HOUSE OF REPRESENTATIVES—*Wednesday, January 22, 1992*

The House met at 12 noon.

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

With gratefulness, O God, we enter this new day and look upon all the possibilities or difficulties that are before us with a sense of privilege for the opportunity of serving the people of the Nation. With a sense of thankfulness for this responsibility we dedicate ourselves to doing the works of justice, seeking the ways of peace and sharing the quality of mercy with every person. May Your blessing, O God, be with us and with all who seek to strengthen and renew our land so that Your gifts of righteousness and understanding will be the heritage of all.

This is our earnest prayer. 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 Colorado [Mr. ALLARD] please come forward and lead the House in the Pledge of Allegiance.

Mr. ALLARD 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 with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1989. An act to authorize appropriations for the National Institute of Standards and Technology and the Technology Administration of the Department of Commerce, and for other purposes;

H.R. 2032. An act to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes;

H.R. 3635. An act to amend the Public Health Service Act to revise and extend the program of block grants for preventive health and health services, and for other purposes; and

H.R. 3866. An act to provide for the designation of the Flower Garden Banks National Marine Sanctuary.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3635), "An act to amend the Public Health Service Act to revise and extend the program of block grants for preventive health and health services, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. METZENBAUM, Mr. HARKIN, Mr. HATCH, and Mrs. KASSEBAUM to be the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

S. RES. 242

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 36. An act entitled the "New York City Zebra Mussel Monitoring Act of 1991";

S. 1392. An act to strengthen the authority of the Federal Trade Commission regarding fraud committed in connection with sales made with a telephone, and for other purposes;

S. 2131. An act to repeal section 618 of the Resolution Trust Corporation, Refinancing, Restructuring and Improvement Act of 1991;

S. Con. Res. 85. Concurrent resolution to correct a technical error in the enrollment of the bill (H.R. 3531), and for other purposes; and

S. Con. Res. 86. Concurrent resolution to correct the enrollment of H.R. 2950.

The message also announced that pursuant to Public Law 100–297, the Chair, on behalf of the President pro tempore and upon the recommendation of the majority leader and the minority leader, appoints Julie Abeyta of New Mexico, Susan Adair of Oklahoma, Joan Ainslie of California, Andrew L. Andreoli of California, Richard W. Arnold of Nevada, Vivian L. Arviso of Arizona, Katherine J. Bancroft of California, Lionel Bordeaux of South Dakota, Marilyn K. Bread of Kansas, Mary Ann Brittan of Oklahoma, Joe Byrd of Oklahoma, Howard Chavez of California, Robert K. Chiago of Kansas, Julie Clouse of Kansas, Shirley Cogswell of Maine, Pete G. Coser of Oklahoma, Cheryl Crazy Bull of South Dakota, Carol Ann Davis of North Dakota, James L. Davis of North Dakota, William Demmert of California, Carl Downing of Oklahoma, Joyce Dugan of North Carolina, Lloyd Elm of New York, Ruth Frazier of New Mexico, Nora Garcia of California, Lillian Garnett of Alaska, Pat Goggles of Wyoming, Mary Helen Haney of Oklahoma, Marcelle Sharron Ahtone Harjo of Oklahoma, Lawrence H. Hart of Oklahoma, Earl Havatone of Arizona, Victoria Higgins of Maine, John Hornbrook of Indiana, Cindy Huston of Oklahoma, Pat Jagiel of Florida, Stephen Lewis of California, Patricia Locke of South Dakota, Dwight D. Lowry of California, Ronnie Lupe of Arizona, Oren Lyons of New York, Wilma Mankiller of Oklahoma, Bob G. Martin of Kansas, Twila Martin-Kekahbah of North Dakota, Vernon Masayesva of Arizona, Sylvia J. McCloud of Nevada, Sharon McLane of Kansas, William Mehojah of Washington, DC, Ted Mitchell of Maine, Josiah Newton Moore of Arizona, James Nageak of Alaska, Patty Nelson-Bourdeaux of South Dakota, Karen Onco of Oklahoma, Reginal Pasqual of New Mexico, Luanne Pelagio of Alaska, Levi Pesata of New Mexico, Paul Plume of South Dakota, Marshall Plummer of New Mexico, Edwin Stronglegs Richardson of Washington, DC, Donna Rhodes of Oklahoma, M. Grace Roderick of Maine, Nell Allen Rogers of Mississippi, Ernie C. Salgado, Jr. of California, Ruth Sampson of Alaska, Ivan L. Sidney of Arizona, J. Brian Smith of Maine, Kiamichi Stairs-Camp of Oklahoma, Loren "Bum" Stiffarm of Montana, Robert J. Swan of Montana, Carmen Cornelia Taylor of New Mexico, Virginia Thomas of Alaska, Alice M. Tonemah of Oklahoma, Daniel Tso of Arizona, Delores R. Twohatchet of Oklahoma, Mary Margaret Willson of Nevada, Ruth Dial Woods of North Carolina, Sydna Yellowfish of Oklahoma, Bernadine Young Bird of North Dakota, and Peterson Zah of Arizona, as Delegates to the White House Conference on Indian Education.

ADJOURNMENT TO FRIDAY, JANUARY 24, 1992, AND ADJOURNMENT FROM FRIDAY, JANUARY 24, 1992, TO TUESDAY, JANUARY 28, 1992

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, January 24, 1992, and that when the House adjourns on Friday, January 24, it adjourn to meet at noon on Tuesday, January 28, 1992.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

There was no objection.

DISPENSING WITH ORGANIZATIONAL OR LEGISLATIVE BUSINESS ON TODAY OR ON FRIDAY, JANUARY 24, 1992

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that no organizational or legislative business be in order today or when the House convenes on Friday, January 24, 1992.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the order of the House of today, bills and resolutions introduced thus far during the second session of the 102d Congress will be numbered as of the day introduced but not noted until the RECORD of January 28, and not referred to committee by the Speaker until January 28. Likewise, executive communications, petitions, and memorials will not be numbered or referred until January 28.

COMMEMORATING THE LIFE OF GLENN BRENNER

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

Ms. NORTON. Mr. Speaker, the brilliant Redskins, the hometown team of the U.S. Congress, are on a roll toward victory at the Super Bowl on Sunday. But the lights are dim at RFK Stadium because this year's season is ending without Glenn Brenner. Members and area residents alike watched the Channel 9 sportscaster who for 15 years made the reporting of sports an art that was a hybrid of information and entertainment. Glenn Brenner was one of a kind—a reporter of consummate skill, a man whose effervescent wit was born of intelligence and style, a sportscaster who brought as much to the game as he took from it.

Glenn collapsed while engaged in sports—after running his last race—the Marine Marathon. He died 10 weeks later on January 14, just after his 44th birthday, of a malignant brain tumor. All of Washington grieved.

But Glenn brought joy and fun to his own funeral as friends and colleagues took their cues from his unique way of covering sports. Glenn made us laugh as we learned. He brought fans to sports by the way he covered the games. You didn't have to be a sports fan to love Glenn Brenner. But Glenn made us love them both.

AN AMERICAN SUCCESS IN JAPAN—CATERPILLAR

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

Mr. MICHEL. Mr. Speaker, may I first welcome all our Members back to the second session of the Congress on both sides of the aisle.

Mr. Speaker, we are told by critics that American workers are to blame for our trade imbalance with Japan. We are told our companies just can't compete.

Those myths need to be destroyed by some facts. And there's no better place to turn than my hometown of Peoria where our largest employer and one of our countries premier manufacturers, Caterpillar, Inc. sold more than 400 million dollars' worth of United States-produced equipment in Japan this past year.

As a matter of fact, Japan accounts for $1 out of every $8 in Cat export sales.

Furthermore, 70 percent of the equipment being used to build the Kansai Airport near Osaka, Japan, carries the Caterpillar name.

For product lines it sells, Caterpillar outsells its nearest competitor, Komatsu of Japan right in their own backyard and Cat claims more than 50 percent of the Japanese market.

Does that sound like an inability to compete?

Of course not!

Instead of crying the blues, critics of American workmanship and salesmanship should come to Peoria and see how Americans can compete, head-to-head with anyone in the world.

Believe me when it comes to quality—we don't just "play" in Peoria—we work at it.

CONCERN ABOUT THE NEW GATT PROPOSAL

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

Ms. LONG. Mr. Speaker, today I rise to express concern over the recent GATT proposal. Our country needs for Congress to be presented with a better trade agreement and it needs to be presented early this year.

Among the areas that still need further negotiations in my opinion are some disturbing aspects of the agreement that would impact many sectors of our domestic economy, and a provision that would establish a Multilateral Trade Organization—an MTO. Establishment of this MTO would constitute an attack on our basic form of government because it would be granted the authority to supersede powers contained in domestic law.

Under current GATT rules, opposition by any country may forestall a GATT-panel decision. But to overturn a decision made by the new MTO would require opposition by all 103 nations.

I urge my colleagues to carefully review the new GATT proposal and let the administration know of the Members' concerns, so that they may bring us a good trade agreement this year. It is an agreement our economy demands and our country desperately needs.

REPEAL THE EARNINGS TEST

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

Mr. GOSS. Mr. Speaker, in the coming weeks we will consider proposals to get the economy rolling again, but there is one action we can take right now, something we have already studied and debated that will not only give our sluggish economy a boost, but will also restore a measure of fairness by taking the cap off the earned income potential of our senior citizens.

I am talking about repealing the earnings limitation test, something the other body has already voted to do and something that 268 of our colleagues already support. Studies show that about 700,000 seniors would go back to work if this unfair and outdated tax penalty were repealed. The impact this would have on our economy would be significant, potentially adding about $15 billion to the gross national product. Repealing the earnings test is a cost-effective measure, and we can take it right now to help in this stubborn recession. Repeal is common sense, it is economic sense, and it is fair play for older Americans who want to or need to look out for themselves by earning their own way.

INTRODUCTION OF HOUSE RESOLUTION 325 CONCERNING RELEASE OF SEALED DOCUMENTS ON KENNEDY ASSASSINATION

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

Mr. GONZALEZ. Mr. Speaker, I am introducing a simple House resolution today that would unseal and release to the public those files that were sealed by the Select Committee on Assassinations pertaining to the assassination of President John Kennedy. Until a few weeks ago, I had no idea that any documents had been sealed. The sealing of documents by the House is something that I believe the House of Representatives should find abhorrent.

Yet, I was the one who is responsible for creating the committee—I introduced the resolution that the House adopted, although the original purpose of the committee was skewed. As it turned out, the committee turned into a who dunnit rather than a committee dedicated to a legislative purpose. Thus, the committee was undermined from the very start when it took off in the direction of an investigation with no legislative goal. When they an-

nounced their findings that the assassination of President Kennedy was probably the result of a conspiracy, but then sealed the records of the committee, the germseed for eternal conjecturing and infinite hypothesizing was planted.

We in the Congress have often enough engaged in debates with the executive branch about claims of executive privilege to withhold information from the Congress. If the Congress does this itself, by sealing documents that should be part of the public domain, we have lost our moral argument on this issue.

I am not reviving anything, not espousing any theory or endorsing any inference of conspiracy, and I am not asking for anything other than to release the sealed records to the public. I ask my colleagues to join with me if they share my interest and concern in ensuring openness in government and in our processes.

The documents referred to follow:

H. RES. 325

Resolved, That, within thirty days beginning after the date of adoption of this resolution, the Archivist of the United States shall release for public use the records specified in section 2.

SEC. 2. The records referred to in the first section are all of the records of the Select Committee on Assassinations of the Ninety-fourth Congress and of the Ninety-fifth Congress.

JANUARY 15, 1992.

Hon. HENRY B. GONZALEZ,
U.S. House of Representatives,
Washington, DC.

DEAR HENRY: Congratulations on moving to get all the information related to the Kennedy assassination released. Enclosed is a copy of a letter I sent to Lou Stokes which you may want to put in the CONGRESSIONAL RECORD when you introduce your resolution.

Keep up all your good work.

Sincerely,

JOSEPH A. CALIFANO, Jr.

JANUARY 13, 1992.

Hon. LOUIS STOKES,
U.S. House of Representatives,
Washington, DC.

DEAR LOU: As an aide to President Lyndon Johnson from 1965 until he left office in January, 1969, let me add my voice to those who are urging you and the House of Representatives to release all files related to your investigation of the assassination of John Kennedy and the Warren Commission report.

The Oliver Stone movie JFK is a disgraceful concoction of lies and distortions designed, among other things, to leave the impression that there was a massive conspiracy among all elements of American society—government, business, the media—to kill President Kennedy, and that one of the conspirators was President Johnson. The movie may make Stone and Time-Warner lots of money, but it is still a big lie.

The film is particularly offensive with respect to President Lyndon Johnson who called the Kennedy assassination "the foulest deed of our time" and said when he faced a joint session of Congress shortly thereafter, "All I have I would have given gladly not to be standing here today." In addition to working as Lyndon Johnson's closest domestic aide for three and one-half years, I have spent the past four years reseaching and writing The Triumph and Tragedy of Lyndon Johnson.

Johnson believed, as he said to me, that Fidel Castro was responsible for President Kennedy's assassination. In a reference to attempts by the Kennedy brothers to assassinate Castro, Johnson told me, "Kennedy tried to get Castro, but Castro got Kennedy first." After assuming the Presidency, Lyndon Johnson ordered a stop to all covert activity to eliminate Castro. Moreover, LBJ was so convinced that Castro assassinated Kennedy that he asked the FBI to take special precautions to protect him and his family from an attempt by Castro on his own life. Johnson did not agree with the Warren Commission's report that Lee Harvey Oswald acted alone. In late 1966 and early 1967, he discussed with me reopening the investigation, but decided against it because he did not believe it was in the interests of the country and he did not want to inflict any additional pain on the Kennedy family.

Mr. Chairman, you did take the time in a thorough House inquiry to reexamine the Warren Commission findings and conduct your own investigation. In these circumstances—and particularly with this scurrilous film giving millions of young Americans a false revisionist history lesson—I believe it is imperative that the House open to the public all the files accumulated in the course of your investigation.

With best regards.

Sincerely,

JOSEPH A. CALIFANO, Jr.

□ 1210

TRIBUTE TO GLENN BRENNER

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

Mr. WOLF. Mr. Speaker, I join my colleagues today in paying tribute to Glenn Brenner—a man who was loved by so many people in the Washington area and beyond—and also to send my condolences and prayers to Glenn's wife, children, and parents in their time of sorrow and loss.

I think everybody got to know Glenn Brenner like I did by watching him on television. A member of my staff who had the privilege of working with Glenn said he was everything he appeared to be on TV, and more.

Having been born and raised in Philadelphia, PA, like Glenn, I took a special interest in following his career.

Glenn Brenner was a consummate family man. Despite his success and the celebrity he obtained, Glenn's family always came first.

In life—and death—Glenn Brenner taught us the value of laughter. More importantly, he taught us not to take our work and careers so seriously that we lose sight of what is most important in this life—our families and friends.

Thank you, Glenn, and may God bless your family and friends.

RESPONDING TO THE CHEMICAL-BIOLOGICAL WARFARE THREAT

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

Mr. BROWDER. Mr. Speaker, in a time of worldwide proliferation of chemical and biological warfare programs, when the former Soviet Union's enormous CBW resources might be available for sale to the highest bidder, it is imperative that the United States be trained and ready to face the threat of chemical/biological war.

The intelligence community recognizes the threat.

Director of U.S. Central Intelligence Robert Gates last month told the House Armed Services Committee:

> The accelerating proliferation of nuclear, biological, and chemical weapons in other countries around the world is probably of gravest concern.

The defense community recognizes the threat.

Gen. H. Norman Schwarzkopf, last year told the same committee:

> One of these days it's going to happen—we're going to have to fight a chemical war.

Yet we are not prepared or preparing.

In October 1988 the MITRE Corp., in a report authorized by the HASC, found that the Department of Defense could not adequately and effectively provide direction and oversight to the military services' chemical/biological defense programs. MITRE proposed several options for addressing identified problems, but as of August 19, 1991, GAO determined, again at our committee's request, that "virtually no change had taken place in response to MITRE's recommended options."

Congress should begin now to provide direction and oversight for our CBW program. Given the central importance of the chemical/biological warfare threat in the post-Soviet world, we must inquire into the exact nature of the threat, as well as how we as a nation should counter that threat.

WETLANDS SIMPLIFICATION ACT

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

Mr. BUNNING. Mr. Speaker, today I am introducing the Wetlands Simplification Act to reduce the number of agencies that have jurisdiction over determining agricultural wetlands.

Currently, four different agencies have jurisdiction over wetlands. The Environmental Protection Agency, the Soil Conservation Service, the Army Corps of Engineers, and the Fish and Wildlife Service can all issue different determinations on agricultural wetlands.

The bottom line is that the bureaucratic redtape over wetlands that our farmers face is far too complicated.

The legislation I have introduced would make one of those agencies, the Soil Conservation Service the "one-stop shop" for American farmers and ranchers.

Our farmers want to comply with the law and this bill will merely make it less complicated to do so.

INTRODUCTION OF THE FREEDOM OF CHOICE ACT

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

Mrs. SCHROEDER. Mr. Speaker, I want to commend the 129 brave Members of this body who have been willing to stand up and join us in cosponsoring the Freedom of Choice Act and say it is time that women be treated as adults by this Congress.

It is very clear that the Supreme Court decision allowing women the right to choose is in danger and will clearly be changed. The Freedom of Choice Act codifies Roe versus Wade. It says that an individual woman's right to choose to terminate a pregnancy prior to fetal viability is hers, not the Government's not a Supreme Court Justice's, not a President's, not a Senator's, or not a Congressman's. That is very important.

H.R. 25 is out there, and it is absolutely critical that it become one of the primary bills we take up in this session. Especially as we are looking more and more toward national health care, we cannot have a national health care that does not recognize women equally. Otherwise, we will be forcing all women into secondary class citizens.

I certainly hope that the right-to-choose bill gets the majority of this body, we pass it out of here, and we say to America's women, indeed, they are going to be treated equally by this Congress even though the Supreme Court is gone.

WE ALL MISS OUR PAL, GLENN BRENNER

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

Mrs. MORELLA. Mr. Speaker, "How do you say goodbye to someone who gave us a million laughs." We remember that sentiment when we think of the tragic death of WUSA sportscaster and my constituent Glenn Brenner.

Rarely does the passing of an individual generate an outpouring of emotion from such a broad cross-section of a community—people from all walks of life were touched and uplifted by this man.

Glenn Brenner was more than a sportscaster to area viewers. Sports fans and nonsports fans alike were drawn to him by his magnetism, natural good humor, and ability to keep sports in perspective. He always made you feel good about yourself.

Whether it was his "Weenie of the Week" award, his constant pranks, or his guest football prognosticator interviews, Glenn kept it light. Who can forget his wonderful interviews with Sister Marie Louise, classics in the annals of Washington broadcasting.

Glenn Brenner distinguished himself with his charm, honesty, and extraordinary sense of humor. Watching one of his newscasts was a treat, for Glenn talked about the "big game" without getting technical or too wrapped up in scores and statistics. He delivered a broadcast that nonsports fans could not only follow, but truly enjoy. He always kept sports in perspective.

Glenn began his career as an athlete, a baseball player with the Philadelphia Phillies' organization, before moving into broadcasting. After stops in his hometown of Philadelphia, Huntington, WV, and Millville, NJ, Glenn came to Washington's WUSA-TV, channel 9, in 1977. For the next 14 years, Glenn laughed and cried with athletes of all shapes, sizes, and abilities. Sportscasters enjoy interviewing a famous athlete, but interviews with little leaguers and fans on the street were always done in a professional, yet sympathetic manner.

Some say Glenn Brenner was a comedian in a broadcaster's body. That was partly true. However, no one can ever say that Glenn treated a story too lightly or did not treat it with sensitivity.

Glenn was a devoted husband and father to his wife and three children, making his family life his first priority amid a busy broadcasting schedule.

At a time when the sports world is focusing on the upcoming Super Bowl, our thoughts are with Glenn's family and his many colleagues and friends at WUSA-TV/channel 9.

The entire community mourns the death of this great man whom his distinguished colleague, Gordon Peterson, called simply pal. We all miss our pal.

ENACT FREEDOM OF CHOICE ACT

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

Mr. FAZIO. Mr. Speaker, today marks the 19th anniversary of the Roe versus Wade decision, the Supreme Court decision that confirmed every woman has the basic right to decide for herself, free of government intrusion, whether or not to terminate a pregnancy. The Roe decision has saved lives and virtually eliminated back-alley abortions.

In spite of the overwhelming public support for a woman's right to choose, that right is at risk from a hostile Supreme Court, stacked with antichoice Justices appointed by the Reagan and Bush administrations.

Congress must act now to uphold the majority's views on choice and the guarantee that all Americans have a right to understand and expect.

We must enact the Freedom of Choice Act, protect the freedoms embodied in Roe versus Wade, and once and for all make a woman's right to choose the law of the land.

INTRODUCTION OF RESOLUTION WELCOMING HOME THE HOSTAGES

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

Mr. JOHNSON of Texas. Mr. Speaker, last month, the last of the Americans held hostage in Lebanon were freed.

Their homecoming ended years of anguish for them, their families, and for all Americans.

Having spent several years as a prisoner of war in Vietnam, I know how they felt when they came home to this wonderful country.

These men, displayed great courage while in captivity. Sadly, three Americans were murdered by their captors—two while in the service of the United States.

Today, I am introducing a resolution—formally welcoming these men home and calling for the release of all remaining hostages in Lebanon and around the world.

I urge my colleagues to join me in saying, "Welcome home, Americans."

□ 1220

SUPPORT EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION

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

Mrs. KENNELLY. Mr. Speaker, I was very relieved that after Congress tried several times last fall, the administration finally signed into law an emergency unemployment compensation program.

But Mr. Speaker, the recession is not yet over. The national unemployment rate for December just rose to 7.1 percent, up from 2 straight months at 6.9 percent. That represents 289,000 newly unemployed Americans, and brings the total to 8.9 million unemployed people across the country. By February 15, the emergency benefits we enacted will expire for 600,000 people.

We cannot abandon Americans out of work now when they need us most. I am proud, Mr. Speaker to be an original cosponsor of legislation my colleagues, Mr. ROSTENKOWSKI and Mr. DOWNEY, among others, will introduce

today to extend unemployment compensation an additional 13 weeks. As people throughout the Nation fight their way out of the recession face the grim prospect of yet another day, week, or month without a job, we must do what is right and help these struggling people to made ends meet. I urge my colleagues to support the extension of the emergency unemployment compensation program.

REPEAL SOCIAL SECURITY EARNINGS LIMIT

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

Mr. HASTERT. Mr. Speaker, I rise to echo sentiments expressed at a press conference today on the Social Security earnings limit.

Today, about 10 organizations representing a broad cross section of businesses and older Americans demanded that the conferees to the Older American Act do the right thing and adopt the McCain amendment, which would repeal the Social Security earnings limit for those aged 65 to 69.

Mr. Speaker, I have come to this well many times to speak out for seniors on this issue. It has been and remains my No. 1 legislative priority.

The Social Security earnings limit is a Depression-era fossil that greatly discourages seniors who need to supplement their Social Security check by working. Currently, after earning only $10,200, older Americans lose $1 in benefits for every $3 earned.

It is high time that we retire the earnings limit and free our seniors to work if they want to. I urge our House conferees to take the advice of seniors, businesses and the 269 House cosponsors of my bill, H.R. 967, and adopt the McCain amendment.

TRIBUTE TO GLENN BRENNER

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

Mr. MORAN. Mr. Speaker, last Sunday, all of us from the Washington area were overjoyed to see the Washington Redskins defeat the Detroit Lions in the NFC championship game. It was a great game fought between two of the finest teams in the NFL.

Our enthusiasm, however, was diminished and turned to sadness as we read the reports that Glenn Brenner's bout with cancer had ended and that this jubilant and energetic Washingtonian had died at the early age of 44.

I remember Glenn Brenner as the witty newscaster who reintroduced us to the fun of professional sports and who showed us how silly we can all be when we take life too seriously.

I remember Glenn Brenner as the activist in the Washington community and as the guy who beat me by several minutes in a charity race for the homeless—only a week before his stroke in the Army 10 miler.

And I remember Glenn Brenner as a friend. One that I and many other Washingtonians appreciated for the joy, humor, and professionalism he brought so uniquely into our daily lives.

PROTECTION OF THE SAGUARO NATIONAL MONUMENT

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

Mr. PASTOR. Mr. Speaker, I rise today in order to address an immediate and compelling concern not only for the citizens of the Second Congressional District of Arizona, but for all those who value the beauty and integrity of our Nation's desert lands.

The Saguaro National Monument, located outside of Tucson, AZ, encompasses and protects some of the finest land of the Sonoran Desert. It is a visually stunning and environmentally important enclave for desert flora and fauna. It is also a fragile island of untouched nature amid the continually expanding communities of the Southwest.

Mr. Speaker, I rise along with my esteemed colleague from Arizona, Senator DECONCINI, who is introducing identical legislation in the Senate, to protect the Saguaro National Monument from a very serious threat—the reactivation of a mining claim along its boundary. The blasting and other activities associated with the reopening of the Old Yuma Mine pose grave dangers to the integrity of the monument.

The bill I am submitting the Saguaro National Monument Protection Act of 1992, proposes to incorporate the land on which the Old Yuma Mine is located into the monument itself, thereby permanently halting mining operations and eliminating the dangers that such operations pose to the preservation of the monument.

Congress has already recognized the importance of the Saguaro National Monument as well as its delicate nature. Last year Congress approved $100,000 in the fiscal year 1992 Interior appropriations bill for a boundary expansion study for the monument, so that threats to this pristine land may be identified and mitigated. The intent of this bill is not to preempt the study, but rather to eliminate an immediate danger to the monument and preserve its integrity. I urge my colleagues to demonstrate their commitment to the environment and vote in favor of this legislation when it comes to the floor.

UNITED STATES-JAPANESE TRADE PROBLEMS ARE NOT THE FAULT OF AMERICAN WORKERS

(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, recently the Speaker of the Japanese House of Representatives said that the trade problems that we, the United States, are having with his country are the fault of the United States worker because the United States worker is lazy, incompetent, and even illiterate.

For these malicious, malevolent, and highly untruthful statements, the Speaker of the Japanese House of Representatives was taken to the Japanese equivalent of the woodshed. He was chastised. He is now very contrite and suggests that he was misquoted.

This flap, Mr. Speaker, may be behind us, but the trade imbalance continues and we have to take action in the Congress to address it.

Mr. Speaker, I urge quick action on the bill introduced by the majority leader, the gentleman from Missouri [Mr. GEPHARDT], of which I am a proud cosponsor, which would reinstate the Super 301 trade sanctions which can be levied against countries like Japan which in many cases treat us unfairly in trade matters.

Also, Mr. Speaker, I am very much in favor of an economic revitalization program that would allow the American worker to have the tools, the equipment, and the training which a worker needs to be competitive.

Mr. Speaker, we have grave trade problems, but those trade problems cannot be laid at the doorstep and at the foot of the U.S. working man or the U.S. working woman.

WASHINGTON REGION MOURNS THE LOSS OF GLENN BRENNER

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

Mr. HOYER. Mr. Speaker, many of us from the Washington metropolitan area have risen to say goodbye to a friend.

Television is a uniquely powerful medium. It is a medium that in many ways brings us together as a country and provides us with common experiences. Therefore, personalities on television tend to become very personally known to people. We think they are our friends, even if we do not know them well.

I had the opportunity of playing golf with Glenn Brenner from time to time and seeing him relatively regularly.

My kids from time to time say, "Dad, be real," when they think I am not focused on what they think is to them real.

Glenn Brenner was one of those happy people who was real. He did not take himself too seriously. He was honest. He lifted us up. He knew his business. He was competent. He was somebody that the Washington area respected. He was chosen by his colleagues as America's outstanding sportscaster in 1989 and 1990.

So I join my colleagues in saying that Glenn Brenner ran the race. He fought the good fight. He kept the faith. Glenn Brenner we lost too early, but Glenn Brenner in the years given to him used them well.

God bless you, Glenn, and God bless your family.

INTRODUCTION OF TRADE ENHANCEMENT ACT OF 1992

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

Mr. LEVIN of Michigan. Mr. Speaker, for all its failings, the President's trip to Japan succeeded in one sense. It brought to center stage the issue of trade. The debate over trade has finally moved out of the shadows. Emotional rhetoric such as protectionism, trade wars, and bashing has masked the real economic issues. A government that will not stand up overseas for its entrepreneurs and its workers will not do the things necessary at home. A more aggressive trade policy is a metaphor for a more activist approach across the board, including education, training, and tax and export policy.

For these reasons, the majority leader, the gentleman from Missouri [Mr. GEPHARDT] and other colleagues and I are introducing today the Trade Enhancement Act of 1992. It requires action on the persistent trade deficit with Japan to give the American automobile, auto parts and other industries, a chance to survive.

□ 1230

The purpose of our legislation is to tear down walls, not build up ours. It is antiprotectionist. The President's trip to Japan must be more than election-year lipservice. This bill will help make certain that fair as well as free trade is indeed the ultimate result.

NATIONAL DEFENSE: REDSKINS VERSUS BILLS

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

Mr. LAFALCE. Mr. Speaker, this morning I traveled from Buffalo, NY, to Washington, DC. Upon arriving, I quickly discovered there has been a great deal of local talk in Washington about the national defense, not about military defense.

Now, I have long favored appropriate cuts in defense weaponry, and more-over polls show that most Americans favor great cuts in our national defense.

On this, the first day of the second session of the 102d Congress, I make this pledge: This Sunday the representatives of Buffalo, NY, will make those cuts. Indeed, our Buffalo offense will emasculate the national defense. Our strategic and tactical weapons are simply too many, and too great.

Our Kelly missile, our Thomas tank, our Lofton and Reed jets, our Beebe bomber, with all their speed, their power, their range, their accuracy, their diversity, will not only cut the national defense, we will shred it. Our attack will not be secret, nor will it be conspiratorial; indeed, we will do it with no huddle.

In the annals of Washington, DC's history, January 26 shall replace December 7 as "Washington's day of infamy."

TRIBUTE TO EARNEST KILLUM, OREGON STATE UNIVERSITY STUDENT ATHLETE

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

Mr. KOPETSKI. Mr. Speaker, on Monday, Earnest Killum, a member of the Oregon State University men's basketball team, died after suffering a serious stroke last week. Mr. Speaker, I rise today to commemorate Earnest Killum's life.

Earnest was an exceptional young man and a tremendous athlete. His high school career was remarkable as he averaged 29.7 points per game and was named the California 5–A prep player of the year his senior year. In fact, just last Wednesday, his alma mater, Lynwood High School in Los Angeles, honored him by retiring his number. Earnest was one of the most highly rated high school recruits in the Nation. It was clear that he would most likely enjoy an outstanding collegiate career as well.

Mr. Speaker, Earnest also was an outstanding competitor. Last July, he suffered a stroke while playing in a pickup basketball game near his home. Two days later, he underwent surgery for removal of a blood clot from his upper left arm. During the course of the surgery, doctors determined that Earnest had a series of inoperable clots throughout his body, including one in the main artery to his brain. Even with this condition, Earnest desired to play baseball. He was treated with an anticoagulant, and his condition improved to the point that he passed the physical necessary to rejoin the team on December 27, 1991. Doctors knew that he would always be at some risk with his condition, but through treatment, it was determined that the risk was in an acceptable range.

Earnest Killum was a fighter, not a quitter. After being ruled academically ineligible to play during his freshman year, Earnest worked very hard, became a serious student and earned a 3.5 grade point average last term.

The January 13, 1992, issue of Sports Illustrated featured a story on Earnest Killum's dramatic comeback. In the article, Earnest said,

> At the start of the practice everyone said I would redshirt this season, and maybe I'd be O.K. to play next year. But I never felt any symptoms after they took care of that first problem. I knew I'd be able to play this season.

After his first four impressive outings, the Sports Illustrated columnist commented, Killum's performance "would be impressive for any player, but for him, it's remarkable." In Earnest Killum's last game against USC last Thursday night, he scored 13 points in 16 minutes, true testimony of his ability.

Oregon State University basketball coach Jim Anderson spoke for all of us adaptly conveying the grief of the Oregon State community over Earnest's death when he said:

> It's a great loss. We all loved Earnest dearly, and that's what makes it such a huge loss. I'm drained right now but knowing the type of person Earnest was, and his religious beliefs, I'm sure he has gone to a better place.

Oregon State University Athletic Director Dutch Baughman stated:

> Earnest would epitomize everything you would say you were looking for in a student-athlete. He just was a very impressive young man in areas other than athletics, where everyone knew of his outstanding talent.

Mr. Speaker, it is a great loss when someone so young and so talented meets such an untimely demise. At a time when our young people are in desperate need of positive role models—heroes if you will—we look at Earnest's life, his character and his potential and one knows our youth, particularly inner city youths, lost a hero. I want to convey my cost sincere condolences to Thelma Woods, his mother, and Earnest Killum, Sr., his father, and to the rest of his family, friends and teammates. Earnest Killum is already missed.

A PLAN FOR THE ECONOMY: MAKING THE PIE GROW

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

Mr. SCHUMER. Mr. Speaker, as Congress reconvenes on the dawn of another election year, the effort to jump start the U.S. economy takes on a new sense of urgency. Everyone in Washington, from the President to the Congress, is zeroing in on tax relief for the middle class as the answer to our economic woes.

To at least this Member, tax cuts, paltry tax cuts of this kind, are beside the point. It is not that the wealthy should not pay their fair share, but putting $6 in the back pocket of someone making $35,000 a year is not going to do something for the economy. It is like a constituent told my colleague from Oregon, "What do they think I am going to do with $300 a year, invest in a steel mill?"

We are here in Washington fighting over ways to redivide the pie when we should be finding ways to make it bigger so all Americans can have a bite. Why are not Americans spending? They are out of work or afraid of soon being that way.

With news like United Technologies' planned layoff of 13,000 workers, who can blame them?

The answer to restoring consumer spending is to restore confidence in the job market. A real growth package must boost overall savings and investment in the long run. It must restore short-term economic confidence by putting Americans back to work, and it must sharpen their competitiveness, and do all this without increasing the deficit.

Mr. Speaker, the task before us is not easy, it is complicated by the election-year climate, which makes the temptation to seize on issues for political gain ever harder to resist. But resist we must. America's future depends on it.

"AMERICA-BASHING" A SERIOUS MISTAKE

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

Mr. BLACKWELL. Mr. Speaker, "Too lazy." "Often illiterate." These are the adjectives that one of our Japanese counterparts has used to describe the work force of our country. In addition, this same enlightened official is rumored to have said that "it is a pathetic reality that America is becoming a subcontractor to Japan." I find it extremely ironic that while I and many of my colleagues stand on this floor, and call for fair trade, on a level playing field, there are people who label us as "Japan bashers." Well my friends, I believe that a certain Japanese official has engaged in an act of "America bashing."

Now it is time for us to send a message across the Pacific. We cannot and will not accept the bigoted remarks of those who have never sat down and talked with those who have been labeled as lazy and illiterate. During the President's visit to Japan earlier this month, many of us hoped that the commitments made by Japanese leaders to boost their American-made auto parts purchases from $9 billion in 1990 to $19 billion in 1994 would help pave the way toward better relations between the two countries. Obviously, this is not so.

While it may be true that America is declining as an economic power, it could not be further from the truth that this is the fault of the America worker. We have placed every burden imaginable on the back of these hard working men and women, who constantly work in the shadow of unemployment and loss of health insurance, and they have kept fighting, working hard for themselves and their families. It is now our job as a Congress to show the Japanese politician who is quick with the tongue that we care and will continue to bolster the spirits of the American worker. I look forward to proving this man wrong.

"AMERICA BASHING"—WE WILL NOT TAKE IT ANYMORE

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

Mr. SMITH of Florida. Mr. Speaker, this is an open letter to the leadership in Japan from the American people, and it is trite but it is true that we are mad as hell and we are not going to take it anymore.

If you think Members of Congress, like some of the members of this administration, are going to continue to make excuses for your arrogant, rude, obnoxious remarks, disparaging the American people and the American industries and American workers, you are wrong; you are dead wrong.

Japan has assumed a significant place in this world by virtue of American help, American technolcgy. For the last 30 years or more, the American people, those people that you categorize, those American workers you say are lazy and stupid, have spent $30 billion protecting you in Japan from all enemies, especially the foreign ones. That $30 billion was earned with the sweat of their brows. Those Americans who worked, who slaved for their own families and for you.

If they are so lazy and stupid, why did you take their money? Why do you not protect yourselves? Give us back the $30 billion; we know how to use it for Americans, and you can do it then for yourself.

I think the American people are being very patient in listening to the arrogant remarks of your leadership and not, frankly, making more of it than they have. But I will tell you something, Members of this body are not like the administration officials, we are not going to take it anymore, because we represent those Americans. We work with them every day.

I will make you a promise: You make it the same for American industry and workers to compete in your country, to export cars and TV's and VCR's and every other product we have, just like we make it easy for you to import your products into our country, your cars, your VCR's, your TV's; you do that, and just like the last speaker said, we will see who wins this battle. I think, Mr. Speaker, the problem is that the Japanese leadership is afraid of the American industry, afraid of the American worker and afraid in a fair fight what they will do.

□ 1240

And so, Mr. Speaker, they will stoop to every measure, including lying, cheating on international agreements, and disparaging American workers. Well, the Americans are mad as hell, and so am I, and, when the President gets mad as hell, Mr. Speaker, then maybe we are going to have a trade policy that is fair for America for a change.

TRIBUTE TO FRANK CARRINGTON: FATHER OF THE VICTIMS' RIGHTS MOVEMENT

The SPEAKER pro tempore (Mr. LAUGHLIN). Under a previous order of the House, the gentleman from Minnesota [Mr. RAMSTAD] is recognized for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, with great sadness and deep respect I rise to pay tribute to Mr. Frank Carrington—a man President Bush honored last spring as the "father of the victims' rights movement."

Frank passed away in a tragic house fire in Virginia Beach on the second day of his new year. For those of us who had the privilege of knowing Frank personally, we have lost a great friend. For victims of crime, their most dedicated and successful advocate has been lost. For his beloved wife, Mary, and family, a loving husband, father, and grandfather has passed on.

It was with sad irony that after hearing of Frank's death I received a letter he had just written to me. In it he began:

> Reviewing 1991, one of the really high points was meeting you and having the opportunity to work with you. You personify all that is admirable in high government service, and I look forward to working with you and your superb staff in the future.

How I wish I could return the compliment, and how I looked forward to working with him this year. When I review 1991, working with Frank Carrington and getting to know this wonderful, caring man was certainly one of my high points.

Our colleague, Mr. GOODLING, has already told this body of Frank's tremendous contribution to the Student Right to Know and Campus Security Act, which was signed into law in 1990. That law will undoubtedly save many lives and prevent many violent crimes. Frank recognized, however, that more was needed to be done to protect the rights of campus rape victims.

Last spring, when I was made aware of the magnitude of the campus rape

problem and set out to introduce legislation, I was fortunately introduced to Frank Carrington. Not only did Frank share my goal of protecting campus rape victims, he had already drafted a bill. After working closely with Frank to make minor refinements to his initial draft, on May 15 I introduced H.R. 2363, the Campus Sexual Assault Victims' Bill of Rights Act of 1991. Attesting to Frank's ability to write solid legislation to respond to a very real problem, the measure attracted over 50 original cosponsors and currently has the strong bipartisan support of over 160 Members.

Frank often told me that, for each provision of the bill, there was a victim's story on which it was based. Only Frank Carrington had the experience and the wisdom to recognize the full extent of the campus rape problem, and also have the dedication to work tirelessly for change.

Frank was a man blessed with both an extraordinary intellect and an exceedingly compassionate spirit. He used those gifts well to help others in need, particularly those who found themselves victims of violence and abuse, and who often felt powerless to defend themselves.

In the eulogy for his dear friend—which I will include in the RECORD at the end of my remarks—Don Baldwin of the National Law Enforcement Council captured the essence of Frank's spirit by recalling the Gospel story of the Good Samaritan.

A story about a man who cared enough to help a complete stranger that was the victim of a horrible crime. The unidentified man who lay dying in the ditch was the victim of a robbery and a brutal beating. The rest of society saw the victim, but merely passed by on the other side of the road. Only the Good Samaritan gave of his time, his finances, and himself to help the stranger.

As Don Baldwin rightly concluded:

Today, the Good Samaritan would be known as Frank Carrington.

Frank Carrington showed us all that one person can make a difference in this world. Although Frank may no longer walk among us, his legacy remains in those who can walk and live in safety because of his great concern and effort.

When I think of Frank Carrington, I will always remember a good friend. And I will forever cherish the inspiration he was to all of us who care about crime victims.

Frank, although you will no longer be walking the Halls of Congress in search of votes for victims' rights legislation, your spirit will live forever.

A TRIBUTE TO FRANK CARRINGTON

(By Don Baldwin)

This is one of the most difficult things I have ever tried to do—to express the deep feelings I have about Frank Carrington.

He touched so many people. He made a difference in so many people's lives.

Frank touched the lives of thousands of people: those with the highest levels of accomplishments as well as those who had no resources of any kind, but whose causes were desperate and whose needs were great.

He was never too busy. He was never too over-worked; at least, that was the impression he gave to those who called him for advice and counsel. Both professional and personal.

He never turned down a call for help, from anyone.

He was a good man, kind, and considerate of everyone. Frank epitomized what our Lord tells us about real compassion—that true caring for people involves more than just words or feelings. It involves action.

The gospels contain the story of the good samaritan—a story about a man who cared enough to help a complete stranger that was the victim of a horrible crime. The unidentified man who lay dying in the ditch was the victim of a robbery and a brutal beating. The rest of society saw the victim, but merely passed by on the other side of the road. Only the good samaritan gave of his time, his finances, and himself to help the stranger.

Today, the good samaritan would be known as Frank Carrington.

Our good samaritan founded the victims' movement in this country, about this, there is no doubt. No one will challenge his right to be called the father of the victims' rights movement.

I spent the past several days, and many hours, making telephone calls to inform people of the tragic accident which took our friend's life. I also received calls from people wanting to express their feeling of loss. Everyone with whom I talked seemed to have a personal story about what Frank had done for them, how he had helped someone get legal assistance they would have otherwise not gotten.

His data bank of expert litigators on behalf of victims and victims' causes was the best in the country. He created the initial data bank of cases used by lawyers in defense of victims. This data bank is today being used by lawyers and victims who would otherwise not have any recourse.

We are all aware of what Frank did. He responded to each and every call for help from anywhere, at any time, at any hour of the day, or night.

He authored a half dozen books about litigation/victim law. Some used as basic textbooks; wrote article for law journals; lectured widely at colleges and universities and professional associations; testified numerous times before Congress; and appeared as special guest on many national television programs.

Frank loved people, but most of all, he loved his family. His wife, Mary, meant everything to him. They had a very special relationship. I remember the many times when Frank came to Washington, and for trips we made together around the country on behalf of the Justice Department or some other aspect of victims' work. Mary more often than not would be at his side. Always, his first question after I would tell him about a meeting arranged with the President of the United States, prominent political and business leaders, or anyone, whatever their station in life, he would ask: "Can I bring Mary?" and, Mary came gladly to be at his side.

This great man, this humble man, would tell his friends about the accomplishments of his children and grandchildren: he stressed how smart they are, and about all the unusual things they do. He was so proud of his children: his daughter, Christine Carrington Winters, and son-in-law, Edward G. Winters, and their daughter, Gabrielle; his daughter, Clara Carrington McDowell, and son-in-law, Paul McDowell; his step-son, Daniel Robert Willey, and his wife, Amy, and their children, Robert, Allen, Eric, and Edith; and his step-daughter, Christine Willey Miller. He spoke of them with high praise and unbounded love.

Our great friend would tell you with love and affection that his children and grandchildren are the greatest in the world.

Frank's accomplishments and the many honors bestowed upon him are too numerous to list here. You know them anyway. But, I do think one of the highlights of his career, if not his most cherished moment in the spotlight, and there were many, was when President Bush honored him last April in a special Rose Garden ceremony at the White House. He received a special plaque and citation from the President. The presentation was witnessed by several hundred top government officials, and leaders from the law enforcement/criminal justice/victims' rights community. They gathered at the White House for this special occasion.

When the President singled out Frank for his special award, he expressed the gratitude of the Nation for his unparalleled accomplishments and contributions in the field of law enforcement in general and victims' rights specifically.

The President recognized Frank as the "Father of the Victims' Rights Movement." It was a long overdue honor for Frank.

Frank's humbleness stood out above all else. With his great intellect, his vast knowledge of many subjects, he was all the while a quiet, easy-going humble man. No one will ever say that Frank thought himself above anyone else. He shared what he had—a great mind and a repository of knowledge about his beloved victims' rights law.

Frank was unique. He cannot and will not be replaced. No one will devote the time, the energy, or the effort, twenty-four hours a day, that Frank was willing to devote. Many of us will try, but none of us will succeed as did Frank.

I will miss his daily calls, starting often as early as 6:00 a.m. We were both early risers.

I would call him before the crack of dawn, and he would answer, "Hello Don." I asked him once how he knew it was me, "Because you and I are the only nuts up at this hour. Ready to take 'em on," he said. When he would call me, always with a cherry voice, it would be, "Donald, me boy!" And then he would burst forth with a new idea or new information about something we were involved with.

All of Frank's friends have similar experiences they could share. He had many "close personal friends," as he called us. In fact, we are and will remain his "close personal friends," as will hundreds, and many more across the country.

During the last two days, I received a call that I think epitomizes Frank's style. His dedication to the causes in which he believed so passionately. Pat McGuigan, chief editorial writer for the Daily Oklahoman, columnist, TV talk show host, and long-time friend of Frank's, told me about receiving a call from an Oklahoma state legislator. The legislator did not know Pat, but Frank had asked him to call Pat anyway. The legislator had told Frank it was too late in their session to pass his legislation dealing with victim's rights—the security on campus bill. Commonly known to many of us as "the Clery bill."

Pat said the legislator quoted Frank as saying, "Tell Pat to get off his rear and do something for his country." Laughing about

the conversation, Pat said he responded by saying he didn't know a thing about the issue Frank was asking him to champion, but if Frank thought it was important, then he would go to work.

Pat did go to work, along with the state legislator, and the bill was passed before the session ended and was signed into law. This illustrates the effective skills of our great friend. He never thought it was too late, and never said, "no," to anyone when the cause was right.

I've asked former attorney general Ed Meese to share with you a few brief thoughts about Frank. His long-time personal friend.

(Ed Meese speaks.)

Ed has expressed it well, and his is a deep feeling shared by all of you who were ever touched by the man whose memory we honor today.

Alfred, Lord Tennyson, might have had someone like Frank in mind when he wrote, "Crossing the Bar."

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
and after that the dark!
And may there be no sadness of farewell,
When I embark;

For though from out our bourne of time and place
the flood may bear me far,
I hope to see my pilot face to face
When I have crost the bar.

As we depart today, I would like to share with you a prayer I found in a small library in a cottage I rented several years ago in England. The author of this special prayer is unknown, but I suspect you'll agree with me it is a prayer that Frank might have written.

Let us bow our heads.

Keep me O God from pettiness; let me be large in thought, in words, in deeds. Let me be done with fault-finding and leave off self-seeking.

May I put away all pretence, and meet everyone face to face, without self pity. May I never be hasty in judgment and always generous. Let me take time for all things; make me to grow calm, serene and gentle.

Teach me to put into action my better impulses, straight forward and unafraid.

Grant that I may realize it is the little things of life that create differences; that in the big thing of life we are all one.

And, O Lord, let me not forget to be kind.—Amen

□ 1250

TRIBUTE TO KENNETH MICHAEL HEDRICK

The SPEAKER pro tempore (Mr. LAUGHLIN). Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, I follow my colleague who has spoken of his friend, Frank Harrington, whose death was a loss, I am sure, to the country.

Mr. Speaker, in the past few months, the National Commission on Children issued their report on the status of children, and stated:

Today, too many young people seem adrift without a steady moral compass to [guide] their daily behavior or to plot a thoughtful and responsible course for their lives.

I think many of us would say amen to that.

The statistics supporting these claims are everywhere, not just in the Washington metropolitan area, where they are rampant, but throughout the country. The Federal Bureau of Investigation estimates that murder, rape, and aggravated assault increased by 10 percent last year. Much of the crime is drug related, and a significant proportion of it is committed by youthful offenders in their teens and early twenties. No matter where you go, people are always asking "What has happened to the younger generation?" "Why do they seem so removed from their sense of community?" "Why do they think only of their own welfare?" "And why are they so irresponsible?"

Perhaps these are questions we should have asked of Kenneth Michael Hedrick. Perhaps Kenneth could have told us on what he based his commitment to the community in which he volunteered as a firefighter. Maybe he could have explained to us what drove him to look beyond his own welfare to the welfare of strangers when he ran into a burning building from which most people were running out. And finally, only he could have told us why his responsibilities to his community and his job were so important to him.

Grievously, Kenneth is not here to answer our questions. He lost his life on January 12 of this year fighting a residential fire in Suitland, MD. As someone who went to Suitland High School, that community is very close to me. He lost his life at the age of 18. Unlike too many of the stories reported about youthful deaths, Kenneth did not die over drug money, hip sneakers, or a careless glance. He died trying to put out a fire of a family starting a new life in a new home. He died after helping to carry out of the burning building a small, 7-year-old boy.

As fire officials have pieced the story together of the circumstances of the fire and Kenneth's death, it appears he had accompanied another firefighter from the Morningside Volunteer Fire Department who was carrying the body of 7-year-old Shawn Sanchez from the burning home. They thought him to be then unconscious; subsequently that 7-year-old boy died. However, moments after helping the other firefighter bring the boy out, he reentered the house and was killed when his oxygen mask was struck and knocked from his face, exposing him to the fire's deadly gases.

Kenneth's actions embodied the highest principles and values held by civilized societies and religions of all nations and all peoples. Self-sacrifice is the greatest gift any Human being can give to another. But it is a gift that is given by more than one brave individual. For When Kenneth gave his life for others, his family, friends, and fellow firefighters lost someone very precious to them all. The community of Prince George County and the State of Maryland are lesser for having lost Kenneth.

While Kenneth is truly a singular individual whose actions cannot be overpraised, his death in the line of duty, unfortunately, was not a singular occurrence. In Prince George's County, where Kenneth served, 30 firefighters have died in the line of duty during the last century. Twenty-eight of those firefighters were volunteers. Nationally, in the last decade, it is estimated that 12,000 firefighters have died in the line of duty, a duty to serve their communities, make for safer communities, fight fire, and save lives.

As a nation of diverse ethnicity, living standards, and opinions, we must not forget the lesson that Kenneth and his family have taught us, and that is so much a part of the spirit of the fire services. That lesson teaches us that commitment to our community, care for the welfare and dignity of others, and responsibility to uphold these ideals is alive right here in America. But if we are to keep it alive, and if we are to overcome the increasing greed and selfishness of others, we must all live by the standards and values that Kenneth and his family so represent.

Kenneth's dad is the chief of the volunteer fire department in Morningside. It was his dad's example that Kenneth was following.

As a community, Mr. Speaker, we in Prince George County, the Washington metropolitan area, and the State of Maryland grieve for the loss of one of the best of us. The loss of a hero is always tragic, and the loss of a young man 18 years of age, dedicated to his family, dedicated to his friends, dedicated to his community, and dedicated to his duty is always more than we can afford.

Mr. Speaker, I know that all the Members of this House join me in extending our sympathies to both the Hedrick and the Sanchezes, the family that was burned out, the family that lost that 7-year-old child. On behalf of all of us, I extend our deepest sympathies and our earnest prayers as we share their grief and share their loss.

INTRODUCTION OF H.R. 4095, EXTENSION OF THE EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM

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

Mr. ROSTENKOWSKI. Mr. Speaker, most of us know by now that the recession is more serious than anyone imagined as little as 6 months ago. After a long, hard struggle, Con-

gress finally passed an emergency extension of unemployment benefits that the President signed into law last November. But earlier this month we learned that the unemployment rate rose again, this time to 7.1 percent in December. In my own State alone, the unemployment rate in the last 2 months has jumped from 7.7 to 9.3 percent. Compared to a year ago, the number of unemployed in Illinois has increased by over 200,000 workers.

Clearly, we must take bold action to turn this economy around. The Committee on Ways and Means held extensive hearings on a wide variety of economic growth proposals last December. After the President presents his recommendations in his State of the Union Message, we'll be ready to act. But with rising unemployment threatening American workers again, we also need an immediate extension to unemployment benefits to help them through the winter and spring. The emergency benefits enacted last year will start running out for current claimants after February 15, 1992. We must act before they suffer another period without benefits.

The Emergency Unemployment Compensation Program was enacted on November 15, 1991, and amended on December 4, 1991. It is effective from November 17, 1991, through June 13, 1992. The program provides 13 or 20 additional weeks of benefits beyond the 26 weeks of benefits normally available under the regular State unemployment insurance programs. States with an adjusted insured unemployment rate of at least 5 percent or a total unemployment rate of at least 9 percent are able to pay 20 weeks of benefits. All other State programs are able to pay 13 weeks of benefits.

Presently, 10 States and Puerto Rico are eligible to pay 20 weeks of benefits and the remaining States plus the District of Columbia and the Virgin Islands are eligible to pay 13 weeks of benefits. As of the week ending December 21, 1991, 946,761 unemployed Americans were receiving benefits. Roughly two-thirds, or about 600,000, of these workers will begin exhausting their benefits in the weeks immediately after February 15, 1992.

Earlier this month, the Bureau of Labor Statistics reported that the seasonally adjusted civilian unemployment rate jumped to 7.1 percent in December from a revised 6.9 percent in November and October. The number of unemployed workers rose by 289,000 to 9.9 million while employment remained unchanged at about 117 million. In addition, the number of workers unemployed more than 26 weeks rose by 150,000 to nearly 1.5 million, and the number of discouraged workers held steady at 1.1 million while the number of persons working part time for economic reasons persisted at 6.3 million.

Although there are some encouraging economic signs, most analysts expect the economy to remain sluggish in the first half of this year. Producer prices actually fell by 0.1 percent last year, suggesting that inflation will not flare up again soon. Long-term interest rates have begun to drop as evidenced by the U.S. 30-year Treasury bond falling to a 5-year low of 7.39 percent recently. But even if a recovery begins soon, it is well known that unemployment only begins to drop well after a recovery has begun, and long-term unemployment problems usually persist even longer. With initial claims for unemployment insurance still running at recession levels of 450,000 per week late in December 1991, it has become clear that more than a temporary 13- or 20-week extension of benefits is needed.

The Rostenkowski-Downey extension of emergency benefits would lengthen the authorization of the program from June 13, 1992 through October 3, 1992. In addition, all States would be able to pay an additional 13 weeks of benefits through June 13, 1992. This means that until June 14, 1992, the maximum weeks of benefits available under the extended EUC Program would be 33 weeks in high-unemployment States and 26 weeks in all other State programs.

Until June 14, 1992, the combined maximum duration of benefits under the regular State programs and the emergency program would be 59 weeks in high-unemployment States and 52 weeks in all other State programs. This compares with a conceivable maximum of 65 weeks available in some States during the recessions of the mid-1970's and early 1980's.

According to the Congressional Budget Office, the cost of this new extension would be $3.5 and $1.0 billion in fiscal years 1992 and 1993, respectively. Balances in the extended unemployment compensation account of the unemployment trust fund would continue to draw down to cover the cost. An emergency would be declared by the President by the act of signing the bill, thereby waiving the pay-as-you-go requirements of the Balanced Budget and Emergency Deficit Control Act of 1985. Payments under the program would be exempt from sequestration.

Mr. Speaker, there is no doubt that many workers currently receiving emergency benefits will not be back to work by the time they run out of benefits. They need another extension until the economy improves. I urge my colleagues to support this bill, and pass it as soon as possible. America's long-term unemployed workers and their families need these benefits to survive and pay their bills until they too can go back to work. It is the very least that we in Government can do.

ROSTENKOWSKI-DOWNEY BILL, H.R. 4095 TO EXTEND THE EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM

PRESENT LAW

The Emergency Unemployment Compensation (EUC) program was enacted on November 15, 1991 and amended on December 4, 1991. It is effective from November 17, 1991 through June 13, 1992. The program provides 13 or 20 additional weeks of benefits beyond the 26 weeks of benefits normally available under the regular State unemployment insurance programs. States with an adjusted insured unemployment rate (AIUR) of at least 5 percent or a total unemployment rate (TUR) of at least 9 percent are able to pay 20 weeks of benefits. All other State programs are able to pay 13 weeks of benefits.

H.R. 4095

An emergency extension of benefits would lengthen the authorization of the EUC program from June 13, 1992 through October 3, 1992. In addition, all States would be able to pay an additional 13 weeks of benefits through June 13, 1992. This means that until June 14, 1992 the maximum weeks of benefits available under the extended EUC would be 33 weeks in States with AIURs of at least 5 percent or TURS of at least 9 percent and 26 weeks in all other State programs.

Until June 14, 1992 the combined maximum duration of benefits under the regular State programs (26 weeks) and the extended EUC (33 or 26 weeks offset by any EB weeks) would be 59 weeks in high unemployment States and 52 weeks in all other State programs. This compares with a conceivable maximum of 65 weeks available in some States during the recessions of the mid-1970s and early 1980s.

According to the Congressional Budget Office, the cost of the extension would be $3.5 billion and $1.0 billion in fiscal years 1992 and 1993, respectively. Balances in the Extended Unemployment Compensation Account of the unemployment trust fund would continue to draw down to cover the cost. An emergency would be declared by the President by the act of signing the bill, thereby waiving the pay-as-you-go requirements of the Balanced Budget and Emergency Deficit Control Act of 1985. Payments under the EUC program would be exempt from sequestration.

A REPORT FROM MIDDLE AMERICA

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

Mr. DURBIN. Mr. Speaker, during this congressional recess Members of Congress returned to their home districts to be with their families during the holiday season, but also to be in touch with their constituents, and many Members have taken that opportunity to hold town meetings and to have office hours across this entire Nation.

I cannot speak for any other congressional district but my own. I have just completed my most recent round of town meetings, and to date, since my election in 1982, I have held over 325 town meetings in my congressional district.

□ 1300

This last round of town meetings, which was held across a section of downstate Illinois which I represent, some nine different meetings, were held in small villages and towns, as well as larger cities.

It is interesting what we learned. In the first instance, let me tell you that the very last town meeting in Morrisville, IL, I did not think I would reach. I have never missed a town meeting, but we had a blizzard in Illinois that day and my staffer and I were stranded on the highway for 40 minutes. I thought by the time we got there there would be no one left in the small town of Morrisville in Christian County. The major and town secretary were there. As soon as I arrived, to their amazement, they called the other folks around town, and before long we had 20 people sitting around. So there was a real interest in these town meetings, even under adverse conditions.

If it is your concern or you question what people are talking about in at least my part of the Midwest, I can tell you that there were two issues on their minds in virtually every town meeting. These two issues were the economy and health care.

I would like to share with Members some of the thoughts that were expressed at those meetings. I would also like to share some of my own thoughts on these subjects.

The first is the state of the economy. I think it is fair to state that people that I represent are generally concerned about this economy. It is true that today's recession is not as bad, at least in the State of Illinois, as it was 10 years ago. Yet there is more fear about this recession than I sensed 10 years ago.

There is a belief that what we are going through may not be temporary. There is a further belief that if we have some kind of mild recovery, we may fall back into another recession. People sense there is something fundamentally weak and lacking in the American economy today.

It is no surprise that people focus a lot of their attention on the issue of trade. Our own President took his trip to Asia. He converted it from a diplomatic mission, which it was several weeks ago, and announced it would be a trade mission, because, as he said, he was concerned about jobs, jobs, and jobs.

That concern is shared across America. A great deal of time at our town meetings was spent discussing the President's trip to Japan. Most everyone concluded that although the President had made the effort, the trip, in and of itself, was not a success.

The people listening to the results of the trip, even before they were questioned 1 or 2 days ago by the leadership in Japan, wondered what 20,000 more automobiles sent to Japan would mean to America's economy.

Well, we shared with them the fact we now export about 30,000 American automobiles to Japan. Half of those, incidentally, are produced by the Honda plant in Ohio and sent back to Japan.

If we increased that number by 20,000 and hit some 50,000 American automobiles being exported from this country, please keep in perspective that the Japanese are exporting 3 million vehicles to the United States. So the addition of some 20,000 cars may have appeared on its face to have been an accomplishment, yet, by analysis, it would lead people to believe it really would not do much, if anything, to help America's economy.

Some of the people that I represent feel very strongly about buying American. They are very proud of the fact that every truck and vehicle they own in their family has been produced in the United States. Yet they all concede to you, as we all must, that there is no longer any truly American vehicle on the road. Once you lift the hood on what you consider to be an American vehicle you are likely to find parts made in Brazil, Mexico, Japan, Germany, or wherever.

Many of the people who come to my town meetings and complain the loudest about the fact that their neighbors are not buying American think nothing of going down the street to the Hardee's restaurant to have a cup of coffee. We have a lot of Hardee's restaurants across the United States. I am glad they are there. But it is a Canadian firm.

We are living in a world economy. The folks who are concerned about just buying American may be deluding themselves to believe that they can honestly do that any more. It is not possible. From the wristwatch on your wrist today to the stereo you listen to tonight, to the spaghetti sauce you put on the pasta tonight, likely or not that is going to turn out to be an imported product.

Yet folks do sense, and I think honestly sense, that something is wrong when the United States and Japan have such a terrible trade imbalance.

Why is it that the Japanese can sell $41 billion more in goods in the United States than we can sell in Japan? I think there are two ways of looking at it.

In the first instance, there are clearly unfair trade practices in Japan. Consider the fact that if you would leave today and buy a Ford Mustang at a local dealership in your hometown, you might pay $15,000 for it.

If that same car is exported to Japan and someone wanted to purchase it, it would cost them $30,000. The $15,000 difference goes far beyond the cost of transportation. It includes the duties and tariffs imposed on American products.

That is an obstacle to sales in Japan. It is one we should address. It is unforgivable.

If we are clearly going to open up this world economy and have real fair trade, this sort of thing has to end.

Now let us be honest and tell the other side of that story. When the big three automobile companies went to Japan, they came back and said we want to have an opportunity to sell more automobiles in Japan. The President said we think we have this opening over the next couple of years for that to happen.

But then there was a footnote to the story. It turns out that at the moment none of the big three automobile manufacturers in the United States has an automobile to sell in Japan which has a steering wheel on the right side of the car, which is what the Japanese are looking for. They drive on the other side of the road from the United States. So we do not have a product today to sell in Japan. The Mustang I described earlier might not be appealing to the Japanese consumer.

Consider if every Japanese-made car in the United States had a steering wheel on the right side instead of the left. How many Americans would say, forget it, I am not used to driving that way. It will not work in this country.

So it is not just a question of breaking down the barriers in Japan, it is a question of having a product that can sell in the world market, not only in Japan, but around the world, and being competitive in that regard.

You cannot do that with the Presidential trip to Japan. You need a lot more.

Let me discuss two things that I think are critical to this debate. Since 1945, with the end of World War II, Japan and the United States have enjoyed a special relationship. At first as an occupying force the Americans, under General MacArthur, came into Japan and virtually rewrote their society, their government, and their economy.

One of the things which we said, for our own relief and security as much as anything else, is that the Japanese would no longer have the army and navy that they were able to put together in World War II. We did not want them to be a threat to us in the Far East.

So as a result, we, the United States of America, assumed a major responsibility in defending Japan. That is why since 1945 there has been a continued military presence by the Americans in that theater, at great expense.

In fact, this year American taxpayers will spend $33 billion of American tax money to defend Japan and Korea. Some would suggest that this commitment should be examined. I agree with that.

At the very minimum, the Japanese should pay the United States for the defense which we provide to them. If we do not want them to own an army or navy, for whatever reasons it may be, at a minimum they should be compensating American taxpayers for our subsidy of their defense.

Today for every dollar spent by the Japanese citizen in defense of his country in taxes the American citizen spends $5. Five times as much.

We have this large Defense Establishment, and much of it is going overseas. In fact, Japan and Korea are not the worst part of the story. We spend about $120 billion a year now in defense of Western Europe. From what? From the invasion of the Warsaw Pact nations?

Honest to goodness, the Warsaw Pact no longer exists. We should have a strong defense. But subsidizing the defense of Japan and Korea and Western Europe is taking its toll on the American economy.

To think that we are in a position today where $153 billion is being spent overseas that could be spent in the

United States to reduce our deficit, to put money into the classrooms, to help educate our children, to put money into research to develop an economic policy, think about what $150 billion would do coming back to the United States.

The second issue I would like to raise has to do with how we do business in America and how we should do business in America. Let me give you an example.

Several months ago McDonnell-Douglas, one of the major aerospace corporations in the United States, came to the realization that if they wanted to remain competitive in terms of commercial airliners they would have to build a new plane, the MD–12.

They sat down and plotted it out and determined that they would need $2 billion to build this plane. Their primary competitor was the Airbus, a plane made in Europe by a group of European companies and governments working together, which for the past 5 or 6 years have developed this Airbus plane.

So McDonnell-Douglas said we need $2 billion. They went across the United States and looked to borrow $2 billion, and they could not find it. They came to Washington, DC, and asked our Government what to do. The Government here in Washington, under this administration, said that this is a private sector concern. You have to find your money in the private sector market. This is not a Government concern.

□ 1310

So at that point McDonnell-Douglas started looking overseas to borrow the money, not surprisingly. They went to Taiwan and the Taiwanese Aerospace Corp. said:

> We are interested in building a new commercial airplane at McDonnell-Douglas, but we do not want to lend you the money. We want to be your partners. We want to own 40 percent of McDonnell-Douglas' commercial aircraft venture.

McDonnell-Douglas said they had nowhere else to turn, and they want our Government to agree to that deal. Probably 40 percent of the jobs will be in Taiwan, which means layoffs in Oklahoma City, St. Louis, Long Beach, CA. Consider that when McDonnell-Douglas came to Washington to tell us the story of how they had looked for $2 billion and could not find it, it was the same day that this administration came to this Chamber and asked us to appropriate over $100 billion for the savings and loan bailout.

Is it not curious that we can find $100 billion for failed businesses in the United States but we cannot find $2 billion to build a business and to keep jobs in America in a critical industry for our future? I am afraid that anecdote tells the whole story in terms of the U.S. attitude toward world competition. Where other companies around world can turn to their governments and say, "We have an idea, a long-term idea and we need our help," and find after a process that they will receive that assistance, in the United States there is nowhere to turn.

We have to change our way of thinking, if we are truly going to be competitive in this world. And we have to change our way of financing industrial investments for the future.

The last point I would like to make on this economic question relates not to Japan or foreign trade but rather to college students. At this point in the United States of America if one is qualified and skilled and has a good enough record to be accepted at a major college or university, one still faces a bigger obstacle than say SAT. The obstacle is coming up with the money to pay for it.

In my home State of Illinois, it costs roughly, for a resident of the State, about $5,000 or $6,000 to attend our premier universities such as the University of Illinois. I have families coming up to me at town meetings and saying; "Congressman, we pushed our son and daughter along and said work hard, get the grades, and someday you will make it to the university. And they did, and now we can't afford to send him. With another brother and sister coming along the line, we cannot spend $5,000 or $6,000 a year, and we don't think it is fair for our son or daughter to go through this experience and end up with a debt of $15,000 or $20,000 and a bachelor's degree."

So as a consequence, many of these students end up perhaps not going to school or perhaps going to another school that may not offer the same opportunities for education. If we are going to be competitive in this world in years to come, we cannot tolerate this to continue. We have to have a program in America which basically says that if one is qualified, one will have the wherewithal, the financial wherewithal, to go to school, either through scholarships, grants, or low-cost loans not payable until long after graduation.

This is not a brand-new idea. The National Defense Education Act, created in the late 1950's because of our fear of Russia's development of Sputnik, paid for the education of many, many Americans. I am one of them. I borrowed the money to go through college and law school because my family did not have it. I paid it back 10 years after graduation at 3-percent interest. The best investment I ever made. I hope a good investment from the viewpoint of this Nation. That has to be an opportunity available to everyone. If we are going to have tomorrow's scientists and engineers and teachers, the present system is not an incentive system for people to try to do the very best.

The system today is designed for people to do as much as they can afford to do. That will not cut it.

The second issue that came up at the town meetings, every town meeting from every person, was health care. Most of us in the Democratic caucus held town meetings across the Nation on this issue. I cannot tell my colleagues all of the stories that were shared with me at these town meetings. It would take too long. But the people who stood up and told these stories really, I think, gave a face to this issue of health care. Senior citizens, retired, living on Social Security, covered by Medicare, had a little savings on the side and paid for their home, felt that now they could enjoy retirement and relax from going to work every day, came down with an illness and found themselves bankrupted by prescription drug pricing not covered by Medicare. They bought a supplemental policy to Medicare but it did not cover it. They were worried, and they sure as heck were worried about long-term care.

What if the husband or wife ended up in a nursing home for a long period of time? Who would pay for it? And then, of course, we had the superintendent of the Morrisonville School District who came in and explained to us that the costs of health care in that school district had risen to such a height that it was impossible for them to hire as many teachers as they needed. They had to cut back in teachers because health care costs had gone up so dramatically.

I might add that the teachers in that school district struck over this issue and several others. They have not settled that dispute, and they are back to work. But that is not unusual. Seventy-five percent of the strikes in the United States of America over the last 5 years have been over 1 major issue, health care benefits.

Workers are willing to take less per hour in a contract dispute, but they are not willing to expose their families and themselves to the uncertainty of future medical expenses.

Then we had the person come in and tell us, this person looked perfectly healthy to me, how she had had cancer 10 years before, had gone through chemotherapy, cured by virtue of the diagnosis of their physician, and then turned around and tried to buy hospitalization insurance and found no one would sell it to her.

Here is a person who beat the odds, used the system, paid into it, cannot buy insurance today to cover themselves. And another family talking about an 80-year-old grandmother who had to get a hip replacement in order for her to overcome the pain of arthritis and get around. The bill came back, $65,000 for a hip replacement.

Another family tells the story of the husband who went off to have ear surgery in the hospital 1 night. The bill that came back for this surgery, $12,000 for the surgeon, the anethesiologist, and the hospital.

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People are a little bit nervous, and they have a right to be. We are losing that peace of mind we used to have, and for many of us, we are in a better position than many Americans.

Some 40 million Americans have no protection whatsoever. At my Litchfield town meeting, a farmer said:

I am 65. I qualify for Medicare, and that is where I am. But my wife here, who is 61, doesn't qualify for Medicare, and I can't afford to buy her hospitalization insurance. I am retired now. So she has no insurance.

The meat cutter in Macon, IL, out of work for 1 year, finally gets a job working in a grocery store. He is thankful for it. No health care protection for him and his family whatsoever.

These are people who are not sitting at home waiting for a government check. These are people working or people who have worked who are totally exposed under this current system to bills which could bankrupt any person in America, save Donald Trump or a few of the most wealthy people in our country.

So we have discussed at the town meetings what to do about it. The first thing we have to look to is cost containment. It is said that the President will come to this Chamber in just a week or so and propose tax credits to say to some Americans, "We will help you pay for your hospitalization premiums." I endorse that. In fact, I have been on that type of bill for over almost 10 years. Self-employed people, farmers in the United States of America, for example, should have the same benefits as the corporate structure in terms of deducting the cost of hospitalization premiums. That is only fair and right. And it is certainly very important to them that they have it. I endorse that.

The President is on the right track with that proposal, but tax credits in and of themselves are not going to contain the costs of this medical system. The President may also propose tort reforms, do something about medical malpractice.

I come to that issue with some experience. Before my election to Congress, I was a trial lawyer. I defended doctors and hospitals, and I prosecuted doctors and hospitals for medical malpractice. I worked that system, and it does need a change.

We should have a system that is quicker, gives more money to the person who is harmed than to the lawyers and the legal system.

We should also have the availability of expert witnesses so that if someone does have what they think is a good claim, they can have a doctor stand up and give them an honest appraisal of whether or not malpractice was committed. That is hard to do. It is hard to find any doctor in any State who will stand up and say his colleague may not have done the right thing. That should be part of the system.

We should put a cap on punitive damages. There is no reason to let that runaway cost be part of this system. We cannot absolve, nor should we absolve, any medical professional from their own negligence. If each of us should be guilty of negligence, in driving a car or whatever our decision might be, we are held liable. Certainly doctors and hospitals should be as well. But the system should be fairer, streamlined, reducing the cost of malpractice premiums.

That in and of itself is not going to contain the runaway costs that we have described here. It is going to take much, much more.

The other thing we have to make certain of is that workers in America do not continue to see their health care benefits erode year and year out. As I mentioned earlier, that is the biggest bone of contention between labor and management. How much more will we have to give this year? How much more do we have to pay out of pocket this year? These are things which concern each of us and particularly those living on the margin.

□ 1320

Finally, we have to change the system that relates health insurance to employment exclusively. Two-thirds of the American people when asked say that they are in a situation where they or a member of their family has turned down an opportunity for another job because of health care benefits; it was too risky to leave what they presently have and to run the risk that they will not have as good benefits in some other position.

I do not think anyone ever envisioned that the system in America would disintegrate to this point, and yet it is a fact. We mentioned preexisting conditions before. We ought to have a system in America where if you have had an illness you are not disqualified from protection in the future. As HARRIS WOFFORD, the candidate for the Senate in the State of Pennsylvania, said during the course of his campaign, "Why is it that we guarantee a lawyer for every convict but cannot guarantee a doctor for every American's health care?" That I think is a basic question we have to resolve here in Washington.

The costs of medical care in this country have gone up dramatically. In 1980 the family costs annually for Medicare, for hospitalization premiums, and out-of-pocket averaged $2,500 a year. By 1991 that cost had gone up to $6,500 a year, more than twice the cost it was a little over 10 years ago. It is estimated that in another 8 years that cost will be up to $14,000 a year out-of-pocket for every family in America. I wish that I could tell you that the wages of Americans have gone up by that same amount but they have not, so people have had to sacrifice the type of home they live in, the clothing that they wear, the food they buy, the education for their children, because this cost for health care had gone up so dramatically.

When the President stands before us with the State of the Union address we have the right to ask him and his administration and his party what they will do to contain costs. That is a critical element. We Democrats have several proposals on the table. I hope that the President will come up with his own and we can sit down and have a meaningful bipartisan discussion about this issue.

Keep in mind this is the biggest social issue Congress has ever undertaken. Nothing matches it. It touches every American, the reform of the health care system. It is one that I am sure everyone has an opinion on.

Let me close by saying this. We have got to reduce the cost of health care, to restore peace of mind and family security. We have to raise quality of health care. For those who think we have a good health care system in America, and I am one of them, because I am one of the fortunate ones and my family is protected, we have to do even better.

If we look at countries like Canada, which has 25 percent less heart disease than the United States and where they have a 2 year longer lifespan than American citizens, it is clear there is more we can do to bring more quality to this system.

It is not just a matter of buying technology and equipment. There are 12 MRI machines in Canada. There are 10 MRI machines in Topeka, KS. You would say to yourself that that must mean that the Canadian citizens do not have the advantage of the technology and equipment we are used to. This is true. But there is another side to that story.

The story is told of a town, a city, a major city in the southwestern part of the United States where for many years one hospital did most of the heart bypass surgery. They of course bought the heart-lung machine necessary for that purpose. The other hospitals in the city decided they wanted to get in the business, too, so they bought this expensive machinery, too. What happened? The cost of the surgery went up dramatically because each hospital had to pay off the machine instead of one hospital specializing.

The second thing which happened, which concerns me, is that the mortality rate and morbidity rates for those involved in the surgery went up, too. It was no longer a question of some specialist at one center doing the surgery, it was a question of a lot of new surgeons getting into the field and using the new machinery. So more technology does not necessarily translate into lower cost or better health care. We have got to look at this in an honest fashion.

We have to also look at the challenge of long-term care. I do not stand before you today with a suggestion of how we pay for it, but until this particular burden is taken off the minds of Americans they will not believe that we have a complete national health care plan.

We also have to attack profiteering. If we have insurance companies or health care providers who are profiteering on the system they have to be held accountable and pay for it. Those of us who pay in the hospitalization premiums expect when we need them that we will get fair treatment, but the experience of many Americans who come to my town meetings and write to my office suggests that it is the fine print on these policies that ends up excluding a lot of things many people thought were covered.

We have to look for solutions to these problems rather than to look for obstacles. Please, I hope this debate does not disintegrate into who can use the term "socialized medicine" the most. The American people do not want to hear those old political saws going back and forth, and clichés. They want a solution to this problem. There is no political victory here unless there is a victory for people in America concerned about the costs of health care.

That is what this Congress and this President have to take into account. Merely who wins in November in this election is secondary to most people. They want problems solved. The buck stops here and in the White House. We have that responsibility.

Let me conclude by saying that these town meetings which I held have been educational experiences for me. I hope that sharing some of the results will give an indication to people here in the chamber and across the country about the challenges that face us, and they are substantial. We have a government we are proud of. New leaders from around the world come to this city, Washington, to stand where the President will stand in a few weeks and to basically say they want to be like us. They want their system of government to be like ours. Of course, we live with it. Perhaps we take it for granted. We see its faults. Democracy is not the most efficient form of government but it is the fairest and the best as far as I am concerned. So perhaps we will not solve everything as quickly as we should, but the American people will have a voice in the process through their elected representatives.

I sincerely hope for the good of this Nation that we can tackle these twin problems of dealing with our economic challenge and the challenge to provide quality health care at affordable costs for all Americans.

MORE CONTRACTS FOR AMERICAN BUSINESSES AND MORE JOBS FOR AMERICAN WORKERS

The SPEAKER pro tempore (Mr. LAUGHLIN). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 30 minutes.

Mr. DUNCAN. Mr. Speaker, a few days ago I learned that the Los Angeles County Transportation Commission had awarded a $121 million contract to a Japanese firm over an American company which submitted a bid $5 million lower. The Commission's decision meant the loss of over 3,000 American jobs. The American company, Morrison-Knudsen, planned to hire 4,900 American workers compared to the 1,750 the Japanese company said they would hire, for a loss of 3,150 American jobs.

Now I certainly have nothing against Japan or any Japanese individual, but sometimes I think that Japanese in high places must be laughing at us. Here we are in the midst of a recession with millions out of work trying desperately to think of ways to create jobs, and this governmental unit in one of the largest metropolitan areas, sends thousands of jobs overseas.

Some might wonder why I would be concerned about this. My home State of Tennessee is certainly a long way from California, and I have no connection whatsoever to Morrison-Knudsen, the American company which won this bid. I simply thought it was time for as many people as possible to stand up for American workers. I though someone needed to say that it was ridiculous for something like this to happen right on the heels of President Bush's visit to Japan.

I think we need to say to government departments, agencies, commissions, and offices at whatever level, Federal, State, or local all over this Nation that they should try to do business with American companies whenever possible. This is especially true when an American company is the low bidder and wins in fair and square competition. We need to get rid of this mindset that foreign is better.

□ 1330

American products are not inferior. American workers are not inferior, and they are certainly not lazy and illiterate. The truth is that there are good workers in all countries, and there are poor workers in all countries, and American workers overall are better than the workers found in many nations and not exceeded by any that I know of.

There is an old joke that says that a person is an expert if he has a briefcase and is at least 500 miles from home. Of course, this is not true, and it is likewise false to think that a Japanese company could have done this Los Angeles contract better than an American company.

This is a contract to build rail cars. Morrison-Knudsen, the American company which won this bid, has such great faith in its American work force it not only agreed to do the work $5 million cheaper, it offered to put up a performance bond to guarantee the quality of its work, and that all standards would be met or exceeded. In addition, Morrison-Knudsen is a large, successful, reputable company which has been in business for many years and in this field for 10 years and has provided rail cars to some of the largest cities in the United States.

I think we should try to put America first in every way we can, but surely even those who disagree with this do not believe we should force Japan first on the American taxpayers even where it comes in second. This is something which should be of concern to all Americans.

The recent surface transportation bill we passed here in the Congress provided $1,230 million for the Los Angeles metro transit system. Of course, this was just the first installment. This system will ultimately cost a total of at least $150 billion, much of it provided by Federal funds, and thus taxpayers all over the country have a big stake in this.

Now, I really think this whole system is ridiculously expensive and overpriced, and I do not think taxpayers in Tennessee and Maine and Florida and other places should be forced to help pay for a transit system in Los Angeles. However, they will have to pay since most here do not share my views, and they will pay through the nose if those in charge of this system continue to turn down qualified low bids.

There are other issues here. For one thing, cities and States all over the Nation are saying they are short of funds. Now, we have a local government which has turned down a bid which would have saved $5 million and also have created over 3,000 new American jobs and thus have generated additional tax revenues.

Already, the Federal Government and many State and large local governments write their contract requirements in such a way that small businesses are unable to bid. We have placed so many rules and regulations and so much red tape on businesses in this Nation that we are slowly driving small businesses out of existence in this country.

Now, if our own governmental units start favoring foreign companies even against some of our larger businesses, the economy of this Nation is surely headed for even more serious trouble than at present.

Another issue here, and in many government contracts, is the question of influence peddling and lobbying. Did the qualified low bidder lose this contract because it was out-lobbied? Is there too much leeway in these con-

tract procedures all over the Nation so that the low bids can just be ignored?

A recent quote I read by Edward Rendell, the newly elected Democratic mayor of Philadelphia, comes to mind. Mr. Rendell said:

> Government does not work, because it was not designed to. There is no incentive for people to work hard, so many do not. There is no incentive to save money, so much of it is squandered.

Talk about squandering money, this commission could have saved $5 million by one stroke to the pen. Yet, as government grows bigger and bigger and further removed from the people and thus further removed from reality, millions and sometimes even billions become less and less meaningful. At the Federal level, we sometimes talk about a billion dollars as if it were nothing. The late Senator Everett Dirksen once said that when you have a billion here and a billion there, pretty soon it adds up to some real money. The $5 million that the American company would have saved Los Angeles County could have helped a lot of poor people.

This whole fiasco might have been avoided. It certainly would have been less likely to happen if these commission members had been elected officials rather than appointed. They would have been more accountable to the people.

Now, I know we cannot elect everyone, but we have been sold a bill of goods in this country in recent years. The liberal elitists are always saying, "Take the politics out of this or take the politics out of that." This sounds good on the surface, but we have taken the politics out of so many things that the American people have just about lost control of their own Government. We need to start working in this country to give the Government back to the people of this Nation.

Believe me, the overwhelming majority of American people all across this country do not want our own governmental units sending business and, thus, jobs overseas, especially when Americans are the low bidders.

The problem has become so bad that the red, white, and blue uniforms of the U.S. Olympic team are being made overseas. An employee of the State Department told me recently that the Federal Government State Department ball-point pen he was using said, "Made in Japan."

I wonder how many Federal contracts are with foreign-owned companies. I wonder how many of these same contracts could have been performed at the same or less cost by companies here.

I have companies in my own district that could have made the U.S. Olympic team uniforms at a very low cost.

Now, because of all of the uproar, a report came out yesterday that the Los Angeles Transit Commission may try to do this contract itself. This would be the very worst thing for the taxpayers. Some things have to be done by government, but almost everything done by the government is going to cost 5 or 10 times more than if done by the private sector through our great free enterprise system. If the Los Angeles Transit Commission tries to do this work itself, there is no telling where the costs will go.

Just to show you how little they know about what they are doing, they put out in this press release that they could save $95 to $690 million if they did it themselves. Talk about wild estimates, talk about ballpark figures. Almost anyone could have come up with a better, more accurate estimate than that.

At any rate, times are tough for many people here in this country. Our workers are not lazy or illiterate and incompetent, no matter what the Speaker of the Japanese House thinks.

We do not need to send even one more American job overseas. In fact, we need to stop giving tax breaks and government contracts to American companies which move plants and jobs overseas.

We have too many good American workers out of jobs here. This is a tremendous national problem. We need to all work on it together to solve it.

Even if we cannot get our own Government to put America first, we surely do not need to see America and American companies put second or even last.

UNITED STATES-JAPAN AUTOMOTIVE TRADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York, Mr. LAFALCE, is recognized for 60 minutes.

Mr. LAFALCE. Mr. Speaker, today I join with Majority Leader GEPHARDT and many other Members in supporting legislation to address our country's severe automotive trade deficit with Japan. Representative GEPHARDT's bill would, over several years, restore the overall balance of trade between the United States and Japan.

