equal to that of the other counties included in the Presidential pay reform bill. For instance, under the Federal Governments own per diem rates, Mercer County has a higher daily reimbursement rate than Somerset, Morris, Monmouth, Middlesex, and Ocean Counties, all of which are included in the 8 percent pay incease with New York. The rate for Mercer County is $114 per day, neighboring Monmouth County is $84 per day, while the standard rate for the Continental United States is only $66 per day. The Federal Government recognizes the high costs in Mercer County, so should the Congress by including my bill in any legislation to increase Government salaries by 8 percent.

I look forward to the swift committee consideration of the pay reform legislation and hope that my colleagues will join me in supporting this effort to provide equality to Mercer County's Federal workers.

TRIBUTE TO BISHOP ARTHUR H. KRAWCZAK

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to a dedicated individual, Bishop Arthur H. Krawczak. Bishop Krawczak is celebrating his 50th year as a priest.

Arthur Krawczak was born February 2, 1913, in Detroit, MI. He received a bachelor's degree in philosophy at Sacred Heart Seminary and obtained his theological training at Orchard Lake Seminary. He later received a master's degree in social work from the Catholic University of America in Washington, DC.

Arthur Krawczak was ordained May 18, 1940 at Blessed Sacrament Cathedral by then Archbishop Edward Mooney. Father Krawczak offered his first mass at his home parish of St. Florian in Hamtramck.

On April 3, 1973, Father Krawczak was ordained an auxiliary bishop of the Archdiocese of Detroit by John Cardinal Dearden at Blessed Sacrament Cathedral in Detroit. He is titular bishop of subbar with the episcopal motto, "serve with gladness."

Bishop Krawczak became the regional bishop for the northeast region of the archdiocese of Detroit in the July, 1977, establishment of the four regions. He served in this capacity until the summer of 1981 when the newly installed archbishop, Edmund C. Szoka, appointed him director of the department of education.

The Holy Father Pope John Paul II accepted the resignation of Bishop Krawczak for reasons of health on August 17, 1982.

I commend Bishop Krawczak on his inspirational leadership. He is a touchstone in our community and will long be remembered as a true friend.

DR. JAMES H. RYAN, PRESIDENT OF PENN STATE WILKES-BARRE CAMPUS PROMOTED TO MAIN CAMPUS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Dr. James H. Ryan, president of the Pennsylvania State University's Wilkes-Barre campus. I would like to take this opportunity to congratulate Dr. Ryan as he assumes the role of vice president of continuing education at the Pennsylvania State University main campus in State College, PA. Dr. Ryan will be greatly missed throughout the entire region of northeastern Pennsylvania, where he has devoted so much energy these past 9 years.

In 1981, Dr. Ryan was named campus executive officer of the Penn State Wilkes-Barre campus, one of 17 Commonwealth campuses in the Penn State University system. Prior to joining Penn State, Dr. Ryan served as dean of continuing education at Indiana University, South Bend, as well as various positions at the State University of New York at Buffalo, where he also received three degrees including a doctorate in the sociology of higher education and higher education administration.

He has taught, written, and lectured widely on leadership, managerial decisonmaking, and organizational development. He has served as a widely respected consultant to government, education, and business and industry on organizational change, strategic planning, program budgeting, training and development, and time and stress management.

His work with the American Association of University Administrators, of which he is a former vice president, earned him nomination as an "Emerging Young Leader in Higher Education" in a national survey conducted by the American Council on Education and Change magazine in 1979. He has recently been appointed to the National Labor/Higher Education Council by the American Council on Education.

In northeastern Pennsylvania Dr. Ryan is especially well-known for his leadership in economic development and has helped transform the region into a thriving, diversified economy. Dr. Ryan has served on the board and as an officer of the Greater Wilkes-Barre Chamber of Commerce and Industrial Fund. He was also a founding member of the Committee for Economic Development [CEG] and served as vice chairman for 6 years and is a member of the Greater Wilkes-Barre Partnership, Inc., board of directors.

In addition, he is past chairman of Leadership Wilkes-Barre, a community-based organization which provides leadership training to select young community leaders in order to enrich regional development.