I would also like to draw the attention of my colleagues to a bill on this issue that I introduced last year, H.R. 3978. My bill is very simple, it limits Japanese imports to 10.1 percent of total United States automobile sales. This is the same level permitted in the European market. The advantage of this bill is that it proposes a direct, speedy solution to the automotive trade imbalance, by far the largest element of our trade deficit with Japan.

Mr. Speaker, the tremendous problem of our automotive trade deficit with Japan cannot be overstated. Automobiles and parts accounted for three-fourths of the $41 billion United States trade deficit with Japan last year. Nearly one-third of cars sold in the United States last year were Japanese, with direct exports from Japan totaling 1.75 million vehicles. By contrast, United States manufacturers exported only 35,000 vehicles to Japan last year. By any measure, our trade deficit with Japan constitutes a severe threat to the United States economy and demands more than a business-as-usual response from our Government.

President Bush's recent trade trip to Asia underscored the inadequacy of the administration's policy on United States-Japan trade. Our competitive disadvantage with Japan has its roots in such longstanding issues as education, productivity, technology development, and our crumbling infrastructure. But rather than addressing these problems, the President of the United States travels hat in hand to our biggest creditor and asks for help in selling more American cars and auto parts in Japan.

Predictably, the President returned to the United States with assurances from the Japanese Government of future purchases of United States cars and parts. As with such arrangements in the past, the Japanese Government already is beginning to hedge on the nature and extent of their promises. One certainty is that we should not rely on the good will of the Japanese Government to solve our trade problems.

In recent months I have been accused of protectionism in advocating limits on Japanese imports. My response is that I am advocating self-preservation, not protection. If we do not begin to address the economic problems underlying the United States-Japan trade deficit, there may not be much of an American automobile industry to protect in the next 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. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mrs. BENTLEY, for 60 minutes, on January 24.

Mr. SAXTON, for 60 minutes, on January 24.

Mr. RAMSTAD, for 5 minutes, today.

Mr. DELAY, for 60 minutes each day, on today and January 24.

Mr. DUNCAN, for 30 minutes, today.

Mr. GINGRICH, for 60 minutes each day, on January 27, 28, 29, 30, 31; February 2, 3, 4, 5, 6, and 7.

Mr. BURTON of Indiana, for 60 minutes each day, on January 28; February 7, 18, 19, 20, 21, 24, 25, 26, 27, and 28.

Mr. NUSSLE, for 5 minutes, today.

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

Mr. HOYER, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

Ms. LONG, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. DURBIN, for 60 minutes, today.

Mr. WISE, for 5 minutes each day, on January 28 and 30 and for 60 minutes on January 29.

Mr. GEPHARDT, for 60 minutes each day, on February 3, 4, 5, 6, 19, 20, 25, and 26.

Mr. OWENS of New York, for 60 minutes each day, on February 3, 4, 5, 6, 7, 18, 19, 20, 21, 24, 25, 26, 27, and 28.

Mr. LAFALCE, for 60 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. DUNCAN) and to include extraneous matter:)

Mr. MARTIN.
Mr. GOODLING.
Mr. GINGRICH.
Mrs. MORELLA in two instances.
Mr. THOMAS of California.
Mr. KYL.
Mr. ARCHER.
Mr. GILMAN.
Ms. ROS-LEHTINEN in six instances.
Mr. BEREUTER.
Mr. MILLER of Ohio in three instances.
Mr. SOLOMON.

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

Mr. ANDERSON in 10 instances.
Mr. GONZALEZ in 10 instances.
Mr. BROWN in 10 instances.
Mr. ANNUNZIO in six instances.
Mrs. LLOYD in five instances.
Mr. HAMILTON in 10 instances.
Mr. DE LA GARZA in 10 instances.
Mr. PEASE.
Mr. BLACKWELL in two instances.
Mr. CLAY.
Mr. APPLEGATE.
Mr. STARK in two instances.
Mr. GAYDOS.
Mr. FALEOMAVAEGA.
Mr. BONIOR in two instances.
Mr. MATSUI in four instances.
Mr. MAZZOLI.
Mr. LAFALCE in two instances.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

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

On November 22, 1991:

H.J. Res. 215. Joint resolution acknowledging the sacrifices that military families have made on behalf of the Nation and designating November 25, 1991, as "National Military Families Recognition Day";

H.J. Res. 130. Joint resolution designating January 1, 1992, as "National Ellis Island Day";

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico";

H.R. 3394. An act to amend the Indian Self-Determination and Education Assistance Act;

H.R. 2270. An act amending certain provisions of title 5, United States Code, relating to the Senior Executive Service;

H.R. 3624. An act to amend the Tariff Act of 1930 to provide appropriate procedures for the appointment of the Chairman of the U.S. International Trade Commission; and

H.R. 2038. An act to authorize appropriations for fiscal year 1992 for intelligence and intelligence-related activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency retirement and disability system, and for other purposes.

On November 26, 1991:

H.R. 2521. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes;

H.J. Res. 125. Joint resolution to designate the week beginning November 24, 1991, and the week beginning November 22, 1992, each as "National Family Caregivers Week";

H.R. 2629. An act to amend the Small Business Act to assist the development of small business concerns owned and controlled by women, and for other purposes;

H.R. 2100. An act to authorize appropriations for fiscal years 1992 and 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes;

H.R. 3728. An act to provide for a 6-month extension of the Commission on the Bicentennial of the Constitution; and

H.R. 3839. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1992, and for other purposes.

On November 27, 1991:

H.R. 3370. An act to direct the Secretary of the Interior to carry out a study and make recommendations to the Congress regarding the feasibility of establishing a native American cultural center in Oklahoma City, OK;

H.R. 1988. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight control, and data communications, construction of facilities, research and program management, and inspector general, and for other purposes; and

H.J. Res. 346. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Union of Soviet Socialist Republics.

On December 3, 1991:

H.R. 794. An act to establish the Silvio O. Conte National Fish and Wildlife Refuge along the Connecticut River, and for other purposes;

H.R. 848. An act Little Bighorn Battlefield National Monument;

H.J. Res. 201. Joint resolution designating the week beginning December 1, 1991, and the week beginning November 15, 1992, each as "Geography Awareness Week";

H.J. Res. 300. Joint resolution designating the month of May 1992 as "National Trauma Awareness Month";

H.R. 392. An act to improve the operational efficiency of the James Madison Memorial Fellowship Foundation, and for other purposes;

H.R. 3909. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes;

H.R. 3604. An act to direct acquisitions within the Eleven Point Wild and Scenic River to establish the Greer Spring Special Management Area in Missouri, and for other purposes;

H.R. 3387. An act to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes;

H.R. 990. An act to authorize additional appropriations for land acquisition at Monocacy National Battlefield, MD;

H.R. 829. An act to amend title 28, United States Code, to make changes in the composition of the Eastern and Western Districts of Virginia;

H.R. 690. An act to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site, and for other purposes;

H.R. 1476. An act to provide for the divestiture of certain properties of the San Carlos Indian irrigation project in the State of Arizona, and for other purposes;

H.R. 3709. An act to waive the period of congressional review for certain District of Columbia acts;

H.J. Res. 372. Joint resolution designating December 21, 1991 as "Basketball Centennial Day";

H.J. Res. 356. Joint resolution designating December 1991 as "Bicentennial of the District of Columbia Month";

H.R. 635. An act for the relief of Abby Cooke;

H.R. 948. An act to designate the U.S. courthouse located at 120 North Henry Street in Madison, WI, as the "Robert W. Kastenmeier United States Courthouse";

H.R. 1724. An act to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary;

H.R. 2105. An act to designate an area as the "Myrtle Foester Whitmire Division of the Aransas National Wildlife Refuge";

H.R. 3029. An act to make technical corrections to agricultural laws;

H.R. 3169. An act to lengthen from 5 to 7 years the expiration period applicable to legislative authority relating to construction of commemorative works on Federal land in the District of Columbia and its environs;

H.R. 3245. An act to designate certain National Forest System lands in the State of Georgia as wilderness, and for other purposes;

H.R. 3327. An act to amend title 38, United States Code, to provide for the designation of an Assistant Secretary of the Department of Veterans Affairs as the Chief Minority Affairs Officer of the Department;

H.R. 3435. An act to provide funding for the resolution of failed savings associations and working capital for the Resolution Trust Corporation, to restructure the Oversight Board and the Resolution Trust Corporation, and for other purposes;

H.R. 3531. An act to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1992, and for other purposes;

H.R. 3595. An act to delay until September 30, 1992, the issuance of any regulations by the Secretary of Health and Human Services changing the treatment of voluntary contributions and provider-specific taxes by States as a source of a State's expenditures for which Federal financial participation is available under the Medicaid Program and to maintain the treatment of intergovernmental transfers as such a source;

H.R. 3919. An act to temporarily extend the Defense Production Act of 1950;

H.R. 3881. An act to expand the boundaries of Stones River National Battlefield, TN, and for other purposes;

H.R. 3807. An act to amend the Arms Export Control Act to authorize the President

to transfer battle tanks, artillery pieces, and armored combat vehicles to member countries of the North Atlantic Treaty Organization in conjunction with implementation of the Treaty on Conventional Armed Forces in Europe;

H.R. 3049. An act to amend the Immigration and Nationality Act to restore certain exclusive authority in courts to administer oaths of allegiance for naturalization, to revise provisions relating to O and P nonimmigrants, and to make certain technical corrections relating to the immigration laws;

H.R. 3576. An act to amend the Cranston-Gonzalez National Affordable Housing Act to reserve assistance under the HOME Investment Partnerships Act for certain insular areas;

H.R. 3322. An act to designate the building in St. Louis, MO, which is currently known as the Wellston Station, as the "Gwen B. Giles Post Office Building";

H.R. 3012. An act to amend the Wild and Scenic Rivers Act by designating the White Clay Creek in Delaware and Pennsylvania for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes;

H.R. 1009. An act to amend the Wild and Scenic Rivers Act by designating segments of the Lamprey River in the State of New Hampshire for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes;

H.R. 525. An act to amend the Federal charter for the Boys' Clubs of America to reflect the change of the name of the organization to the Boys & Girls Clubs of America;

H.J. Res. 157. Joint resolution making dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for incremental costs of "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1992, and for other purposes;

H.J. Res. 212. Joint resolution to designate the week beginning February 16, 1992, as "National Visiting Nurse Associations Week"; and

H.J. Res. 191. Joint resolution designating January 5, 1992 through January 11, 1992 as "National Law Enforcement Training Week".

On December 9, 1991:

H.R. 1776. An act to authorize for fiscal year 1992 the U.S. Coast Guard budget.

On December 10, 1991:

H.R. 2950. An act to develop a national intermodal surface transportation system, to authorize funds for the construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Friday, January 24, 1992, at 11 a.m.

BILLS AND JOINT RESOLUTIONS APPROVED PRIOR TO SINE DIE ADJOURNMENT

The President, prior to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

On October 18, 1991:

H.R. 3259. An act to authorize appropriations for drug abuse education and prevention programs relating to youth gangs and to runaway and homeless youth; and for other purposes.

On October 21, 1991:

H.J. Res. 230. Joint resolution designating October 16, 1991 and October 16, 1992, each as "World Food Day."

On October 24, 1991:

H.R. 3280. An act to provide for a study, to be conducted by the National Academy of Sciences, on how the Government can improve the decennial census of population, and of related matters.

On October 25, 1991:

H.R. 2426. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes.

On October 28, 1991:

H.J. Res. 340. Joint resolution to designate October 19 through 27, 1991 as "National Red Ribbon Week for a Drug-Free America";

H.J. Res. 360. Joint resolution making further continuing appropriations for the fiscal year 1992, and for other purposes;

H.R. 972. An act to make permanent the legislative reinstatement, following the decision of Duro against Riena (58 U.S.L.W. 4643, May 29, 1990), of the power of Indian tribes to exercise criminal jurisdiction over Indians;

H.R. 1415. An act to authorize appropriations for fiscal years 1992 and 1993 for the Department of State, and for other purposes;

H.R. 2519. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 2608. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 2622. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 2698. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1992, and for other purposes; and

H.R. 2942. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

On October 30, 1991:

H.R. 470. An act to authorize the Secretary of Transportation to release the restrictions, requirements, and conditions imposed in connection with the conveyance of certain lands to the city of Gary, IN.

On October 31, 1991:

H.R. 1720. An act to amend the St. Elizabeths Hospital and District of Columbia Mental Health Services Act to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District, and for other purposes.

On November 12, 1991:

H.J. Res. 280. Joint resolution to designate the week beginning November 10, 1991, as "Hire a Veteran Week"; and

H.R. 1046. An act to amend title 38, United States Code, to increase, effective as of December 1, 1991, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

On November 13, 1991:

H.J. Res. 175. Joint resolution to designate the weeks beginning December 1, 1991, and November 29, 1992, as "National Home Care Week."

H.J. Res. 177. Joint resolution to designate November 16, 1991, as "Dutch-American Heritage Day."

H.J. Res. 281. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Mongolian People's Republic.

H.J. Res. 282. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the People's Republic of Bulgaria; and

H.R. 2686. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

On November 15, 1991:

H.J. Res. 374. Joint resolution making further continuing appropriations for the fiscal year 1992, and for other purposes; and

H.R. 3575. An act to provide a program of emergency unemployment compensation, and for other purposes.

On November 18, 1991:

H.J. Res. 140. Joint resolution designating November 19, 1991, as "National Philantrophy Day."

On November 26, 1991:

H.J. Res. 215. Joint resolution acknowledging the sacrifices that military families have made on behalf of the Nation and designating November 25, 1991, and "National Military Families Recognition Day."

H.R. 2521. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 3350. An act to extend the U.S. Commission on Civil Rights;

H.R. 3402. An act to amend the Public Health Service Act to revise and extend certain programs regarding health information, health promotion, and vaccine injury compensation; and

H.R. 3839. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1992, and for other purposes.

On December 2, 1991:

H.J. Res. 125. Joint resolution to designate the week beginning November 24, 1991, and the week beginning November 22, 1992, each as "National Family Caregivers Week";

H.J. Res. 130. Joint resolution designating January 1, 1992, as "National Ellis Island Day";

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico"; and

H.R. 2270. An act amending certain provisions of title 5, United States Code, relating to the Senior Executive Service.

On December 3, 1991:

H.R. 3728. An act to provide for a 6-month extension of the Commission on the Bicentennial of the Constitution.

On December 4, 1991:

H.J. Res. 201. Joint resolution designating the week beginning December 1, 1991, and the

week beginning November 15, 1992, each as "Geography Awareness Week";

H.R. 1724. An act to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary;

H.R. 2038. An act to authorize appropriations for fiscal year 1992 for intelligence and intelligence-related activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency retirement and disability system, and for other purposes;

H.R. 3394. An act to amend the Indian Self-Determination and Education Assistance Act; and

H.R. 3624. An act to amend the Tariff Act of 1930 to provide appropriate procedures for the appointment of the Chairman of the United States International Trade Commission.

December 5, 1991:

H.R. 2100. An act to authorize appropriations for fiscal years 1992 and 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes; and

H.R. 2629. An act to amend the Small Business Act to assist the development of small business concerns owned and controlled by women, and for other purposes.

December 6, 1991:

H.R. 3919. An act to temporarily extend the Defense Production Act of 1950.

December 9, 1991:

H.J. Res. 346. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Union of Soviet Socialist Republics;

H.R. 1988. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control, and data communications, construction of facilities, research and program management, and inspector general, and for other purposes; and

H.R. 3370. An act to direct the Secretary of the Interior to carry out a study and make recommendations to the Congress regarding the feasibility of establishing a native American cultural center in Oklahoma City, OK.

December 10, 1991:

H.J. Res. 191. Joint resolution designating January 5, 1992, through January 11, 1992 as "National Law Enforcement Training Week";

H.J. Res. 212. Joint resolution to designate the week beginning February 16, 1992, as "National Visiting Nurse Associations Week";

H.J. Res. 300. Joint resolution designating the month of May 1992 as "National Trauma Awareness Month";

H.J. Res. 356. Joint resolution designating December 1991 as "Bincentennial of the District of Columbia Month";

H.J. Res. 372. Joint resolution designating December 21, 1991, as "Basketball Centennial Day";

H.R. 525. An act to amend the Federal charter for the Boys' Clubs of America to reflect the change of the name of the organization to the Boys & Girls Clubs of America;

H.R. 829. An act to amend title 28, United States Code, to make changes in the composition of the Eastern and Western Districts of Virginia;

H.R. 848. An act Little Bighorn Battlefield National Monument;

H.R. 990. An act to authorize additional appropriations for land acquisition at Monocacy National Battlefield, MD;

H.R. 3322. An act to designate the building in St. Louis, MO, which is currently known as the Wellston Station, as the "Gwen B. Giles Post Office Building";

H.R. 3531. An act to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1992, and for other purposes; and

H.R. 3709. An act to waive the period of congressional review for certain District of Columbia acts.

On December 11, 1991:

H.R. 690. An act to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site, and for other purposes;

H.R. 794. An act to establish the Silvio O. Conte National Fish and Wildlife Refuge along the Connecticut River, and for other purposes;

H.R. 948. An act to designate the U.S. courthouse located at 120 North Henry Street in Madison, WI, as the "Robert W. Kastenmeier United States Courthouse";

H.R. 1099. An act to amend the Wild and Scenic Rivers Act by designating segments of the Lamprey River in the State of New Hampshire for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes;

H.R. 2105. An act to designate an area as the "Myrtle Foester Whitmire Division of the Arkansas National Wildlife Refuge";

H.R. 3012. An act to amend the Wild and Scenic Rivers Act by designating the White Clay Creek in Delaware and Pennsylvania for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes;

H.R. 3169. An act to lengthen from 5 to 7 years the expiration period applicable to legislative authority relating to construction of commemorative works on Federal land in the District of Columbia and its environs;

H.R. 3245. An act to designate certain National Forest System lands in the State of Georgia as wilderness, and for other purposes;

H.R. 3327. An act to amend title 38, United States Code, to provide for the designation of an Assistant Secretary of the Department of Veterans Affairs as the Chief Minority Affairs Officer of the Department;

H.R. 3387. An act to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes;

H.R. 3604. An act to direct acquisitions within the Eleven Point Wild and Scenic River, to establish the Greer Spring Special Management Area in Missouri, and for other purposes;

H.R. 3881. An act to expand the boundaries of Stones River National Battlefield, TN, and for other purposes;

H.R. 3909. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

H.R. 3932. An act to improve the operational efficiency of the James Madison Memorial Fellowship Foundation, and for other purposes.

On December 12, 1991:

H.J. Res. 157. Joint resolution making dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for incremental costs of "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 635. An act for the relief of Abby Cooke;

H.R. 1476. An act to provide for the divestiture of certain properties of the San Carlos Indian irrigation project in the State of Arizona, and for other purposes;

H.R. 3049. An act to amend the Immigration and Nationality Act to restore certain exclusive authority in courts to administer oaths of allegiance for naturalization, to revise provisions relating to O and P nonimmigrants, and to make certain technical corrections relating to the immigration laws;

H.R. 3435. An act to provide for funding for the resolution of failed savings associations and working capital for the Resolution Trust Corporation, to restructure the Oversight Board and the Resolution Trust Corporation, and for other purposes;

H.R. 3576. An act to amend the Cranston-Gonzalez National Affordable Housing Act to reserve assistance under the HOME Investment Partnerships Act for certain insular areas;

H.R. 3595. An act to delay until September 30, 1992, the issuance of any regulations by the Secretary of Health and Human Services changing the treatment of voluntary contributions and provider-specific taxes by States as a source of a State's expenditures for which Federal financial participation is available under the Medicaid Program and to maintain the treatment of intergovernmental transfers as such a source; and

H.R. 3807. An act to amend the Arms Export Control Act to authorize the President to transfer battle tanks, artillery pieces, and armored combat vehicles to member countries of the North Atlantic Treaty Organization in conjunction with implementation of the Treaty on Conventional Armed Forces in Europe.

On December 13, 1991:

H.R. 3029. An act to make technical corrections to agricultural laws.

On December 18, 1991:

H.R. 2950. An act to develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

On December 19, 1991:

H.R. 1776. An act to authorize for fiscal year 1992 the U.S. Coast Guard budget.

SENATE—*Wednesday, January 22, 1992*

(Legislative day of Friday, January 3, 1992)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. The prayer will be led by the Senate Chaplain, the Reverend Dr. Richard C. Halverson.

Dr. Halverson, please.

PRAYER

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

Let us pray:

Eternal God, Lord of history, Ruler of the nations, the psalmist promises that you will "teach his senators wisdom" (Psalm 105:22). The Senate enters this 2d session of the 102d Congress at an unprecedented, critical period in our history. Economic crisis, social disruption, frustrated, angry citizens busy bashing Congress, compound the pressure of legislative leadership, and overshadowing everything, the national election.

As you have promised, Lord, to give Your "senators wisdom," I pray for Senators MITCHELL and DOLE, for those who chair committees and subcommittees, and for all the members of their office and committee staffs, that they may seek Your wisdom and exercise their offices in its light and power.

In the name of Jesus who is the light of the world. Amen.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time for the two leaders, there will be a period for morning business until 12 noon. The first hour of morning business will be under my control or that of my designee.

Thereafter, Senator PELL is to be recognized for up to 15 minutes. The remaining time will be under the control of Senator WIRTH or his designee.

When morning business closes at noon, the Senate will resume consideration of S. 2, the education bill. At noon, Senator KENNEDY will be recognized to offer a modification of the committee-reported substitute amendment, and as soon as that modification is pending, Senator COCHRAN will be recognized to offer an alternative proposal.

It is my hope that we can make significant progress on this important legislation today. Senators should be aware that rollcall votes may occur at any time during today's proceedings.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I ask unanimous consent that the remainder of my leader time and all of the leader time of the distinguished Republican leader be reserved.

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

MORNING BUSINESS

Mr. MITCHELL. Mr. President, we will now enter a period for morning business.

The PRESIDENT pro tempore. The Senate will now transact morning business under the order.

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

The PRESIDENT pro tempore. The absence of a quorum has been suggested. 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 PRESIDENT pro tempore. Without objection, it is so ordered.

The majority leader is recognized.

HEALTH CARE REFORM

Mr. MITCHELL. Mr. President, as we begin the 2d session of the 102d Congress, I want to stress again my intention to move forward in our effort to reform the Nation's health care system.

I intend this statement to be the first in a series of statements I will make this year on health care reform. Today, I will focus on the need for preventive care as a critical part of comprehensive health care reform.

Last December, I traveled to five cities across the country in an effort to learn more about the problems with the Nation's health care system and to seek viable solutions for reform. The eloquent, often tragic testimony from ordinary citizens who have been failed by the system has reinforced my determination to enact meaningful health care reform legislation as soon as possible.

This is a matter of urgency. It cannot wait for the turn of the century, or even the next election. Those who testified at our hearings are representative of the American people at large. Families who have become impoverished because of a child's chronic illness; women who are not able to be treated for recurrences of breast and cervical cancer because they have no insurance coverage. Our current health care system is failing millions of American families, resulting in bankruptcy for many, worsening of illness for still others, and even death for some who might have been saved with appropriate treatment.

Today, Senator KENNEDY, who chairs the Senate Committee on Labor and Human Resources, intends to bring before his committee an original bill which is based upon the structure for health care reform contained in S. 1227, legislation I and other Democratic Senators introduced last year.

I commend Senator KENNEDY for his continued commitment to assuring that every American has access to affordable health care, a commitment that Senator KENNEDY began more than 20 years ago.

There are many other Senators on both sides of the aisle who share a commitment to health care reform.

One is the chairman of the Senate Finance Committee, Senator BENTSEN. Senator BENTSEN has worked diligently for many years to expand access to health care for our Nation's most vulnerable citizens, the poor and the elderly. His commitment has been to protect and improve Medicare and Medicaid, the programs that are the foundation upon which we will assure access to quality care for all Americans. I look forward to working with Senator BENTSEN to achieve this important objective.

I believe that access to affordable health care is a fundamental right of every citizen in a democratic society. It is not a privilege to be afforded some. It is a right to be exercised by all. Yet, it is a right that cannot be realized by millions of our citizens. We have a responsibility to them and to others whose access to care is jeopardized. We must see that this right is one they can exercise and see that it is not an illusion.

We must also address the crisis of long-term care for the elderly and the disabled. As our population ages, the need for a comprehensive, long-term care policy increases. We must develop a policy that will provide the most appropriate care based on the needs of the individual.

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

For a growing number of our citizens, quality health care is unavailable because of their inability to have access to the system or their inability to afford health insurance.

I believe any serious health care reform proposal must meet three fundamental objectives, and I do not rate them in order of importance. They are all of equal importance.

First, it must assure access to good care for all Americans. Not some, not many, not most, but all. Every single citizen has a right to good care. We must vindicate that right.

Second, it must include significant cost containment strategies. The United States cannot continue the spectacular increases in health care costs that have occurred in the past few decades. In 1960, Americans spent $27 billion on health care, in total. This year, according to the most recent estimate, Americans will spend $817 billion on health care. Even allowing for inflation, that is an unsustainable rate of increase.

Finally, any reform must emphasize preventive care. One of the reasons we spend so much as a society on care is that almost all of what we spend is on curative care, making people well after they have become ill. If we devote just a fraction of our resources, of our effort, of our intention to keeping people well, we can dramatically reduce the cost of care and people will live better, healthier lives at the same time.

So, Mr. President, I want to go into a little more detail about each of these points today.

First, a comprehensive health care reform proposal, regardless of design, whoever plan it is, must assure that every American, regardless of income, place of employment or health status, has access to affordable health insurance. Millions of Americans are now unable to purchase health insurance because insurers refuse to cover those with preexisting medical conditions. Still others are denied coverage because they work in high-risk industries or occupations.

Millions more work for small businesses that do not offer coverage to their employees or their dependents. According to the Department of Labor, nearly 1 million Americans lose their health insurance coverage every year. The Children's Defense Fund reports that in 1977, 73 percent of all children had employer-based coverage. By 1987, 10 years later, the proportion had dropped to 63 percent—a substantial decline over the decade. And a decline which is continuing and even accelerating today. And a growing number of low- and middle-income Americans simply cannot afford the rising cost of health insurance premiums.

Between 1979 and 1987—less than 10 years—the number of Americans without health insurance rose by a fourth—from 30 to 37 million. This simply cannot continue.

Any health care reform must—and I emphasize "must"—include meaningful cost containment strategies to reduce the escalating costs of health care. In 1965, the United States spent 6 percent of its gross national product on health care. According to a new study by the Department of Health and Human Services, by the year 2030 health care spending will increase to 26 percent of the Gross National Product—approximately twice the current percentage of about 13 percent. So we can see a continuing and dramatic increase in overall costs in absolute dollars and as a percentage of the gross national product.

The United States spends more of its gross national product on health care than any other industrialized country in the world—and at the same time fails to provide access to care for millions of its citizens.

Part of this increase in health care spending has paid for widely acclaimed improvements and very desirable improvements in procedures and technology. But higher spending has not prevented reductions in coverage nor significantly increased our health status relative to other nations.

According to a recent study by the General Accounting Office, while there have been improvements in life expectancy and infant mortality rates in the United States, these improvements are no better, and they are often less, than the gains made by other industrialized countries that have had smaller increases in spending for health care.

Finally, reform must include an emphasis on prevention and wellness. That is the central focus of my remarks today. We spend far too many of our health care dollars attempting to cure illness, and invest too few dollars in efforts to keep people well.

Prevention and wellness can be organized into three broad categories. The first is health promotion, which includes strategies intended to change individual behavior—inducing people to stop smoking, to have a healthy diet, to engage in regular exercise.

The second is in the area of health protection, strategies intended to protect large population groups through occupational safety and health efforts, environmental health, food, and drug safety. These are approaches which involve a communitywide rather than an individual focus.

And, third, preventive services, which includes screening for disease, immunization, prenatal care, and well baby care, monitoring chronic diseases like diabetes, high blood pressure, and other conditions, which can be regulated with regular medical care.

The Centers for Disease Control reported last week that deaths from cervical cancer have been reduced by 50 percent since the Pap test became available in 1965. The success of the Pap test, which is relatively inexpensive and can be done in a physician's office, is an excellent example of investment in preventive care which reduced both the incidence of advanced disease, the cost of complex care, and most importantly, premature death among women.

We must expand our efforts in the area of targeted testing for disease in its earliest stages. Efforts must be undertaken and increased to prevent breast cancer in women. Breast cancer takes an increasingly tragic toll on American women. It will occur in 1 out of every 9 American women alive today; this year, nearly 45,000 American women will die of this disease. And yet, when detected at its earliest stage, the 5-year survival rate is more than 90 percent. The National Cancer Institute recommends that women take an active role in the early detection of breast cancer by getting routine mammograms after age 40, have a yearly clinical breast exam by a physician, and practice monthly breast self-examinations. The recommendation is an example of how individuals must take greater responsibility to protect their own health.

Mr. President and Members of the Senate, self-responsibility for health is something we as a society should be placing much more emphasis on. It is something we have been deficient in encouraging in the past. At the same time, society must make an investment in mammography screening, which can detect disease in its earliest stages to reduce costs and save lives.

About 80 percent of the women with breast cancer are over the age of 50. Of this group, about half are over the age of 63. Yet, when we Democrats in Congress advocated coverage for screening mammograms under the Medicare Program, the Bush administration opposed it, fought it all the way. They said it was too expensive and we could not afford it. It was one of the most contentious items in the budget summit of last year. Finally, we prevailed, and American women are better off today and in the future as a result.

Clearly, if we are going to save lives and reduce the costs associated with the treatment of advanced stage breast cancer, we must make an investment in a screening procedure that is known to detect disease early, when it is the most curable.

We also know that an investment in prenatal care will reduce deaths from infant mortality while reducing the high costs of neonatal intensive care.

Mr. President, in December, I visited five cities, one of which was Tampa, FL. There I was given a tour of Tampa General Hospital, a superb medical institution. There are about 7,500 babies born at that medical center each year. About 10 percent of them require intensive care.

I was given a tour of the intensive care facility. The pediatrician in

charge pointed out to me infants whose cost for maintaining so far have exceeded $1 million. They are affectionately referred to by the hospital staff as their "million-dollar babies." Almost all of them were born of mothers who had no prenatal care. They were born prematurely with relatively low birth weight. And, without exception, the experts there in Tampa and across the country tell us that, if we can see to it that every pregnant American woman has access to good prenatal care, the result will be healthier babies, healthier families, and billions of dollars in savings for our society.

The Children's Defense Fund reports that comprehensive maternity care will save more than $3 for every $1 spent. That fund also reports that routine health care for children will result in annual health costs that are 10 percent lower than for children who do not receive such care, and that immunizations will save between $10 and $14, for each $1 spent. This is an investment that our society cannot afford not to make. We must make this investment in prenatal care.

We need only to look at the results of the investment in preventive health care made by the State of Hawaii since the implementation of its health care reform plan in 1974. Because Hawaiians have access to affordable primary health care the infant mortality rate has been reduced by 50 percent since 1974. Hawaii now has the greatest longevity and the lowest premature death rates from heart disease, cancer, and lung disease in the Nation. We must assure that all Americans, whether they live in Hawaii or in any other State all the way across the country to Maine, have access to preventive services.

Prevention includes making investments in primary care services for pregnant women and children as well as targeting preventive tests for adults. While there is much debate about the cost effectiveness of widespread testing on the entire population, there is much more we as a society can to do to expand the use of those tests which have been proven effective on specific age and gender groups in the population.

While preventive strategies alone will not solve our Nation's health care crisis, they must be an integral part of any solution.

Last year I joined with a number of Democratic colleagues to introduce comprehensive health care reform legislation. It is known as Health America. It meets the three fundamental objectives I set forth: universal access, cost containment, emphasis on preventive care. Our proposal builds upon the current employer-based health insurance system while providing access to health care benefits through a public plan for those who do not have access to employer-based insurance.

We offered this legislation as one solution. It is not the only solution. We welcome constructive comments about the bill. We are open to revising its provisions in an effort to improve it.

I urge President Bush to offer a proposal that meets the three fundamental objectives I have outlined: access to affordable health insurance for every American, serious strategies to contain the overall rate of growth of health care costs, and an investment in preventive health care to keep people well.

We must, we can and I believe we will pass comprehensive health care reform legislation this year. Let us begin today.

Mr. President, I yield the floor and I designate Senator DASCHLE to allocate the remaining time.

The PRESIDENT pro tempore. Who yields time?

Mr. DASCHLE. Mr. President, I yield 5 minutes to the distinguished new Senator from Pennsylvania.

The PRESIDENT pro tempore. The Chair regular recognizes, under the designation of time, the Senator from Pennsylvania [Mr. WOFFORD] for 5 minutes.

THE HOT IRON OF HEALTH CARE

Mr. WOFFORD. Mr. President, during our recent special election campaign I told Pennsylvanians that their votes could send a wake-up call to Washington for real action—after years of debate and delay—to halt the sharply rising cost and declining availability of health care in our country.

Few of us could have guessed how accurate that prediction would turn out to be.

Since then, the press has been filled with stories on the politics and economics of our Nation's health care crisis, on endorsements of various plans by business, labor, and Presidential candidates, and on the relative strengths and weaknesses of other nations' health care systems.

Indeed, our Pennsylvania contest was one of those rare occasions when an idea made a decisive difference in the outcome. One poll taken in the days after the election showed health care to have been a determinative issue for some two-thirds of the voters. Not the only issue, to be sure, but a major one for the great majority.

President Bush, reading the same returns, quickly backed away from his previous position that he would have no health care plan until after the 1992 election. And in recent weeks we have been watching the trial balloons float out of the White House in anticipation of the proposals expected in next week's State of the Union Message.

The President is not alone. On my first day in this Chamber after the election, colleagues on the other side of the aisle took to the floor to introduce their own proposal to help some 37 million uninsured Americans.

We Democrats welcome the President and his party to the table. Long before the Pennsylvania election, Democrats in Congress had taken the lead in crafting a number of comprehensive national health insurance proposals.

I want to particularly commend our leader, Senator MITCHELL, as well as Senators KENNEDY, ROCKEFELLER, and RIEGLE for their good and hard work in bringing one such bill forward—a proposal to require individual employers to provide basic health benefits or pay a fee into a public system that would cover their employees. Also, I commend Senator KERREY of Nebraska for his specific and far-reaching bill to go beyond an employer-based system to State-based universal health insurance. And I commend the Senator from South Dakota for his leadership in developing a consensus for action on a comprehensive and effective plan.

The need for action grows with each passing month. When I started campaigning for national health insurance last spring, the United States was estimated to have spent some $666 billion—more than 12 percent of our gross national product—on health care in 1990. A few months later, the estimates for 1991 put that number at $738 billion—13 percent of GNP. Now comes the Commerce Department estimate that in 1992 Americans will spend some $817 billion—up to 14 percent of our otherwise stagnant economy.

The stinging, and now familiar, indictment of our Nation's health care system is that despite spending far more than every other country, our people are getting less and less for their money.

The great political force of this issue comes not only from the tragic fact that some 37 million Americans can not afford health insurance at all; but that far more millions fear losing what coverage they do have just when they need it most—when they lose a job or have a catastrophic illness—or fear the rising costs of health insurance will bankrupt them.

The President appears ready to deliver proposals which merely tinker with our current system primarily through tax incentives for some—paid for by taxes on health benefits for others—proposals which fail to address the underlying forces driving up health care costs for every business and family.

At the same time, his Cabinet members misleadingly attack Democratic proposals for their potential cost in dollars and jobs, without acknowledging that doing nothing carries a far steeper price tag.

Their arguments sound like the old ones made against Social Security and Medicare.

Pennsylvanians proved that Americans are ahead of the administration on this issue. Hyperbolic threats of new taxes and government bureaucracy do not strike much fear in the millions of families who are already struggling to

cope with the complicated forms and endless, rising bills of our present employer-based private health insurance system.

If the Social Security system were being designed today, no one in his right mind would propose that it be created by requiring each individual employer to negotiate and contract for a separate Social Security program. The result would be an inefficient maze and duplicative bureaucracy.

But that is how our unplanned, inadequate and costly health care system has grown up, like Topsy. I am convinced that the most effective way for us to bring costs under control, shift the emphasis to preventive care instead of expensive emergency procedures, and eliminate the great waste in overhead and administrative expenses required by the current patchwork system is to move to a truly universal national health insurance system.

The problem is to find the ways and means to move from this employer-based maze to a simplified, comprehensive health insurance plan that is available to every American.

With such a universal, portable system, and a single card entitling every person to basic health services, the medical profession could be relieved of much of the current staggering burden of paperwork. And American companies would be able to focus on what is the business of business, their products and productivity, not on providing health care.

The "pay or play" approach—with provisions now being advanced to strengthen its cost control measures and expand its scope—can be an important step in the right direction. It establishes clear standards for universal coverage that insurance carriers, HMO's and Government programs would have to meet.

In this Chamber, and in my campaign, I laid out 11 principles to use as a yardstick by which to measure any reform proposal. My discussions with Pennsylvanians these past 2 months have made me add a couple more to that list. But the essential test I have for any plan is whether it:

First, makes coverage available to all, throughout their lives, regardless of what job they have or where they live;

Second, makes coverage affordable and effectively controls skyrocketing costs; and

Third, opens the way for States to experiment with universal systems, pointing the way for all States to move from our current employer-based approach to universal health insurance.

Election year politics may make it difficult for Congress to go beyond bipartisan recognition of the problem to a bipartisan solution the President would accept. But the harsh logic of events—the out of control inflation in medical costs—will press us forward. And the Presidential campaign should provide a national forum needed to expand and intensify the debate and to establish a national mandate we began in Pennsylvania last autumn.

The mandate from Pennsylvania is to keep pushing this debate forward toward resolution. One way to do that is to join with me and 17 cosponsors of S. 1830, the bill I introduced to make all Members of Congress pay a fair market rate for the medical services of the Office of Attending Physician.

That would put all of us in the same boat as the American people and provide a very real catalyst for action, not just words.

For just as the time once came when women finally won the right to vote, as the walls of segregation laws finally fell after decades of lawsuits and nonviolent protest, and as the moment finally came for the creation of Social Security, the iron is now red hot for fundamental change in our Nation's health care system. That fire is not likely to cool until we have a President and a Congress willing to hammer out a truly comprehensive reform.

Mr. President, I yield the floor back to the Senator from South Dakota.

Mr. DASCHLE. I thank the distinguished Senator from Pennsylvania for an excellent and very insightful statement and again welcome him to the debate and appreciate his most significant contribution to the discussion this morning.

The PRESIDENT pro tempore. The Senator has 31 minutes remaining.

Mr. DASCHLE. I thank the President.

PRIVILEGE OF THE FLOOR

Mr. DASCHLE. Mr. President, I ask unanimous consent that Charles Rice, a fellow working in my office, be granted privilege of the floor during morning business.

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

Mr. DASCHLE. Mr. President, I yield myself 5 minutes.

The PRESIDENT pro tempore. The Senator from South Dakota is recognized for 5 minutes.

THE TIME IS NOW

Mr. DASCHLE. Mr. President, last fall, Secretary Sullivan, appearing before a committee of Congress and commenting on various proposals for reform of our health care system, stated that, "Americans will not—and should not—accept radical departures from a system that offers them so much."

To which Americans was the Secretary referring?

He could not have meant the 37 million who have no health insurance at all. Thirty-seven million people, Mr. President, is the equivalent of all those who reside in 23 States, including Alaska, Oregon, Nevada, Idaho, Montana, Utah, Arizona, Wyoming, New Mexico, Nebraska, Oklahoma, Iowa, Arkansas, Mississippi, Kentucky, West Virginia, South Carolina, Vermont, Maine, New Hampshire, North Dakota, and South Dakota—23 States comprising 37 million people would have absolutely no health care whatsoever today.

He could not have been speaking of working people, who have seen their health care costs double, from 8 to 16 percent of their disposable incomes. Or of organized labor, for whom health benefits have been the issue in 8 of 10 recent strikes. Or of the one in four U.S. workers who lost health insurance for some period in the last 2 years.

He must not have been referring to businesses who now face annual increases in their health care costs of 20 percent per year.

And he must not have meant the 72 percent of Americans who are now so frustrated and frightened that in poll after poll indicate they want an entirely new system.

But, of course, the administration's opposition to reform of our health care financing system should come as no surprise. It is a fact that Republicans overall have traditionally opposed comprehensive health reform and have done so historically.

Throughout much of this century, a variety of proposals for national health reform have been debated by the Congress. Democrats have traditionally led these discussions. President Franklin D. Roosevelt developed the Social Security system, and, in 1944, included basic health care in his economic bill of rights, proclaiming the right of every American to adequate medical care and the opportunity to achieve and enjoy good health.

In 1945, President Harry S. Truman sent legislation to Congress which proposed a prepaid, comprehensive medical insurance plan for people of all ages. The President recognized the plight of "millions of our citizens who do not now have protection or security against the economic effects of sickness. The time has come," the President went on, "for action to help them attain that opportunity and that protection."

Unfortunately, President Truman's initiative was opposed and defeated by Republicans. Senator Robert A. Taft, "Mr. Republican," called the Truman bill "the most socialistic measure that this Congress has ever had before it." And the Republican candidate for President, Dwight Eisenhower, claimed that it constituted "socialized medicine."

In 1961, President John F. Kennedy proposed comprehensive health legislation as one of his five chief legislative goals. Using the same arguments, Republicans doomed these efforts as well.

Reason prevailed in 1965 with the enactment of Medicare, clearly a victory for the Nation's elderly, but a Democratic victory, as well. Many Republicans opposed this measure, claiming that Medicare would destroy Social Se-

curity, lead to socialized medicine, and that it constituted "coercive collectivism."

President Johnson, however, saw it differently: "helping to maintain and improve the health of all Americans is not just our tradition—or the tradition of the Democratic Party—or even the tradition of the Nation." He continued, "it is as old as the day it was first commanded: 'Thou shalt open thine hand wide unto thy brother, to thy poor, to thy needy, in thy land.'"

As the nineties began 2 years ago, the President instructed Secretary Sullivan to propose solutions to our health care problems. As in past decades, the Secretary has told us a great deal about what the administration does not want. They do not want mandated benefits; they do not want the present system; they do not want national health insurance. And when serious analysis of one of the leading proposals is undertaken by the administration, Secretary Sullivan and Secretary Martin distort the results.

Now, the President seems to have heard our citizens who have made it abundantly plain that they expect us, their elected representatives, to deal with this issue effectively, and to deal with it now. They want the hemorrhage stopped. If we do not listen to them, we will continue to believe the inside-the-beltway conventional wisdom which has existed for more than 50 years that the "time isn't right" or "there isn't a consensus." After more than 50 years of effort, the time is now, and the responsibility for building that consensus and solving the problem is now ours: Republicans and Democrats looking to solve the problem, not find excuses.

Mr. President, I yield 5 minutes to the distinguished Senator from Nevada.

The PRESIDENT pro tempore. The Senator from Nevada [Mr. REID] is recognized for 5 minutes.

Mr. REID. Mr. President, through you to my friend from South Dakota, could I have 10 minutes? That was the understanding.

Mr. DASCHLE. Certainly, the Senator from Nevada has 10 minutes.

The PRESIDENT pro tempore. The Senator from Nevada [Mr. REID] is recognized for 10 minutes.

THE FEDERAL GOVERNMENT IS IN THE HEALTH CARE BUSINESS

Mr. REID. Mr. President, last week I was in Las Vegas on a radio talk show and there was a discussion about the deficit, crime, narcotics, education, and then there was an extended discussion—and I was there answering questions from the public—regarding health care. After a few minutes, one of the talk show hosts—there were two—said to me, "Well why doesn't the Federal Government just stay out of health care? It is no business of theirs. Just stay out of it with all the proposed programs that have been suggested."

My response was that the Federal Government is in health care now. It is not a question of whether we are going to get into it. With Medicare and Medicaid, we are in it. And one of the reasons that States are having such tremendous difficulties with their budgets is because of health care. Medicaid cost overruns at the State level are literally ruining the budgets of States throughout this country.

So the Federal Government is involved in health care not peripherally; the Government is in the health care industry already.

Health care costs, Mr. President, are this year going to be $800 billion—almost a trillion dollars. We might ask, how much is $800 billion? From the chart I have here, we have an exact figure—$738 billion. How much is that? It is $2 billion a day. It is $85 million each hour, with no holidays off, no weekends off—$1.4 million each minute, and about $23,000 each second is spent in this country on health care.

Between 1965 and 1985, the gross national product of this country increased 500 percent. But, interestingly enough, health care costs during that same period of time went up 1,000 percent. From 1965 to 1985, health care costs went up double the gross national product growth—1,000 percent.

If this rate continues—and it appears that it will, unless we do something about it—a baby born in 1988 will live to see all the gross national product devoted to health care.

We have heard on this Senate floor today, and we will hear it in the future, that there are millions and millions of Americans who are uninsured—35 million, maybe even 37 million. That is 37 million too many. But who we do not hear about are those who are underinsured. We have many people who have insurance, but not necessarily good insurance.

It may be that for the person who is working, the employer covers him or her, but not the family. It may be that the coverage they have pays for certain illnesses and treatments but not all. When these 35 to 37 million people become acutely ill, Mr. President, they are taken care of. They do not usually lie in their bed and die. If they are in an automobile accident or injured or hurt, they are taken to a hospital and they are taken care of. Somebody who is acutely ill is taken care of in this country.

Who pays for these uninsured people? Everybody pays for them—you and me—everybody. We pay for these 35 million people when they become ill, through our taxes. Indigent costs are borne by the taxpayer; so are higher insurance premiums to cover those who can't pay, and increased hospital and doctor fees also cover those unable to pay. So the 35 million people who are uninsured—we are paying for them anyway.

Should we not have a better program, a more level paying field, so that the costs and benefits are more equally distributed?

There is a train moving down the track to reform health care costs in one way or another. Therefore, we should all be part of this program of reform.

When and how it is going to come, no one really knows right now. But the train is moving. There are many different proposals being suggested.

When I go to townhall meetings throughout Nevada, there are many people who ask, why not have the Canadian plan? It has some good benefits especially if you are acutely ill. In Canada, if a person is acutely ill, he is taken care of and taken care of immediately. But in Canada, if you are not acutely ill, if you need a hysterectomy or hernia operation, you can wait for months before that surgery will take place. So the Canadian system has some good points, but it also has some significant drawbacks.

What about the pay-or-play program? This is a program that is receiving an awful lot of attention and is a program I am studying closely. I have not signed on to it, but I have looked at it very closely. The reason I think it has some merit is that we have to distribute this pain, the inequality in our system, more equally, and the pay-or-play would basically provide that if an employer did not provide insurance for his employees, then there would be a percentage of the employee's wages assessed and the Federal Government would buy private insurance for those people who are uninsured.

If that program is not perfect, which it probably is not, we may need to mesh the good points of the Canadian program and the German program, which are both getting much attention. But the point is we need to do something and we better get all the input we can from people who are concerned about health care. We have overwhelming inadequacies, Mr. President, in our health care system.

Let me just take a couple of examples. Let me begin with prenatal care. The average cost of prenatal care in this country is $400, more some places, some less. The average cost of a hospitalized premature baby is $1,000 a day. Certainly it is not unusual that a premature baby spends 100 days in a hospital, for a total of $100,000.

If, for example, you look at three hospitals in New York, Chicago, and Los Angeles, we find that a third of the women arrive there having their babies never having been to a doctor. Fifteen million women in this country of childbearing age have no health insurance. And it has been proven scientifically, empirically, that for every $1 spent on prenatal care, it means a savings of $3 in medical costs the first year of life, notwithstanding the costs in the out-

years, because many premature babies develop problems that are with them their entire lifetimes.

So prenatal care is an example of how we could spend a few dollars and save vast amounts of dollars. If we gave every woman in America prenatal care, we would save $3 for every $1 it costs us.

The White House Task Force on Infant Mortality determined that 10,000 infant deaths and 100,000 disabilities would be eliminated if women had adequate prenatal care.

There are other programs we need to look at—simple programs. I have heard, as a member of the Appropriations Committee every year when the Labor-HHS appropriations bill comes before the committee, Senator DALE BUMPERS talk about immunizations, and how this country would save millions and millions of dollars if we would spend a few extra dollars on inoculations. But we have not. We have been penny-wise and pound-foolish.

It has been determined that for every $1 spent on an immunization, $10 is saved in health care costs.

There are all kinds of issues that relate to women's health which we must be concerned about and are not being addressed at this time. Interstitial cystitis, lupus, and multiple sclerosis are diseases for which women are not getting proper attention. This does not take into consideration breast cancer, ovarian cancer, or cervical cancer.

The administrative costs of the health care system in this country, Mr. President, are twice what they are in any other country—two times higher. Should we not come up with a better system, maybe eliminating most of the forms and paperwork?

Last Thursday evening in Las Vegas, I attended a meeting with a group of physicians. One orthopedic surgeon told me that in his practice alone, 40 percent of every dollar which comes in to his office goes out for administrative costs. That is exorbitant. That is wrong. We need standard insurance policies.

Mr. President, let me close by saying that in this country of ours, the rising cost of health care is indicated by the figures on my chart here. From 1960 to 1990, the average cost of health care for an American was exorbitant. I say, and I repeat, there is going to be health care reform in this country and it is going to come soon. I think it is important the parties get together and work with us—the providers, the insurance interests, the Governments, that is, State and local governments, and the consumers—and try to get this train moving down the track with some direction. Health care is an issue in this country that is second only to the creation of jobs.

The longer we ignore the problem, the more complex and difficult it will be to solve.

I yield the floor.

Mr. DASCHLE. Mr. President, I yield 10 minutes to the distinguished Senator from Illinois.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. DIXON] is recognized for 10 minutes.

AMERICA'S HEALTH CARE CRISIS MUST BE TACKLED

Mr. DIXON. Mr. President, during November of last year, I appealed to this body to approve universal access to health care, now. Again, I make the appeal that our health care system is critically ill, and we must find a cure.

The figures are staggering.

The current system does not even work well for those who have good health insurance coverage. These folks receive health care but at skyrocketing costs. We spend more, per person, on health care than any other industrialized nation.

And then there are the 37 million Americans who have no health care coverage—of which more than a quarter of them are children. About a million and a half of these uninsured folks are in my own State of Illinois.

Another 50 million Americans are underinsured. Mr. President, two-thirds of these folks—and that number continues to increase—are a part of the backbone of this country. They are full-time, hardworking taxpayers with incomes above the poverty level.

Given the economic conditions of this country today, many American citizens are one paycheck from being either uninsured or underinsured. Our current health care system has reached the level where many families have to choose between receiving health care and buying food—or paying rent.

Mr. President, back at home during mid-January, I attended several town hall meetings which specifically addressed the issue of health care. Just as I have found during my many other town hall meetings, the public wants affordable and accessible health care for everyone, and they want it now.

Under our failing health care system, insurance rates have escalated so fast that they are now out of reach for many middle-income families. These families are one increased premium away from joining the uninsured.

Our health care system is not a good value for the huge cost. We must halt this financial drain on our pocketbooks, as well as on our national economy. We have got to get much better value for the money we spend.

Senator MITCHELL, other Democratic Senators, and I will hold a hearing in Chicago on Monday, January 27, 1992, at the Children's Memorial Hospital. This is a continuation of the Mitchell regional hearings intended to solicit public input throughout the country on the direction Congress should take in meeting health care needs.

I am a cosponsor of S. 1227, the Health America Act, and continue to work with Senator MITCHELL and others to develop and shape an alternative solution to our existing health care system.

It is a responsible plan that addresses the fundamental problems at the heart of the health care crisis. The bill will actually save the average American and the average American business money.

It assures that every American has access to basic health care.

It will reduce health care costs by $80 billion over the first 5 years.

And it addresses the special needs of small businesses in obtaining affordable health insurance for their employees.

My goal is to see that in the very near future, health care legislation is enacted where families will never again have to worry about losing their life savings because of an illness, or watch ever-increasing amounts of their paychecks go to unrestrained health care costs.

Mr. President, the people of Illinois and of America are in real pain and fear from this health care crisis. They expect the Congress to move quickly to end their pain. They deserve nothing less. We must act now.

I implore my colleagues to join me in support of affordable and accessible health care, now, this session.

The American people are counting on us. We must not let them down.

Mr. President, I yield the remainder of my time. I thank my colleague.

Mr. DASCHLE. I thank the distinguished Senator from Illinois for a very powerful statement, and I appreciate his contribution to our discussion this morning.

EXTENSION OF TIME

Mr. President, I ask unanimous consent that the time under my control be extended until 11:15, and that all other provisions of the previous consent governing speeches this morning remain in effect.

The PRESIDENT pro tempore. Is there objection? The Chair hears no objection. It is so ordered.

Mr. DASCHLE. I thank the President. I yield 10 minutes to the distinguished Senator from Vermont.

The PRESIDENT pro tempore. The Senator from Vermont [Mr. LEAHY] is recognized for 10 minutes.

PROBLEMS WITHIN THE STATES AND THE NATION

Mr. LEAHY. I thank the Chair. I thank the distinguished Senator from South Dakota, who also, I might note, Mr. President, along with so many of our colleagues, has made a very compelling and very strong statement on this issue this morning.

Mr. President, we can all speak of the problems within our own States and problems within the country on health care. This morning, I would like to speak of both.

Vermont, as well as the rest of the country, is gripped in a terrible recession, one of the worst I can remember in my lifetime. Last month alone, nearly 300,000 Americans lost their jobs. What is very gripping is that millions more fear that they may well be next.

In the United States, losing a job means losing health care benefits. For an American family, it means worrying about having enough money to make ends meet and worrying about paying for a child's basic health needs. That is because the United States has failed to do what every other industrialized nation, except South Africa, has done—provide universal health care to its citizens.

Over the past months, I held town meetings all over Vermont—in Bennington, Brattleboro, Waterbury. I heard hard-working Vermonters say they are afraid one illness will strip them of what matters most—being able to provide for their families.

In Vermont, we have very, very proud people. We believe in taking care of our families. We believe in providing for our families. We believe in providing the basic needs in a State where the weather and the conditions can often be very difficult. These Vermonters feel because of health care costs they may not be able to do what generations of Vermonters have done in the past—provide for the basic needs of their family.

For too many Americans throughout the country, seeing a doctor is far too expensive. Too many mothers and fathers spend sleepless nights wondering if they should use their limited budget for food or for a doctor. What a terrible choice in the wealthiest, most powerful nation on Earth.

Too many are forced to use the emergency room for their children's care. Why? Because they cannot afford regular checkups at the pediatrician's office. Too many have to wait until their children are sick enough to require a doctor's attention. So they do not have preventive medicine, and the consequences can be tragic. A child's ear infection untreated can lead to deafness. A minor eye infection can lead to blindness.

Today, the Senator Labor Committee is voting on a bill that will end the fear. This bill is the Democrats' proposal, "Health America"—a comprehensive plan ensuring affordable health care to all Americans. It is a solid plan that addresses the two most important problems plaguing health care today—controlling costs and making sure all Americans have quality care.

President Bush is planning to announce his health care plan in the State of the Union address next week. It has been widely reported that he will propose tax credits to help some Americans defray some of their health care costs.

If these reports are accurate, the administration's plan is a charade that fails the American people. It fails to eliminate Americans' fears about losing health care benefits, fails to provide universal health coverage, and fails to control skyrocketing health care costs.

Under the administration's plan, when you lose your job, you lose your health benefits. Under the Democrat's plan, when you lose your job, you still keep your health benefits.

In our country, Social Security is a well-accepted right of economic security for older Americans. Health security should be an established right as well.

Mr. President, our current system is bankrupting families and businesses while making millions for insurance companies, drug manufacturers and others in the industry that reap huge profits at taxpayer expense. The Democrat's plan sets tough controls on health care spending to end this greed and restore health security, for all Americans. It is a key part of our economic recovery plan to bring this Nation out of recession.

As I look at the Democrats' bill, it has many things that should appeal to us. I am pleased that our bill includes legislation I introduced last year, called State Care. My bill removes the Federal obstacles that prevent States like Vermont from moving ahead with their own plans for providing universal health coverage.

With State Care, Vermont—under the able leadership of Gov. Howard Dean—will be able to devise a comprehensive plan that meets the health care needs of all Vermonters, while controlling soaring medical costs.

This approach has worked in the past. With Social Security and child labor protections, States led the way in testing ideas for national application. At the beginning of this century, we did not have child labor laws, but over half the States did. And then the Congress was able to pass what appeared to be radical at the time—something we all accept today—child labor laws.

State Care brings the Federal Government and interested States together to test the most innovative methods of providing health insurance. These are the ideas that will shape our health care system in the years to come.

In 1935, 24 of the 48 States had forms of Social Security. There was no Federal Social Security system. But because the States had taken the step, because the States had shown the way, then the Federal Government came in and established Social Security for everybody.

I wanted to make sure that if Vermont and other States want to show the way, we have the ability to do so.

But let us also be realistic. Health care reform will only be a dream if we do not have the President's leadership. President Bush's commitment to work with Congress is absolutely necessary if we are able to find the will to pass universal health care legislation. That is what the American people want. They do not really care who gets the credit—Democrats or Republicans—and neither do I. Let us restore the American people's faith in the Government's ability to get the job done. As most Americans know, there is probably no greater job that we could do than to provide health care for our people, all of our people, not just a favorite few.

I thank the Senator from South Dakota, and I yield whatever time I have remaining.

Mr. DASCHLE. Mr. President, I thank the Senator from Vermont for a very insightful statement. He brings his customary reason and thoughtful approach to these complex issues to the floor, and his contribution this morning was a very important one.

At this time, I yield 5 minutes to the distinguished Senator from Nevada.

The PRESIDENT pro tempore. The Senator from Nevada [Mr. BRYAN] is recognized for 5 minutes.

Mr. BRYAN. Mr. President, last summer I traveled by automobile during almost the entire month of August, some 3,000 miles, visiting virtually every small community in my State. And this past month and a half during the occasion of our recess after November, I continued that effort to communicate with Nevadans in Reno and the metropolitan area of Las Vegas.

If there was ever a perception that the concern about health care cost and access to health care were largely confined to America's senior citizens, let me say that that notion ought to be irrevocably shattered. It is the concern of young families. It is a concern of State and local governments, as they try to wrestle the very difficult problems. It is the concern of small and large businesses in our country as they try to compete internationally. The rising cost of providing health care benefits for their employees, indeed, threatens to endanger their ability to compete internationally.

The numbers are familiar to us. It is estimated this year that health care costs in America will approximate some $800 billion. They have been increasing at double-digit increases, whereas the consumer price index increases have been in a single-digit category in recent years. And if we do not make a fundamental change in the way in which we provide and pay for health care in this country, we are soon to see a $1 trillion annual cost of health care in America.

Those are costs that we simply cannot sustain. We are spending more than 12 percent of our gross national product annually, double what we spent just 20 years ago. Yet, at the same time we have 37 million Americans who have no health care insurance at all, and

perhaps an equal number of Americans who are underinsured; that is, inadequately covered.

Identifying the problem has been relatively easy. What to do about it has been more difficult. Clearly, in my judgment, we need a comprehensive solution.

This morning I want to spend a few moments to congratulate our colleague, the distinguished junior Senator from Arkansas, DAVID PRYOR, who has authored a piece of legislation entitled "the Prescription Drug Cost Containment Act." I am very proud to be a cosponsor of this piece of legislation. I want to illustrate by sharing with you a piece of correspondence that I received relatively recently from a constituent of mine from Las Vegas who wrote about price increases in his blood pressure medicine. He writes that he paid $44.40 in May of 1988 for a beta blocker drug. In May of 1990, 2 years later, the cost had risen to $58.60, and by February of 1991, the price was a hefty $64.70.

Sadly, this is not an isolated story, nor a problem related to this one drug alone. In a 10-year period, from 1980 to 1990, when the overall rate of inflation grew by 58 percent, prescription drug prices increased by a staggering 152 percent. For the 12-month period, October 1990 to October 1991, prescription drug inflation continued to spiral, increasing 10.1 percent, again outpacing the general price inflation at 2.9 percent.

As out-of-pocket costs soared for all of us as consumers, so did the profit margins of major drug companies. In 1990, U.S. industries as a whole showed a modest 4.6-percent rate of profit. However, pharmaceutical companies reaped a 15.5-percent profit. In other words, major drug companies showed triple that profit margin of the average Fortune 500 company.

If we were considering these statistics as pharmaceutical stockholders, we would be smiling. However, for most of us, these statistics are alarming. And for older citizens living on fixed incomes, these statistics evoke fear. The simple fact is that drug cost increases are out of control.

The drug cost containment bill will:

Penalize only those drug companies whose prices rise over the annual Consumer Price Index. Nonresearch tax credits provided under section 936 of the Tax Codes will be reduced by 20 percent for each percent increase over the CPI.

Each drug sold in the United States, Canada, Australia, and Europe; to let us compare how American consumers fare with consumers buying the same drugs in other countries.

In December, I received a letter from the President of the National Allergy and Asthma Network/Mothers of Asthmatics. The letter said the prescription drug cost containment bill could "cripple scientific drug research in this country." While I do not want to oppose the Mothers of Asthmatics, I suspect this information is the line being used by the drug industry to fight cost containment efforts. There are no provisions in this legislation to reduce research tax credits. The curb on tax credits when a company has excessive profits applies only to nonresearch credits.

Controlling health care costs and making better health care available to all Americans should be a priority for each Member of Congress, the Bush administration and the public. We all want universal access to health care, quality health care, affordable health care, and health care cost containment for all Americans. It is finding the viable solution that poses the greatest challenge for all of us. Health care providers and the health care industry must join the effort.

As Governor of Nevada, I fought for cost containment on hospital cost increases. I know this health care fight on the national level will be controversial, difficult and time consuming. But it will be easier and accomplished quicker if all of us are willing participants, not obstacles.

Mr. President, I yield the remainder of my time and thank my colleague.

Mr. DASCHLE. I thank the distinguished Senator from Nevada for his excellent statement and his remarks this morning.

I yield the remainder of my time, which is about 6 minutes, to the distinguished Senator from Washington.

The PRESIDENT pro tempore. Five and half minutes are remaining. That time is yielded to Mr. DASCHLE to the Senator from Washington [Mr. ADAMS].

Mr. ADAMS. Thank you, Mr. President, and I thank Senator DASCHLE.

HEALTH CARE REFORM

Mr. ADAMS. Mr. President, I rise today to call on the administration and Congress to enact comprehensive health care reform. We need this legislation. This past December and January, in meeting after meeting throughout the State of Washington, whether it was with seniors, with families, with individuals or groups, the subject of jobs, and the subject of health care emerged as the primary concern for every one of them.

This morning the Congress is taking the first step toward adopting legislation to reform our health care system. The Senate Labor and Human Resources Committee is meeting to pass an impressive comprehensive health care package that will provide all Americans with access to affordable health care. Yet this bill will not go anywhere if the President is not prepared to act. And I am concerned whether he is.

It was not until just recently that the President took the temperature of the country on health care. He finally discovered what Americans and Democrats have been saying all along—that the health care system of this country is ailing. Costs are out of control. Millions and millions of Americans do not have access to basic health care. There are almost 700,000 people in the State of Washington alone who do not have any health insurance coverage, and what is worse one-third of these are children.

Thousands more people in my State are saying to me they are only one job away, either, because of job change or loss, from losing their health care. Health care is tied directly to employment. Workers are afraid to change a job. Afraid to look for something better for fear of losing their health benefits altogether. Health care has become the primary subject in labor negotiations now. Workers are being forced to strike to save their health coverage. So reforming the health care system is not just a health issue. It goes to the fundamental fabric of our society.

In a country as great as ours, that situation is an outrage. It is not that the United States cannot provide the best quality health care in the world. We can. It is not that we do not have the most highly skilled professionals in the world. We do. It is not that we cannot afford to guarantee the right to health care to all Americans. It is we cannot afford not to.

What we do not have is universal health care and any way to control costs. We cannot wait any longer. The state of our health care system is critical. The United States spends more per person on health care than any other country—40 percent more than Canada, 65 percent more than any European country. This year we will spend over $700 billion, over 13 percent of our GNP. We will spend 10 percent more than we did last year. But what did we get? More employers unable to afford health care, more Americans without any health insurance, and more companies cutting back on benefits that they do provide.

This diagnosis, President Bush, calls for more than a Band-Aid. Tax credit and insurance reform are not enough. They do not address the fundamental source of the problem which is skyrocketing costs and lack of access.

What we need is comprehensive health care reform that guarantees access to affordable health care and controls costs. This is the proper prescription for our system's ills, and I urge my colleagues to support Health America when it comes to the floor.

It builds on our current employer-based system. It requires employers to provide coverage or pay into a public insurance system. It guarantees a basic level of care to every American. And it establishes innovative approaches on controlling costs, reforming the insurance market, and guaranteeing the highest quality care possible.

It also allows States like my State, the State of Washington, or other States that may wish to do it, to experiment with their own approach to health care reform.

Senator SIMON and I introduced a provision in Health America which allows States to opt out of the pay-or-play plan and adopt a single-payer Canadian-style plan of their own design.

We think States should be allowed to demonstrate other innovative approaches to test what is best in solving the crisis.

We must act now before American families go deeper into their pockets. Let us enact this legislation that will guarantee Americans quality health care when they need it.

I thank the Chair.

The PRESIDENT pro tempore. Under the order previously entered the Senator from Rhode Island [Mr. PELL] is recognized for 15 minutes.

Mr. PELL. Mr. President, I thank the Chair very much indeed.

THE SITUATION IN THE FORMER SOVIET UNION

Mr. PELL. Mr. President, I recently returned from a 10-day visit to three of the four former Soviet republics currently possessing nuclear weapons—Russia, Belarus, and Ukraine, and to Armenia. I was the first Senator on the scene as the Soviet Union was being abolished and the new republics were attempting to deal with very real and urgent problems. I began my visit less than 1 week after the dissolution of the Soviet Union; on December 30, 11 of the former Soviet republics met in Minsk and agreed on the structure of the Commonwealth of Independent States, and on January 2, while I was in Moscow and then Minsk, price ceilings were lifted on most consumer goods.

Early in this new session, I will be chairing hearings on the START Treaty and dealing with pressing nonproliferation issues, so much of my attention was given to nuclear-related issues. At the same time, I wanted to get a firsthand look at the new leaderships and discuss with them the current problems, how they are addressing these difficulties and how best the Western nations might be helpful in the evolutionary period.

I thought that my fellow Senators might be interested in the observations and conclusions drawn from the trip.

Mr. President, I believe that the issues on the adherence by the new states of the former U.S.S.R. to the START and CFE Treaties can and will be resolved. I was also assured of their commitment to destroy nuclear weapons. I was told by republic officials that the several States would formally adhere to START and CFE, but that details and method of approval have not yet been agreed to. I received the impression that this would occur around midyear. I urged the leaders of Russia, Belarus, and Ukraine to decide the issue and set a timetable as soon as possible. Kazakhstan should do the same.

It is clear that Russia must adhere to the START Treaty, and Kazakhstan must either get rid of its silo-based SS-18's or adhere. Belarus may concur, rather than ratify, since it desires nonnuclear status and its weapons can be removed easily. Ukraine wants nonnuclear status, but does possess silo-based weapons that are subject to the treaty.

Mr. President, regarding the location of nuclear weapons, I was assured that all nuclear weapons, both strategic and tactical, have been concentrated in four republics and are under a single unified command authority. The leaders of all four states with nuclear weapons would have to concur in their use. This decision is a great relief.

Mr. President, I am delighted that Russia has received Secretary Bartholomew and the United States technical delegation to help with the dismantling and destruction of nuclear weapons. This was a congressional initiative by Senators NUNN and LUGAR which I strongly supported. I urged Russian leaders in the strongest possible terms that they get their act together so that the destruction of nuclear weapons, which they agree is in our mutual interest, can begin. In this regard, I welcome Ukrainian leaders' statements that they wanted to receive the United States team as soon as possible. I was also encouraged by Belarusan and Ukrainian commitments that they aspire to become nonnuclear States as soon as possible.

Mr. President, during my meetings with senior officials, I also expressed my concern about nuclear proliferation. In particular, I cited the possibility of unemployed nuclear scientists going to work for rogue states such as Iraq and Libya. The officials I met with share this concern. Russian scientists, supported by France and Italy, have proposed a scholarship program to keep these scientists employed in the Commonwealth of Independent States in projects not involving weapons for other countries. The United States should enthusiastically support this proposal.

Mr. President, my talks convince me that they also are eager to cut nuclear weapons well beyond the limits set by the START Treaty.

The committee's START hearings early in the new session will provide an opportunity to determine how best to proceed to bring about deeper cuts beyond the START limits.

Deeper cuts could solve two critical problems: First, removal of the most threatening remaining systems in the former Soviet Union, and second, facilitating decisions by the Republics other than Russia to become nuclear-free states.

We should also seek ways to bring about these needed cuts faster than the START 7-year period provides. I received the clear impression during my trip that the former Soviet nuclear republics are willing, and even eager, to speed up the process. To do this, we need to look at serious options such as demobilization of weapons, which can be done quickly pending the necessary destruction of weapons.

This is a grand opportunity for American leadership in helping both sides come to grips with the nuclear weapons problem.

The situation in the former Soviet Union—which could lead to diversion of materials or even, possibly, weapons—underscores the importance of tighter controls on nuclear proliferation. Late in the last session, I authored an amendment cosponsored by Senator HELMS to a bill by the Senator from Ohio [Mr. GLENN], the Omnibus Nuclear Proliferation Control Act. Our amendment would apply very stiff sanctions against any nuclear-weapons state that transfers a nuclear device, design information, or components to a nonnuclear weapons state. Sanctions would also apply against any nonnuclear weapons state that receives these items or detonates a nuclear device. The bill, with our amendment, was approved unanimously by the Committee on Foreign Relations. We will press for early Senate approval this year.

Mr. President, on the subject of economic reform, I observed the first days of the freeing of most price controls for consumer goods. I made a point of visiting as many markets as I could to observe food availability and costs. I witnessed no shortages threatening severe hunger or starvation, and indeed, the president of the Russian Supreme Soviet, Ruslan Khasbulatov, stated that predictions of massive social upheaval in Russia this winter are grossly exaggerated; he ruled out the possibility of famine in Russia this winter.

I share that view. As usual, government stores were poorly stocked, but that has always been the case, and the stocks were no sparser than the ones I saw during previous visits in 1982 and 1985. In contrast, the free market stores that have sprung up since 1985 were well stocked with a wide variety of goods. They are very expensive, however, and many people cannot afford to shop there. This situation suggests that there is much that Russia and the other former Soviet States can do for themselves by actions to close the gap between purchasing power and prices of available goods.

Mr. President, while I did not witness any signs of severe shortages or protests over increased prices, I would note that the winter—and the price increases—have only begun. Khasbulatov himself said that food shortages and 11 or 12 percent unemployment are to be expected in at least 15 key Russian in-

dustrial areas this winter, and he expressed great concern about the situation next winter.

It will be difficult for the new democracies to survive if their people perceive that they are worse off than they were when the Soviet Union existed. In 1917, the world failed the emerging Kerensky government. We can't afford to repeat that mistake. Greater privation and further deterioration could set the stage for catastrophe. They need Western help.

I believe that unless the West—Western Europe and the United States—extends the hand of friendship and help to the peoples of the former Soviet Union, the door will be opened to a man on a white horse, a dictator, to take over much as Lenin did when we failed to support Kerensky's moderate revolution over 70 years ago. Democracy is a new, rare and almost esoteric experience for Russians and my view is that if inflation, hunger, turmoil, and chaos render life unlivable, the peoples of the Commonwealth of Independent States will consider democracy a second choice and hold out their arms to welcome an alternative authoritarian law and order regime.

From my observations on the trip, I support the Bush administration initiative to convene an international conference in Washington on how best to assist the new nations in the former Soviet Union to deal with their current economic and humanitarian needs.

In the next few days, I will be issuing a fuller report on my trip. In the meantime, I would like to share with my colleagues the following recommendations that I will be making to the administration:

The United States should monitor closely the humanitarian needs in the new countries of the former Soviet Union and respond with sufficient urgency to any situation that might reverse the democratic trend in Russia and the other former Soviet republics.

The United States should enthusiastically support a proposal made by Russian scientists and endorsed by France and Italy to develop a scholarship program to keep nuclear scientists employed in the Commonwealth of Independent States in projects not involving weapons for other countries.

The United States should press Russia and Kazakhstan on the issue of destruction of nuclear weapons, and should support efforts by Belarus and Ukraine to dismantle their nuclear arsenals and move them to Russia for destruction under international supervision by midyear.

The United States should press the relevant states to set a date for their intended accession to the CFE and START Treaties as soon as possible, and should work with those governments to help them determine the best method of accession to these treaties.

The United States should encourage all states of the former Soviet Union to join the Nuclear Nonproliferation Treaty regime, and should work with the governments of the nonnuclear states and those that aspire to nonnuclear status to determine how they might abide by the treaty without compromising their nonnuclear status.

United States efforts to help the former Soviet Union get through the winter should take into account that although sufficient food supplies may be available, the challenge is to get enough money into the hands of consumers—particularly pensioners and families with children—to buy what is available without generating runaway inflation.

The United States should respond positively and quickly to requests from the leaders of the new countries for technical cooperation and training in areas such as small business development, banking reform, and food distribution. The United States should view cooperation with the new republics in these areas as opportunities to build markets for United States goods, to increase United States output and employment, and to create greater economic and political stability in the former Soviet Union.

The administration should move quickly to establish a permanent diplomatic presence in the capitals of all the newly independent states to which it has committed establishing diplomatic relations. The current situation in which the only United States presence in the former Soviet Union outside Russia—in Kiev—must filter its reporting through Embassy Moscow perpetuates the notion that Russia is first among equals.

The United States should encourage the leaders of Russia and Kazakhstan to revive their mediation efforts on the issue of Nagorno-Karabagh, possibly with a view toward creating a Commonwealth peacekeeping force in Nagorno-Karabagh.

Now that the dispute between Armenia and Azerbaijan is one between two independent countries, the United States should support the efforts of Armenia—which will now have a seat in the General Assembly—to raise at the United Nations the issue of Nagorno-Karabagh and the Azerbaijani blockade of Armenia.

With the breakup of the Soviet Union, Armenian refugees from Azerbaijan, who had previously been categorized as displaced persons within the Soviet Union, should now quality as international refugees. The United States should support the efforts of the Government of Armenia to receive the support of international refugee organizations in addressing the refugee problem.

Now that the Armenian Government—rather than the Soviet Government—is in control of the territory devastated by the December 1988 earthquake, the United States should support efforts to channel assistance directly to the democratically elected Government of Armenia. Rebuilding efforts have been adversely affected by a dropoff in Soviet funding, creating a greater sense of urgency for outside assistance to the earthquake zone.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. The Chair, in his capacity as a Senator from the State of West Virginia, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered. Under the order previously entered, the Senator from Colorado [Mr. WIRTH] is recognized for the remaining time between this moment and 12 noon.

COMMEMORATING THE ANNIVERSARY OF ROE VERSUS WADE

Mr. WIRTH. Mr. President, today is the 19th anniversary of the landmark Supreme Court decision Roe versus Wade, which, as we all know, affirmed in this country the constitutional right of choice. Those who had an unwanted pregnancy, for whatever reason, had the opportunity to make their own decision—in consultation with their family doctor, their family or clergy, or whomever they chose—absent of any State interference.

That fundamental right, Mr. President, has been the law of the land in the United States for the last 19 years, and it is now, as we all know, under significant attack across the country, in our country's courts and by this administration. Yesterday the Supreme Court agreed to hear the Pennsylvania case, and it is my concern that its decision will lead to a further erosion of individual rights. The recent broad attacks on women and their rights in this society is a terrible misfortune. It is time for us, Mr. President, to reaffirm our commitment to these rights, a commitment that is shared by a very strong majority of the citizens in the United States. It is time to reaffirm our commitment to a woman's right to choose—reaffirm our understanding that this is not a decision in which the State, the government at any level, should intervene.

Recently I saw a bumper sticker that pulled together many of my thoughts about this issue and about the choices that women make about themselves and their families. That bumper sticker read, "If you can't trust me with a choice, how can you trust me with a child?"

Though I do not normally subscribe to bumper sticker philosophy, this one seemed to hit the nail right on the head. That bumper sticker is certainly

noteworthy today as we recognize the anniversary of that Supreme Court decision to which I referred to earlier, Roe versus Wade.

This is the decision that held a woman's right to choose to terminate an unwanted pregnancy is a fundamental right protected by the Constitution. Unfortunately, with yesterday's news that the Court will hear the Pennsylvania case, that directly threatens Roe, this may very well be the last anniversary of Roe versus Wade.

Because the right to choose is protected by the Constitution, the 1973 decision in effect removed the patchwork of State laws that often lead to illegal and harmful abortions. It put an end to the butchery and brutal acts that we have all heard about with horror.

Having access to a safe and legal abortion means a great deal to the Colorado teenager who, after being abandoned by her mother as an infant, and being abused by her mentally ill father, spent 15 years running away from various foster homes, and then became pregnant. The woman who is the single mother of four small children and was undergoing chemotherapy after having a mastectomy was relieved to know that she could safely terminate her unwanted pregnancy. The young Colorado woman whose only child is being treated for a severe, life-threatening metabolic disease that necessitates constant dietary and medical monitoring faced the very real fear that her second pregnancy could produce a child with the same condition. Though a difficult decision, it was made easier knowing that a safe abortion was available.

These are the kinds of examples, Mr. President, in my own State, of very real people facing very real decisions. In my own State, Mr. President, the ability of a woman to make the decision herself to terminate an unwanted pregnancy is enormously important, both for her well-being and for that of the whole society. And that right should not be interfered with. Coloradans have fought various threats to this fundamental right but want Federal protection of that right. They do not want to see a patchwork of State laws limiting their options. They want the right to choose to extend far beyond the borders of our own State.

Roe versus Wade guarantees that States, the Government, cannot make intrusive decisions about an individual's health. Because many of us are profoundly concerned that the current Court, in a continuation of its chipping away at women's reproductive rights, will gut this decision. Many of my colleagues and I are supporting the Freedom of Choice Act, which simply codifies the Roe decision. Enacting the Freedom of Choice Act would ensure, no matter how the Court rules, that this fundamental right is protected.

President Bush opposes the Freedom of Choice Act. But President Bush's voice will not stop us from fighting to protect that right. We have that obligation. Nor will we be stopped by Supreme Court decisions. Because the Court has clearly shifted to the point where it appears a majority of the Justices will not support the right to choose, we must push on as legislators, both in trying to pass bills and letting our opinions be heard by the Court.

I and several other Members of the Congress will be sending a friend of the court brief to the Court reaffirming the precedent established by the Court in 1973. While I would like to believe our efforts will help to uphold Roe, legislation will likely be our best recourse.

For 19 years we have entrusted women to make thoughtful and responsible decisions about their own lives. Nothing, absolutely nothing, has transpired during that time that should make us change that commitment. We live under the same Constitution. The only thing that has changed is the politics of this administration and the membership of the Supreme Court. Should the Court fail to protect these individual rights, we have an obligation to step in, once again, and reestablish those rights.

The right to choose is enormously important. It is not a right for a fringe group. It is a right that 3 years ago, in that marvelous march up Pennsylvania Avenue, brought hundreds of thousands of American women and men, Republicans and Democrats, rich and poor, to their feet to take back the issue of choice as an American issue. We have an obligation to these people to reaffirm that.

On that day I marched with my daughter, my wife, my sister-in-law, my mother-in-law, as part of that demonstration of what is the right thing.

Those who would argue that the State should get off everybody's back should not get involved in anybody's business, should examine that very rhetoric as they think about this issue. Saying get the Government off my back in one instance should certainly hold when it comes to personal decisions. We cannot allow the Government to get into the most important and private decision that individuals make—it is demeaning, it is wrong, it does not respect individuals as we should in this great country.

Mr. President. I yield 4 minutes to the distinguished Senator from California [Mr. CRANSTON].

The PRESIDENT pro tempore. The Senator from California [Mr. CRANSTON] is recognized for 4 minutes.

ANNIVERSARY OF ROE VERSUS WADE

Mr. CRANSTON. Mr. President, today marks the 19th anniversary of Roe versus Wade—the landmark decision guaranteeing freedom of choice in matters relating to abortion.

The Supreme Court in Roe recognized that a woman's personal decision whether or not to bear a child is a fundamental right protected by the Constitution of the United States and restricted the power of Government to interfere with the exercise of that right.

For nearly two decades access to safe, legal abortions has been protected for those women who make the decision to terminate a pregnancy. Today, tragically, Roe versus Wade and freedom of choice hang by a thread.

Over 2 years ago, the Supreme Court sent a shockwave through the country when it handed down its decision in the Webster case. In Webster, the Court signaled its willingness to apply a less stringent standard of review to State restrictions on a woman's right to an abortion. It extended an open invitation to State legislatures to begin meddling with the rights of women making these difficult decisions. The result can be seen in regressive legislation enacted in Louisiana, Utah, Pennsylvania, and Guam.

Yesterday, the Supreme Court announced that it will hear a case which directly challenges whether Roe versus Wade continues to be the law of the land. That decision brings us another perilous step closer to seeing Roe versus Wade overturned by a Court now dominated by Justices selected by the Reagan-Bush administrations.

Mr. President, the vast majority of Americans support the right of an individual woman to make her own decision regarding whether or not to terminate a pregnancy. They believe that decisions regarding abortions are deeply personal, profound matters best made by the individual woman herself, guided by her own personal beliefs and convictions, free from Government control or interference.

If American women can no longer look to the Supreme Court to protect and preserve fundamental rights and liberties, then the burden will shift to Congress. Just as Congress enacted legislation responding to the regressive civil rights decisions handed down by this Court, Congress can and must act to restore the rights secured by Roe versus Wade.

Last year, I introduced bipartisan legislation, the Freedom of Choice Act, which would prohibit States from enacting legislation which would violate the principles established in the Roe decision. Congress has the clear power under section 5 of the 14th amendment to enact legislation necessary to protect rights and liberties of citizens. The Freedom of Choice Act would codify Roe versus Wade as Federal law.

Mr. President, a poll released yesterday indicated that nearly 7 out of 10 voters, both men and women, would support passage of the Freedom of Choice Act if Roe is overturned.

The American people believe in and support individual freedom. We neither want nor need government by "Big Brother." Nor do we want to see the

clock turned back and a return to the days when unskilled, illegal abortionists preyed upon desperate women.

Abortion is a very emotional and controversial issue. There are strong feelings on both sides, often based upon deeply felt convictions and beliefs. The issue, however, is what role should Government play in these decisions. I, and the cosponsors of the Freedom of Choice Act, believe that women, not Government, should make these profoundly personal decisions.

If the Court refuses to reaffirm the holding in Roe, we will seek to restore freedom of choice through this legislation. I and other Members of Congress will not stand by idly while the Reagan-Bush Supreme Court strips away individual liberties.

Mr. President, I yield the floor.

Mr. WIRTH. Mr. President, I yield 5 minutes to the Senator from Washington.

The PRESIDENT pro tempore. The Senator from Washington [Mr. ADAMS] is recognized for 5 minutes.

NINETEENTH ANNIVERSARY OF ROE VERSUS WADE

Mr. ADAMS. I thank you, Mr. President, and I thank the Senator from Colorado for yielding his time.

Mr. President, 19 years ago today, the Supreme Court handed down its decision in the case of Roe versus Wade.

The Court announced that the U.S. Constitution—the highest law in the land—protects a woman's right to decide whether to end a pregnancy.

That decision was notable Mr. President. The Court said that a woman's right to decide is a fundamental right—and only after the "strictest scrutiny" could the Government interfere with a woman exercising that right. Justice Harry Blackmun, writing for the majority, called the decision "a landmark of liberty."

Mr. President, I can barely recognize that landmark today. Roe versus Wade has been eroded bit-by-bit. Worn down by onerous restrictions. Restrictions that neither meet the test set up in Roe. Nor standards of fairness and equality that our country stands for. Nor are in the interest of the women the Court sought to protect 19 years ago.

How did this happen?

The Reagan-Bush administrations have transformed the Court. It is no longer a beacon of light. It is a dark shadow of its past.