Dr. Ryan has long championed the idea of transferring and exchanging technology with other countries, particularly Japan, to encourage economic growth in our area. I have had the distinct pleasure of experiencing Dr. Ryan's enthusiasm for community development first hand. In 1987, Dr. Ryan accompanied me on a visit to Japan. His interest in technology exchange and the belief that this exchange is necessary in today's communication-oriented society led him to work diligently to bring companies into Pennsylvania—companies which would create new jobs and improve the standard of living in all regions of Pennsylvania. Recently, Sony Corp. has brought one of their plants to Pennsylvania, opening new channels of exchange and communication. This development and technological dialog is precisely Dr. Ryan's goal for our region.

Dr. Ryan understands the critical role academic institutions can play in the development of their host communities and has worked hard to make Penn State's Wilkes-Barre campus responsive to the needs of northeastern Pennsylvania. He will be missed by our area as his accomplishments will not be easily matched. The Wyoming Valley is economically stronger today than it was when Dr. Ryan began his effort to unite community leaders to encourage them to work together for economic and technological advancement. It is with great admiration that I congratulate Dr. Ryan on his promotion and with great faith that I wish him much success as vice president of continuing education at Penn State University.

A TRIBUTE TO NORMAN HECHT

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. FISH. Mr. Speaker, Orange County, NY, is blessed with an individual who loves his community and has done his best to make it as good as it can be.

Norman Hecht is an entrepreneur who, after graduating from Cornell University, went into the poultry business by founding Hecht's Hatchery in Montgomery, NY. The company later moved to the village of Walden, where it became one of the largest operations of its kind in the East. His commitment to the poultry industry was further demonstrated through his roles as director of the State Poultry Industry and secretary for the American Egg Board.

Hecht also has devoted his time to his community, working with regional service associations such as the Rotary Club and the Newburgh YMCA, where he was on the board of directors.

But it is his work on behalf of the Jewish community that has earned Mr. Hecht his greatest distinction. The list of Jewish organizations of which he has been president is amazing: the Walden Jewish Community Center, Congregation Beth Hillel; the Walkill Valley Lodge; the Hudson Valley Council of B'nai B'rith; and the Jewish Federation of Orange County.

Other positions include chairman of the Israel bond campaign in Newburgh and co-chairman of the Walden Jewish Charities and the United Jewish Appeal. Today, he sits on the board of trustees of the Hebrew Day School of Orange County and the Jewish Federation of Orange County.

In recognition of his exhaustive efforts at improving the quality of life for his fellow members of the religious community and in improving the lives of all county residents, the Anti-Defamation League of B'nai B'rith will present its Americanism Award to Mr. Hecht on May 17.

Norman Hecht is to be commended for receiving such a distinguished honor. People like him represent what is best about America.

INTRODUCTION OF H.R. 4808, THE SOLAR, WIND AND GEOTHERMAL POWER PRODUCTION INCENTIVES ACT OF 1990

HON. PHILIP R. SHARP

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. SHARP. Mr. Speaker, I am honored to introduce today a bill to lift the size limitation on solar, wind, and geothermal small power production facilities subject to the Public Utility Regulatory Policies Act of 1978 [PURPA]. This is an amendment whose time has come, both because of the giant leaps forward in those technologies since 1978, and because of the enormous environmental benefits these power sources promise for the next generation of electric powerplants.

Last Congress, I sponsored legislation to raise from 30 to 80 megawatts the size limitation of solar small power production facilities. The reason for the legislation was that the 30-megawatt ceiling, thought to be enormous in 1978, had been superseded by breakthroughs in solar parabolic trough reflector technology. That bill, H.R. 2818, passed the House of Representatives in 1987. Although we lifted the size limits in our legislation, concerns in the Senate caused the final legislation to be framed as a 2-year experiment only, with the ceiling lapsing back to 30 megawatts in December 1989.