It has become a revisionist Court—in the worst way. Rewriting constitutional history to fit its politics. And tearing at Roe, case by case.

It's no secret that the Court is poised to overturn Roe one way or another. I will join in the amicus brief asking the Court to reaffirm Roe.

The tragedy is women in this country are about to lose their right to choose—a right that amounts to equality. They will be consigned to the shadowy past of dark back alleys. To illegal abortions. Forced pregnancies.

The Court cannot be allowed to be the last word on the right to choose.

One thing is clear. Any decision in the Pennsylvania case short of reaffirming Roe will be tantamount to overturning the Roe decision.

Congress must take up the fight to protect a woman's right to choose to terminate her pregnancy. It must reject the Court's political agenda. And it must pass the Freedom of Choice Act if the Court does overturn Roe. I pray that it does not. Too much is at stake in our country.

I yield back my time to the Senator from Colorado.

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

The PRESIDENT pro tempore. The absence of a quorum has been noted. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The time under the previous order has expired.

Mr. WIRTH. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia be granted 10 additional minutes.

The PRESIDENT pro tempore. As under the previous order?

Mr. WIRTH. As under the previous order.

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

The Senator from Virginia [Mr. ROBB] is recognized for 10 minutes.

ROE VERSUS WADE

Mr. ROBB. Mr. President, I am pleased to rise today to join him and many others in celebrating the 19th anniversary of the Supreme Court's ruling in Roe versus Wade.

I have studied, as most of my colleagues have, this case very closely. In fact by the time this landmark decision was handed down January 22, 1973, I had completed almost a decade of active duty in the U.S. Marine Corps and was at that time finishing law school at the University of Virginia in Charlottesville.

Just a few months earlier in a moot court exercise my team had been assigned the task of arguing against extending the right to privacy embodied in the 14th amendment of the Constitution to a woman's right to choose whether to continue a pregnancy which, of course, was the eventual holding in Roe versus Wade.

In preparing my side of the case, I delved in great detail into the strong moral and ethical issues involved in this debate, and I developed genuine respect for those who believe very deeply that abortion is wrong.

But while the issue of abortion continues to remain a very painful one for me, I came to a conclusion very different from the one I had been assigned to argue in that moot court. After all, Mr. President, a moot court is simply that. It is moot. It is an academic exercise to test an individual's skills of advocacy. But Roe versus Wade has real effects on real people and debating it is not a mere intellectual exercise. Lives, in this case, truly hang in the balance.

After considering the question then pending before the Court in Roe, and the decision it ultimately rendered, I concluded that the Government's right to interfere in the decision on whether a woman chooses to continue a pregnancy ought to be limited to the guidelines established under Roe. At least during the early stages of pregnancy, this difficult and emotional issue, in my judgment, ought to be left to the individual woman involved—and her conscience. And since winning my first statewide office in Virginia in 1977, I have acted on that belief.

I have consistently supported, and I continue to support, a woman's right to choose.

During my tenure in the Senate I have been an original cosponsor of the Freedom of Choice Act which would codify Roe versus Wade. Yet, on this anniversary of the Court's decision upholding a woman's right to choose, there are ominous signs on the horizon.

First, it continues to trouble me greatly that our Government has denied some Americans the rights properly enjoyed by others. By executive decree we have made it impossible for women serving our Nation in the armed services, as well as female spouses and dependents of male servicemen, to receive safe, privately funded abortions in American military hospitals overseas.

There should not be two classes of Americans, those with rights and those without rights.

In the same vein, I am saddened that our Federal Government has succeeded in preventing the District of Columbia from funding, with its own tax dollars, abortions for poor women under any circumstances. And I disagree fundamentally with the Supreme Court decision upholding in Rust versus Sullivan the implementation of the gag rule which has the effect at least of making ignorance America's public policy.

Yesterday, as has been mentioned several times on this floor, the Supreme Court agreed to reconsider the Pennsylvania Abortion Control Act which includes a host of State-imposed restrictions.

If the Court uses the Pennsylvania case to significantly weaken or reverse Roe versus Wade, it will be a very sad day for individual freedom in America.

If that day comes Congress will have no choice, in my judgment, but to rally

behind Federal legislation to codify Roe versus Wade.

Today on the 19th anniversary of this landmark case we can recommit ourselves to joining the majority of the American people in seeking to continue to recognize and protect our privacy and to keep Government out of our bedrooms and out of our doctors' offices when it interferes with our right to privacy.

I will meet today with many of my constituents from Virginia who are participating in the National March for Life. They will be unalterably opposed to my position on choice and particularly my cosponsorship of the Freedom of Choice Act. Based on past experience, no matter how I explain my point of view, I will not change a single mind. Fifteen years of emotional meetings with opponents of Roe versus Wade have not changed my mind. But I respect the depth of their conviction and will continue to meet, knowing the outcome in advance.

However, I plan to also challenge my constituents who participate in the March for Life to expand their agenda to include other important goals. Those who care for life, it seems to me, must join in a consensus to combat poverty. Those who care for life, it seems to me, should enthusiastically assist in creating a strategy to strengthen American families.

We can and we should argue the merits of Roe versus Wade. But when we debate the beginning of life in our society, it seems to me that we have a responsibility to debate the "caliber" of it, and to work to improve it as well.

Both sides of the choice debate should favor full funding for WIC. Both sides should demand better health care and improved education. In this way I believe that every American can truly show a real commitment to life.

Mr. President, I thank you. I thank my colleague from Colorado for yielding me this additional time. I yield any time remaining at this point.

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

The PRESIDING OFFICER (Mr. WOFFORD). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. 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. DOLE. Mr. President, was the leader time reserved?

The PRESIDING OFFICER. Yes. The Senator has 10 minutes reserved.

THE RELEASE OF HOSTAGES

Mr. DOLE. Mr. President, much has changed in America and around the world since we last met here the day before Thanksgiving.

And before we begin debating the critical domestic and foreign policy challenges facing our country, I wanted to take a moment to call attention to one change in which we can all rejoice.

America's hostages are free. The Christmas season brought with it gifts we have long prayed for—the release of Joseph Cicippio on December 2, after over 5 years of captivity; the release of Alann Steen on December 3, after nearly 5 years of captivity, and finally, on December 4, the release of Terry Anderson, after 2,455 days of captivity.

They joined in freedom 10 other Americans who had also been held hostage, and who also form a rollcall of courage.

The Reverend Benjamin Weir: kidnaped, May 8, 1984. Freed September 9, 1985.

Jeremy Levin: Kidnaped, March 7, 1984. Escaped, February 14, 1985.

The Reverend Lawrence Martin Jenco: Kidnaped, January 8, 1985. Freed, July 26, 1986.

David Jacobsen: Kidnaped, May 28, 1985. Freed, November 2, 1986.

Charles Glass: Kidnaped, June 17, 1987. Escaped, August 18, 1987.

Robert Polhill: Kidnaped, January 24, 1987. Freed, April 22, 1990.

Frank Reed: Kidnaped, September 9, 1986. Freed, April 30, 1990.

Edward Tracy: Kidnaped, October 21, 1986. Freed, August 11, 1991.

Jesse Turner: Kidnaped, January 24, 1987. Freed, October 21, 1991.

Thomas Sutherland: Kidnaped, June 9, 1985. Freed, November 18, 1991.

In the days following their release, these courageous men told of how they and other Western hostages persevered through inhumane conditions and brutal beatings. And they stated how glad they were that America never lowered itself to pay ransom, and never consented to any of the kidnapers' demands.

The American people owe their gratitude to Javier Perez de Cuellar, who worked tirelessly for the release of the hostages in his last weeks as U.N. Secretary General.

And, of course, I think I speak for all the Members of this body in saluting Peggy Say, all the families of the hostages, and people and organizations such as Carmella Laspada and No Greater Love, who never forgot and who never gave up hope.

And while our prayers have been answered, our work is not done. Two German relief workers are still held hostage in Lebanon. And, we must remember that two Americans—William Buckley, and Rich Higgins—made the ultimate sacrifice.

It is my belief that those who held hostages are international terrorists and murderers who should be brought to justice.

Mr. President, I reserve the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SANFORD). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I understand that we are waiting for other Senators to come forward on the health care debate, and I understand I will not be taking time away from other Senators if I speak now. I ask unanimous consent to be able to proceed as in morning business.

The PRESIDING OFFICER. The Senator has that privilege.

ISRAELI LOAN GUARANTEES

Mr. LEAHY. Mr. President, I have had a number of questions from Senators about the Israeli loan guarantees and when the foreign aid bill might come up this year.

As the Presiding Officer knows, I held that bill up last year. We had a dispute over two issues: Whether and how much foreign aid we should give to what was then the Soviet Union and, of course, the Israeli loan guarantees. So I withheld the bill for a period of time.

As a way of answering those Senators who are asking when foreign aid will come up, when the subcommittee might act, I would like to speak to the Senate for a few moments on that topic.

Primarily, the timing revolves around the issue of Israeli's request for loan guarantees to help absorb immigrants coming from the former Soviet Union. In my capacity as chairman of the Foreign Operations Subcommittee, I would like to speak about how I expect the process to unfold over the next few weeks. If I might, I would like to summarize, first, the procedural situation.

The Foreign Aid Program is now operating under a continuing resolution. The continuing resolution runs out on March 31 of this year. It is my intention, and certainly my fervent hope, that the foreign aid appropriation for fiscal 1992, which has to be enacted by March 31 if it is going to replace the continuing resolution, will also be the vehicle for absorption loan guarantees to Israel.

That assumes the President and Congress can agree on acceptable terms and conditions for those loan guarantees. Indeed, to provide a vehicle for the guarantees is why, after I had discussions last fall with the President, and after I had consulted with the leadership in the Senate and the chairman of the Appropriations Committee, I postponed consideration of the fiscal 1992 foreign aid appropriation.

It is my judgment, shared by others, that postponement was necessary.

One thing should be clear to all Senators, Mr. President. Without an ac-

ceptable loan guarantee package, I see no way there can be a new foreign aid bill. Even with the loan guarantees it could be impossible to get a foreign aid bill through Congress. But without the guarantees, I just do not see how you can get a foreign aid bill through both Houses.

Now, if we do not get a bill through, what happens? In all likelihood, there will be an extension of the current continuing resolution for the rest of the fiscal year, probably with a few adjustments but nothing of a great policy nature.

I want to make it clear to everybody on both sides of this issue of Israeli loan guarantees that I do not intend to give a foreign aid blank check drawn on the American taxpayers to any country for any reason. I will not support any foreign aid bill which does that.

Those who want the loan guarantees without any conditions on them, frankly, are fooling themselves. I will do everything possible to block such a move.

As many Senators know, in a statement to the Senate last October 2, I outlined some principles or elements of an approach which I believe could be a basis for the solution of this whole issue of the Israeli loan guarantees.

The problem posed by Israel's request for these guarantees is obvious to anybody who reads the papers. It is Israel's insistence on expanding settlements in the occupied territories. U.S. policy through every single Presidential administration—Republican and Democrat—since the time of Lyndon Johnson has been to oppose settlements as an obstacle to peace. If we are going to provide this assistance to Israel, we have to find a way to do so in a way that does not contradict or undermine the American position shared by Republican and Democratic Presidents alike.

The approach I have suggested has three basic elements:

One, the amount of loan guarantees approved in the first year should be limited to no more than $2 billion. In other words, we should not approve $10 billion in that first year.

Second, there should be conditions requiring significant economic reforms in Israel, both to enhance its ability to absorb the immigrants and to strengthen its capacity to repay the loans so that the American taxpayer does not have to step in in the case of a default.

Third, the amount of the loan guarantees provided Israel in the first year should be reduced by whatever the Israeli Government spends to expand its settlements in the occupied territories.

Unless you have this dollar-for-dollar reduction, it can be said that with the loan guarantees the American taxpayers would be underwriting settlements that are contrary to our Government's position. I cannot support that. I will not support that. We must have a way that if Israel continues to increase these settlements, they will lose American aid; they will lose guarantees on a dollar-for-dollar basis for whatever they spend to increase settlements.

Obviously, behind these principles lie some very difficult issues to resolve. What I have laid out are some general principles for a solution.

As has been said so many times before, the devil is always in the details. The details will be very difficult. I anticipate there are going to be some tough negotiations between Congress, the President, the Israelis, the Secretary of State, and others on the guarantees as well there should. I do not know how long those negotiations are going to take, but I would hope that the administration, the leaders in Congress, and the Israelis understand we do not have very much time. We also have an issue on the question of how much aid will go to the former Soviet Union. The President has made certain recommendations about aid to the Commonwealth of Independent States.

Our allies are making other recommendations. The republics themselves, in the former Soviet Union, are asking questions of us about what they might receive. This is also a contentious issue and it will take time to resolve.

On the Israeli loan guarantees, if we do not work out a solution within a very few weeks at most—and I do not want to understate for anybody how difficult this could be—I do not see how we can complete work on new foreign aid appropriation before the current continuing resolution expires on March 31.

Mr. President, discussions on the Israeli loan guarantee issue will begin very soon between the administration, the Israelis, and other Senators in both parties. For the last few weeks many Senators have expressed strong interest in the approach I have suggested. Many Senators on both sides of the aisle told me that they see my approach as the basis of a compromise solution which would allow the United States to help Israel in a great humanitarian endeavor while making our aid compatible with the longstanding American policy regarding the settlements.

I hope that in the end there is going to be a compromise along the lines I have suggested, a compromise that will allow the loan guarantees with acceptable terms and conditions to go forward.

It is manifestly in the interest of all parties to avoid a confrontation that would only damage, perhaps profoundly, Israeli-American relations without advancing the cause of peace. I assure all Senators I will be working as hard as I can over the next few weeks to reach that compromise outcome. The time is short. We either work this out in the next few weeks or we will probably not be able to do it. It is as simple as that.

I hope that everybody, wherever they are on this issue, will forget the rhetoric, forget the debating points, forget trying to score political points with one side or the other, and sit down and look at reality. There are refugees who need help. I think it is a fantastic thing that any country will say, whether you are old, young, sick, poor, rich, you can come in and we will provide for you. I think the United States feels strongly in favor of that.

At the same time, as an American, I strongly oppose, as every President has since Lyndon Johnson, Israel's program on settlements. And I will fight against having American dollars go for that. There is a way to deal with both issues. There is a way to help the humanitarian needs of refugees that have come from what was the Soviet Union, from Ethiopia, or from anywhere else.

At the same time, we can also make it very clear, probably more definitively than at any time in the history of our Foreign Aid Program, that the United States means it when it says it cannot support Israel's settlement policy. We can make that position very clear in the way we handle this issue.

I said earlier that American foreign aid should never be given as a blank check to any country. In saying that, I do not single out just Israel. I say the same thing about foreign aid to what was the Soviet Union or to Central America or anywhere else. We do not have unlimited resources in this country. In fact, at the time of recession, we have greatly limited resources. We simply cannot say to the countries of the world that the United States will send you a check and you can do whatever you want.

So for those who have asked when this will come up, I hope I have given you somewhat of an answer. But I would also urge now the key parties involved to sit down and negotiate a compromise acceptable to all of us, just as I would also urge the parties involved in the question of aid to the former Soviet Union to do the same.

Obviously, having spent trillions of dollars during the cold war, we know that the struggle is not yet over. There are steps we must take to make sure that the cold war indeed is over. Again, foreign aid is a tool we are going to have to use for that goal. But it is also a tool that requires that we sit down now, not with bells and whistles and political statements, but with a hefty and a sobering dose of reality, and work out agreements on these issues very, very soon, certainly within the next few weeks. At that point my subcommittee will be able to bring up the foreign aid bill for the full committee and the Senate.

Mr. President, I thank the Senators who may have been waiting to speak. I

appreciate the courtesy of being allowed to make these remarks at this time.

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. RIEGLE. 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. RIEGLE. Mr. President, I ask unanimous consent to proceed for 20 minutes as if in morning business.

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

The Senator may proceed.

Mr. RIEGLE. I thank the Chair.

(The remarks of Mr. RIEGLE pertaining to the introduction of S. 2145 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. BINGAMAN). The Senator from West Virginia is recognized.

HEALTH CARE REFORM

Mr. ROCKEFELLER. Mr. President, George Bush has the great fortune to be President at a moment when the American people and both Houses of Congress are ready to transform our health care system.

We are united behind the idea of overhauling a system that every year serves fewer people at a greater cost.

Today, the Senate Labor and Human Resources Committee is scheduled to mark up S. 1227, the proposal for health care reform that Senate Democrats developed with the leadership of our majority leader. I am one of the proud and committed sponsors of this bill.

It is a detailed blueprint that lays out the steps for revamping our health care system—for building a stable system that will provide good, affordable health care for every American.

President Bush would profit from a close inspection of the provisions of this bill.

Because next Tuesday, in his State of the Union Address, the President has an opportunity to begin a health care revolution which will save dollars and lives, and benefit tens of millions of Americans—workers and employers, parents and children—for years to come.

I have no doubt that, over the past weeks and even as I speak, dozens of aides and experts, policy and political people, legislative and budget analysts have been working intensely to agree on a major health care proposal by Tuesday night.

Today—and I say this to George Bush and his aides—I suggest a simple commonsense test for any health care proposal.

Last month, I listened to the gripping testimony of Mrs. Ray Quinelly at a hearing that I participated in with our majority leader, Senator MITCHELL and our colleague, Senator FOWLER of Georgia.

Mrs. Quinelly told us that her husband, a researcher for 10 years at the Center of Urban Research, was laid off in 1990. A year after that, their health insurance expired.

Today, the costs of treating their asthmatic son are on the verge of overwhelming them financially: their young boy's illness may end up costing them their house.

The test: If a Presidential health care initiative cannot keep the Quinelly's son healthy, without costing the Quinellys their savings and their home, it flunks. It needs to be sent back, and the administration should start over again.

Mrs. Connie Wells—who testified at a hearing we held in Tampa, FL—and her husband Bob, have four children, three with chronic medical needs. Forced to auction their family farm in Michigan, they spent down their life savings to qualify for Medicaid.

Although Mr. Wells is now employed by the State of Florida, he needs to keep his income low enough to qualify for Medicaid and Florida's Children's Medical Service—without which the Wells could not afford their children's care.

Despite his low wage, and despite assistance, the Wells pay $2,000 a year out of their own pockets for health care.

If the Bush proposal cannot bring treatment to the Wells' children; if it cannot end the penalties for economic success and personal advancement; if it cannot keep other families from losing their farms, it flunks. It needs to be sent back.

A machine shop worker in my home State of West Virginia—whose employer had paid two-thirds of his health care coverage for years—lost his workplace coverage last year. His small business employer could no longer afford coverage for the dozen or so workers in the shop. He got a letter from his old insurer though—they were willing to take him on. At $920 a month.

Frankly, there are a tremendous number of people in West Virginia and across the country who do not take home $920 a month.

And unless George Bush is ready to propose a way to keep insurance affordable and available to hard working West Virginians, I am going to lead the fight to send his plan back to the drawing board.

It is time to abandon symbolism and abstraction, charts, and projections. Outside this building, there are millions of people living nightmares or facing wrenching futures. They are counting on us and our President.

Any reform plan that cannot bring real relief to them is a cruel hoax—nothing but a placebo for a terminal system.

We have an opportunity. Like many Americans, I hope and pray that George Bush is ready to lead a revolution for a true health care solution.

If he does that, this Senator and the rest of Congress, on both sides of the aisle, will work with him with all our might. But if he does not, if his proposal fails the test, he will be pushed aside and the people will lead. They are ready.

I thank the Chair. I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I want to express, certainly, my appreciation for the excellent statement that the Senator from West Virginia has just made. I think all of us in this body know that he served as the chairman of the Pepper Commission as did our good friend from Minnesota, Senator DURENBERGER, myself, and others. And he has been a tireless advocate in terms of the availability of health care that is going to be quality health care, effective cost controls, and has had a very special interest not only in that aspect of the health care crisis but on long-term care.

Earlier today when we passed out the Health America legislation, of which Senator ROCKEFELLER is an original cosponsor and has been involved in the shaping and the fashioning of that legislation as much as anyone in this body, there were many questions about where we were on long-term care.

I had indicated to the membership that Senator ROCKEFELLER, as well as the majority leader, was in the process of shaping and fashioning a long-term proposal that was going to reflect the very extensive knowledge of the majority leader on this type of legislation. He has introduced other legislation on long-term care in the past that also reflects the experience of the chairman of the Pepper Commission.

I think all of us who are involved in health care reform recognize that the issues to be resolved include access to health care, quality of health care, getting control of health care costs, and providing for long-term care.

I was impressed in the discussion and the debate that there were very few members of the panel that did not have a personal experience on long-term care. I have a mother that is 101 years old. We have been able to take care of her, and she continues to be an inspiration to all of her children and to her grandchildren and great grandchildren. Also, my father was able to stay home after a very serious heart attack for some 8 years before his death.

This is something which is a matter of enormous concern to Americans, and I just want to remind the Senate as we have been focusing on the health care issue today how all of us are indebted to the Senator from West Virginia, who has done such an able job.

Mr. ROCKEFELLER. Mr. President, if the Senator will yield, I would like to point out that standing on the floor now, the Senator from Massachusetts and Senator DURENBERGER, from Minnesota, is the exemplification of the spirit that I hope is going to pervade over those coming months on health care.

Both Senator KENNEDY and Senator DURENBERGER have been experts on health care for decades and know far more than certainly this Senator and virtually everybody else in this body.

There is a power in the chairman, Senator KENNEDY, and Senator DURENBERGER and others, people of good will and long experience and fierce determination to make a health care system that will work.

Mr. DURENBERGER addressed the Chair.

THE PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. DURENBERGER. Mr. President, I rise for the purpose of wanting to express on this side of the aisle appreciation to the Senator from West Virginia for his leadership in the area of health care. We all served with him on the Pepper Commission.

This morning, as the Senator from Massachusetts indicated, we liked phase 2 of the Pepper Commission report in the Labor and Human Resources Committee. The end result was about the same. In the Pepper Commission we had an 9-to-7 vote. In the Labor Committee this morning we had a 10-to-7 vote. That indicates that there is a substantial difference in how to go about resolving the problem in America today.

But the good news, I think, is that on one side of this issue for too long have been those who said, "Let us do something," and the other side have been the people who said, "Do not do anything." I think the contribution that our colleague from West Virginia, Senator ROCKEFELLER, has made to this entire debate is to the "do" side. It is no longer America, it is no longer ethical, moral, or anything else you want to characterize it, to do nothing about the cost of the consequences to the health of Americans in this body, in this Congress, in this town, or anywhere else in America.

I told my colleagues, along with the Senator from West Virginia, who is still here, this morning as we were in the process of the markup that I had been lucky while I was home visiting, lucky two ways; one, I, at my age, still have two parents living. They are both in their eighties. And I was visiting them during the holidays. I was lucky enough to turn on a channel and catch the national and New Hampshire debate by the Democratic candidates.

I watched through the whole thing as only an interested participant can. And at the end, one of my parents asked me, "Well, which one of those do you think should be President or the best Democratic candidate for the President of the United States?" I said, "JAY ROCKEFELLER." Unfortunately, he has decided to carry his leadership on the issue outside of that.

But I do not think today of a better way to pay a compliment to my colleague from West Virginia than that. That is the way I feel about him. That is the way I feel about his leadership on the issue.

I think we have all said this about the Senator from Massachusetts because we have all learned on his curve.

While we disagreed by 10 to 7 this morning and we disagreed by 8 to 7 a year and a half ago on the way to go about it, there is no disagreement on the floor of the Senate today with our colleague's comments about the role the President of the United States needs to play as well. I trust and I hope and when I pray I will pray that in the State of the Union we may see his leadership join in the fray as well.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that I might proceed for 4 minutes as though in morning business.

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

Mr. DURENBERGER. I thank the Chair.

(The remarks of Mr. DURENBERGER pertaining to the introduction of S. 2146 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

INTERNATIONAL ORGANIZATION FOR MIGRATION

Mr. KENNEDY. Mr. President, during the congressional recess an extraordinarily important conference was held in Geneva—the 63d session of the Council of the International Organization for Migration [IOM].

Today global migration is being recognized as one of the major international issues before the world community. The movements of people—migrants, refugees, workers, famine and disaster victims—are visible in every region of the world, and they increasingly pose serious humanitarian, legal, and foreign policy problems.

Playing a crucial role in this emerging issue is the International Organization for Migration, which last year celebrated its 40th anniversary. Over these many years, the United States has played an active and constructive role in the work of IOM, and I am pleased the administration continues to do so. It has also had the strong support of the Congress.

Mr. President, the challenges IOM and the international community face today in the migration field were thoughtfully reviewed in the opening statement of IOM's Director-General, Mr. James Purcell.

I would like to share his excellent statement with my colleagues and readers of the RECORD, and I ask that it be printed at this point.

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

[International Organization for Migration 63d Session of the Council, Geneva, November 26, 1991]

STATEMENT BY THE DIRECTOR GENERAL, MR. JAMES PURCELL

Mr. Chairman, distinguished delegates, ladies and gentlemen,

1. Let me take this opportunity first to congratulate the newly-elected Bureau, beginning with yourself, Mr. Chairman. The experience you bring to this task, and the support you have from a highly qualified Bureau, provide the certainty of an efficient and productive session. You may rest assured that you will have the fullest co-operation of the Administration throughout.

2. To the outgoing Bureau, I express my deep thanks. A special debt of gratitude goes to Ambassador Gonzáles Arias for his time, patience and understanding in preparing for and guiding the deliberations not only of the last regular session, but also the special session held last month.

3. Mr. Chairman, ladies and gentlemen,

4. The historical experience of most countries represented in this room shows that migration can contribute mightily to nation building, to economic growth, and to social and cultural advancement. That is also IOM's experience, born of 40 years' work. How ironic, then, that in recent months, all one seems to read about or hear about is the "problem" of migration. Is migration really the ticking time bomb that so many fear?

5. Clearly, growing numbers of persons are on the move. There are those who are compelled to migrate owing to persecution or conflict. There are those who choose to migrate, seeking new opportunities or broader horizons. And, increasingly, there are those who migrate out of desperation—to leave behind conditions of poverty, stultifying economic and political regulation, or spreading environmental degradation.

6. The visibility of migration is also magnified by broader media coverage. And migration is creating problems—objective problems—in economic, social and cultural terms in many places. The result is, at best, an uneasy uncertainty as to how to address this new reality. At worst, it is a reaction of near hysteria.

7. Increasingly, this worst of all reactions—near hysteria and panic, rising xenophobia and racism—threatens stability. Now—before the situation gets worse—is the time to step back. To consider the real issues. To identify workable and constructive migration solutions.

8. Solutions do exist. Refined and put into place in time, these solutions can ensure that migration—planned and orderly—will again be the essentially positive force that it has been in the past.

9. In today's public debate on migration, much of the fear and uneasiness may well be attributable to the feeling that no one is in control. Who crosses a border, who stays once the border has been crossed and who goes back home, seem more the result of chance than of process. When unemployment, underemployment and/or painful structural adjustment are deep concerns in nearly every region of the world, an immigration system out of control—or the perceived lack of any immigration system at all—will inevitably generate fears. And the fears will, equally inevitably, generate calls

for closing borders. But we already know that this is not the answer.

10. The migration phenomenon we face today is not the same one we faced forty, fourteen or even four years ago. As a matter of priority, we need to analyze and better understand current migration, as well as to anticipate better the migration of the future. Here, I believe that the number of conferences, workshops and studies being undertaken in academic, governmental and intergovernmental fora is promising. It is a field where IOM also must be—and is—increasingly active.

11. The sooner we reach a better understanding of the causes and consequences of migration in today's world, the sooner we will be able better to disaggregate current migratory flows into: first, those which inevitably will take place and must be dealt with; second, those that are desirable and should be fostered; and third, those that should not occur and whose root causes must be addressed quickly and seriously.

12. IOM is committed to pro-active participation in this process of fostering clearer understanding. One contribution is the document prepared for the fortieth anniversary of the Organization, and distributed to you today. This first monograph will be followed by others to be published in IOM's quarterly *International Migration* over the course of the coming months. Our aim is to provide a substantive addition to the literature available to the migration community as it grapples with the issues and devises solutions.

13. But clearly, studies and discussion alone will not solve the real migration problems of today, or prevent the migration problems of tomorrow. There is a need for action. Action to disseminate realistic information about migration prospects and realities, including information about permanent immigration possibilities, so that those who should never move, will not, and those who could qualify for permanent legal immigration will be aided in doing so. Action will be needed to create temporary migration schemes, when required, tied to orderly return migration. Action to promote income generation and job creation in source countries, including through well-conceived return migration schemes, to further development and stem future migration. And, finally, action to achieve greater harmonization and, yes, discipline in the immigration procedures of receiving countries. These are areas where IOM is either already at work or far along in planning appropriate programme responses. We are operationally well experienced and well placed to do so.

14. On the world's migration agenda, two major trends are likely to dominate: increased East-West migration, and further accentuation of present South-North flows. I will, for the purposes of this statement, concentrate on the common elements of these two phenomena. I recognize, of course, that there are significant differences—not least in population growth rates—which would need to be addressed in a more in-depth discussion.

15. As a first comment on the characteristics of both flows, it is noteworthy that in the industrialized countries at least, the proportion of irregular migrants presenting claims for asylum appears to be registering a general and continuous increase. At the same time, acceptance rates on asylum/refugee grounds have shown a general and continuous decline. Clear cases of individual persecution or human rights violation aside, the root causes of the vast majority of irregular movements appear largely economic. They often stem from widening disparities in income levels, insufficient job generation, and/or economic adjustment leading to increased unemployment or underemployment in the short term. There undeniably are also political elements, such as civil unrest, influencing many individual decisions to migrate. These elements must be factored into any solutions devised for specific situations, particularly if the solution is return migration.

16. Clearly, migration is not the answer to all the problems I have listed. Large-scale migration is not and cannot be the solution to world poverty. At the root, only increased job generation and sustained economic development in those countries currently providing the vast majority of migrants—and especially irregular migrants—can solve the problem. But until that longer-term goal can be achieved, solutions for many people caught up in irregular migration flows, especially those not qualifying for refugee status, will include assistance in the orderly return to their countries of origin.

17. However, it should not be forgotten either that in not so distant times of dislocation in Western Europe, outward migration helped alleviate potentially significant economic and social difficulties. This was one of the very reasons IOM was created. As was the case than, migration should be seen now as one of the elements in a pragmatic solution.

18. In this sense, and if planned outward migration is to play such a role in today's world, it should include two components. The first should be short-term, linking temporary migration to projected economic growth and/or restructuring in regions of origin, and including elements of training or skills upgrading as needed. Such temporary migration would thus relieve short-term pressure on economies in readjustment, while being clearly linked to return migration and reintegration. The second component would be permanent or semi-permanent migration. Both would require clear identification of sectors or professions in sending areas experiencing oversupply, and corresponding identification of needs or likely absorptive capacity in potential receiving areas. Increased temporary and permanent migration opportunities would probably need to be made available, in both traditional and non-traditional receiving countries, to address current demand more realistically. If such migration solutions were available, it would not be necessary for many of today's migrants to attempt to force themselves into the overworked and often inappropriate political asylum system. To the extent this can be achieved, preservation of existing humanitarian mechanisms which ensure safe haven for refugees and persons in humanitarian need will also be facilitated.

19. In large parts of Africa, Asia, Latin America and the Middle East, migration "push" factors such as population growth, insufficient job creation and sluggish economic growth will continue to create outmigration pressures for some time to come. While a portion of that pressure can in fact be alleviated by channeled migration programmes of the type I just described, these clearly are not the total or primary solutions. More effort is needed to determine what areas produce irregular migration, and why, so that opportunities can be created *in situ* to replace the migration option. This is ambitious, one might say. I would say that it is essential.

20. Development is one of the primary keys to stemming irregular migration. Can migration itself contribute to that development process?

21. Clearly, the days of large-scale settlement schemes are generally over. However, carefully planned and targeted migration still has considerable potential for job generation, wealth creation, and skills upgrading. Whether through the infusion of immigrants bringing capital or skills in short supply, or through the return of highly talented nationals repatriating their professional know-how, migration can contribute to development.

22. I have dwelt at some length on economically linked, even if mixed-motive, migratory trends. In such cases, with time, effort and creativity, there can be forward planning and identified solutions. If only this were the whole story. Alas, there are only too many sudden outflows caused by man's inhumanity to man, or stemming from natural calamities. These will continue to require quick, emergency responses. This sad fact of life obviously has a considerable impact on IOM in view of our broad migration mandate.

23. This is necessarily a general overview of the worldwide migration situation I see us facing through the end of this decade. What is IOM doing—what should IOM be doing—to address these needs? In order to answer that question, let us focus for a moment on what this Organization's mandate is.

24. You, the Members, were very clear, very precise on this point when you adopted our revised Constitution. You determined IOM's concern to be the organized transfer of persons in need of international migration services. You foresaw that this concern could translate into making transport and processing arrangements for such transfers; could translate into furnishing advisory services, studies, or other appropriate assistance; and could entail providing a forum for exchanges of views and experiences with a view to promoting regional and international co-operation in the migration field. Moreover, you explicitly and wisely recognized in the Constitution that the categories of persons who might be in need of international migration services are many, including but not limited to refugees, displaced persons and returning migrants.

25. IOM is mandated to provide migration services at an international level in order to ensure the orderly flow of migration movements throughout the world. Let us look, region by region, at some of the ways we are carrying out that mandate in 1991.

26. In Latin America, where for many years one of our regional Member States' priorities has been meshing migration with development imperatives, traditional activities are being pursued—and refined—with due regard for their impact and effectiveness. But we must also demonstrate once again the creativity which gave rise to useful and successful programme initiatives in that region in the past. Notable among these was the return of qualified human resources programmes so successfully adapted to other regions after being launched and tested in Latin America.

27. Today's imperative is regional and subregional integration. That such integration processes include important migration-related elements is clear; one need look no further for an example than to the evolution of the European Community, with 1992 around the corner.

28. Over the past year, IOM has focused on support to integration efforts in Latin America. In a first phase, we have contributed our expertise and technical support to nascent

subregional groupings. We have also finalized the juridical studies which can form the basis for comparison of national migration legislation, and eventually their harmonization. Moreover, IOM has completed initial project documents on migration-related integration issues in both Central America and in the Southern Cone, which are currently being considered by the Governments concerned.

29. Also noteworthy are discussions regarding possible renewal of selected migration schemes for newcomers with skill or capital. Linking this interest on the part of several Latin American governments with projected outward migratory pressures in other world regions—notably Eastern Europe—will be one of our priorities for the period ahead. This is a prime example of how a migratory flow in one region, which might otherwise become an irregular and disruptive outpouring, can be channeled into both a positive and an orderly process in another region—and one serving a development objective as well. I had the opportunity to discuss these areas of possible collaboration earlier this year with the Presidents of Argentina, Chile and Uruguay, and I can attest to you of their strong interest.

30. As regards humanitarian activities in Latin America, IOM's long tradition of assistance, concentrated in recent years largely in Central America, continues now in the Caribbean where, in collaboration with UNHCR, we are working with a variety of governments on safe haven for Haitians fleeing their country.

31. In Africa, too, there undoubtedly will be many challenges for IOM in the years ahead. Today, our focus is largely on programmes which bring the talents and know-how of professional Africans residing abroad to the development of their own region through return migration schemes. Extension and broadening of this activity appears to be one of Africa's priorities. Indeed, not only will present target countries in Africa continue to request assistance under the Lomé IV programme cycle, but the number of target countries is expected to double. From our experience, the contribution such return migration programmes can make is particularly noticeable in post-conflict periods of reconstruction on the one hand, and in market economy situations on the other.

32. In the humanitarian migration context, our major involvement today is the voluntary repatriation programme for South Africa which we are undertaking in partnership with UNHCR and for which IOM has been asked to handle the actual movements.

33. What of the future for IOM in Africa? Clearly, this will depend on the international migration services required by an expanding membership and observership and in light of changing political and economic realities. In this connection, we welcome the admission today of Egypt and Angola as Members, and of Namibia as observer. We look forward to the further broadening of our base in this important region.

34. In South East Asia, 1991 has seen a continuation of IOM's refugee resettlement activities from countries of first asylum, as well as of our logistical support for UNHCR's voluntary repatriation efforts. At the same time, orderly emigration of nationals from Viet Nam has been growing numerically into the largest single activity for IOM worldwide. The Orderly Departure Programme, increasingly a migration and not a refugee activity, and seen as such, has been gradually transferred to IOM from UNHCR over the current year. Possibilities for orderly out-migration—and voluntary return migration, particularly for skilled nationals—are the next challenges for us in former refugee producing areas.

35. In South Asia, IOM's work has evolved from assisting return movements from the Gulf to exploring ways of providing appropriate reintegration or re-migration services to the persons affected. Such activities have also been an element of IOM's work in the Philippines in the post-Gulf War era. In programmatic terms, farthest advanced is discussion of training for potential migrants, who will continue to exist in large numbers in all the countries concerned for the foreseeable future. On our horizon, we also see an evolving situation throughout the Asian region, where we welcome two new observers, India and Indonesia. IOM's involvement in Asia has already begun to evolve beyond traditional refugee resettlement activities to accommodate new realities.

36. Since the Council last met in regular session, IOM's work in the Middle East has changed dramatically. From carrying out a massive programme to help foreign workers return to their home countries in the wake of the Gulf crisis, IOM's involvement is now almost exclusively devoted to voluntary repatriation of Iraqi Kurds from Iran, or in transport of displaced Kurds within Iraq itself. We continue to provide this support as part of the United Nations inter-agency team in Iraq, under the aegis of the Secretary General's Executive Delegate.

37. In migration terms, Europe has seen vast changes since we last met, and IOM's plans and programmes have evolved accordingly. Some of the ideas I sketched out earlier have been tested, or are being pursued, in this context. As regards Central and Eastern Europe, these include fostering the exchange of ideas and experiences concerning migration systems and processes through training or workshops, providing advisory services, planning migration information activities, and pursuing the conceptualization of temporary or permanent migration programmes, both inward and outward.

38. In Western Europe, on the other hand, IOM's efforts have concentrated to a great extent on programmes for voluntary return migration, either of the highly skilled third world nationals assisted under our return of talent schemes, or of asylum seekers who do not pursue or do not gain permission to remain. The magnitude of the needs and IOM's activities in the field have also led to closer links with the Intergovernmental Consultation process in Europe, to which IOM is now regularly and formally associated.

39. With a growing network of European Governments, IOM is positioning itself to play an increasingly active and important role in addressing this region's migration concerns. In this connection we warmly welcome Hungary and Finland as members, and Albania, Bulgaria, Czechoslovakia, Poland, and Romania as observers. I would also like to inform you that IOM has just completed a mission to Moscow to discuss future collaboration with officials of both the central government and the Russian Republic.

40. Mr. Chairman, even such a glancing overview of IOM's work over the past year and IOM's planning for the future must bring home very forcefully the complexity and scope of migration issues today. Yet think back just a few years. How frequently did migration figure on the world's political agenda? Not very. It is remarkable how quickly all that has changed. Changed to such an extent that, in 1991, for the first time, the leaders of the G–7 group of most industrialized nations included worldwide migratory pressures among the concerns mentioned in the final statement from their London summit.

41. The migration concerns are indeed many, but solutions are achievable. I have painted some with a broad brush here today. And I am struck by the fact that, whether in terms of studying current migration phenomena, acting as a catalyst for international discussion and co-operation in the field, or devising and carrying out programme solutions, the mandate you have given this organization can address the range of needs. No bending or stretching of our mandate is required in order to deal with these situations. All that is needed, if you as Member States wish to pursue these solutions, is full-fledged and explicit support for what IOM already is and can be. Not the reworking of what this or any other organization's mandate is.

42. This reality has been brought into sharper focus for many, I believe, as IOM has come into ever more frequent contact with a broader range of governmental, intergovernmental and non-governmental interlocutors in recent years. Increased programme activity worldwide, enlargement of membership and observership, and the generally increasing attention to migration issues which I mentioned earlier have been further factors. Combined, they find IOM at some sort of a crossroads.

43. Indeed, it is striking how often the remark is made that IOM's place on the international scene is changing. That, painstakingly achieved over 40 years, is something of which we can be proud. We have encouraged it by not shirking the challenges, but by structuring ourselves in such a way as to respond to the needs of the day, and by engaging in creative thinking in response to evolving migration situations as wide-ranging and as different as South East Asia's, Eastern Europe's and Latin America's. But we cannot sit back in complacency. What we have worked to achieve, we will have to work to preserve. Moreover, this new role makes new demands on IOM in terms of our interface with our international organization partners in particular. This is especially true in an era when inter-agency co-operation is both increasing, and increasingly expected.

44. This thread of inter-agency co-operation runs throughout my statement today. That is natural, given both the inextricable links between migration and broader economic and social issues, and the growing importance of migration on the world's political agenda. In fact, IOM's consultations and co-operation with UNDP, UNDRO, UNFPA, UNHCR, UNV, the Secretary General's Executive Delegate, the regional economic commissions, and other parts of the United Nations system have probably never been as frequent or as close. However, there is no parallel arrangement between IOM and the General Assembly. Since migration-related issues of concern to IOM are increasingly the subjects of discussion in the General Assembly and various Committees in New York, it would appear both timely and wise to seek formal General Assembly observer status for IOM. I believe this would be consonant with the wish of Governments to maximize inter-agency co-operation and efficient division of labour. It will also be important for IOM as it is called upon to participate in inter-agency undertakings. The current debate in New York on crisis management, in which IOM is explicitly mentioned as a partner but is not present, is but one case in point. I would therefore invite Member States' support for

this undertaking, and shall listen with interest to your comments in the course of the Council's debates.

45. Mr. Chairman, distinguished delegates,

46. Migration, in 1991, needs no presentation as one of the major issues of our times. As I said in beginning this statement, however, that does not and should not mean that migration has to be seen as one of the major problems of our times. Orderly migration can be a positive force, provided it is addressed early, adequately and comprehensively. But addressed it must be, in a clear-headed and solution-oriented way. Let us seize the opportunity to contribute to that process, beginning here today.

Mr. KENNEDY. Mr. President, at the same session in Geneva, the International Council of Voluntary Agencies—the umbrella organization representing all the church and voluntary agencies involved in refugee and migration issues—also presented a provocative review of the migration issues confronting us today.

Presented by Patrick Taran, the ICVA statement highlights in particular some of the root causes of the problem and its humanitarian dimensions. And it notes the challenges and special role the voluntary agencies have in dealing with migration issues.

I ask that the text of the ICVA statement also be printed at this point in the RECORD.

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

GLOBAL MIGRATION TODAY: THE CHALLENGES FOR NGO'S

(Presentation to the International Council of Voluntary Agencies, Working Group on Refugees, Displaced Person and Migrants, Geneva, October 2, 1991)

INTRODUCTION

Within the last two years or so, international migration of people has finally been recognized and acknowledged as one of the major dilemmas facing societies and governments worldwide. The mass movements of people, whether from South to North, East to West, within world regions, and even within countries, are now the subject of much governmental, UN, academic, media and popular debate.

Perhaps more than any other factor, the international crisis following Iraq's invasion of Kuwait last August placed the plight and vulnerability of millions of migrant workers in the news headlines around the world. That invasion and subsequent conflict resulted in the displacement of over one million migrant workers from those two countries in a matter of weeks. More recently the mass exodus of Albanians towards Italy and Malta in March and June of this year dramatically brought the global reality of mass exoduses to European shores.

The discrimination and racist treatment faced by migrant workers in many countries, especially in Europe, emerged as a major topic of debate in the hearings of the United Nations Sub-Commission on Human Rights this August.

MAJOR DIMENSIONS

Overall, current assessments calculate more than 100 million "people on the move" across the world today. This includes recognized refugees and large scale forced internal displacement as well as other migration. This is some 2% of the world's population, or one in every 50 human beings!

The UNHCR currently cites a total of 17 million refugees worldwide. Various sources indicate between 15–20 million internally displaced persons. These are included as they are generally denied the protection of their own government and in many circumstances would cross international boundaries if they could.

Figures cited by the International Organization for Migration (IOM) indicate that there are another 50 million *more* people on the move today, those nominally referred to as migrants, migrant workers or immigrants; 20 million of these are the acknowledged migrant workers and transient skilled professionals contractually employed across the global economic system.

There are also at least 30 million migrant workers in irregular situations. These are the undocumented immigrants or migrants working and surviving without legal permission to remain in the countries where they are. Termed "illegal aliens" or similar by governments, they usually face even more exploitative conditions and hardships than those with permission. Sometimes, they are forced to accept conditions close to slavery as the alternative to being denounced to authorities and deported to situations which may be even worse.

Meanwhile, the Labor Migration for Employment Division of the International Labor Office (ILO) estimates some 25 million migrant workers spread world-wide. Around 18 million of these are calculated to be in Europe, the Gulf region and North America, 3 million in Central and South America, and 1 million in Asia and Oceania. Calculating an average of three dependents for each migrant worker, the ILO indicates a total world-wide migrant worker population of 100 million.

This presentation focuses on international migration. However, rural to urban migration has also now become a dominant process in this century in most larger and smaller Southern and less developed countries. And indeed, the process is accelerating. Urban growth is now at the rate of 8 percent per year in some African countries. An overall indication of the dimensions of this process can be seen in these figures: In 1980, one billion of the peoples of the developing countries lived in urban areas. By the year 2000, twenty years later and just nine years from now, two billion people will be in the urban areas of the so-called South.

This continued movement of people into the urban areas in their own country which cannot offer means of survival or livelihood also translates into increased pressure for international migration.

WORLDWIDE

Migration is a major feature in every region of the world today, as the following regional highlights illustrate:

Africa

Migration has long been a major feature on the African continent. Beyond the relatively better-known plight of Africa's five million refugees and more than six million internally displaced persons, there are an estimated three million migrant workers in countries other than their own.

A most dramatic illustration of the often precarious situation of migrant workers in the region was given to the world in 1983 and 1984 when Nigeria abruptly expelled over one million migrant workers and family members, giving them little more than time to pack their clothes and get on buses or trucks to the borders.

Asia

Labor migration is now a growing feature within South and East Asia. Rapid industrial growth and economic expansion combined with relatively low rates of population growth have characterized Hong Kong, Singapore, South Korea and Taiwan. As a result, these countries have been compelled to accept increasing numbers of migrant workers to meet labor shortages and to perform service jobs for which there are decreasing numbers of citizen applicants. For example, some two million foreign workers enter and leave South Korea each year.

The Americas

Migration among nations has been a major process within and from Latin America for decades now. The larger countries in the region, Argentina, Brazil, Colombia, Mexico and Venezuela, have been both lands of immigration and emigration. Each hosts today hundreds of thousands of temporary and not so temporary migrants from neighboring states, particularly those relatively less economically developed. Ironically, each has also been the origin of tens of thousands of migrants to other countries both within and outside the region. The USA, Australia, Spain and Italy have been major destinations for Latin American refugees and migrants. The numbers and conditions of these movements have been very difficult to document, or sometimes even to discern, due to the cultural and language similarities between countries.

While many Mexicans and Central Americans migrate to the USA, there are also as many as one million Central Americans in Mexico. Some are de facto but officially unrecognized refugees. Others are seasonal or permanent laborers in Mexican agriculture.

Europe

The European Economic Community is creating a common market for capital, goods and labour in its so-called 1992 accord. Creating the largest single market area of the world of more than 300 million people, assumes that future labour needs in one area or country can be met by labour available in other member countries, such as from Greece, Spain or Portugal, where unemployment is currently high.

On the other hand, increasing numbers of refugees fleeing strife and migrants leaving desperate situations in other areas of the world are seeking to enter Europe. There are estimated to be over one million persons from different African countries now in Italy, and similar numbers of undocumented persons from Latin America and Africa in Spain.

The Middle East

Until last year, Asian countries provided up to 3.5 million temporary migrant workers in the Gulf states and other countries in the Middle East, particularly Saudi Arabia, Syria, the United Arab Emirates and, until recently, Iraq and Kuwait. While up to one million were displaced by the war, some of these are now returning. At the same time, hundreds of thousands of each Egyptians, Lebanese, Palestinians and Yemenis also comprise the migrant labour force in the region, along with many expatriates from Europe, other African countries and the Americas.

The Pacific

Migration is also a reality across the vast Oceania or Pacific region. Many residents of Pacific island nations have emigrated to Australia, New Zealand and the United States in search of employment. An ominous

consequence of the expected rise in sea levels due to "global warming" will be the eventual submersion of entire island nations. If current trends continue, tens of thousands of Pacific islanders will be displaced within some twenty to thirty years.

MAJOR DILEMMAS

These large scale and global movements of people present us and the world with several huge dilemmas. These include:

—the increasing dimensions of migration, both within nearly all world regions and inter-regionally, during a period of increasing economic difficulties across the globe;

—the rising pressures for movement across the increasingly marked differences in labour market and demographic trends between the industrialized countries of the "North" and the under- or mal-developed "South";

—a frightful rise in incidents of hostility and violent attacks against migrants and immigrants, especially but not only in the industrialized countries;

—rapid expansion of restrictive immigration control and the imposition of draconian "deterrence measures" against the movement of people by governments worldwide;

—the breakdown of sustainable economic, political, social and environmental situations which otherwise allowed people to survive and remain in their traditional communities and their own countries.

VIOLENCE AND RESTRICTIONS

Two aspects of these dilemmas are especially negative. This must be of immediate concern for non-governmental organizations. One is the increasingly restrictive attitude by Western countries against granting refuge to persons fleeing war and persecution. The main features are plummeting rates of acceptance of asylum (refugee status) claims and the imposition of restrictions that prevent potential asylum-seekers from even getting to where they can file a claim.

Tragically, these restrictions are being justified and popularized by an anti-foreigner and anti-migrant rhetoric that claims that most people arriving in Western countries and claiming asylum are simply "economic" migrants. This rhetoric poses that those coming from the rest of the world are voluntarily arriving simply to seek economic fortune. Some views go further to suggest that these movements of people from South to North actually constitute a hostile and quasi-premeditated "invasion" of peoples threatening to overwhelm and subvert Western societies.

Another of the dilemmas cited above may require even more urgent response from NGO's, especially those based in this region. That is the rising incidences of violent attacks on migrants, refugees and immigrants throughout Europe. Especially targetted are those who are more racially and culturally different than the dominant populations. However, this situation, I might add, is also becoming more prevalent in North America and Australia as well.

WHERE ARE THE NGO'S?

Despite these major human dilemmas posed by the immensity of global migration today, there exist virtually no international non-governmental organizations primarily dedicated to migration issues. The exceptions are church related agencies, two of which participate in ICVA. These are the International Catholic Migration Commission (ICMC), the Pontifical Council for the Pastoral Care of Migrants and Itinerants, the World Council of Churches' Migration Secretariat, and, in this region, the Churches Committee for Migrants in Europe.

I should hasten to add that there are numerous local and some national NGO's in several countries which focus on migration. However, these for the most part address domestic immigration or migration questions, or focus on the situation of their own nationals. As examples, we can cite the Australian Migration Center, the Servico Pastoral dos Migrantes in Brazil, CIMADE and the Groupe d'Information et de Soutien des Travailleurs Immigrés en France, the Asian Migrant Centre in Hong Kong, Friends of Filipino Migrant Workers (KAIBIGAN) in the Philippines, and the National Immigration, Refugee and Citizenship Forum and the National Network on Immigrant and Refugee Rights in the USA.

There are, as well, several international associations of migrant workers, such as the Commission of Filipino Migrant Workers in Europe and important study and documentation centers, such as the Center for Migration Studies in the USA.

However, there is no other international coalition or grouping of these organizations or of other NGO's, such as some ICVA members, which have some concern or programmatic activity on migration issues.

ROOTS AND DEFINITION

My current work is constantly strengthening the perception that most migration is not voluntary. Rather, it reflects circumstances which in most cases are as compelling as those seen to motivate the flight of people recognized as refugees.

At least in some quarters, there is increasing understanding that the motivations for most migration run along a continuum spanning political and economic factors. These reach from motivations of fleeing immediate threats to life, safety and freedom to those which essentially compel departure from situations where the prospects for life—even survival—are marginal or non-existent.

An International Organization for Migration paper notes that it is not the absolute *difference* in economic and demographic conditions between current sending and receiving countries which primarily induces migration elsewhere. Rather, it is conditions *falling below a critical threshold of tolerance* for people to stay at home. That threshold is the minimum situation below which people no longer see a possible future for themselves and their families. The tolerable economic levels and conditions may be quite different in different places, but clearly, the basic condition is the ability to survive within some minimal local standard of decency.

War, conflict-related conditions, and situations of wide-spread human rights violations remain the most volatile and traumatic causes of movements of people. However, the destruction of traditional rural systems and infrastructures, massive environmental degradation, and breakdown of productive processes due to the destruction of productive assets are today major and growing factors compelling mass migrations.

An aspect of these disasters is the continuing displacement of peoples from productive agricultural land through economic or political coercion. The removal of peoples from their traditional lands that blacks experienced in Southern Africa is still continuing today in areas such as Mexico, the Philippines, and even the United States. In numerous countries around the world, international agri-business enterprises are buying up or otherwise taking over large tracts of land previously dedicated to small scale farming. The labor-intensive farming supporting many families is being replaced with large-scale, often highly mechanized agriculture. The result is the forced displacement of the farmers and their families, often to urban areas where there are simply no opportunities to make a living, and where survival itself may be precarious.

CHALLENGES FOR THE NGO'S

I believe that the dilemmas posed by increasing migration and the situations which compel movement of peoples pose three major challenges for NGO's and the international community. These are, first, to determine anew who are the people who need protection and who may require some forms of assistance, thus having some claim to the attention of NGO's and the international system. Second, we must determine how to effectively uphold the dignity and defend the rights of the different groupings of people on the move, without supporting the needs of one category *at the sacrifice* of the rights or dignity of other categories. Thirdly, the real immediate and long term challenge is to determine how to address the root causes of the overall migratory dilemma. If we cannot face this challenge in our work, we will only be faced with more millions of people displaced from ravaged lands across the world seeking to flee or migrate with nowhere to go.

WHO DESERVES ATTENTION?

It is my sense that a most immediate question for our organizations and constituencies is that of redetermining who needs protection and who should have some claim to international legal recognition. This is certainly not to reject or diminish the current, globally accepted legal definition but to affirm unequivocably that it is now far from adequate in today's world.

I would note that the just issued draft report of the special UNHCR Working Group on Solutions and Protections is already quite illustrative in this regard. As you may have noted in the document from the working group, some seven categories of persons of concern to the group are identified. These are defined as "those associated with the search for asylum and refuge." Categories one and two include persons covered by the 1951 Convention and persons covered by the OAU (Organization of African Unity) Convention or the Cartagena Declaration.

What is especially notable is that category three describes "others forced to leave or prevented from returning because of manmade disasters" and category four "persons forced to leave or prevented from returning because of natural or ecological disaster or extreme poverty." The discussion reported from the working group indicates that the participants, representatives of governments, recognized protection needs among people compelled to migrate or flee such circumstances. While no consensus has yet emerged on the many questions regarding these groupings, their motivations for flight, and what to do about them, the door is opening to new considerations of who needs protection.

While category five referred to rejected asylum seekers and category seven to stateless persons, category six also opened a major area of international debate over who needs protection. This topic is the internally displaced persons, with the group report indicating general recognition that these people fled some of the same causes and faced many of the same problems as refugees and externally displaced persons.

THE IDEOLOGIZED BACKDROP

As we discuss definitions, I would also like to note that the concept and implementation of the basic international refugee definition

we work with has been a very ideologized and politically manipulated understanding. It appears safe to say now that this definition emerged out of the post World War II "cold war" political environment as an instrument formulated and used by a political block of states to pursue specific geo-political aims. This definition, and most certainly its utilization, responded first and foremost to the political needs of the dominant Western economic powers to delegitimize and destabilize the contending "socialist" political-economic system.

Until recently, the emphasis of the application of the 1951 Convention definition has been on persons fleeing the political and economic measures of the so-called totalitarian state regimes, the self-proclaimed communist states in Europe, and later elsewhere. Indeed, until the 1967 Protocol, the definition applied only to Europe. Even with a reference to the individual in the definition, Western states' practices often reflected a de facto group designation of presumed eligibility for persons leaving those communist-ruled countries, regardless of personal motivations.

At the same time, even until today, most persons fleeing similar circumstances of totalitarian dictatorial repression in other than the communist states have simply not been recognized or protected by the international system. This despite the reality that numerous other regimes have and continue to rely on national secret political police systems with torture, executions and with economic measures against opponents and innocents as brutal and omnipresent as any utilized by Stalin. Have the many thousands of people who fled the brutal dictatorships of Pinochet in Chile, Duvalier in Haiti, Suharto in Indonesia or Mbuto in Zaire been really any less qualified for recognition as refugees than the many Eastern Europeans welcomed in the West?

Another group of people fleeing immediately life-threatening circumstances, but which are not at all recognized by the current legal regime are those fleeing the *absence* of state authority and the correspondingly violent chaos in places such as Colombia, Lebanon and Somalia. Again, it appears that the recognition of victims of these situations, as those of other countries within the geo-political spheres of influence of the Western industrialized powers, has not been convenient to include in the refugee practice of recent decades.

What is especially stark is the extent to which the Western nations now strive to limit or abandon their commitment to even the basic elements of the old refugee definition. It would appear that it is no mere coincidence that this happens precisely at a historical moment when the concept and practice of refugee recognition no longer serves geo-political purposes.

HUMAN RIGHTS AND DIGNITY

The second major challenge is in part bound up with some resolution of the first. To the extent that we can recognize that there is a larger number of people on the move needing some recognition, protection and support in the extent NGOs and others can play a role in affirming the dignity of such people and in assuming responsibility to advocate for upholding their rights. The danger in not addressing these questions is that of remaining on the ever narrower ground of defending certain people and groups as "legitimate" refugees and conceding to the prevailing trends that the others are not so legitimate; whatever happens to them is too bad but there's not much we can do about it.

Inasmuch as the world regime is dominated by the nation-state concept, we may still need to concede certain "states rights" of control over who is lawfully admitted to remain in national territories. Nonetheless, as the refugee system poses, there are clearly basic human rights and international obligations which supercede state prerogatives.

At present, as attacks on foreigners in societies increase, it is imperative to reassert a broad perspective of upholding basic dignity of all, regardless of status or motivation, and of defending the basic human rights recognized in international instruments without distinction to nationality or legal residence status. Doing otherwise, defending just refugees or particular groups will only lead to an ideological dead end of simply arguing where the line is to be drawn between those who must be protected and those whose persecution can be justified or explained.

Certainly, in the context of our international system, we must go on distinguishing within legal frameworks between those with claims to refugee status and, therefore, additional protections. On the other hand, I believe it also imperative for NGOs to publicly take a stance of defining, asserting and advocating for basic guarantees for the rights of all migrants. And thus to engage in concrete activities in local communities to interpret to the public a positive image around the basic dignity of people on the move, while explicitly and vocally condemning any and all attacks or hostility against any foreigner, or other minority group for that matter.

THE NEW CONVENTION

Here, we can and must make use of the new 1990 International Convention on the Protection of the Rights of All Migrant Workers and Their Families. This Convention provides a broad but basic definition of human rights applicable to migrant workers and their families. It was just approved by the U.N. General Assembly last December, after ten years of arduous negotiation. This new human rights instrument can serve as a basic tool to defend the dignity and insure humanitarian treatment of migrants. Indeed, campaigning to promote ratification by governments can itself highlight the role and contributions of migrant workers in many countries and to gain recognition of their rights.

ADDRESSING THE ROOT CAUSES

Perhaps the most fundamental challenge we face is responding to the factors which in most cases mean that migration is not a matter of choice. I would suggest that this can also be considered most fundamentally a question of human rights. Just as we have strived to develop the concepts of the right to leave and to return to one's homeland, I think we should also develop and assert a language of a *fundamental right to remain* in one's homeland, indeed in one's community or locality of origin.

If, increasingly, migration is the visible, human consequence of environmental destruction and the failure of "development" models and of economic systems to provide employment and to meet basic human needs, then these factors will have to be better understood and changed if people are to be able to stay at home. And indeed, the information I see indicates that most people migrating, whether refugees or otherwise, would rather have stayed in their own places of origin.

It is clear, at least to many church entities, that social and political peace will only come about when a measure of justice, economic and social, is assured. I see more evidence of awareness that economic justice can only come about through a global shift to more sustainable and participatory development models and economic processes. These may indeed need to be more regionally and locally defined by traditions, cultures and conditions, in contrast to pursuing the currently dominant "market system" model of capitalist production based on ever-expanding material consumption in turn consuming the non-renewable resources of the world.

The point is, we must confront such questions and assertions as these in order to even consider trying to ameliorate the pressures compelling so much of global migration today. Otherwise, as I said earlier, we will be faced with more millions of people seeking to migrate within and to all regions of the world, with no place willing or able to accept them. And our societies will experience even more hostilities and violence than we see now.

Clearly, this means that a most essential question which we, and the world, must address, is upholding or restoring the essential economic and social viability of home environments throughout our world.

THE TASKS FOR NGO'S

So, several specific questions and tasks present themselves in taking up these challenges. First, is to work towards redefining needs and categories of people on the move. This would involve both the distinguishing who we see today as refugees and at the same time recognizing the continuum of motivations which compel most migration.

This redefinition would involve tasks of working and advocating in the international community, with inter-governmental organizations, legal institutions, governments, to bring about official recognition, protection and assistance to those needing it.

Then, and alongside the above, is building what has been referred to as a "culture of solidarity" with the people on the move and their communities. A major component must be organizing of viable and effective campaigns to impede hostility and uphold basic human dignity and rights of refugees and migrants. In this work, a vital, parallel step is to develop relations and cooperation with the organizations and communities of refugees and migrants themselves.

And, of course, NGOs individually and collectively must build our analysis, understanding and action on the underlying causes of migration. In particular, this will involve challenging eurocentric or northern-centric views predominating in our societies and within NGO constituencies. Such views tend to separate or isolate the actions of our governments, the models of our corporations and banks, and our national military aid and arms sales from the human, social and political consequences in other parts of the world of these actions, models and aid. Not that there aren't also similarily bold challenges to be faced by southern NGOs with their societies and governments.

IMMEDIATE STEPS

For immediate action by ICVA and this working group, I pose the following suggestions:

1. Commend to member agencies work on promoting the ratification and implementation of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and the Families. We should ask members to take an active role in organizing advocacy efforts with their national governments. It is going to require a lot of work to get even the minimum number of twenty

governments to ratify for this Convention to enter into force.

The World Council of Churches Migration Secretariat, together with the Churches Committee on Migrants in Europe and the Quaker U.N. Office, have prepared a booklet called "Proclaiming Migrants Rights" to help promote the Convention. It is available in English, French, German and Spanish, and can be obtained from the WCC in bulk quantities for widespread distribution.

2. Formalize an ongoing discussion within this working group to develop NGO perspectives on migration issues. Presumably, the agenda would include identifying protection needs and new definitions for people on the move, as well as exploring cooperative NGO work to develop a culture of solidarity. I would suggest we initiate the "contact group on migration" that was proposed for this ICVA Working Group some time ago. My office is willing to serve as a convenor for it.

3. Include migration as a specific component of the ICVA related discussions and activities in preparation for the UN Conference on the Environment and Development (UNCED) in Brazil in 1992. This could certainly be done by exploring further understanding of migration as a major human consequence of today's global environmental, development and economic disasters.

Thank you for your consideration of these ideas and proposals.

PATRICK A. TARAN,
Secretary for Migration,
World Council of Churches.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT, SECTION 4010, EXEMPTION OF CUSTOM HARVESTING FARM MACHINERY

Mr. BURNS. Mr. President, as we all know a major piece of legislation, the Intermodal Surface Transportation Efficiency Act of 1991, was passed a few hours before adjournment on November 27, 1991. Prior to voting on that legislation, my staff and I did our best to look over the bill and understand its provisions. As you know, Mr. President, that is not an easy task when there is only 1 or 2 copies of a 1,000 page bill available to all Members of the Senate. In addition, as far as I know there were no copies of the report language available for Members to review prior to voting on November 27. As a result, I voted on the bill and made a statement in support of it and several provisions that were originally included by myself based on the information available to me at the time. Naturally, I was very disappointed to learn of report language accompanying the transportation bill that undermines the intent of one such provision to exempt custom harvesters from the commercial drivers license [CDL] requirements mandated under the Commercial Motor Vehicle Safety Act of 1986 [CMVSA]. The Senate Commerce conferees, led by Senator EXON, fought long and hard to retain this amendment. It was one of the last issues in disagreement between the House and Senate Commerce conferees. I see Senator EXON is on the floor; I wonder if he might describe for us what happened?

Mr. EXON. I thank the Senator from Montana. I would be happy to do so. As the Senator has already stated, the CDL exemption was one of the last issues on the table for the Commerce conferees. At the 11th hour, over strong opposition in the House to any exemption, a compromise was reached providing an exemption only for "custom harvesting farm machinery." I was disappointed that we could not provide this much-needed regulatory relief to the other farm-related operations included in the original amendment, but was pleased to help this important part of the agricultural community. My understanding of the agreement was that the bill would exempt custom harvesting farm machinery—period—no exceptions. This was a concession on the Senate's part given that we had passed the CDL waiver for farm retailers and custom harvesters four times. Concerns have been raised that the report language does not recognize the operating needs of the custom harvesters and confused the scope of the intended exemption. I think we should work with the Department of Transportation to get this matter clarified prior to April 1, 1992, the date by which all States must have a CDL Program in place.

Mr. BURNS. I agree completely. In fact, I ask unanimous consent to have printed in the RECORD at this point a letter from 18 Senators requesting the Department's interpretation of this provision. If they decide to interpret the bill language narrowly, then a legislative remedy may be in order.

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

U.S. SENATE,
Washington, DC, January 6, 1992.

Adm. JAMES B. BUSEY,
Acting Secretary of Transportation, Department of Transportation, Washington, DC.

DEAR JIM: We are writing to seek the Department of Transportation's interpretation of Section 4010 of the Intermodal Surface Transportation Efficiency Act of 1991 (H.R. 2950). The language itself clearly grants an exemption from the commercial drivers license (CDL) requirements in Section 12019(5) of the Commercial Motor Vehicle Safety Act of 1986 to custom harvesting farm machinery. This is something that we have sought for over a year and is similar to legislation that has passed the Senate four times during that time.

However, some concerns have been raised with regard to the report language accompanying Section 4010. The bill language grants a straightforward exemption with no defining terms, while the report language places caveats on the exemption.

It is very important that we know as soon as possible how DOT will interpret Section 4010 so that we can proceed accordingly once the Senate reconvenes to consider a possible technical corrections bill. Your assistance and prompt reply will be much appreciated.

Sincerely yours,

Robert Dole, J. James Exon, Conrad Burns, Thomas A. Daschle, Quentin N. Burdick, Brock Adams, Lloyd Bentsen, Charles E. Grassley, Robert J. Kerrey, Christopher S. Bond, Jake Garn, Max Baucus, Kent Conrad, Wendell H. Ford, David L. Boren, Larry E. Craig, Robert W. Kasten, Malcolm Wallop.

Mr. DOLE. I wonder if the Senators would yield to me for some brief comments. As you both know, Kansas is the home base of operations for a number of custom harvesting operations and I have been very active in seeking a CDL waiver for them. I think we should remind our colleagues this is an important issue. It is a question of when regulation ceases to be beneficial to society and becomes a burden—of when the costs outweigh the benefits. This is clearly a situation where the costs of the CDL requirements outweigh the benefits. The custom harvesters operate on a seasonal basis using part-time labor. This requirement puts the efficiency and quality of their operations at risk. It is difficult and expensive to hire seasonal, temporary help with CDL's. If they have a CDL, they will want more pay. The custom harvesters already operate on a mariginal basis, and this additional burden could push them over the wrong edge. When DOT originally granted an exemption from the CDL requirements to the farmers themselves, they did so after determining that they could present an unnecessary burden to the marginal farmers. I see no difference between that finding as it related to farmers and the situation now faced by the custom harvesters. Would my colleagues not agree with that view?

Mr. EXON. Absolutely; the Senator raises a very valid point. He points out why we have battled so long to obtain a waiver for the custom harvesters. I would also like to make note of another aspect of DOT's prior record with regard to custom harvesters. Under section 391.2 of the Federal Motor Carrier Safety Regulations [FMCSR's], DOT exempted custom harvesting operators from the 21 year age requirement set for all drivers of commercial motor vehicles. The exemption applies to the transport of farm machinery, supplies, or both, to or from a farm, for custom harvesting operations on a farm, or transporting custom-harvested crops to storage or market. In this instance, DOT recognized the unique nature of the custom harvesting business and its limited labor pool. The report language included in the Intermodal Surface Transportation Efficiency Act of 1991 is inconsistent with DOT's treatment of custom harvesters in prior law. I would like to have DOT specify for us whether or not they will follow this precedent in granting this further exemption to the custom harvesters.

Mr. BURNS. I think it is also important that the RECORD show exactly who it is we are talking about here. There are approximately 2,000 custom harvesters in the United States, each with an average crew of five or six employees, for a total of 10,000 to 12,000 people who may be affected by this new waiv-

er. The average harvest crew has three combines, three grain trucks, and one service truck. The crew works for an average of 26 farmers each year, operates in five different States, and travels 9,780 miles. The custom harvester exemption would only apply to this narrow group of people and operations.

Mr. DOLE. The RECORD should also show that the custom harvesters have a good safety record. Obviously, safety is of prime concern to the Department of Transportation and to the Members here. The Kansas-based U.S. Custom Harvesters, Inc. conducted a survey of its members in an attempt to provide safety-related data. The group participating represents a good cross-section of the membership with 125 harvest operations completing the survey, 23 percent of the total membership. The results were as follows: First, an estimate accident rate of 0.5 percent per year for custom harvesters involved in an accident with another party while moving equipment between jobs, 7 accidents recorded over three years for the 500 trucks involved in the survey; second, an estimated accident rate of 2.5 percent per year for trucks involved in accidents resulting in more than $1,000 damage to the truck itself; and third, an estimated accident rate of 1 percent per year in accidents where there has been a liability claim. Also, of the 125 crews surveyed there has only been one diesel fuel spill in the past 3 years of more than 10 gallons.

I hope that this information is helpful to the Department as they decide how to implement the custom harvester waiver.

Mr. EXON. I want to thank my colleagues for their comments. I am gald we are all united in our commitment to making sure the custom harvesters get the exemption we intended for them. I look forward to hearing from DOT and to working with you both during the 2d session of the 102d Congress.

ANDY CARD

Mr. KENNEDY. Mr. President, earlier today, President Bush announced that he is nominating Andrew Card of Massachusetts to serve as Secretary of Transportation. I join many others in commending Mr. Card on this honor, and I look forward to his confirmation.

Mr. Card has served the public interest with distinction for many years, as a State representative in Massachusetts, and more recently as a principal White House aide in the Reagan and Bush administrations. As Deputy Chief of Staff under President Bush, he has worked effectively on a wide range of issues.

As all of us are well aware from the debate on the far-reaching transportation bill last year, this country faces serious challenges on transportation policy. All of us on both sides of the aisle in Congress look forward to working with Mr. Card to address these concerns and to implement the recently enacted legislation as promptly and as effectively as possible.

The people of Massachusetts are particularly fortunate to have a Secretary who brings extensive knowledge of the State to the job, and who understands the importance of the central artery project, high-speed rail, mass transit upgrades, and road and bridge maintenance to our local communities.

Improved and modernized transportation systems are essential to our region's economic recovery, and can be a principal source of jobs to help end this painful recession.

In fact, Mr. Card will be following in distinguished Massachusetts footsteps in his new position as Secretary.

Many of us in Congress have warm recollections of John Volpe, the outstanding Governor of Massachusetts who became an outstanding Secretary of Transportation, serving for 4 years under President Nixon.

And that gives me an idea. If Mr. Card does the kind of job we expect, when the new democratic President is inaugurated next January, I will be among the first to urge him to reappoint Andy Card to a full 4-year term as Secretary of Transportation. I am confident that the Nation will benefit from that kind of continuity.

JOHN THOMPSON

Mr. BURDICK. Mr. President, a teenager from my State made national news recently for his bravery after a farm accident. John Thompson, an 18-year-old from Hurdsfield, ND, was working alone on his family farm when he slipped and had his arms torn off by farm machinery. He not only made it the 400 feet to the house, he twisted the doorknob open with his mouth, clenched a pencil in his teeth to phone for help, and then waited for the ambulance in the bathtub so he wouldn't drip blood on his mother's carpet.

Luckily, the emergency workers who responded to the call had been trained on what to do in this type of situation. They packed the severed limbs, which doctors were able to reattach. John is now in stable condition at North Memorial Medical Center in Robbinsdale, MN, and the doctors are reporting good circulation in both arms.

This remarkable young man kept his cool throughout this ordeal. I congratulate John Thompson for his courage and wish him well in his recovery. I would also like to honor those emergency workers and health care professionals who made it possible that he will have use of both arms again.

This incident illustrates both how dangerous farming can be and the value of providing emergency medical services to rural areas. As cochair of the Senate Rural Health Caucus and chairman of the Agriculture Appropriations Subcommittee, I call on my colleagues to join me in renewed effort to promote farm safety and prevent this type of accident and to guarantee that rural areas have access to emergency medical care and other needed health services.

ANNIVERSARY OF THE SUPREME COURT DECISION IN ROE VERSUS WADE

Mr. PACKWOOD. Mr. President, today we who support a woman's right to choose celebrate the 19th anniversary of Roe versus Wade. I would like to begin with a quote from a statement I made on the floor of this Senate on January 22, 1974, the first anniversary of Roe:

> (W)e would all welcome a time in which abortion is a thing of the past, truly a medical rarity. With adequate family planning information and services for all who want, but do not currently have access to them, we could virtually eliminate the need for abortions. I had fervently hoped that following the Supreme Court's decision, opponents of legalized abortion would begin to work with us to make family planning services available for all, so that abortions might one day not be necessary. Unfortunately, however, we find today some opponents of legalized abortion are choosing to pursue other courses—designed to override the Supreme Court and impose new restrictive regulations on Federal programs—rather than the far more constructive approach of helping to prevent unwanted pregnancies.

Mr. President, at the time I made those remarks I would not have believed how appropriate they would be all these years later. I thought there would be a few years of controversy over Roe, and then we as a Nation would then be off to the next pressing constitutional issue. How wrong I was!

A long 19 years has passed since Roe. The right to choose has been gradually eroded through court decisions and legislative and administrative action. The mixed emotions with which we celebrate Roe have never been as acute as they are on this particular anniversary. For just yesterday the Supreme Court announced that it will hear Planned Parenthood of Southeastern Pennsylvania versus Casey, a head-on challenge to the validity of Roe. The Court's decision will likely have the practical effect of overturning Roe—whether the Court uses that language or not.

In spite of these setbacks, there is much to give us hope. Mr. President, Congress has the means to ensure the right to choose regardless of the caprice of the Supreme Court. The Freedom of Choice Act, first introduced in the 101st Congress, would ensure the right recognized in Roe. This one-page piece of legislation, which would simply codify Roe, has over 150 cosponsors in the Senate and House.

In addition to congressional support to maintain the right to choose, we in the pro-choice community can be proud

of our impressive strength at the grassroots level. We celebrate, and thank, those medical professionals and clinic personnel who remain committed to providing safe and legal abortions, in the face of harassment and even violence. We celebrate, and thank, those clinic escorts who act on their beliefs that the right to choose must be protected for each and every woman seeking to exercise it. We note with great appreciation the assistance of law enforcement personnel in many communities across the country in safeguarding the clinics from interference. We celebrate the steadfastness of the numerous organizations and churches which have made the preservation of the right to choose a priority. The public education they do, the lobbying of Congress and legislatures, and their many other activities in support of choice make a critical difference. We celebrate those individuals in public and private life who vote and speak out for choice. And I personally thank and take heart from the hundreds of thousands of Oregonians who have stood with me over the years in support of the right of a woman to make her own decision in this matter.

In 1969 when I came here, abortion was illegal in nearly every State. My attempt to legalize abortion as a freshman Senator in 1970, got little support. Then Roe was decided in 1973. For about a year we had relative quiet. Then the attempts to chip away at Roe began, and they have never stopped. Some, we defeated—like an amendment which would deny tax-exempt status to any organization associated with abortion. And we defeated numerous attempts to pass human life amendments. Some, we lost—like the Hyde amendment—after long and bitter struggles to hold them off. During the 19 years since Roe, we have never rested. But I am not battle weary. My enjoyment of a good fight has served me well on this issue. And the pro-choice community has been steadfast. We are not defeated. We will win this one. The American public is on our side.

On this 19th anniversary of Roe versus Wade, I urge my colleagues' support of the right of American women to control their reproductive lives, and of the Freedom of Choice Act. I thank the Chair.

THE HEALTH CARE CRISIS IN THE UNITED STATES

Mr. LAUTENBERG. Mr. President, Americans face a health care crisis. It is made worse by our economic recession. Americans are worried about losing their jobs and they are worried about how they are going to provide health care for themselves and their families.

I commend the majority leader for his plan to bring up comprehensive health legislation this year and for his leadership on this important issue. We need to get on with the job of comprehensive reform of our Nation's health care system.

Our Nation's health care system is a patchwork quilt of different Government programs, insurers, and providers. Despite our country's leadership in health research, schools of medicine, development of pharmaceuticals, and medical technologies, our Nation's health care system has two major problems that must be addressed. The first is that lack of access and the second is the spiraling cost of health care.

In terms of access to quality health care, there are over 34 million uninsured people in this country, including 1 million New Jerseyites. Another 60 million Americans are underinsured. The majority of the uninsured are above the poverty level and 54 percent of those working are employed full time. Most of these Americans make too much money to qualify for Medicaid but lack sufficient resources to obtain their own insurance.

But they are not alone. Businesses also have a hard time buying insurance for their workers. Some insurance companies engage in the practice of cherry picking and will not underwrite insurance for some businesses and employees. In many cases insurance companies will not insure businesses whose employees and dependents have preexisting conditions.

In my State, half of the nearly 1 million people who do not have insurance are employed. And many of the workers who do have insurance live in fear of losing it. Many New Jerseyites are experiencing an economic depression. Many are afraid of losing their job and their insurance too. Many also fear changing jobs and are experiencing so-called job lock, where people stay in occupations that are often low-paying and noncompatible with their skills because they cannot afford to have their families go without health insurance. This is no way to live.

My State has tried to tackle this access crisis by setting up an uncompensated care trust fund to reimburse hospitals for care provided to those who lack insurance. In order to finance this program, there is a 19-percent tax levied on all hospital bills. While this program provides care in the short term for many New Jerseyites, this tax drives up premium costs and exacerbates the problem of access and cost in the long run. Because of the recession, this fund has teetered on the brink of bankruptcy. It is clear from this experience that States cannot comprehensively reform the health care system alone.

The second problem we must begin to address is the spiraling cost of health care. In 1991, health costs in our country were $737 billion, up from $676 billion in 1990. If we do not take action immediately, we will be spending more than one trillion dollars annually on health care, before the end of this century.

The United States also spends more per person on health care than any country in the world—40 percent more than Canada, 90 percent more than Germany, twice as much as Japan.

Who pays these costs? The American people do. In 1980, the average American family paid $1,700 for health care expenses. In 1991, the average family paid $4,300 for the same care including co-payments, insurance premiums, Medicare payroll taxes and Medicare premiums. This is an incredible burden on the American family.

Businesses also pay for these increasing costs. Business health care premiums have been increasing by over 20 percent per year over the last few years. A study by Families USA released last month showed that business paid an average of $2,239 per family for health care premiums in 1991. This is expected to double before the year 2000. These skyrocketing costs coupled with the severe recession, have forced American business into a Hobson's choice, either invest in staying competitive or pay bigger and bigger health insurance bills. It is no wonder that 78 percent of labor disputes in 1990, centered around health benefits.

There are currently over 30 comprehensive health care reform bills pending in the Congress. If we are to ensure enactment of a health care measure this year, we will have to forge a compromise with Democrats, Republicans and the Administration. I will work hard to make sure that any comprehensive health care reform measures includes the following.

First, universal access to quality health care for all Americans. This means that every American should have access to basic, quality health care without regard to where the person is employed or whether he or she is employed. A family's health coverage should not depend on whether or not the person is unemployed. Today, we have millions of Americans who are unemployed through no fault of their own. Many Americans are losing or have lost their health insurance because of the recession.

Universal access should also include access to quality, basic care. This means that the uninsured should have access to insurance with equitable premiums and deductibles. In addition, all Americans should have access to quality health care providers.

So long as private insurers is the main way Americans assure themselves of health care, we must undertake insurance reform so that employers have reasonable access to the private insurance market.

Second, skyrocketing health care costs must be controlled. Any comprehensive health care package must include meaningful cost controls. This

need to eliminate duplicative services and cut administrative costs in our health care system. We must make sure that our precious health care dollar is used to reasonably compensate our health care providers only for necessary services rendered.

This will in turn help to control the costs of health care premiums for individuals, the self-employed and businesses, and help assure access to health care.

If we can develop the most sophisticated medical technologies in the world and graduate world class health researchers and practitioners, we must also be able to provide affordable, quality health care to all Americans who need it. That is what the American people want and that is what I will work hard to deliver.

STRENGTHENING EDUCATION FOR AMERICAN FAMILIES ACT

Mr. KENNEDY. Mr. President, what is the matter before the Senate?

The PRESIDING OFFICER. The clerk will report the pending business.

The bill clerk read as follows:

A bill (S. 2) to provide the achievement of national education goals, to establish a National Council on Education Goals and an Academic Report Card to measure progress on the goals, and to promote literacy in the United States, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order the Senator from Massachusetts is recognized to offer whatever modification he desires.

MODIFICATION TO COMMITTEE SUBSTITUTE

Mr. KENNEDY. Mr. President, on behalf of the Labor Committee, I send to the desk a modification to the committee substitute and ask for its immediate consideration.

The PRESIDING OFFICER. The substitute is so modified.

The modification is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Neighborhood Schools Improvement Act".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.
TITLE I—NATIONAL EDUCATION GOALS
PART A—NATIONAL GOALS
Sec. 101. Purpose.
Sec. 102. School readiness.
Sec. 103. School completion.
Sec. 104. Student achievement.
Sec. 105. Mathematics and science.
Sec. 106. Family literacy and lifelong learning.
Sec. 107. Safe, disciplined, and drug-free schools.
PART B—NATIONAL ACADEMIC REPORT CARD
Sec. 111. Short title.
Sec. 112. Findings and purpose.
Sec. 113. National Council on Educational Goals.
Sec. 114. Functions.
Sec. 115. Interim council report.
Sec. 116. Annual report card.
Sec. 117. Powers of the Council.
Sec. 118. Administrative provisions.
Sec. 119. Director and staff; experts and consultants.
Sec. 120. Authorization of appropriations.
TITLE II—NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT
Sec. 201. Purpose.
Sec. 202. Allotment of funds.
Sec. 203. State application.
Sec. 204. Neighborhood Schools Improvement Advisory Council.
Sec. 205. State Neighborhood Schools Improvement Plan and report on restrictions.
Sec. 206. Review of State plans.
Sec. 207. State administration and local applications.
Sec. 208. Use of funds.
Sec. 209. Requirements relating to use of allotments.
Sec. 210. Evaluation requirements.
Sec. 211. Dissemination of exemplary practices by the Secretary.
Sec. 212. Authorization of appropriations.
TITLE III—DEFINITIONS
Sec. 301. Definitions.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) to achieve the National Education Goals each State must develop and implement widely shared, comprehensive strategies to support the revitalization of all public elementary and secondary schools;

(2) education improvement will require statewide reform strategies and an unshakable long-term commitment by State policymakers;

(3) educational improvement will require adequate commitment and investment from the Federal Government;

(4) educational reform will require that teachers and school leaders play the central role in designing and implementing changes at the school level and they must have access to high-quality training and professional development to maximize that role and increase their effectiveness;

(5) ultimately, meaningful educational reform will be achieved on a school by school basis;

(6) teachers, principals, parents and members of the local community can, in collaboration with the local educational agency, design effective education reform strategies to achieve the National Education Goals and be strongly committed to such plans if these individuals have access to the resources to implement such plans;

(7) schools receiving resources under this Act to implement a reform plan should be required to show improved academic achievement and progress towards the achievement of the National Education Goals;

(8) the Federal Government can best encourage efforts to achieve the National Education Goals by making resources available to States for the development of coherent and coordinated education reform plans and to assist neighborhood public schools in implementing education reform efforts; and

(9) the Federal Government can also encourage reform by establishing an independent, non-partisan mechanism to measure progress toward the achievement of the National Education Goals.