Mr. Speaker, this noteworthy initiative is back. And the initiative has a special timeliness this year, with the Congress at last nearing resolution of the Clean Air Act amendments. That effort addresses the severe environmental problems that came from our fuel choices of the past; today's bill is a down payment on some positive fuel choices for the future, at a time when those choices are increasingly difficult and increasingly crucial for the Nation's health. The breadth of the sponsorship on this bill testifies to our agreement on the benefits of this path.

I urge my colleagues to cosponsor this legislation and to support our efforts to encourage the utilization of these clean electric power sources for the Nation's next generation of powerplants.

KANSAS CITY, KS, SCHOOL DESIGNATED A NEXT CENTURY SCHOOL

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mrs. MEYERS of Kansas. Mr. Speaker, today I would like to pay tribute to Stanley Elementary School, in Kansas City, KS.

Stanley Elementary School was one of 15 schools recognized by RJR Nabisco Foundation's Next Century Schools for risk taking and enterpreneurship in education. These schools will share $8.5 million in grants that fund school-based management, special interventions for disadvantaged students, and efforts to promote community and parent involvement, teacher development, technological literacy and curriculum change.

Nearly 1,000 schools applied last November for this year's awards. The fund will provide $30 million in capital to the winning schools during the next 5 years, promoting grassroots efforts to increase student attainment in kindergarten through 12th grade in public schools.

I commend Stanley Elementary for the innovative and creative steps they are taking to implement new ideas in the classroom. The school will group teachers with the same students over a 3-year period and will extend the length of each school year. Teachers will work together to help students learn to read, write, and compute effectively so that all students leave fifth grade performing at or above grade level.

I congratulate the children at Stanley Elementary, the teachers, and principal Donna Hardy for this well-deserved recognition.

COMMENDING ZAIRE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. McEWEN. Mr. Speaker, I would like to acknowledge the Government of Zaire, under the leadership of President Mobutu Sese Seko, for improvements in respect to the environment. In addition to Zaire's public concern at the recent White House Conference on the Global Warming, Zaire is continuing its efforts in the preservation of endangered elephants and the protection of the white rhinoceros.

Zaire currently, is home to 10 percent of the world's forest resources. Zaire has been targeted as one of the top 10 countries to receive increased attention from United States AID in its global climatic change initiative. This recognition marks an effort unprecedented in Zaire's long history of environmental concerns. To further emphasize Zaire's commitment, Zaire has created an armed force to defend the national wildlife on game reserves and to this date over 30 guards have been killed in defense of these endangered animals.

According to the World Wildlife Foundation, Zaire is home to several of the world's threatened species including, the okapi, the mountain gorilla, the white rhinoceros, and the African elephant. In addition to the large number of threatened animal species in Zaire, the tropical forests of Zaire are also home to the Strophanthus kombe a medicinal plant utilized by the American pharmaceutical industry in the production of heart medicines and to quote the World Wildlife Foundation, "if the tropical forests disappear, thus will the extremely precious medicinal substances".

Mr. Speaker, now is the time to commend Zaire's efforts for their noble effort and to work with our neighbors in Central Africa to see that the world's global resources are protected.

A TRIBUTE TO JEWEL AND KING FISHER

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 1990

Mr. LAUGHLIN. Mr. Speaker, it is a pleasure to bring to the attention of my colleagues the recognition of King and Jewel Fisher. This year, King and Jewel Fisher will celebrate the 50th anniversary of King Fisher Marine Service Inc., a company that has provided excellent service to its customers along the Texas gulf coast. Founded in 1940 by King and Jewel Fisher, the company has steadily expanded its operations. After filing their company's first Social Security reports in the second quarter of 1940, the Fishers developed their business into one of the most respectable marine and dredging service companies in Texas. King and Jewel Fisher's success motto was simple, "we only bought what we could pay for." King and Jewel Fisher have kept

that motto, and today they operate a company of approximately 300 employees and have a payroll exceeding $5 million.

The Fishers have contributed immensely to the economic development in Port Lavaca, TX by their commitment to King Fisher Marine Service and to the hard working men and women of Port Lavaca. Mr. Speaker, the Fishers have also been very active in community affairs. They have been supportive of youth programs in Calhoun County and have bought the grand champion steer at the local county fair for 10 consecutive years.

King and Jewel Fisher have encouraged many young people to go to college and further their educational and career opportunities.

I am proud to have people like King and Jewel Fisher in my district. The Fishers are people who started from a small foundation and built the largest dredging and marine construction company based in Texas. I wish King and Jewel Fisher many more years of happiness and success with their company and future endeavors.

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.

Meetings scheduled for Tuesday, May 15, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 16

8:30 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to resume consideration of proposed legislation to strengthen and improve U.S. agricultural programs.
SR-332

9:00 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

9:30 a.m.
Banking, Housing, and Urban Affairs
Consumer and Regulatory Affairs Subcommittee
To hold oversight hearings on mortgage discrimination.
SD-538

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings to examine environmental labeling of consumer products.
SR-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
To hold hearings on S. 1235, to revise the Civil Rights Act of 1964 to permit States and political subdivisions to establish minority set-asides for contracts with firms striving to remedy discrimination by private contractors in employment and subcontracting.
SD-342

10:00 a.m.
Appropriations
District of Columbia Subcommittee
To hold hearings to examine the District of Columbia's drug programs, focusing on the use of fiscal year 1990 appropriated funds and funds to be appropriated in upcoming fiscal years.
SD-124

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.
SD-138

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Highway Administration of the Department of Transportation, and the National Transportation Safety Board.
SD-192

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings to examine the maintenance of Hell Gate Bridge in Queens, New York.
SD-406

Joint Economic
Technology and National Security Subcommittee
To hold hearings to examine the economic conditions in eastern Europe, focusing on the CIA report "Eastern Europe: Long Road Ahead to Economic Well-Being."
SH-216

10:30 a.m.
Banking, Housing, and Urban Affairs
HUD/Moderate Rehabilitation Subcommittee
To hold hearings on the rebuilding of the Department of Housing and Urban Development (HUD).
SD-562

11:00 a.m.
Foreign Relations
Western Hemisphere and Peace Corps Affairs Subcommittee
To hold hearings on proposed U.S. military training for Peru.
S-116, Capitol

2:00 p.m.
Armed Services
Strategic Forces and Nuclear Deterrence Subcommittee
To hold closed hearings on S. 2171, authorizing funds for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the space launch and command, control, communications and intelligence programs.
S-407, Capitol

Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on S. 2170, to prescribe the conditions under which contractors receiving operating-differential subsidy of their affiliates may engage in coastwise or intercoastal trade.
SR-253

Small Business
To resume hearings to examine the Small Business Administration's small business investment companies program.
SR-428A

Select on Intelligence
To hold closed hearings on intelligence matters.
SH-219

MAY 17

8:30 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to continue consideration of proposed legislation to strengthen and improve U.S. agricultural programs.
SR-332

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on space programs.
S-407, Capitol

Armed Services
To hold hearings on S. 2171, authorizing funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on concurrency in the Department of Defense acquisition process and programs.
SR-222

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on semi-conductors and the future of the U.S. electronics industry.
SR-253

Energy and Natural Resources
To hold hearings on S. 2362, authorizing funds for the construction of facilities to protect public health and safety and for the enhancement of infrastructure in the event of disasters in insular areas.
SD-366

Environment and Public Works
To hold hearings on S. 1462, to create a Federal nuclear facility environmental response fund, and to create an Office of Environmental Management and Remedial Action within the Department of Energy.
SD-406

Judiciary
To hold hearings on the nominations of Robert H. Clehand, of Michigan, to be United States District Judge for the Eastern District of Michigan, and Richard J. Hankinson, of Virginia, to be Inspector General, Department of Justice.
SD-226

39-059 O-91-38 (Pt. 7)

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.
SD-138
Banking, Housing, and Urban Affairs
To hold hearings to examine the reform of federal deposit insurance.
SD-538
Foreign Relations
Business meeting, to consider S. 2296, to provide supplemental authorization of appropriations for fiscal year 1991 for the Department of State, S. Con. Res. 124, expressing the sense of the Congress regarding human rights violations against the Albanian ethnic minority in southern Yugoslavia, and pending nominations.
SD-419
Joint Economic
To hold hearings to examine how U.S. productivity may be improved by using the abilities of the nation's blue-collar workers more effectively.
SD-628