(b) PURPOSE.—It is the purpose of this Act to provide resources to assist States and neighborhood public schools in the design and implementation of education reform strategies to improve student achievement and achieve the National Education Goals.

TITLE I—NATIONAL EDUCATION GOALS

PART A—NATIONAL GOALS

SEC. 101. PURPOSE.

It is the purpose of this title to establish a plan of action for the initial steps that the Federal Government must take in order to assist teachers, school leaders, parents, State and local governments, and businesses in the joint effort of achieving the National Education Goals as outlined in this title.

SEC. 102. SCHOOL READINESS.

(a) FINDINGS.—The Congress finds that the Federal Government should expand its commitment to school readiness to ensure that all children are ready and able to begin school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, all children in America will start school ready to learn. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide Head Start services to every eligible child who needs such services;

(2) to provide sufficient funding for the special supplemental food program for women, infants, and children so that all potentially eligible women, infants, and children have access to the services provided by the program;

(3) to assure that all women have access to affordable, high quality prenatal care and that all infants and children have access to affordable, high quality comprehensive and preventive health care, by providing sufficient funding for programs, including the Maternal and Child Health Services Block Grant, the Community and Migrant Health Center Grant Program, Medicaid, and the Childhood Immunization Grant Program;

(4) to expand funding for Even Start and the Follow Through Act to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement;

(5) to provide sufficient funding to assist States in providing a free appropriate public education to preschool children with disabilities and early intervention services to infants and toddlers with disabilities and their families pursuant to the Individuals With Disabilities Education Act; and

(6) to assure that every child participating in early childhood education is taught by a well-qualified teacher.

SEC. 103. SCHOOL COMPLETION.

(a) FINDINGS.—The Congress finds that in order for the Nation to improve its economic competitiveness, each individual in the United States must be educated to his or her greatest potential and must be encouraged to finish secondary school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, the high school graduation rate will increase to at least 90 percent. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take consistent steps—

(1) to expand funding for secondary school dropout prevention and reentry programs and basic skills programs to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number

of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement; and

(2) to collect uniform, reliable data from the States with respect to school completion rates.

SEC. 104. STUDENT ACHIEVEMENT.

(a) FINDINGS.—The Congress finds that American students are falling behind students in other industrialized nations on tests measuring abilities in all academic subject areas.

(b) POLICY.—It is the goal of the United States that, by the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, productive employment, and independent living in our modern economy. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide appropriate educational assistance for all disadvantaged children in the United States by increasing the participation of eligible children in programs under chapter 1 of title I of the Elementary and Secondary Education Act of 1965;

(2) to fulfill the commitment made by the United States in 1975 to provide 40 percent of the costs of educating children with disabilities;

(3) to reward successful programs in schools with concentrations of disadvantaged children;

(4) to promote efforts that encourage all students to be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility; and

(5) to encourage highly qualified individuals to become teachers and to remain in the teaching profession.

SEC. 105. MATHEMATICS AND SCIENCE.

(a) FINDINGS.—The Congress finds that—

(1) most students in the United States are behind students from other industrialized nations on tests measuring achievement in mathematics and science;

(2) the Federal Government has a significant role in promoting the study of mathematics and science in elementary and secondary schools by providing financial assistance to local educational agencies to improve the general quality of programs for the study of mathematics and science through authorized mathematics and science education programs; and

(3) the Federal Government has indirectly assisted in the postsecondary study of mathematics and science by providing future scientists, mathematicians, and engineers with financial assistance to attend postsecondary institutions, but more incentives are needed to attract high-achieving students into these areas of study.

(b) POLICY.—It is the goal of the United States that, by the year 2000, United States students will be first in the world in mathematics and science achievement. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to expand funding for the Excellence in Mathematics, Science, and Engineering Act of 1990 to increase the number of individuals, particularly women and minorities, in graduate and undergraduate programs in mathematics, science, and engineering;

(2) to expand funding for the Dwight D. Eisenhower Mathematics and Science Education Act so that all elementary teachers and all secondary teachers of mathematics and science will have an opportunity for updating and improving their mathematics and science education skills;

(3) to expand funding for such Act so that all elementary school teachers have an opportunity for skill improvement;

(4) to award scholarships to high-achieving students to pursue the study of mathematics, science, and related subjects at postsecondary institutions; and

(5) to encourage highly qualified individuals to become and to remain mathematics and science teachers in elementary and secondary schools.

SEC. 106. FAMILY LITERACY AND LIFELONG LEARNING.

(a) FINDINGS.—The Congress finds that—

(1) nearly 30,000,000 adults in the United States are lacking literacy skills which limits their ability to read, write, or speak in English or to compute or solve problems effectively; and

(2) the Federal Government has a responsibility to assist State and local governments in providing literacy services to those individuals in need of such services so that they may be full participants in society.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide increased funding for the Adult Education Act so that all eligible individuals who seek such services under such Act will receive such services;

(2) to expand Federal assistance for literacy programs in order to assist State and local governments, public libraries, organizations and volunteers in providing all individuals lacking literacy skills the opportunity to acquire skills needed to function in society; and

(3) to provide increased funding for the rehabilitation and training of young persons with disabilities in accordance with the Rehabilitation Act of 1973.

SEC. 107. SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.

(a) FINDINGS.—The Congress finds that—

(1) use of illicit drugs and alcohol continues to be a major problem that threatens the safety of the children of the Nation and impedes their ability to succeed in school and in their lives; and

(2) more Federal efforts are urgently needed in the areas of drug and alcohol abuse education and prevention.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps to ensure that all students receive drug abuse prevention education and counseling services.

PART B—NATIONAL ACADEMIC REPORT CARD

SEC. 111. SHORT TITLE.

This part may be cited as the "National Academic Report Card Act of 1991".

SEC. 112. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the social well-being, economic stability, and national security of the United States depend on a strong educational system that provides all citizens with the skills necessary to become active members of a productive work force;

(2) despite the many reforms of the educational system that have been implemented since the National Council on Excellence in Education declared our Nation "at risk" in 1983, the United States remains at risk for educational underachievement;

(3) United States children and youth leave school unprepared to participate productively in the work force, suffer high rates of functional illiteracy, and often display a lack of understanding about the United States and the world, in both a historical and futuristic context;

(4) United States students currently rank far below students of many other countries in educational achievement, particularly in mathematics and the sciences;

(5) although States and localities bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness requires that the United States increase efforts to make education a national priority;

(6) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to play the role;

(7) accurate and reliable mechanisms must be available to assess and monitor educational progress;

(8) many schools have shown considerable progress and success in improving achievement, including model schools and schools that have implemented innovative approaches to school governance structure;

(9) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support the mechanisms, do not exist or must be strengthened;

(10) many factors contribute to the performance of the students at a school, including school finance, resources, teaching conditions, and parental involvement, and an analysis of the factors, along with educational achievement, should be included in reports on school performance;

(11) there should be established an independent Council of highly respected, bipartisan, diverse experts to—

(A) study, make recommendations regarding, and monitor progress on meeting national goals for education; and

(B) make recommendations on the educational assessment and information system of the United States; and

(12) the Council described in paragraph (11) should have the authority to—

(A) make such recommendations as the Council determines to be necessary to the President, Congress, and the States; and

(B) issue annual reports in the form of a national report card.

(b) PURPOSE.—Pursuant to the establishment of the National Education Goals, it is the purpose of this title to establish a bipartisan independent council of highly respected and diverse experts to develop and implement methods to measure progress in attaining the national goals, to make recommendations concerning further progress

in attaining such goals, and to annually report on the progress made in reaching such goals.

SEC. 113. NATIONAL COUNCIL ON EDUCATIONAL GOALS.

(a) ESTABLISHMENT.—There is established a National Council on Educational Goals (referred to in this part as the "Council").

(b) COMPOSITION.—The Council shall be composed of 22 members (referred to in this part as "members"), including—

(1) four members appointed by the President;

(2) six members, not more than three of whom shall be from the same political party, appointed by the Chairperson of the National Governors' Association in consultation with the Vice Chairperson of the Association;

(3) six members appointed by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives; and

(4) six members appointed by the President pro tempore of the Senate on the recommendation of the Majority Leader and Minority Leader of the Senate.

(c) QUALIFICATIONS.—

(1) CONGRESSIONAL APPOINTEES.—Members appointed under paragraph (3) or (4) of subsection (b)—

(A) shall be appointed on the basis of—

(i) widely recognized experience in, knowledge of, and commitment to, education and educational excellence; and

(ii) training or experience in analyzing educational data;

(B) shall not include elected or appointed Federal public officials; and

(C) shall be appointed from among—

(i) individuals who are engaged in the professions of teaching and research;

(ii) individuals with experience in analyzing school performance data who are—

(I) engaged in school administration;

(II) members of school boards;

(III) parents; or

(IV) representatives of parents or parent organizations;

(iii) individuals who are representatives of nonprofit organizations or foundations and businesses that have demonstrated a commitment to the improvement of United States education; and

(iv) other individuals determined to be appropriate by the person appointing the individuals under paragraphs (3) and (4) of subsection (b).

(2) NATIONAL GOVERNORS' ASSOCIATION APPOINTEES.—Members appointed under subsection (b)(2) shall be appointed from among—

(A) the Governors; or

(B) individuals with the qualifications described in paragraph (1), or other qualifications as determined to be appropriate by the Chairperson of the National Governors' Association.

(d) TERM.—

(1) PRESIDENTIAL APPOINTEES.—From among the members appointed under subsection (b)(1), the President shall designate one appointee to serve a six-year term, two appointees to serve a 4-year term, and one appointee to serve a 2-year term.

(2) NATIONAL GOVERNORS' ASSOCIATION NOMINEES.—From among the members appointed under subsection (b)(2), the Chairperson and the Vice Chairperson of the National Governors' Association shall each designate one appointee to serve a 6-year term, one to serve a 4-year term, and one to serve a 2-year term.

(3) HOUSE APPOINTEES.—Among the members appointed by the Speaker of the House under subsection (b)(3)—

(A) the Speaker shall designate two appointees to serve a 6-year term, one to serve a 4-year term, and one to serve a 2-year term; and

(B) the Minority Leader shall designate one appointee to serve a 4-year term, and one to serve a 2-year term.

(4) SENATE APPOINTEES.—Among the members appointed by the President pro tempore of the Senate, under subsection (b)(4)—

(A) the President pro tempore of the Senate, in consultation with the Majority Leader of the Senate, shall designate two appointees to serve a 6-year term, one to serve a 4-year term, and one to serve a 2-year term; and

(B) the President pro tempore of the Senate, in consultation with the Minority Leader of the Senate, shall designate one appointee to serve a 4-year term, and one to serve a 2-year term.

(5) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of this Act.

(6) RETENTION.—In order to retain an appointment to the Council, a member must attend at least 50 percent of the scheduled meetings of the Council in any given year.

(e) CHAIRPERSON SELECTION.—

(1) INITIAL SELECTION.—The members appointed under subsection (b)(2) shall select a Chairperson from among such members, except that after the expiration of the term of the member selected under this paragraph to serve as Chairperson as of October 1, 1991, or upon the termination of the tenure of such Chairperson, whichever is earlier, a majority of the members of the Council shall select the Chairperson from among the members.

(2) CONTINGENT SELECTION.—If no individual described in paragraph (1) assumes the position of Chairperson of the Council within 60 days of the date of the enactment of this Act, a majority of the members shall thereafter select a Chairperson from among the members.

(f) VACANCIES.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(g) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(h) INITIATION.—The Council may begin to carry out the duties of the Council under this part when—

(1) eleven members have been appointed; or

(2) eight members have been appointed under paragraph (3) or (4) of subsection (b).

SEC. 114. FUNCTIONS.

(a) FUNCTIONS.—The Council shall—

(1) compile, inventory, and analyze existing information regarding the educational achievement of United States students and schools, including public and private elementary, secondary, and postsecondary schools; and private elementary, secondary, and postsecondary schools;

(2) monitor and report on progress toward meeting national goals and the objectives of the goals, using appropriate and recognized indicators;

(3) establish benchmarks to meet the National Education Goals;

(4) identify the information that would best advise the public about the state of schools in the United States;

(5) develop consensus about the indicators on which data will be collected and analyzed for the Report Card described in section 115, and identify data bases that provide the needed information;

(6) make recommendations about additional data that will be needed;

(7) through the interim Council report described in section 114 and the annual Report Card described in section 115, identify gaps in existing educational data and make recommendations for improvements in the methods and procedures of assessing attainment or realization of goals by the Department of Education and any other Federal governmental entity, including suggestions for such changes in laws and regulations as may be required to improve the assessment process, procedures, and organization of the Federal Government; and

(8) through information obtained in the hearing process described in section 116, develop recommendations regarding Federal, State, and local policymaking for meeting the national goals.

(b) PERFORMANCE OF FUNCTIONS.—In carrying out subsection (a)(2), the Council shall—

(1) consider the National Educational Goals and other goals set forth or recommended by nongovernmental organizations;

(2) report on the progress toward achieving the goals at the national level, including appropriate comparisons of the educational achievement of the United States with other nations;

(3) consider relevant data that affect student performance, including data on—

(A) school readiness;

(B) student achievement in elementary, secondary, and postsecondary education;

(C) school financing and equalization;

(D) the degree and quality of parental involvement;

(E) availability of instructional resources;

(F) the degree of involvement of social service agencies;

(G) school and student performance, including—

(i) attendance and completion rates;

(ii) climate (vandalism, crime, and drugs);

(iii) conditions of teaching including salary and professional development training; and

(iv) parent participation;

(H) work force literacy and skills; and

(I) areas of teacher shortages;

(4) report on progress comparing skill attainment or progress within similar bands of school resources; and

(5) consider alternative assessment instruments emphasizing mastery over skill areas rather than specific information.

(c) DATA COLLECTION.—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to appropriately assess progress toward the National Education Goals.

SEC. 115. INTERIM COUNCIL REPORT.

Not later than 1 year after the Council concludes the first meeting of the Council, the Council shall prepare and submit a report to the President, the appropriate committees of Congress and the Governor of each State, that—

(1) establishes a timetable for reporting on progress toward achieving National Education Goals; and

(2) includes a series of reasonable steps for measuring the implementation and success of each recommendation of the Council.

SEC. 116. ANNUAL REPORT CARD.

(a) IN GENERAL.—Not later than 2 years after the date the Council concludes its first meeting of members, the Council shall prepare and submit to the President, the appropriate committees of Congress, and the Gov-

ernor of each State a National Report Card, that—

(1) sets forth an analysis of the progress of the United States toward achieving the National Education Goals; and

(2) may, as determined necessary by the Council based on the findings of the Council and an analysis of the views and comments of all interested parties—

(A) describe modifications to existing goals;

(B) identify continuing gaps in existing educational data; and

(C) make recommendations for improvement in the methods and procedures of assessing educational attainment and strengthening the national educational assessment and information system of the Department of Education or any other appropriate Federal Government entity.

(b) CONTINUATION.—Based on the timetable established in section 114, the Council shall continue to issue a National Report Card on an annual basis for the duration of the existence of the Council.

(c) FORMAT.—National Report Cards shall be presented in a form that is understandable to parents and the general public.

SEC. 117. POWERS OF THE COUNCIL.

(a) HEARINGS.—

(1) IN GENERAL.—The Council shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) CONDUCT.—In carrying out this part, the Council shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on—

(A) the status and goals of the current educational system of the United States;

(B) the need to redefine and redirect educational goals;

(C) policy recommendations for pursuing the goals at the Federal, State, and local levels; and

(D) methods that could be implemented to foster higher levels of educational attainment in United States schools.

(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this title. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) GIFTS.—

(1) IN GENERAL.—The Council may accept, use, and dispose of gifts or donations of services or property.

(2) REGULATIONS.—The Chairperson of the Council is authorized to establish regulations setting forth the criteria the Council shall use to determine whether the acceptance of gifts, donations or services under paragraph (1) shall reflect unfavorably upon the ability of the Council or any employee to carry out responsibilities or official duties under this part in a fair and objective manner, or shall compromise the integrity of or the appearance of the integrity of a government program or any official involved in such program.

(d) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary of Education shall provide to the Council, on a reimbursable basis, administrative support services as the Council may request.

SEC. 118. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

(b) QUORUM.—Eleven members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a majority vote of the members attending a duly called and constituted meeting of the Council. No individual may vote or exercise any of the powers of a member by proxy.

(d) OFFICE OF CHAIRPERSON AND VICE CHAIRPERSON.—The Chairperson and Vice Chairperson of the Council shall serve as Chairperson and Vice Chairperson until the expiration of the terms of the Chairperson and Vice Chairperson as members, or until resignation or removal by a majority of the members.

SEC. 119. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF STAFF.—The Chairperson may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Council may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Council shall not exceed the rate of basic pay payable for GS–15 of the General Schedule.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Council to assist the Council in its duties under this title.

SEC. 120. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $2,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993 through 2001 to carry out this part.

TITLE II—NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT

SEC. 201. PURPOSE.

It is the purpose of this title to provide multiyear financial assistance to public elementary and secondary schools to encourage all schools to engage in comprehensive improvement to—

(1) meet the National Education Goals;

(2) improve the educational achievement of the students attending the school; and

(3) increase community, parental and business collaboration to improve such schools and raise academic achievement.

SEC. 202. ALLOTMENT OF FUNDS.

(a) ALLOTMENT.—From the amount appropriated pursuant to the authority of section 212 in each fiscal year the Secretary shall allot to each State educational agency having an application approved under section 203 an amount which bears the same relation to—

(1) 50 percent of such funds as the amount such State educational agency received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year; and

(2) 50 percent of such funds as the amount such State educational agency received under chapter 2 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year.

(b) STATE MINIMUM.—

(1) IN GENERAL.—No State educational agency, by reason of the application of subsection (a) shall receive an allotment under this title in any fiscal year which is less than one-quarter of one percent of the amount appropriated pursuant to the authority of section 212 for such fiscal year.

(2) SPECIAL RULE.—The Secretary shall award a grant to the Pacific outlying area using whatever mechanism the Secretary determines shall best meet the purposes of this title.

(c) GENERAL USE OF ALLOTMENT.—

(1) INITIAL YEAR.—In the initial year for which a State educational agency receives an allotment under this title, funds under such allotment shall be used to develop a State Neighborhood Schools Improvement Plan as required under section 205, to assist neighborhood schools in developing improvement plans that are consistent with the State Neighborhood Schools Improvement Plan, to assist local schools in preparing applications for grants as described in section 207(c) and to review local applications.

(2) SPECIAL RULE.—A State educational agency may, in the first year for which funds are received under this title, use funds not otherwise used for planning activities as described in section 205, for training and professional development activities for teachers and school leaders and for initiatives to increase parental choice among public schools. Any such funds remaining at the end of such year may be carried over by the State educational agency for distribution to schools in the following year.

(3) SECOND AND SUCCEEDING YEARS.—

(A) IN GENERAL.—Subject to the provisions of section 209, in the second and succeeding years for which a State educational agency receives an allotment under this title, not to exceed 10 percent of the funds received under such allotment in each such year may be used for evaluations, administrative activities, and technical assistance to assist local schools in preparing an application to be submitted pursuant to section 207(c) and for the review of local applications. The remainder of such funds shall be made available to local schools as required in section 208.

(B) WAIVER.—A State may submit an application to the Secretary for a waiver of the requirements of subparagraph (A). Under such waiver, the Secretary may permit such State to expend not to exceed an additional 10 percent of the funds received under this title for activities such as—

(i) teacher training and professional development for teachers and school leaders;

(ii) initiatives to increase parental choice among public schools, including assessment of student needs and parent information and referral programs; and

(iii) other activities developed in conjunction with local education agencies that are

designed to improve student achievement in the public schools.

SEC. 203. STATE APPLICATION.

(a) IN GENERAL.—A State educational agency desiring to receive an allotment under this title shall prepare and submit to the Secretary an application at such time, in such manner and containing such information as the Secretary may require.

(b) FIRST YEAR.—In the first year an application is submitted under this section such application shall contain a description of the process and procedures that the State educational agency will undertake to establish, the Neighborhood Schools Improvement Advisory Council in accordance with section 204.

(c) SECOND YEAR.—In the second year an application is submitted under this section such application shall include the State Neighborhood Schools Improvement Plan described in section 205.

SEC. 204. NEIGHBORHOOD SCHOOLS IMPROVEMENT ADVISORY COUNCIL.

(a) IN GENERAL.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall establish a Neighborhood Schools Improvement Advisory Council (hereafter referred to in this title as the "Council").

(2) FUNCTIONS.—The Council shall serve as an advisory group for the development of a comprehensive and systemic plan to improve the public elementary and secondary schools in the State, to review the Neighborhood Schools Improvement Plan developed by the State educational agency, and to advise on the development of the criteria used to evaluate applications for Neighborhood Schools Improvement Grants.

(b) COMPOSITION AND REPRESENTATION.—

(1) COMPOSITION.—(A) The Council shall be composed of 14 members, of which—

(i) seven shall be appointed by the State educational agency; and

(ii) seven shall be appointed by the Governor.

(B) The State educational agency and the Governor shall appoint members of the Council pursuant to this section so that such members are in approximate proportion to the relative distribution of students in the State who are from urban and rural areas in the State. The Council shall include, at a minimum, representatives of the State educational agency, the Governor, State legislators, local educational agencies, the business community, parents, public school teachers, and public school administrators.

(2) REPRESENTATION.—

(A) IN GENERAL.—A Council established pursuant to this section shall be broadly and widely representative of the population of the State.

(B) HIGH NEED SCHOOLS.—Not less than 50 percent of the members of the Council appointed by the State educational agency and the Governor shall be selected from communities with schools designated as high need schools in accordance with section 207(a)(2) and shall include public school teachers, school leaders and parents.

(c) CHAIRPERSON.—The Council shall appoint a chairperson.

SEC. 205. STATE NEIGHBORHOOD SCHOOLS IMPROVEMENT PLAN AND REPORT ON RESTRICTIONS.

(a) PLAN.—

(1) IN GENERAL.—The State educational agency shall, not later than 1 year after the date of enactment of this Act and in consultation with the Council, develop a State Neighborhood Schools Improvement Plan, that meets the requirements of subsection (b), for the improvement of academic achievement in all public elementary and secondary schools in the State and to assist the State in achieving the National Education Goals.

(2) REVIEW AND COMMENT; TRANSMISSION.—The plan described in paragraph (1) shall be submitted to the Council and the Governor for review and comment. The Council and the Governor shall review the plan and submit their comments to the State educational agency within 30 days of receipt of such plan. Such comments shall be transmitted by the State educational agency along with the plan to the Secretary as part of the application described in section 203(b).

(b) GENERAL REQUIREMENTS OF PLANS.—A State Neighborhood Schools Improvement Plan developed under subsection (a) shall contain a plan for the comprehensive and systemic reform of all public schools in the State to assist such State in improving the academic achievement of all students and achieving the National Education Goals. Such plan shall—

(1) affirm the commitment of the State to the National Education Goals and describe the measures to be taken to achieve such goals;

(2) establish the goal of transforming the system of education to provide every child a high quality education;

(3) describe the manner in which appropriate resources will be provided to implement the reform plan;

(4) describe the manner in which the State will measure progress made towards achieving the National Education Goals and make such information available to the public;

(5) describe plans to improve the professional development of teachers and school leaders;

(6) provide an evaluation of the efforts undertaken to achieve the goals;

(7) contain a description of the manner in which the State educational agency shall encourage and enhance improvement in all public schools in the State to improve student achievement to meet the National Education Goals; and

(8) describe the measures to be taken to assure widespread public support for the plan.

(c) DESCRIPTION OF GRANT ADMINISTRATION.—A State Neighborhood Schools Improvement Plan developed under subsection (a) shall describe the measures to be undertaken by the State to administer the allotment provided to the State under this title. In meeting the requirement of this subsection, such plan shall include—

(1) a description of the procedures that shall be used to—

(A) identify and inform local educational agencies and schools about the program assisted under this title; and

(B) provide technical assistance, where necessary or requested, to help local educational agencies and schools, especially high need schools, prepare the applications submitted pursuant to section 207(b);

(2) a description of the measures to be undertaken to monitor and evaluate the activities and results at schools receiving a grant under this title;

(3) a description of the measures to be undertaken to implement a competitive process to award grants under this title in accordance with section 207;

(4) an assurance that grants awarded under this title shall be equitably distributed among local educational agencies with the greatest number or concentration of economically disadvantaged students;

(5) an assurance that funds received under this title shall be used to supplement and not supplant other Federal, State and local funds available to the schools;

(6) an assurance that funding under this title shall terminate if the State educational agency determines that a school—

(A) is not successfully implementing the activities and services described in the application submitted pursuant to section 207(b); or

(B) is not making measurable gains in student achievement or increasing the graduation rate at such school in the fourth, fifth, and, if appropriate, succeeding years of the project assisted under this title;

(7) a description of an appeals process available for schools whose funding under this title has been terminated pursuant to paragraph (6), and an assurance that any such decision to terminate funding shall be reviewed;

(8) a description of the steps the State educational agency shall use to ensure that successful practices identified through grants awarded to schools under this title shall be disseminated to other schools served by the State educational agency and the measures to be taken by the State educational agency to encourage and assist other schools in implementing such successful practices; and

(9) an assurance that the State educational agency shall inform the Secretary of the most successful neighborhood schools served under this title, and provide such information regarding such schools as the Secretary shall request in order to facilitate the national dissemination of successful practices.

(d) IDENTIFICATION OF LAWS AND REGULATIONS THAT RESTRICT FLEXIBILITY.—At the end of the initial year, the Council shall prepare and submit to the Secretary, the Governor, the State educational agency and the State legislature a report identifying Federal and State statutes, rules and regulations that, in the opinion of the relevant local school teachers and administrators, restrict school level flexibility and make it difficult for the schools to improve academic achievement and reach the National Education Goals.

SEC. 206. REVIEW OF STATE PLANS.

The Secretary shall, through a peer review process, review plans submitted under section 205 to ensure that the plans meet the requirements of such section. A plan shall not be disapproved because such plan lacks one or more specific education reform strategies or initiatives. The Secretary shall specify, in writing, the reasons for disapproving any plan and shall submit such written reasons to the appropriate State educational agency.

SEC. 207. STATE ADMINISTRATION AND LOCAL APPLICATIONS.

(a) REQUIREMENT FOR GRANTS.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall award grants under this title to schools within the State that have submitted an application pursuant to subsection (b).

(2) HIGH NEED SCHOOLS.—For the purpose of this title the term "high need school" means a school designated by the State educational agency as meeting at least two of the following criteria:

(A) The school is eligible to participate in a schoolwide project assisted under section 1015 of the Elementary and Secondary Education Act of 1965.

(B) The school is located in a school district experiencing extreme financial distress (such as bankruptcy, State takeover or undergoing consolidation because of financial problems).

(C) The school is among the 25 percent of all elementary schools in the State with the

greatest number or concentration of children eligible to be counted under section 1005(c) of the Elementary and Secondary Education Act of 1965.

(D) The school is among the 25 percent of all secondary schools in the State with the greatest number or concentration of children eligible to be counted under section 1005(c) of the Elementary and Secondary Education Act of 1965.

(E) The school is among the 25 percent of all elementary schools in the State with the lowest levels of student achievement, as measured by the State, or, in the case of a State that has no statewide assessment system, as shown by the school through the use of a nationally normed test that demonstrates the school ranks in the lowest quartile of student achievement.

(F) The school is among the 25 percent of all secondary schools in the State with the lowest levels of student achievement, as measured by the State, or, in the case of a State that has no statewide assessment system, as shown by the school through the use of a nationally normed test that demonstrates the school ranks in the lowest quartile of student achievement.

(G) The school is participating in a school improvement program pursuant to section 1021(b) of the Elementary and Secondary Education Act of 1965.

(b) LOCAL APPLICATIONS.—

(1) IN GENERAL.—

(A) PREPARATION.—Each school desiring a grant under this title shall prepare an application, in consultation with the appropriate local or intermediate educational agency, at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require, and shall submit such application to the local educational agency.

(B) DESIGNS.—In preparing an application under subparagraph (A), a school is encouraged to review and utilize, as appropriate, research, model projects and other activities conducted or sponsored by the New American Schools Development Corporation, federally funded educational research laboratories and centers, public and private nonprofit research organizations, the National Diffusion Network, and the Department of Education.

(C) REVIEW, COMMENT AND SUBMISSION.—(i) In submitting the application described in subparagraph (A) each local educational agency shall—

(I) review, comment and offer any recommendations regarding the application submitted by a school pursuant to subparagraph (A); and

(II) submit such application to the State educational agency within 30 days of receipt of such application.

(ii) In making the comments described in clause (i), the local educational agency shall—

(I) assure that funds received under this title shall supplement and not supplant other Federal, State, and local funds available to the school for the activities and services assisted under this title;

(II) provide data on the poverty level and the academic achievement of the students at the school;

(III) describe the resources and commitment that the local educational agency will contribute to a school assisted under this title to help the school meet the National Education Goals and improve the academic achievement of the students attending the school, including an assurance that the local educational agency shall expedite action on requests for assistance made by such school;

(IV) describe steps the local educational agency will take to encourage and enhance comprehensive improvement in other schools in the local educational agency in order to meet the National Education Goals;

(V) assure that the local educational agency shall act as the fiduciary agent for a school receiving a grant under this title and shall expeditiously transmit to the school any grant funds received from the State educational agency under this title, except as provided in paragraph (2);

(VI) describe the technical assistance and dissemination activities that the local educational agency shall undertake to assist schools receiving a grant under this title; and

(VII) provide assurances that—

(aa) the application was originated by the school seeking such a grant;

(bb) all funds received under this title, except as provided in paragraph (2), shall be spent for the benefit of the school at the direction of local school officials; and

(cc) the activities assisted under this title shall be directed at the school.

(iii) Notwithstanding any other provision of law, if a local educational agency is unable or unwilling to act as a fiduciary agent for a school receiving a grant under this title in accordance with subclause (V) of clause (ii), then the State educational agency, in making such a grant to such a school, shall make alternative arrangements so that the school may receive the funds.

(2) LIMITATION.—Each local educational agency receiving a grant under this title on behalf of a school may use not more than 5 percent of such grant funds for administration, technical assistance, dissemination and evaluation of activities assisted under this title.

(3) CONTENTS.—Each application submitted pursuant to this subsection shall describe—

(A) the school's academic goals and the status of students in such school with respect to such goals;

(B) a comprehensive, schoolwide initiative likely to result in the school making substantial progress toward the National Education Goals, especially such goals related to the improvement of student achievement;

(C) the goals for the initiative and a multiyear plan to improve student achievement at the school;

(D) the steps to be taken by the school to achieve the goals of the initiative;

(E) the staff development activities to be conducted in implementing the initiative;

(F) efforts, if any, to link the activities of the school with federally supported teacher training and school leadership activities;

(G) the use of funds to achieve such goals;

(H) the statistical indicators to be used to measure progress toward achieving the National Education Goals, especially such goals related to the improvement of student achievement;

(I) the schedule for reporting the data described in subparagraph (H) to the State and the local community at least once a year beginning at the conclusion of the second year in which a grant payment under this title is made and annually thereafter and an assurance that such data shall be reported in a manner that is clear, and easily understandable; and

(J) describe how the local educational agency will use funds, if any, reserved for the local educational agency under paragraph (2).

(4) ASSURANCES.—In preparing the application described in this subsection the school shall ensure that such application shall—

(A) be developed by school administrators, teachers, parents, and community-based organizations and local businesses, in consultation with the local educational agency; and

(B) give clear evidence that commitment to such project is widely shared in the school community.

(c) STATE REPORT.—Each State educational agency receiving an allotment under this title, after awarding grants under this title in each fiscal year, shall file a report with the Secretary indicating—

(1) the names and addresses of the schools that received a Neighborhood Schools Improvement Grant under this title;

(2) the improvement activities each school shall undertake and the expected results of such activities;

(3) the number of high need schools that have received a grant and the amount of such grants;

(4) the Council's reasons for the selection of each such school; and

(5) the amount of the grant awarded to each school.

SEC. 208. USE OF FUNDS.

(a) MANDATORY.—Each school receiving a grant under this title shall use such grant funds for an initiative to implement significant, comprehensive, schoolwide changes in the structure or programs of such school in a manner that shall help such school meet the National Education Goals, especially by improving student achievement.

(b) PERMISSIBLE.—Each school receiving a grant under this title may use such grant funds for—

(1) continuous and comprehensive early childhood education;

(2) enhanced academic programs, including supplementary instruction, efforts to improve higher order thinking skills, and activities to increase the participation of minority and female students in mathematics and science courses;

(3) school-based management programs designed to move more authority for decisionmaking to the school building level and increase the participation of teachers and parents in school governance;

(4) the provision of coordinated educational and vocational services within the school;

(5) projects to increase the knowledge and skills of teachers and school leaders;

(6) educational enrichment projects to meet the needs of educationally and economically disadvantaged children, students with disabilities, and limited-English proficient students;

(7) projects to improve the condition and adequacy of school buildings, instructional facilities and equipment when such improvements are directly related to improving student achievement, except that no funds shall be used for construction or major remodeling;

(8) projects to strengthen parent involvement and parenting education and to increase the partnership between families and the schools;

(9) extended day and year projects, especially projects with an academic component;

(10) projects to increase the use of educational technology and integrate such technology into the instructional program of the school to improve student achievement;

(11) the implementation of measures to reduce class size and provide more individualized instruction;

(12) dropout prevention, re-entry, alternative programs and support activities for students at-risk of dropping out of school, or students who have returned to school; and

(13) any other initiative which will result in significant, comprehensive schoolwide changes in the structure or programs of such school.

SEC. 209. REQUIREMENTS RELATING TO USE OF ALLOTMENTS.

(a) RESERVATION.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall reserve not less than 75 percent of such funds to award grants on a competitive basis to schools designated as high need schools in the State in accordance with section 207(a)(2).

(2) REMAINDER.—The remainder of funds not reserved pursuant to paragraph (1) shall be available to award grants on a competitive basis to any school that needs to improve student achievement, as determined by the State educational agency. In distributing funds under this paragraph, priority shall be given to schools with the lowest levels of academic achievement.

(b) SPECIAL RULES.—

(1) ADDITIONAL EFFORTS.—Each school receiving a grant under this title that requires additional efforts to implement the provisions of this title may use the first 6 months in which such grant is received for planning purposes if the State educational agency has approved such use.

(2) LIMITATION.—No school shall receive a grant under this title prior to January 1, 1993.

(c) DURATION.—Grants awarded under this title may be awarded for a period not to exceed 5 years and may be renewed if the State determines that the applicant has made meaningful progress in improving student achievement.

(d) AMOUNT.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall award grants in accordance with the provisions of this title and in an amount that reflects, relative to other grants awarded under this title and in light of the proposed project, the size and economic profile of the student population to be served.

(2) MINIMUM AMOUNT.—Each State educational agency receiving an allotment under this title shall award a grant to a local educational agency for a school in an amount that is of sufficient size and scope to permit the school to conduct a significant comprehensive, schoolwide project.

SEC. 210. EVALUATION REQUIREMENTS.

(a) EVALUATION.—Each State educational agency receiving an allotment under this title shall evaluate the initiatives assisted under this title. Such evaluations shall be designed to ensure that such initiatives are being implemented satisfactorily and that schools receiving grants are making demonstrable progress in improving student achievement or increasing the graduation rate.

(b) DATA.—Each local educational agency serving a school that receives a grant under this title shall annually collect and submit to the State educational agency data on the project assisted under this title based on the statistical indicators and other criteria described in the application submitted by the school. Such data shall include multiple measures or indicators of each National Education Goal, as available, and may take into consideration the mobility of students in the schools served under this title or other special factors.

SEC. 211. DISSEMINATION OF EXEMPLARY PRACTICES BY THE SECRETARY.

Each State educational agency shall submit to the Secretary information about successful Neighborhood Schools under its jurisdiction. The Secretary shall make summaries of such information available to schools that are undertaking, or planning to undertake improvement projects, regardless of whether such projects are assisted under this title, by means of the dissemination mechanisms established by the Secretary. The Secretary shall biennially provide to the Congress summaries of all data collected from and reports filed by schools, local educational agencies and State educational agencies pursuant to the requirements of this title.

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $850,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993 through 2001 to carry out the provisions of this title.

TITLE III—DEFINITIONS

SEC. 301. DEFINITIONS.

For the purpose of this Act—

(1) the term "elementary school" has the same meaning given to such term by section 1471(8) of the Elementary and Secondary Education Act of 1965;

(2) the term "institution of higher education" has the meaning given to such term by section 1201(a) of the Higher Education Act of 1965;

(3) the term "local educational agency" has the same meaning given to such term by section 1471(12) of the Elementary and Secondary Education Act of 1965;

(4) the term "Pacific outlying area" means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified);

(5) the term "school dropout" has the same meaning as the definition of such term developed by the Secretary pursuant to section 6201(a) of the Elementary and Secondary Education Act of 1965;

(6) the term "secondary school" has the same meaning given to such term by section 1471(21) of the Elementary and Secondary Education Act of 1965;

(7) the term "Secretary", unless otherwise specified, means the Secretary of Education;

(8) the term "school", means a public elementary or secondary school;

(9) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the Virgin Islands; and

(10) the term "State educational agency" has the same meaning given to such term by section 1471(23) of the Elementary and Secondary Education Act of 1965.

Mr. KENNEDY. Mr. President, I understand that under the previous order, the Senator from Mississippi was to be recognized, and I see him now on the floor.

I would hope, if agreeable to the Senator from Mississippi, that we might be able to permit the Senator from New Mexico to be recognized briefly to be able to offer his amendment which, as I understand, will be accepted by the majority and will be accepted by the minority. If we can dispose of that particular issue, which had been a source of some dispute in the past, then, hopefully, we can move on to the consideration of the amendment of the Senator from Mississippi or some other language which, hopefully, might be accommodated.

So if that would be agreeable to the Senator from Mississippi, I would make a unanimous-consent request.

Mr. COCHRAN. If the Senator will yield, I will have no objection to proceeding to taking up the amendment of the Senator from New Mexico under those conditions stated by the Senator.

Mr. KENNEDY. Fine.

Mr. President, then I ask unanimous consent that when I yield the floor the Senator from New Mexico be recognized for the purposes of offering an amendment.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, first of all, let me say that I wholeheartedly support S. 2, the strengthening Education for American Families Act, and see that as a major step in the right direction toward improvement of our educational system, and I want to commend both the chairman of the committee, Senator KENNEDY, and the chairman of the subcommittee, Senator PELL, for the leadership they have provided in getting this issue before the Senate. I very much hope that we can pass this bill quickly and move to conference with the House and send it to the President for his signature.

As we debate public policy, education must become a major priority. Over the past decade, we have witnessed a growing concern about educational achievement in the United States. There has been an increasing acceptance that there needs to be a more sustained national effort if we are to improve the quality of education offered to American students. I believe S. 2 is a step in the right direction to improve the quality of education in this country.

AMENDMENT NO. 1468

(Purpose: To establish the National Education Goals Panel and the National Education Standards and Assessments Council, and for other purposes)

Mr. BINGAMAN. Mr. President, I do have an amendment which I want to offer at this time, and I send the amendment to the desk and ask for its immediated consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 1468.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 2, in the table of contents, redesignate the item relating to section 113, as the item relating to the National Education Goals Panel.

On page 2, in the table of contents, strike the item relating to section 115.

On page 2, in the table of contents, redesignate the items relating to sections 116 through 120 as the items relating to sections 115 through 119.

On page 2, in the table of contents, before the item relating to title II, insert the following:

PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

Sec. 131. National Education Standards and Assessments Council.
Sec. 132. Annual reports.
Sec. 133. Powers of the Council.
Sec. 134. Administrative provisions.
Sec. 135. Director and staff; experts and consultants.
Sec. 136. Authorization of appropriations.

On page 13, beginning with line 13, strike all through page 20, line 14, and strike page 21 lines 7–20, and insert the following:

(a) FINDINGS.—The Congress finds that—

(1) the social well-being, economic stability, and national security of the United States depend on a strong educational system that provides all citizens with the skills necessary to become active members of a productive work force;

(2) despite the many reforms of the educational system that have been implemented since the National Council on Excellence in Education declared our Nation "at risk" in 1983, the United States remains at risk for educational underachievement;

(3) United States students currently rank far below students of many other countries in educational achievement, particularly in mathematics and the sciences;

(4) although State and local governments bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness requires that the United States increase efforts to make education a national priority;

(5) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to play that role;

(6) accurate and reliable mechanisms must be available to assess and monitor educational progress;

(7) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support the mechanisms, do not exist or must be strengthened;

(8) there should be established an independent, bipartisan panel, building on existing efforts to measure progress toward achievement of the National Education Goals;

(9) the Nation should also move forward to set national education standards and develop a voluntary system of assessments to help students and schools meet those standards;

(10) the primary purpose of developing standards and a system of assessments related to those standards is to inform instruction and improve learning;

(11) establishing voluntary national standards and assessments is an important, complex, and sensitive task and any coordinating structure for this purpose must be bipartisan, engage government at all levels, and involve the many constituencies that have an established interest in improving education;

(12) much work in the area of developing standards and assessments linked to those standards has already begun and the national effort should benefit from and not attempt to duplicate any good work being done by existing Federal and non-Federal entities;

(13) in accordance with the recommendations of the National Council on Education Standards and Testing, a coordinating structure needs to be put into place to ensure that this work is being done;

(14) this coordinating structure should maintain the Nation's tradition of State and local authority over education and therefore be a part of a cooperative national effort; and

(15) there should be established a national coordinating body to ensure the establishment of national education standards and a voluntary system of assessments.

(b) PURPOSE.—It is the purpose of this part to establish the National Education Goals Panel, to establish the National Education Standards and Assessments Council, to provide resources to develop means to measure and report on progress toward the achievement of the National Education Goals, and to advance the establishment of world class education standards and the development of a voluntary system of assessments as a catalyst for comprehensive educational reforms.

SEC. 113. NATIONAL EDUCATION GOALS PANEL.

(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Goals Panel (hereafter in this part referred to as the "Panel").

(b) COMPOSITION.—

(1) IN GENERAL.—The Panel shall be composed of 14 members (hereafter in this part referred to as "members"), including—

(A) two members appointed by the President;

(B) eight Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairman or Vice Chairman of the National Governors' Association, with each appointing those of his respective political party, in consultation with each other and in accordance with paragraph (2); and

(C) four Members of Congress appointed as follows:

(i) The Majority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(ii) The Minority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(iii) The Majority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(iv) The Minority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(2) SPECIAL APPOINTMENT RULES.—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

(i) If the Chairperson of the National Governors' Association is from the same political party as the President, then the Chairperson shall appoint 3 persons pursuant to such paragraph and the Vice Chairperson shall appoint 5 persons pursuant to such paragraph.

(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, then the Chairperson shall appoint 5 persons pursuant to such paragraph and the Vice Chairperson shall appoint 3 persons pursuant to such paragraph.

(B) If the National Governors' Association has appointed a panel that meets the requirements of this subsection prior to the date of enactment of this Act, then the members serving on such panel shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

(c) TERMS.—The terms of service of members shall be as follows:

(1) EXECUTIVE BRANCH.—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

(2) GOVERNORS.—Members appointed under paragraph (1)(B) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of the such member's terms concluding every two years.

(3) MEMBERS OF CONGRESS.—Members appointed under paragraph (1)(C) shall serve a term of four years.

(d) INITIATION.—The Panel may begin to carry out the duties of the Panel under this part when seven members of the Panel have been appointed.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of this Act.

(f) RETENTION.—In order to retain an appointment to the Panel, a member must attend at least two-thirds of the scheduled meetings of the Panel in any given year.

(g) VACANCIES.—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

(h) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the panel $2,000,000 for each of the fiscal years 1992, 1993 and 1994, and such sums as may be necessary for each succeeding fiscal year thereafter.

On page 21, line 22, strike "Council" and insert "Panel".

On page 21, beginning with line 22, strike all through page 24, line 19, and insert the following:

(a) FUNCTIONS.—

(1) IN GENERAL.—The Panel shall—

(A) propose the indicators to be used to measure the National Education Goals and reporting progress toward their achievement, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report to the Nation;

(B) select interim and final measures and appropriate measurement tools to be developed as necessary in each goal area;

(C) report on the Federal actions to fulfill its responsibilities to education, including funding the Federal financial role, providing more flexibility and controlling mandates that limit the States' ability to fund education;

(D) issue a report to the President, the Congress, the Governors, and the Nation annually on progress toward the National Education Goals;

(E) assure, through requirements for State reports, that student performance is reported in the context of other relevant information about student, school and system performance;

(F) identify gaps in existing educational data, make recommendations for improvements in the methods and procedures for as-

sessments that would be appropriate to assessing progress toward the National Education Goals, propose changes in national and international measurement systems as appropriate and make recommendations to the President, the Congress, and the Governors for needed improvements;

(G) appoint members to the National Education Standards and Assessments Council; and

(H) in accordance with paragraph (2), issue certification of content and student performance standards and the criteria for assessments as world-class following submission of such certification by the National Education Standards and Assessments Council.

(2) SPECIAL RULE.—In the event the Panel denies certification to all or part of a certification of the National Education Standards and Assessments Council, all or part of a certification shall be returned to such Council with detailed written explanations for the denial.

(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

On page 24, line 20, strike "Council" and insert "Panel".

On page 25, strike lines 1 through 11.

On page 25, line 12, strike "116" and insert "115".

On page 25, line 13, strike all beginning with "Not" through "the Council" on line 15, and insert "The Panel".

On page 25, lines 21 and 22, strike "Council" each place such term appears and insert "Panel".

On page 25, strike lines 25 and 26.

On page 26, line 1, strike "(B)" and insert "(A)".

On page 26, line 2, strike "(C)" and insert "(B)".

On page 26, line 11, strike "Council" and insert "Panel".

On page 26, line 13, strike "Council" and insert "Panel".

On page 26, line 17, strike "117" and insert "116".

On page 26, line 17, strike "Council" and insert "Panel".

On page 26, line 19, strike "Council" and insert "Panel".

On page 26, line 22, strike "Council" and insert "Panel".

On page 26, line 25, strike "Council" and insert "Panel".

On page 27, line 3, strike "public on—" and insert "public regarding the Panel's functions described in section 114(a).".

On page 27, strike lines 4 through 13.

On page 27, line 14, strike "Council" and insert "Panel".

On page 27, line 16, strike "Council" and insert "Panel".

On page 27, line 17, strike "Council" and insert "Panel".

On page 27, line 19, strike "Council" and insert "Panel".

On page 27, beginning with line 21, strike all through page 28, line 9, and insert the following:

(c) GIFTS.—The Panel may accept, use, and dispose of gifts or donations of services or property.

On page 28, line 10, strike "Council" and insert "Panel".

On page 28, line 15, strike "Council" and insert "Panel".

On page 28, line 17, strike "Council" and insert "Panel".

On page 28, line 18, strike "118" and insert "117".

On page 28, line 19, strike "Council" and insert "Panel".

On page 28, line 21, strike "Council" and insert "Panel".

On page 28, line 22, strike "Eleven" and insert "A majority of the".

On page 28, line 24, strike all beginning with "The Council" through "Council." on page 29, line 1.

On page 29, strike lines 4 through 9.

On page 29, line 10, strike "119" and insert "118".

On page 29, line 12, strike "Council" and insert "Panel".

On page 29, line 20, insert "of the Panel" before "may".

On page 29, line 23, strike "Council" and insert "Panel".

On page 30, line 2, strike "Council" and insert "Panel".

On page 30, line 5, strike "Council" and insert "Panel".

On page 30, line 9, strike "Council" and insert "Panel".

On page 30, line 12, strike "Council" each place such term appears and insert "Panel".

On page 30, line 13, strike "120" and insert "119".

On page 30, between lines 17 and 18, insert the following:

PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

SEC. 131. NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL.

(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Standards and Assessments Council (referred to in this part as the "Council").

(b) APPOINTMENT AND COMPOSITION.—

(1) APPOINTMENT.—The Council shall be composed of 21 members (hereafter in this part referred to as "members") appointed by the National Education Goals Panel described in section 113 (hereafter in this part referred to as the "Panel").

(2) COMPOSITION.—The Council shall be composed of—

(A) seven public officials;

(B) seven educators; and

(C) seven members of the general public.

(3) TIME.—The members of the Council described in paragraph (2) shall be appointed within 120 days after the date of enactment of this Act.

(c) QUALIFICATIONS.—

(1) IN GENERAL.—Members shall be appointed to the Council on the basis of widely recognized experience in, knowledge of, commitment to, and a demonstrated record of service to education and to achieving education excellence at the Federal, State or local level.

(2) NOMINATIONS.—Members under this subsection shall be appointed from among qualified individuals nominated by the public.

(d) TERMS.—

(1) IN GENERAL.—The members shall be appointed for three-year terms, with no member serving more than 2 consecutive terms.

(2) INITIAL SELECTION.—The Panel shall establish initial terms for individuals of two, three, or four years in order to establish a rotation in which one-third of the members are selected each year.

(A) PUBLIC OFFICIALS.—From among the members appointed under subsection (b)(2)(A), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(B) EDUCATORS.—From among the members appointed under subsection (b)(2)(B), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(C) GENERAL PUBLIC.—From among the members appointed under subsection (b)(2)(C), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(3) SPECIAL PROVISION.—No member of the Panel may concurrently serve as a member of the Council.

(4) DATE OF APPOINTMENT.—The initial members shall be appointed, by the Panel, not later than 120 days after the date of enactment of this Act.

(5) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

(6) OFFICER SELECTION.—The members appointed under subsection (b)(2) shall select officers of the Council from among the members of the Council. The officers of the Council shall serve for 1-year terms.

(7) VACANCIES.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(8) TRAVEL.—Each member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(9) INITIATION.—The Council may begin to carry out the duties of the Council under this part when—

(A) all 21 members have been appointed; or

(B) 11 members have been appointed pursuant to the provisions of subsection (b).

(e) FUNCTIONS OF THE COUNCIL.—The Council shall—

(1) be a coordinating body to ensure the establishment of national education standards;

(2) serve as a coordinating body to encourage a voluntary system of assessments for individual students consistent with the national standards;

(3) develop criteria for world-class content and student performance standards and establish guidelines for standard setting and assessment development;

(4) establish guidelines for assessments which ensure technical merit through determining that assessments are specifically valid, reliable, fair and cost effective for any purpose for which the assessments may be used;

(5) establish procedures and criteria for ensuring that, to the extent possible and without sacrificing the validity, reliability, directors and fairness of the assessments, assessments are comparable to each other; and

(6) issue certification of content and student performance standards and criteria for assessments as world-class, and transmit such certification to the Panel for the Panel's certification.

(f) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Council shall work with Federal and non-Federal agencies and organizations which are conducting research, studies or demonstration projects to determine world-class education standards and assessments based on such standards.

(g) DATA COLLECTION.—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to carry out its functions.

SEC. 132. ANNUAL REPORTS.

Not later than 1 year after the date the Council concludes its first meeting of members and in each succeeding year, the Council shall prepare and submit to the President, the appropriate committees of Congress, and

the Governor of each State a report on its work.

SEC. 133. POWERS OF THE COUNCIL.

(a) HEARINGS.—

(1) IN GENERAL.—The Council shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) CONDUCT.—In carrying out this part, the Council shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of national education standards and assessments.

(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(d) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary shall provide to the Council, on a reimbursable basis, administrative support services as the Council may request.

SEC. 134. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a ⅔ majority vote of the total membership of the council, assuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

SEC. 135. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF STAFF.—The Chairperson may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Council may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Council shall not exceed the rate of basic pay payable for GS-15 of the General Schedule.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist the Council in its duties under this title.

SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Council $2,000,000 for each of the fiscal years 1992, 1993 and 1994 and such sums as may be necessary for each succeeding fiscal year thereafter.

On page 58, in the matter following line 7, insert ", to develop national education standards and voluntary assessments in accordance with such standards" after "toward such goals".

Mr. BINGAMAN. Mr. President, this amendment is straightforward and as the Senator indicated earlier in his statement this amendment is one which is agreeable to the leadership on both the majority and minority side. It is one which I believe is important to the country and to the Senate; we need a strong educational system that will provide all citizens with the skills necessary to become full participating members in our work force and in our society. I believe that a strong education system is important to the social well-being, economic stability, and national security of our country. For those reasons I want to identify this amendment as a separate piece of legislation. Monitoring educational progress and establishing national education standards, thereby in this amendment, are, I believe, vitally important piece of this legislation.

Let me very briefly state what this amendment does. First of all, it resolves the longstanding dispute that some of us here in the Senate have had with the administration over the makeup of the National Education Goals Panel. That organization was established by the President and the Governors nearly 1½ years ago, and under the strong leadership of Governor Romer of Colorado it has been working to establish a monitoring mechanism for assessing programs toward the national education goals. Under Governor Romer's leadership, the panel has begun to focus the attention of the Nation on education. One of the areas in which the panel has focused the Nation's attention is the area of national education standards and assessments systems based on those standards.

I have been impressed, frankly, by the progress that has been made by the goals panel in this area, but all during that time I have expressed concern about the composition of the panel. I have long objected that the panel is not bipartisan and that it is constituted in such a way that politics and not sound educational policy will guide the goals panel in its significant role in forming national education policy in this country. There is an issue of credibility with respect to this panel as it is configured today. This issue of credibility became obvious when the National Council on Education Standards and Testing began to debate a governing structure for the proposed National Standards and Assessment Council. It became clear that the current panel was viewed as a political entity by whose policy decisions were being skewed toward the dominant Republican interests. Seven of the ten members in the current goals panel are Republicans.

This amendment, which I have sent to the desk, corrects that. This amendment ensures that the goals panel be bipartisan. It ensures that representatives of the Congress be on that panel as well as representatives of the executive branch, and I think change cannot be overstressed. It also increases the number of Governors who are serving on the panel, but it does so in a way that ensures that we have the bipartisanship that I think is so important to all of us in the country.

The second thing which this amendment I have sent to the desk does—and perhaps the most important thing this amendment does—is to establish a National Education Standards and Assessment Council. I have had the good fortune, Mr. President, to serve for the last 8 months on the Education Standards and Assessment Commission which this Congress established and the President signed into law this past year. That Commission has been an extremely fruitful enterprise, in my opinion. It has been chaired by Governor Romer from Colorado and Governor Campbell from South Carolina. It has had a broad group of individuals serving on it, many of them with strong background in education and in testing and assessment. It has had representatives of the business community. It has also had representatives of State government and local government. The National Education Standards and Assessment Council will be issuing its report this Friday. I ask unanimous consent to print in the RECORD a copy of the list of the members of the Council. This list of the membership on the Council will serve to emphasize the truly broad participative nature of the Council: The broad participation from all segments of society involved with education, to me, was an essential feature that was missing in the composition of the current goals panel. That essential element—broad participation from the education community—is, I believe, crucial to forming national education policy.

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

INTERIM COUNCIL ON STANDARDS AND TESTING

CO-CHAIRS

Governor Carroll A. Campbell, Jr., South Carolina.

Governor Roy Romer, Colorado.

MEMBERS

Brian Benzel, Edmonds School District, Washington.

Mary Bicouvaris, Bethel High School, Virginia.

U.S. Senator Jeff Bingaman, Committee on Labor and Human Resources.
Eve M. Bither, Maine State Department of Education.
Bill Brock, Washington, D.C.
Iris Carl, Houston Independent School District, Texas.
Lynne V. Cheney, National Endowment for the Humanities.
Senator Carlos Cisneros, New Mexico.
Ramon C. Cortines, San Francisco Unified School District.
Chester E. Finn, Jr., Vanderbilt University.
Martha Fricke, Ashland School Board, Nebraska.
Keith Geiger, National Education Association.
U.S. Representative William Goodling, House Committee on Education and Labor.
Senator John Hainkel, Louisiana.
Sandra Hassan, Beach Channel High School, New York.
U.S. Senator Orrin Hatch, Committee on Labor and Human Resources.
David Hornbeck, Baltimore, Maryland.
David Kearns, U.S. Department of Education.
U.S. Representative Dale E. Kildee, House Committee on Education and Labor.
Walter Massey, National Science Foundation.
Mark Musick, Southern Regional Education Board.
Michael Nettles, University of Tennessee.
Roger B. Porter, Assistant to the President for Economic and Domestic Policy.
Lauren Resnick, University of Pittsburgh.
Albert Shanker, American Federation of Teachers.
Marshall S. Smith, Stanford University.

Mr. BINGAMAN. Mr. President, this report, I believe, will be a major contribution to the dialog on national educational policy that is now being debated in our country. The amendment that I have sent to the desk is consistent with the recommendations in that report.

I believe very strongly that the recommendations are well reasoned, that they are important in creating informed national education policy, and for that reason are important to the future of our country. The Council's recommendation not only revises the makeup of the national education goals panel, but we recommend the establishment of a national commission to establish standards and a system of assessment based on these standards for the country over the long term.

In my view, this is a very important undertaking for our country. It is one that is past due. It is one that many industrialized nations have pursued before us, but it is one that can have a tremendous stimulative effect on reform efforts at the State and local level.

I believe very strongly that the reforms that are taking place now will be encouraged by this effort to set national standards and that in many cases where reforms are not taking place they will occur as a result of this legislation.

This amendment is important not only in its own right, it is also important, Mr. President—and I think this is a reason to highlight it here for the Senate—it is important because this is being done with the support of both political parties. Senator Hatch served with me on the National Council on Education Standard and Testing and he is well aware of the debates that occurred within the Council that resulted in the report and this amendment.

There is a lot of reporting being done in the media these days that great divisions and disagreements separate those of us in Congress from the administration; that we cannot get together on any concrete actions to move the country forward in many of these areas, and clearly there are major disagreement, and many of those are honest disagreements that need to be debated and resolved through the legislative process, but here is one area where we are in agreement. This is an area where the administration, the Secretary of Education, the Governors of the country, Republicans and Democratic Members of the Congress all have come together and said this is important and here is a way to proceed which we agree with.

In my opinion, Mr. President, that is an important accomplishment in its own right. The American public needs to know that the area of national education standards is one area where real progress is being made and where agreements between Congress, the administration, and the Department of Education has been reached. And I think it can result in a major benefit to all Americans.

Mr. President, I do not know of any opposition to the amendment. Unless there is further debate on it, which I am not aware of, I think we are probably ready to go ahead and vote on the amendment.

Mr. KENNEDY. Mr. President, as part of our effort to improve the American educational system, we need a mechanism for monitoring our progress toward the National Education Goals. Senator BINGAMAN'S amendment puts this mechanism in place. It establishes a National Education Goals Panel and a National Education Standards and Assessment Council. These two entities will monitor and coordinate the United States education system as it makes the changes necessary to help our students achieve the national education goals.

We all agree on the need to achieve the national education goals. However we need a credible group to help guide our efforts in setting standards for our students and establishing mechanisms to assess the performance of our students against these standards. Once we agree on what we expect our children to know, then we may put into place an unbiased system for assessing their knowledge. We must also assure that all students subject to the assessment system will have had a reasonable and equitable opportunity to learn the material on which they will be assessed and thereby meet the performance and content standards. Recently, the National Council on Education Standards and Testing of which Senator BINGAMAN is an active member, completed a year long study on national standards and assessments. Senator BINGAMAN's amendment puts their well-informed recommendations into action.

Senator BINGAMAN has spent long hours on this amendment and I commend him for his great leadership on this issue. All of us who want a fair, nonpartisan and nonbiased report on the goals are in his debt. And all of our students will forever be thankful for his commitment to equity and fairness within the educational system.

AMENDMENT NOS. 1469 AND 1470

Mr. BINGAMAN. Mr. President, before we vote, let me send some technical modifications of the amendment to the desk and ask that they be approved by unanimous consent.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

The amendments (Nos. 1469 and 1470) follow:

AMENDMENT NO. 1469

On page 34, line 11, strike "and" the second place such term appears.

On page 34, between lines 11 and 12, insert the following:

(iii) the establishment of new public schools, such as Essential Schools, Accelerated Schools, New American Schools, charter schools, ComerSchools, and Schools of the 21st Century in accordance with subparagraph (C); and

On page 34, line 12, strike "(iii)" and insert "(iv)".

On page 34, between lines 15 and 16, insert the following:

(C) SPECIAL REQUIREMENT.—A new public school established under subparagraph (B)(iii) shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not be affiliated with a nonpublic sectarian school or a religious institution.

On page 57, between lines 7 and 8, insert the following:

(4) the term "new public school" means a public school that—

(A) reflects the best available knowledge regarding teaching and learning for all students;

(B) uses the highest quality instructional materials and technologies;

(C) is designed to meet National Education Goals as well as the particular needs of the students and community served by such school; and

(D) is under the authority of a state educational agency or a local educational agency.

On page 57, line 8, strike "(4)" and insert "(5)".

On page 57, line 13, strike "(5)" and insert "(6)".

On page 57, line 17, strike "(6)" and insert "(7)".

On page 57, line 21, strike "(7)" and insert "(8)".

On page 57, line 23, strike "(8)" and insert "(9)".

On page 57, line 1, strike "(9)" and insert "(10)".

On page 57, line 4, strike "(10)" and insert "(11)"

AMENDMENT NO. 1470

On page 42, between lines 10 and 11, insert the following:

(e) SPECIAL RULE FOR STATES WHICH ALREADY HAVE ENACTED A COMPREHENSIVE, STATEWIDE EDUCATION IMPROVEMENT PLAN.—

(1) WAIVER.—In the case of a State which has enacted a comprehensive, statewide education improvement plan, the Secretary may, in accordance with the provisions of section 206, grant such State a waiver from the requirements of section 204 and subsections (a) and (b) of section 205, and such State may use an allotment under this section in the initial and succeeding years in accordance with the provisions of section 202(c)(3).

(2) APPLICATION.—Each State desiring a waiver under this subsection shall include a request for such waiver in application submitted under section 203. Such application shall include a plan which meets the requirements of section 205(c).

The PRESIDING OFFICER. Is there further debate. If there is no further debate, the question is on agreeing to the amendment of the Senator from New Mexico.

The amendment (No. 1468), as amended, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment, as amended, was agreed to.

Mr. BINGAMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1471

(Purpose: To establish New American Schools)

Mr. COCHRAN. I send an amendment to the desk under the previous order and ask that it be reported.

The bill clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN] for himself, Mr. SPECTER, Mr. HATFIELD, Mr. SEYMOUR, Mr. DURENBERGER, and Mr. STEVENS, proposes an amendment numbered 1471.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. BINGAMAN). Without objection it is so ordered.

The amendment is as follows:

On page 2, immediately after the item relating to section 212, insert the following:

TITLE III—NEW AMERICAN SCHOOLS

Sec. 301. Findings.
Sec. 302. Purpose.
Sec. 303. Program authorized.
Sec. 304. Local applications.
Sec. 305. State applications.
Sec. 306. Selection of eligible recipients to create New American Schools.
Sec. 307. Amount of grants, operation of schools, and uses of funds.
Sec. 308. Secretary's panel of experts.
Sec. 309. National evaluation and dissemination.
Sec. 310. Insular areas.
Sec. 311. Definitions.
Sec. 312. Authorization of appropriations.

On page 2, redesignate the item relating to title III as the item relating to title IV.

On page 2, redesignate the item relating to section 301 as the item relating to section 401.

On page 56, between lines 21 and 22, insert the following:

TITLE III—NEW AMERICAN SCHOOLS

SEC. 301. FINDINGS.

The Congress finds that—

(1) many American elementary and secondary schools—

(A) are structured according to models that are outmoded and ineffective;

(B) rely on notions about pedagogy, management, technology, staffing, and other resources that may be outdated or insufficient for the challenges of the next century; and

(C) are unsuccessful at equipping many students with the knowledge and skills needed to succeed as citizens and in the workplace;

(2) new approaches to elementary and secondary education are needed, and without major reforms in elementary and secondary schools, the United States may lose its ability to compete fully and successfully in the world economy;

(3) comprehensive and long-term efforts, drawing on all members of the community, will be needed if the school-by-school educational reform necessary to achieve the National Education Goals is to be accomplished;

(4) there is an appropriate Federal role in providing seed money for the establishment of new types of schools in communities across the country; and

(5) the Nation is embarking on a major effort to support the invention of radically better forms of schooling and to establish a network of communities whose citizens are dedicated to the improvement of education.

SEC. 302. PURPOSE.

The purpose of this title is to support the creation of new schools across the United States that reflect the best thinking about teaching and learning, employ the highest-quality instructional materials and technologies, and are designed to meet the National Education Goals, as well as the particular needs of students and communities.

SEC. 303. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized to award grants to eligible recipients on behalf of communities to enable such eligible recipients to develop innovative elementary and secondary schools (hereafter in this title referred to as "New American Schools") in the communities served by such recipients.

(b) NOMINATIONS.—The Secretary shall award grants under this title on the basis of nominations received and approved under section 306.

(c) SECRETARY'S SELECTION AND APPROVAL OF GRANT RECIPIENTS.—The Secretary, with advice of the panel of experts established under section 308, shall approve applications from some or all of the eligible recipients nominated by Governors under section 306 to receive grants in accordance with this title.

(d) DISTRIBUTION OF FUNDS.—

(1) AWARD RULES.—(A) To the extent feasible, the Secretary shall, from the first $54,000,000 appropriated to carry out this title, make at least one grant within each State.

(B) The Secretary shall award any funds in excess of the funds described in paragraph (2) in such a manner that, to the extent feasible and over the period for which the program assisted under this title is authorized, the total amount of funds appropriated under this title over such period is distributed among the States on the basis of their relative populations.

(C) To the extent feasible, the Secretary shall award a grant to an eligible recipient serving a community in each congressional district by September 30, 1994.

(D) For the purpose of this section, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall be treated, collectively, as a single State and as encompassing a single congressional district.

(2) PRIORITY.—In awarding grants under this title, the Secretary shall give priority to eligible recipients serving communities with high concentrations of educationally disadvantaged children and children from low-income families.

(3) ENCOURAGEMENT.—The Secretary is encouraged to award grants to eligible recipients that will establish schools enrolling students of diverse abilities.

SEC. 304. LOCAL APPLICATIONS.

Each eligible recipient desiring to receive a grant under this title shall submit an application to the Governor at such time, in such manner, and containing such information as the Governor and the Secretary may reasonably require. Such application shall include—

(1) evidence that the community to be served by such eligible recipient has—

(A) adopted the National Education Goals;

(B) established and implemented a community-wide strategy for achieving those goals;

(C) developed a "report-card" for measuring and reporting to the public, at least once each year, the community's progress toward achievement of the goals; and

(D) demonstrated a willingness and commitment to make substantial improvements in the education of children in the community through establishment of a New American School;

(2) the community's plan for a New American School, including, as necessary, a description of the steps to be taken to obtain recognition or accreditation from the State and be fully operating by the start of school year 1996–1997; and

(3) evidence of community support for the plan, including, as appropriate, financial support to be provided from private-sector sources.

SEC. 305. STATE APPLICATIONS.

In order for an eligible recipient in a State to receive a grant under this title, the Governor of such State shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Such application shall include—

(1) a description of the process the Governor has used, in accordance with section 306, to nominate eligible recipients to create New American Schools;

(2) a list of the eligible recipients nominated by the Governor to receive a New American School grant on behalf of a community;

(3) copies of the plans, prepared by each eligible recipient nominated by the Governor for a grant under this title, for establishing and operating a New American School;

(4) an identification of non-Federal resources, which may include private-sector contributions, that will be available to establish and operate each New American School in the State; and

(5) such other information as the Secretary may require.

SEC. 306. SELECTION OF ELIGIBLE RECIPIENTS TO CREATE NEW AMERICAN SCHOOLS.

(a) NOMINATIONS.—The Governor of each State, in consultation with the chief State

school officer, shall nominate eligible recipients within the State to receive a grant under this title to create a New American School.

(b) NUMBER.—In making nominations under subsection (a), each Governor, in consultation with the chief State school officer, shall, by September 30, 1994, nominate at least one eligible recipient serving a community in each congressional district in the State.

(c) NOMINATION CRITERIA.—

(1) IN GENERAL.—Each Governor, in consultation with the chief State school officer, shall nominate eligible recipients on the basis of criteria established by the Secretary, based on the advice of the panel of experts established under section 308.

(2) CRITERIA.—The criteria described in paragraph (1) shall include, at a minimum—

(A) the level of commitment and activity displayed by the community to be served by an eligible recipient through such community's participation in the President's AMERICA 2000 Communities initiative;

(B) the need for new and innovative educational programs in the schools of the community to be served by an eligible recipient; and

(C) the quality of the application submitted by the eligible recipient to the Governor.

(d) APPROVAL.—Beginning no earlier than January 1, 1993, the Secretary, with the advice of the panel of experts established under section 308, shall approve some or all of the eligible recipients nominated by Governors to receive New American Schools grants on behalf of communities, based on the Secretary's determination that such approval would be fully consistent with the purpose and requirements of this title.

(e) ADDITIONAL NOMINEES.—A Governor, in consultation with the chief State school officer, may nominate other eligible recipients if—

(1) the Secretary does not approve one or more of the Governor's nominees;

(2) an approved eligible recipient or community withdraws from the program; or

(3) the Secretary determines that the eligible recipient or community is unable to carry out its project successfully or is not making adequate progress in carrying out such project.

SEC. 307. AMOUNT OF GRANTS, OPERATION OF SCHOOLS, AND USES OF FUNDS.

(a) AMOUNT OF GRANTS.—The Secretary, after consultation with the Governor, shall determine the total amount of each grant under this title, except that—

(1) no such grant shall exceed $1,000,000; and

(2) the Secretary shall consider the expected student enrollment in the New American School in determining the amount of such grant.

(b) ESTABLISHMENT OF SCHOOLS.—In establishing a New American School, a grant recipient is urged to work cooperatively with, and make use of information available from, the design teams funded by the New American Schools Development Corporation and to provide to those teams such information on the operation of New American Schools as will benefit the teams in completing their work.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Grant funds made available under this title may be used only to meet the special start-up costs associated with the creation and establishment of a New American School, including—

(A) planning, curriculum development, and curriculum adaptation;

(B) training of teachers, administrators, and other staff, as well as parents and members of the community who are involved with the New American School;

(C) purchase of equipment and materials;

(D) minor renovation and remodeling of facilities; and

(E) obtaining the assistance of outside experts, including one or more of the teams described in subsection (b), to assist the eligible recipient in establishing its New American School.

(2) PROHIBITION.—Grant funds made available under this title shall not be used for construction or for the grant recipient's general administrative expenses.

(3) LIMITATION REGARDING SECTARIAN PURPOSES.—Grant funds made available under this title shall not be used for sectarian schools.

(d) SPECIAL RULE.—Each New American School established under this title shall have obtained State recognition or accreditation, as necessary, and be fully operating by the start of the 1996–1997 school year.

SEC. 308. SECRETARY'S PANEL OF EXPERTS.

Within 90 days of enactment of this Act, the Secretary shall convene a panel of experts consisting of educators, representatives of private business, and representatives of the public to advise the Secretary on the administration of the program authorized by this title, including—

(1) the criteria to be used to nominate eligible recipients to establish and operate New American Schools; and

(2) the approval of eligible recipients nominated by Governors to establish and operate New American Schools.

SEC. 309. NATIONAL EVALUATION AND DISSEMINATION.

(a) EVALUATION.—The Secretary shall use the funds reserved under section 312(b) to conduct a national evaluation of the impact of the New American Schools program on schools and communities, and on education generally.

(b) REPORTS.—The Secretary shall submit such interim evaluation reports to the President and the Congress as may be appropriate, and shall submit a final evaluation report by September 30, 1998.

(c) DISSEMINATION.—The Secretary shall take appropriate steps to disseminate the findings of the national evaluation and to disseminate information on successful educational programs developed under this program.

SEC. 310. INSULAR AREAS.

The provisions of Public Law 95–134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds received by such areas under this title.

SEC. 311. DEFINITIONS.

For the purpose of this title—

(1) the term "community" means—

(A) a unit of general purpose local government, such as a city, township, or village;

(B) a geographically distinct area, such as a school district, school attendance area, ward, precinct, neighborhood; or

(C) an identifiable group of individuals, such as the members of a service organization, who generally reside in a particular geographic area;

(2) the term "eligible recipient" means the agency, organization or institution that will receive a grant under this title on behalf of a community to establish a New American School;

(3) the term "Governor" means the chief executive of each State; and

(4) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until effective date of the Compact of Free Association with the Government of Palau).

SEC. 312. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $100,000,000 for fiscal year 1992, $200,000,000 for fiscal year 1993, $300,000,000 for fiscal year 1994, and such sums as may be necessary for fiscal years 1995 and 1996 to carry out this title.

(b) RESERVATION.—From the amount of funds appropriated under subsection (a) for fiscal years 1992 through 1996, the Secretary shall reserve a total of not more than $3,000,000 for the national evaluation described in section 309.

(c) AVAILABILITY.—Funds appropriated pursuant to the authority of subsection (a) shall remain available for obligation by the Secretary for two fiscal years beyond the fiscal year for which such funds are appropriated.

On page 56, line 22, strike "III" and insert "IV".

On page 56, line 23, strike "301" and insert "401".

On page 58, line 1, insert ", unless otherwise specified," before "means".

Mr. COCHRAN. Mr. President, this is the amendment described in the order entered yesterday to the bill as reported by the committee that is described as the New American Schools amendment.

Let me say first of all that we have had a great deal of discussion today already, and last night as well, trying to resolve the issue that is reflected by this amendment. It creates authority for the Secretary of Education to award grants to applicants from communities around the country which would like to establish a new break-the-mold American school. This is one of the centerpiece programs of the America 2000 strategy to implement the goals announced by the President and the Nations' Governors some 28 months ago.

The discussions that we have had about the language that would be acceptable to the bill managers, and most Senators have produced some amount of progress. I would say to the Senate, the managers of the bill, the chairman of the committee, Senator KENNEDY, and members of his staff have been working very hard to try to reach an accommodation on this issue. But I must say that at this point there has been no final successful negotiation of differences that still exist on how this program should be administered.

I am hoping that there is still a possibility for us to reach an agreement so the amendment could be accepted in a modified form. But I do not know that is going to be the case. So I will just briefly point out some of the reasons why having a provision added to this bill on the subject of New American Schools and an opportunity provided to use previously appropriated funds for the America 2000 Program by communities around the country which are interested in participating in the pro-

gram and excited about the prospects that they will be able to get some Federal financial support for local initiatives that are developed in response to the challenge that has been issued nationwide by the President and the Nation's Governors to reach our education goals.

Communities in America are excited about this. I think it is clear from the calls and letters that have been coming into the Department of Education, to the President, and to Senators and Congressmen around Capitol Hill on this subject there is a genuine interest in the opportunity to participate in this New American School Program.

We are trying to encourage, at the local level, teachers, parents, and business sector people who are interested in education, to get together and come up with suggestions for new ways of schooling, new techniques for teaching, new schools. These would be schools that would lead to the highest levels of performance possible by students in schools that would use the capital—social, human, financial—in the community and using it to bear on the single critical question. And that is: How can we create the best schools in the world right here in America, right here in our community, to have schools that help all of the children, all of the students reach world-class levels of performance? And that is what is at stake in this amendment.

For the first time, we would reach out beyond those who are already engaged in education, already engaged in managing the education system, and try to get new ideas, a fresh approach. Let us start from scratch, see what they can come up with that would be innovative and would work.

This amendment that I am offering, therefore, would authorize $100 million for the New American Schools Program. It would give directly to the communities who would apply for these funds the resources to break the mold, to capitalize on their own creative genius, to create a unique approach tailored to fit the strengths and the weaknesses of the community.

If we combine all of that with the best of what is known about education, learning, and technologies that exist, we can offer students at the local level a world-class education.

This $100 million that is authorized in this amendment is in addition to and added to the other provisions and authorizations of the Kennedy bill. S. 2, as reported by the committee, is not changed by this amendment. There is no provision of the Kennedy bill that is stricken by the amendment that is pending before the Senate. This is an additional authorization. It leaves in place the funds that would be authorized to go to neighborhood schools under the committee's bill.

The purpose of this amendment is to authorize the implementation and describe the way that the New American Schools Program will be administered by the Secretary of Education and the Nation's Governors.

The amendment guarantees communities will have a new challenge, a challenge put before them by this incentive program. It is an incentive to come up with a new idea. Any institution, agency, or organization could develop an education plan on behalf of its community. The plan would be submitted to the Governor of the State who, in consultation with the chief State school officer, would make recommendations for approving applications directly to the Secretary of Education.

In awarding the grants, the Secretary of Education and a panel of education experts that he could assemble would consider the level of commitment to the plan by the community to be served, the need for new and innovative educational programs in that community, and the quality of the application. It is contemplated that priority will be given to those applicants serving communities with high concentrations of educationally disadvantaged children and children from low-income families.

Applicants are encouraged to serve students with diverse academic abilities and where feasible utilize non-Federal resources of cash and in-kind services.

The amendment authorizes grants to be made, up to $1 million each, depending upon the number of students to be served and the overall cost projection for the plan. Grant funds will be used only to meet the special startup costs associated with the creation and establishment of a New American School.

Therefore, this amendment is not a long-range subsidy for any school district or organization that decides to apply for and have a grant approved. It is only to start up, to plan and develop curriculum, to train teachers or other staff, as well as to involve parents and members of the community who are interested in it and interested in being involved with the school.

The funds could be used to purchase equipment and materials. Even minor renovation and remodeling of existing facilities would be permitted under this amendment. If outside experts or consultants have to be brought in, including design teams that may be selected by the New American Schools Corporation, that is permissible under this amendment.

So each new American school established with a Federal grant has to, first of all, get over the hurdle of satisfying the State school official who consults with and advises the Governor, the Governor of the State, and then the application has to be approved by the Secretary of Education, who consults with and utilizes the advice of a panel of experts who will review all the applications.

One additional requirement for eligibility is that this new school that would be established by using some of the Federal funds would be required to obtain accreditation from the existing State government authorities, and to be fully operational by the start of the 1996–97 school year.

We have seen in our State of Mississippi some people who are already looking into the possibilities of putting together applications and proposals for this New American Schools Program. Some are parents, others are local colleges, business, and education professionals as well.

It seems to be that one of the most attractive aspects of this program is the incentive it gives to State and community leaders to use technologies that are just coming into being, and to translate them into use for educational purposes or educational research and new practices.

The goal of the American 2000 strategy is make America's schools as good as they can be so they can better prepare the Nation's schoolchildren to meet the challenges of the next century. It is a policy that is based on the notion that innovation and creative genius can—and it should—be harnessed and directed toward redefining education as we know it.

It challenges the best and the brightest in every local community to take ownership of America's future by investing in their neighborhood schools.

There have been a lot of examples discussed in our committee and here on the floor of the Senate of ideas that are being utilized in education today.

In our own State, we have seen a new school created for math and science students. This was done in 1987, for the purpose of offering a new educational opportunity to the most academically talented students in our State who wanted to participate in this program.

It is a public, residential school program for 11th and 12th graders that provides room, board, and tuition at no cost to the students. They are all on scholarship. The mission of the school is to provide an environment where the students are given extra opportunities for excellence in learning and personal growth, and it prepares students for a technological future by giving them opportunities for a better foundation in mathematics, science, research, writing, and computer science.

Another example of a local initiative that is being developed in our State is Mississippi 2000, a public-private partnership which has created a two-way interactive video educational network to bring educational opportunities to rural communities and small towns that would not otherwise have them. Hard-to-teach subjects, or subjects where teachers are hard to find, can be make available to students through this distance learning technique. It is a joint undertaking of four State agen-

cies: The Mississippi Educational Television Authority, the Mississippi Institutions of Higher Learning, the State Department of Education, and the State Board for Community and Junior Colleges.

What has really made it work is the investment that private companies have made in the program through financial as well as in-kind contributions. South Central Bell, for example, provides the fiber optic delivery system. Northern Telcom is donating much of the signal switching equipment. IBM has committed $1.25 million in computer equipment. Apple is also contributing computer technology. Local school districts are coming up with some of the costs.

Currently, four rural communities are involved and are participating in this program, and it demonstrates how barriers to a superior education and to the old ways of doing things can be broken down. Limited resources is a problem that everybody has. In our State especially, but in every State of the Union, there are communities which would like to experiment with these new technologies, would like to be able to create a new school whether for specially talented students in math and science or whether to try to educate a broad base of the student population, which is what our amendment encourages, but who do not, in fact, have the resources to do it. They have the desire, the interest; they are excited about the prospects, but they do not have any money.

That is what this amendment provides, some money to those communities who obviously have the best ideas, the most innovative suggestions for change and reform that will be rewarded by grants from the Federal Government to support their local initiative.

How can you be against that? Mr. President, I do not know of a single Senator who really would want to be opposed to this new program. The money has already been appropriated. Last year when the Appropriations Committee was winding up its work for the year, the subcommittee on Labor-HHS appropriations put in $100 million for programs, initiatives under the umbrella of America 2000, the President's and the Governors' suggested education reform program.

There is not one initiative of that kind in the bill as reported by the committee, and unless we pass the legal authority, unless we authorize the Department of Education to administer a program described as an America 2000 initiative, that money is not going to be spent. Previously appropriated money will not be spent on any America 2000 program. That is another reason why it is very important for us to take affirmative action on this amendment. As a matter of fact, I think that the appropriations language said that if legal authority is not approved by the Congress by April 1, 1992, then that appropriation is no longer available for America 2000 initiatives.

It is important that we act now. It is important that we approve this amendment and let the local communities who are interested in participating begin the process of developing their applications, presenting them to their chief education officer and their Governor to see if it is the kind of program that merits financial support from the Federal Government. And if they think it is, then it can be sent to the Secretary of Education, who, in consultation with a panel of experts, can then approve some number of those applications and provide up to $1 million for each eligible applicant as long as this appropriation will last.

As you can see, if all of the funds in the appropriation, $100 million, are used in fiscal 1992 for just this initiative, only 100, no more than 100, schools could be created if $1 million for each applicant were used.

One other provision of the bill I want to mention is that the Secretary does not have to approve up to the full amount of $1 million for each application. It could be that some applications are more modest in terms of the Federal funds needed or required, so the Secretary can reduce the amount an applicant gets below that $1 million figure.

I have cited a few examples of how the program would work, the kinds of education initiatives that would be rewarded, the incentives that we are trying to create. Senators already have been discussing some new programs—Senator KENNEDY discussed new programs in his State. Other Senators have talked about programs in their States that they know about, and that is the kind of new initiative that we are talking about providing some incentive for funding and for development.

To give you an idea of the extent of interest throughout the country, there was recently a conference sponsored by the New American Schools Development Corporation for the purpose of discussing the national design and research effort that the corporation is undertaking. Senators may remember that this corporation was created for the purpose of bringing together high-level experts to come up with design plans that could be replicated in a nationwide program to redesign our schools. The difference between that initiative, incidentally, and the amendment that is being offered now is that this amendment funds, right now, community-based efforts that are already underway or that can be developed in order that the program can be approved and the projects funded by January of next year. This corporation's work is going to take 4 to 5 years to complete. And so we want to start now with a program of encouraging ideas from the local level.

But let me show you the attendance list, Mr. President, of the people who came to this conference to find out about how you apply and what is going on in the design and development of new techniques in education. This is a book that contains the list of attendees. This is not the report of the conference. This is the list of everybody who came. Think about that. Over 5,000 people came to the conference to find out about the New American Schools initiative and how they could participate, how their communities could become involved, what was going on. The excitement is there. People are ready to respond to this challenge, Mr. President, and the Congress ought to do its part by providing some Federal funds to encourage and support the development of these new ideas, these new ways of doing things, and it seems to me that it is certainly an idea that we ought to approve and embrace and we ought to fund the program and get it started.

We have heard the stories about American students, the fact that they are not performing at the level they should. We are going to be falling behind in this competitive world if we are not very, very careful. We need to bring our best resources and our talents to bear on that problem.

This is one way we can start moving in a positive direction.

I read a story in the newspaper in my State the other day where at an economic symposium Bell South president, John Clendenin, said he was disturbed about the basic skills that were being acquired by students graduating from high school because of the fact that of those who were high school graduates taking the entrance level employment exam at his company, only 10 percent were passing.