2:00 p.m.
Armed Services
Strategic Forces and Nuclear Deterrence Subcommittee
To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the Strategic Defense Initiative.
SD-628
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1852 and H.R. 3545, to revise the Chesapeake and Ohio Canal Development Act to make certain changes relating to the Chesapeake and Ohio Canal National Historical Park Commission, S. 1990, to establish the Cliff Walk National Historic Site, S. 2011 and H.R. 2843, to authorize the expansion of the Tumacacori National Monument, S. 2067 and H.R. 3834, to designate the route from Selma to Montgomery for study for potential addition to the National Trails System, S. 2072, to authorize a study of nationally significant places in American history, S. 2262, to designate segments of the Sudbury, Assabet, and Concord Rivers as a study area for inclusion in the National Wild and Scenic Rivers System, S. 2437, to authorize the acquisition of certain lands in Louisiana for inclusion in the Vicksbury National Military Park, and S. 2566, to redesignate the Sunset Crater National Monument as the Sunset Crater Volcano National Monument.
SD-366
Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings to examine the use of secrecy and confidentiality of documents by courts in civil litigation, focusing on under what circumstances the sealing of cases may adversely affect public health and safety.
SD-226

MAY 18

8:30 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to continue consideration of proposed legislation to strengthen and improve U.S. agricultural programs.
SR-332

9:30 a.m.
Environment and Public Works
Superfund, Ocean and Water Protection Subcommittee
To hold hearings on S. 1697, to require local educational agencies to conduct testing for radon contamination in schools.
SD-406
Finance
Medicare and Long-Term Care Subcommittee
To hold hearings on recommendations for the Medicare Volume Performance Standards (MVPS) for fiscal year 1991, which is the rate of growth in spending for physician services reimbursed by the Medicare program.
SD-215
Veterans' Affairs
To hold hearings on titles I and III of S. 2100, Veterans Compensation Cost-of-Living Adjustment Act, S. 1887, to allow for Kentucky Vietnam veterans to receive a one-time bonus from the Commonwealth, S. 2454, Veterans Programs Improvement Act, S. 2482, to clarify the eligibility of certain minors for burial in national cemeteries, S. 2102, to modify certain congressional reporting requirements of the Secretary of Veterans Affairs, S. 2556, Radiation Exposed Veterans Compensation Amendments, S. 2499, to limit the amount of funds held by fiduciaries of incompetent veterans subject to inheritance by nondependent heirs, S. 2485, to authorize the Secretary of Veterans Affairs to provide financial assistance for the operation and maintenance of State veterans' cemeteries, and proposed legislation to expand radiation presumptions for veterans.
SR-418
Special on Aging
To hold hearings to examine service delivery problems at the Social Security Administration.
SD-628

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Surface Mining, Department of the Interior.
S-128, Capitol
Banking, Housing, and Urban Affairs
To hold hearings on proposed money laundering legislation, including S. 2327 and H.R. 3848, to authorize Federal depository institution regulatory agencies to revoke charters, terminate deposit insurance, and remove or suspend officers and directors of depository institutions involved in money laundering.
SD-538
Labor and Human Resources
To resume hearings on S. 2114, to promote excellence in American mathematics, science, and engineering education.
SD-430

MAY 21

1:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of the Interior and related agencies.
S-128, Capitol
Select on Indian Affairs
To hold hearings on the nomination of Carl J. Kunasek, of Arizona, to be Commissioner on the Navajo and Hopi Relocation.
SR-485

MAY 22

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for the Department of Defense, focusing on classified programs.
S-407, Capitol

9:30 a.m.
Armed Services
Projection Forces and Regional Defense Subcommittee
To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the Navy shipbuilding and conversion program.
SR-222

10:00 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR-253

2:00 p.m.
Armed Services
To hold hearings on the nomination of Lt. Gen. Carl W. Stiner, USA, to be General and Commander-in-Chief, U.S. Special Operations Command, Department of the Army.
SR-222

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on the global environment.
SD-138

MAY 23

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to review the Administration's technology policy and priorities.
SR-253

1:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, and the Office of Inspector General.
SD-138

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold oversight hearings on the "Report of the Interagency Scientific

Committee to Address the Conservation of the Northern Spotted Owl."
SD-366

2:30 p.m.
Armed Services
Strategic Forces and Nuclear Deterrence Subcommittee
To hold hearings on the Department of Energy national security budget request for fiscal year 1991.
SR-253

MAY 24

9:00 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for defense programs.
SD-192

9:15 a.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on S. 2228, to develop a comprehensive program to ensure the wholesomeness of fish products intended for human consumption and sold in interstate commerce.
SR-253

9:30 a.m.
Commerce, Science, and Transportation
Foreign Commerce and Tourism Subcommittee
To hold hearings to examine ways to expand U.S. exports abroad.
SR-253

10:00 a.m.
Finance
To hold hearings to examine the costs and health impact of cigarette smoking, focusing on how it affects children.
SD-215

JUNE 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on organization and accountability.
SD-138

JUNE 6

9:00 a.m.
Armed Services
Strategic Forces and Nuclear Deterrence Subcommittee
To resume hearings on S. 2171, authorizing funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the B-2 program.
SR-253

JUNE 7

9:30 a.m.
Judiciary
To hold hearings to examine the effects on judicial nominees belonging to private clubs that discriminate.
SD-226

Veterans' Affairs
To hold oversight hearings on veterans prosthetics and special-disabilities programs.
SR-418

2:00 p.m.
Select on Indian Affairs
To hold oversight hearings to examine the Indian health service nurse shortage.
SR-485

JUNE 12

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration's satellite programs.
SR-253

Select on Ethics
To hold hearings on matters relating to the investigation involving Sen. Durenberger.
SH-216

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on eastern Europe.
SD-138

JUNE 13

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 2358, providing U.S. consumers the opportunity to enjoy the technological advancement in sound recording by use of digital audio tape recorders.
SR-253

Rules and Administration
Business meeting, to consider proposed legislation authorizing funds for fiscal year 1991 for the Federal Election Commission, proposed legislation providing for the management of Senate official mail, proposed legislation authorizing the purchase of 1991 "We the People" calendars for the use of the Senate, and other pending calendar business.
SR-301

JUNE 14

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration's ocean and coastal programs.
SR-253

Veterans' Affairs
To hold hearings on title II and section 402 of S. 2100, relating to veterans physician pay and health issues, S. 1860, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war, S. 2455, to provide for recovery by the U.S. of the cost of medical care and services furnished for a nonservice-connected disability, S. 2456, to extend expiring laws authorizing the Department of Veterans Affairs to contract for needed care and to revise authority to furnish outpatient dental care, and other proposed legislation.
SR-418

JUNE 19

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. military assistance.
SD-138

JUNE 20

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 1974, to require new televisions to have built in decoder circuitry designed to display closed-captioned television transmissions.
SR-253

JUNE 26

9:00 a.m.
Appropriations
Foreign Operations Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.
Room to be announced

2:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1772, to prohibit State lotteries from misappropriating professional sports service marks.
SD-226

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.
Room to be announced

JUNE 28

9:30 a.m.
Veterans' Affairs
Business meeting, to consider pending legislation relating to veterans compensation and health-care benefits.
SR-418

JULY 12

9:30 a.m.
Select on Indian Affairs
To hold hearings to examine protective services for Indian children, focusing on alcohol and substance abuse programs.
SR-485

CANCELLATIONS

MAY 15

10:00 a.m.
Armed Services
Projection Forces and Regional Defense Subcommittee
To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for the Department of Defense and to prescribe personnel levels for fiscal year 1991, focusing on the state and capa-

bilities of the U.S. Marine Corps for special operations and low intensity conflict.

SR-222

MAY 16

10:00 a.m.

Judiciary

To hold hearings in conjunction with the Caucus on International Narcotics Control to examine the U.S. anti-drug policy in Peru.

SD-226