This is not a high-level job. He said it is a job that a person who had finished the 10th grade of high school ought to be able to perform without any additional training. But only 10 percent of those taking the test were passing it and these were all high school graduates.

We really have to do a better job of educating our student population at the elementary and secondary level. Our Federal responsibility is to contribute in a positive way to a climate for improving our schools. All of the schools cannot get $1 million from the Federal Government. We just do not have that kind of resource available. I wish we did, but we do not. But we can encourage the development of ideas which, if they work in one community, may work in another; which if they work around one State, the benefits can be enjoyed somewhere else. And so it is to demonstrate how new ideas can be put to work and improve our education system.

Mr. President, I hope Senators will approve this amendment.

Mr. DURENBERGER addressed the Chair.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Chair recognizes the Senator from Minnesota [Mr. DURENBERGER].

Mr. DURENBERGER. Mr. President, I rise in support of the amendment of my colleague form Mississippi to specifically authorize funding for New American Schools. I am pleased to be an original cosponsor, and believe it would represent a substantial improvement in the legislation we now have before us.

I intend at some other point in time to have some remarks to share with my colleague from Massachusetts, who has been so wonderfully cooperative in working out some other language in other amendments that we discussed in the committee and have discussed on the floor. The junior Senator from Connecticut, of course, has been an important part of that as well.

Mr. President, it is an important and a powerful statement about priorities in this country that our first order of business in the second session of the 102d Congress is legislation intended to improve the quality of education for every American child.

Because of the leadership provided here in this body, in particular by those of you who have been on the floor over the last 2 days, leadership by President Bush and by Secretary Alexander, leadership of the Governors all over this country and leadership from States like Minnesota, education is finally earning its rightful place in the Nation's political agenda.

I think we agree it is about time and about time we all got on board.

Mr. President, others have spoken forcefully in the debate about improvements in the quality of education in America. Let me share with you one statistic that speaks to the importance of quality education in an increasingly competitive world economy.

According to a study done several years ago by the Committee for Economic Development, a single year's class of school dropouts will cost the Nation $240 billion in lost earnings, taxes, and added social programs over the lifetime of the young men and women. Just from 1 year, a $240 billion loss. That hurts not only our taxpayers but our Nation's economy as a whole.

Mr. President, I ask at this point, too, that reference to the same subject in a recent issue of the Minneapolis Star and Tribune in a column by Dick Youngblood be printed in the RECORD.

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

[From the Minneapolis Star and Tribune, Jan. 20, 1992]

U.S. EDUCATION NEEDS ABRUPT TURN FOR THE BETTER

(By Dick Youngblood)

Secure in their ivory towers, educators rail against the notion that we ought to find ways to measure their performance and hold them accountable for the quality of the education our children receive.

At the same time parents and politicians trip over each other in pursuit of new ways to carve a buck or two out of next year's school budget, making sure, of course, that varsity athletics remains unscathed.

Meanwhile, a skills crisis that can be traced right back to the classroom is engulfing the American work force, threatening the nation's ability to compete in the global marketplace.

It might not be too late to reverse the trend, some experts say, but the odds are building that America could be left behind by the end of the 1990s if action isn't taken quickly.

I come by this daunting perspective courtesy of the National Association of Manufacturers (NAM) and the management consulting firm of Towers Perrin, which collaborated last year on a survey of work force skills among NAM members.

Some of the results will appall you; others should scare the complacency right off you. Consider.

Despite demographic trends that are slowing the growth of the work force, the average manufacturer rejects five out of every six job candidates because of a lack of basic skills. A third of the companies surveyed regularly reject applicants because they cannot read or write adequately, and a fourth of them rebuff candidates because of poor math and communications skills.

In terms of the existing work force, more than half of the 360 companies responding to the survey reported major skills deficiencies in basic math, reading and problem-solving in their employee populations.

As a result of these deficiencies, 40 percent of the respondents reported serious problems upgrading technology, and 37 percent noted major difficulties increasing productivity.

Even more menacing, 30 percent of the companies said they could not reorganize work activities because their employees could not learn new jobs. And 25 percent said they couldn't upgrade product quality because their workers were unable to learn quality-enhancing skills.

The upshot: "We found that every region of the country has severe shortages of skilled craft workers and expects these shortages to get worse," said Ronald Porter, a Towers Perrin executive. The survey also found a shortage of semiskilled workers everywhere except New England.

And it's not expected to get any better as the labor force grows in the 1990s at less than 60 percent of the rate in the late 1970s and '80s. Indeed, thanks to a dropout rate that averages 25 percent—50 percent in inner cities—the skills gap is expected to widen in the 1990s.

"Sixty percent of new jobs (in the 1990s) will require more than a high school education," the survey reported. "However, 70 percent of new entrants into the work force will have less than a high school (diploma)."

It would take a congenial optimist to locate a silver lining in a storm front that dark and imposing.

Fortunately, I have uncovered just such a cheerful gent right there at NAM headquarters in Washington, D.C.

To NAM Vice President Michael Baroody, the situation is not irretrievable. But he argued that it will require fast, aggressive action by U.S. business and industry, in concert with schools and other government units, to find creative and effective ways to retrain the existing work force and to prepare new employees for the school-to-work transition.

To that end, NAM has launched a national program in partnership with the Department of Labor to help corporate America design work force education and training programs.

The idea, Baroody said, is to use NAM members that have developed successful training and retraining programs to help develop national information network and to share their ideas at regional workshops.

"There have been some dramatically successful programs," Baroody said, citing the case of Wil-Burt Inc, of Orville, Ohio, a metal fabricator with fewer than 300 employees. To help upgrade product quantity, Wil-Burt formed a partnership with the nearby University of Akron to offer courses in math and blueprint-reading tailored to the company's needs.

The result: "Before, the company was putting out a pretty good product built according to custom specifications," Baroody said. After training, however, the workers began spotting and correcting flaws in the specifications, trimming the project rejection rate to a fractional level while lofting morale "sky-high."

"There are community colleges all over the country where such a partnership would be a natural" Baroody said.

Similarly, NAM called for greater corporate participation in a variety of school-to-work transition programs ranging from on-site student training to senior-year apprenticeship programs to student mentoring by corporate executives, supervisors and employees.

That, of course, sounds a great deal like the adopt-a-school program underway in Minneapolis, where volunteers from more than 50 companies are involved as mentors, tutors and role models helping local schools prepare their students for the workplace.

Alas, NAM reported, less than 5 percent of its members are involved in these programs, although more and more of them are grasping the importance of such efforts. A few companies also are operating remedial education programs to plug the reading-writing-arithmetic holes in their employees' educational backgrounds, Baroody said.

Such solutions, however, are beyond the financial resources of most small employers, NAM said. Thus, there is a need for either government or industry groups to develop cooperative training programs that would assist the smaller companies.

Despite the problems, Baroody is hopeful. "If we can meet the skills challenge, even a slower growth in the work force would leave us with enormous opportunities in terms of adoption of new technology and productivity growth," he said. At the same time, the slowdown in laborforce growth "would leave tremendous opportunities for individual achievement and reward—for everyone in our society."

The alternative, NAM suggests, is to watch "the seeds of a new underclass . . . being sown in the school system."

Mr. DURENBERGER. As Deputy Education Secretary David Kearns said a few years ago when he was CEO of Xerox:

The simple truth is that we can't have a world-class economy without a without a

world-class work force—from senior scientists to stockroom clerks. And, we can't have a world-class work force without world class schools.

Because of that reality, I think a lot of us got very excited last April when the President and Secretary Alexander announced the administration's America 2000 initiative.

I was especially proud that the President and Secretary Alexander chose to unveil legislation implementing that initiative 1 months later during a visit to the Saturn School in St. Paul.

But, I am disappointed, Mr. President, that the legislation we have before us today leaves out some of the important initiatives President Bush unveiled that warm May day in the courtyard of the downtown St. Paul Public Library.

I am also disappointed that this legislation pays too little attention to the important role State governments can play in initiating and guiding and institutionalizing education reform.

Mr. President, I think we all know that Minnesota has made enormous strides in improving the quality of education—all through the 1980's:

By allowing parents and students to choose any public school in the State;

By offering college level course to high school juniors and seniors;

Through dropout prevention programs; and

Now through chartered schools and the Nation's first statewide program of outcome-based education.

What has really been more than a decade of education reform in Minnesota began in the early 1980's under Gov. Al Quie, a member of my own party who contributed so much to national policy on education as a Member of Congress for more than 20 years.

But I am not at all reluctant to admit that much of the credit for achieving those strides also belongs with Minnesota Democrats.

Part of the explanation for Minnesota's leadership in education reform comes from an appreciation for the importance of creating new schools.

Part of the explanation of Minnesota's leadership in education also comes from a new understanding of the essential values in public education that has emerged in my State over the past half-dozen years.

But despite that new way of thinking, we seem still hung up in this debate, Mr. President, with fears of change and with differences over public and private school choice that really do not need to stand in the way of getting where we all know we need to go.

Public education should not be defined by who owns the buildings and who hires the teachers.

Instead, Mr. President, public education should be defined by outcomes, by the Constitution, by who must be accepted, by who cannot be excluded, and by who pays the bills.

Minnesotans have invented a new way of drawing that line. It's called the "chartered public school."

And other States—from Connecticut to California—are redrawing that line, as well.

Mr. President, Education Secretary Lamar Alexander has called Minnesota's chartered schools law one of the most important aspects of education reform to emerge in the States last year. I intend to discuss the value of chartered schools in greater detail at a more appropriate point in this debate.

But I have mentioned this new opportunity to start schools in this context because chartered schools are highly consistent with the President's America 2000 initiative. Chartered schools are highly consistent with the objectives of the New American Schools amendment offended by my colleague, Senator THAD COCHRAN which he is asking us to consider.

I mentioned earlier that President Bush and Secretary Alexander chose Minnesota as the place to unveil the legislation implementing America 2000.

Secretary Alexander has been back to Minnesota twice since. And, out of those visits, Minnesotans have launched our own version of the President's initiative—known in our State as "Minnesota 2000."

Under the leadership of Gov. Arne Carlson and Education Commissioner Gene Mammenga—and with strong support from the Minnesota Education Association and other education groups—this initiative is involving thousands of Minnesotans in dozens of communities in local efforts to improve their schools.

Minnesota 2000 is based on the concept of community. It involves all segments of Minnesota cities, towns, and rural areas in a united effort to improve education for our State's children.

Minnesota 2000 is designed to bring together not just educators, parents and children, but also businesses, different levels of government, social service agencies, hospitals and health organizations, service clubs, and retired persons.

Minnesota 2000 has the goal of making schools and communities true partners in educating our children, promoting education reform that delivers significantly better results.

As part of Minnesota 2000, Minnesotans have adopted the Nation's six education goals.

And Minnesota 2000 has also expanded on those goals with specific strategies and specific outcomes of its own.

Out of the America 2000 and Minnesota 2000 initiatives, more than two dozen Minnesota communities and organizations have already expressed interest in becoming America 2000 communities—two dozen are competing for that one, I guess, which might go to my own State—with the potential of attracting a New American School to Minnesota.

Minnesotans have also expressed a high level of interest in the competition for grants to help design New American Schools now being run by the New American Schools Development Corporation.

Minnesotans are ready and waiting for the President's New American Schools initiative to be formally authorized. I think that's true in many of the rest of our 50 States, as well.

Funding for the first year has already been appropriated. But we need the amendment that my colleague from Mississippi Senator COCHRAN, has put before us to begin delivering on all the expectations that are now out there all over America.

They are in communities in any State and communities in Massachusetts, communities in Mississippi, from the east coast to the west coast, and from the gulf to the Canadian border.

Mr. President, I will conclude by thanking the distinguished Senator from Mississippi for bringing this amendment to the floor. I urge its support by all of my colleagues.

I look forward to using this amendment to help make the bill a kind of positive statement about the value and the importance of education that the children of this Nation now need and they have long deserved.

Mr. President, I yield the floor.

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. HOLLINGS. 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. HOLLINGS. Mr. President, I hope to address my remarks to the Cochran amendment entitled "To promote the achievement of national education goals; to establish a National Council on Educational Goals and an academic report card." And on and on.

Let us see who is eligible under this amendment. It says, "The Secretary shall give the money to an eligible recipient."

As I understand it, on page 4, Mr. President:

> The Secretary is authorized to award grants to eligible recipients on behalf of communities to enable such eligible recipients to develop innovative elementary and secondary schools, hereinafter entitled the New American Schools, in the communities served by such recipients.

And, then:

> The term eligible recipient means the agency, organization, or institution that receives a grant under this title on behalf of a community.

So an "eligible recipient" is the person who gets the money, and who is eligible. The Secretary decides.

And the term "community" means: "Any identifiable group of individuals such as the members of a service organization who generally reside in a particular geographical area."

I usually like to address the differences I have with a given amendment or bill item by item. But in this particular case, Mr. President, this is a bad, bad amendment in its entirety. It is nothing but politics. Both Republican and Democrat are trying to identify with the problem, but not solve the problem.

This is typical, because we have really bogged down in this National Capital into the most sordid pollster politics that I have ever seen.

I ran 20 years for office and never saw a pollster. You just did your job to the best of your abilities. I was speaker pro tem, Lieutenant Governor, and Governor. Then I come up to Washington and it is all pollsters. And so the President is told: You have to identify with the problem, and you have to not risk offending the voters. So do not say you are for or against; just say you are concerned. And better than that, come up with new ideas, new ideas, new ideas.

Horse feathers. What we need is not new ideas but old ideals in this land of ours, and particularly in this Government. I think people have the old ideals and are looking for that.

But the pollsters have never solved any problem. None of them ever served in Government. They all are mercenary, to get you by on money, message, and media. And it has gotten to be a disaster. Ergo this superficial identification with education. Ten years ago, the Reagan-Bush team came to town and said: Get rid of the Education Department. The President appointed me to a Federalism Commission to help get rid of it. I balked and I opposed it, as did several others.

And it is an old adage, the best government is the least government, the best government is closest to the people. So Reagan said abolish the Department of Education, abolish the Department of Energy. Cut the funds from Head Start. Cut funds again from Women, Infants, and Children's feeding. Deregulate, deregulate. Oh, yes, and you do not need money, so we will just cut the taxes. Do away with 25 percent of the revenue support for Government, and we will grow out of the deficits. And when we found out we were not growing out of the deficits, we started raiding all the trust funds and playing games of off budget, off budget, and other sleights of hand.

And, incidentally, that is what we are going to get next Tuesday night in the State of the Union. And when they serve it up next Tuesday night, this Senator will followup by introducing the President's budget as he submitted it, and then we'll see how many people are stupid enough to vote for it. We will get a vote on President Bush's so-called economic plan to revive this country, and we will show you all the different sleights of hand, and we will reduce it to black and white, bring it to the committee or to the floor, and see how many people want to vote for it. Then we will all know what kind of game is being played.

Of course, back in the early 1980's, President Reagan finally woke up and realized that we cannot abolish Education. We had better get with it.

Education is fundamental to the success of democracy. It was James Madison who said: "A popular government without means to popular information is but a prolog to a farce or a tragedy, or both."

So we have premised our Government on popular information, meaning public education. But what we have got here in this amendment is politics.

None said it better than former Secretary Bennett, after the education summit down there in Charlottesville, when he said that what they discussed there was "pap," or "something that rhymes with pap." And that is exactly what they got out of that conference. They set a lot of goals and no solutions. They said that people in education are fast asleep, not innovative, do not know competition, and could not care less. Absolutely false. Some of the most dynamic, competitive, innovative folks you will ever find are in public education, and we are going to present that to the Senate here this afternoon so we will understand that the issue, the need, is not innovation, but preparation.

And then when it comes to the money, I just despair. The distinguished Senator from Mississippi that heads this up, the distinguished Senator from Oregon, we all serve on the Appropriations Committee, we are money short. "A day late, a dollar short," is the old saying. Heavens above, we have more and more and more needs to be provided for.

Instead, we have seen unprecedented waste. That same crowd that came to town that was going to eliminate the waste, they have created more waste in a single decade than the history of man. How? By deficit financing, by borrowing and spending us into bankruptcy.

In 1981, 11 years ago, when President Reagan took over, the deficit was only $103 billion. Today, it has quadrupled. This was the President who was going to put the Government into the black. He said, the first year when he got to town, he said, "We'll balance the budget by 1983."

Instead, he was the President who gave us the first $100 billion deficit in the history of man, the first $200 billion deficit. And now President Bush has given us the first $300 billion deficit, the first $400 billion deficit. And listen to Robert Reischauer of the Congressional Budget Office, who is before the Budget Committee right now. He says we are headed for the first $500 billion deficit. Up, up, and away. And with all those Reagan-Bush deficits and the national debt rising to $3.8 trillion, the interest costs have jumped to $310 billion annually.

Meanwhile, I have been serving for over 20 years now on the Labor, Health and Human Resources, Education Subcommittee of Appropriations, and I am looking at valid, proven governmental programs that save money. Consider the Women, Infants, and Children feeding program. I remember when Reagan came in and tried to red-line it, wipe it out. Now we are trying to boost WIC.

We have got innovation already in the public schools; what we need is preparation for the schools—nutritional preparation. Fifty-nine percent of those eligible receive WIC feeding; 41 percent are left out. Funding is now at $2.6 billion. We need $4.5 billion to provide for all the eligible. We have a Head Start Program. Only 32 percent of those eligible are receiving Head Start; 68 percent are left out. We do not have the money.

The President is now belatedly trying to identify with Head Start, with his $600 million proposal yesterday afternoon. He wants to increase funding by $600 million. Mr. President, that still leaves us a billions shy. We are spending $2 billion and we need $7 billion. In fact, we authorized 100 percent coverage by 1994, and that is up to $7 billion. So we need $5 billion more there. Money is what we need.

Title I for the disadvantaged is serving 60 percent, so 40 percent are left out. We spend $6.4 billion. To fully fund it out we need another $3 billion. So we need some $12.5 billion for WIC and Head Start, and we are not going to do that because we do not have the money.

So we come along with this miserly authorization and call it "break the mold." The "New American Schools," as if the problem were innovation.

Gee whiz, I wish they would get out of this blooming town and go around and look at some schools. We have got innovation galore. We have got computers in public schools. We have got all kinds of innovation in the schools.

But, first things first, there is the matter of saving minds.

There is a very interesting study by a doctor named Nevin Scrimshaw from Harvard years back. Dr. Scrimshaw graduated at the top of his class in cardiology, performed a couple of heart operations a week, $10,000 apiece, made 20,000 bucks a week. He said, "Look, I am not really doing any good; I am just making a lot of money. Others can perform this. I want to explore this proposition of hunger and the development of the human brain." And he went down into Mexico with Dr. Cravioto and into Guatemala. He found siblings, one child well fed and the other under-

nourished, and he developed a study with respect to the development of the human brain, which has 13 billion brain cells.

Those 13 billion cells have already been developed after 5 years of life. The first 10 billion of the 13 billion are developed in the mother's womb in the first 5 months, and there is as much as 20 percent less cellular development if there is a lack of protein, a lack of synthesis of those nerve cells. And as a result, that child is what we generally call retarded. It has general organic brain damage; it cannot assimilate; it cannot concentrate. After being in first grade for 2 years, it will get a social promotion. The poor child will then be put in the second grade. It gets disoriented. It is in the ghetto, and it is into mischief. And Governor HATFIELD and Governor HOLLINGS, we learned that it is cheaper to feed the child than it is to jail the man. And so we put in the WIC Program to ensure proper nutrition.

The distinguished Senator from Minnesota, Hubert Humphrey, came from Vice President back to the Senate. I joined with him in Agriculture. We started WIC feeding. If Senators could shoot all the pollsters, if the President of the United States could get real and stop running around, if he would sit down and listen and work, he has got a Congress that will work with him. We are all in trouble. There is going to be no quick fix. We only have one President, and, heavens above, we have got to work our way out of this situation.

So the education problem is not innovation, the problem is preparation, and we begin with nutrition. Let us not start looking for innovation for the sake of innovation, starting 535 new schools in America, to allegedly break a mold. They had better get the mold off their heads and brains and start thinking and realizing that WIC works. For every dollar we spend, we save $3, because that little infant with the undeveloped brain will never be repaired. Break your arm, and, of course, the bone comes back stronger. You break that brain, it never heals those nerve cells. But for every WIC dollar we spend we save $3 because the alternative is that those low-birthweight infants are put in that incubator, and the average cost is $1,000 a day and the average stay is 30 days. So I am spending $400 or $500 for an expectant mother versus $30,000 for that low-birthweight infant. And I have got nearly the highest rate of low-birthweight babies in my State of South Carolina, and we are working on it. We do not need a new idea. Everybody agrees on this thing. We have just been saying, "For Heavens sake do not red-line or eliminate WIC, and let us flesh it out and put the money into it."

Now, with the primary campaign in New Hampshire, candidates are talking about WIC. Similarly, with Head Start. We have had studies galore. The Rochester study showed that for every dollar I spend on Head Start, I save $4.50. Look at the studies on chapter I for the disadvantaged. In chapter I for the disadvantaged, for every dollar I spend there, I save $6.50.

These are proven programs, but stultified for a lack of money. We have the proven programs. But the people who are working on them are being tackled from behind by this "innovation" nonsense.

I have letters from all over South Carolina. Here is a State that has not sat around waiting for the feds. We have been in there grabbing and scratching and building education. We have a 5-percent sales tax for education. We have excise taxes. We have a property tax. We have a gasoline tax. We have every tax you can think of to fund education.

We wanted to make sure we could make every effort that could possibly be made to boost education. Here, with that effort being made, I get a letter from, the South Carolina Center for the Advancement of Teaching and School Leadership by Dr. Barbara Gottesman.

She writes:

> Since the bill S. 2 comes up for discussion in the Senate on Tuesday, I want you to know that there are schools in South Carolina who are restructuring the school as an organization and changing teaching/learning strategies and the way we serve students. The South Carolina Center for the Advancement of Teaching and School Leadership was set up by the General Assembly in 1989 under Target 2000 legislation.
>
> The Center has one purpose: to help schools restructuring and to influence changes in teacher education. Seventy lighthouse schools work in the Center's Associate Schools program to serve as models for their geographic areas. Each has an in-school team for long range change planning which includes a college and business partner and a community person. All of our schools are linked by electronic mail with each other, the Center, and the college partners for rapid exchange of successful practices.
>
> Specific changes now underway in Associate Schools are: new scheduling patterns, alternative assessment, cooperative learning, shared governance, interdisciplinary curriculum, teaming, and lead teachers. Instead of choice or money for new models, why not support successful restructuring programs already producing results?

I am sure we have a similar effort down in Mississippi because we are hungry for education in the South. We have not been spoiled. We want jobs. We want industry. We want people to come to our States. Quoting again, Dr. Gottesman:

> Each of these schools was given a $5,000 grant through our Center, but that money does not go very far when you are revolutionizing schools for the 21st century. We do appreciate your support.

Then she gives example after example of what innovation has already been taking place in 70 schools in South Carolina for a pittance price of $600,000.

In contrast, what does this amendment propose? I have never seen such political pork barrel in my life. If a Democrat were to submit this we would be run out of the Chamber. I could not get back home, reading the editorials against me, if I said I am going to give each Congressman a school in his district, and each Senator a school in his State. This is blatant pork barrel.

And can you imagine singling out just one school for a $1 million grant, while surrounding schools go without? You let the poor people walk around and gawk inside, "Oh, they have computers. They have curtains on the windows. Isn't that a nice gym. What, a science lab in this school. We have never had science because we could not afford a lab."

So we just march them through so they can see how the rich are getting richer and the poor are getting poorer all because—why? Because we are approaching this not as an education problem, but as a political problem. We try to identify vaguely with the problem. That is what we are doing. We are identifying with the problem, not solving it, just for our own political hides here. We ought to be ashamed to put up a proposal of this kind, talking grandly about "break the mold" and "New American Schools" and all this PR malarkey that they give us.

Let me share several letters from distingished educators. These folks have really been working in the vineyards, with doctorates of education. And let's remember that education is a nonpartisan thing. I have never heard of it as a partisan endeavor.

Mr. President, I ask unanimous consent these letters be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

(See exhibit 1.)

Mr. HOLLINGS. These letters say, "look, do not go along with this so-called New America School plan." Time and again, these various letters are dramatic in their opposition. They have heard about this scheme.

Worst of all, this amendment allows public money to be siphoned off to private schools. We are going to rob the poor again. What is it, Robin Hood in reverse? We are going to rob the poor to provide for the rich, who are looked upon as successes, and say: Look, we have broken the mold.

Nonsense. We already have innovation. There is a booklet, Mr. President, in New York. It has 134 choices for schools. Go down there in Brooklyn. It looked like a war zone, but the kids were there, they were alert, they were surprising. And what they need is not a new American school, or break the mold, what they need is financial support.

There are various articles by the distinguished head of the American Federation, Albert Shanker. He writes regularly as you know, in the New York Times, on Sunday. He speaks good common sense.

There is the issue of parochial schools and church-state relations. We started this debate back 30 years ago when I was campaigning for a Catholic President and everybody was all alarmed that we were going to merge religion with politics.

The one particular amendment that we have, and I mention this, of course, with caution because you cannot say anything because they will try to misquote you, but 90 percent of the private schools are church related. I could quote Thomas Jefferson on the wall of separation of church and state. If Senators travel and go to Ireland this afternoon, they will see there are 30,000 British troops in Northern Ireland. There is a war going on in Northern Ireland because of religion. And go over to Pakistan and India and it is religion; go to France or the Middle East, and it is religion. This shows the greatness, the foresight of the forefathers was that first amendment allowing freedom of religion. They separated church and state, and why do we want to tamper with that now? We ought to appreciate the wisdom of the forefathers in this particular regard.

We have enough divisiveness going on now. Heavens above, under this amendment David Duke down in Louisiana can start schools under this. He would break the mold all right. We would all start goosestepping again.

I never heard of such a thing being proposed here when we have successful programs that save money. The local folks need the support and not the condemnation and the derision that you hear in Japan that we are all stupid, we are all illiterate, we have become a subcontractor.

We have to stop bashing America. And if you want to start, do not bash Japan because if I were the emperor, I would do what they are doing. What you need to do is bash this Government up here. Tell us to wake up and cut out the politics. Cut out this baloney of "I broke the mold" and "new American schools."

We are past the Japanese. The most productive industrial worker in the world is in the United States, No. 1. Go down and ask Lynn Martin, Secretary of Labor, Bureau of Labor Statistics, International Economic Section, the United Nations, anywhere you look—do not worry about that American worker.

Nissan of Japan and Bausch of West Germany were searching for the highest technology production in 22 countries, and we broke ground in South Carolina not long ago with Nissan-Bausch, with automated automotive electronic engineering systems in Anderson, SC, on account of the productivity and the skill of the industrial workers. And if they want more skills, tell them to come to South Carolina. We will provide the skills. We pay for it. We are delighted to do it and open the doors of opportunity.

But do not come here when I am cutting proven programs short, and run around in a circle saying we are going to get innovative and we are going to break the mold and the problem is innovation and new ideas. That PR malarkey comes from the sorry pollsters. Take over the Government, and the first order of business is shoot all the pollsters.

Mr. President, 13 years ago, and again 8 years ago, this body rejected proposals that would divert Federal funds to private elementary and secondary schools. The issue was well ventilated and correctly decided. I would dust off my remarks from then and present them again, except that we are at a different place in history. Mr. President, the arguments against this unconstitutional subsidy have become even stronger during the past decade, while the need for a government that addresses the needs of the people rather than the whims of polls has become absolutely evident.

Mr. President, the American people are beginning to look beyond the public relations facade whipped up by a succession of photo opportunities over the past 11 years. George Bush now presides at the helm of a rudderless and rusting ship of state. This Federal decay, not coincidentally, has gone hand in hand with a growing alienation of the American people from the operations and goals of their Government. "Government is not the solution, it is the problem," President Reagan said. He then strove to make this a self-fulfilling prophesy by attacking and undermining the Federal role in education, energy, housing, banking, trade, labor relations, commerce, and health care.

Mr. President, these are precisely the areas in which we now face our most severe national crises. The deficit is now out of control, skyrocketing from $321 billion in 1991 to $425 billion in the current fiscal year. Medicaid and Medicare reimbursements have fallen so low that doctors refuse to take patients. Underpaid scientists leave NIH for private industry. The President's chief counsel casually proposes gutting time-honored civil rights regulations. We are told that the chief of staff slipped in a speech segment calling for a cap on credit card interest rates, and the President obediently mouthed the words. It strikes me, Mr. President, that this current gambit to transfer public moneys to private schools is just the latest ad hoc, half-baked policy nostrum to come out of the White House. But this is not your run-of-the-mill political mischief, Mr. President, because we are dealing here with one of government's most profound responsibilities: the education of our children. When the President's former Secretary of Education, William Bennett, says that discussion at the education summit was "pap, or something that rhymes with pap," we are well advised to sit up and take notice of the fraud that is afoot.

Mr. President, the Congress has compromised and coconspired with many of the policy disasters of the past decade. Today, we are once again invited to tag along with an administration-led demolition job on the underpinnings of our democracy. This time the target is American public education, which the White House seeks to shortchange in the name of choice reform. This innocent sounding choice reform is a wolf in sheep's clothing—and nobody on either side of the issue is fooled by this latest approach to gutting public education.

Mr. President, our cities are crumbling, child poverty is soaring, families are disintegrating, violence and disobedience are endemic—and every one of these problems are dumped on the doorstep of our public schools. As if these challenges weren't enough, public schools across the country are facing an unprecedented fiscal crisis. In Dade County, FL, veteran teachers are encouraged to retire early to cut costs; no new teachers are hired, but enrollments rise, with many students not speaking English. In New York City, 4,000 teachers are offered early retirement, though only 1,000 usually retire in a year. In Cincinnati, the average teacher spends $200 out of pocket to buy classroom supplies. In Duval County, FL, counselors who help abused children and pregnant teenagers have been let go. In Baltimore City, parents are told that their kids are substandard on 12 out of 13 State measures—and now Baltimoreans are told that their schools would close for a week in February to cut costs. In Greenville, SC, county schools have suffered a wave of layoffs to meet the reduced budget, while schools across South Carolina have been forced to accept across-the-board cuts.

Mr. President, it is not just professional educators who are frightened by the defunding and disinvestment in American public education. James Renier, the chief operating officer at Honeywell, served as acting principal at a junior high school in Robbinsdale, MN, recently. Based on his experience, he concluded:

> All across this country, schools have accepted this responsibility—largely without recognition and without support. They have acted in default of families and community agencies—and the schools aren't equipped for the extra load.

In this context, Mr. President, it is outrageous that Senators would propose robbing scarce funding from our

public schools and transferring that funding to private schools. Already, these schools skim the cream by taking many of the best and more affluent students—leaving poor and problem students to the public schools. Now the private schools want to go one step further by skimming off public money to finance their private operations.

If it is educational experiments you are interested in, look to the experience of Milwaukee, WI. In Milwaukee, a private school abruptly closed in the middle of the school year because it was not making enough money. The parents sent tax money to the private school, which closed in the middle of the school year, and then the taxpayers paid again for public educators to patch up the educational damage. These children lost precious time to a failed experiment.

Other Milwaukee children were not accepted in the first place of could find acceptable placement. While the program was open to 1,000 children and 600 applied, only 7 of 21 nonsectarian private schools in the city chose to accept voucher students. Of the 600, only 350 to 390 were accepted into these 7 schools. Of those accepted, 6 percent were expelled—they proved too tough for the private schools to handle.

Mr. President, these schools reserve their right to be selective and picky, but our country does not select and exclude its citizens—all Americans are guaranteed a quality education, and it is our responsibility to provide that education to every child.

I have properly focused on the plight of individual students because public education cannot be provided only to the above-average child. It is a guarantee to each and every American child. But let us consider the average child because assumptions about the average drive the theory. Specifically, the assumption seems to be that if public schoolchildren could choose private schools, their average achievement would rise.

Testimony before the House Subcommittee on Elementary and Secondary Education refutes this assumption. Albert Shanker pointed out that the most recent math assessments done by the U.S. Department of Education show small differences between public and private school achievement—5 percent of 17 year olds at public schools and 4 percent of 17 year olds at private schools scored at an acceptable college entry level.

With regard to the socioeconomic factors which have a high correlation to educational achievement, the students in the National Assessment of Educational Progress test sample in private schools entered school with a great advantage. The mothers of the public school students were 97 percent more likely to have less than a full high school education. The fathers of the public school students were 40 percent more likely to have stopped their education after high school. The fathers of the private school students were 52 percent more likely to have graduated college.

Similar disparities exist in family income statistics for public and private school students. The percentage of students from families with incomes below $15,000 is nearly three times as high as the percentage of similarly poor students in religious and nonsectarian private schools. Public schools have only half the percentage of students from families earning more than $50,000 at religious schools, and less than one-third the percentage of such students at nonsectarian private schools.

When we add to these socioeconomic factors the fact that public schools provide a curriculum less focused on college-track courses, it is astounding that private school NAEP scores are not much higher than public school scores. And it strains credibility to think that allowing any or all public school students to enter private schools will improve achievement. Both sectors are faced with a great challenge, and both are having difficulty meeting it.

The real problems our country faces must be met with collective action. They cannot be pawned off on someone else or left to laissez-faire. The economy will not bounce back without wise public investment. Health care will not fix itself through exhortation. Substandard schools cannot be escaped through abandonment of the building or of responsibility. Yet that is the basic idea proposed here: If a school begins to fail, give its responsibilities to a less accountable authority and abandon the substandard school. Mr. President, everyone would like the choice to abandon a tough situation and waltz into a new, perfect school. I would like to choose not to have the lack of funds we face in education at every level to invest in every school. Mr. President, the American people have been offered panaceas and scapegoats before, and I think they are tired of it. We have been told "no need to pay taxes—we will provide services and trickle down will provide funds—no need to be saddled with government." Now we are told "no need to improve your neighborhood school—with no substantial new funds, and during a severe budget crunch, you can just choose to go somewhere else."

I think the more realistic option is to require accountability of public officials for the public responsibility. The guarantee of education is a public guarantee enforced at every level of government to every child. It is a public responsibility to all children—not just to the children creamed off the top by private schools competing to win a contract of voucher—not just to the children living in prosperous neighborhoods paying for prosperous schools—not just to children born into an organized religion with ample funds for fine school facilities; in what atmosphere will a child of another religion learn, even in a wealthy religious school?

Mr. President, the solution of private school choice is not the answer to the real problems facing the American people today in education. It is another of the many boondoggles that have gotten us off on the wrong track. The American people are clamoring for public accountability and responsive action. They are tired of pie-in-the-sky promises that an invisible hand will cause money to trickle down or school test scores to trickle up. The Senate has fully debated the issue before, and it is unconstitutional and irresponsible. I urge the strongest opposition to this amendment or any amendment which shifts public Federal funds to private education.

EXHIBIT 1

LEXINGTON COUNTY
SCHOOL DISTRICT ONE,
Lexington, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: I am writing in opposition to the several proposed amendments to S. 2 that would allow private schools and corporations to use public education funds. As I am sure that you are aware, the level of state funding for education in South Carolina has been cut during the current fiscal year, and the revenue projections for FY93 are dismal.

Lexington School District One is a rapidly growing school district that has been very progressive in introducing new instructional programs that are aligned with the national goals for education. We have major staff development initiatives underway—most notably in the areas of science and mathematics. Our efforts to reform pedagogy in elementary mathematics instruction rest largely on the implementation of a national diffusion network program entitled the Comprehensive School Mathematics Program (CSMP). In several pilot classrooms, we have seen phenomenal gains in student achievement and very positive responses in student attitudes.

In addition, we are introducing substantial calculator use into mathematics instruction at every grade level in our system. I would note that the Dwight Eisenhower federal funds (DEMSEA) have been excellent seed money for this effort. An accelerated implementation however to achieve the national goals in science and math require more substantial funding sources.

For these reasons, I am dismayed that federal education funding could be siphoned away from the public schools at this critical juncture. Indeed, I am hopeful that the proposed funding for the "New American Schools" initiative could be re-directed to the massive staff development and technology acquisition needs in our public schools. The building of "new" schools in the face of our current needs belies our recent successes, especially in South Carolina, with the development of programs that show a tremendous impact on student achievement.

During the last five years, the proliferation of advance placement programs in our public high schools in South Carolina has more than doubled. High School teachers in

this instance have received the staff development they needed in support of this effort. This is just one example of the public schools' ability to make needed improvements toward the goal of "world class" instructional programs.

I urge your support for the direction of public funds to reform public education. Public education has the knowledgeable leaders and the will to meet the national education goals. We would appreciate your confidence and leadership in providing the federal resources needed to get the job done.

Sincerely yours,

J. CHESTER FLOYD, Ed.D.,
Superintendent,
Lexington School District One.

HORRY COUNTY SCHOOL DISTRICT,
Conway, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I would like to ask for your help in defeating an amendment under consideration by the Senate that would allow private schools to use public funds to support their educational programs.

Public schools are being asked to provide more services to the handicapped, the learning disabled, the children born as crack babies, and children who come to school developmentally delayed because of their socioeconomic circumstances. I might add that private schools are able to "screen" out these unfortunate numbers from their clientele—and they do.

I would hope that the $535 million in "New America Schools" program could be directed toward expansion of programs like Horry County's Graduation Enhancement Program, that has been successful in keeping more than 90 percent of its most at-risk high school students from dropping out of school.

This country will be stronger when all its citizens are productive—not just the elite served in private schools.

Sincerely,

JOHN W. DAWSEY,
Superintendent.

GREENWOOD COUNTY
SCHOOL DISTRICT 52,
Ninety Six, SC, January 20, 1992.

Hon. ERNEST HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: It is my understanding that some consideration is being given now through S. 2 to the concept of providing public funds to private schools and corporations. I am not in favor of this concept when it is obvious that public education does not receive adequate funding already for the many mandates thrust upon us, mandates that can be taken as "options" by private schools and corporations. For instance, public schools can not, in effect, deny admittance to even the most severely handicapped child while private schools and corporations can admit (or not admit) virtually whomever they please. Various schemes proposed to supplement funding for private schools and corporations with public money should be voted against.

Thought should be given to provide funds for public education for programs that have proven to be effective. There are many success stories in this country, but many times school districts just do not have funds to implement programs even if they are effective. The so-called New American Schools, for which some $555 million is proposed, will do nothing more than re-invent a wheel that has already been invented. Congress ought to devote money to alleviate gross shortages in funding federal mandates first before any new "experiments" are undertaken, case in point is the situation faced by school districts in dealing with students under section 504 or P.L. 94-142 (Individuals with Disabilities Education Act or IDEA).

Your attention to these matters will be appreciated.

Sincerely,

GERALD R. ROBINSON,
Superintendent.

HAMPTON
SCHOOL DISTRICT NO. TWO,
Estill, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
Washington, DC.

DEAR SENATOR HOLLINGS: Briefly, as you work today on S. 2, please let me urge you to consider the impact that a choice provision without restrictions will have upon public education especially in rural areas.

First, a level playing ground has never been established between public and private education. This was fine when no public monies were flowing to private schools, but it would be a disaster if they could now receive funding while still selecting students, avoid children with disabilities, and not be required to meet certification and accreditation standards imposed upon public schools.

Second, in most rural areas with which I am familiar, parents and guardians would still not have choice even if approved because of the lack of transportation both by distance and by system.

Third, equity in funding has been a problem for rural education throughout the country as noted by lawsuits recently in Kentucky and Texas. Choice will not solve this issue and may make it more significant as an obstacle to quality education for rural youngsters.

Finally, there are no current studies that indicate that choice has made a significant academic difference where it has been implemented. Why should we jump on a new bandwagon without pilot program success?

On another issue, even though I have personally been requested to serve as an advisor on the development of the New America Schools, I am not sold on the concept. I will accept the position and challenge if it comes to fruition, but I feel that the money could be used more wisely to replicate current effective programs such as the Even Start project in Hampton District Two and many others that are making a difference.

Thank you again for your continued support of education and for your efforts on this piece of legislation.

Sincerely,

ALBERT E. EADS, Jr., Ph.D.
Superintendent.

MULLINS
SCHOOL DISTRICT NUMBER 2
Mullins, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: Greetings to you from Mullins. Your visits to us during the Golden Leaf Festival and other occasions are always appreciated.

I am asking that your strong voice be raised against amendments to S. 2 which will come up for a vote today. These amendments which would allow private schools and corporations to use public funds are totally inappropriate.

It is inconceivable also for Congress to consider allowing private schools of any sort to utilize public monies when they are selective in their admission of students. They can ignore the learning disabled or physically handicapped children and can employ persons to teach who have not met professional certification standards.

We have good schools in this and neighboring school districts. Across South Carolina there are schools that are exemplary and can be replicated rather than using $535 million to start "New America Schools" from scratch. Our public school students could benefit from these funds without opening opportunities for private, for profit corporations.

Thank you for your efforts on behalf of education in this nation and your consideration of these thoughts.

Sincerely,

WILLIAM C. FOIL,
Superintendent.

MOUNT PLEASANT HIGH SCHOOL,
Elliott, SC, January 21, 1992.

Hon. SENATOR HOLLINGS,
Private School Funding.

In my opinion, private schools should not be given public money because they are not regulated by public guidelines and requirements. Public schools, however, are required by law to serve all students, not simply select students. Therefore, public funds should be given to public schools only.

The subject of the "New America Schools" is one that I frankly do not favor because the proposal contains no specifications with respect to the application of federal laws and would divert badly needed funds away from the public schools.

At Mount Pleasant High School, Lee County School District, we have established an in-house/district staff development program for students and teachers. This program utilizes trained consultants who work with both teachers and students. This program provides our students with additional preparation for successfully mastering those skills on the BSAP and Exit Exam. This program can be replicated across this state and nation.

Sincerely,

JAMES GARY,
Principal.

CHEROKEE COUNTY
SCHOOL DISTRICT NO. 1,
Gaffney, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: As superintendent of the Cherokee County School District, I feel strongly about the importance of public education. I believe our situation today is somewhat similar to the one our nation faced in the 1920-30's. We have a large number of new immigrants and a growing number of low-income children who desperately need to be brought into the mainstream of American economic, social, and political life. I do not believe that private schools which exclude students based on their economic, social, ethnic, or handicapping conditions will be able to accomplish this task. Furthermore, I believe the public schools need to include all levels and types of students if we are ever going to learn how to live and work together. We faced this dilemma in the early 1900's and we are facing it again in the 1990's.

We were successful in bringing large numbers of children into the middle class in the 1920's, 30's, and 40's. We can be successful again, but only if we have a strong national commitment to improve the educational and economic status of all children. I believe

many of the problems we encounter today in our workforce come from our lack of cohesiveness as a nation. We recognized this situation in the earlier part of this century, but I don't think we have come to grips with this same issue today.

We have many programs that meet the needs of our students in a changing society. For example, we have an exceptional program for four year olds that provide early childhood intervention. We have fourteen elementary schools, with funds for five centers; we could use at least five more. In other words, we turn away almost as many children as we serve. I believe funds could be better spent on fully funding programs that we know will work as opposed to creating new schools. We have done follow-up studies on our students who have participated in the Four-Year-Old Kindergarten Program and have found that the positive outcomes obtained from the program have continued throughout their elementary school experience. If only we could serve all four year olds who could benefit from this program.

I have worked in three states (South Carolina, Texas, and New Mexico) with all types of children and in districts ranging from very poor to very wealthy. Adequate funding does make a difference. It is certainly not the only factor, but it is a major one. I believe that taking money from public education to fund private schools will have a negative long-term impact on this country.

Respectfully yours,

V. SUE CLEVELAND, Ed.D,
Superintendent of Schools.

SOUTH CAROLINA CENTER FOR THE ADVANCEMENT OF TEACHING AND SCHOOL LEADERSHIP,
Rock Hill, SC, January 20, 1992.

Senator ERNEST HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: Since the bill S. 2 comes up for discussion in the Senate on Tuesday, I want you to know that there are schools in South Carolina who are restructuring the school as an organization and changing teaching/learning strategies and the way we serve students. The South Carolina Center for the Advancement of Teaching and School Leadership was set up by the General Assembly in 1989 under Target 2000 legislation.

The Center has one purpose: to help schools restructuring and to influence changes in teacher education. Seventy lighthouse schools work in the Center's Associate Schools program to serve as models for their geographic areas. Each has an in-school team for long range change planning which includes a college and business partner and a community person. All of our schools are linked by electronic mail with each other, the Center, and the college partners for rapid exchange of successful practices.

Specific changes now underway in Associate Schools are: new scheduling patterns, alternative assessment, cooperative learning, shared governance, interdisciplinary curriculum, teaming, and lead teachers. Instead of choice or money for new models, why not support successful restructuring programs already producing results? Each of these schools was given a $5,000 grant through our Center, but that money does not go very far when you are revolutionizing schools for the 21st century. We do appreciate your support.

Yours truly,

Dr. BARBARA GOTTESMAN,
Director.

SOUTH CAROLINA CONGRESS OF PARENTS AND TEACHERS,
Columbia, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: South Carolina PTA, which represents approximately 200,000 members in our state, commends you for your support of the Neighborhood Schools Improvement Act, S. 2. We endorse the legislation which has strong parental involvement provisions, allows maximum state and local decision making and provides "seed" money to support many of PTA's educational goals.

We join you in your efforts to oppose amendments which would seriously weaken the intent of S. 2. as now drafted and would allow for vouchers for private/parochial schools to be funded with public tax dollars.

Thank you for your contained support for public education.

Sincerly,

KITTY J. WAIKART,
South Carolina PTA President.

SCHOOL DISTRICT OF WILLIAMSBURG COUNTY,
Kingstree, SC, January 21, 1992.

Senator ERNEST HOLLINGS,
U.S. Senate, Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: As a School District Superintendent from South Carolina, I am against any bills or amendments which would allow private schools and corporations to use public funds. Public schools have to educate all of the children. We cannot select or deny any child as private schools and corporations can.

We have to gear our instruction and provide resources for the academically gifted to the student who must have a full time staff member (behavior manager) assigned to him or her full time (a one to one ratio). Senator, this is something that is not generally known. You see, we need every dollar available.

On the subject of the "New America Schools" Program, I feel that we need to use successful models which are already in existence. Let's replicate what we already have available to us. There are a number of schools in South Carolina whose performance had caused them to be named "Deregulated Schools." Why can't we try to replicate the efforts of these schools? We don't need to waste more tax dollars on what we already know!

Your support for more dollars for public education would be greatly appreciated.

Sincerely yours,

JAMES A. FRANKLIN, Sr., Ed.D.,
Superintendent.

SUMTER SCHOOL DISTRICT NO. 17,
Sumter, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senator,
Washington, DC.

DEAR SENATOR HOLLINGS: Please do not vote in favor of the amendments to S.2 that would allow private schools and corporations to use public funds. This choice proposal is inherently inequitable. Private schools may select their students, may avoid serving handicapped students, and may hire teachers who do not meet state certification requirements. Public schools do not have those luxuries.

On another topic, I would urge you to support legislation which would allow us to use the $535 million proposed for the "New America Schools" project to replicate the successful programs that we currently have in place. I do not see the necessity for starting 535 new schools from scratch, many of which may be private, for profit corporations.

We appreciate your continuing support of public education and ask for your thoughtful consideration of these matters.

Sincerely,

ANDRENA E. RAY,
Acting Superintendent.

PACOLET ELEMENTARY SCHOOL,
Pacolet, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Russell Senate Office Bldg., Washington, DC.

DEAR SENATOR HOLLINGS: This letter is being written on behalf of myself and many of the teachers at Pacolet Elementary School to express our deep concern over the current move of some politicians to endorse the use of public funds to support private schools and corporations.

American public schools, which started in this country less than a generation after the landing of the pilgrims at Plymouth Rock in 1620, were established to serve all the children.

I would like to quote a statement from page 9 of the Education Almanac which sums up the importance of public education in our society, "Public education has been largely responsible for the intellectual and technical training that enables Americans to enjoy the world's highest standard of living".

We go on record as opposing the use of public funds to support private schools and corporations.

Sincerely,

RICHARD B. WHEELER,
Principal.

LEXINGTON SCHOOL DISTRICT FOUR,
Swansea, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Russell Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: We are opposed to private schools receiving public monies to offset their educational expenses. They are allowed to select and choose the students they serve, leaving public schools the responsibility of serving students with learning disabilities and physical handicaps.

Additionally, federal regulations that have allowed the private schools to receive federal funds placed the burden of planning and administering the grants on the public schools.

We strongly urge you to defeat legislation that would allow private schools and corporations to use public funds.

Sincerely,

J. FRANKLIN VAIL, Ph.D.,
Superintendent.

DILLON SCHOOL DISTRICT NUMBER TWO,
Dillon, SC, January 21, 1992.

Hon. Senator Hollings: I urge you to vote NO and defeat the amendments to S–2 which would allow private schools and corporations to use public funds.

Public schools have always been the backbone of American Freedom. It ensures the best possible education for all people including exceptional children, as well as all races and religions. All schools should adhere to the same guidelines in hiring certified personnel and meeting specified requirements.

I feel that the public schools of our district, through the joint efforts of local, state, and federal funds, offer a well balanced and progressive education for our students. Cooperation at all levels of government is

vital to public education and increased funding—for it will build a stronger education system.

Vote an emphatic No on January 21.

D. RAY ROGERS,
Superintendent.

BISHOPVILLE PRIMARY SCHOOL,
Bishopville, SC, January 21, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I would like to go on record stating that I am firmly opposed to several amendments to S, 2., especially those allowing private schools to use public funds. Although I do not oppose private education, I do oppose private education being given public funds without having to adhere to the same guidelines as public schools. Currently, many private schools can select their own students, avoiding the learning disabled students and the handicapped student. They can even hire teachers who do not meet state certification requirements. In some cases, private education is an attempt to segregate society, and public funds should not be used for this purpose.

Sincerely,

GORDON CORRELL,
Principal/Bishopville Primary School.

EDISTO PUBLIC SCHOOLS,
ORANGEBURG SCHOOL DISTRICT FOUR,
Cordova, SC, January 21, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: I am writing this correspondence to express my concern regarding proposed amendments to S. 2. Although I seldom express an opinion on national legislation, I believe the potential problems implicit in the proposed amendments merit the attention of all public educators.

I do not favor the inclusion of private schools in provisions of the legislation that involve "choice." While the virtue of the market place has appeal, private schools do not provide equal access to all students. Vouchers are not likely to provide the funds to cover all of the tuition for private education, and many families will not be able to afford paying for the difference. The bottom line is that private school choice plans do more to subsidize those that have previously chosen private schools than it does to enhance the opportunities of all students.

Secondly, I support allocating the $535 million in New American Schools program to existing schools to support innovation in existing schools. We know many things that we need to do to improve educational effectiveness of our schools, but we do not have the fiscal resources to implement them. For example, public schools are not utilizing technology to its fullest; it requires immense capital investment. I strongly encourage additional funding to support what we know works rather than creating 535 schools whose eventual effectiveness is unknown.

Sincerely,

DAVID L. COLEMAN,
Superintendent.

AIKEN COUNTY PUBLIC SCHOOLS,
Aiken, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senator, Washington, DC.

DEAR SENATOR HOLLINGS: Senate Bill 2 which is up for consideration January 21, 1992, is a very troublesome bill and needs your special attention to ensure that our public schools continue a viable institution of learning.

While I appreciate the role of private schools and that they are appropriate for some children, I do not appreciate the unfair advantage that Senate Bill 2 will give them while leaving the public schools disadvantaged. If they are to receive the funding for Senate Bill 2, they should be required to work under the same state and federal guidelines as do the public schools.

The "New American Schools" needs a shot in the arm to make them a reality. Currently, I cannot see any benefit beyond political ones. If dollars are available, they should be used to ensure a better educational environment for all students. American education has had too many pilots that have not outlived their special funds or grants. We need to get the practice of our good schools into all schools, not build unachievable models that will serve very few children.

Your urgent attention to blocking this will be appreciated.

Sincerely,

JOSEPH R. BROOKS,
District Superintendent.

FLORENCE PUBLIC
SCHOOL DISTRICT ONE,
Florence, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: I am opposed to using public funds to supplement choice in private schools. Certainly, private schools have a place in our society, but they should not be supported with public funds. If they are going to receive public funds, then they should be subject to all the requirements that public schools are. If this were to happen, they would no longer be private schools.

I am also concerned about questions of separation of church and state when public funds go to parochial schools.

Having been told that the U.S. Senate is considering the American Schools plan, I want you to know that I am opposed to this plan. In South Carolina we are being told by state leaders that we will not solve the problems of education by throwing money at them, yet the federal government is considering spending a million dollars each on 435 schools. The natural reaction of other principals and teachers to this proposal is "Give me a million dollars, and I will improve my school." Additionally, there is little evidence that model programs in education have much influence on other schools and programs.

Thank you for considering my views on these matters.

Sincerely,

THOMAS R. TRUITT,
Superintendent.

LAURENS COUNTY SCHOOL
DISTRICT NO. 55,
Laurens, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR: I urge you to use all available means at your disposal to defeat any effort to give private schools public funding. I do not mind competing with private schools if the playing field is level. I would, however, want them to take all students including those with handicaps and those who come from deprived backgrounds. I feel it is an unfair advantage for them to be selective in enrollment.

Also, I think $535,000,000 can be better used for all students than for starting 535 new schools which will reach a very limited clientele.

Your attention is greatly appreciated.

Sincerely,

W.D. HUCKS,
Superintendent.

SPARTANBURG COUNTY
SCHOOL DISTRICT FIVE,
Duncan, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I urge you to cast your vote against several of the amendments now pending before the Senate.

On the subject of private schools receiving public money, I believe this would be devastating to the base financial support of the public school system. The fact remains that those who choose to attend private schools, make that choice knowing that they will be responsible for paying a given amount of tuition. If they cannot agree to supporting that fee, they need to consider attending the public schools which are maintained and supported by and for the entire population.

Regarding the "New America Schools" amendment, I believe that the $535 million required to operate this system could be better used by sharing it with existing schools rather than beginning new schools, many of which could possibly be private and operate for profit.

If I may be of assistance in supplying information which would support the above stands, I would be glad to assist you.

Sincerely,

MARVIN WOODSON, Jr.,
Superintendent.

ANDERSON SCHOOL DISTRICT ONE,
Williamston, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
Russell Senate Office Bldg., Washington, DC.

DEAR SENATOR HOLLINGS: I urge you to take a strong stand against any amendment to S. 2 that deals with letting private schools and/or corporations use public funds. In my opinion, this will lead to elitism and resegregation of schools. Private schools do not have to play by the same rules as public schools. They can select their students avoiding the learning disabled or physically handicapped, and hire teachers who do not meet state certification requirements.

The "New America Schools" is another project that deserves your attention. There is no sense in spending 535 million dollars on new initiatives when there are very successful programs in schools across this country that can be replicated. I will use as an example a program that we have in place here in Anderson School District One. We have an excellent drop-out prevention program that was originally started under a three-year federal grant. We have maintained that program without federal assistance because it made such a positive impact on children. This program has been shared with other districts throughout South Carolina, the nation and Canada.

We are doing a lot of things right in education, and we certainly do not need new initiatives that will take money away from what we're trying to do.

Another issue that I strongly urge you to take a firm stance against is school choice. This again will encourage elitism and cause many problems on the local level. I think we should make every school as good as it can be. Choice is not the answer to our problems in education. This is one of those decisions that needs to be left up to the local public schools within a district.

Thank you for your commitment to education of all children.

Sincerely,

W.R. CHRISTOPHER,
Superintendent.

SPARTANBURG COUNTY
SCHOOL DISTRICT THREE,
Glendale, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate,
Russell Senate Office Bldg., Washington, DC.

DEAR SENATOR HOLLINGS: Along with many public school administrators and teachers, I am deeply concerned with the current move on the part of some politicians to allow the use of public funds in private schools and corporations.

Public schools make a heroic effort to serve all the children, whether whole and healthy or handicapped—mentally, physically or by the low socio-economic or educational levels of their parents. We try to provide the best possible education for our children while abiding by all the laws and regulations governing public institutions such as state teacher certification requirements, equal opportunity and access regulations, and many other requirements from which private organizations are often exempted.

Our public schools across the nation have many innovative and successful programs funded by grants. Many of these programs, which are applicable to other schools, could be duplicated with equal success across the nation if funds were available. Broome High School in Spartanburg School District 3 has a Supported Employment Training (S.E.T.) program which could become a national model for helping handicapped youth find gainful employment and becoming productive citizens.

Please consider these issues when you make decisions about diverting public funds to private organizations and when you consider setting aside 535 million dollars to start new experimental schools. Thank you for your interest in public education and for your help in these difficult times.

Sincerely,

EVALYN W. JERKINS,
Superintendent.

FLORENCE COUNTY
SCHOOL DISTRICT FIVE,
Johnsonville, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: It has been brought to my attention that the Senate will be voting today on several amendments to S. 2 that will allow private schools and corporations to use public funds. This deeply concerns me since such private sectors are allowed to select their students, avoiding the learning disabled or physically handicapped, and to hire teachers who do not meet state certification requirements.

Furthermore, the five hundred and thirty five million dollars ($535 million) in funds targeted for the "New America Schools" could be better spent in the local districts across the state and nation where exemplary schools or programs have already been established, rather than starting five hundred and thirty five (535) new schools from scratch, many of which may be private—for profit. Within our own district, we are proud to say that examples of such exemplary schools exist. Johnsonville Elementary School has been acclaimed as a school incentive award winner seven out of the last eight years and Johnsonville High School was recently recognized by the Charleston Post and Courier as one of the top ten (10) high schools in the state.

Please consider the above comments as you vote on the amendments to S. 2.

Respectfully yours,

R. JERRY LEVINER,
Assistant Superintendent of Instruction and Federal Programs.

HORRY COUNTY SCHOOL DISTRICT,
Conway, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I would like to ask for your help in defeating an amendment under consideration by the Senate that would allow private schools to use public funds to support their educational programs.

Public schools are being asked to provide more services to the handicapped, the learning disabled, the children born as crack babies, and children who come to school developmentally delayed because of their socio-economic circumstances. I might add that private schools are able to "screen" out these unfortunate numbers from their clientele—and they do.

I hope that the $676 million in the "Now America Schools" program could be directed toward expansion of programs like Horry County's Graduation Enhancement Program, that has been successful in keeping more than 90 percent of its most at-risk high school students from dropping out of school.

This country will be stronger when all its citizens are productive—not just the elite served in private schools.

Sincerely,

JOHN W. DAWSEY,
Superintendent.

RICHLAND SCHOOL DISTRICT TWO,
Columbia, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR HOLLINGS: The comments in this letter are from John Hudgens, individual, and do not necessarily reflect the feeling of the Board of Trustees of Richland School District Two.

We are in the process of allowing limited choice in our school district, and the plan seems to be working well. I believe that choice within a school district, or between school districts when approved by the local school boards, has merit. I also believe that allowing private schools to serve public school students by choice would be acceptable to me under certain conditions. Those conditions are as follows:

1. that the private school take all youngsters who wish to attend and accept from them the amount of dollars that the public spends to educate those youngsters in a public school, not charging any additional fee to the parent;

2. that the private school accept any and all youngsters who wish to attend regardless of race or handicapping condition;

3. that the private school meet all conditions and requirements as outlined by the federal government and state authorities in relationship to the education of the student.

I believe that if private schools, under the conditions outlined above, can better provide for the education of our young people than the public schools can, we should turn it over to the private schools to do so. I, however, do not believe that this is the case.

Sincerely yours,

JOHN H. HUDGENS, Ed.D.,
Superintendent.

THE SCHOOL DISTRICT
OF GREENVILLE COUNTY,
Piedmont, SC, January 21, 1992.

Senator ERNEST HOLLINGS,
Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: I am writing as a middle school principal and as a past President of the South Carolina Association of Middle Level Principals to ask that you oppose funding for the New American Schools bill. I understand that this involves $535 million dollars to be divided among different groups in all states to experiment with new schools. This money could be more wisely spent by helping our public schools to improve the programs which we now have and to develop exemplary models.

Your consideration of this request will be appreciated.

Sincerely,

DAVID B. LEDBETTER, Ed.D.,
Principal.

DENMARK-OLAR
SCHOOL DISTRICT TWO,
Denmark, SC, January 21, 1992.

Hon. ERNEST HOLLINGS,
U.S. Senate, Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: I am opposed to allowing private schools and corporations to use public funds. This would be a blatant political move to use public funds to advance private schools. All public funds should be used to advance and improve public schools.

I truly appreciate your efforts and leadership in defeating any amendment that would permit the use of public funds for private schools.

Sincerely,

ROY HOLLOWAY,
Superintendent.

AIKEN COUNTY PUBLIC SCHOOLS,
Aiken, SC, January 21, 1992.

Hon. STROM THURMOND,
U.S. Senator, Russell Senate Office Bldg.,
Washington, DC.

DEAR SENATOR THURMOND: Senate Bill 2 which is up for consideration January 21, 1992, is a very troublesome bill and needs your special attention to ensure that our public schools continue a viable institution of learning.

While I appreciate the role of private schools and that they are appropriate for some children, I do not appreciate the unfair advantage that Senate Bill 2 will give them while leaving the public schools disadvantaged. If they are to receive the funding for Senate Bill 2, they should be required to work under the same state and federal guidelines as do the public schools.

The "New American Schools" needs a shot in the arm to make them a reality. Currently, I cannot see any benefit beyond political ones. If dollars are available, they should be used to ensure a better educational environment for all students. American education has had too many pilots that have not outlived their special funds or grants. We need to get the practice of our good schools into all schools, not build unachievable models that will serve very few children.

Your urgent attention to blocking this will be appreciated.

Sincerely,

JOSEPH R. BROOKS,
District Superintendent.

ROCK HILL SCHOOL DISTRICT 3,
Rock Hill, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
U.S. Senate,
Russell Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: It disturbs me greatly to hear that amendments to Senate Bill 2 have been made which will allow private schools and cooperations to utilize public educational funds. It is true that American public education needs some significant reform. While I agree that we must use current fiscal resources in a better way, the system as it now exists is underfunded. In my opinion, additional funds should be provided to give our public schools the opportunity to restructure in order to meet in a better way the needs of young people.

In our public schools we are struggling to provide the programs we know are needed for preschool children and to enhance early childhood programs. Additionally, community efforts to provide greater educational opportunities for students at risk through combining community resources with the public schools are beginning to make a difference. In Rock Hill the public schools are combining with business interest in a Cities-in-Schools Program to provide special academic opportunities, counselling, parenting skills, and health care to pregnant teenagers. Programs such as this have more potential for breaking the "at-risk cycle" and increasing opportunities for some very bright young people than do starting 535 "new" schools.

I urge you to oppose vigorously amendments which would allow public funds to be used for educational efforts in the private sector. Thank you very much. Contact me if I can supply additional information.

Sincerely,

JOE E. GENTRY,
Superintendent.

RAVENEL ELEMENTARY,
Seneca, SC, January 20, 1992.

To: Senator ERNEST HOLLINGS.
From: Cathy Watson, Principal.
Re: Issue of Choice.

I felt the need to contact you concerning our restructuring process and its relationship to the Choice plan. Ravenel has been involved as one of the first ten Associate Schools with the S.C. Center for Leadership and has received funds from that organization to implement most of our restructuring components.

It is my strong belief that federal monies could be much more wisely spent in areas more directly related to quality and equality in education than free choice. I hope you will find time to read my reasons which follow. Our restructuring has brought about the full implementation of Cooperative Learning throughout our school both for students and faculty. Our faculty is heavily involved in shared governance through a cooperative learning model of management. Increased community, parent, and business involvement has been accomplished through a special program called "Challenge." "Challenge" gives all students an opportunity to develop creativity, higher level thinking skills, and cooperative social skills. It gives teachers a team planning time each week in order to develop units, offer colleagial support, and provide time to pull together as a group. It provides parents with the opportunity to work with students in a classroom setting and to become an integral part of our school. Another major program area is the Arts. Placing a major emphasis on the Arts demonstrates our desire to teach to the total child. We attempt to integrate the Arts into all curriculum areas.

These programs are working effectively in our school on a shoestring budget. There are other major programs in the works for our school including the use of Whole Language in lieu of or along with the basal and bringing technology into our school. We could use federal monies to make these programs even more effective.

The reason I have given this lengthy explanation of our programs is to emphasize that the restructuring process is working well in South Carolina in those schools which are committed to positive change. The issue of Choice could be devastating to some districts and schools. Rather than place federal dollars in a Choice system, these funds could be channeled into schools to assist them with their restructuring efforts. Choice could cripple some schools which are in poorer areas of towns and could overcrowd and hinder the development of programs in schools in the more affluent sections. I am speaking as the principal of a school which is in a more affluent area of a rural setting. We are establishing a reputation of implementing effective programs so I am not coming from the point of view that if Choice were a federally funded project in S.C. we would not be on the receiving end of funds. I approach you as an educator who is concerned that federal dollars will not be spent in the most effective and beneficial manner for all students by being funneled into a Choice System.

I solicit your support in channeling monies into programs that are already showing results in the restructuring of South Carolina schools. The Center for Leadership has been a leading force in providing training and funds thereby allowing schools to implement new programs. All schools need more financial support—use federal monies in this manner, not for involving them in a Choice System.

(From: Dillon School Dist. 3)

NEW AMERICAN SCHOOLS

A key feature of America 2000 is the proposal for "new American schools" (NAS) unencumbered by all traditional assumptions about schooling and the constraints that conventional schools work under. The NAS amendment would authorize 535 grants (one for each congressional district) of one million dollars to create model schools.

A private operating foundation, organized at the request of the President, the New American School Development Corporation, is committed to raising between $150 million to $200 million in private contributions to award contracts to research-and-development teams that will advise in the creation and design of the new American schools.;

Initially described as a foundation to support educational research and development, the New American Schools Corporation will control the private research and development teams. Therefore, the NASDC will yield enormous power in shaping our nation's schools in the long-term future.

There will be no public accountability over the New American Schools Development Corporation because it does not come under the control of Congress. In effect, this proposal creates a coalition of business interests to fashion long-term education policy.

In its current iteration, the federal grant funds would be given, at the discretion of the Secretary of Education to any entity, public or private, including religious and profit-making organizations, that would work with local communities to design innovative schools.

The inclusion of religiously-sponsored schools violates the separation of church and state as required by the Constitution. And, there is every reason to assume that religious sponsors will be among the recipients of the grants to establish these schools.

The New American Schools proposal contains no specifications with respect to the application of federal laws such as those pertaining to civil rights.

The New American Schools proposal to focuses on school-by-school reform. Each school is an isolated project with no connection to other local or state efforts for systemic reform.

Under the New American School proposal no funds are available to state and local education agencies for technical assistance, replication of successful projects, staff development, or evaluation.

New American Schools would divert badly-needed education dollars away from the public schools and channel funds to untested programs that have limited public accountability.

SCHOOL DISTRICT OF
OCONEE COUNTY,
Whihalla, SC, January 21, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: You've supported many of our educational requests in the past. Please help us now!

We are very much opposed to using public funds to finance "experimental" private and parochial schools. Private and parochial schools select and reject as they choose—it's not fair to spend taxpayers money in this manner. Comparisons cannot be made.

Rather than spend on untried practices, let's spend "New American Schools" funds on practices that have been tried and found to be very successful in public schools. There are many such programs and we're struggling to find funds to continue our very successful alternative school serving our district.

Sincerely,

JAMES M. BROWN,
Superintendent of Education.

SOUTH CAROLINA CONGRESS
OF PARENTS AND TEACHERS,
Columbia, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: Of the many problems that plague our nation today "Public Education" must be one of the most pressing issues of our time. So much is wrong in our educational system that needs fixing. We need to attract the right people into the teaching profession, we need to give teachers a chance to try new and exciting teaching methods, and we must take the "educational fight" into the living rooms of the American Home where T.V. takes priority over homework. Yes, we have much to do to improve our standing among other industrialized nations.

Even though we have so very much to do we also have so very much to be thankful for. America's Public Education System is second to none in the free world! Every child who wants to learn is afforded the opportunity. For this we must be thankful. There are some who in recent years threatened our public education system under the guise of "educational vouchers". Our Public education systems are poor enough without the threat of funneling public monies into private schools. I believe in the right of private

schools to exist, however, I oppose the use of public funds to subsidize these schools. I believe that not one penny of money destined for public schools should be funneled into private hands.

I have been told of your support for public education and how you are leading the fight against a voucher system which will draw funds away from our public schools. Thank you for leading this valiant fight and keep up the good work!.

WILLIAM L. AUSTIN,
District XIII PTA President, Lee, Sumter, Clarendon Counties.

SOUTH CAROLINA
SCHOOL BOARDS ASSOCIATION,
Columbia, SC, January 21, 1992.

Senator ERNEST HOLLINGS,
Senate Russell Office Building,
Washington, DC.

DEAR SENATOR HOLLINGS: The South Carolina School Boards Association is concerned about any legislation which would allow Federal dollars for education to be used for private or parochial schools. We have limited funds for education and the challenges which the public schools face have never been greater.

At our annual meeting, our association went on record as opposing any type of Federally or State mandated choice program. This is a decision that should be made at the local school district level by the Board of Trustees with input from their constituents. Many of our districts have some form of choice programs. However, we strongly oppose any federal or state dollars for parents to use at private or parochial schools.

In a free-market choice of vouchers and competition there is no safety net for those with the fewest market resources—those whose families have not fared well in the housing or the job markets. The students with the least involved parents—the students who need the most support from schools will be the biggest losers in this so called competitive system.

We are talking about children, we are talking about our future. We are not talking about used cars or small appliances. The free market analogy is not perfect and is not applicable to every aspect of democratic life, especially education.

Keep up the fight so the children of South Carolina will have the opportunities they need to be our leaders for tomorrow.

Sincerely,

EVELYN BLACKWELDER BERRY, Ph.D.,
Deputy Executive Director, South Carolina School Boards Association.

SOUTH CAROLINA
CONGRESS OF PARENTS AND TEACHERS,
Columbia, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: Of the many problems that plague our nation today "Public Education" must be one of the most pressing issues of our time. So much is wrong in our educational system that needs fixing. We need to attract the right people into the teaching profession, we need to give teachers a chance to try new and exciting teaching methods, and we must take the "educational fight" into the living rooms of the American Home where T.V. takes priority over homework. Yes, we have much to do to improve our standing among other industrialized nations.

Even though we have so very much to do we also have so very much to be thankful for. America's Public Education System is second to none in the free world! Every child who wants to learn is afforded the opportunity. For this we must be thankful. There are some who in recent years threatened our public education system under the guise of "educational vouchers". Our Public education systems are poor enough without the threat of funneling public monies into private schools. I believe in the right of private schools to exist, however; I oppose the use of public funds to subsidize these schools. I believe that not one penny of money destined for public schools should be funneled into private hands.

I have been told of your support for public education and how you are leading the fight against a voucher system which will draw funds away from our public schools. Thank you for leading this valiant fight and keep up the good work!

WILLIAM L. AUSTIN,
District XIII PTA President,
Lee, Sumter, Clarendon Counties.

SOUTH CAROLINA
CONGRESS OF PARENTS AND TEACHERS,
Columbia, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: In the February–March, 1991 issue of National PTA's What's Happening In Washington, the National PTA clearly stated its opposition to the federal government issuing voucher programs to private and religious schools, in PTA's belief that this would create an exclusionary school system subsidized through public money.

Those of us who have children in public schools and who support public education constantly see the need for more funding to improve our public schools. Yet public education is usually the last to receive additional dollars at the state or federal level. Our lawmakers are given the task of improving education but rarely do they want to commit additional funds for these improvements.

By issuing vouchers to private schools the federal government will be taking scarce public education funds from the very schools that need them. Private schools are a choice that not every family will make or can afford to make. PTA supports programs that will improve education for all children.

South Carolina PTA, along with the 69 PTAs in Charleston County schools, join you in your fight against vouchers for private and religious schools.

On behalf of South Carolina PTA and Charleston County PTAs, I want to thank you for your support of public education for all children not only in South Carolina but throughout the nation.

Sincerely,

PAT GEHLKEN,
President District 9 PTA,
Charleston County Schools.

FLORENCE COUNTY SCHOOL
DISTRICT TWO,
Pamplico, SC.

Senator ERNEST HOLLINGS,
Washington, DC.

DEAR SENATOR HOLLINGS: The public school system has been the backbone of America. Over the last two decades the American school system has had to increasingly take on the problems of society. As the roles of schools have increased, funds for schools have gone down.

The public school system cannot select their students as private schools can. We take in all who come to our doors. Private schools should not be assisted at the expense of our public school system.

Sincerely,

ROBERT R. SMILEY,
Staff Development Coordinator.

CHESTERFIELD COUNTY SCHOOL
DISTRICT,
Chesterfield, SC, January 20, 1992.

Hon. ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I wish to address two amendments to S. 2 that will be considered by the Senate on Tuesday, January 21, 1992. The two amendments have to do with private schools and corporations having access to public funds.

First, private schools, especially some of the desegregation academies that arose in the South, do not serve the general public. They exclude some due to race, but also exclude due to inability to learn as other students, or due to physical disabilities. Many of the private schools choose not to employ teachers with high professional attainment.

Secondly, I am concerned that the "New America Schools" program may exclude existing schools and will be available to new schools. Chesterfield County School District has a high school, Central High in Pageland, that has been working diligently for over a year to do those things that would make them eligible to receive a "New America School" grant. The staff, pupils, and the community have and are working hard. Some staff and community folks will be visiting Tennessee and Kentucky in January to better plan their school's future. It would be devastating to not be eligible for this grant money.

Thank you for your able representation of South Carolina in Washington.

Sincerely,

JOE T. BRADHAM,
Superintendent.

SUMTER SCHOOL DISTRICT 17,
Sumter, SC, January 21, 1992.

To: Senator HOLLINGS.
From: Andrena E. Ray.

Please do not vote in favor of the amendments to S.2 that would allow private schools and corporations to use public funds. This choice proposal is inherently inequitable. Private schools may select their students, may avoid serving handicapped students, and may hire teachers who do not meet state certification requirements. Public schools do not have those luxuries.

On another topic, I would urge you to support legislation which would allow us to use the $535 million proposed for the "New America Schools" project to replicate the successful programs that we currently have in place. I do not see the necessity for starting 535 new schools from scratch, many of which may be private, for profit corporations.

We appreciate your continuing support of public deduction and ask for your thoughtful consideration of these matters.

Sincerely,

ANDRENA E. RAY,
Acting Superintendent.

SOUTH CAROLINA
CONGRESS OF PARENTS AND TEACHERS,
Columbia, SC, January 20, 1992.

Senator ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I applaud your many efforts to fight education vouchers and urge you to oppose amendments that would weaken the intent of the Neighborhood Schools Improvement Act, S.2.

These amendments would allow, for the first time in the history of federal aid to education, scarce school reform dollars to flow to private/parochial schools with little public accountability. Approximately 6.3% of school funding comes from the federal government. A voucher program would radically alter this system. We do not want to drain resources away from public schools in South Carolina in this time of fiscal stress. Too many of our schools are already suffering enormous cut-backs. Regardless of whether this public school is in an affluent suburb, an isolated and poor rural hamlet, or in a working class urban area, *all of our children lose when private school choices are paid for with public tax dollars.*

Economic factors, made worse by the current recession, have caused policy makers to cut spending. A continued slump in retail sales will affect sales tax collection, a large part of our state's education revenue. Layoffs in the private sector will depress state income tax collection. If the national recovery is slowed for much longer, next year will prove even more difficult for our state to properly fund education.

The public education system was founded on certain fundamental beliefs: That all children should have equal educational opportunities, that an educated public is everyone's interest, and that a tuition free system of education should be available to all children.

Public schooling is the only educational enterprise dedicated, by design to offering a program that respects the myriad outlook and values held by all the children of all the people.

Thank you for your continued support of public education and it's funding.

Sincerely,

CHERYL SLOAN SMITH,
South Carolina PTA Past President,
South Carolina PTA V.P. of Legislation.

ANDERSON SCHOOL DISTRICT FIVE,
Anderson, SC, January 21, 1992.

The Hon. ERNEST F. HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: There are several issues regarding Senate Bill 2 that I wish to raise:

1. It is my understanding that Senate Bill 2 with amendments includes federal dollars going to private schools and corporations.

We oppose such use of funds. It is inequitable for private schools to receive funds but not be required to serve all children under the same requirement of public schools. Private schools can select their students, avoid disabled, handicapped or disruptive students. They can hire teachers who do not meet state certification requirements. There is the additional involvement of separation of church and state for private church/religious schools.

2. The use of $535 million for new innovative schools, which may be private-for-profit corporations, is also included in the bill. We support change and innovation. There are already many successful schools and programs in our district and throughout our state and nation. For example, in our district we have an innovative dropout prevention program that has cut in half the number of dropouts over the last three years. The funding for this program is through a state grant which ends this year. It would seem a more appropriate use of the $535 million to continue this program and replicate it elsewhere rather than start from scratch.

Thank you for your efforts on behalf of our children. If I can be of any assistance, please contact me.

Sincerely,

KAREN CALLISON WOODWARD, Ed.D.,
Superintendent.

SCHOOL DISTRICT NO. 4,
January 21, 1992.

Senator ERNEST HOLLINGS,
Senate Office Building, Washington, DC.

DEAR SENATOR HOLLINGS: I understand the full Senate is expected to take up Senate Bill 2, the "Neighborhood Schools Improvement Act." I hope you will strongly oppose any amendment, whether it is directed toward a demonstration project or a nationwide project, that would result in the expenditure of public funds in private or parochial schools. Public schools exist to serve all the children, regardless of race or income or disability or attitude. Private schools operate under no such requirement and may exclude whomever they wish.

In Fort Mill we have three schools that have been identified as exemplary in their efforts to reform programs, curricula and services to better serve children. There are outstanding model schools within each Congressional District in the United States that could be replicated by others. We do not need to create "New American Schools." We need these funds to help others replicate the existing high performing schools.

I appreciate your vigilance in blocking any of the amendments to Senate Bill 2 that have been mentioned herein.

Respectfully,

C. JOSEPH BONDS,
Superintendent.

Mr. HATFIELD. Mr. President, I ask unanimous consent that I may yield to the Senator from Pennsylvania [Mr. SPECTER] for a few moments before I proceed with my presentation.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Oregon for allowing me to speak very briefly at this time.

I compliment the distinguished Senator from Mississippi [Mr. COCHRAN] for offering this important amendment, and I urge its adoption.

This is a relatively small sum of money to be allocated for a bold, new program on the America 2000 strategy. We are dealing with a Federal budget in education of $27,800,000,000. In working out the mathematics of this $100 million allocation, it turns out to be .000004 of the Federal education budget, and I suggest to my colleagues that this is more of a political contest than it is an education contest.

The President and the Secretary of Education have advanced what is a unique idea to try to improve the quality of education in America. There is no doubt that there are glaring deficiencies in our educational system and, without detailing them to any extent, this is an effort to correct those deficiencies by establishing a break-the-mold school in 535 school districts, 1 for each Member of the House and each Member of the Senate. An innovative approach is vitally necessary if the United States is to move ahead into the 21st century.

Mr. President, the future of this Nation belongs to our youth.

Our goal must be to establish a new standard of excellence in education and to make that educational standard available to anyone who is willing and able to pursue it.

The President's America 2000 legislation calls for a reinvention of American education by designing new schools for our future generation. The amendment which I am cosponsoring today would authorize $100 million in fiscal year 1992 as a first step in the creation of these so-called break the mold or New American Schools.

In Public Law 102–170, the fiscal year 1992 Labor, Health and Human Services and Education Appropriations bill, I took the lead, with the support of Senators HATFIELD and COCHRAN, in obtaining a $100 million appropriation for the America 2000 programs. These funds are contingent upon enactment of authorizing legislation by April 1, 1992. So the appropriation is already in place.

If the America 2000 initiatives are not enacted, these funds would be used for existing national programs in which allocations are distributed by statutory formula which provide direct assistance to local school districts in reaching the America 2000 education goals.

None of the $100 million designated for America 2000 activities would be available for the New Neighborhood Schools Block Grant Program included in S. 2.

Mr. President, in Pennsylvania 48 communities have become, or are in the process of becoming, America 2000 communities. Many local chambers of commerce are playing leadership roles in this process. Of particular noteworthiness is the support of the Lehigh Valley education and business community for America 2000, and the New American Schools initiative.

Across the country, the America 2000 strategy is successfully galvanizing communities, honing their competitive spirit, and challenging our communities to work toward creating an educational environment that will ensure preparedness to meet the demands of a new century. The New American Schools initiative is the catalyst for all of this activity. As of December 19, 1991, 30 States had announced and kicked off their participation in the America 2000 strategy.

Mr. President, these States and communities want the America 2000 initiative—they want the New American Schools competition. Congress has already provided the funds—now we need to provide the authority. I urge my colleagues to support this important amendment.

Mr. President, again, I thank my distinguished colleague from Oregon for yielding to me briefly to speak before he makes his more extensive remarks.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, first of all, I would like to say I have listened to my colleague from South Carolina, Mr. HOLLINGS, in his opposition to this amendment by the Senator from Mississippi, Mr. COCHRAN.

There is so much of what the Senator has stated today that I would agree with, and having a friendship that has traversed many years back when we were fellow Governors representing our respective States, and at that period of time—and this goes back to the fifties—his State, as well as my own State, was emerging out of the World War II period into a new State, so to speak. We were looking for a diversified economy. We were looking for the kind of economic growth that was to strengthen our often known as monocultural economy States.

I remember the Senator from South Carolina was seen as one of the new breed of the southern Governors. He was a new breed in the sense that he was bringing great change in his State and together we shared many of those ambitions and those objectives.

Therefore, I understand the thesis the Senator speaks from in terms of the Appropriations Committee, the great competition for money of which we all are aware, whether we are on that committee or not. We are especially cognizant, as Members of the Appropriations Committee, about the competition for good programs that are undernourished, for new programs that we should have adopted long ago, or those programs that we have authorized but not funded. I also appreciate the concern the Senator expresses about our fiscal capacity to move to new programs when there are existing programs that are yet to be fully funded.

Mr. President, I recently read a report that was issued by former Secretary of Labor under President Carter, Mr. Marshall, and former Secretary of Labor under President Reagan, Mr. Brok and a bipartisan committee that was set up to study the work force in this country to make an analysis on the kind of education necessary to move our young people out of their secondary education, and into the workplace.

The Commission was made up of not just the two men who were Secretaries of Labor but many chief executives, distinguished economists and academicians, and people from labor and agriculture. It was a very broad-based commission.

Mr. President, one of the major conclusions, of which there were many, was that if we were to maintain a leadership role in the global market, we were going to have to require economic growth directly related to and more intimately involved with our educational system.

This was not to say that our educational system is a total failure. No. As one who has defended public education over the many years I have served in public office, and continue to feel such commitment, we have to understand that, first of all, institutions, as they get larger, find it more difficult to streamline, to modernize, to change, to innovate, and to create.

I speak as a former educator when I say some of the most difficult times of my life have been to try to help bring change within an individual institution of education as it relates to educational policy.

I can remember, as a professor of political science, faculty meetings with professors of economics, professors of sociology, and other professors; we could solve all the world's problems. There was not a problem in the world that we could not solve from our academic perspective. But you let some question be raised about reassigning professors to new classrooms, other than the ones they had taught in for 15 years, and this became a major catastrophe striking the institution of education. I will not say this is true in every case. I am just saying I find that often we in the institutions we represent, leading educators find it most difficult to move change when change is called for within our own institution. We all enjoy the predictability of the status quo, so to speak, in our work procedures and our work policies.

Mr. President, we must understand that we have undertaken ways to try to invest in our educational infrastructure. I have given support on the Appropriations Committee and elsewhere to address the deficiencies of our infrastructure. This includes profitability in our economy and our institutions of enterprise. In addition, we are making possible incentives for investment in plant and equipment and other such modernization, but we must also be willing to invest in human minds as well. We must continue to provide our children with the educational opportunities and technologies to help them meet world-class standards.

In my own State, where we have depended so much on the wood industry for our economy, I can cite many examples. We have one-fifth of the Nation's standing virgin timber. We produce more wood products—up until recently when, as all of you have heard, the northern spotted owl shut down our forests—more than any other State in the Union. The wood industry kept telling me we were prohibited from entering the Japanese timber market.

So I had many discussions with timber industry leaders, people involved in trade policies, and the answer was always the same—an impenetrable Japanese market. One of our timber operators in Oregon decided to go to Japan and measure their building material products. They do not have 2 by 4's in Japan in their building trades. With the idea of looking at technology as a possible answer to what had been called an impossible political issue of trade incumbrances, this company adjusted its blades, its saws, and the other instrumentation in its mill and started producing those sizes of building materials in the Japanese home building-construction industry, and they soon had to put on three shifts to keep up with the market demand.

This is only one illustration, and I am going to use a second, to indicate the tie between education and our concepts of education and the products of our educational system and the technologically changing world market.

General Suharto, President of Indonesia, once told me that the people in America, in our industries, our companies, our great enterprises that want to do business, oftentimes fail to understand the uniqueness of your local conditions and local needs. General Motors, he said, came out and wanted to sell us a lot of trucks, and we needed trucks, but they wanted to sell us the trucks they manufacture in Detroit. He said the Japanese came out here and measured the width of our roadbeds and built a truck to fit our roadbeds and we bought the Japanese trucks.

Mr. President, we have to gear our educational system to the world markets in an effort to create an understanding of the world factors and the world impact and the world influences on our domestic economies and how we maintain competition in the world markets. That is precisely what the Marshall-Brock study proved again, which we have now introduced into authorization, Senator KENNEDY and I on the Senate, bipartisan, Representative GEPHARDT and Representative REGULA on the House. But it also comes into play in this particular bill with this amendment the Senator from Mississippi is offering.

We have to not only provide our students with the ability to compete, but we have to improve standards, and that will require new and innovative approaches for reform of our Nation's schools.

I have not visited any community in my State in my period of public life where I have not dealt with the problem of education. And whether I am talking to school superintendents or to schoolroom teachers, whether I am talking to board of education members or to the local companies and businesses and enterprises in those communities, I have had, without exception, the issue raised that our schools are not producing the students necessary to fit the job requirements of this community, or why do they not teach our children how to read and write.

We ought to be willing to at least set into motion a vehicle by which we can bring about reform and change. The

President, President Bush, as part of his America 2000 legislation has asked Congress to provide seed money for the creation of a new generation of American schools. At least one school, we understand this amendment to be, would be located in each congressional district by 1994 and would receive up to $1 million to help implement the plan and help bring together a community to establish a new school.

Let us not get lost in the verbage and the nomenclature of this particular legislative proposal. Let us face it in this way. What is being proposed here is the creation of demonstration schools, experimental schools. That is all. I cannot understand anybody who would not want to gather information and a new body of knowledge and a data base to prove or disprove an educational theory or an educational point or an educational policy, through a "break-the-mold" school.

We authorize demonstration projects in many areas with great frequency. If there is any one thing that I have been critical of the Democratic Party for in facing our problems in health coverage today and the rising cost of Medicaid and Medicare, it was the fact we did not give the curve mills approach a long enough time to gather a data base. We wanted a King-Anderson legislation, which was to be universal coverage, now, when we did not even know what the need was.

The curve mills that were in place, with the Senator from South Carolina, and I as Governors, were two States that had launched the process under curve mills to bring together all the health delivery services and all the professional medical people, gather up a data base and know what the medical need was—remember, this was new legislation, the genesis of this kind of legislation. There were those who said: We need to rush in and establish a national program, and it will never cost more than $10 billion, $3 to $10 billion.

My point is simply we should have heeded that old federalism advantage that we have in this Nation of experimenting with something, trying it out, taking a pilot project. Remember Social Security, unemployment compensation, workmen's compensation, child labor legislation, all started at the State level within an innovative, creative framework of experiment, trial, or demonstration. Today, we have another opportunity.

I agree with the Senator from South Carolina, I am troubled by $530 plus million. We do not have it. We are not going to get it this year. But it seems to me that we have a chance to launch the program with the $100 million that we have already appropriated for fiscal year 1992 in the Appropriations Committee, contingent upon authorization—and this is the authorization. We have a chance to launch a proposal of trial, experiment, demonstration, and break-the-mold schools.

There will be limited resources. Since I consider myself a very good friend of the Senator from South Carolina, I do not want to put him in that position of having to select one school in South Carolina. So we will take that $1 million in South Carolina and put it in Oregon. We have enough other States that would probably take advantage of this program.

Mr. President, I represent a State that has demonstrated an openness to educational innovation and change, and I am proud of that tradition. Twenty-two of the communities today in my State of Oregon are in various stages of adopting the America 2000 strategy, and I am very proud of that, too. These communities are organizing steering committees to adopt the educational goals and formulate the strategies for educational reform, which indicates to me the people are bubbling up, from the very base of our whole democratic system and are concerned about innovation and creation of new and better school programs.

I want to commend my colleague from Mississippi for giving leadership to this amendment. And I also want to say that I have had an opportunity to work with a number of Cabinet officials since I have been in the Senate. You know, you can almost count on one hand, I suppose, or two hands, probably, those who have been the real partners in innovative legislation who have not come up here with a dogma or a doctrine or a document saying this is locked in concrete, but rather who have set forth the principles and the goals and the objectives clearly, and said: Now, let us come and reason together; sit down and work this out.

My experience with Lamar Alexander puts him in that very unique category and rather exclusive club of those Cabinet officials that I have had the privilege of working with who have been open and who have been most anxious to meet any of the congressional objectives and goals that I have had or others have had. He is in that very process now.

I want to say that I have an amendment that I will be introducing following the Cochran amendment. I am very hopeful as I see this amendment coming together on the educational flexibility waiver proposal, Senator KENNEDY's office and Senator PELL's office, from the Democratic side, and Senator KASSEBAUM from the Republican side, and others that I have had a chance to visit with on that particular amendment. It gives me great encouragement that what this Senate is about to do is to enact important legislation affecting the most important—one of the most, if not the most important—institution in our country, the education program, in a bipartisan way.

And I say that because it is very obvious, unless we do approach it from that standpoint, that our political releases and our political challenges and counterchallenges emerge out of this debate.

The educational system will lose, if we do not, and America's competitiveness in the world will lose.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. WIRTH). The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I wish to ask either Senator KENNEDY or Senator COCHRAN, or both, is there a concern about being able to vote rather quickly here on the floor? Because the Senator from New Mexico wants to speak, but clearly I want to accommodate, if there is some accommodating necessary.

Mr. KENNEDY. I thank the Senator from New Mexico. We would like to have a yea and nay vote by 5 o'clock to accommodate different Members here. I am, frankly, prepared to stay as long as necessary, but there seems to be at least some desire to do it at that particular time. I hoped to speak very briefly on the amendment and try to accommodate Members.

Mr. DOMENICI. Did the Senator say 5 o'clock?

Mr. KENNEDY. Yes.

Mr. DOMENICI. Even though I wanted to speak longer, I will try to do it in 5 or 6 minutes.

Mr. KENNEDY. All right.

Mr. DOMENICI. I yield myself 6 minutes.

Mr. President, I have a lot to say about this measure, which has been introduced by the senior Senator from Mississippi, but I am going to try to limit it to two things.

First, the President of the United States should not be denied the simple request that he has made regarding New American Schools. Point No. 1.

Second, we ought to try something new and different, because the status quo is not enough, and I believe the American people will understand that.

Mr. President, on the first point—and before I do it—let me say to Senator HOLLINGS that I heard his remarks. Let me suggest to him that I agree on the WIC Program, the Head Start Program, and on the implications of the deficit for America's future. Frankly, I believe the latter has once again taken a back seat to many other concerns up here, and it is absolutely imperative that we not do anything to make the deficit significantly worse in the name of curing the recession. It will not cure it. It will have nothing to do with making it any better. It will only make the deficit worse. In due course, we can speak to that, and I thank him for his remarks regarding the deficit. The albatross aroun[illegible]erica's neck of productivity and in[illegible]ent for the future is that mammot[illegible]icit and debt.

Having said that, o[illegible] point number one the President of the United States has over and over again told the Amer-

ican people that the Congress of the United States does not want to cooperate, does not want to be helpful, and some have said that this is just not true.

Well, today, if he does not talk about the Congress and education, we on this side of the aisle should, because this President has demonstrated leadership in education with the introduction of his AMERICA 2000 strategy. As a part of the program the President included six goals and the New American Schools initiative. And what happened to that strategy? First of all, 30 Governors of the United States—they certainly are not all Republicans—have said to him, "We are with you." Their numbers are growing all the time. Literally, 2,000 communities have joined the President in his approach. Almost every State has submitted one or more schools as a possible New American School.

Frankly, Mr. President, I do not understand the objections I am hearing here today. The President is only asking for a small portion for the New American Schools—not billions of dollars, but rather 2 hundred million for the first year, then increasing the amount each year as the schools prove themselves and the program falls into place. There is already $100 million appropriated for the President's America 2000 strategy, so the appropriators must think that this is a pretty good program.

Now what are we going to do, after having told Governors, teachers, and communities all over America that we are going to try this? Are we going to say we want to do more of the old-fashioned, more of the same, more of the status quo, and deny the President an opportunity to even try this program?

I have not asked the President but I suggest that he ought to veto a bill, on pure, absolute principle if it does not include this program. The President deserves this small program, which is very attractive to the people of this country, because they know that American schools are not all bad. Many American students are doing magnificently. Many are exemplary graduates and will succeed in any kind of studies.

But, taken as a whole, we need to improve American schools for more of the young people going to them. This is one approach and to deny the President this is an insult. Without the Cochran amendment, we are saying to the President that we believe that more of the same is better than your new approach, even though Governors, principals, and business people support it.

When we do not want to do this for him, he will be justified when he points to us and says, "There they go again. They do not want to cooperate. They do not want to have anything to do with anything I suggest, even when it is a sound idea."

Point No. 2: It is time that we try to do something creative, new, and different, that is big enough in vision for America. We can all walk around in the muck of the past and try the same thing over again, or we can say here is a vision, "New American Schools." You have to start small, as the President has requested, but, indeed, try something new. That is what this is. It is a new concept, visionary in scope.

With this amendment, the Senator from Mississippi is saying that the President is right. But the bill before us does not even give the President the time of day. There is nothing in the bill regarding the President's approach to a new educational system, which is a break-the-mold, let-us-try-something-new strategy. And even if there are critics who say it is not enough, they say it is an exciting idea with the potential to catch on. This is the kind of innovation we are looking for. It is the kind of thing we ought to try.

The PRESIDING OFFICER. The Senator's 6 minutes has expired.

Who seeks recognition? Is there further debate on the amendment?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS. 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. HOLLINGS. Mr. President, as I understand it, we are ready for a vote. They say they are ready—I just want to comment that the people of America, the mayors of America, and Governors of America, as enunciated by my colleague from New Mexico, are not for this bill. They are for money. They have learned that any time you can get anything out of Washington, you better get in line fast and not ask questions. They are broke. They have thought up every tax in the Lord's world, and they are still closing down classrooms, cutting off hours, not buying the books.

So to say that they want this amendment is not the case. The fact of the matter is everybody in education knows this is a diversion and not a solution. I think that point ought to be made. I have filled the record already. I could read off all the innovative things done in all the different school districts. In my own State, there are some five magnet schools that we started in Congress 10 years ago. I need five more if you get me the money. I can talk about Southside High School in Greenville, SC. I can pick the areas and excite your interest because we have innovation galore out in the hinterlands.

If I am the Governor, and if the President invites me to a Charlottesville summit, I am going to attend. When you set goals, that has not hurt anybody. We are all for good, fine outstanding goals. My goal was a coast-to-coast system of child care centers to give every kid a head start and a professional classroom teacher to give them a quality finish. And we continue to work on goals, and you can see how we want it in the Appropriations Committee.

Yes. We put $100 million there to mollify some people, to identify with the problem. That is my point. Pollsterwise, we hit and miss. Hit and run driving is the political order of the day up here in this place. You cannot get by with it in a city council; you have to produce and pay your bills. You cannot hit and miss at the State level; you have to administer the program. But at this focal point of the mammoth government and country, you can highlight a problem, you can get a headline but you are not going to make headway.

In fact, this particular amendment goes backward, and starts off on another primrose path of telling the local people not to innovate. The Federal Government now is going to take care of innovation and call the shots.

I see the troops gathering. That study committee, the Commission that the distinguished Senator from Oregon mentioned, I am going to study that study because I am finding I am dancing to the Japanese tune.

So when the distinguished President goes abroad or when we travel or meet with our foreign counterparts we are being told we are lazy, we are illiterate, you are a subcontractor, and Japan knows if they can get us like a dog chasing its tail on education they will take over the markets of the world while we still are out here debating. And, as Jack Kennedy said years ago, the time has come not to debate but to move forward.

We are not moving forward with this particular amendment at all. We are moving backward, mollifying both political sides so we can claim, "I voted to break the mold; I voted for the new American school." It is a bad, bad mistake. We better sober up and go to work in this town and really get together and flesh out the proven programs, and we see them.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I would be happy to yield to the Senator from South Carolina—I think he has been waiting to speak—if he would like to speak, and I will speak following him.

I yield to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, over and over again, we hear and read how our current education system fails to reach the mark. We read about lower test scores, ineffective writing skills,

an inability to comprehend lengthy written passages, and many other shortcomings. While these shortcomings are attributable to a whole host of factors, one factor which we as policymakers can impact is the existing framework for schools.

Too often, we get comfortable with an existing way of doing things and fail to take a hard look at whether that particular way of doing things continues to be the best way. The amendment offered by the distinguished senior Senator from Mississippi [Mr. COCHRAN] sets up a new way of looking at how schools are structured. His amendment would permit the establishment of at least one New American School in each State which break-the-mold of existing schools. These new schools would start from scratch, and reflect the best of what is known about teaching, learning, and education technologies. Communities would be involved in designing and implementing a plan for the schools. No questions would be off limits and no answers assumed. Technologies, community resources, rules, regulations, curriculum, and other matters would be open for consideration.

New American Schools represents a proposal put forth last year in America 2000—the President's education reform strategy. Last year, the Congress included $100 million in the fiscal year 1992 appropriations bill specifically for America 2000 initiatives. As mentioned, this amendment is an America 2000 initiative and would represent a sound investment in education.

I wish to also reiterate that in the first round of the competition, at least one grant would be made to all States submitting an application. The final selection of grant recipients would be made by the Secretary of Education, together with a panel of experts from education, private business, and the public.

Mr. President, this amendment just makes good sense, and accordingly, I am pleased to offer my strong support.

Mr. President, I yield the floor and wish to thank the able Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I have been involved, as a number of others have, in negotiations here seeing if there could be some agreement worked out. But until that is the case, I would just like to express my strong support for the Cochran amendment which calls for the establishment of new American schools.

There has been some interesting debate regarding this amendment, but I think that we must not lose sight of what this does.

It is important to emphasize that it entails far more than filling out an application for Federal funds, that the America 2000 education initiative makes a strong commitment at the community level to undertake intensive review of what is needed to assure educational excellence and improvement.

In order to apply, a community must adopt the national education goals; establish and implement a community-wide strategy for achieving the goals; develop a means for measuring and reporting progress toward achievement of the goals; and demonstrate a commitment to make substantial improvements in the education of children in the community.

I do not think anyone would disagree with those goals.

Obviously, the notion that up to $1 million may be available to improve one's school is a powerful incentive for examination and innovation. It is perhaps not surprising then that so many have decided to reach for the brass ring. This is obviously a great incentive to many to look at break-the-mold schools.

Across the Nation, hundreds of communities have begun the process by committing themselves to being America 2000 communities. Likewise, 31 States have embraced the goals of America 2000.

Opponents of this amendment have made the argument that only 535 schools at most will benefit from this program. In fact, I believe the effect will be far greater, far greater. And we debated this yesterday because it is actually on and above the schools that would benefit from the neighborhood improvement program. But far more communities and schools will be engaged in a process of self-examination and will be actively seeking innovative ways to improve their schools. Whether or not they receive a Federal grant, many will undoubtedly implement these ideas on their own, and that is the part of the creativity and the vitality of this process that I think is important and that President Bush envisioned when he announced this effort.

Moreover, schools which do receive New American Schools grants will offer ideas and examples to others which wish to improve their programs.

Basically, the Cochran amendment is calling upon communities across the Nation to undertake a concerted examination of what they want from their schools. In a country as diverse as our own, a variety of innovative and thoughtful responses are sure to emerge. We should give them a chance by adopting this amendment.

I think that we should give them a chance by adopting this amendment and see that there are initiatives on both sides of the aisle to work together to achieve agreement that will move this forward.

I yield the floor, Mr. President.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, for the benefit of Members—they have been extremely tolerant and patient in terms of the scheduling and the progress on this legislation during the afternoon and into the early evening—we had indicated on the floor yesterday and during the course of the debate that we would have a certain percentage of resources of this bill that would be utilized in terms of the authorization for the administrative aspects of the legislation, given the fact that the requests are going to come in terms of the proposal that came out of our committee and that there would be some 10 percent that would be reserved for administrative costs. Then we had an additional kind of a 10 percent in terms of teacher training, other statewide kinds of activities where the State educational agency and the Governor could make a request for a waiver for purposes outlined in the legislation that would benefit a wide variety of different kinds of schools. We were in agreement on that. And that also included the New American Schools.

It is very clear from the amendment of Senator COCHRAN that there is a desire to have a more expanded effort with that undertaking. We have been in the process of negotiations and exchanges during the course of the afternoon. We have attempted to keep interested Members informed about that matter.

I am going to speak, after I make these very brief remarks, about my own concerns about that approach. But I do not want to undermine what I think has been a very constructive and positive and good faith effort by Senator COCHRAN, Senator KASSEBAUM, Senator HATCH, and others to see if we could not find some common ground. I think important progress has been made.

What I would like to do, in the fairly near future, after consulting with the majority leader, which I have done informally, is to try to get his input to see if we could not continue those negotiations. If we are unable to do that, to vote at a time certain, with very brief, continued debate on the amendment of the Senator from Mississippi, with the commitment that we will continue to try during the latter part of this afternoon and early evening and through the evening to see if we cannot work that out in a way that is going to accommodate the different interests.

If we are unable to do so, then I would urge the leader to set a time tomorrow, after brief debate, and fix a time that we would vote on the amendment of the Senator. It would be my hope that we would vote up or down. It would also be my hope, after talking to the Senator from Utah, that in the early morning we could start off the debate on the choice issue, which is something the Members feel is of enormous importance and there is very con-

siderable desire for Members to be able to express themselves on that and to begin that debate.

I understand there will not be an agreement in terms of time, which we can understand. But I believe we will be able to, after the Members express themselves, reach a time where we will be able to vote on that measure and perhaps other measures relating thereto.

On the amendment that is being offered by the Senator from Oregon [Mr. HATFIELD] we believed that that particular measure had been worked out. The Senator wants some time to be able to speak to that amendment. I am glad to accept it. If the Senator wants to speak to it and desires a vote on it, we will certainly accommodate that particular measure.

That, basically, is where we are. It would be my hope, in working with the Senator from Utah and the other interested Senators, to try and work that out into an agreement which is going to preserve different people's rights and interests and accommodate the different interests so we will have a time certain for the Senator from Mississippi, we will have a time certain for the Senator from Oregon, and we will begin the debate with no time definite with regard to the choice amendment. That is basically where we are.

If we are able to accommodate the amendment of the Senators from Mississippi and Kansas, we would try and lay that out this evening and put it in the RECORD so that Members would be able to understand where we are going and be able to study that during the evening. If we are able to accommodate that measure, then we would have a brief opportunity to express our own views about whatever kind of agreement that we have been able to make.

I am not making that request. I have outlined this briefly to both the majority and minority leaders. They wish that we had been able to make more progress during the course of the day because of the calendar and because of the concern that we are reaching toward the end of the week. And I certainly understand that.

But we have been operating on good faith. I believe that all of those who have been involved have, too.

I have been around here long enough to know that we are able to make progress. I think if there has been continuing progress you ought to try and continue it. And there has been no suggestion of any desire of delay or dilatory effort that I have been able to see.

So it seems to me that is a way to proceed. I hope that maybe we could perhaps debate the amendment of the Senator from Oregon tonight and use that time so we could shorten that time tomorrow. I will be glad to do so this evening, but I will have to wait and find out what the desire of the Senator from Oregon is.

That, basically, is where we are on the legislation. It is my hope that we will be able to conclude before the end of the week. I know it is the desire of the leader to do so. These are extremely important measures. The issues that we are going to be debating in terms of choice are extraordinarily important. We have to ensure that all Members who have views on this are going to be able to speak and that we have a full opportunity for debate. I certainly expect that. I hope we will be able to do that within a reasonable period of time.

I would like to just make a brief comment with regard to the amendment, but I see the Senator from Utah is on his feet. I will withhold and then make a brief comment about my reaction to the amendment of the Senator from Mississippi as it is posed and my very deep reservations about that particular approach which has been included in the amendment.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I want to compliment the distinguished Senator from Mississippi who has brought this amendment to the floor for the New American Schools. I want to just say how much I appreciate the innovation that really is contained within that amendment and the creativity that is very likely to come from it. At the same time, I would also like to compliment the distinguished Secretary of Education for fighting so hard for this concept, and still to pay tribute to our ranking minority member on the Education Subcommittee, Senator KASSEBAUM, for her leadership on this bill.

I think what is important in the New American Schools is that we do not want to conduct business as usual. Changes need to be made in schools to meet the changes in our society. The way to do this is to create break-the-mold schools and get us out of the rut that we have been in in education.

New ideas need to be incorporated into our school system. Many schools today vary very little from the ones we attended as children in allowing for flexibility. Schools need to have the funds necessary to implement their new ideas, some of which may require startup costs which can be funded through this one-time money to really meet the needs of kids. That is what is involved here. We want to meet the needs of our children in our society.

Traditional schools are not appropriate for all kids, which is why there are high dropout rates in certain areas, and low achievement rates as well. So let us meet the needs of the children, of our young people. This amendment allows for that type of innovation and creativity that will be required to do a better job than we are doing now.

New American Schools need community involvement. Schools have operated in isolation for far too long. The America 2000 strategy is a strategy which involves communities in schools. According to the Secretary of Education, the distinguished Senator from Mississippi, and the distinguished Senator from Kansas, New American Schools are an integral part of that overall America 2000 strategy.

It also means involving business in each area. Business continues to be concerned about the quality of the work force that our schools are providing and business is anxious to become more involved in education.

How does this effort to create a new generation of American schools differ from previous reform efforts?

No. 1, it relies on clear, world-class standards of performance. The central mission of each NAS will be to help all students reach world-class standards in five core subjects, as measured by American achievement tests.

No. 2, it depends on community-wide efforts. It brings a wide range of intellectual and social resources to bear on the challenge of helping students reach those world-class standards.

No. 3, it aims to integrate all dimensions of a school's life to promote the achievement of world-class standards. This means using time, space, staff, and community resources in more powerful ways.

No. 4, it brings visionary designers together with communities dedicated to creating schools that are best in the world, schools that draw on state-of-the-art technology, the latest education research, the best education practices, and the community resources to put them in place.

No. 5, it calls for leadership from all levels. The President introduced America 2000 and sought to put education first and keep it there. We owe him a debt of gratitude for doing that, for bringing it to the elevated state it is in today.

No. 6, Governors: 30 are now leading State 2000 efforts.

No. 7, local leaders: Thousands of civic, business, education, and religious leaders are organizing Community 2000 efforts to transform learning in their schools and communities.

No. 8, and finally, Congress: The President has asked Congress to provide seed money for a new generation of American schools.

If we want to break the mold, if we want to get away from business as usual, if we want innovation and creativity for a relatively low cost, the New American Schools concept is an idea whose time has come.

Frankly, I think that it is important that we vote for the amendment of the distinguished Senator from Mississippi. I hope we can put together an agreement that all of us will agree to. If we cannot, I think it is important we vote for this amendment up or down.

I would like to add at this time eight promising projects that are helping to

point the way with regard to a new generation of American schools.

A NEW GENERATION OF AMERICAN SCHOOLS

1. RJR NABISCO'S NEXT CENTURY SCHOOLS

The RJR Nabisco Foundation is supporting fundamental school reform projects across the country. Over 5 years, 1990 through 1994, 45 schools will share in $30 million in grants. To date, 30 schools have received 3-year grants of up to $250,000 per school per year to help them increase the time students spend learning, alter the structure of the school day and year, group students according to mastery level, and measure success based on student performance. This year's 15 winning schools were chosen from 1,600 applicants.

2. TED SIZER'S COALITION OF ESSENTIAL SCHOOLS

Less is more, student as worker, personalized learning—these are among the nine essential principles that schools must commit to in order to become an essential school. Ninety-eight schools in twenty-three States have made commitment, in an effort to transform the roles of their students and teachers, to recast students as active learners and teachers as coaches. Such transformations the coalition recognizes, can come about only through comprehensive, concentrated efforts at the individual school site. As Ted Sizer puts it, "Schools cannot be redesigned piecemeal: everything important within a school affects everything else important there. Substantial redesign by and of an existing school while it is operating is often every bit as difficult as rebuilding an entire care while it speeds along an interstate."

3. WASHINGTON STATE'S SCHOOLS FOR THE 21ST CENTURY

Created by the legislature in 1987, Washington's schools for the 21st century competition has resulted in awards for 33 innovative educational projects. Schools are connected by an electronic network, which enables teachers to discuss ideas and share lesson plans. The program supports a 10-day supplemental contract which, in effect, sets aside 2 weeks for school-level planning, staff development, and instructional improvement. Common themes among projects include outcomes-based education, integrated curricula, crossage grouping of students, parents' involvements, and technology.

4. SATURN SCHOOL OF TOMORROW

In 1986, in his weekly New York Times column, Al Shanker wrote that "Perhaps the most important step in revitalizing the [automobile] industry is the Saturn project. It is designed to make believe that no one has ever made a car before and to start the whole process from scratch, to reopen not just what the car should look like and how it should run but every question of production, supplies, labor, relations, the role of management." That, Shanker argued, is what's needed in education, an educational Saturn project. Taken by this idea, Tom King and David Bennett set out to make it happen. The result is the Saturn School of Tomorrow which opened in St. Paul, MN, in the fall of 1989. The Saturn school of tomorrow uses innovative approaches in staffing, use of computers, and creation of individual lesson plans for students. It groups students by interest and ability rather than by grade level. And students go to museums, libraries, and elsewhere in the community for lessons. Saturn enjoys enthusiastic support from parents.

5. LIGHTHOUSE PROJECT

In 1989 in Casper, WY, Lamar Alexander called for the creation of Brand New American Schools. The Casper business community responded to that challenge by sponsoring a competition, open to anyone, to create innovative schools. The competition triggered a flurry of creative thinking, drawing 37 proposals, from which 5 winning lighthouse School proposals were selected. Four of those proposed schools are scheduled to open in the fall of 1991, with seed money from the business community.

6. JAMES COMER'S SCHOOL IMPROVEMENT PROGRAM

Yale child psychologist James Comer's innovative school improvement process has been adopted by a total of 165 elementary, middle and high schools including schools in Prince Georges County, MD, and by all elementary schools in New Haven, CT. The Comer process, which was first implemented in 1968, emphasizes team building with parents, comprehensive planning, staff development, and continuous assessment of student progress. All Comer schools use a governance structure that includes three components: A school planning and management team, a mental health, and a parent group.

7. HENRY LEVIN'S ACCELERATED SCHOOLS PROGRAM

Unlike most approaches to compensatory education, where instruction is slowed down, Henry Levin's idea is to accelerate instruction. The purpose of his accelerated schools program is simple: To bring every low-performing child up to grade level by the end of elementary school. Approximately 50 schools, including Statewide networks in Missouri and Illinois, are testing the three principles of Levin's program. First, parents and educators have set goals for their schools and their children and identified ways to achieve those goals. Second, parents and educators at the school site are empowered to make the decisions necessary to make learning happen. Third, teachers, parents, and students build on students' strengths.

8. PROJECT GENESIS

A unique proposal in North Carolina would allow teams of educators to bid on and the winning teams run the new schools before their doors are opened. Proposed requirements would be minimal; they would include a statement of principles, information on funding, and an accountability plan. Also, up to half the slots in each school would be reserved for students living outside the attendance area. A key provision in Project Genesis is training. Winning teams would receive training and assistance in reconceptualizing schooling. They would then hire and train their own staff, who may not need to meet teacher certification requirements. The idea ultimately is to extend Project Genesis beyond new schools to include existing schools as well.

Mr. President, I did not want to keep my colleagues tonight. I yield the floor to my distinguished colleagues and friends.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will not take a great deal of time in terms of addressing what is the central thrust of the amendment of the Senator from Mississippi, but I do want to make some remarks, brief remarks, on why I have strong reservations and would oppose the amendment as it is basically proposed.

As I mentioned, I am very hopeful that we will work something out. But I do want to mention why I believe that this approach is a faulty approach. And it is for the very same reasons that the basic administration approach is a faulty approach.

This approach will give the Secretary the authority to make judgments and decisions about what the Secretary believes is a New American School rather than supporting and encouraging the innovativeness, and the creativeness that is taking place in schools all over our Nation. These innovations are not necessarily taking place in every school all over our Nation, but they are occurring in many, many schools and these efforts ought to be enhanced. I mentioned very briefly in the course of the debate yesterday some examples of innovative school reform and Senator KASSEBAUM mentioned a series of examples as well. We do not believe any Secretary of Education, no matter how gifted, no matter how talented, can encourage this type of reform.

So I believe very strongly that the approach of the Senator from Mississippi is flawed on the basis of its policy matters. If we are going to add an additional $100 million, $200 million, $300 million in the following years, it seems to me it ought to be targeted to those schools that are really attempting to strengthen the academic achievement and accomplishment of their students, and do it in a way which is going to have certainty and predictability for a period of time. In our particular proposal we award grants for a period of 5 years, with very

strict accountability. After the second year, if the school district does not meet very strict accountability requirements and demonstrate improved academic achievement, those grants halt. If they do show improvement the grants continue. If they are making progress, they can continue, and they can get follow-up grants.

But the amendment proposed by the Senator from Mississippi does not have accountability requirements. I just read the provisions very briefly, to indicate where the initiative will be if we accept the amendment of the Senator from Mississippi. I read on page 4.

"The Secretary is authorized to award grants to eligible recipients."

"The Secretary shall award grants under this title on the basis of nominations." Secretary Alexander will award the grants; not the communities being asked to develop these programs. The Secretary will make the selections.

The title, on line 11, reads, "The Secretary's selection and approval of grant recipients."

On the distribution of funds. "To the extent feasible, the Secretary shall * * * make at least one grant within each State." Once again we are making it explicit in the amendment that the Secretary is the one to make these judgments.

Sure, there is other language referring to advisory committees. Sure, there is other language to ask other communities in these various States. But the Secretary is the one who is going to make the ultimate judgment, the ultimate decision. It is not going to be done on the competitive basis which we have supported, with decisions being made on the basis of competition at the State level with strict accountability provisions.

There is nothing in here about accountability once they get those grants; no, sir. It is the Secretary it talks about.

It continues, "* * * make at least one grant within each State." What is that all about? I thought we were talking about merit around here. But evidently it is going to be the Secretary making the grant, at least one in each State. That is the amendment. The bill had 535. One for each congressional district and two for each State. That is interesting, with 435 Members of Congress and two Senators. Now we are trying to get one for each State.

Mr. President, it seems to me this amendment is flawed in exactly the same way that the administration's previous proposal was flawed.

Going to page 9 on the approval methods. "Beginning no earlier than January 1, 1993, the Secretary"—again with the advice of a panel—"shall approve some or all based on the Secretary's determination that such approval will be fully consistent with the purposes of the title of the act."

We have an opportunity, Mr. President, to make a judgment on the very fundamental and basic question whether we are going to try and encourage the kind of creative development that is taking place in schools around this country in every State of this Nation or whether we are just going to add another $100 million, another $300 million for all new schools without any accountability. New schools is what the administration is talking about.

If you accept this amendment, you are giving a very clear message to 80,000 schools across this country: No matter what you are doing out there, you are not going to get a nickel.

The proponents will say they are not restricting it just to new schools. I asked them to find any reference in the amendment—any reference—to older schools that are attempting to implement school reform plans. The amendment refers only to new schools. If we accept the Cochran amendment, then what we are saying to the 80,000 schools that are out across this country, is: You are out; you are not going to benefit; we prefer to try and get some new schools in each State, decided by the Secretary of Education.

So, Mr. President, I appreciate the sincere desire of those who support this approach to try and find some new ways of breaking the static kinds of conditions that exist in many of our elementary and secondary schools across this country. But the fundamental educational issue and question is: Are we going to try and superimpose the Secretary of Education's judgment, or are we going to encourage competition with strict accountability from innovative and creative programs? We have very strict accountability measures to provide seed resources only to those schools which have demonstrated effectiveness in school-based management, in class size reform, in the employment of new kinds of technologies, in implementing various mentoring programs, and in various other types of school reform. For example, it does not cost a lot of resources to develop mentoring programs for targeting individual students that are in danger of dropping out of particular schools, but it works. We have seen that in a number of different communities.

And so it seems to me, Mr. President, that the approach that has been accepted in this amendment is really identical to the approach that was in the New American Schools proposal, the administration's proposal. They are not prepared to offer their proposal as a substitute; what they want to do is sort of add their proposal to ours.

It seems to me if we are going to have additional resources, and I am strongly for gaining additional resources, whatever additional resources that we have ought to be distributed on the basis of education requirements rather than on the basis of a decision made by the Secretary of Education.

Certainly, the kind of programs that we are attempting to encourage are the kind of programs that Ted Sizer, Comer, Ernie Boyer, and others have talked about, and testified to, and are the kinds of programs that in a few, but important areas, are taking hold in our elementary and secondary schools across the country.

So, Mr. President, I am hopeful that we are able to try and find some common ground. I am sincerely interested in attempting to do so. We have not been able to do so. I believe we have a strong meeting of the minds with Senator COCHRAN and Senator KASSEBAUM in doing so, but I did not want the RECORD, at least for today, to go on by without having a response to the particular amendment.

Hopefully, either later this evening or overnight, we will be able to go through and find some way to adjust these kinds of differences. The common theme is that all of us want to give encouragement to creative and innovative ideas that really hold a sense of hope and promise for strengthening academic achievement and accomplishment.

The very basic and fundamental difference of the administration is that they would use scarce public resources for private schools. But I wonder whether we ought to be using taxpayers' money for private schools, as well as church-related schools. Instead we ought to be targeting our scarce resources on those schools, that on the basis of competition and strict accountability are providing some real improvement in terms of academic achievement and accomplishment. It is a very important basic and fundamental difference.

Maybe we will be able to work that out, but we have not been able to do so at this time.

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. COCHRAN. 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. COCHRAN. Mr. President, I ask unanimous consent that the following Senators be shown as cosponsors of the Cochran amendment: Senators DOMENICI, COHEN, and SIMPSON.

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

Mr. COCHRAN. Mr. President, this would add to those who had already indicated an interest in cosponsoring and who were listed as cosponsors of the amendment when the amendment was sent to the desk. That included Senator HATFIELD, Senator DURENBERGER, Senator SEYMOUR, Senator SPECTER, and Senator STEVENS.

So with this addition of three other Senators as cosponsors, I think the

Senate can see a very strong degree of support for the amendment. We appreciate very much, too, the comments of the chairman of the committee about the effort made to try to resolve the disagreements that have come up with respect to this amendment.

We hope that we can negotiate an agreement, but if we are unable to do that later this evening, then we are prepared to submit this issue to the Senate for a vote tomorrow, and we look forward to working with the chairman on an agreement that will bring that issue to the Senators tomorrow.

UNANIMOUS-CONSENT AGREEMENT

Mr. KENNEDY. Mr. President, I understand that this has been cleared with the Republican leader.

I ask unanimous consent that when the Senate resumes consideration of S. 2 at 11:30 a.m., Thursday, January 23, that there be 30 minutes remaining for debate on the Cochran amendment, No. 1471, with the time equally divided and controlled in the usual form, with no amendment to the amendment in order; that when the time is used or yielded back, the Senate, without any intervening action or debate, proceed to vote on or in relation to the Cochran amendment; that upon disposition of the Cochran amendment, Senator DOMENICI be recognized to address the Senate for up to 15 minutes; that immediately thereafter, Senator HATFIELD be recognized to offer an amendment relating to education flexibility, on which there be 1 hour for debate, equally divided and controlled in the usual form; that relevant second-degree amendments be in order to the Hatfield amendment with the same time limitation; that upon disposition of the Hatfield amendment, Senator HATCH then be recognized to offer an amendment relating to "choice."

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. COCHRAN. Mr. President, this is an agreement that is now being discussed, as I understand it, by the Republican leader, with at least one Republican Senator. So before we can approve and announce that this is an agreement that we can enter into, I am constrained to advise the Senator and ask that he withhold asking unanimous consent for a few more minutes.

Mr. KENNEDY. 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. I reiterate my request, Mr. President.

The PRESIDING OFFICER. Is there objection to the pending unanimous-consent request. The Chair hears none, and it is so ordered.

The text of the agreement follows:

Ordered, That when the Senate resumes consideration of S. 2 at 11:30 a.m. on Thursday, January 23, 1992, there be 30 minutes remaining for debate on the Cochran amendment, No. 1471, with the time to be equally divided and controlled in the usual form, and with no amendment to the amendment to be in order.

Ordered further, That when the time is used or yielded back, the Senate, without intervening action or debate, proceed to vote on, or in relation to, the Cochran amendment.

Ordered further, That upon the disposition of the Cochran amendment, the Senator from new Mexico (Mr. Domenici) be recognized to address the Senate for up to 15 minutes.

Ordered further, That immediately thereafter the Senator from Oregon (Mr. Hatfield) be recognized to offer an amendment relating to education flexibility, on which there shall be 1 hour for debate, to be equally divided and controlled in the usual form, and that relevant second degree amendments be in order to the Hatfield amendment with the same time limitation.

Ordered further, That upon disposition of the Hatfield amendment, the Senator from Utah (Mr. Hatch) then be recognized to offer an amendment relating to "choice".

Mr. KENNEDY. 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.

MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent for a brief period of morning business.

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

REMOVAL OF INJUNCTION OF SECRECY

Mr. KENNEDY. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Treaty with Spain on Mutual Legal Assistance in Criminal Matters, Treaty Document No. 102–21, transmitted to the Senate today by the President; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty on Mutual Legal Assistance in Criminal Matters between the United States of America and the Kingdom of Spain, signed at Washington on November 20, 1990. I transmit also, for the information of the Senate, the Report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of modern criminals, including members of drug cartels, "white collar criminals," and terrorists. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: (1) the taking of testimony or statements of witnesses; (2) the provision of documents, records, and evidence; (3) the execution of requests for searches and seizures; (4) the serving of documents; and (5) the provision of assistance in proceedings relating to the forfeiture of the proceeds of crime and restitution to the victims of crime.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, *January 22, 1992.*

MEASURES INDEFINITELY POSTPONED

Mr. KENNEDY. Mr. President, I ask unanimous consent Calendars Nos. 371, 372, and 377 be indefinitely postponed.

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

Mr. KENNEDY. I ask unanimous consent that House Concurrent Resolution 261 be indefinitely postponed.

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

EXPORT ADMINISTRATION ACT OF 1979 REAUTHORIZATION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 302, H.R. 3489, a bill to reauthorize the Export Administration Act.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3489) to reauthorize the Export Administration Act of 1979, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1472

Mr. KENNEDY. Mr. President, on behalf of Senator RIEGLE, I send to the desk a substitute amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] for Mr. RIEGLE, proposes an amendment numbered 1472.

Mr. KENNEDY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(The text of the amendment is printed in today's RECORD under "Amendments Submitted".)

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1472) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 3489), as amended, was passed.

Mr. KENNEDY. I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, I move that the Senate insist upon its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees.

The motion was agreed to, and the Presiding Officer (Mr. WIRTH) appointed Mr. RIEGLE, Mr. CRANSTON, Mr. SARBANES, Mr. GARN, and Mr. MACK conferees on the part of the Senate.

Mr. KENNEDY. 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.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, 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 and a treaty which were referred to the appropriate committees.

(The nominations and treaty received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2390. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report on horse protection enforcement; to the Committee on Agriculture, Nutrition and Forestry.

EC-2391. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on United States Costs in the Persian Gulf conflict and foreign contributions to offset such costs; to the Committee on Armed Services.

EC-2392. A communication from the Secretary of the Army, transmitting, pursuant to law, a report on major defense acquisition programs; to the Committee on Armed Services.

EC-2393. A communication from the Secretary of the Army, transmitting, pursuant to law, a report on major defense acquisition programs; to the Committee on Armed Services.

EC-2394. A communication from the Secretary of the Department of Housing and Urban Development, transmitting, pursuant to law, a report on the Congregate Housing Services Program for Calendar Year 1990; to the Committee on Banking, Housing and Urban Affairs.

EC-2395. A communication from the President of the United States, transmitting, pursuant to law, a report on the developments concerning the national emergency with respect to Libya; to the Committee on Banking, Housing and Urban Affairs.

EC-2396. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation; to the Committee on the Budget.

EC-2397. A communication from the Acting Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report of progress on developing and certifying the traffic alert and collision avoidance system; to the Committee on Commerce, Science and Transportation.

EC-2398. A communication from the Secretary of the Interstate Commerce Commission, transmitting, pursuant to law, a report on the extension for issuing a final decision in Ex Parte No. 346; to the Committee on Commerce, Science and Transportation.

EC-2399. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report on the final version of the Commission's report for 1989; to the Committee on Commerce, Science and Transportation.

EC-2400. A communication from the Secretary of the Federal Trade Commission, transmitting, pusuant to law, a report with 1989 sales and advertising expenditure information and information concerning the current practices and methods of cigarette advertising and promotion; to the Committee on Commerce, Science and Transportation.

EC-2401. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report on abnormal occurrences at licensed nuclear facilities for the third calendar quarter of 1991, to the Committee on Environment and Public Works.

EC-2402. A communication from the Administrator of National Aeronautics and Space Administration, transmitting, pursuant to law, a report on the progress on superfund implementation in fiscal year 1991; to the Committee on Environment and Public Works.

EC-2403. A communication from the Secretary of the Interior and Chairman, Migratory Bird Conservation Commission, transmitting, pursuant to law, a report of the Migratory Bird Conservation Commission for the fiscal year ended September 30, 1991; to the Committee on Environment and Public Works.

EC-2404. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report on the final monthly Treasury statement of receipts and outlays of the United States Government for fiscal year 1991; to the Committee on Finance.

EC-2405. A communication from the Executive Director, Japan-United States Friendship Commission, transmitting, pursuant to law, the annual report of the Commission for fiscal year 1991; to the Committee on Foreign Relations.

EC-2406. A communication from the Director, Defense Security Assistance Agency, transmitting, pursuant to law, a report on the operation of the Special Defense Acquisition Fund; to the Committee on Foreign Relations.

EC-2407. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report on the statement to extend the protocol on the provisional application of certain provisions of the Treaty on Conventional Armed Forces in Europe; to the Committee on Foreign Relations.

EC-2408. A communication from the President of the United States, transmitting, pursuant to law, a report on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council; to the Committee on Foreign Relations.

EC-2409. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements other than treaties entered into by the United States in the sixty day period prior to January 2, 1992; to the Committee on Foreign Relations.

EC-2410. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, a report on internal controls and financial systems for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2411. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on the Department's management controls in effect during the year ended September 30, 1991; to the Committee on Governmental Affairs.

EC-2412. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on the Department of Defense audit, inspection and investigative activities for the six month period ending September 30, 1991; to the Committee on Governmental Affairs.

EC-2413. A communication from the President of the National Endowment for Democracy, transmitting, pursuant to law, a report on internal control and financial systems in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC-2414. A communication from the Secretary of Labor, transmitting, pursuant to

law, the semiannual report of the Pension Benefit Guaranty Corporation Office of Inspector General; to the Committee on Governmental Affairs.

EC–2415. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report on the Board's internal control and financial systems in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2416. A communication from the Chairman of the National Mediation Board, transmitting, pursuant to law, the annual report of the National Mediation Board for fiscal year 1991; to the Committee on Governmental Affairs.

EC–2417. A communication from the Director of the United States Trade and Development Program, transmitting, pursuant to law, a report on the Trade and Development Program; to the Committee on Governmental Affairs.

EC–2418. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, a report on evaluations performed of the Federal Trade Commission's System of internal accounting and administrative control in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2419. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on the Department's internal accounting and administrative controls in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2420. A communication from the Executive Director of the District of Columbia Retirement Board, transmitting, pursuant to law, a report on personal financial disclosure statements for calendar year 1991; to the Committee on Governmental Affairs.

EC–2421. A communication from the Director of the United States Trade and Development Program, transmitting, pursuant to law, a report of the Program's internal controls in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2422. A communication from the United States Commissioner of the Delaware River Basin Commission, transmitting, pursuant to law, a report on internal control in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2423. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-125 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2424. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–120 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2425. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–119 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2426. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–118 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2427. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–126 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2428. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–124 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2429. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–123 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2430. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–122 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2431. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–121 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2432. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, a report on the Administration's internal controls and financial systems for fiscal year 1991; to the Committee on Governmental Affairs.

EC–2433. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–127 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2434. A communication from the Attorney General of the United States, transmitting, pursuant to law, a report on the Department of Justice's internal control and financial systems during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2435. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9–117 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2436. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-116 adopted by the Council on December 3, 1991; to the Committee on Governmental Affairs.

EC–2437. A communication from the President of the United States Institute of Peace, transmitting, pursuant to law, a report on the Institute's internal control and financial management in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC–2438. A communication from the President of the United States Institute of Peace, transmitting, pursuant to law, a report on the Institute's annual audit of its accounts for fiscal year 1991; to the Committee on Governmental Affairs.

EC–2439. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report covering the disposal of surplus of Federal real property for historic monument, correctional facility, and airport purposes; to the Committee on Governmental Affairs.

EC–2440. A communication from the Clerk of the Supreme Court of the United States, transmitting, pursuant to law, notice that certain amendments to the Federal Rules of Civil Procedure previously submitted to the Congress are now under further consideration by the Judicial Conference; to the Committee on the Judiciary.

EC–2441. A communication from the Staff Director of the United States Sentencing Commission, transmitting, pursuant to law, a report entitled "The Federal Sentencing Guidelines: A Report on the Operation of the Guidelines System and Short-Term Impacts on Disparity in Sentencing, Use of Incarceration, and Prosecutorial Discretion and Plea Bargaining"; to the Committee on the Judiciary.

EC–2442. A communication from the Secretary of Education, transmitting, pursuant to law, a report on dropout prevention services secondary students receive; to the Committee on Labor and Human Resources.

EC–2443. A communication from the Secretary of Education, transmitting, pursuant to law, a report on a study of Federal funds distribution; to the Committee on Labor and Human Resources.

EC–2444. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, a report on the operations of the Office of Federal Counsel of the U.S. Equal Employment Opportunity Commission for Fiscal Year 1990; to the Committee on Labor and Human Resources.

EC–2445. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the States Legalization Impact Assistance Grant program for Fiscal Year 1989; to the Committee on Labor and Human Resources.

EC–2446. A communication from the Deputy Assistant Secretary of Defense (Personnel Support, Families and Education), transmitting, pursuant to law, a report on an audit of the American Red Cross; to the Committee on Labor and Human Resources.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Kenny Jackson Williams, of North Carolina, to be a member of the National Council on the Humanities for a term expiring January 26, 1996.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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:

Mr. FORD:

S. 2142. A bill for the relief of Ljubica Warren; to the Committee on the Judiciary.

Mr. RIEGLE:

S. 2143. A bill to extend the Emergency Unemployment Compensation Act of 1991; to the Committee on Finance.

Mr. BREAUX:

S. 2144. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Finance.

Mr. RIEGLE (for himself, Mr. HOLLINGS, Mr. ROCKEFELLER, Mr. LEVIN and Mr. DIXON):

S. 2145. A bill to assure mutually advantageous international trade in motor vehicles and motor vehicle parts, an enhanced market for the interstate sale and export of domestically produced motor vehicles and motor vehicle parts, and the retention and enhancement of United States jobs; to the Committee on Finance.

Mr. DURENBERGER (for himself and Mr. JEFFORDS):

S. 2146. A bill to amend the Solid Waste Disposal Act to require that certain solid wastes be managed as hazardous wastes; to the Committee on Environment and Public Works.

Mr. DECONCINI (for himself and Mr. MCCAIN):

S. 2147. A bill to expand the boundaries of the Saguaro National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. ROTH:

S. 2148. A bill to extend to the refinancing of mortgage loans certain protections of the Real Estate Settlement Procedures Act and the Truth in Lending Act; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MOYNIHAN:

S. 2149. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain cooperative housing corporations, and for other purposes; to the Committee on Finance.

Mr. LEVIN (for himself and Mr. RIEGLE):

S. 2150. A bill to extend the time for payment of additional FUTA taxes by taxpayers in certain credit reduction States; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RIEGLE:

S. 2143. A bill to extend the Emergency Unemployment Compensation Act of 1991; to the Committee on Finance.

EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT

• Mr. RIEGLE. Mr. President, last session we laid the foundation for assisting our Nation's unemployed workers. With much effort, we passed, and the President finally signed into law, the Emergency Unemployment Compensation Program. Although this was an important effort to help American workers weather the recession and the trade problems our economy is experiencing, it was not enough. We need to go further and continue to push for wide ranging reforms of this program.

As a continuation of my efforts to work toward this goal, today I am introducing legislation to extend the Emergency Unemployment Compensation Act of 1991, which will expire in June 1992. My bill extends funding for the program until March 21, 1993.

In addition to this legislation, I plan to work with my colleagues on the Finance Committee to follow through on S. 1296, a more encompassing bill I introduced last year to correct the problems connected with the Extended Benefit Program trigger, administrative financing, and eligibility criteria that plague our current Unemployment Insurance Program. It is also essential that we improve the manner in which we calculate and include discouraged unemployed workers or those who would like to work full time but are only able to find part-time work in the monthly and annual Labor Department statistics.

We need to pass comprehensive legislation in this area to ensure that we have a better unemployment compensation system in place to help American workers ride our economic downturns in the future.

Last week we were informed that we have reached a national unemployment figure of 16 million unemployed Americans. In my State of Michigan, unemployment is over 9 percent, and more than 1.3 million Michigan citizens filed unemployment claims over the past year.

If nothing else, these disturbing and increasing figures are a strong indication of the economic suffering that is going on in America. As the pain of this recession continues, it is only logical that we work to further assist American workers who are experiencing hard times and have contributed to our country's standard of living through their daily efforts in the workplace. I believe that legislation like the extension bill I am introducing today and S. 1296 will help us achieve this end.•

By Mr. BREAUX:

S. 2144. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Finance.

INDIVIDUAL INVESTMENT ACCOUNT ACT

• Mr. BREAUX. Mr. President, private savings and investments are the backbone of our economy. From bank deposits to the purchase of stocks, bonds, and mutual funds—all of these add to the formation of capital used by individuals, entrepreneurs, and established industry alike. However, the United States is facing a growing crisis in the failure of individuals to save.

An inadequate supply of capital can cause interest rates to rise and the rate of new business ventures to shrink. As a result, wages and the supply of jobs suffer, investment in new machinery and equipment are cut back, and planning for future retirement and long-term health care needs become even more unreliable. Last but not least are the troublesome implications associated with financing our debt with ever increasing amounts of foreign capital.

The United States has a problem with savings. We simply do not save enough. A strong habit of national savings is essential to successful and long-term economic growth. As people save, the amount of money that is available for investment increases. This is a simple concept. But the Federal Government has done less than it could to promote savings among the American people. In fact, we have set a bad example; the Federal budget deficit is by far the largest source of dissavings, or debt, in our economy.

The legislation that I am introducing today, the Individual Investment Account Act of 1992, is intended to be a vehicle for discussion and a starting point for action. This bill is identical to H.R. 3363, as introduced by Representative ED JENKINS. The bill improves upon the existing Individual Retirement Account Program, and includes the following elements:

Allows for a $2,500 per year tax deductible contribution to IRA's, indexed each year for inflation;

Authorizes unlimited nondeductible contributions;

Eliminates penalties for early withdrawals or for other withdrawals;

Does not require forced distribution at any age;

Require that all of the nondeducted contributions are withdrawn first; and

Allows for a tax-free withdrawal of up to $15,000 for first time home purchase;

Mr. President, as we proceed this year to enact legislation to address long-term economic growth, I urge my colleagues to give this legislation careful consideration.•

By Mr. RIEGLE (for himself, Mr. HOLLINGS, Mr. ROCKEFELLER, Mr. LEVIN, and Mr. DIXON):

S. 2145. A bill to assure mutually advantageous international trade in motor vehicles and motor vehicle parts, an enhanced market for the interstate sale and export of domestically produced motor vehicles and motor vehicle parts, and the retention and enhancement of United States jobs; to the Committee on Finance.

TRADE ENHANCEMENT ACT OF 1992

Mr. RIEGLE. Mr. President, I rise today to introduce a bill, S. 2145, for myself, Senator HOLLINGS, Senator ROCKEFELLER, Senator LEVIN, and Senator DIXON, and I anticipate further cosponsors.

This bill deals with our very serious trading problem with the nation of Japan, and it directly deals with the issue of establishing a means to get to a fair trade relationship with Japan. We do not have that today, and we have not had it for some years. Japan is a predatory trading nation as it relates to the United States and most of the rest of the world, and that circumstance has done great damage to our country. It has helped build great strength in Japan, but, by the same token, it has done great damage to this country. Entire industries have been wiped out and other industries are under assault today. It is one of the reasons in America today that the unemployment level now is at a record high during this recession, 7.1 percent. We have in our Nation today at least 10

million people that we know by name who are unemployed seeking work and cannot find work. We have another 6 million people at a minimum who are only able to find part-time work. They want to work full time. They cannot find full-time work, and, therefore, find it necessary to only work a limited number of hours a week. That is all that is available for them. In fact in our statistics, the way the Government collects the statistics, if a part-time worker is working as little as 1 hour a week, that worker is shown as being employed rather than unemployed. So we know we have a serious problem out in that category as well.

And with respect to people who lose their jobs and the jobs disappear and they have to go out and find an entirely new and different job, about 50 percent of the people today who manage to find a replacement job are finding a replacement job at a lower skill level than what they were working in before and at a lower income level. So you are finding, for example, people with engineering degrees driving taxicabs, and you are finding people with education degrees working in fast food restaurants, instances like that, where people cannot find jobs at the level of the skill and preparation that they bring to the workplace.

So the problem of widespread unemployment in America is very severe, and, in fact, the numbers are rising. Some people may recall having seen the other night on national television the scene of a young MBA graduate from a very fine university in America standing out in the parking lot of a company holding up a sign indicating his desire to work and would people at least take his resume and look at it and think about giving him an interview. We are increasingly finding that people, regardless of their training and preparation, with the shrinkage of the number of jobs in America, well-trained people, just are not able to find work. We also find that there is a vast number of people who do not have advanced training who are also in a desperate situation, the rise in the number of people who are homeless. We have scenes from my home State, people, say, in the city of Detroit, who are out on street corners that I have seen myself holding up signs saying, "We will work for food," because their situation is so desperate, there are no jobs available for them, and they are literally in danger of starving to death unless they can find some way to try to get some modest amount of either food or income just to hold their lives together at a bare minimum.

So the bill that we are introducing today targets that part of the problem that relates to this chronic trade deficit with Japan. In terms of seriousness of this problem, since 1980, the United States has had a cumulative deficit with Japan of $460 billion. That means $460 billion in favor of Japan and on the loss side for the United States. It means that amount of money has left our country and, of course, the jobs connected to that money have also disappeared and have in fact gone over to Japan. As you might expect, that has made Japan very strong; it has left us very weak.

Just this last year Japan had a trade surplus with us; we had a deficit of another $42 billion. That means that every 30 days Japan is taking some $3.5 to $4 billion out of the United States economy and taking it to Japan. And we just cannot allow that to continue, particularly when it is the product of unfair trading practices. One of the most obvious and clear cut examples is where they will not allow American products to come in and be sold in their market. That is not a new condition; that has been going on for a vast number of years. And, also, because they unload their surplus production in the United States market, often below cost, often below cost, much less than those same products sell for in Japan because they want market penetration and because they can use the extra profits from their home market monopoly to balance off their cost structure so that, overall, they grow in economic strength.

So that pattern as of now has gone on for such a number of years that the targeting by Japan of key industries in America has seen entire industries disappear. I mention consumer electronics. We lost that industry. I mention the semiconductor, computer chip industry. We lost that industry to this same pattern of trade cheating. We are in the process of losing the automobile and truck industry that it is one of the most important we have.

I must say you do not have to love Lee Iacocca to save the auto industry in America. Why is it important? It is important because it is 4.5 percent of our gross national product. We have 2.5 million workers who work in that area to provide for themselves and their families and pay taxes that will help sustain the economic strength of our country. If we lose that industry, we do not have any other replacement industry on the horizon to take its place.

Or aviation. We now see Japan and other Pacific rim countries and companies targeting the aviation industry, which has been one of the greatest strengths in the United States; and, because it has been, they want that industry. So they are applying pressure, and they intend to carry out trading practices and other business practices that will step-by-step shut that industry down in America and export it to where they live because they want the jobs, they want the good jobs for their people, they want the economic strength for their country. And we should want it for ourselves for precisely the same reasons because strong nations can only maintain their strength if they have a state-of-the-art high technology economic base.

In that respect, there was a very depressing article today in the Washington Post—and I bring it to the attention of my colleagues—on the front of the business section. The headline on the story, "United Technologies Corporation to Eliminate 13,900 Jobs." Here go another batch of important, high-value-added jobs, good jobs, well-paying jobs that have health insurance and pension benefits associated with them, the kinds of jobs where workers have been able to make a decent enough living to be able to put enough money aside to buy a house and plan for their children's advanced education and things of that kind. Think for a minute about the name of the company, United Technologies. United Technologies. This is not a chain of hamburger stands going down or something in the more low-valued-added category, not to minimize those areas, but this is one of our most sophisticated industries and where we see the jobs disappearing day by day, week by week.

Two weeks ago it was General Motors announcing they were eliminating 74,000 jobs in this country. It is a tremendous loss to us. AT&T has made similar announcements of the elimination of several thousands of the same kinds of good and valuable jobs, jobs of a type that we need in the future.

We have seen other companies make similar announcements. It is virtually uniform across the board, even major blue chip companies like IBM having to take the same steps. Increasingly, not just in manufacturing, we are seeing in the service areas, we are seeing massive announcements of permanent layoffs in financial institutions and many others.

The problem is where do the unemployed people go and what do they do in the future for work. What work do we have for our people? And the fact of the matter is that we are on an economic track into the future that is so weak and is on the downgrade in such a way that we do not have enough good jobs for our people in the future. And I mean by the future, tomorrow morning, first of all, for the 16 million people who want to work full time in this country and cannot find a job, but also for the sons and daughters of everybody else in this country that are coming down the time track and who also need to have good, solid job opportunities in the future where they can have a decent living standard and provide for their families.

We have a news item in the paper today that comes out of the Japanese Ministry of Finance, talking about their trade numbers for the month of December. They have already calculated the numbers. They have made them public. The U.S. numbers will not be available yet for a period of time.

But according to the Japanese, as the measure they trade deficit, the situation with the United States for the month of December, the month just finished, was the worst month it has been for the United States over the last 2 years; a deficit between our two countries, as the Japanese calculated it, of about $4½ billion. That means in that 31-day period in the month of December $4½ billion left the United States in this trade deficit and moved over to the advantage of the Japanese.

It is a tremendous loss to us. We cannot afford the capital nor can we afford the permanent reduction in jobs in this country that we are seeing in industry after industry.

Now the President, of course, just made this much publicized and ballyhooed trip to Japan. We essentially got nothing out of the Japanese trip. One of the great frustrations—most people do not know this; I have not seen this, by the way, in most of the news stories that have run—when the President arranged to go on that trip he did not even take his trade Ambassador with him. Carla Hills, the person who is our top trade official in our Government, was not there on this much publicized trade trip, did not go along.

In fact, the person who was the top person from the administration was the man who has just become the President's campaign chairman for the reelection effort this year, Mr. Mosbacher, the former Commerce Secretary. He was the one who headed the trip. So I think that tells you something about the seriousness of the administration focus.

But I must say, I think every American has a right to be deeply distressed and troubled by both the lack of results from that trip and the statements that have been made by key Japanese officials just in the last 2 or 3 days. We have had the Speaker of the House over in Japan ridiculing and belittling American workers and, in fact, the productive capability of our country. We have had Mr. Toyota say that the so-called understandings in the area of trade—opening up their market, allowing some American cars to be sold in Japan—were not fixed agreements, were not firm understandings; there is no obligation on their part to carry through on it. Very distressing in light of the way that so-called set of understandings was represented by our own Government.

But the arrogance of these economic warlords that we are hearing from in Japan is not only, I think, dangerous for the future, but it is reminiscent of the things that we have seen in the past. It is very vivid in my mind from news films that I have seen that, on the very day the Japanese bombers were on their way toward Pearl Harbor, the Ambassador from that country was here in Washington saying to our Government that they wanted to work things out, that they wanted to avoid any kind of a direct conflict. Within a matter of a few hours, we found out that that was untrue and we paid for it in flesh and bone.

And if you look at the years that followed, in terms of the tremendous effort this country had to make and the losses we sustained, by the time 1945 rolled around, the arrogance was gone on the other side because they finally then understood that the capabilities of this country really were, but at great cost, at great cost. And there is a vast number of headstones right now out in Arlington Cemetery representing the lives of young men that were lost because of that miscalculation.

Now economic warfare can be every bit as devastating as military warfare. Destroying a factory or an industry is not that much different than destroying a battleship or a military base. And we are seeing plants, we are seeing industries being targeted and devastated over a period of years, part of it being a targeting process by Japan through the use of a closed market at home and predatory trading practices here to move on those industries and take those industries over.

Now there are some in the administration that say, well, it does not really matter in a free market system. But, of course, we do not have a free market system. But they assert that we do. They say it does not really matter whether the United States is producing computer chips or producing potato chips or producing wood chips.

Well, that is absolute nonsense. Any nation that wants to be a leading nation and have a high standard of living for its people and have a good economic future wants to be producing more sophisticated things, more valuable things that the rest of the world wants to buy. So we ought to be targeting our sights on computer chips and other valuable, high value-added kinds of items. We ought to be driving our technology ahead faster.

We do not want to be pushed into a position where we become a nation that is providing the raw materials to other nations that are excelling in high-technology manufacturing. We do not just want to be a nation that is producing wood chips or potato chips or, in fact, even serving as a subcontractor for some other nation that has a far more aggressive economic strategy for itself.

But that is what is happening in America and it is happening systematically across the board, and the American people understand that. That is why the polling data coming in each week from a nationally respected organization, the New York Times-CBS, said just 2 weeks ago that 81 percent of the American people say that the economy is in serious trouble and we are off on the wrong economic track.

Unfair trade with Japan is a part of the problem. This is a part of the problem especially because it has been allowed to go on now for well over a decade. You have to ask yourself where has the administration been on this issue. For 8 years it was Reagan and Bush, and that was followed by 3 more years of Bush and Quayle. This group has been in power now 11 years in the executive branch and no strategy to cope with this problem, either to stop the predatory trade practices by Japan, which are damaging us, and insisting on fair relationships, or coming up also with a plan here in America so we can strengthen our own performance where business and Government and labor can be gathered around a table and we can work out a new economic strategy for this country, where we work together as a team, a "Team America" strategy. That is what is needed.

So we need both those things. We need to stop the trade cheating by Japan and others—our legislation is designed to do that—but at the same time we need an aggressive strategy here at home to rebuild the economic strength of this country.

Now I know the administration has an economic plan for every country in the world but this one. They have one for Kuwait, one for Mexico, promoting the free trade arrangement with Mexico, a jobs program for Mexico. No jobs program for America. There is a plan down there to help every other country around the world but no plan for America.

What we need is an American plan designed, put together, carried out here in this country that builds living standards for the people that live in this country. We have got to have it. And we are losing the economic future by our failure to understand the need for that plan and how late in the game it is and how seriously we have to get moving.

I have asked myself the question, Why is it the administration cannot see it? What is wrong with the economic policymakers around the President that they keep saying there is no problem or, if there is a problem, just be patient it will solve itself? There is a huge problem, and it will not solve itself. It is not solving itself.

I think one of the problems is that you have got around in that group of advisers some individuals who live on family trust fund income, who have financial assets that have carried forward from generation to generation, managed out there by some financial analyst somewhere who deploys the assets. Maybe they are buying German marks today and Mexican stocks tomorrow or whatever it is. But every 30 days the trust fund income rolls in to these individuals. And you ask them, talk to them about the problem, and they say to you, What problem? That is because they do not have a problem be-

cause the problem is not affecting them. And it is not affecting their sons and daughters either.

The unemployment offices around this country today are jammed by people who are out of work and who desperately need to work.

The administration is out of touch with this problem. It has an elitist view as to what the situation is. It does not understand what is happening at the grassroots, and therefore it does not understand the damage that this trade cheating by Japan—now lasting over a decade—has done to this country.

It does make a difference as to whether we are trying to make potato chips and wood chips on the one hand, in America—which is what Japan would like us to do so they can make the computer chips—or whether, instead, the United States says, "Look, we are going to make the computer chips. We are going to make the advanced aircraft. We are going to make the state-of-the-art transportation vehicles. We are going to concentrate on investing in America. We are going to invest in our plants, in our technology, in our tools, in the education of our workforce, the education of our children coming into the workforce. We are going to put our emphasis on building this country and making this country as strong as it can be in terms of its economic strength and power."

Why? Because our people need that for their living standards, and our Nation needs it to have the strength to be able to a leading Nation in the world. There is no other way to get there but to have that kind of basic strength at the grassroot level. And to have all these unused resources around the country, people out of work, the suicide rate at record levels among farmers in America, plants operating below 80 percent of capacity, and the administration basically saying either there is no problem, or if there is a problem, be patient, the problem will solve itself—it is no wonder the Japanese are laughing at us. It is no wonder we are being ridiculed by these economic warlords who have accumulated all this power in Japan. And it is nothing new. We have seen it before and we will see it again. But that does not mean we have to tolerate the pattern of trade cheating by Japan against the United States.

It is interesting, the Europeans have said no to it. The Europeans in the area of automobile imports have said to the Japanese: "Look, we are not going to let you do to us what you have done to the United States. We are not going to let you close your home market and keep it closed and yet come into our area and sell 33 percent of the cars in our home market." The Europeans are too smart for that. They know the value of these industries and they want that work for their people in the future and they want that national and regional income.

So, what they have said to the Japanese is, "Look, we are going to limit you to a 16 percent market share in car sales in Europe, and we are going to do it not for a year or 2 but for the next 10 years."

And, you know what? The Japanese agreed to that. The Japanese agreed to that. So the Europeans have had the good sense in behalf of their people to stand up to the Japanese and to stand up to the trade cheating and to the close market in Japan.

We do not find that here. In fact, our Trade Representative, Ms. Hills, has said, and I am paraphasing: "Well, in the auto parts area, if the Japanese will buy a few more auto parts from the United States and if they come from Japanese companies in America that are tied into the keiretsu arrangement, where the Japanese exclude American competition and keep most of the valuable work over in Japan, that if Japan is buying auto parts in America built by Japanese companies, that will be satisfactory."

That will not be satisfactory. That may be satisfactory to her. But if that is her view, she is in the wrong job, and we need somebody else in the trade job for America, to look after the economic interests and the workplace interests and the job prospects of people in America. Because not everybody in America is in the same favored situation as the people in the top tier of this administration.

Most people do not even understand what that kind of a situation is like, and that is why you have all this detachment and why you have this elitist philosophy at work here. It has to be changed.

A few table crumbs from Japan that we got on this last trip—now they are backing away even from that—that is not enough for this country. In fact, that is a surefire recipe for America to end up as an underdeveloped nation. We are heading in that direction. You see it in the massive unemployment.

How can we tolerate that nation that every single day in the financial page of the newspaper it is another major company that is having to lay off, permanently, tens of thousands of workers? What does it take to wake this country up and to wake up this administration? If this problem were hitting them, they would do something about it. Unfortunately, they are disconnected from the problem.

The American prople are not disconnected from it and that is why there is so much apprehension and anxiety out across the country. That is why we have to do something in the trade area—we have to stand up for our own country.

Some people say, "Well, wait a minute. Is that not protectionist?" The great irony of that question is this is precisely what Japan does. Japan, which is being held out as a model for efficiency and for growth and for what have you, that is precisely the tactics they follow. They are the No. 1 protectionists in the world. They protect their home markets and they have protected them for years and they have used their monopoly power to target industries in this country, and that is why industries in this country are disappearing one after the other.

Why can we not see that: Why is it that people who are observers—and some of the editorial writers in the country—cannot see what has happened over the last decade, the last two decades?

We are losing our civil order in our cities today, whether it is carjackings, whether it is crime derived from the drug epidemic that is loose, whether it is school class sizes that are so large that children cannot learn, or kids coming to school hungry because they are in households where there is not enough income for them to eat properly. We are seeing more and more of the manifestations of a "Clockwork Orange" society right here in our own country in communities across virtually all the 50 States.

There is a story in the paper about a young staff aide for Senator SHELBY, shot on the street the other night. Just a random victim of crime. Every single day there are stories like this.

When you have a persistent and deep economic sickness in your country and you do not recognize it and you do not do something about it, then your country slides into other kinds of problems and you get an unraveling of the social order. You get more difficulty within your communities. That is why I said a minute ago the suicide rate among farmers is at a very high level in America. These are some of the hardest working people in our country who have, you know, a wonderful value system. Why are they killing themselves? Because the economic pressures are so severe for many of them that they do not see any other way.

Is that the best we can do? Is that the best America can do in the 1990's in this new world order with the global changes that are under way? No. It is not the best we can do. But we need a plan for America. And everybody in America who cares about it has to be part of making sure that we put a plan together, a "Team America" plan where we rebuild the economic strength and the economic future of this country. So there will be enough good jobs to go around. So we do not have workers fighting each other for a handful of jobs when they become vacant.

The other day there was a story on the national news, a hotel opening up in Chicago. On that particular day there was a driving snowstorm, the temperatures were down near zero.

There were thousands of people standing out in that bitter cold just to put an application in for a job, a handful of jobs, at that particular hotel.

A goal for this Government and for this President and for this Senate ought to be to say we want every single person standing in that line to have a job. The fact that they care enough to be out there, standing in the bitter cold to put in a résumé and try to get a job to me is reason enough to say they ought to have a job. And that they are part of this country. And they are just as important as any Cabinet officer or Trade Representative or anybody else in this Government who is doing fine these days. They ought to be given some consideration.

In fact, we have a law on the books that is supposed to see to it that we have full employment in America. We passed it a few years ago. It is called the Humphrey-Hawkins bill, where we actually set as a law in America that we were going to see that there were enough jobs to go around. That law is not being enforced. It is not being carried out. It is being ignored. It is as if it was not there. No wonder people are disillusioned across the country. It is no wonder that more than half now do not even vote in Presidential elections, because they do not see our Nation responding to their needs.

When people cannot provide for their children and have some prospect that their kids are going to have an opportunity for a life in the future at least as good as their own, then disillusionment sets in and the sun starts setting on a nation that is willing to settle for that.

I am not willing to settle for that and we ought not to settle for that. We cannot afford leadership in this country that is willing to settle for it. I do not care how detached they are, how elitist they are. We cannot accept that kind of a situation. It is dangerous to this country and I think, in fact, it is dangerous even to the stability of the world. We are moving to a situation where we are going to have a head-on confrontation down the road with Japan over this problem of economic strength, because these issues have been let go too long and too much damage has been done at home. It is in the interest of both countries to avoid that. But today, with the statements that we are hearing coming from Japan, looking down their nose as they are at the United States, at our work force, at our capacities, it is the same miscalculation—the same miscalculation—that set off World War II. And this country is not going to stand around and see its economic future disappear, either the part of it that is taken away by other nations that cheat in trade, or the part that disappears because we are not pulling ourselves together and organizing ourselves around a strong American economic plan that requires sacrifice and increased effort by everybody in our society. So we need both things.

But we are not going to be able to put a plan together and get ourselves back to full economic strength if another nation is holding our head under the water, particularly in key industries. Within the last 2 weeks, in the automobile industry, we have had General Motors and Chrysler both undergo financial rating downgrades. That is a very serious problem. It is on the financial pages now. If that does not get corrected, it is going to be on the front pages because they cannot continue in that situation with the serious recession going on and this ongoing trade invasion coming in from Japan. They just cannot handle it; too big a problem, too strategic in its nature, just as other industries in this country have also seen in the past, and that is why those industries have disappeared.

So with respect to our legislation, what we are saying to Japan is, look, you have taken $460 billion out of the United States since 1980, $460 billion out, and you took $42 billion out of here last year, and, according to your own number, you took $4.5 billion out in the month of December. We cannot afford that any longer because it is hurting America and it is weakening America and it is destroying jobs in America and it is diminishing our economic future.

So we have to put a stop to it. And, at the same time, we have to pull ourselves together and develop this team America strategy at home. It means recognizing the problem and being honest about it, not pretending there is no problem. There is a massive problem. There is a massive problem in our economic system and it will not self-correct.

We may get a little piddling recovery along the way here—it may last for a few months—but that does not deal with these underlying long-term problems. That takes an aggressive set of actions and a strategy and it takes leadership from the top of our Government. If it is not forthcoming, things are going to get worse, not better, and that is not a sufficient answer for America. We cannot say that to our young people coming down the track.

Imagine if someone had said that to us when we were in high school, those of us who now serve in the U.S. Senate. Suppose what the country was saying at that time was, "Look, sorry, you know, things are tough; you know, we cannot put together a plan here to see to it that there are enough good jobs in the future." What would that mean to the young people in high school back then, or what does it mean to them today? They deserve better than that. They deserve better leadership than that.

If that is the best we can do, we ought to just shut this place right on down starting with all of the institutions in the Federal Government. If the best we can say to the American people is, "Sorry, big problems, but we cannot fix them," then I do not think we have a right to govern, and I would think that the American people will put some new people into Government if we cannot show a recognition of this problem and a response to it.

So I hope that people will take a look at the legislation that we have drafted. The fact that Senator HOLLINGS and Senator ROCKEFELLER and Senator LEVIN and Senator DIXON are original cosponsors I think says something about the importance and the substantive content of this legislation. We solicit other cosponsors, and we solicit the support of the American people.

It is time that we are honest with ourselves in America and stop this backward slide, the pressure on our families and on the middle class, and see to it that we put in place an economic growth plan that starts to regain American strength and gets us back on a path into the future that is good for our people.

Our founding documents, when one reads them from beginning to end, have to do effectively with the quality of the lives of our people and how everybody in this country is equally important, not just those with huge family trust funds or who are well situated. This whole country started on a different premise. We did it in order to get away from kings and queens and royalists and to say that the common man was the most important person in the country.

That is where our great strength has come from for over 200 years, and we have to get back to that principle. When the everyday citizen in this country has a chance to have a decent life and a decent job and a way to provide for their family and build their communities, then America soars. When those things are impaired, then we slide into great difficulty and the rest of the world is not going to show a bit of mercy for the United States if we are not managing these problems properly.

Mr. President, today I am introducing legislation to take action to reduce our trade deficit with Japan. Joining me as original cosponsors of this important measure are Senators HOLLINGS, ROCKEFELLER, LEVIN, and DIXON, and it is being introduced by Congressman GEPHARDT, Congressman LEVIN, and others in the House today as well.

The time has come to do something about Japan's persistent trade cheating and its impenetrable keiretsu system. Keiretsu is the system of cross-shareholding links between manufacturers and their suppliers, distributors and bankers. It is this system that keeps Japan's home market for cars and auto parts closed and blocks the sale of American auto parts to the Jap-

anese car factories in the United States.

The Europeans have seen what the Japanese closed markets and their keiretsu system is doing to our auto and auto parts industries. They have responded by negotiating a 16-percent limit on sales of Japanese imports and of Japanese cars made in Europe until the next century. Japan's share of the United States car market is already double this level. By contrast, all foreign car makers combined represent less than 3 percent of Japan's market.

The European limits on Japanese cars makes it official: the United States has become the last dumping ground for the world's excess automobile production. I use the term "dumping" literally: Japanese cars and parts typically sell for less in the United States than in Japan. According to U.S. law, that's dumping.

Most people thought our auto trade deficit with Japan would fall when they started building car factories in the United States. It was expected that cars produced in these factories would replace imports and use American parts and labor. But the auto trade deficit with Japan has not decreased. Cars produced by the transplants have not replaced imports; they've added to them. And these transplant cars are not built primarily with American parts, but with Japanese parts. For this reason, our auto trade deficit with Japan is projected to grow considerably in the next few years according to a study done for the Department of Commerce's private sector industry advisory committee.

Why were the experts wrong? They overlooked keiretsu. They wrongly assumed that Japanese companies in America would act like American companies. Instead, these companies have transplanted their keiretsu system. They remain essentially closed Japanese economic islands in the middle of the United States. And these islands are growing.

The Japanese transplants buy only 15 percent of their parts from non-Japanese affiliated companies. The other 85 percent is split between imports from Japan and purchases from Japanese-affiliated parts firms in the United States. In order to do business with a Japanese car company, you usually have to be a Japanese company or you have to affiliate with one. It doesn't matter that you might have the best product at the lowest price. You've got to give them a piece of the action if you want their business.

In a few years, these transplant companies will account for over 25 percent of total auto production in the United States. Most of this production is replacing declining Big 3 production. That means that if the transplants continue to buy only 15 percent of their parts from non-Japanese-affiliated auto parts companies, our parts industry—the largest industry in the United States—will shrink by about 20 percent. It's happening already.

It would be one thing if our industry was not competitive. But it is competitive. We have a sizable trade surplus in auto parts with the rest of the world. And a recent pricing study of auto parts in the United States and Japan performed by the Department of Commerce and MITI found that United States parts were priced far cheaper, in many cases one-third or one-fourth of the Japanese price.

Europe has acted to protect its economic interests. What is our Government doing? Studying the problem. After 5 years of negotiations, we're still studying the problem.

The time for talk has passed. The survival of an essential industry is in question. The welfare of millions of Americans is at stake, many of them in Michigan. The auto industry accounts for over 4 percent of GNP. One auto job in an American auto company supports six others.

Our bill will give this Nation a policy for restoring equity and fairness in the automotive industry overseas and here at home. It is fair, balanced and direct.

It gives Japan a clear choice between reasonably reducing its trade surplus and ending its closed markets and the restrictive business practices of its keiretsu system or seeing its overall market share in the United States frozen at first and reduced by 250,000 units per year thereafter.

Like the agreement Europe obtained with Japan, the bill places a limit on the overall Japanese share of the United States market—imports and transplants. However, unlike Europe's arrangement, Japan can exceed the limit by doing either one or a combination of the following:

First, it can end the discriminatory parts procurement practices of its transplants; specifically, the transplants must buy at least 60 percent of their parts from non-Japanese-affiliated companies; or

Second, it can import more American cars into Japan.

The limit starts at the current level of imports and transplant production and then declines steadily through 1996. The result will be to require the Japanese transplant fleet to source at least 60 percent of its parts from non-Japanese-affiliated parts firms by 1997. The only way around this will be for Japan to import more American cars or to reduce its exports of vehicles to the United States.

The bill calls for both bilateral negotiations with Japan and multilateral negotiations with major auto producing nations to restore equity in world auto trade. If the talks are successful, then the administration can recommend to the Congress that the limits be modified or terminated.

Furthermore, the bill implements the recommendations of the administration's own auto parts advisory committee by mandating a section 301 and an antidumping case against unfair trade practices which block United States exports of auto parts to Japan and result in dumping of Japanese auto parts in the United States, respectively.

Finally, the legislation will monitor the U.S. auto industry in order to assure that it does do its share. We will be watching to see if this industry reinvests substantially all of the cash flow of its North American automotive operations back into such operations and to take other steps to maintain competitiveness.

Mr. President, it is just not acceptable for our auto parts industry to be replaced with a Japanese-owned auto parts industry for reasons that have nothing to do with competitiveness.

It is not acceptable for Japan to have 10 times as much access to our car market as we have to theirs.

It is not acceptable for us to be the market of last resort for the world's excess production.

It is not acceptable for the Japanese car companies in the United States to say they are American companies when they don't provide anywhere near the same benefits to the U.S. economy as an American company.

The bill merely requires good corporate citizenship. It says: If you're going to build cars here, then don't just use our labor primarily to assemble your parts. Don't restrict your purchases of auto parts primarily to Japanese-owned and affiliated companies. And don't expect unimpeded access to our market if you block our access to yours by engaging in anticompetitive business practices that violate antitrust principles.

The bill sends a clear message that press releases and promises are insufficient. In anticipation of this legislation, each of the Japanese car companies issued a press release in recent weeks stating its intention to buy more American parts. For its part, the Japanese Government issued a press release directing Japanese car dealers in Japan to begin to sell foreign makes on their lots. If the past is prologue, these promises will not solve the problem.

Too much is at stake to wait for promises to be kept. It is time to act to defend our interests.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

I thank my colleagues for their patience, and I thank the Chair. I yield the floor.

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

S. 2145

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

TITLE I—SHORT TITLE, FINDINGS, AND DEFINITIONS

SEC. 101. SHORT TITLE.

This Act may be cited as the "Trade Enhancement Act of 1992".

SEC. 102. FINDINGS, PURPOSE, AND DISCLAIMERS.

(a) FINDINGS.—The Congress makes the following findings:

(1) The traditional domestic auto and auto parts sector directly employs more than 1 million workers and indirectly employs several million more. These workers are skilled, hard working, productive, capable, and proud of their work. They and their employers have achieved great improvements in quality, performance, fuel economy, safety, and design of domestic motor vehicles.

(2) The auto and auto parts sector directly and indirectly accounts for about 12 percent of our gross national product and generates more than $200 billion a year in revenue.

(3) The domestic auto and autos parts sector is a major consumer of steel, glass, textiles, rubber, aluminum, machine tools, chemicals, electronics, and other important products.

(4) Recognizing the competitive pressures facing the automotive industry, Japan has operated under a voluntary export restraint arrangement since 1981 that has not been recognized or enforced by the United States Government.

(5) The United States Government since 1986 has engaged, with little result, in a negotiating process with the Government of Japan to obtain fair access to the markets of that nation for United States producers of motor vehicle parts and manufacturers of motor vehicles.

(6) Despite these unsuccessful efforts, in 1990 the United States posted a $41.1 billion trade deficit with Japan of which $31.1 billion was accounted for by the automotive sector deficit ($10.5 billion of which was attributable to auto parts), and there is little evidence that the Japanese Government is seriously trying to eliminate such deficits which are detrimental to the United States economy and jobs.

(7) In addition to transplant assembly facilities in the United States that are owned or controlled by Japanese persons, motor vehicles and motor vehicle parts are being imported from that country into the United States in such increased quantities and under such conditions as to cause, or threaten to cause, serious injury to the domestic manufacturers of like or directly competitive products and to the domestic workers producing such products.

(8) In the last 5 years, transplant assembly facilities in the United States that are owned or controlled by persons from that country have not shifted significantly their procurement to traditional United States producers of motor vehicle parts and components, as illustrated by the fact that—

(A) the United States automotive parts trade deficit with that country grew between 1985 and 1990 at an annual average rate of 17 percent and totaled $10.5 billion in 1990; and

(B) only 12.5 percent of the customs value of vehicles manufactured in such transplant facilities in the United States is based on parts produced by traditional United States motor vehicle parts producers, while 35.1 percent of such value is based on imports from Japan and 32.4 percent of such value is based on purchases from Japanese-affiliated parts producers located in the United States.

(9) The pattern of procurement described in paragraph (8) poses an increasingly serious risk to the United States motor vehicle parts industry (and workers of that industry) and to the United States industrial base because production of vehicles by such transplant facilities is projected to increase from 1.5 million in 1990 to 2.5 million in 1994.

(10) The continuation of current procurement practices by automobile companies owned or controlled by persons from Japan and the increased production of vehicles by such transplant facilities in the United States is projected to result in a 110 percent (or $21.99 billion) increase in the United States motor vehicle parts trade deficit by 1994.

(11) Aftermarket parts are likely to account for 50 percent of the motor vehicle parts trade deficit with Japan by 1994 because such transplant facilities are not purchasing sufficient quantities of original equipment from United States suppliers.

(12) Traditional United States parts manufacturers are particularly underrepresented in the production of motor vehicles produced by such transplant facilities in the United States in the following 3 major, high value-added vehicle systems:

(A) Engines.

(B) Transmissions.

(C) Body structures.

(13) In the 1991 National Trade Estimates Report, the United States Trade Representative listed "close and durable relationships" between Japanese auto makers and suppliers as a barrier to United States auto parts sales in Japan.

(14) The market share of Japanese motor vehicle manufacturers in the European Community is currently 10 percent while their market share in the United States is about 35 percent.

(15) The European Community has negotiated an understanding with the Government of Japan limiting the market share of motor vehicles produced by Japanese motor vehicle manufacturing companies both in Japan and in the European Community to less than 16 percent until the year 2000.

(16) The home market for motor vehicles and motor vehicle parts in Japan remains largely closed to all foreign manufacturers whose combined market share equals no more than 3 percent.

(17) Japan's nontariff market barriers include onerous inspection and certification systems that discriminate against foreign-made motor vehicles and motor vehicle parts, a tax system that discriminates against foreign-made products, closed distribution systems and dealer networks, and government-tolerated "Keiretsu" relationships involving motor vehicle and motor vehicle parts manufacturers and dealers. At the same time, Japanese firms enjoy open markets in the United States with no limitations or discrimination.

(18) The United States Government should take early, concerted, and concrete action to obtain fair market opportunities for the sale of products of traditional United States producers of motor vehicles and motor vehicle parts to Japanese motor vehicle companies and consumers.

(b) PURPOSES.—The purposes of this Act are the prevention or remedy of the serious injury described in subsection (a) (7) and (9) to domestic manufacturers and workers engaged in the production and interstate sale and export of motor vehicles and motor vehicle parts until such time as bilateral or multilateral agreements providing for mutually advantageous, fair, and open international trade in motor vehicles and motor vehicle parts can be negotiated and enter into effect.

(c) CONGRESSIONAL DISCLAIMERS.—It is the intent of Congress that this Act shall not be deemed to modify or amend the terms or conditions of any international treaty, convention, or agreement that may be applicable to motor vehicles and motor vehicle parts and to which the United States, on the date of the enactment of this Act, is a party, including, but not limited to, the terms or conditions of any such treaty, convention, or agreement which provide for the resolution of conflicts between the parties thereto. Nothing in this Act shall be construed (1) to confer jurisdiction upon any court of the United States to consider and resolve such conflicts, or (2) to alter or amend any law existing on the date of the enactment of this Act which may confer such jurisdiction in such courts.

SEC. 103. DEFINITIONS.

For purposes of this Act:

(1) MOTOR VEHICLES AND MOTOR VEHICLE PARTS.—

(A) The term "motor vehicle" means any article of a kind described in heading 8703 or 8704 of the Harmonized Tariff Schedule of the United States.

(B) The term "motor vehicle parts" means articles of a kind described in the following provisions of the Harmonized Tariff Schedule of the United States if suitable for use in the manufacture or repair of motor vehicles:

(i) Subheadings 8407.31.00 through 8407.34.20 (relating to spark-ignition reciprocating or rotary internal combustion piston engines).

(ii) Subheading 8408.20 (relating to the compression-ignition internal combustion engines).

(iii) Subheading 8409 (relating to parts suitable for use solely or principally with engines described in subparagraphs (A) and (B)).

(iv) Subheading 8483 (relating to transmission shafts and related parts).

(v) Subheadings 8706.00.10 and 8706.00.15 (relating to chassis fitted with engines).

(vi) Heading 8707 (relating to motor vehicle bodies).

(vii) Heading 8708 (relating to bumpers, brakes and servo brakes, gear boxes, drive axles, nondriving axles, road wheels, suspension shock absorbers, radiators, mufflers and exhaust pipes, clutches, steering wheels, steering columns, steering boxes, and other parts and accessories of motor vehicles).

The Secretary shall by regulation include as motor vehicle parts such other articles (described by classification under such Harmonized Tariff Schedule) that the Secretary considers appropriate for the purposes of this Act.

(C)(i) The term "foreign motor vehicle" means—

(I) a motor vehicle that is a product of Japan; and

(II) a motor vehicle treated as a product of Japan under clause (ii).

(ii) The Secretary of the Treasury shall also treat as motor vehicles that are products of Japan those motor vehicles manufactured in a foreign country (other than Japan or Canada) with respect to which the Secretary finds that—

(I) the vehicles were manufactured in such foreign country by a related source, and

(II) motor vehicle parts that were produced by, or purchased or otherwise obtained (directly or indirectly) from, related sources constitute 50 percent or more of the export value of the vehicles.

(D) The term "United States motor vehicle" means a motor vehicle that is produced by a domestic vehicle manufacturer.

(2) VEHICLE AND PARTS MANUFACTURERS.—

(A) DOMESTIC PARTS MANUFACTURER.—The term "domestic parts manufacturer" means a manufacturer of motor vehicle parts that—

(i) has one or more motor vehicle parts manufacturing facilities located within the United States; and

(ii) either—

(I) is not a related source,

(II) is not affiliated with a related source, or

(III) is affiliated with a related source, but with respect to its production of motor vehicle parts in the facilities referred to in clause (i) during the most recent full calendar year, utilized materials and components produced by, or purchased or otherwise obtained (directly or indirectly) from, related sources to an extent not exceeding 25 percent of the total value of such production.

(B) DOMESTIC VEHICLE MANUFACTURER.—The term "domestic vehicle manufacturer" means a manufacturer (whether or not a related source) of motor vehicles that—

(i) has one or more motor vehicle manufacturing facilities located within the United States that produce motor vehicles for interstate sale or export, or both, and

(ii) with respect to its production of motor vehicles in the facilities referred to in clause (i) during the calendar year immediately preceding any calendar year referred to in section 302(a), utilized motor vehicle parts produced by domestic parts manufacturers that constituted 60 percent or more of the total value of all motor vehicle parts used in such production.

(C) TRANSPLANTED VEHICLE MANUFACTURER.—The term "transplanted vehicle manufacturer" means a manufacturer of motor vehicles that is a related source and—

(i) has one or more motor vehicle manufacturing facilities located within the United States that produce motor vehicles for interstate sale or export, or both; and

(ii) with respect to its production of motor vehicles in the facilities referred to in clause (i) during the calendar year immediately preceding any calendar year referred to in section 302(a), either—

(I) did not utilize motor vehicle parts produced by domestic parts manufacturers; or

(II) utilized motor vehicle parts produced by domestic parts manufacturers that constituted less than 60 percent of the value of all motor vehicle parts used in such production.

(D) TREATMENT OF CANADIAN MOTOR VEHICLE PARTS.—The Secretary may, in applying clause (ii) of subparagraphs (B) and (C), treat motor vehicle parts that are articles of Canadian origin under the United States-Canada Free-Trade Agreement and are used in the motor vehicle production referred to in each such clause (ii) as being motor vehicle parts produced by domestic parts manufacturers, if such treatment is consistent with the purposes of this Act.

(3) RELATED SOURCES, OWNERSHIP, AND AFFILIATION.—

(A) RELATED SOURCE.—The term "related source" means—

(i) a natural person who is a citizen of Japan; and

(ii) a corporation or other legal entity, wherever located, if owned or controlled by—

(I) natural persons who are citizens of Japan, or

(II) another corporation or other legal entity that is owned or controlled by natural persons who are citizens of Japan.

(B) OWN OR CONTROL.—For purposes of this section, the term "own or control" means—

(i) in the case of a corporation, the holding of at least 50 percent (by vote or value) of the capital structure of the corporation; and

(ii) in the case of any other kind of legal entity, the holding of interests representing at least 50 percent of the capital structure of the entity.

(C) AFFILIATED.—For purposes of this section, a domestic parts manufacturer shall be considered to be affiliated with a related source if—

(i) in the case of a domestic parts manufacturer that is a corporation, a related source holds at least 2.5 percent but less than 50 percent (by vote or value) of the capital structure of the corporation; and

(ii) in the case of a domestic parts manufacturer that is any other kind of legal entity, a related source holds interests representing at least 2.5 percent, but less than 50 percent, of the capital structure of the entity.

(4) ENTERED.—The term "entered" means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(5) IMPORT AND PRODUCTION RESTRICTION IMPLEMENTATION PERIOD.—The term "import and production restriction implementation period" means all calendar years occurring—

(A) after the first year listed in section 201(b)(1) with respect to which the Secretary finds, under section 201(b)(2), that the trade deficit reduction target for that year was not met; and

(B) before calendar year 2000.

(6) INTERSTATE SALE.—The term "interstate sale" means sale or distribution in the interstate commerce of the United States.

(7) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(8) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

(9) VALUE.—The term "value" when applied to—

(A) materials and components used in production of motor vehicles parts; or

(B) motor vehicle parts used in the production of motor vehicles;

refers to the cost of such materials, components, or parts to the manufacturer of such parts or vehicles as determined for purposes of applying the Federal income tax laws (including, in the case of purchases of materials, components, and parts involving related sources, entities owned or controlled by related sources, or entities affiliated with related sources, determinations based on the application of the transfer price rules).

TITLE II—MERCHANDISE TRADE DEFICIT REDUCTION

SEC. 201. STAGED TRADE DEFICIT REDUCTION.

(a) DEFINITIONS.—For purposes of this section:

(1) The term "baseline deficit" means the average monthly merchandise trade deficit, as computed by the Secretary, of the United States with Japan during calendar year 1991.

(2) In computing merchandise trade deficits under this section, the value of bilateral trade between the United States and Japan in—

(A) crude petroleum; and

(B) nonmonetary gold;

shall not be included.

(b) TRADE DEFICIT REDUCTION TARGETS.—

(1) IN GENERAL.—The trade deficit reduction target for each of the calendar years listed below is an average monthly merchandise trade deficit of the United States with Japan during such year that does not exceed an amount that equals the applicable percentage of the baseline deficit that appears opposite such year:

"Calendar year	Applicable percentage of baseline deficit
1992	80 percent
1993	60 percent
1994	40 percent
1995	20 percent
1996	0 percent

For calendar year 1996, the 0 percent trade deficit reduction target shall be treated as having been met if the merchandise trade deficit of the United States with Japan during such year does not exceed—

(A) an amount equal to 5 percent of the value of the aggregate bilateral merchandise trade between the United States and Japan during such year; or

(B) $5,000,000,000.

(2) COMPUTATIONS.—Not later than March 1 following each calendar year listed in paragraph (1) (if such year is not within the import and production restriction implementation period), the Secretary shall compute whether the trade deficit reduction target for such year was met.

(3) ANNOUNCEMENT OF IMPORT AND PRODUCTION RESTRICTION IMPLEMENTATION PERIOD.—If the Secretary finds under paragraph (2) that the trade deficit reduction target specified under paragraph (1) for a calendar year was not met, the Secretary shall announce, by publication in the Federal Register, that the import and production restriction implementation period is in effect beginning on January 1 of the year after the year to which the finding applies.

(4) ADMINISTRATION.—If necessary for the prevention of import surging or otherwise ensuring the efficient administration of this Act, the Secretary may impose temporary quantitative import restrictions on foreign motor vehicles entered during the first 3 months of the calendar year following the year for which a computation is made under paragraph (2).

SEC. 202. REPORTS.

Within 30 days after a computation is made under section 201(b)(2) with respect to a calendar year, the Secretary shall submit to the Congress a report setting forth the bases of the computation.

SEC. 203. SENSE OF CONGRESS REGARDING ACHIEVEMENT OF MERCHANDISE TRADE DEFICIT REDUCTION TARGETS.

It is the sense of the Congress that representatives of the United States and Japanese Governments should undertake continuing discussions regarding the means and measures, to be selected by the Japanese Government, to achieve the merchandise trade deficit reduction targets required under section 201(b). During the discussions, the Trade Representative should particularly address market access priorities for United States exports to Japan.

TITLE III—IMPORT AND PRODUCTION RESTRICTIONS TO BE IMPLEMENTED IF TRADE DEFICIT REDUCTION TARGET NOT MET

SEC. 301. COMPUTATION AND IMPLEMENTATION OF IMPORT AND PRODUCTION RESTRICTIONS.

(a) COMPUTATION.—The Secretary shall, in accordance with the provisions of this title, compute the quantitative import restrictions provided for under section 302(a), and the production restrictions provided for under section 302(b), for each of calendar years 1993 through 1999, regardless of whether such year is within the import and production restriction implementation period; except that such computations are not required for calendar years 1997, 1998, and 1999 if all trade deficit reduction targets under section 201(b) for calendar years 1992 through

1996 are met. If the taking effect of the import and production restriction implementation period is announced under section 201(b)(3), the cumulative results of the computations of such restrictions for the calendar year or years preceding such taking effect shall apply for purposes of computing such restrictions for the first year within such period.

(b) IMPLEMENTATION.—The quantitative import restrictions and production restrictions computed under subsection (a) for a calendar year shall be implemented under this title with respect to that year only if that year is within the import and production restriction implementation period.

SEC. 302. RESTRICTIONS ON THE IMPORTATION INTO, AND THE PRODUCTION WITHIN, THE UNITED STATES OF CERTAIN MOTOR VEHICLES.

(a) QUANTITATIVE IMPORT RESTRICTIONS.—

(1) IN GENERAL.—The aggregate quantity of foreign motor vehicles that may be entered during each of calendar years 1993 through 1999 may not exceed—

(A) 2,300,000 (hereinafter in this section referred to as the "import share"); or

(B) such import share as it may be adjusted under paragraph (2) for that year.

(2) ADJUSTMENT OF QUANTITATIVE IMPORT RESTRICTIONS.—

(A) DEFINITION OF COMPUTATION AMOUNT.—For purposes of this paragraph and subsection (b)(2), the term "computation amount" means—

(i) with respect to calendar year 1993, 3,800,000; and

(ii) with respect to each calendar year after 1993 and before 2000, the computation amount for the immediately preceding calendar year reduced by 250,000.

(B) REDUCTION IN AGGREGATE QUANTITY OF VEHICLES PERMITTED ENTRY.—The Secretary shall reduce the import share under paragraph (1)(A) for any calendar year after 1993 by the amount, if any, by which—

(i) the total number of foreign motor vehicles entered during the immediately preceding calendar year; plus

(ii) the total number of motor vehicles that were produced in the United States by transplanted vehicle manufacturers during such immediately preceding year;

exceeds the computation amount for such immediately preceding year.

(C) INCREASE IN AGGREGATE QUANTITY OF VEHICLES PERMITTED ENTRY.—The Secretary shall increase the import share under paragraph (1)(A) (after adjustment, if any, under subparagraph (B)) for any calendar year after 1993 by the amount equal to the increase, if any, in—

(i) the aggregate quantity of United States motor vehicles that were imported into Japan during the immediately preceding calendar year; over

(ii) the aggregate quantity of United States motor vehicles that were imported into Japan during the calendar year immediately preceding the calendar year referred to in clause (i).

(D) NOTIFICATION BY SECRETARY OF ADJUSTMENTS FOR CUSTOMS PURPOSES.—The Secretary shall promptly determine and notify the Secretary of the Treasury of any adjustment under subparagraph (B) or (C), or both, for any calendar year (if such year is within the import and production restriction period) to the import share under paragraph (1)(A).

(3) CONTINGENCY ACTIONS.—With respect to any calendar year within the import and production restriction period, the Secretary may take any of the following actions after public notice if the Secretary considers that such action is necessary or appropriate to prevent, reduce, or eliminate disruption in the distribution of foreign motor vehicles entered under paragraph (1) and includes in the notice the basis for such action:

(A) The application of the quantitative limitation in effect under paragraph (1) for the calendar year on a calendar quarter or other intra-annual basis.

(B) The allocation of the quantity of foreign motor vehicles permitted to be entered during the calendar year or intra-annual period on such basis as the Secretary considers equitable, including allocation by auction or allocation among national or regional distributorships for foreign motor vehicles on the basis of the representative retail market shares in the United States of the make or makes of foreign motor vehicles handled by the respective distributorships.

(b) RESTRICTIONS AFFECTING PRODUCTION BY TRANSPLANTED VEHICLE MANUFACTURERS.—

(1) DETERMINATION THAT ANNUAL BENCHMARK IMPORT AND PRODUCTION AMOUNT REACHED.—The Secretary shall determine promptly in each calendar year after 1992 that week in such year in which—

(A) the total number of motor vehicles that are produced in the United States by all transplanted vehicle manufacturers to date during such year; plus

(B) the total number of foreign motor vehicles that are entered to date during such year;

equals the annual benchmark import and production amount for that year computed under paragraph (2). The Secretary shall require such periodic reporting by transplanted vehicle manufacturers, and shall arrange for such reporting of entry statistics by the Secretary of the Treasury, as may be necessary to carry out this paragraph.

(2) ANNUAL BENCHMARK IMPORT AND PRODUCTION AMOUNT.—The annual benchmark import and production amount applicable for purposes of paragraph (1) for each of calendar years 1993 through 1999 is the sum of—

(A) the quantitative limitation in effect under subsection (a)(1) for such calendar year; and

(B) the computation amount computed under subsection (a)(2)(A) for such year.

(3) NOTIFICATION THAT AUTHORIZED ANNUAL IMPORT AND PRODUCTION AMOUNT REACHED.—The Secretary shall immediately notify each transplanted vehicle manufacturer of the date (hereinafter in this subsection referred to as the "benchmark date") of the last day of the week in which the applicable annual benchmark import and production amount was reached.

(4) PENALTY FOR MOTOR VEHICLE PRODUCTION AFTER BENCHMARK AMOUNT REACHED.—Except as provided in paragraph (5), any transplanted vehicle manufacturer that produces, within any calendar year within the import and production restriction period, motor vehicles in manufacturing facilities within the United States in such calendar year on or after the 14th day after the benchmark date for that year shall be liable, after notice and opportunity for a hearing under section 554 of title 5, United States Code, and subject to subsection (c), to the United States for a civil penalty of not more than $25,000. Each day of a continuing violation under this paragraph constitutes a separate offense.

(5) AVOIDANCE OR MITIGATION OF PENALTY.—

(A) AVOIDANCE.—Paragraph (4) shall not apply to a transplanted vehicle manufacturer if the manufacturer can show to the satisfaction of the Secretary that the manufacturer meets the qualification under section 103(2)(B)(ii) as a domestic vehicle manufacturer with respect to its production of motor vehicles in manufacturing facilities within the United States during the calendar year concerned before the benchmark date.

(B) MITIGATION.—The Secretary may mitigate any penalty imposed under paragraph (4) with respect to a transplanted vehicle manufacturer that is not eligible for avoidance under subparagraph (A) if the manufacturer can show to the satisfaction of the Secretary that the value of motor vehicle parts produced by domestic parts manufacturers used in its production of vehicles manufactured in facilities within the United States during the calendar year concerned before the benchmark date was significantly greater than the value of such kind of parts used in its production of motor vehicles manufactured in such facilities during the preceding calendar year.

SEC. 303. ADMINISTRATION.

(a) CERTIFICATIONS BY MOTOR VEHICLE AND MOTOR VEHICLE PARTS MANUFACTURERS.—

(1) INITIAL CERTIFICATION.—

(A) IN GENERAL.—Within 180 days after the date of the enactment of this Act, each person that—

(i) has 1 or more motor vehicle manufacturing facilities within the United States shall submit to the Secretary an initial certification that such person is, for purposes of this title, either a domestic vehicle manufacturer or a transplanted vehicle manufacturer; or

(ii) has 1 or more motor vehicle parts manufacturing facilities within the United States, and considers that it qualifies as a domestic parts manufacturer under section 103(2)(A), shall submit to the Secretary an initial certification that such person is such a manufacturer.

(B) DOCUMENTATION.—Certifications submitted under subparagraph (A) shall be accompanied by such information and documentation as the Secretary may by regulation require.

(C) TREATMENT OF INITIAL CERTIFICATIONS.—The Secretary shall treat an initial certification submitted under subparagraph (A) as being valid until such time as the certification may be revoked or amended under paragraph (3).

(2) TREATMENT OF MOTOR VEHICLE MANUFACTURERS IF INITIAL CERTIFICATIONS NOT SUBMITTED.—The Secretary shall treat any person that is required to submit an initial certification under paragraph (1)(A)(i) but fails to do so as a transplanted vehicle manufacturer.

(3) REVOCATION OR AMENDMENT OF CERTIFICATIONS.—If the Secretary finds, after notice and opportunity for a hearing in accordance with section 554 of title 5, United States Code, that, on the basis of evidence provided by a manufacturer that is certified as a manufacturer under section 103(a)(2)(A), (B), or (C) (or evidence otherwise available to the Secretary) that the manufacturer—

(A) no longer qualifies for such certification; or

(B) qualifies for a different certification;

the Secretary shall either revoke or amend the certification, as appropriate.

(b) AUTHORITY TO OBTAIN INFORMATION.—

(1) IN GENERAL.—The authority granted to the Secretary under subsection (b)(1) of section 505 of the Motor Vehicle Information and Cost Saving Act (as in effect on the date of the enactment of this Act) to obtain information and data, and access thereto, that is considered advisable by the Secretary for

purposes of carrying out part V of that Act may be used by the Secretary for purposes of obtaining the information and data, and access thereto, that is necessary or appropriate to carry out this title.

(2) ENFORCEMENT.—The authority granted to the district courts of the United States under subsection (b)(2) of such section 505 to enforce compliance with action taken by the Secretary under subsection (b)(1) of such section may be used by such courts to enforce actions taken by the Secretary under paragraph (1) for purposes of carrying out this title.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall prescribe such regulations that are necessary or appropriate to carry out this title, including such regulations as may be necessary or appropriate regarding—

(A) procedures and methodologies regarding—

(i) the submission, amendment, and revocation of certifications under subsection (a),

(ii) determinations regarding the value of motor vehicle and motor vehicle part production; and

(iii) the making of findings regarding motor vehicles that should be treated as products of Japan under section 103(1)(C)(ii);

(B) the taking of contingency actions under section 302(a)(3); and

(C) constructive ownership for purposes of preventing the evasion of the provisions of this subtitle by related sources through such devices as the establishment of tiered entities, the holding of assets through multiple entities, or the holding of assets through family members.

(2) INTERIM REGULATIONS.—The Secretary shall promulgate interim regulations regarding the procedures and methodologies referred to in paragraph (1)(A) no later than 180 days after the date of the enactment of this Act.

(d) CIVIL PENALTIES.—Any person who knowingly violates any provision of this title (other than section 302(b)(4)), or any rule or regulation issued under this title, shall be liable, after notice and opportunity for a hearing in accordance with section 554, of title 5, United States Code, and subject to subsection (e), to the United States for a civil penalty of not more than $10,000. Each day of a continuing violation under this subsection shall constitute a separate offense. The Secretary may compromise, modify, or remit, with or without conditions, any penalty that is subject to imposition or that has been imposed for a violation of this subsection.

(e) PROCEDURES FOR ASSESSING, AND REVIEW OF, CIVIL PENALTIES.—

(1) NOTICE.—Before issuing an order assessing a civil penalty against any person for a violation under subsection (d) or section 302(b)(4), the Secretary shall provide to such person written notice of the proposed penalty.

(2) ASSESSMENT.—The Secretary shall promptly assess such penalty, by order, after the day of the receipt of the notice under paragraph (1) of the proposed penalty.

(3) ENFORCEMENT OF ASSESSMENT.—If the penalty has not been paid within 90 calendar days after the assessment order has been made under paragraph (2), the Secretary shall institute an action in the appropriate district court of the United States for an order affirming the assessment of the civil penalty. The court shall have authority to review de novo the law and the facts involved, and shall have jurisdiction to enter a judgment enforcing, modifying, and enforcing as so modified or setting aside in whole or in part, such assessment.

(4) RECOVERY IF ASSESSMENT NOT PAID.—If any person fails to pay an assessment of a civil penalty after the appropriate district court has entered final judgment in favor of the Secretary under paragraph (3), the Secretary shall institute an action to recover the amount of such penalty in any appropriate district court of the United States. In such action, the validity and appropriateness of such final assessment order or judgment shall not be subject to review.

SEC. 304. ANNUAL REPORTS ON IMPLEMENTATION OF TITLE.

(a) IN GENERAL.—Not later than 90 days after the close of each calendar year referred to in section 302(a), the Secretary, after coordination with the Trade Representative, shall submit to the House of Representatives and the Senate a report that addresses the following issues with respect to that year:

(1) The operation of the quantitative import restrictions and production restrictions established under section 302(a) and (b), if such year is within the import and production restriction implementation period.

(2) The results of the negotiations carried out pursuant to section 401(b) and any recommendation for modification of section 302 that the Secretary and the Trade Representative considers appropriate—

(A) in view of the results of such negotiations; or

(B) as an incentive to achieve further progress in such negotiations.

(3) The extent to which motor vehicle manufacturers that are located in the United States and Canada and that annually produce motor vehicles with domestic content value of 75 percent or more—

(A) committed the net cash flow from their motor vehicle production operations in the United States to reinvestment in, and modernization and improvement of, plant and equipment and production capability and quality, research and development, and other appropriate projects and activities aimed at improving their annual share of interstate sales and achieving excellence in manufacturing motor vehicles, such as—

(i) the use of working capital for motor vehicle operations and programs for the retraining of workers, and

(ii) actions to produce price-competitive and quality-competitive products, to control costs of production (including employment costs) and to improve productivity; and

(B) took effective actions to maintain and improve their international competitiveness. The report may not, with respect to this paragraph, reveal trade secrets or financial, competitive, or business information that could adversely affect such manufacturers.

(4) The extent to which Japan and other nations, including the European Community, subsidize motor vehicle and motor vehicle parts manufacturing firms that export to the United States, or otherwise assist such firms to be more competitive in the United States.

(b) NET CASH FLOW.—For purposes of subsection (a)(3)(A)—

(1) the term "net cash flow" means annual net (after-tax) income plus depreciation, depletion allowances, amortization, changes in reserves minus dividends and payments on short-term and long-term debts and liabilities, and such other relevant factors that are normal to the business activities of motor vehicle manufacturers; and

(2) the Secretary shall take into account, as a part of such report, the cash (generated from other than motor vehicle manufacturing operations) in excess of net cash flow that domestic vehicle manufacturers committed to their motor vehicle production operations in the United States and other economic, regulatory trade, and competitive factors that may adversely affect or limit their operations and the sale of their products in the United States and internationally.

TITLE IV—NEGOTIATIONS AND OTHER ACTIONS

SEC. 401. NEGOTIATIONS OF AGREEMENTS PROVIDING FOR MUTUALLY ADVANTAGEOUS INTERNATIONAL TRADE IN MOTOR VEHICLE PARTS AND MOTOR VEHICLES.

(a) BILATERAL NEGOTIATIONS WITH JAPAN.—Not later than 45 days after the date of the enactment of this Act, the Trade Representative shall enter into negotiations with the Government of Japan for the purpose of entering into a bilateral agreement that facilitates—

(1) a phased-in increase in the utilization by motor vehicle manufacturers that are transplanted vehicle manufacturers of motor vehicle parts produced by domestic parts manufacturers so that such parts constitute 60 percent or more of the total value of all motor vehicle parts used in the production in the United States of motor vehicles by each transplanted vehicle manufacturer; and

(2) the elimination of those aspects of the Japanese automotive distribution system that affects the access of motor vehicle parts made by domestic parts manufacturers to the Japanese market.

(b) MULTILATERAL NEGOTIATIONS.—Not later than 180 days after the date of the enactment of this Act, the Trade Representative shall enter into negotiations with representatives of the European Community, the Government of Japan, and the governments of other major motor vehicle producing countries for the purpose of entering into a multilateral agreement that rationalizes world-wide market access and production of motor vehicles and motor vehicle parts.

SEC. 402. ACTIONS UNDER UNITED STATES TRADE REMEDY LAWS WITH RESPECT TO CERTAIN UNFAIR ACTS, POLICIES, AND PRACTICES.

(a) "301" ACTION WITH RESPECT TO BARRIERS TO THE MARKET ACCESS OF UNITED STATES-PRODUCED MOTOR VEHICLE PARTS.—

(1) IN GENERAL.—On the 45th day after the date of the enactment of this Act, all acts, practices, and policies of Japan that affect the access to the Japanese market of motor vehicle parts produced by domestic parts manufacturer (including, but not limited to, the acts, policies, and practices utilized in the Japanese automotive distribution system and the relationships commonly known as "Keiretsu") shall, for purposes of title III of the Trade Act of 1974, be considered as being acts, practices, and policies of a foreign country that are unjustifiable and burden or restrict United States commerce. The Trade Representative shall immediately proceed to determine, in accordance with section 304(a)(1)(B) of such Act, what action to take under section 301(a) of such Act to obtain the elimination of such acts, practices, and policies.

(2) ADDITIONAL RESPONSE AUTHORITY.—The scope of authority for action that may be taken under section 301(a) of the Trade Act of 1974 with respect to any act, policy, or practice referred to in paragraph (1) includes an increase in the percentage set forth in section 103(2)(B)(ii) of this Act for the purposes of the qualification of Japanese sources as domestic vehicle manufacturers.

(3) NEGOTIATION AGENDA.—If the Trade Representative decides to take action referred to in section 301(c)(1)(C) with respect to an act, practice, or policy referred to in paragraph (1), the agenda for negotiations shall include, but is not limited to—

(A) guarantees for sales in the Japanese market of motor vehicle parts produced by domestic parts manufacturers in an aggregate amount equal to the percentage of such market that would be held by motor vehicle parts produced by such manufacturers in the absence of unfair Japanese acts, practices, and policies;

(B) the elimination or modification of those aspects of the Japanese automotive distribution system and Keiretsu relationships that act as barriers to the access to the Japanese market of motor vehicle parts produced by domestic parts manufacturers; and

(C) the establishment of procedures for the exchange of information between the appropriate agencies of the United States and Japanese governments that will permit the accurate assessment of the bilateral trade in motor vehicle parts, particularly with respect to the extent of the purchase of motor vehicle parts produced by domestic parts manufacturers for use by Japanese sources in the Japanese market.

(4) ADDITIONAL ESTIMATES AND CONSEQUENTIAL EFFECT.—The Trade Representative shall promptly estimate, on the basis of the best information available—

(A) the percentage share of the Japanese market for motor vehicle parts that is currently accounted for by motor vehicle parts produced by domestic parts manufacturers;

(B) the percentage share of the Japanese market for motor vehicle parts which would be accounted for by motor vehicle parts but for acts, practices, or policies of the kind referred to in subsection (a); and

(C) the dollar value of the difference between the percentage shares estimated under subparagraphs (A) and (B).

If the negotiations referred to in paragraph (3) are unsuccessful, any action subsequently taken under section 301 of the Trade Act of 1974 in response to the Japanese acts, practices, or policies involved shall be substantially equivalent in effect to the dollar value estimated under subparagraph (C).

(5) DEFINITION OF JAPANESE MARKET.—For purposes of this subsection, the term "Japanese market" means the market for motor vehicle parts (whether for original equipment or aftermarket purposes) to be used in the production or repair of motor vehicles manufactured by Japanese sources, whether in Japan or in the United States.

(b) ANTIDUMPING INVESTIGATION REGARDING JAPANESE MOTOR VEHICLE PARTS.—The Secretary shall commence an investigation under section 732(a) of the Tariff Act of 1930 to determine whether imports of motor vehicle parts that are products of Japan into the United States, or sales (or the likelihood of sales) of such parts for importation into the United States, constitute the elements for the imposition of antidumping duties under section 731 of such Act.

SEC. 403. STUDY REGARDING APPLICATION OF INTERNAL REVENUE LAWS.

Notwithstanding any other provision of law, the Secretary of the Treasury shall submit a report to the Congress by January 1, 1994, regarding the extent to which—

(1) "Keiretsu" operations within the United States by related sources are in compliance with the internal revenue laws, particularly those relating to transfer pricing; and

(2) the Internal Revenue Service is auditing such operations.

SEC. 404. CLASSIFICATION OF MOTOR VEHICLES FOR THE TRANSPORT OF GOODS.

(a) IN GENERAL.—The Additional United States Notes to chapter 87 of the Harmonized Tariff Schedule of the United States are amended by adding at the end thereof the following new note:

"3. Any motor vehicle that is—

"(a) a light truck within the meaning of section 523.5 of title 49 of the Code of Federal Regulations (as in effect on October 1, 1990); or

"(b) a light-duty truck within the meaning of such term as defined in section 86.082-2 of title 40 of the Code of Federal Regulations (as in effect July 1, 1990);

shall be classified under heading 8704.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the effective date of this Act.

Mr. DIXON. Mr. President, I am pleased today to join my colleagues in introducing the Trade Enhancement Act of 1992.

We have seen the terrible toll Japan's unfair trade policies have taken on our domestic industries. General Motors, one of America's largest companies, recently announced its plan to close over 20 plants and lay off approximately 43,000 blue-collar workers and 25,000 white-collar workers. This is directly related to Japanese trade policies. In my own State of Illinois, I have auto, auto parts, steel, and machine tool companies that have been devastated by Japanese imports.

We need to act before any more of our industries are ravaged by Japan's unfair trade practices. This bill would require Japan to reduce its trade deficit with us by 20 percent annually over 5 years until it is eliminated. If Japan does not act, imports of Japanese autos and auto parts would be restricted. Seventy-five percent—over $30 billion—of our trade deficit with Japan comes from autos and auto parts.

In addition, two unfair trade cases would be initiated against Japan on auto parts, and the administration would be required to begin multilateral negotiations with the European Community, Japan, and other major auto producing countries to rationalize worldwide market access and production.

Since 1963, the entire world has had a trade deficit with Japan. For 29 years, the United States, Germany, China, Australia, everyone has had a trade deficit with Japan. Japan's trade surplus jumped 84 percent in December from a year earlier. Clearly, it is not only America that has problems selling its products to Japan.

As a result of Japan's unfair trade policies, our 1991 estimated trade deficit with Japan will be $42 billion. That is $42 billion less that we could be spending in this country—supporting our industries—supporting our workers.

If we could eliminate all of Japan's structural barriers: restrictive distribution system, exclusionary business practices, Keiretsu relationships, regulatory disincentives, land policies, and predatory pricing practices—we would not need this bill.

If we could eliminate Japan's restrictions on foreign agricultural products, Japan's restrictions on foreign direct investment in certain industries, Japan's continued restrictions on our services industry—we would not need this bill.

Unfortunately, the numerous years we have spent in talks, including the President's recent trade mission, have not proven to be effective. Japan's commitment to purchase 20,000 United States cars and $19 billion in auto parts was small to begin with; now we hear even that small promise had disappeared. Prime Minister Kiichi Miyazawa and Toyota Chairman Eiji Toyota have stated that Japan's plan to purchase United States autos and auto parts is only a target. Their statements demonstrate that efforts to address Japanese trade barriers go nowhere and commitments mean nothing.

Worse, Japanese officials have now attempted to place the blame for our trade deficit on American workers and the quality of American products. Our industries and our workers are some of the best in the world.

The domestic auto industry, for example, has made great strides in streamlining its system, improving productivity, reducing costs, and manufacturing a reliable and energy efficient product. In addition, American workers are ranked No. 1 in productivity compared to workers in Japan, Germany, Britain, Korea, Canada, and other industrialized countries. Trying to lay the blame on American workers is not going to work.

Clearly, given the comments made by Japanese officials and executives and any lack of real results from the President's recent trip, something concrete must be done. A healthy American manufacturing base is vital to the continued strength of our economy. Given Japan's longstanding intransigence on this issue and the ruinous effect trade barriers has had on United States industry, I believe this is our best solution.

I want to add that this bill is not an excuse for American car makers to increase prices. Increasing prices would harm our consumers and ultimately harm our auto industry. This bill is intended to address Japan's unfair trade practices. This bill would give our industries the chance to compete, to produce, and to survive. I urge my colleagues to support this bill.

By Mr. DURENBERGER (for himself and Mr. JEFFORDS):

S. 2146. A bill to amend the Solid Waste Disposal Act to require that certain solid wastes be managed as hazardous wastes; to the Committee on Environment and Public Works.

SOLID WASTE DISPOSAL ACT AMENDMENTS

Mr. DURENBERGER. Mr. President, I am introducing a bill today that will solve a serious problem in the Nation's hazardous waste law that was created by a court decision delivered during the recent congressional recess.

On December 6, 1991, the Court of Appeals for the District of Columbia decided Shell Oil Company versus EPA, a case challenging various aspects of a 1980 EPA rulemaking implementing hazardous waste management requirements under the Resource Conservation and Recovery Act [RCRA].

The court in Shell Oil held that EPA improperly issued two rules, the mixture and derived-from rules, in violation of the rulemaking requirements of the Administrative Procedure Act [APA]. The APA requires that interested parties be given notice and an adequate opportunity to comment on rules promulgated by administrative agencies.

The court ordered the two rules vacated as of January 21, 1992, because it found that inclusion of the rules in EPA's 1980 final rule, was not foreshadowed by the Agency's earlier proposed rule. Therefore, because Shell Oil had not been given notice of the rules prior to their becoming final, the court held that Shell was illegally denied its opportunity to comment on the rules.

The court made it clear that it was vacating the rules on entirely procedural grounds and did not have a quarrel with their content. In fact, the court suggested that EPA immediately repromulgate the rules on an interim final basis which is allowed under the APA under extraordinary circumstances.

The mixture and derived-from rules are critically important underpinnings of EPA's hazardous waste program. Without these rules it is possible that hundreds of thousands of tons of hazardous waste could become automatically deregulated. It it the kind of extraordinary circumstance that would, even in view of the Court, justify an interim-final rule.

The mixture rule provides that if a generator mixes a hazardous and a nonhazardous waste together, the entire mixture becomes hazardous. This rule was developed to prevent hazardous waste generators from simply diluting hazardous waste to a level no longer legally hazardous under RCRA but which nevertheless remains a threat to human health and the environment.

The derived-from rule provides that residues from the treatment storage, or disposal of hazardous waste remain hazardous. For example, as a residue from the burning of hazardous waste, incinerator ash from hazardous waste incinerators is itself considered a hazardous waste because of the derived-from rule.

Since their inception, these rules have been assailed as overly inclusive. In some cases, wastes that aren't really hazardous must be managed as if they are. While, at times the rules have resulted in the regulation of nonhazardous waste as hazardous, EPA has provided a mechanism to solve that problem. Individual facility operators can apply to have their wastes delisted.

The delisting process has been criticized as too time consuming by the regulated community and unprotective by the environmental community. These criticisms have resulted in calls for changes in the delisting process as well as calls for more general relief from the allegedly overly inclusive scope of the derived from the mixture rules.

Because of this criticism, some see the Shell Oil case as an opportunity to fix the mixture and derived from rules. But most agree that during some interim period, the mixture and derived from rules should be restored to assure that hazardous waste generators don't simply dilute their waste to avoid regulation.

The court's order vacating the rules was scheduled to become effective yesterday, January 21, 1992. In its decision, the court advised EPA to repromulgate the rules on an interim emergency basis to avoid the dangers that may be posed by the automatic deregulation of many hazardous waste if the rules were to lapse.

Several Members of the Senate, the attorneys general of 25 States, the environmental community, the hazardous waste treatment industry, and many in the regulated community, most notably, the American Petroleum Institute, have also written to EPA in support of reissuance of the rules on an interim basis while new rules are reworked.

We were all hoping that EPA would announce that the rules were being repromulgated. However, on yesterday afternoon we were surprised to learn by way of a press release from the Agency that the rules would not be reissued. Instead EPA asked the court to rehear the case. There is not much likelihood that the court will reverse it previous procedural finding. In reality, EPA's request for a rehearing was simply a move to buy more time.

Apparently, there is controversy within the administration on how to proceed. It is not clear who has prevented EPA from reissuing the rules. But they were not published. When the court refuses EPA's request for a rehearing, as it surely will, the decision vacating this rule will become effective and the RCRA hazardous waste management program will be undermined to a significant degree. That would be most unfortunate.

Congress may well need to take action on an emergency basis, if the executive is unable to respond to the court's decision in a timely way. To that end I am introducing legislation that would place the mixture and derived from rules in the RCRA statute. This is not a perfect bill. It does not answer the complaint that the rules as they stand are over inclusive. It also does not resolve the question of retroactivity. What happens to the enforcement cases that were brought based on the mixture and derived from rules between 1980 and 1992.

But the bill does send a message to the administration. We in the Congress will not allow these fundamental underpinnings of the RCRA hazardous waste program be jettisoned through any failure to act.

Mr. President, I would ask that the text of the bill and several letters be printed in the RECORD along with my comments today.

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

S. 2146

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

SEC. 1. Section 1004(5) of the Solid Waste Disposal Act is amended by:

(1) inserting "(A)" after "(5)";

(2) striking "(A)" and inserting in lieu thereof "(i)";

(3) striking "(B)" and inserting in lieu thereof "(ii)"; and

(4) adding at the end thereof the following new paragraphs:

"(B) The term "hazardous waste" includes any solid waste, not specifically excluded by the Administrator pursuant to paragraph (D), that—

"(i) is a mixture of a solid waste and a hazardous waste that has been listed under 40 CFR 261 subpart D; or

"(ii) is a mixture of a solid waste and a hazardous waste that exhibits one or more of the characteristics identified under 40 CFR 261 subpart C, unless the resultant mixture no longer exhibits any such characteristic.

"(C) The term "hazardous waste" includes any solid waste, not specifically excluded by the Administrator pursuant to paragraph (D), that is a solid waste generated from the treatment, storage or disposal of a hazardous waste.

"(D) The Administrator may by rule exclude from the definition of hazardous waste specific solid wastes or categories of solid wastes that would otherwise be deemed hazardous wastes under this Act solely as the result of paragraph (C) or (D).".

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC, January 9, 1992.

Hon. WILLIAM K. REILLY,
Administrator, U.S. Environmental Protection Agency, Washington, DC.

DEAR MR. REILLY: It has come to our attention that the U.S. Court of Appeals, in the case of Shell Oil Co. v. EPA, No. 80-1532 (D.C. Cir. Dec. 6, 1991), has recently vacated the Agency's "mixture" and "derived-from" rules on the procedural grounds that the Agency failed to issue the rules in compliance with the requirements of the Administrative Procedure Act (APA).

As you know, these rules are critical to the continued operation of the Agency's hazardous waste program in a comprehensive and protective manner. As the program is currently structured, the loss of these rules could result in hundreds of thousands of tons

of hazardous waste falling outside of RCRA's hazardous waste regulations.

We urge you to follow the Court's suggestion to repromulgate the rules on an interim basis pursuant to the "good cause" exemption of the APA. Use of the "good cause" exemption would avoid, in the Court's own words, "the dangers that may be posed by a discontinuity in the regulation of hazardous wastes * * *."

Finally, in repromulgating the rules, we are aware that the Agency has been under some pressure to include a "sunset" provision in the interim rule. Given the complexity and seriousness of the issues involved in this case, we are concerned that inclusion of such a provision may prematurely force the Agency to make critical decisions about the future of RCRA's hazardous waste program without having had sufficient time to seriousness of the issues involved in this case, we are concerned that inclusion of such a provision may prematurely force the Agency to make critical decisions about the future of RCRA's hazardous waste program without having had sufficient time to consider the impacts of these decisions.

Thank you for your consideration of our views.

Sincerely,

QUENTIN N. BURDICK.
MAX BAUCUS.
JOHN H. CHAFEE.
DAVE DURENBERGER.
JAMES M. JEFFORDS.

THE STATE OF COLORADO, DEPARTMENT OF LAW, OFFICE OF THE ATTORNEY GENERAL,
Denver, CO, December 20, 1991.

Re *Shell Oil Co.* v. *EPA*, No. 80-1532 (D.C. Cir. Dec. 6, 1991).

Hon. WILLIAM K. REILLY,
Administrator, U.S. Environmental Protection Agency, Washington, DC.

DEAR MR. REILLY: As the chief law enforcers of our respective states, we write to urge the Agency to repromulgate the mixture and derived-from rules* on an emergency basis effective immediately. If the decision of the D.C. Circuit in Shell Oil v. EPA to vacate these Resource Conservation and Recovery Act (RCRA) regulations were to become final with no alternative rule in place, we believe the resulting chaos in the national hazardous waste regulatory system will be severe.

We urge the Agency to follow the court's suggestion to repromulgate the derived-from and mixture rules on an emergency basis under the "good cause" exception of the Administrative Procedure Act, to avoid, in the court's own words, "the dangers that may be posed by a discontinuity in the regulation of hazardous wastes * * *" Slip op. at 20. It must be remembered that the court stuck down these rules on procedural grounds, and expressed no disapproval of the rules on their merits. Whatever one's views of the mixture and derived-from rules, it is clear that they have major significance in the regulatory structure that has developed over the past eleven years for the regulation of hazardous waste. We believe that it would be a major mistake simply to let these rules lapse and throw the regulatory structure into chaos rather than maintain the status quo and reserve possible adjustments to these complex rules for a later, orderly rulemaking.

Thank you for your consideration of our views.

Very truly yours,

Gale A. Norton, Attorney General of Colorado; Grant Woods, Attorney General of Arizona; Daniel E. Lungren, Attorney General of California; Richard Blumenthal, Attorney General of Connecticut; Roland W. Burris, Attorney General of Illinois; Robert T. Stephan, Attorney General of Kansas; Fred Cowan, Attorney General of Kentucky; Michael E. Carpenter, Attorney General of Maine; Scott Harshbarger, Attorney General of Massachusetts; Frank J. Kelley, Attorney General of Michigan; Hubert H. Humphrey III, Attorney General of Minnesota.

William L. Webster, Attorney General of Missouri; Frankie Sue Del Papa, Attorney General of Nevada; John P. Arnold, Attorney General of New Hampshire; Robert J. Del Tufo, Attorney General of New Jersey; Tom Udall, Attorney General of New Mexico; Lacy H. Thornburg, Attorney General of North Carolina; Lee Fisher, Attorney General of Ohio; Dave Frohnmayer, Attorney General of Oregon; Ernest D. Preate, Jr., Attorney General of Pennsylvania; Mark Barnett, Attorney General of South Dakota; Charles W. Burson, Attorney General of Tennessee; Ken Eikenberry, Attorney General of Washington; James E. Doyle, Attorney General of Wisconsin; Mary Sue Terry, Attorney General of Virginia.

DECEMBER 18, 1991.

WILLIAM K. REILLY,
Administrator, Environmental Protection Agency, Washington, DC.

DEAR MR. REILLY: We are writing to urge, in the strongest possible terms, that the Environmental Protection Agency take immediate steps to ensure that the recent decision in Shell Oil v. EPA not be allowed to disrupt the orderly implementation of the nation's hazardous waste regulatory program under the Resource Conservation and Recovery Act (RCRA). As you know, the Shell Oil court on December 6 vacated EPA's "mixture" and "derived from" rules for lack of notice and comment. Since their promulgation in 1980, those rules have played an integral role in the RCRA program by providing that wastes mixed with or derived from hazardous waste must be managed as hazardous (unless otherwise excluded). Numerous RCRA regulatory requirements and enforcement policies build upon these two provisions.

The Shell Oil court recognized that its decision could well disrupt RCRA implementation and enforcement. The court expressly noted EPA's option of re-promulgating the mixture and derived-from rules on an interim final basis, effective immediately, under the "good cause" exception to normal notice-and-comment procedures.

It is critical that the Agency avoid the chaos that would result from a failure to adopt this approach, or some analogous mechanism for preserving the status quo, while the Agency reviews this matter in an orderly fashion and promulgates final regulations as appropriate. The Agency's 1980 rationale for adopting the mixture and derived-from rules—namely concerns about enforceability and the potential for fraud by waste generators, as well as the significant hazard of mixed and derived-from wastes themselves—remains entirely valid. Even if the Agency eventually decides to develop alternate regulations addressing these concerns, and thus to replace the mixture and derived-from rules, that result must be accomplished through an orderly rule making process that allows full consideration of numerous technical and legal complexities, along with a host of thorny implementation issues. Full-fledged public participation in this process will be crucial.

Finally, it must be noted that the Shell Oil petitioners—and the rest of the regulated community—have been living with the mixture and derived-from rules for over a decade. Indeed, after filing the case in 1980, the petitioners allowed it to languish with no action for many years. There is clearly no equitable basis for abandoning the rules precipitously at this juncture, particularly given that the rules have been fully integrated into the RCRA program as a whole during this interval.

In sum, we believe that it would verge on the irresponsible for the Agency to fail to preserve long-established regulations that are central to one of the nation's most significant environmental programs, at least while an orderly rule making process goes forward. Recognizing the potential disruption to the RCRA program, the Shell Oil court essentially invited the Agency to preserve the status quo during that process. In the interest of both environmental protection and good government, the Agency should act now to ensure that these rules remain in effect pending further rule making.

Very truly yours,

FREDERIC D. KRUPP,
Executive Director, Environmental Defense Fund.
MICHAEL FISCHER,
Executive Director, Sierra Club.
JOHN H. ADAMS,
Executive Director, Natural Resources Defense Council.

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*The mixture rule requires a waste to be regulated as hazardous if it is a mixture of a listed hazardous waste and other material. 40 CFR §261.3(a)(2) (iii) and (iv). The derived-from rule requires a waste to be regulated as a hazardous waste if it was "generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust, or leachate." 40 CFR §261.3(c)(2)(i).

By Mr. DECONCINI (for himself and Mr. MCCAIN):

S. 2147. A bill to expand the boundaries of the Saguaro National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

SAGUARO NATIONAL MONUMENT PROTECTION ACT

• Mr. DECONCINI. Mr. President, today I am introducing along with my colleague, Senator MCCAIN, the Saguaro National Monument Protection Act of 1992. We are joined in this endeavor by the newest member of the Arizona delegation, Congressman ED PASTOR, who will also be introducing identical legislation in the House of Representatives. These bills will give the Park Service the capabilities and resources to protect the Tucson Mountain unit of the Saguaro National Monument by authorizing the expansion of the boundaries to include an adjacent 160-acre parcel of land administered by the Bureau of Land Management.

Mr. President, the Saguaro National Monument is situated in Pima County, AZ. It is comprised of two management units, the Tucson Mountain District

and the Rincon Mountain District. These units are separated by the city of Tucson. The Saguaro National Monument uniquely offers a wilderness experience in an urban setting.

In order to fully appreciate the values that will be protected by this legislation, one can look to what President Kennedy said as he established the Tucson Mountain unit in 1961:

It is in the public interest to add to the Saguaro National Monument the Tucson Mountain Park which contains a remarkable display of relatively undisturbed lower Sonoran desert vegetation, including a saguaro stand which equals or surpasses saguaro stands elsewhere in the world.

Those that have seen this area can understand and appreciate what President Kennedy was talking about and can be thankful for his foresight.

However, development pressures on the boundary of the west unit are adversely impacting the natural resource values mentioned by President Kennedy. The Tucson Mountain unit is located in a fragile, and biologically sensitive ecosystem which is being threatened by encroaching development pressures from the neighboring Tucson metropolitan area as well as other activities on land immediately adjacent to the park boundaries.

Mr. President, in response to these threats facing the Tucson Mountain unit, I was successful in having $100,000 included in the fiscal year 1992 Interior appropriations bill. This funding will enable the Park Service to undertake a comprehensive boundary study to identify which lands will be appropriate for possible inclusion into the monument. The inclusion of these parcels within the monument boundary will provide a buffer to protect the aforementioned resources of the Tucson Mountain unit. It is estimated that this study is expected to take 18 months to complete.

The question may be asked, "why introduce a bill that will expand the boundaries to include only the 160-acre parcel of land administered by the Bureau of Land Management? Also, why do it prior to the completion of the boundary expansion study?" The answer lies in the fact that a proposal was recently submitted to the BLM to reopen a gold mine on this parcel before the Park Service had an opportunity to consider it as part of the boundary expansion study. If the BLM would have approved this proposal, there would have been an operating mine on the boundary of the Saguaro National Monument. Also, the possibility of this parcel ever being included in the monument could have been precluded. I think that it is safe to say that either of these situations are less than desirable for the protection of the monument.

Responding to the urgency of this situation, Congressman PASTOR and I wrote to the BLM on December 23 expressing our concerns about the adverse consequences that would result if the BLM would approve the proposal to reopen Old Yuma mine. Also, we stated our intentions to introduce the Saguaro National Monument Protection Act of 1992, which will expand the boundaries of the Monument to include the parcel of BLM land containing the Old Yuma mine site. Fortunately, in a demonstration of real leadership, the BLM denied the proposal to reopen Old Yuma mine.

Notwithstanding the BLM's recent actions to reject the proposal to open Old Yuma mine, I still feel compelled to move forward with this legislation. The introduction of this legislation combined with the action taken in the fiscal year 1992 Interior appropriations bill, will demonstrate a real commitment on the part of Congress to protect the Tucson Mountain unit of the Saguaro National Monument.

In closing, I want to say that I look forward to working with the Park Service as they proceed with the boundary expansion study so that when it is completed, we can incorporate their results into the Saguaro National Monument Protection Act of 1992. By doing this, we will ensure that future generations will continue to enjoy and appreciate the resources of this truly outstanding Park Service unit.

Mr. President, I ask that an article written by Keith Bagwell which appeared in the Arizona Daily Star on December 15 and the bill be printed in the RECORD.

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

S. 2147

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 "Saguaro National Monument Protection Act of 1992".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Tucson Mountain Unit of the Saguaro National Monument continues to be exposed to threats to the integrity of the natural resources, scenic beauty, and natural processes upon which its establishment was based in 1961;

(2) these threats also impede opportunities for public enjoyment, education, and safety within the monument in general, as well as opportunities for natural solitude within the wilderness area of the monument as designated by Congress in 1976;

(3) these threats are, in large part, due to land use and development practices on private, State, local, and other Federal lands immediately adjacent to the monument boundaries; and

(4) the monument boundaries in effect on the day before the date of enactment of this Act are no longer appropriate within the context of the continuing residential and commercial growth of the greater metropolitan area of Tucson, Arizona.

(b) PURPOSE.—The purpose of this Act is to authorize the addition of approximately 160 acres to the Tucson Mountain Unit of the Saguaro National Monument in order to protect, preserve, and interpret the monument's resources, and to provide for the education and benefit of the public.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) EXPANSION AREA.—The term "expansion area" means the approximately 160 acres added to the monument by this Act.

(2) MONUMENT.—The term "monument" means the Saguaro National Monument.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 4. EXPANSION OF MONUMENT BOUNDARIES.

(a) IN GENERAL.—The monument boundaries are revised to include the approximately 160 acres of lands and interests in lands as generally contained within Township 13 South, Range 12 East, Southeast ¼ of Section 9 of the Gila and Salt Rivers Meridian.

(b) ACQUISITION OF LANDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire lands and interests in lands within the monument boundaries by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency.

(2) EXCEPTION.—Lands and interests in lands owned by the State of Arizona or any political subdivision of the State may be acquired only by donation or exchange.

(c) ADMINISTRATION.—Lands and interests in lands acquired pursuant to this Act shall be administered as part of the monument and shall be subject to laws applicable to the monument.

(d) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the expansion area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

(e) AMENDMENT TO THE GENERAL MANAGEMENT PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review, and if necessary amend, the monument's general plan with respect to the use and management of the expansion area.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

[From the Arizona Daily Star, Dec. 15, 1991]

BLASTING, TRESPASSING COMPLAINTS MADE

(By Keith Bagwell)

A local man's effort to reopen the old Yuma Mine in the Tucson Mountains is angering neighbors and worrying the National Park Service.

Irate neighbors include a Roman Catholic-operated religious retreat, the president of the country's largest gold-mining company, horseback enthusiasts, a homebuilder and members of the area neighborhood association.

Hundreds of people either live near the mine, stay at the Picture Rocks Retreat, or hike and ride horses through the area each year.

The gold mine is on a 160-acre Bureau of Land Management parcel that abuts Saguaro National Monument's Tucson Mountains Unit. The mine's shafts are a few yards from the monument boundary.

No one knows how much recoverable gold and other valuable minerals are locked beneath the surface of the mine, which officials say dates to the late 1800s. It hasn't been mined for decades.

Neighbors complain that Richard Bideaux's Arizona Exploring and Mining Co. is using explosives illegally in the Yuma Mine and trespassing on private land to reach it.

Bideaux cut an attempted telephone interview short. "I really have no comment to make on the matter," he said.

Neighbors say the Federal Bureau of Land Management should not allow mining at all in a residential area so near the monument.

And the monument's superintendent, Bill Palek, has a list of concerns about the company's mining plan.

The BLM parcel is among other public and private lands adjacent to the monument that the Park Service is about to study for possible expansion, he said.

"Congress approved $100,000 this year for a boundary study of the Tucson Mountain District," Palek said. His office hopes to get the one-year to 18-month study under way by February, he said.

"This is one of three BLM parcels that abut the monument, and we've asked the agency to hold them for our study," he said.

But BLM officials said Congress' 1872 Mining Law ties their hands.

"The mining claimant has filed a mining plan of operations," said Ray Brady, BLM's Safford District manager, "We have to take it through the regulatory procedures . . . and approve it."

He added: "People always are arguing about the 1872 Mining Law, but we have to operate under it."

Neighbors say someone has been setting off dynamite charges at the mine, which federal law does not allow unless a mine claimant has a BLM-approved plan of operations.

The Rev. Bill Kohler, director of the Picture Rocks Retreat a mile north of the mine site, said Thursday, "Last weekend was really bad. All day Saturday and into Sunday night, there was blasting at the mine.

"The doors were shaking and the windows were rattling—it reminded me of the 1987 Los Angeles earthquake. I was there at the time."

Kohler said the retreat was established 27 years ago to offer "hospitality and peace" to people of any denomination. "Last weekend wasn't peaceful," he said.

Helen Wilson, president of the Tucson Mountains Association, said, "We've been hearing the blasting periodically for more than a year. For the last month, we've been hearing blasts almost every day."

Diane Gullette, co-owner of Desert High Country Stables Inc., 6501 W. Ina Road, said, "The blasting could spook a horse, and the rider could be hurt."

Gullette said the stable boards 16 horses and rents its own to customers for rides in the area, including Cactus Canyon in the southern part of the BLM parcel.

"And there are several other guest ranches and stables out here," she said.

Mark Schwab, a geologist in BLM's Phoenix office who is handling the pending plan of operations for the Yuma Mine, said any blasting at the site is illegal.

"To go beyond casual use of the site, a claimant must have an approved plan of operations or acknowledged notice from us," he said. "Explosions are not casual use."

Schwab said the BLM has not given Arizona Exploring and Mining permission to use explosives and will not approve the Yuma Mine plan of operations until Jan. 13.

Brady said the 1872 Mining Law does not allow the BLM, or any other agency, to deny a plan of operations. "Claimants have a right to extract minerals," he said. "We only can ensure that they are complying with environmental regulations."

Don Ducote, the BLM's Tucson Field Office supervisor, said last week: "We've heard that blasting is going on. If we know who and where they are, we can catch them. But we have a lot of land to manage and we can't be everywhere."

Ducote said officials will inspect the mine area and meet with the mining claimant "to determine, if necessary, if he is responsible for any blasting."

Privately owned land is on three sides of the BLM mine parcel, and the monument is on the other.

Several area landowners complained that men regularly trespass across their land and their neighbors' land to work at the mine.

One of the landowners is T. Peter Philip, a Denver resident who owns 20 acres next to the BLM land, where he plans to have a home built. Philip is president of Newmont Mining Corp., the nation's largest gold-mining company.

"My property is most affected," he said in a telephone interview Wednesday. "They have been cutting my locks, removing my signposts and trampling vegetation.

"I'm certainly not against mining, but it should not be in such a sensitive area, right next to Saguaro National Monument, and not be done irresponsibly," he said. "That gives the industry a bad name."

Arizona Exploring and Mining's plan of operations calls for grading a road across the south side of the BLM parcel to private land on the west.

Wolfswinkel Group, a homebuilding company, owns the private land.

Jay Ellingson, president of the Chandler-based company, said, "Someone's been taking down our gate for several months. They have no permission to do so."

Ellingson said he has sent several letters to Arizona Exploring and Mining without getting results.

"We're not interested in a mine operating in the area," he said. "We want, at some point, to develop our property."

Brady said the BLM has no authority to consider issues involving access to mining claims.

"We only ensure that activities do not cause undue or unnecessary damage (to the environment)," he said.

Law enforcement agencies deal with trespassers, he said.

Sgt. Rick Kastigar, the Pima County Sheriff's department spokesman, said, "We've responded to numerous complaints of trespassing around the Yuma Mine."

He said that in response to a Nov. 25 complaint from someone in the area, a deputy arrested David P. Tribble, 47, of the 2500 block of West Curtis Road, on a misdemeanor criminal trespass charge.

Tribble, who was in a vehicle at the time, was cited and released, Kastigar said. Tribble could not be reached for comment.

Yuma Mine neighbors, in interviews and at a meeting with BLM officials Wednesday night, said their concern goes beyond the short-term.

Juanita Simpson asked if blasting would be a permanent part of an ongoing mining operation at the site. Brady said it would.

"This is a residential area and we don't want blasting in our back yards," Simpson said. "I'm astonished you would even consider allowing this."

Tanya Chliwnyj (pronounced "Klevnay"), who lives one-half mile from the mine, said, "It's well known that mining operations produce more than twice the hazardous waste than the average industry produces. We don't want that.

"And the 1872 Mining Law allows people to snatch land for free (mine claimants can buy patents giving them land ownership for a few dollars an acre) and then they can build anything on it," she said.

The BLM's Schwab said, "If a claimant can get certification that he has found any type of valuable mineral, he can apply for a patent, which makes the land private property.

"Whole towns, like Payson, have been founded on patented mining claims," he said.

Palek listed technical concerns about the plan of operations in a Nov. 7 letter to Brady. He said the plan is "not specific . . . confusing and contradictory."

Palek's letter asked for "a complete reclamation plan and bonding schedule," and for the plan to address the use of water.

Brady said the agency will require Arizona Exploring and Mining to post a $40,000 bond, submit a reclamation plan that meets BLM minimum standards and answer Palek's questions about water use.

He said the BLM will require other information from the company, some in response to citizen comments that the agency must receive by Jan. 9.

Ducote said public comments should be sent to the BLM office at 675 N. Freeman Road, Tucson, Ariz. 85748.●

By Mr. ROTH:

S. 2148. A bill to extend to the refinancing of mortgage loans certain protections of the Real Estate Settlement Procedures Act and the Truth in Lending Act; to the Committee on Banking, Housing, and Urban Affairs.

APPLICATION OF CERTAIN PROTECTIONS TO REFINANCING OF MORTGAGES

● Mr. ROTH. Mr. President, the action of the Federal Reserve to lower interest rates in the past year is a welcome respite to weary consumers and will hopefully lead us shortly to improved economic growth.

The actions of the Federal Reserve have led to a reduction in home mortgage interest rates to levels which have not been seen in 18 years. This is good news for potential homebuyers and sellers. The dramatic decline in interest rates also has the potential to benefit existing homeowners who choose to refinance their homes. A 1-percent decline in the interest rate on a $100,000 loan can mean savings of $100 a month to the homeowner. Recent reports are that existing homeowners are beginning to seek the benefit of lowered interest rates in droves, by refinancing their homes.

I therefore read the article which appeared in the Saturday, January 18, Washington Post by Mr. Kenneth Harney entitled "Step Gently Into the Crowded Waters of Mortgage Refinancing," with great interest.

I ask unanimous consent that the article be printed in the RECORD at this point.

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

[From the Washington Post, Jan. 18, 1992]

STEP GENTLY INTO THE CROWDED WATERS OF MORTGAGE REFINANCING

(By Kenneth R. Harney)

Homeowners rushing to refinance their mortgages should be on guard against little known but dangerous loopholes in the two key federal consumer protection laws that govern home loan transactions nationwide. Both the truth in lending and anti-kickback loan settlement statutes treat refinancers very differently from applicants seeking mortgages on new purchases.

The anti-kickback law doesn't even cover homeowners refinancing their loans. The net effect is to allow lenders to pay otherwise illegal referral fees to real estate agents, lawyers and others who steer clients their way.

The loophole forced federal investigators to tell consumers complaining about lender violations of the settlement law that "it simply doesn't cover you as a refinancer," said David Williamson, head of the federal enforcement unit for the statute.

The truth in lending statute loophole allows lenders to delay mandatory disclosures to refinancers until just before settlement of the loan. Under the law, mortgage lenders must provide borrowers purchasing a new home detailed "good faith estimates" about the loan terms no later than three business days after receiving a mortgage application.

The disclosures cover such important features as "points," annual percentage rate, credit fees and total finance charges over the term of the loan. Points are interest charges in advance; one point equals 1 percent of the loan amount.

But for refinancers, the truth in lending disclosures need only be provided to borrowers "prior to consummation" of the loan transaction—that is, as late as the settlement day itself.

The practical effect of this, according to consumer experts and some mortgage industry executives, is to allow unscrupulous lenders or brokers to lure refinancers to their application windows with low rate quotes and verbal estimates of credit fees at application, only to disclose higher fees in the truth-in-lending form at the settlement table.

One executive at a major national mortgage firm, who requested anonymity, said he had seen the harm the refinancing loophole can cause consumers firsthand.

In one case this month, he said, a mortgage broker had made a verbal estimate to a borrower that loan fees would total "about $1,500." The broker did not provide a written truth-in-lending disclosure estimate at application, according to the executive, "because he knew he didn't have to under federal law."

At settlement, the loan fees, including previously undisclosed items such as processing, warehousing, underwriting, tax service and flood checks, turned out to be $2,800.

Banking and consumer protection regulators at the federal level say they are uncertain how widespread such abuses currently may be.

"Refinancing really hasn't been much of an issue at all until this boom got under way [late in 1991]," said Leonard Chanin, senior attorney for the Federal Reserve Board's consumer affairs division. But the starkly different treatment afforded refinancers compared with new borrowers "certainly allows a potential for problems," according to Chanin.

The truth-in-lending act's looser coverage for refinancers underscores the need for borrowers "to ask about all fees and charges as early in the [loan] process as possible," said Carolyn Reynolds, senior attorney with the Federal Trade Commission's credit practices division.

Reynolds noted two significant provisions in the federal truth-in-lending rules that provide protections to refinancers as well as to new borrowers:

Most adjustable rate mortgage (ARM) borrowers, whether for new purchases or refinancings, must be given disclosures of the rate-change features of the loan at time of application or before paying any nonrefundable fees to the lender. These include "teaser" rate disclosures plus information about the loan's index, margin and rate ceilings.

Refinancers who are obtaining a loan from a new lender—a different company from the one providing their current mortgage—are allowed the same three-day "right of rescission" after settlement the law provides to borrowers purchasing a home. That means you can opt out of a bad deal if you do it in writing within three days—that is, assuming you knew you had such a federal legal right in the first place.

The unequal treatment of refinancers under truth-in-lending is a surprise to some borrowers, consumer advocates and mortgage companies. But the total exemption of refinancers from coverage under the anti-kickback law, the Real Estate Settlement Procedures Act, is often a shock.

Williamson, head of the procedures enforcement unit at the Department of Housing and Urban Development, said: "We cannot do a thing" to help consumers victimized by lender-kickback schemes on home refinancings.

"I'm not sure why Congress hasn't dealt" with the loophole, Williamson said. "But that's the way it is."

Under current law, said another federal official familiar with the situation, "a lender refinancing a loan can take or give money under the table, can withhold settlement cost estimates, and can even dispense with the [standard federal] settlement sheet. It makes no sense."

Mr. ROTH. Mr. President, the point of Mr. Harney's article is that two critically important Federal consumer protection laws governing real estate transactions and loan terms do not apply to refinancings.

The Real Estate Settlement Procedures Act [RESPA] was enacted by Congress in 1974, and requires lenders to furnish borrowers with concrete information on settlement costs and prohibits the payment of referral fees or other types of kickbacks in the making of a settlement service.

The Truth in Lending Act was enacted by Congress in 1968, to help consumers make informed decisions when they obtain credit and to provide consumers with full, honest, and comparable information about the cost of the loan.

Mr. President, the bill I am introducing today is meant to address this problem. It simply requires that the provisions of the Real Estate Settlement Procedures Act and the Truth in Lending Act apply to refinancings. As Mr. Harney notes, the lack of coverage of these two laws to refinancings has the potential to blindside consumers with hidden fees which can be extremely costly and detrimental to the consumer.

I know my colleagues share my concern with this oversight in these laws and hope that we can enact corrective legislation quickly to prevent abuses in the current spate of refinancings.●

By Mr. MOYNIHAN:

S. 2149. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain cooperative housing corporations, and for other purposes; to the Committee on Finance.

TAX TREATMENT OF COOPERATIVE HOUSING CORPORATIONS

● Mr. MOYNIHAN. Mr. President, I rise today to introduce legislation designed to resolve the confusion surrounding the proper tax treatment of cooperative housing corporations. The bill I introduce today is the same bill that I inserted in the CONGRESSIONAL RECORD on November 27 of last year for discussion purposes. Congressman GREEN will introduce a companion version of the bill in the House of Representatives.

Mr. President, the IRS has with mounting frequency been challenging the tax returns of housing cooperatives, particularly low- to moderate-income cooperatives, which are a principal source of affordable housing in New York and many other areas of the country. The controversy concerns the cooperatives' treatment for tax purposes of various types of income, including interest earned on reserve funds maintained to provide for major repairs, net proceeds for laundry and parking facilities in the building and the like. The question is a bit arcane, but comes down to whether section 277 of the Internal Revenue Code applies to housing cooperatives, or not. If section 277 applies, then items like interest income from reserves may be fully taxable, rather than being eligible to be offset by the cooperative's expenses, such as operating costs and depreciation. The IRS has increasingly been taking the position that section 277 applies, and the result can be substantially increased tax liabilities for cooperatives.

Section 277 was enacted in 1969 and was designed to address the problem of membership organizations such as country clubs using the gains from transactions with nonmembers to defray part of the cost of providing goods and services to members, so that members receive them below cost. If a membership organization is allowed to consolidate its operations in this way, then the taxes due on the profits from transactions with nonmembers are avoided, and the members receive goods and services below cost that they would otherwise have to purchase with after-tax dollars.

Section 277 attempts to prevent this tax abuse by requiring that transactions with members and nonmembers

be accounted for separately. Any deductions attributable to the furnishing of goods or services to members can only be taken against income from members; such deductions cannot be used against income from transactions with nonmembers.

Whether section 277 applies to a corporation operated on a cooperative basis has been a matter of some uncertainty and dispute, because there are other provisions of the Internal Revenue Code, grouped in subchapter T, which are specifically directed at cooperatives and also seek to deal with the problem of segregating member and nonmember transactions so that the latter do not cross-subsidize the former.

Which should apply to housing cooperatives, section 277 or subchapter T? How does one deal with the overlapping aspects of each? Should both apply? Even the IRS seemed to have trouble sorting this out—at least initially. The first set of proposed IRS regulations interpreting section 277, published in May 1972, included a section specifically addressed to the effect of section 277 on cooperatives subject to subchapter T, as follows: "Section 1.277-3 Interrelationship with cooperatives subject to the rules contained in subchapter T, chapter 1 of the code. [Reserved]." By citing the issue in a section heading, and then "reserving" discussion on it, the IRS suggested that there was indeed an interpretative problem to be resolved, but postponed any resolution or guidance until some future date. That resolution never came, because the proposed regulations were later withdrawn in their entirety.

The issue has been litigated and a few court decisions have held that section 277 does apply to housing cooperatives (though in one case the taxpayer had conceded the issue). Some observers have also found persuasive the fact that committee report language accompanying a Senate Finance Committee-passed bill in 1976 asserted the drafters' understanding that section 277 applied to housing cooperatives. It was not until 1990, however, that the Internal Revenue Service published an official position on the matter, holding in Revenue Ruling 90-36 that section 277 applies to housing cooperatives.

Whether Revenue Ruling 90-36 is a correct statement of existing law could of course be left to the courts to resolve. (I would note, in this regard, that in the Landmark decision less than two weeks ago, the U.S. Court of Claims held that section 277 does not apply to a cooperative subject to the provisions of subchapter T.) In my view, however, we should not await the protracted and piecemeal results of litigation. Congress should step in with affirmative legislation and settle the matter. Congress could do so more expeditiously, and with the latitude to set sound policy here. My reasons for advocating a legislative solution are twofold.

First, I believe the result of applying section 277 to housing cooperatives is bad policy. To cite one result: If section 277 applies to housing cooperatives, then any interest earned on reserves for major repairs—whether set aside in compliance with law, or required by the lender, or merely as prudent management—would be fully taxable at the top corporate rate. This result would not comport with the general Congressional policy with respect to housing cooperatives, which has been to put co-op unit owners in as near as possible the same tax position as homeowners who own their dwelling outright. For example, section 216 of the Internal Revenue Code allows co-op unit owners to deduct on their individual tax returns their proportionate share of the building's mortgage interest and real estate taxes.

It should not be surprising that section 277 produces odd results when applied to housing cooperatives because such cooperatives were not, I think it is fair to say, the principal focus of Congress when section 277 was enacted—if indeed housing co-ops were considered at all. Nor, for that matter, were housing cooperatives the principal focus when Congress enacted the provisions of subchapter T governing the taxation of cooperative organizations generally. I believe we need Tax Code provisions tailored to the particular circumstances of housing cooperatives, so that the policies applied are deliberate, not inadvertent.

The second reason I believe legislation is necessary concerns fairness to taxpayers. The language of section 277 and its legislative history are far from clear concerning housing cooperatives. As suggested earlier, the IRS's implementation of section 277 with respect to housing cooperatives has itself been a cause of uncertainty about the law. More recently, the IRS has stepped up auditing of housing cooperatives and, despite the uncertainty surrounding section 277 and the lack of official guidance until 1990, is asserting substantial liabilities for back taxes, interest and penalties. The cooperatives are resisting. Many of the cooperatives being challenged by the IRS provide low- and moderate-income housing, and are a significant contributor to the region's stock of affordable housing. I do not believe that it is in the best interests of the Government or the housing cooperatives to settle the section 277 question through protracted and expensive litigation. Nor is it fair to subject co-op residents, who must bear the cost of any adverse judgment, to the uncertainty and financial risk of this course of action. Moreover, due to turnover, co-op residents who are required to pay off a judgment may not have owned units in the cooperative during the periods when the taxes were incurred. There is also a risk that many of the low- and moderate-income cooperatives—which maintain their affordability by organizing as "limited equity" cooperatives whose tenants agree to substantial restrictions on the resale prices of their units—will be forced to convert to "market rate" cooperatives in order to garner the funds to pay off an adverse tax judgment.

For all of these reasons, I am today introducing legislation designed to settle the matter once and for all—by setting aside section 277, and establishing a set of rules for housing cooperative taxation—under subchapter T of the Internal Revenue Code—that are clear, certain, and fair. These clarifications of the general subchapter T rules for cooperatives are crafted specifically for housing cooperatives, both to insure clarity and to prevent abuses.

The bill that I introduce today would first clarify that section 277 is not intended to apply to a cooperative housing corporation—as defined in section 216 of the Internal Revenue Code. Instead, the provisions of subchapter T of the Internal Revenue Code will provide the rules for determining the appropriate taxation of certain types of income not directly received from tenant-shareholders. The legislation also clarifies and tightens the subchapter T rules, insofar as they apply to housing cooperatives, to make clear that there can be no set-off of losses related to the provision of housing against unrelated income.

The bill provides new rules under subchapter T, applicable to housing cooperatives, that deem the following to be patronage income—and therefore eligible for offset by losses related to the provision of housing: (1) Interest on reasonable reserves, and (2) income from laundry and parking facilities to the extent attributable to use of the facilities by tenant-stockholders and their guests.

In addition, there is a special rule for "limited equity" housing cooperatives, which, generally speaking, are housing cooperatives which restrict the price at which a tenant-stockholder can resell his or her unit, in order to maintain the co-op unit prices at levels affordable to low- and moderate-income purchasers. The special rule for limited equity housing cooperatives permits rents received from commercial and professional tenants of the co-op building to be treated as patronage income.

Finally, the bill is not intended to affect in any way the tax treatment of any corporation operating on a cooperative basis which is not a housing cooperative. If modifications are necessary to make sure this intent is effectuated, such modifications will be made.

Mr. President, I ask unanimous consent that the text of the legislation appear in the RECORD.

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

S. 2149

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

SECTION 1. SECTION 277 NOT TO APPLY TO COOPERATIVE HOUSING CORPORATIONS.

Section 277(b) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by striking "or" at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting a comma and "or", and by adding at the end thereof the following new paragraph:

"(5) which for the taxable year is a cooperative housing corporation described in section 216(b)(1) (determined without regard to section 143(k)(9)(E)).

SEC. 2. APPLICATION OF RULES RELATING TO TAX TREATMENT OF COOPERATIVES TO COOPERATIVE HOUSING CORPORATIONS.

(a) NONPATRONAGE EARNINGS OF COOPERATIVE HOUSING CORPORATIONS MAY NOT BE OFFSET BY PATRONAGE LOSSES.—Section 1388(j) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

"(4) PATRONAGE LOSSES MAY NOT OFFSET NONPATRONAGE EARNINGS.—In no event shall any patronage losses of an organization described in section 277(b)(5) be used to offset earnings which are not patronage earnings."

(b) PATRONAGE EARNINGS AND LOSSES OF COOPERATIVE HOUSING CORPORATIONS.—Section 1388(j)(5) of such Code (as redesignated by subsection (a)) is amended to read as follows:

"(5) PATRONAGE EARNINGS OR LOSSES DEFINED.—For purposes of this subsection—

"(A) IN GENERAL.—The terms 'patronage earnings' and 'patronage losses' mean earnings and losses, respectively, which are derived from business done with or for patrons of the organization.

"(B) SPECIAL RULES FOR COOPERATIVE HOUSING CORPORATION.—In the case of a cooperative housing corporation, the following earnings shall be treated as patronage earnings:

"(i) Interest on reasonable reserves established in connection with the corporation, including reserves required by a governmental agency or lender.

"(ii) Income from laundry and parking facilities to the extent attributable to use of the facilities by tenant-stockholders and their guests.

"(iii) In the case of a limited equity cooperative housing corporation, rental income from other than tenant-stockholders to the extent attributable to any housing project operated by the corporation.

"(C) DEFINITIONS.—For purposes of subparagraph (B)—

"(i) COOPERATIVE HOUSING CORPORATION.—The term 'cooperative housing corporation' has the meaning given such term by section 216(b)(1) (without regard to section 143(k)(9)(E)).

"(ii) LIMITED EQUITY COOPERATIVE HOUSING CORPORATION.—The term 'limited equity cooperative housing corporation' means a cooperative housing corporation with respect to which the requirements of clause (i) of section 143(k)(9)(D) are met at all times during the taxable year.

"(iii) TENANT-STOCKHOLDER.—The term 'tenant-stockholder' has the meaning given such term by section 216(b)(2)."

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall apply to taxable years beginning after the date of the enactment of this Act.

(b) ELECTION TO HAVE AMENDMENTS APPLY RETROACTIVELY.—Any corporation may elect to have the amendments made by this Act apply to any taxable year, whether beginning before, on, or after the date of the enactment of this Act, to which such amendments do not otherwise apply if the corporation was a cooperative housing corporation during such taxable year.

(c) NO INFERENCE.—Nothing in the provisions of this Act shall be construed as a change in the treatment of income derived by any cooperative housing corporation or any corporation operating on a cooperative basis under section 1381 of the Internal Revenue Code of 1986, and the treatment of such income for any year to which the amendments made by this act does not apply shall be made as if this Act has not been enacted.•

By Mr. LEVIN (for himself and Mr. RIEGLE):

S. 2150. A bill to extend the time for payment of additional FUTA taxes by taxpayers in certain credit reduction States; to the Committee on Finance.

EXTENSION OF TIME FOR PAYMENT OF FUTA TAXES

• Mr. LEVIN. Mr. President, in the past couple of weeks, employers in Michigan received an unwelcomed New Year's message from the Internal Revenue Service. They were told that they owed an additional $56 in Federal unemployment—FUTA taxes per employee. For an employer with 100 employees, for example, this would be an additional payment of almost $6,000. But even more burdensome than the amount is the requirement that the employer pay this additional tax by January 31, 1992. So, employers in Michigan, where the unemployment rate is already 9.3 percent, were given one more economic pressure and little time to deal with it. Clearly, this is not the way to start off a happy new year.

Today, I am introducing legislation to extend the deadline for payment of this additional tax until June 30, 1992, for any employers who received notice on or after December 1, 1991 either from their State unemployment agency or the Internal Revenue Service that they owe additional FUTA taxes for 1991. Although this legislation would prevent employers from being assessed penalties for missing the January 31 deadline, they would still be required to pay interest on the amount of the delayed payment.

The late notice of taxes due came about because the State of Michigan had planned to pay back the 1991 installment of its outstanding loan from the Federal unemployment account out of a surplus in the Michigan Unemployment Trust Fund. However, because the recession has been longer and deeper than originally assumed, an adequate surplus in the Michigan Unemployment Trust Fund did not materialize. Therefore, under the law, it is up to the employers in Michigan to pay back the 1991 installment of the loan to the Federal unemployment account. The result is the $56 per employee FUTA surcharge for 1991.

The legislation I am introducing will not reduce the amount of the payback to the Federal unemployment account in fiscal year 1992. The money would be paid back within the same fiscal year and with interest. But, it recognizes the reality that for many employers the payment of this tax with only about 1 month's notice is an untimely or unreasonable burden. The last thing that the economy of Michigan needs right now is for employers to lay people off in order to come up with the money necessary to pay the IRS.

The parliamentary situation presents a practical problem for this legislative initiative. It is probably not possible to have it enacted prior to the time that the additional FUTA taxes are due. My goal is to work for the enactment of this legislation on an urgent basis so that if it passes it will be a safety net for those employers for whom the payment of the tax by that time is impossible.

I ask unanimous consent that a copy of this legislation be printed in the RECORD following my remarks.

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

S. 2150

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

SECTION 1. EXTENSION OF TIME FOR PAYMENT OF ADDITIONAL FUTA TAXES.

(a) IN GENERAL.—Notwithstanding any other provision of law, if a qualified taxpayer is required to pay additional taxes for taxable years beginning in 1991 with respect to any employment in any State by reason of such State being declared a credit reduction State, such taxpayer may elect to defer the filing and payment of such additional taxes to a date no later than June 30, 1992.

(b) INTEREST.—Notwithstanding subsection (a), for purposes of section 6601(a) of the Internal Revenue Code of 1986, the last date prescribed for payment of any additional taxes for which an election is made under subsection (a) shall be January 31, 1992.

(c) DEFINITIONS.—For purposes of this section—

(1) QUALIFIED TAXPAYER.—The term "qualified taxpayer" means a taxpayer—

(A) in a State which has been declared a credit reduction State for taxable years beginning in 1991, and

(B) who did not receive notice of such credit reduction before December 1, 1991 from either the State unemployment agency or the Internal Revenue Service.

(2) CREDIT REDUCTION STATE.—The term "credit reduction State" means a State which has been declared a credit reduction State for taxable years beginning in 1991 by the Internal Revenue Service pursuant to the provisions of section 3302 of the Internal Revenue Code of 1986.

(d) TIME AND MANNER FOR MAKING ELECTION.—An election under this section shall be made at such time and in such manner as the Secretary of the Treasury shall prescribe.•

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. BIDEN, the name of the Senator from Pennsylva-

nia [Mr. SPECTER] was added as a cosponsor of S. 15, a bill to combat violence and crimes against women on the streets and in homes.

S. 55

At the request of Mr. METZENBAUM, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 55, a bill to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes.

S. 140

At the request of Mr. WIRTH, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 140, a bill to increase Federal payments in lieu of taxes to units of general local government, and for other purposes.

S. 846

At the request of Mr. PRYOR, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 846, a bill to amend title XIX of the Social Security Act to establish Federal standards for long-term care insurance policies.

S. 1261

At the request of Mr. DOLE, the names of the Senator from Wyoming [Mr. SIMPSON], the Senator from Nevada [Mr. REID], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of S. 1261, a bill to amend the Internal Revenue Code of 1986 to repeal the luxury excise tax.

S. 1294

At the request of Mr. FOWLER, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 1294, a bill to protect individuals engaged in a lawful hunt within a national forest, to establish an administrative civil penalty for persons who intentially obstruct, impede, or interfere with the conduct of a lawful hunt, and for other purposes.

S. 1381

At the request of Mr. GRAHAM, the name of the Senator from Washington [Mr. ADAMS] was added as a cosponsor of S. 1381, a bill to amend chapter 71 of title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with disability compensation.

S. 1627

At the request of Mr. FORD, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 1627, a bill to amend section 615 of title 38, United States Code, to require the Secretary of Veterans Affairs to permit persons who receive care at medical facilities of the Department of Veterans Affairs to have access to and to consume tobacco products.

S. 1687

At the request of Mr. MCCAIN, the names of the Senator from Illinois [Mr. SIMON] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 1687, a bill to increase the capacity of Indian tribal governments for waste management on Indian lands, and for other purposes.

S. 1736

At the request of Mr. SASSER, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 1736, a bill to amend title XVIII of the Social Security Act to provide for improved quality and cost control mechanisms to ensure the proper and prudent purchasing of durable medical equipment and supplies for which payment is made under the medicare program, and for other purposes.

S. 1755

At the request of Mr. BUMPERS, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 1755, a bill to reform the concessions policies of the National Park Service, and for other purposes.

S. 1817

At the request of Mr. GRASSLEY, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 1817, a bill to amend the Trade Act of 1974 to require the National Trade Estimate include information regarding the impact of Arab boycotts on certain U.S. businesses.

S. 1830

At the request of Mr. WOFFORD, the names of the Senator from Illinois [Mr. DIXON], the Senator from California [Mr. SEYMOUR], and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 1830, a bill to require Senators and Members of the House of Representatives to pay for medical services provided by the Office of the Attending Physician, and for other purposes.

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1830, supra.

S. 1851

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 1851, A bill to provide for a Management Corps that would provide the expertise of United States businesses to the Republics of the Soviet Union and the Baltic States.

S. 1930

At the request of Mr. GORTON, the names of the Senator from Mississippi [Mr. LOTT] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 1930, a bill to amend title 10, United States Code, to revise certain time limitations for the awarding of medals and other decorations, to revise the time limitation applicable to requests for corrections of military records, and for other purposes.

S. 1932

At the request of Mr. BUMPERS, the name of the Senator from Georgia [Mr. FOWLER] was added as a cosponsor of S. 1932, a bill to amend the Internal Revenue Code of 1986 to provide a capital gains tax differential for individual and corporate taxpayers who make high-risk, long-term, growth-oriented venture and seed capital investments in startup and other small enterprises.

S. 1950

At the request of Mr. DANFORTH, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1950, a bill to amend the Internal Revenue Code of 1986 to extend for 1 year certain expiring tax provisions.

S. 2009

At the request of Mr. PACKWOOD, the names of the Senator from South Carolina [Mr. THURMOND], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 2009, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 2018

At the request of Mr. BOND, the name of the Senator from Idaho [Mr. SYMMS] was added as a cosponsor of S. 2018, a bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to provide that a single Federal agency shall be responsible for making technical determinations with respect to wetland or converted wetland on agricultural lands.

S. 2041

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 2041, a bill to amend the Petroleum Marketing Practices Act to enhance competition, and for other purposes.

SENATE JOINT RESOLUTION 35

At the request of Mr. HOLLINGS, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of Senate Joint Resolution 35, a joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional and Presidential elections.

SENATE JOINT RESOLUTION 37

At the request of Mr. GARN, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of Senate Joint Resolution 37, a joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons.

SENATE CONCURRENT RESOLUTION 70

At the request of Mr. SANFORD, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of Senate Concurrent Resolution 70, a concurrent resolution to express the sense of the Congress with respect to the support of the United States for the protection of the African elephant.

SENATE RESOLUTION 224

At the request of Mr. DECONCINI, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Resolution 224, a resolution relative to recognition of the Yugoslav republics.

AMENDMENTS SUBMITTED

NATIONAL LITERACY ACT

BINGAMAN AMENDMENT NO. 1468

Mr. BINGAMAN proposed an amendment to the bill (S. 2) to promote the achievement of national education goals, to establish a National Council on Education Goals and an Academic Report Card, to measure progress on the goals, and to promote literacy in the United States, and for other purposes, as follows:

On page 2, in the table of contents, redesignate the item relating to section 113, as the item relating to the National Education Goals Panel.

On page 2, in the table of contents, strike the item relating to section 115.

On page 2, in the table of contents, redesignate the items relating to sections 116 through 120 as the items relating to sections 115 through 119.

On page 2, in the table of contents, before the item relating to title II, insert the following:

PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

Sec. 131. National Education Standards and Assessments Council.
Sec. 132. Annual reports.
Sec. 133. Powers of the Council.
Sec. 134. Administrative provisions.
Sec. 135. Director and staff; experts and consultants.
Sec. 136. Authorization of appropriations.

On page 13, beginning with line 13, strike all through page 20, line 14, and strike page 21 lines 7-20, and insert the following:

(a) FINDINGS.—The Congress finds that—

(1) the social well-being, economic stability, and national security of the United States depend on a strong educational system that provides all citizens with the skills necessary to become active members of a productive work force;

(2) despite the many reforms of the educational system that have been implemented since the National Council on Excellence in Education declared our Nation "at risk" in 1983, the United States remains at risk for educational underachievement;

(3) United States students currently rank far below students of many other countries in educational achievement, particularly in mathematics and the sciences;

(4) although State and local governments bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness requires that the United States increase efforts to make education a national priority;

(5) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to play that role;

(6) accurate and reliable mechanisms must be available to assess and monitor educational progress;

(7) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support the mechanisms, do not exist or must be strengthened;

(8) there should be established an independent, bipartisan panel, building on existing efforts to measure progress toward achievement of the National Education Goals;

(9) the Nation should also move forward to set national education standards and develop a voluntary system of assessments to help students and schools meet those standards;

(10) the primary purpose of developing standards and a system of assessments related to those standards is to inform instruction and improve learning;

(11) establishing voluntary national standards and assessments is an important, complex, and sensitive task and any coordinating structure for this purpose must be bipartisan, engage government at all levels, and involve the many constituencies that have an established interest in improving education;

(12) much work in the area of developing standards and assessments linked to those standards has already begun and the national effort should benefit from and not attempt to duplicate any good work being done by existing Federal and non-Federal entities;

(13) in accordance with the recommendations of the National Council on Education Standards and Testing, a coordinating structure needs to be put into place to ensure that this work is being done;

(14) this coordinating structure should maintain the Nation's tradition of State and local authority over education and therefore be a part of a cooperative national effort; and

(15) there should be established a national coordinating body to ensure the establishment of national education standards and a voluntary system of assessments.

(b) PURPOSE.—It is the purpose of this part to establish the National Education Goals Panel, to establish the National Education Standards and Assessments Council, to provide resources to develop means to measure and report on progress toward the achievement of the National Education Goals, and to advance the establishment of world class education standards and the development of a voluntary system of assessments as a catalyst for comprehensive educational reforms.

SEC. 113. NATIONAL EDUCATION GOALS PANEL.

(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Goals Panel (hereafter in this part referred to as the "Panel").

(b) COMPOSITION.—

(1) IN GENERAL.—The Panel shall be composed of 14 members (hereafter in this part referred to as "members"), including—

(A) two members appointed by the President;

(B) eight Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairman or Vice Chairman of the National Governors' Association, with each appointing those of his respective political party, in consultation with each other and in accordance with paragraph (2); and

(C) four Members of Congress appointed as follows:

(i) The Majority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(ii) The Minority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(iii) The Majority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(iv) The Minority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(2) SPECIAL APPOINTMENT RULES.—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

(i) If the Chairperson of the National Governors' Association is from the same political party as the President, then the Chairperson shall appoint 3 persons pursuant to such paragraph and the Vice Chairperson shall appoint 5 persons pursuant to such paragraph.

(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, then the Chairperson shall appoint 5 persons pursuant to such paragraph and the Vice Chairperson shall appoint 3 persons pursuant to such paragraph.

(B) If the National Governors' Association has appointed a panel that meets the requirements of this subsection prior to the date of enactment of this Act, then the members serving on such panel shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

(c) TERMS.—The terms of service of members shall be as follows:

(1) EXECUTIVE BRANCH.—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

(2) GOVERNORS.—Members appointed under paragraph (1)(B) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of the such member's terms concluding every two years.

(3) MEMBERS OF CONGRESS.—Members appointed under paragraph (1)(C) shall serve a term of four years.

(d) INITIATION.—The Panel may begin to carry out the duties of the Panel under this part when seven members of the Panel have been appointed.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of this Act.

(f) RETENTION.—In order to retain an appointment to the Panel, a member must attend at least two-thirds of the scheduled meetings of the Panel in any given year.

(g) VACANCIES.—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

(h) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the panel $2,000,000 for each of the fiscal years 1992, 1993 and 1994, and such sums as may be necessary for each succeeding fiscal year thereafter.

On page 21, line 22, strike "Council" and insert "Panel".

On page 21, beginning with line 22, strike all through page 24, line 19, and insert the following:

(a) FUNCTIONS.—

(1) IN GENERAL.—The Panel shall—

(A) propose the indicators to be used to measure the National Education Goals and

reporting progress toward their achievement, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report to the Nation;

(B) select interim and final measures and appropriate measurement tools to be developed as necessary in each goal area;

(C) report on the Federal actions to fulfill its responsibilities to education, including funding the Federal financial role, providing more flexibility and controlling mandates that limit the States' ability to fund education;

(D) issue a report to the President, the Congress, the Governors, and the Nation annually on progress toward the National Education Goals;

(E) assure, through requirements for State reports, that student performance is reported in the context of other relevant information about student, school and system performance;

(F) identify gaps in existing educational data, make recommendations for improvements in the methods and procedures for assessments that would be appropriate to assessing progress toward the National Education Goals, propose changes in national and international measurement systems as appropriate and make recommendations to the President, the Congress, and the Governors for needed improvements;

(G) appoint members to the National Education Standards and Assessments Council; and

(H) in accordance with paragraph (2), issue certification of content and student performance standards and the criteria for assessments as world-class following submission of such certification by the National Education Standards and Assessments Council.

(2) SPECIAL RULE.—In the event the Panel denies certification to all or part of a certification of the National Education Standards and Assessments Council, all or part of a certification shall be returned to such Council with detailed written explanations for the denial.

(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

On page 24, line 20, strike "Council" and insert "Panel".

On page 25, strike lines 1 through 11.

On page 25, line 12, strike "116" and insert "115".

On page 25, line 13, strike all beginning with "Not" through "the Council" on line 15, and insert "The Panel".

On page 25, lines 21 and 22, strike "Council" each place such term appears and insert "Panel".

On page 25, strike lines 25 and 26.

On page 26, line 1, strike "(B)" and insert "(A)".

On page 26, line 2, strike "(C)" and insert "(B)".

On page 26, line 11, strike "Council" and insert "Panel".

On page 26, line 13, strike "Council" and insert "Panel".

On page 26, line 17, strike "117" and insert "116".

On page 26, line 17, strike "Council" and insert "Panel".

On page 26, line 19, strike "Council" and insert "Panel".

On page 26, line 22, strike "Council" and insert "Panel".

On page 26, line 25, strike "Council" and insert "Panel".

On page 27, line 3, strike "public on—" and insert "public regarding the Panel's functions described in section 114(a).".

On page 27, strike lines 4 through 13.

On page 27, line 14, strike "Council" and insert "Panel".

On page 27, line 16, strike "Council" and insert "Panel".

On page 27, line 17, strike "Council" and insert "Panel".

On page 27, line 19, strike "Council" and insert "Panel".

On page 27, beginning with line 21, strike all through page 28, line 9, and insert the following:

(c) GIFTS.—The Panel may accept, use, and dispose of gifts or donations of services or property.

On page 28, line 10, strike "Council" and insert "Panel".

On page 28, line 15, strike "Council" and insert "Panel".

On page 28, line 17, strike "Council" and insert "Panel".

On page 28, line 18, strike "118" and insert "117".

On page 28, line 19, strike "Council" and insert "Panel".

On page 28, line 21, strike "Council" and insert "Panel".

On page 28, line 22, strike "Eleven" and insert "A majority of the".

On page 28, line 24, strike all beginning with "The Council" through "Council." on page 29, line 1.

On page 29, strike lines 4 through 9.

On page 29, line 10, strike "119" and insert "118".

On page 29, line 12, strike "Council" and insert "Panel".

On page 29, line 20, insert "of the Panel" before "may".

On page 29, line 23, strike "Council" and insert "Panel".

On page 30, line 2, strike "Council" and insert "Panel".

On page 30, line 5, strike "Council" and insert "Panel".

On page 30, line 9, strike "Council" and insert "Panel".

On page 30, line 12, strike "Council" each place such term appears and insert "Panel".

On page 30, line 13, strike "120" and insert "119".

On page 30, between lines 17 and 18, insert the following:

PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

SEC. 131. NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL.

(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Standards and Assessments Council (referred to in this part as the "Council").

(b) APPOINTMENT AND COMPOSITION.—

(1) APPOINTMENT.—The Council shall be composed of 21 members (hereafter in this part referred to as "members") appointed by the National Education Goals Panel described in section 113 (hereafter in this part referred to as the "Panel").

(2) COMPOSITION.—The Council shall be composed of—

(A) seven public officials;

(B) seven educators; and

(C) seven members of the general public.

(3) TIME.—The members of the Council described in paragraph (2) shall be appointed within 120 days after the date of enactment of this Act.

(c) QUALIFICATIONS.—

(1) IN GENERAL.—Members shall be appointed to the Council on the basis of widely recognized experience in, knowledge of, commitment to, and a demonstrated record of service to education and to achieving education excellence at the Federal, State or local level.

(2) NOMINATIONS.—Members under this subsection shall be appointed from among qualified individuals nominated by the public.

(d) TERMS.—

(1) IN GENERAL.—The members shall be appointed for three-year terms, with no member serving more than 2 consecutive terms.

(2) INITIAL SELECTION.—The Panel shall establish initial terms for individuals of two, three, or four years in order to establish a rotation in which one-third of the members are selected each year.

(A) PUBLIC OFFICIALS.—From among the members appointed under subsection (b)(2)(A), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(B) EDUCATORS.—From among the members appointed under subsection (b)(2)(B), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(C) GENERAL PUBLIC.—From among the members appointed under subsection (b)(2)(C), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(3) SPECIAL PROVISION.—No member of the Panel may concurrently serve as a member of the Council.

(4) DATE OF APPOINTMENT.—The initial members shall be appointed, by the Panel, not later than 120 days after the date of enactment of this Act.

(5) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

(6) OFFICER SELECTION.—The members appointed under subsection (b)(2) shall select officers of the Council from among the members of the Council. The officers of the Council shall serve for 1-year terms.

(7) VACANCIES.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(8) TRAVEL.—Each member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(9) INITIATION.—The Council may begin to carry out the duties of the Council under this part when—

(A) all 21 members have been appointed; or

(B) 11 members have been appointed pursuant to the provisions of subsection (b).

(e) FUNCTIONS OF THE COUNCIL.—The Council shall—

(1) be a coordinating body to ensure the establishment of national education standards;

(2) serve as a coordinating body to encourage a voluntary system of assessments for individual students consistent with the national standards;

(3) develop criteria for world-class content and student performance standards and establish guidelines for standard setting and assessment development;

(4) establish guidelines for assessments which ensure technical merit through determining that assessments are specifically valid, reliable, fair and cost effective for any purpose for which the assessments may be used;

(5) establish procedures and criteria for ensuring that, to the extent possible and with-

out sacrificing the validity, reliability, directors and fairness of the assessments, assessments are comparable to each other; and

(6) issue certification of content and student performance standards and criteria for assessments as world-class, and transmit such certification to the Panel for the Panel's certification.

(f) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Council shall work with Federal and non-Federal agencies and organizations which are conducting research, studies or demonstration projects to determine world-class education standards and assessments based on such standards.

(g) DATA COLLECTION.—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to carry out its functions.

SEC. 132. ANNUAL REPORTS.

Not later than 1 year after the date the Council concludes its first meeting of members and in each succeeding year, the Council shall prepare and submit to the President, the appropriate committees of Congress, and the Governor of each State a report on its work.

SEC. 133. POWERS OF THE COUNCIL.

(a) HEARINGS.—

(1) IN GENERAL.—The Council shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) CONDUCT.—In carrying out this part, the Council shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of national education standards and assessments.

(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(d) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary shall provide to the Council, on a reimbursable basis, administrative support services as the Council may request.

SEC. 134. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a ⅔ majority vote of the total membership of the council, assuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

SEC. 135. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF STAFF.—The Chairperson may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Council may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Council shall not exceed the rate of basic pay payable for GS–15 of the General Schedule.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist the Council in its duties under this title.

SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Council $2,000,000 for each of the fiscal years 1992, 1993 and 1994 and such sums as may be necessary for each succeeding fiscal year thereafter.

On page 58, in the matter following line 7, insert ", to develop national education standards and voluntary assessments in accordance with such standards" after "toward such goals".

KENNEDY AMENDMENT NO. 1469

Mr. BINGAMAN (for Mr. KENNEDY) proposed an amendment to the bill S. 2, supra, as follows:

On page 34, line 11, strike "and" the second place such term appears.

On page 34, between lines 11 and 12, insert the following:

(iii) the establishment of new public schools, such as Essential Schools, Accelerated Schools, New American Schools, charter schools, ComerSchools, and Schools of the 21st Century in accordance with subparagraph (C); and

On page 34, line 12, strike "(iii)" and insert "(iv)".

On page 34, between lines 15 and 16, insert the following:

(C) SPECIAL REQUIREMENT.—A new public school established under subparagraph (B)(iii) shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not be affiliated with a nonpublic sectarian school or a religious institution.

On page 57, between lines 7 and 8, insert the following:

(4) the term "new public school" means a public school that—

(A) reflects the best available knowledge regarding teaching and learning for all students;

(B) uses the highest quality instructional materials and technologies;

(C) is designed to meet National Education Goals as well as the particular needs of the students and community served by such school; and

(D) is under the authority of a state educational agency or a local educational agency.

On page 57, line 8, strike "(4)" and insert "(5)".

On page 57, line 13, strike "(5)" and insert "(6)".

On page 57, line 17, strike "(6)" and insert "(7)".

On page 57, line 21, strike "(7)" and insert "(8)".

On page 57, line 23, strike "(8)" and insert "(9)".

On page 58, line 1, strike "(9)" and insert "(10)".

On page 58, line 4, strike "(10)" and insert "(11)".

FORD (AND MCCONNELL) AMENDMENT NO. 1470

Mr. BINGAMAN (for Mr. FORD, for himself and Mr. MCCONNELL) proposed an amendment to the bill S. 2, supra, as follows:

On page 42, between lines 10 and 11, insert the following:

(e) SPECIAL RULE FOR STATES WHICH ALREADY HAVE ENACTED A COMPREHENSIVE, STATEWIDE EDUCATION IMPROVEMENT PLAN.—

(1) WAIVER.—In the case of a State which has enacted a comprehensive, statewide education improvement plan, the Secretary may, in accordance with the provisions of section 206, grant such State a waiver from the requirements of section 204 and subsections (a) and (b) of section 205, and such State may use an allotment under this section in the initial and succeeding years in accordance with the provisions of section 202(c)(3).

(2) APPLICATION.—Each State desiring a waiver under this subsection shall include a request for such waiver in application submitted under section 203. Such application shall include a plan which meets the requirements of section 205(c).

COCHRAN (AND OTHERS) AMENDMENT NO. 1471

Mr. COCHRAN (for himself, Mr. SPECTER, Mr. HATFIELD, Mr. SEYMOUR, Mr. DURENBERGER, Mr. STEVENS Mr. DOMENICI, and Mr. COHEN) proposed an amendment to the bill S. 2, supra, as follows:

On page 2, immediately after the item relating to section 212, insert the following:

TITLE III—NEW AMERICAN SCHOOLS
Sec. 301. Findings.
Sec. 302. Purpose.
Sec. 303. Program authorized.
Sec. 304. Local applications.
Sec. 305. State applications.
Sec. 306. Selection of eligible recipients to create New American Schools.
Sec. 307. Amount of grants, operation of schools, and uses of funds.
Sec. 308. Secretary's panel of experts.
Sec. 309. National evaluation and dissemination.
Sec. 310. Insular areas.
Sec. 311. Definitions.
Sec. 312. Authorization of appropriations.

On page 2, redesignate the item relating to title III as the item relating to title IV.

On page 2, redesignate the item relating to section 301 as the item relating to section 401.

On page 56, between lines 21 and 22, insert the following:

TITLE III—NEW AMERICAN SCHOOLS

SEC. 301. FINDINGS.

The Congress finds that—

(1) many American elementary and secondary schools—

(A) are structured according to models that are outmoded and ineffective;

(B) rely on notions about pedagogy, management, technology, staffing, and other resources that may be outdated or insufficient for the challenges of the next century; and

(C) are unsuccessful at equipping many students with the knowledge and skills needed to succeed as citizens and in the workplace;

(2) new approaches to elementary and secondary education are needed, and without major reforms in elementary and secondary schools, the United States may lose its ability to compete fully and successfully in the world economy;

(3) comprehensive and long-term efforts, drawing on all members of the community, will be needed if the school-by-school educational reform necessary to achieve the National Education Goals is to be accomplished;

(4) there is an appropriate Federal role in providing seed money for the establishment of new types of schools in communities across the country; and

(5) the Nation is embarking on a major effort to support the invention of radically better forms of schooling and to establish a network of communities whose citizens are dedicated to the improvement of education.

SEC. 302. PURPOSE.

The purpose of this title is to support the creation of new schools across the United States that reflect the best thinking about teaching and learning, employ the highest-quality instructional materials and technologies, and are designed to meet the National Education Goals, as well as the particular needs of students and communities.

SEC. 303. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized to award grants to eligible recipients on behalf of communities to enable such eligible recipients to develop innovative elementary and secondary schools (hereafter in this title referred to as "New American Schools") in the communities served by such recipients.

(b) NOMINATIONS.—The Secretary shall award grants under this title on the basis of nominations received and approved under section 306.

(c) SECRETARY'S SELECTION AND APPROVAL OF GRANT RECIPIENTS.—The Secretary, with advice of the panel of experts established under section 308, shall approve applications from some or all of the eligible recipients nominated by Governors under section 306 to receive grants in accordance with this title.

(d) DISTRIBUTION OF FUNDS.—

(1) AWARD RULES.—(A) To the extent feasible, the Secretary shall, from the first $54,000,000 appropriated to carry out this title, make at least one grant within each State.

(B) The Secretary shall award any funds in excess of the funds described in paragraph (2) in such a manner that, to the extent feasible and over the period for which the program assisted under this title is authorized, the total amount of funds appropriated under this title over such period is distributed among the States on the basis of their relative populations.

(C) To the extent feasible, the Secretary shall award a grant to an eligible recipient serving a community in each congressional district by September 30, 1994.

(D) For the purpose of this section, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall be treated, collectively, as a single State and as encompassing a single congressional district.

(2) PRIORITY.—In awarding grants under this title, the Secretary shall give priority to eligible recipients serving communities with high concentrations of educationally disadvantaged children and children from low-income families.

(3) ENCOURAGEMENT.—The Secretary is encouraged to award grants to eligible recipients that will establish schools enrolling students of diverse abilities.

SEC. 304. LOCAL APPLICATIONS.

Each eligible recipient desiring to receive a grant under this title shall submit an application to the Governor at such time, in such manner, and containing such information as the Governor and the Secretary may reasonably require. Such application shall include—

(1) evidence that the community to be served by such eligible recipient has—

(A) adopted the National Education Goals;

(B) established and implemented a community-wide strategy for achieving those goals;

(C) developed a "report-card" for measuring and reporting to the public, at least once each year, the community's progress toward achievement of the goals; and

(D) demonstrated a willingness and commitment to make substantial improvements in the education of children in the community through establishment of a New American School;

(2) the community's plan for a New American School, including, as necessary, a description of the steps to be taken to obtain recognition or accreditation from the State and be fully operating by the start of school year 1996–1997; and

(3) evidence of community support for the plan, including, as appropriate, financial support to be provided from private-sector sources.

SEC. 305. STATE APPLICATIONS.

In order for an eligible recipient in a State to receive a grant under this title, the Governor of such State shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Such application shall include—

(1) a description of the process the Governor has used, in accordance with section 306, to nominate eligible recipients to create New American Schools;

(2) a list of the eligible recipients nominated by the Governor to receive a New American School grant on behalf of a community;

(3) copies of the plans, prepared by each eligible recipient nominated by the Governor for a grant under this title, for establishing and operating a New American School;

(4) an identification of non-Federal resources, which may include private-sector contributions, that will be available to establish and operate each New American School in the State; and

(5) such other information as the Secretary may require.

SEC. 306. SELECTION OF ELIGIBLE RECIPIENTS TO CREATE NEW AMERICAN SCHOOLS.

(a) NOMINATIONS.—The Governor of each State, in consultation with the chief State school officer, shall nominate eligible recipients within the State to receive a grant under this title to create a New American School.

(b) NUMBER.—In making nominations under subsection (a), each Governor, in consultation with the chief State school officer, shall, by September 30, 1994, nominate at least one eligible recipient serving a community in each congressional district in the State.

(c) NOMINATION CRITERIA.—

(1) IN GENERAL.—Each Governor, in consultation with the chief State school officer, shall nominate eligible recipients on the basis of criteria established by the Secretary, based on the advice of the panel of experts established under section 308.

(2) CRITERIA.—The criteria described in paragraph (1) shall include, at a minimum—

(A) the level of commitment and activity displayed by the community to be served by an eligible recipient through such community's participation in the President's AMERICA 2000 Communities initiative;

(B) the need for new and innovative educational programs in the schools of the community to be served by an eligible recipient; and

(C) the quality of the application submitted by the eligible recipient to the Governor.

(d) APPROVAL.—Beginning no earlier than January 1, 1993, the Secretary, with the advice of the panel of experts established under section 308, shall approve some or all of the eligible recipients nominated by Governors to receive New American Schools grants on behalf of communities, based on the Secretary's determination that such approval would be fully consistent with the purpose and requirements of this title.

(e) ADDITIONAL NOMINEES.—A Governor, in consultation with the chief State school officer, may nominate other eligible recipients if—

(1) the Secretary does not approve one or more of the Governor's nominees;

(2) an approved eligible recipient or community withdraws from the program; or

(3) the Secretary determines that the eligible recipient or community is unable to carry out its project successfully or is not making adequate progress in carrying out such project.

SEC. 307. AMOUNT OF GRANTS, OPERATION OF SCHOOLS, AND USES OF FUNDS.

(a) AMOUNT OF GRANTS.—The Secretary, after consultation with the Governor, shall determine the total amount of each grant under this title, except that—

(1) no such grant shall exceed $1,000,000; and

(2) the Secretary shall consider the expected student enrollment in the New American School in determining the amount of such grant.

(b) ESTABLISHMENT OF SCHOOLS.—In establishing a New American School, a grant recipient is urged to work cooperatively with, and make use of information available from, the design teams funded by the New American Schools Development Corporation and to provide to those teams such information on the operation of New American Schools as will benefit the teams in completing their work.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Grant funds made available under this title may be used only to meet the special start-up costs associated with the creation and establishment of a New American School, including—

(A) planning, curriculum development, and curriculum adaptation;

(B) training of teachers, administrators, and other staff, as well as parents and members of the community who are involved with the New American School;

(C) purchase of equipment and materials;

(D) minor renovation and remodeling of facilities; and

(E) obtaining the assistance of outside experts, including one or more of the teams described in subsection (b), to assist the eligible recipient in establishing its New American School.

(2) PROHIBITION.—Grant funds made available under this title shall not be used for construction or for the grant recipient's general administrative expenses.

(3) LIMITATION REGARDING SECTARIAN PURPOSES.—Grant funds made available under this title shall not be used for sectarian schools.

(d) SPECIAL RULE.—Each New American School established under this title shall have obtained State recognition or accreditation, as necessary, and be fully operating by the start of the 1996–1997 school year.

SEC. 308. SECRETARY'S PANEL OF EXPERTS.

Within 90 days of enactment of this Act, the Secretary shall convene a panel of experts consisting of educators, representatives of private business, and representatives of the public to advise the Secretary on the administration of the program authorized by this title, including—

(1) the criteria to be used to nominate eligible recipients to establish and operate New American Schools; and

(2) the approval of eligible recipients nominated by Governors to establish and operate New American Schools.

SEC. 309. NATIONAL EVALUATION AND DISSEMINATION.

(a) EVALUATION.—The Secretary shall use the funds reserved under section 312(b) to conduct a national evaluation of the impact of the New American Schools program on schools and communities, and on education generally.

(b) REPORTS.—The Secretary shall submit such interim evaluation reports to the President and the Congress as may be appropriate, and shall submit a final evaluation report by September 30, 1998.

(c) DISSEMINATION.—The Secretary shall take appropriate steps to disseminate the findings of the national evaluation and to disseminate information on successful educational programs developed under this program.

SEC. 310. INSULAR AREAS.

The provisions of Public Law 95–134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds received by such areas under this title.

SEC. 311. DEFINITIONS.

For the purpose of this title—

(1) the term "community" means—

(A) a unit of general purpose local government, such as a city, township, or village;

(B) a geographically distinct area, such as a school district, school attendance area, ward, precinct, neighborhood; or

(C) an identifiable group of individuals, such as the members of a service organization, who generally reside in a particular geographic area;

(2) the term "eligible recipient" means the agency, organization or institution that will receive a grant under this title on behalf of a community to establish a New American School;

(3) the term "Governor" means the chief executive of each State; and

(4) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until effective date of the Compact of Free Association with the Government of Palau).

SEC. 312. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $100,000,000 for fiscal year 1992, $200,000,000 for fiscal year 1993, $300,000,000 for fiscal year 1994, and such sums as may be necessary for fiscal years 1995 and 1996 to carry out this title.

(b) RESERVATION.—From the amount of funds appropriated under subsection (a) for fiscal years 1992 through 1996, the Secretary shall reserve a total of not more than $3,000,000 for the national evaluation described in section 309.

(c) AVAILABILITY.—Funds appropriated pursuant to the authority of subsection (a) shall remain available for obligation by the Secretary for two fiscal years beyond the fiscal year for which such funds are appropriated.

On page 56, line 22, strike "III" and insert "IV".

On page 56, line 23, strike "301" and insert "401".

On page 58, line 1, insert ", unless otherwise specified," before "means".

OMNIBUS EXPORT AMENDMENTS ACT

RIEGLE AMENDMENT NO. 1472

Mr. KENNEDY (for Mr. RIEGLE) proposed an amendment to the bill (H.R. 3489) to reauthorize the Export Administration Act of 1979, and for other purposes, as follows:

Strike out all after the enacting clause and insert in lieu the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Omnibus Export Amendments Act of 1991".

(b) TABLE OF CONTENTS.—

TITLE I—EXPORT ADMINISTRATION ACT AMENDMENTS

Sec. 101. Short title; reference.
Sec. 102. Types of licenses; control list.
Sec. 103. Exports to COCOM.
Sec. 104. Reexports and supercomputer exports.
Sec. 105. Standard of measurement for computers.
Sec. 106. Statement of policy toward countries representing a lesser strategic threat.
Sec. 107. East-West decontrol.
Sec. 108. Commodity jurisdiction.
Sec. 109. Controls on telecommunications.
Sec. 110. Exports subject to national discretion and favorable consideration.
Sec. 111. Statement of policy for general exception cases.
Sec. 112. Control list review.
Sec. 113. Unilateral controls.
Sec. 114. Trade shows.
Sec. 115. Exports of related technical data.
Sec. 116. Indexing procedures.
Sec. 117. Negotiations with other countries; Department of Commerce representative.
Sec. 118. Removal of section 5(k) designation.
Sec. 119. Notification of COCOM actions.
Sec. 120. Review of licenses.
Sec. 121. Criminal penalties.
Sec. 122. Policy toward countries receiving licensing benefits.
Sec. 123. Enforcement authority.
Sec. 124. Judicial review.
Sec. 125. Policy toward the People's Republic of China.
Sec. 126. Export of satellites for launch by People's Republic of China.
Sec. 127. Exports to the Soviet Union.
Sec. 128. Prohibition of certain transactions between certain United States firms and Cuba.
Sec. 129. Authorization of appropriations.
Sec. 130. Extension of the Act.
Sec. 131. Technical amendments.

TITLE II—EXPORT PROMOTION

Sec. 201. United States and Foreign Commercial Service.
Sec. 202. Qualifications for market development cooperative program.
Sec. 203. Country reports on trade practices.
Sec. 204. Report on export policy.
Sec. 205. Report on export promotion.
Sec. 206. Export promotion authorization.
Sec. 207. Interest subsidy program.
Sec. 208. Human rights in Yugoslavia.
Sec. 209. Increase of membership of advisory committee.
Sec. 210. Technical corrections relating to the International Development and Finance Act of 1989.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Soviet military assistance to Cuba.
Sec. 302. Attacks against Israelis and illegal activities in the United States.
Sec. 303. Family needs of members of the Armed Forces.
Sec. 304. Sanctions against foreign violators.
Sec. 305. Terrorist Death Penalty Act of 1991.
Sec. 306. Criminal and civil penalties for production, transport, or use of biological or chemical weapons which kill, maim or injure United States nationals abroad.

TITLE I—EXPORT ADMINISTRATION ACT AMENDMENTS

SEC. 101. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This title may be cited as the "Export Administration Act Amendments of 1991".

(b) REFERENCE TO THE EXPORT ADMINISTRATION ACT OF 1979.—Except as otherwise specifically provided, whenever in this title a section or other provision is amended or repealed, such amendment or repeal shall be considered to be made to that section or other provision of the Export Administration Act of 1979 (50 U.S.C. App. 2401 and following).

SEC. 102. TYPES OF LICENSES; CONTROL LIST.

(a) TYPES OF LICENSES.—Section 4(a)(2) (50 U.S.C. App. 2403(a)(2)) is amended—

(1) in subparagraph (A)—

(A) in the first sentence by striking "in countries" and all that follows through "China"; and

(B) in the second sentence by striking "controlled countries" and inserting "an unauthorized use or consignee"; and

(2) in subparagraph (B) in the first sentence by striking "are located in countries other than controlled countries (except the People's Republic of China),".

(b) CONTROL LIST.—Section 4(b) (50 U.S.C. App. 2403(b)) is amended by adding at the end the following: "Not later than 6 months after the date of the enactment of the Export Administration Act Amendments of 1991, the Secretary shall modify each item on the control list as necessary to specify with particularity the performance and other identifying characteristics of any technical data that is subject to export controls under section 5, export controls under section 6, or export controls pursuant to section 309(c) of the Nuclear Non-Proliferation Act of 1978. Technical data that is subject to licensing requirements shall be included on the control list concurrent with implementation of the 'Core List' agreed to by the group known as the Coordinating Committee.".

SEC. 103. EXPORTS TO COCOM.

Section 5(a)(4) (50 U.S.C. App. 2404(a)(4)) is amended—

(1) in subparagraph (A) by striking "No" and inserting "Subject to subparagraphs (C) and (D), no"; and

(2) by adding at the end the following:

"(C) Effective not later than December 31, 1991, no authority or permission may be required under this section for the export or reexport of goods or technology to or from a country which maintains export controls on such goods or technology cooperatively with the United States pursuant to the agreement with the Coordinating Committee or pursuant to an agreement described in subsection (k)(1).

"(D)(i) Notwithstanding subparagraph (C), the Secretary, in consultation with the Secretary of Defense, the Secretary of State, and the Secretary of Energy, may require authority or permission to export or reexport goods or technology, which are otherwise eligible for export or reexport under subparagraph (C), in the case of—

"(I) exports to such unreliable end users as the Secretary may specify by regulation; or

"(II) any reexport to a country other than a country described in subparagraph (A) of goods or technology identified under subparagraph (B).

"(ii) Notwithstanding subparagraph (C), the Secretary may require authority or permission to export or reexport goods or technology pursuant to special multilateral control arrangements agreed to unanimously by the Coordinating Committee, if all countries in which the goods or technology are produced agree to equivalent measurement parameters, performance capabilities, and licensing and other requirements. The Secretary shall notify the Congress at least 30 days before the United States proposes such control arrangements to the Coordinating Committee, and not more than 30 days after such control arrangements are agreed to by the Coordinating Committee.

"(iii) If the Secretary, in consultation with the Secretary of State, determines that a country referred to in subparagraph (A) is engaging in a pattern and practice of noncompliance with the agreement of the Coordinating Committee or other applicable agreement, the Secretary shall, during the period in which that determination is in effect, and to the extent determined by the Secretary, require authority or permission to export or reexport goods or technology to that country, and to reexport goods or technology from that country. Any such determination shall not take effect until 30 days after the Secretary of State notifies the Coordinating Committee of the determination and requests the cooperation of the Coordinating Committee in imposing comparable export controls. The Secretary shall review each determination made under this clause at least once in each 1-year period for the purpose of determining whether the country involved continues to engage in a pattern and practice of noncompliance with the applicable agreement. In making a determination under this clause, the Secretary shall consider whether the country involved has adopted the following measures:

"(I) national laws providing appropriate civil and criminal penalties and statutes of limitations sufficient to deter potential violations;

"(II) a program to evaluate export license applications that includes sufficient technical expertise to assess the licensing status of exports and ensure the reliability of end-users;

"(III) an enforcement mechanism that provides authority for trained enforcement officers to investigate and prevent illegal exports;

"(IV) a system of export control documentation to verify the movement of goods and technology; and

"(V) procedures for the coordination and exchange of information concerning violations of the agreement of the Coordinating Committee.

The provisions of section 10(o) apply to exports for which licenses are required under this section.".

SEC. 104. REEXPORTS AND SUPERCOMPUTER EXPORTS.

(a) REEXPORTS OF TECHNOLOGY.—Section 5(a)(5) is amended—

(1) in subparagraph (A) by striking "(B)" and inserting "(C)";

(2) in subparagraph (B)—

(A) by redesignating such subparagraph as subparagraph (C); and

(B) by striking "subparagraph (A)" and inserting "subparagraphs (A) and (B)"; and

(3) by inserting after subparagraph (A) the following:

"(B) Except as provided in subparagraph (C), no authority or permission may be required under this section to reexport technology subject to the jurisdiction of the United States from any country when the technology to be reexported is incorporated in other technology and—

"(i) the value of the technology subject to the jurisdiction of the United States that is incorporated in that other technology and, at the time of the reexport, would, if exported from the United States, require a validated license, is 25 percent or less of the total value of that other technology; or

"(ii) the export to a controlled country of the technology subject to the jurisdiction of the United States would require only notification of the participating governments of the Coordinating Committee.".

(b) SUPERCOMPUTER EXPORTS AND REEXPORTS.—Section 5(a) (50 U.S.C. 2404(a)) is amended by adding at the end the following:

"(7)(A) With respect to the definition of 'supercomputer' under paragraph (6)(A), the Secretary shall, not later than 6 months after the date of the enactment of the Export Administration Act Amendments of 1991, publish in the Federal Register a performance-based indexing system in order to ensure that such definition and all controls and security safeguard procedures on supercomputer exports and reexports are commensurate with technological advances in the supercomputer industry. Such indexing system shall be based upon a provision that for destinations in any country (other than a controlled country) that is a party to and, as determined by the President, is adhering to, the Treaty on the Non-Proliferation of Nuclear Weapons (done at Washington, London, and Moscow on July 1, 1968) or the Treaty for the Prohibition of Nuclear Weapons in Latin America (done at Mexico on February 14, 1967), no security safeguard procedures may be required in connection with any export or reexport of a supercomputer with a theoretical peak performance at or below approximately 25 percent of the theoretical peak performance of the average of the two most powerful supercomputers currently available commercially in the United States or elsewhere.

"(B) Before publishing the performance-based indexing system under subparagraph (A), the Secretary shall seek the views of the appropriate technical advisory committees appointed under subsection (h), and other interested parties. Not later than 2 weeks after publication of such system in the Federal Register, the Secretary shall submit a written report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, that includes—

"(i) the text of the Federal Register notice,

"(ii) a summary of the views expressed by the technical advisory committees and other interested parties with respect to the performance-based indexing system, and

"(iii) a description of how the performance-based indexing system addresses the views of the technical advisory committees and other interested parties.

"(C) For purposes of this paragraph, the term 'security safeguard procedures' means procedures that are required by the Department of Commerce, as a condition of an authorization to export or reexport a supercomputer, primarily to restrict access to and resale of such supercomputer.".

SEC. 105. STANDARD OF MEASUREMENT FOR COMPUTERS.

Section 5(a)(6) (50 U.S.C. App. 2404(a)(6)) is amended—

(1) by inserting "(A)" after "(6)", and

(2) by adding at the end the following:

"(B) In response to recommendations received from technical advisory committees appointed under subsection (h), the Secretary shall, after appropriate consultation with the Coordinating Committee, propose regulations which update and, where appropriate, revise or replace the measurement known as the 'Processing Data Rate', which is used in part to determine licensing requirements for computers other than supercomputers. Such regulations shall reflect the performance capabilities of computers and rely, to the maximum extent possible, upon measurements of those capabilities which are objective and commonly understood by the computer industry.".

SEC. 106. STATEMENT OF POLICY TOWARD COUNTRIES REPRESENTING A LESSER STRATEGIC THREAT.

Section 5(b)(2) (50 U.S.C. App. 2404(b)(2)) is amended to read as follows:

"(2)(A) It is the policy of the United States that licensing treatment of a country on the list of controlled countries maintained by the President pursuant to paragraph (1) should be revised in any case in which that country—

"(i) represents a lesser strategic threat; and

"(ii) accomplishes the following:

"(I) implements an effective export control system, including enactment of legislation controlling shipment of goods and technology subject to controls under agreement of the group known as the Coordinating Committee to controlled countries and imposing effective penalties to deter violation of its export controls;

"(II) adopts technology security arrangements, including end-use assurances and on-site inspection and verification; and

"(III) terminates governmental policies and intelligence cooperation with other controlled countries relating to illegal acquisition and diversion of controlled technology.

"(B) The revision of controls necessary to implement the policy set forth in subparagraph (A) shall include the following:

"(i) When the Secretary, in consultation with the Secretary of State and the Secretary of Defense, determines that necessary steps have been taken to implement the criteria set forth in subparagraph (A), the Secretary of State should propose the adoption by the Coordinating Committee of the special procedure for favorable consideration of exports to such countries agreed to in the Coordinating Committee High Level Meeting of June 6 and 7, 1990, or other countries the Coordinating Committee may designate.

"(ii) The Secretary, in consultation with the Secretary of State and the Secretary of Defense, shall annually review the performance of such country in implementing the criteria set forth in subparagraph (A) and, to the extent that such performance indicates appropriate use and protection from diversion of controlled technology, the Secretary of State should propose the adoption by the Coordinating Committee of more favorable licensing treatment or, if security concerns increase, more restrictive controls on technology exports to such country.

"(iii) When, in addition to progress on the criteria set forth in subparagraph (A), a country takes steps to reduce its offensive military capabilities and phase out its participation in the Warsaw Pact, including withdrawal of Soviet military forces, the President should seek agreement in the Coordinating Committee to remove the country from the list of controlled countries and propose licensing treatment by the Committee as a free world or cooperating country destination.

"(C) The Secretary should provide the greatest possible technical assistance to countries undertaking the measures described in subparagraph (A).".

SEC. 107. EAST-WEST DECONTROL.

Section 5(c)(5) (50 U.S.C. App. 2401(c)(5)) is amended—

(1) in subparagraph (A)—

(A) by striking "Not later than 6 months after the date of the enactment of this paragraph" and inserting "Not later than 6 months after the date of the enactment of the Export Administration Act Amendments of 1991"; and

(B) in clause (i) by striking all that follows "technology" and inserting "the licensing of which under this section has been eliminated by regulations promulgated to implement the agreement reached in the Coordinating Committee High Level Meeting of June 6 and 7, 1990."; and

(2) by striking subparagraph (B) and inserting the following:

"(B) The Secretary shall issue regulations implementing fully the agreement reached in the Coordinating Committee High Level Meeting of June 6 and 7, 1990, relating to removal of controls, national discretion, and favorable consideration of export licenses, and shall provide the licensing treatment prescribed in that agreement for goods and technology in accordance with the levels of technology specified therein.

"(C) Not later than 90 days after the date of the enactment of this subparagraph, the Secretary of State shall seek the approval of the Coordinating Committee for the following: that no authority or permission may be required to export to any country computers at a level of technology the export of which to the People's Republic of China on the date which is 60 days after the date of the enactment of the Export Enhancement Act of 1988 would require only notification of the participating governments of the Coordinating Committee, or at a higher level of technology.

"(D) Not later than April 1, 1991, the Secretary, in consultation with the Secretary of Defense and the Secretary of State, shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives describing the implementation of the agreement reached in the Coordinating Committee High Level Meeting of June 6 and 7, 1990. Not later than May 1, 1991, the Under Secretary of Commerce for Export Administration, the Under Secretary of State for International Security Affairs, and the Under Secretary of Defense for Policy shall appear before both such committees to present testimony on the report. Such report shall include descriptions of—

"(i) the status of implementing the 'Core List' provided for in the agreement and a description of the criteria used in developing the Core List,

"(ii) the status of implementing the special procedure for countries representing a lesser strategic threat provided for in the agreement,

"(iii) the status of implementing the national discretion and favorable consideration procedures contained in the agreement,

"(iv) the status of implementing a license-free zone among the governments participating in the Coordinating Committee, including a common standard of enforcement, and

"(v) the strategic justification for and impact of the agreement as they relate to the military capabilities and technology acquisition efforts of controlled countries.

"(E) In the case of goods and technology from which export controls have been removed under subparagraph (A), export controls under this section may thereafter be imposed on such goods or technology only if such controls are agreed to by the participating governments of the Coordinating Committee.".

SEC. 108. COMMODITY JURISDICTION.

(a) IN GENERAL.—Section 17 (50 U.S.C. App. 2416) is amended by adding at the end the following new subsection:

"(g) COMMODITY JURISDICTION.—(1) Notwithstanding any other provision of law, no item may be included on both the control list and the United States Munitions List, after the publication of the lists required under paragraph (6) and the resolution of any dispute with respect to such lists under paragraph (7).

"(2) Notwithstanding any other provision of law—

"(A) an item agreed for control on the International Munitions List of the group known as the Coordinating Committee shall be subject to control under the Arms Export Control Act and not under this Act; and

"(B) except as provided in paragraphs (3) and (4), an item not agreed for control on the International Munitions List of the Coordinating Committee shall be subject to control under this Act and not under the Arms Export Control Act.

"(3) An item described in paragraph (5) that is not on the International Munitions List may be subject to control under the Arms Export Control Act—

"(A)(i) for a period of 9 months after the date on which the United States proposes to the Coordinating Committee that the item be added to the International Munitions List, and

"(ii) for an additional 9-month period, but only if negotiations in the Coordinating Committee to add the item to the International Munitions List are continuing; or

"(B) if the Secretary of State, in consultation with the Secretary, so determines, except that if the Secretary disagrees with the Secretary of State with respect to such item, the item may be subject to control under the Arms Export Control Act only if the disagreement is resolved by the 2 Secretaries or by the President pursuant to the procedures set forth in subparagraphs (B) and (C) of paragraph (7).

"(4) An item that is not on the International Munitions List may be subject to control under the Arms Export Control Act if the President—

"(A) determines that extraordinary circumstances exist affecting the national security of the United States, which require that the item be controlled under the Arms Export Control Act;

"(B) proposes to the Coordinating Committee that the item be added to the International Munitions List, and

"(C) within 10 days after making the determination under subparagraph (A), submits a report to the Speaker of the House of Representatives and the President pro tempore of the Senate, describing in detail the reasons for the determination, in appropriate classified form, as necessary.

"(5) An item referred to in paragraph (3) is an item that—

"(A) is specially designed, developed, configured, adapted, or modified for military or intelligence application;

"(B) does not have significant civil applications; and

"(C) is not a component the performance capacity and function of which are essentially equivalent to those used for civil applications.

"(6)(A)(i) Within 3 months after the date of the enactment of this subsection, the Secretary shall publish the control list and the Secretary of State shall publish the United States Munitions List, with all revisions that have been made in accordance with this subsection.

"(ii) Within 3 months after the date of the enactment of this subsection, the Secretary of State shall publish in a separate list those items remaining subject to control under the Arms Export Control Act under paragraph (3).

"(B) If either the Secretary or the Secretary of State fails to publish a revised list in accordance with subparagraph (A)(i), there shall be excluded from the list of the Secretary that did not so publish a revised list, any item included on the list of the Secretary that did so publish a revised list.

"(7)(A) Whenever—

"(i) the Secretary or the Secretary of State receives a request to determine whether an item is subject to control under this Act or the Arms Export Control Act,

"(ii) either Secretary finds that an item is included on both the control list and the United States Munitions List,

"(iii) an item appearing on the list of one Secretary under paragraph (6)(A)(i) is considered by the other Secretary to be under the jurisdiction of that other Secretary, or

"(iv) the Secretary disagrees with the inclusion of an item on the list published under paragraph (6)(A)(ii),

the Secretary or the Secretary of State (as the case may be) shall refer the matter and any relevant information to the other Secretary.

"(B) The 2 Secretaries shall have a period of 15 days following the referral of a matter under subparagraph (A) to resolve any differences with respect to the matter involved.

"(C) If the 2 Secretaries fail to resolve such differences within that 15-day period, either Secretary may refer the matter to the President who, within 15 days after receiving the referral, shall notify the Secretaries of his determination on the matter in dispute.

"(D) In the event that either the Secretary or the Secretary of State does not respond to a referral under subparagraph (A) by the other Secretary, the Secretary that did not so respond shall be deemed to concur with the other Secretary on the matter involved.".

(b) TREATMENT OF MUNITIONS LIST FOR PURPOSES OF CERTAIN STATUTES.—

(1) IN GENERAL.—Notwithstanding the amendment made by subsection (a), references in the following provisions of law to the United States Munitions List or items on the United States Munitions List, or to the Arms Export Control Act shall, after the enactment of this Act, be deemed to refer to the United States Munitions List, or the Arms Export Control Act, as in effect on May 1, 1990:

(A) Section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(B) Section 902(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991.

(C) Section 317 of the Comprehensive Anti-Apartheid Act of 1986.

(2) SUNSET PROVISION.—The provisions of this subsection shall terminate on June 30, 1992.

SEC. 109. CONTROLS ON TELECOMMUNICATIONS.

(a) IN GENERAL.—Section 5(c) (50 U.S.C. App. 2404(c)) is amended by adding at the end the following:

"(8)(A) The Secretary of State shall, within 30 days after the date of the enactment of this paragraph, propose to the Coordinating Committee as part of the United States 'Core List' proposal that countries of a lesser strategic threat qualifying for the special procedure agreed to in the Coordinating Committee High Level Meeting of June 6 and 7, 1990, should, in the case of exports of telecommunications equipment and associated operations technical data as described in subsection (e)(8), be accorded the Coordinating Committee's least restrictive control procedures.

"(B) As used in this paragraph, the term 'telecommunications equipment' means all equipment used in the transmission or receipt of either voice or data information. Such term includes equipment used in the transmission of analog or digital information.

"(C)(i) In the case of countries that qualify as a lesser strategic threat under the agreement reached at the Coordinating Committee High Level Meeting of June 6 and 7, 1990, the United States should propose to the Coordinating Committee that exports of computer network software and related equipment for civilian end use shall be accorded the same licensing treatment as that permitted for computer systems exported for interconnection to such networks and shall be treated in accordance with telecommunications controls established by the Coordinating Committee.

"(ii) For purposes of this subparagraph, the term 'computer network software and related equipment' includes computer software that provides services and management for local area, intracity, intercity, and international data communications networks, and computer equipment specifically dedicated to the support of such networks.".

(b) REPORT.—The President shall study the national security implications of the transfer of telecommunications equipment and technology to controlled countries under the Export Administration Act of 1979 and, not later than 1 year after the date of the enactment of this Act, shall submit to the Speaker of the House and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report on the study, in classified form, as appropriate.

SEC. 110. EXPORTS SUBJECT TO NATIONAL DISCRETION AND FAVORABLE CONSIDERATION.

(a) LICENSING.—Section 5(e) (50 U.S.C. App. 2404(e)) is amended by adding at the end the following:

"(7) In implementing the national discretion and favorable consideration procedures agreed to by the Coordinating Committee, the Secretary shall consider the actions of other participating governments in the Coordinating Committee in approving or denying export licenses that are subject to such procedures and shall seek to ensure that United States exports are not placed at a competitive disadvantage.".

(b) IN GENERAL.—Section 10 (50 U.S.C. App. 2409) is amended by adding at the end the following:

"(p) EXPORTS SUBJECT TO NATIONAL DISCRETION.—In each instance in which an export license application is submitted to the Secretary for the export of goods or technology subject to the national discretion procedures of the Coordinating Committee, the Secretary shall formally issue or deny a license within 15 days after a properly completed application has been submitted under this section.

"(q) EXPORTS SUBJECT TO FAVORABLE CONSIDERATION.—In each instance in which an export license application is submitted to the Secretary for the export of goods or technology subject to the favorable consideration procedures of the Coordinating Committee or subject to special national discretion procedures requiring 30 days advance notification to the Coordinating Committee, the Secretary shall formally deny the license or it shall be forwarded for review to the Coordinating Committee within 15 days after a properly completed application has been submitted under this section, unless the Secretary notifies the applicant that additional time will be required to conduct a prelicense investigation, but in any case the Secretary shall deny the license or forward the application to the Coordinating Committee within 45 days after a properly completed application has been submitted.".

(c) CONFORMING AMENDMENT.—Section 10(e)(2)(A) (50 U.S.C. App. 2409(e)(2)(A)) is amended by striking "Except" and inserting the following: "For general exception cases controlled under section 5 of this Act and except".

SEC. 111. STATEMENT OF POLICY FOR GENERAL EXCEPTION CASES.

Section 3 (50 U.S.C. App. 2402) is amended by striking paragraph (15) and inserting the following:

"(15) It is the policy of the United States—

"(A) in considering the submission of cases to the group known as the Coordinating Committee on behalf of United States exporters, including general exception cases, to ensure consistency in the treatment of exporters from the United States and from other countries participating in the Coordinating Committee, and to support democracy, free enterprise, and economic development in Eastern Europe and the Soviet Union; and

"(B) to provide specific guidelines to United States exporters, through the publication of regulations, public notices, and advisory opinions, with respect to goods, sectors, and end users eligible for general exceptions referred to in subparagraph (A), and to fully and promptly notify United States exporters of all agreements and decisions adopted by the Coordinating Committee with respect to such exceptions.".

SEC. 112. CONTROL LIST REVIEW.

(a) IN GENERAL.—Section 5(c) (50 U.S.C. App. 2404(c)) is amended—

(1) in paragraph (1), by inserting before the period at the end of the second sentence the following: "and shall reflect multilateral control agreements reached by the group known as the Coordinating Committee"; and

(2) by striking paragraph (3) and inserting the following:

"(3) The Secretary shall review all goods and technology on the control list at least once each year in order to carry out the policy set forth in section 3(2)(A) of this Act and the provisions of this section. This review shall consider proposals for removing controls on exports and other changes in policy arising from applying the indexing procedures set forth in subsection (g), and shall serve as a basis for United States proposals for revision of the International Industrial List maintained by the Coordinating Committee. To this end, the United States shall seek to ensure that the Coordinating Committee reviews each item on its list at least once every 2 years and the Secretary shall conduct a periodic review of each item on the control list for national security reasons so as to achieve the same 2-year review cycle. In any case in which the Coordinating Committee has failed to review an entry on the International Industrial List within 2 years, the Secretary of State shall, based upon United States review of its comparable entry, propose a review by the Coordinating Committee of that entry. Before beginning each periodic review, which may not exceed 180 days in length, the Secretary shall publish notice of that review in the Federal Register. The Secretary shall provide a 30-day period during each review for comment and the submission of data, with or without oral presentation, by interested Government agencies and other affected parties. The Secretary shall further assess, as part of each review, the availability from sources outside the United States, of goods and technology comparable to those subject to export controls imposed under this section. After consultation with appropriate Government agencies, the Secretary shall make a determination of any revisions in the list within 30 days after the end of the review period. The concurrence or approval of any other department or agency is not required before any such revision is made. The Secretary shall publish in the Federal Register any revisions in the list, with an explanation of the reasons for the revisions. In the case of national security controls implemented in cooperation with the Coordinating Committee, such revisions in the list shall be made consistent with the scope of controls agreed to in the Coordinating Committee and shall be made effective no later than the effective date agreed to by the Coordinating Committee. The provisions of this paragraph apply to revisions in the list which consist of removing items from the list or making changes in categories of, or other specifications in, items on the list.".

(b) SUNSET OF CONTROL LIST.—Section 5(c) (50 U.S.C. App. 2404(c)) is amended by adding at the end the following new paragraph:

"(9)(A) Notwithstanding any other provision of this section, as of September 30, 1992, and as of the end of each 2-year period occurring thereafter—

"(i) all controls on the export of goods and technology to any country other than a controlled country shall terminate, after consultation with the Coordinating Committee, as appropriate, and

"(ii) there shall be included in a United States proposal to the Coordinating Committee the termination of all controls on the export of goods and technology to any controlled country,

unless a determination is made with respect to such controls under subparagraph (B).

"(B) Clause (i) or (ii) of subparagraph (A) shall not apply to a good or technology only

if the Secretary determines that the good or technology shall be subject to export controls under this section on the basis of the policy set forth in section 3(2)(A). In determining whether a good or technology would make a significant contribution to the military potential of any other country or combination of countries which would prove detrimental to the national security of the United States, the Secretary shall consult with the Secretary of Defense.

"(C) The form of a determination by the Secretary under subparagraph (B) with respect to goods or technology may be either—

"(i) a separate determination with respect to a particular good or technology, or

"(ii) a determination with respect to the technological parameters descriptive of categories of goods or technology.

The Secretary shall publish each such determination in the Federal Register.

"(D) Not later than November 1, 1992, and not later than the end of each 2-year period occurring thereafter, the Secretary of State shall complete the consultations referred to in subparagraph (A)(i) and shall submit a proposal to the Coordinating Committee to terminate controls applicable to the export of all goods or technology to which subparagraph (A)(ii) applies.

"(E) Not later than 30 days after the date on which the Coordinating Committee makes a decision concerning a proposal made by the United States under subparagraph (D), the Secretary shall publish in the Federal Register those changes in export controls resulting from such decision.

"(F) Before the effective date established by the Coordinating Committee for implementing a decision described in subparagraph (E), the Secretary shall publish those changes in the regulations issued under this Act that are necessary to implement such decision.

"(G) Not later than the effective date established by the Coordinating Committee for implementing a decision described in subparagraph (E), the Secretary shall cease to require authority or permission to export any goods or technology for which the Coordinating Committee has ceased to require authority or permission to export under such decision, and shall implement any other changes in export controls that are necessary to carry out such decision.".

SEC. 113. UNILATERAL CONTROLS.

Section 5(c)(6) (50 U.S.C. App. 2404(e)(6)) is amended by adding at the end the following:

"(C) For purposes of this paragraph, an export control shall be considered to be unilaterally maintained by the United States if it is a restriction, condition, or interpretation imposed by the Secretary upon any goods or technology, or upon any license application for the export of such goods or technology, that is not imposed or implemented in similar circumstances by other participating governments of the Coordinating Committee, or that is not otherwise specifically permitted by this Act.

"(D) The Secretary shall seek to ensure that no new unilateral controls are created.".

SEC. 114. TRADE SHOWS.

Section 5(e)(6) (50 U.S.C. App. 2404(e)) is amended to read as follows:

"(6) Consistent with multilateral control arrangements, an application for a license for the export to a controlled country of any good on which export controls are in effect under this section, without regard to the technical specifications of the good, for the purpose of demonstration or exhibition at a trade show, shall carry a presumption of approval if—

"(A) the United States exporter retains title to the good and complies with any safeguard requirement imposed by the Secretary during the entire period in which the good is in the controlled country; and

"(B) the exporter removes the good from the controlled country within a reasonable period of time after the conclusion of the trade show or demonstration, as defined in regulations issued by the Secretary.".

SEC. 115. EXPORTS OF RELATED TECHNICAL DATA.

Section 5(e) (50 U.S.C. App. 2404(e)) is amended by adding at the end the following new paragraph:

"(8) Any general or validated license authorizing the export of any goods or technology shall also authorize the export of operation technical data related to such goods or technology, whether or not such data is specifically referenced in the license or license application, if the technical level of the data does not exceed the minimum level necessary to install, repair, maintain, inspect, operate, or use the goods or technology.".

SEC. 116. INDEXING PROCEDURES.

Section 5(g) (50 U.S.C. App. 2404(g)) is amended to read as follows:

"(g) INDEXING.—(1) In order to ensure that requirements for validated licenses and other licenses authorizing multiple exports are periodically removed as goods or technology subject to such requirements become obsolete with respect to the national security of the United States, the Secretary shall, not later than 6 months after the date of the enactment of the Export Administration Amendments Act of 1991, establish, in response to recommendations of technical advisory committees under paragraph (2), indexing procedures which provide for increases in the performance levels of goods or technology described in paragraph (2)(A) that are subject to any such licensing requirements. Such indexing procedures shall emphasize the technical specifications of goods or technology below which no authority or permission to export is required as compared to the most technologically advanced commercially available version of the same or equivalent goods or technology. With respect to goods or technology referred to in the preceding sentence which no longer meet the performance levels increased pursuant to such procedures—

"(A) the removal of controls on exports of such goods or technology to controlled countries shall be incorporated into United States proposals to the Coordinating Committee, and

"(B) controls under this section on exports of such goods or technology to countries other than controlled countries shall be removed, after consultations with the Coordinating Committee, as appropriate,

unless—

"(i) the Secretary, after consultation with the Secretary of Defense and the heads of other appropriate executive departments (as defined in section 101 of title 5, United States Code), issues a determination that removal of controls on the goods or technology will permit exports that will be detrimental to the national security of the United States; and

"(ii) the Secretary reports that determination in writing, together with a description of the specific anticipated impact on the national security of the United States, to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

The Secretary shall also consider, where appropriate, eliminating site visitation requirements for goods and technology from which export controls have been removed under this subsection.

"(2)(A) In carrying out this subsection, the Secretary shall direct the technical advisory committees appointed under subsection (h) to recommend indexing procedures for goods or technology—

"(i) which are eligible for export under a distribution license,

"(ii) which are eligible for favorable consideration under the rules of the Coordinating Committee,

"(iii) below which exports require only notification of the governments participating in the Coordinating Committee, and

"(iv) below which no authority or permission to export may be required under this section.

The technical advisory committees shall submit their recommendations for indexing procedures, as they are made, to the Secretary, who shall determine, within 30 days after each submission, or within 45 days after a submission in the event of an objection by the head of any other executive department, whether to accept the procedures or to refer the procedures back to the appropriate technical advisory committee for further consideration.

"(B) The proposals referred to in paragraph (1)(A) shall be made at the next meeting of the Coordinating Committee, at which list review is conducted, that is held after the procedures under this subsection are applied to the goods or technology involved.".

SEC. 117. NEGOTIATIONS WITH OTHER COUNTRIES; DEPARTMENT OF COMMERCE REPRESENTATIVE.

Section 5(k) (50 U.S.C. App. 2404(k)) is amended—

(1) by inserting "(1)" after "(k)";

(2) in the last sentence by striking "(b)(2)" and inserting "(a)(4)"; and

(3) by adding at the end the following:

"(2) The Secretary shall undertake a review of, and report to the Congress not later than 6 months after the date of the enactment of this paragraph on, the goods and technology available from newly industrialized countries to determine if such goods and technology are of such sophistication that they warrant multilateral export controls. If the Secretary determines that such multilateral controls are warranted, the Secretary of State shall propose to the Coordinating Committee to initiate negotiations with such newly industrialized countries to reach agreements with them under paragraph (1) or to obtain their participation in the Coordinating Committee.

"(3) Whenever—

"(A) the Secretary is authorized to make a decision or determination under this Act that affects exports from the United States to controlled countries,

"(B) the Secretary makes such a determination, and

"(C) such determination is final except that the approval of the Coordinating Committee is required,

the Secretary of State shall, within 7 days after receiving that determination from the Secretary, submit to the Coordinating Committee a United States proposal that would have the effect of applying that determination to exports to controlled countries.

"(4) The Secretary, or an officer or employee of the Department of Commerce designated by the Secretary, shall be a member of the permanent United States delegation to the Coordinating Committee.".

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SEC. 118. REMOVAL OF SECTION 5(k) DESIGNATION.

Section 5(k)(1) (as amended by section 117) is amended by adding at the end the following: "If any country accorded the treatment authorized by the preceding sentence fails to maintain export restrictions comparable in practice to those maintained by the Coordinating Committee, as determined by the Secretary, in consultation with the Secretary of State and the Secretary of Defense, the Secretary shall restrict or terminate such treatment of that country.".

SEC. 119. NOTIFICATION OF COCOM ACTIONS.

Section 5 (50 U.S.C. App. 2404) is amended by adding at the end the following new subsection:

"(r) PUBLICATION OF COCOM ACTIONS.—(1) Within 90 days after the date of the enactment of this subsection, the Secretary shall publish the full text of the 3 International Lists of the group known as the Coordinating Committee, together with all notes and understandings concerning such lists that are agreed to by the Coordinating Committee. The Secretary shall update the publication under the preceding sentence at least once in each 1-year period occurring thereafter.

"(2) The Secretary shall publish—

"(A) the full text of any agreements of the Coordinating Committee affecting the International Lists, together with all notes, understandings, and other aspects of such agreements, all revisions to such texts, and the proposals of the United States to revise the International Lists that are submitted to the Coordinating Committee before negotiations on these proposals begin (except for classified information contained in the justification for such proposals),

"(B) subject to the limitations set forth in section 12(c), decisions on requests for general exceptions to the Industrial List portion of the International Lists of the Coordinating Committee, and

"(C) other decisions made by the Coordinating Committee, to the maximum extent possible.

Such publication shall be made within 30 days after the agreements are reached, negotiations on the proposals begin, or the decisions are made, as the case may be. The publication of a particular matter need not be made under subparagraph (A) or (C) to the extent that the Secretary makes a written finding to the Congress that to publish that matter would be contrary to national or international security, would abridge the confidentiality of the decision-making processes of the Coordinating Committee, or would otherwise be inconsistent with the obligations of the United States to the Coordinating Committee.".

SEC. 120. REVIEW OF LICENSES.

Section 10 (50 U.S.C. App. 2409) is amended by adding at the end the following:

"(r) COUNTRIES OF CONCERN REGARDING PROLIFERATION AND REGIONAL STABILITY.—(1) A determination of the Secretary to approve the export license applications described in paragraph (2) may be made only after consultation with the Secretary of Defense and the Secretary of State for a period of 20 days.

"(2) The license applications to which paragraph (1) applies are those for—

"(A) the export of goods or technology under the authority of section 6(l) to a country of concern regarding missile proliferation;

"(B) the export of goods or technology under the authority of section 6(m) to a country of concern regarding chemical and biological weapons proliferation; and

"(C) the export of goods or technology to Iran, Iraq, Libya, Syria, or any other country whose government is determined for purposes of section 6(j) to be a government that has repeatedly provided support for acts of international terrorism.

"(3) The countries of concern referred to in paragraph (2) shall be maintained on a classified list established by the Secretary of State, in consultation with the Secretary and the Secretary of Defense.

"(4) If the Secretary of Defense disagrees with the determination of the Secretary to approve an export license to which paragraph (2)(A) or (C) applies, or if the Secretary of State disagrees with the determination of the Secretary to approve an export license to which paragraph (2)(B) applies, the Secretary of Defense or State (as the case may be) shall so notify the Secretary within the 20 days provided for consultation on the determination. The Secretary of Defense or State (as the case may be) shall at the same time submit the matter to the President for resolution of the dispute. The Secretary shall also submit the Secretary's recommendation to the President on the license application.

"(5) The President shall approve or disapprove the export license application within 20 days after receiving the submission of the Secretary of Defense or State under paragraph (4).

"(6) If the Secretary of Defense or State (as the case may be) fails to notify the Secretary within the time period prescribed in paragraph (4), the Secretary may approve the license application without awaiting the notification by the Secretary of Defense or State (as the case may be). If the President fails to notify the Secretary of the President's decision on the export license application within the time period prescribed in paragraph (5), the Secretary may approve the license application without awaiting the President's decision on the license application.

"(7) Within 10 days after an export license is issued to which this subsection applies, the Secretary shall provide to the Secretary of Defense and the Secretary of State the license application and accompanying documents issued to the applicant, to the extent that the relevant Secretary indicates the need to receive such application and documents.".

SEC. 121. CRIMINAL PENALTIES.

Section 11(b) (50 U.S.C. App. 2410(b)) is amended in paragraphs (1) and (2)—

(1) by striking "five times" each place it appears and inserting "10 times";

(2) by striking "$1,000,000" each place it appears and inserting "$2,000,000";

(3) by striking "$250,000" each place it appears and inserting "$500,000"; and

(4) by striking "5 years" and inserting "10 years".

SEC. 122. POLICY TOWARD COUNTRIES RECEIVING LICENSING BENEFITS.

Section 11A (50 U.S.C. App. 2410a) is amended—

(1) in subsection (a)(1), by inserting after "Committee," the following: "pursuant to an agreement to restrict exports negotiated in accordance with section 5(k)(1), or pursuant to an export control system maintained by a controlled country that is receiving expanded licensing benefits from the Coordinating Committee because of its recognition as a lesser strategic threat as described in section 5(b)(2),"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "and" after the comma at the end;

(B) in paragraph (2), by striking the period and inserting ", and"; and

(C) by adding after paragraph (2) the following new paragraph:

"(3) the revocation by the Secretary of any validated export license previously issued for export by or to that foreign person, notwithstanding any other provision of law, and entry by the Secretary of an order denying all export privileges to that foreign person.

The Secretary shall publish any order under paragraph (3) in the Federal Register.".

SEC. 123. ENFORCEMENT AUTHORITY.

(a) FORFEITURE OF SEIZED ITEMS.—Section 12(a)(3) (50 U.S.C. App. 2411(a)(3)) is amended by adding at the end the following:

"(C) All goods or technology lawfully seized under this paragraph by authorized officers or employees of the Department of Commerce shall be forfeited to the United States. Those provisions of law relating to—

"(i) the seizure, summary and judicial forfeiture, and condemnation of property for violations of the customs laws,

"(ii) the disposition of such property or the proceeds from the sale thereof,

"(iii) the remission or mitigation of such forfeitures, and

"(iv) the compromise of claims,

shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this subparagraph, insofar as applicable and not inconsistent with this Act; except that such duties as are imposed upon the customs officer or any other person with respect to the seizure and forfeiture of property under the customs laws shall be performed with respect to seizures and forfeitures of property under this subparagraph by the Secretary or such officers and employees of the Department of Commerce as may be authorized or designated for that purpose by the Secretary, or, upon the request of the Secretary, by any other agency that has authority to manage and dispose of seized property.".

(b) INVESTIGATIVE OPERATIONS.—Section 12(a) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

"(8)(A) With respect to any undercover investigative operation conducted by the Office of Export Enforcement of the Department of Commerce (hereinafter in this paragraph referred to as 'OEE') necessary for the detection and prosecution of violations of this Act—

"(i) funds made available for export enforcement under this Act may be used to purchase property, buildings, and other facilities, and to lease space within the United States, without regard to sections 1341 and 3324 of title 31, United States Code, the third undesignated paragraph under the heading 'MISCELLANEOUS' of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34), sections 3732(a) and 3741 of the Revised Statutes of the United States (41 U.S.C. 11(a) and 22), and subsections (a) and (c) of section 304, and section 305, of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254 (a) and (c) and 255);

"(ii) funds made available for export enforcement under this Act may be used to establish or to acquire proprietary corporations or business entities as part of an OEE undercover operation, and to operate such corporations or business entities on a commercial basis, without regard to section 9102 of title 31, United States Code;

"(iii) funds made available for export enforcement under this Act and the proceeds

from OEE undercover operations may be deposited in banks or other financial institutions without regard to the provisions of section 648 of title 18, United States Code, and section 3302 of title 31, United States Code; and

"(iv) the proceeds from OEE undercover operations may be used to offset necessary and reasonable expenses incurred in such operations without regard to the provisions of section 3302 of title 31, United States Code;

if the Director of OEE (or an officer or employee designated by the Director) certifies, in writing, that any action authorized by clause (i), (ii), (iii), or (iv) is necessary for the conduct of the undercover operation.

"(B) If a corporation or business entity established or acquired as part of an OEE undercover operation with a net value of more than $50,000 is to be liquidated, sold, or otherwise disposed of, OEE shall report the circumstances to the Secretary and the Comptroller General, as much in advance of such disposition as the Director of OEE or his or her designee determines is practicable. The proceeds of the liquidation, sale, or other disposition, after obligations incurred by the corporation or business enterprise are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(C) As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under this paragraph are no longer necessary for the conduct of such operation, such proceeds or the balance of such proceeds remaining at the time shall be deposited into the Treasury of the United States as miscellaneous receipts.

"(D)(i) The Director of OEE shall conduct a detailed financial audit of each undercover investigative operation which is closed and shall submit the results of the audit in writing to the Secretary. Not later than 180 days after an OEE undercover operation is closed, the Director of OEE shall submit to the Congress a report on the results of the audit.

"(ii) The Director of OEE shall also submit as part of the annual report submitted by the Secretary under section 14 a report to the Congress specifying—

"(I) the number of OEE undercover investigative operations pending as of the end of the period for which such report is submitted;

"(II) the number of OEE undercover investigative operations commenced in the 1-year period preceding the period for which such report is submitted; and

"(III) the number of OEE undercover investigative operations closed in the 1-year period preceding the period for which such report is submitted and, with respect to each such closed undercover operation, the results obtained and any civil claims made with respect thereto.

"(E) For purposes of subparagraph (D)—

"(i) the term 'closed' refers to the earliest point in time at which all criminal proceedings (other than appeals) are concluded, or covert activities are concluded, whichever occurs later;

"(ii) the terms 'undercover investigative operation' and 'undercover operation' mean any undercover investigative operation conducted by OEE—

"(I) in which the gross receipts (excluding interest earned) exceed $50,000, or expenditures (other than expenditures for salaries of employees) exceed $150,000, and

"(II) which is exempt from section 3302 or 9102 of title 31, United States Code,

except that subclauses (I) and (II) shall not apply with respect to the report to the Congress required by clause (ii) of subparagraph (D); and

"(iii) the term 'employees' means employees, as defined in section 2105 of title 5, United States Code, of the Department of Commerce.".

SEC. 124. JUDICIAL REVIEW.

Section 13(a) (50 U.S.C. App. 2412(a)) is amended to read as follows:

"SEC. 13. (a) APPLICABILITY.—

"(1) EXEMPTIONS FROM ADMINISTRATIVE PROCEDURE.—Except as expressly provided in this Act, sections 551, 553 through 559, and 701 through 706 of title 5, United States Code, do not apply to the functions exercised under this Act.

"(2) JUDICIAL REVIEW.—A final agency action under this Act may be reviewed by appeal to the United States Court of Appeals for the District of Columbia Circuit, to the extent provided in this paragraph. The court's review in any such appeal shall be limited to determining whether—

"(A) a regulation—

"(i) fails to take an action compelled by this Act,

"(ii) takes an action prohibited by this Act, or

"(iii) otherwise violates the express terms of this Act;

"(B) an agency action violates the express terms of this Act;

"(C) an agency action violates the express terms of an agency regulation establishing time requirements or other procedural requirements of a non-discretionary nature;

"(D) the issuance of regulations compelled by this Act complies with time restrictions imposed by this Act;

"(E) license decisions are made and appeals thereof are concluded in compliance with time restrictions imposed by this Act;

"(F) classifications and advisory opinions are issued in compliance with time restrictions imposed by this Act;

"(G) foreign availability determinations are in compliance with time restrictions imposed by this Act; or

"(H) the United States has complied with the requirements of section 5(f) after a foreign availability determination has been rendered.".

SEC. 125. POLICY TOWARD THE PEOPLE'S REPUBLIC OF CHINA.

(a) FINDINGS AND POLICY.—The Congress finds that—

(1) the United States and the group known as the Coordinating Committee have granted special licensing preferences in favor of exports to the People's Republic of China compared to other controlled countries under the Export Administration Act of 1979, based upon a consensus that the People's Republic of China posed a reduced national security threat;

(2) the United States policy of differentiating the People's Republic of China from other controlled countries was also intended to encourage emerging democratization and economic reform in that country; and

(3) the assumptions underlying past policy must be reevaluated in light of massive abuses of human rights by the Government of the People's Republic of China and evidence that the Chinese Government has assisted in the proliferation of missiles and nuclear technology to politically volatile areas of the world.

It is therefore the policy of the United States that export licensing preferences for the People's Republic of China should be eliminated, applications for distribution licenses and comprehensive operations licenses under section 4(a)(2) of the Export Administration Act of 1979 should be denied, and access to dual-use goods and technology representing proliferation concerns should be restricted.

(b) NO PREFERENTIAL TREATMENT.—Section 5(b) (50 U.S.C. App. 2404(b)) is amended by adding at the end the following:

"(4)(A) In the context of the 'Core List' exercise undertaken pursuant to the agreement reached at the Coordinating Committee High Level Meeting of June 6 and 7, 1990, the United States representative to the Coordinating Committee should oppose preferential treatment for the People's Republic of China compared to the treatment of other controlled countries.

"(B) If the President determines that licensing treatment for the People's Republic of China should be liberalized compared to other controlled countries, no action to so liberalize such treatment should be taken until 30 days after the President reports such determination to the Congress stating the justification for the change in policy.".

(c) PROLIFERATION CONCERNS REGARDING THE PEOPLE'S REPUBLIC OF CHINA.—Section 6 (50 U.S.C. App. 2405), is amended by adding at the end the following:

"(q) PROLIFERATION CONCERNS REGARDING THE PEOPLE'S REPUBLIC OF CHINA.—(1) Requests for authority or permission to export goods or technology to the People's Republic of China which are controlled under this section, pursuant to multilateral arrangements to control proliferation of chemical weapons and missile technology, should be denied in the absence of adequate assurances regarding appropriate end-use and nontransfer of goods or technology to a country or project of concern.

"(2) In order to discourage proliferation by the People's Republic of China, the Secretary of State should seek the cooperation of other governments involved in multilateral control arrangements to restrict exports of such goods and technology in harmonizing treatment of exports to the People's Republic of China with control efforts of the United States.

"(3) The policy set forth in paragraph (1) shall remain in effect unless the President determines and reports to the Congress that the People's Republic of China has ceased to act in a manner inconsistent with multilateral nonproliferation efforts.".

SEC. 126. EXPORT OF SATELLITES FOR LAUNCH BY PEOPLE'S REPUBLIC OF CHINA.

(a) PROHIBITION.—Notwithstanding any other provision of law, no satellite of United States origin that is intended for launch from a launch vehicle owned by the People's Republic of China may be exported from the United States.

(b) WAIVER.—The prohibition contained in subsection (a) may be waived by the President on a case-by-case basis upon certification by the United States Trade Representative that the People's Republic of China is, with regard to the respective satellite, components, or technology related thereto for which the export license request is pending, in full compliance with the Memorandum of Agreement Between the Government of the United States of America and the Government of the People's Republic of China Regarding International Trade in Commercial Launch Services.

SEC. 127. EXPORTS TO THE SOVIET UNION.

(a) LITHUANIA.—It is the sense of the Congress that no exports to the Soviet Union otherwise permitted by virtue of the amendments made by this title may be licensed until the President certifies to the Congress that the Soviet Union has entered into seri-

ous negotiations with the elected Government of Lithuania for the purpose of allowing the self-determination of Lithuania and is conducting such negotiations without economic coercion.

(b) EMIGRATION RESTRICTIONS ON SOVIET JEWRY.—It is the sense of the Congress that no exports to the Soviet Union otherwise permitted by virtue of the amendments made by this title should be made if the Soviet Union takes action to restrict the emigration of Jews from the Soviet Union.

SEC. 128. PROHIBITION OF CERTAIN TRANSACTIONS BETWEEN CERTAIN UNITED STATES FIRMS AND CUBA.

Notwithstanding any other provision of law, no license may be issued for any transaction described in section 515.559 of title 31, Code of Federal Regulations, as in effect on July 1, 1989.

SEC. 129. AUTHORIZATION OF APPROPRIATIONS.

Section 18(b) (50 U.S.C. App. 2417(b)) is amended to read as follows:

"(b) AUTHORIZATION.—There are authorized to be appropriated to the Department of Commerce to carry out the purposes of this Act—

"(1) $46,707,000 for the fiscal year 1991, of which $150,000 shall be available only for the representation of the Secretary or the Secretary's designee at the Coordinating Committee under section 5(k)(4); and

"(2) such additional amounts for the fiscal year 1991 as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs.".

SEC. 130. EXTENSION OF THE ACT.

Section 20 (50 U.S.C. App. 2419) is amended by striking "September 30, 1990" and inserting "June 30, 1992".

SEC. 131. TECHNICAL AMENDMENTS.

(a) SECTION 5.—Section 5(f) (50 U.S.C. App. 2404(f)) is amended—

(1) in paragraph (2)(A) by striking "(k)" and inserting "(k)(1)"; and

(2) in paragraph (10) by striking "subsections (f) and" and inserting "subsection".

(b) SECTION 11A.—Section 11A(k)(3) (50 U.S.C. App. 2410A(k)(3)) is amended—

(1) by striking "(3)" and inserting "(2)"; and

(2) by striking "paragraph (2)" and inserting "paragraph (1)".

(c) SECTION 16.—Section 16 (50 U.S.C. App. 2415) is amended by striking "As used" and inserting "Except as otherwise provided, as used".

TITLE II—EXPORT PROMOTION

SEC. 201. UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

(a) MINISTER-COUNSELORS.—Section 2301(d)(1) of the Export Enhancement Act of 1988 (15 U.S.C. 4721(d)(1)) is amended in the first sentence by striking "8" and inserting "12".

(b) REPORT ON TRAINING.—The Secretary of Commerce shall, not later than 6 months after the date of the enactment of this Act, submit to the Congress a report on the adequacy of the training of officers and employees of the United States and Foreign Commercial Service in the following areas: writing of commercial reports, language skills, cultural awareness, and public speaking.

(c) COMMERCIAL SERVICE OFFICERS AND MULTILATERAL DEVELOPMENT BANKS.—Section 2302 of the Export Enhancement Act of 1988 (15 U.S.C. 4722) is amended—

(1) in subsection (b)(3)—

(A) by striking "and to permit" and inserting "to permit"; and

(B) by inserting before the period the following: ", and to provide them with assistance in completing such documents"; and

(2) in subsection (c) by striking "and the African Development Fund" and inserting "the African Development Fund, and the European Bank for Reconstruction and Development (subject to the enactment of legislation authorizing participation by the United States in that bank)".

(d) INCREASE IN COMMERCIAL SERVICE OFFICERS IN CERTAIN COUNTRIES.—The Secretary of Commerce shall increase the number of Commercial Service Officers, in each of the 5 countries with which the United States had the greatest trade deficit in calendar year 1990 (as reflected in the merchandise trade figures reported by the Department of Commerce), by 2 over the number of such officers assigned to each of such countries in fiscal year 1990.

SEC. 202. QUALIFICATIONS FOR MARKET DEVELOPMENT COOPERATIVE PROGRAM.

Section 2303(c)(2) of the Export Enhancement Act of 1988 (15 U.S.C. 4723(c)(2)) is amended by striking "and computer data bases" and inserting "computer data bases, and methods of distribution of goods and services".

SEC. 203. COUNTRY REPORTS ON TRADE PRACTICES.

Section 2202 of the Export Enhancement Act of 1988 (15 U.S.C. 4711) is amended in the first sentence by striking "January" and inserting "May".

SEC. 204. REPORT ON EXPORT POLICY.

(a) IN GENERAL.—The Secretary of Commerce shall submit to the Congress, not later than May 31 of each year, a report on the international economic position of the United States and shall, not later than June 30 of each year, appear before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives to testify on issues addressed in such report.

(b) CONTENTS.—(1) Each report under subsection (a) shall address the following:

(A) The state of United States international economic competitiveness, focusing, in particular, on Department of Commerce efforts to—

(i) encourage research and development of technologies and products deemed critical for industrial leadership;

(ii) promote investment in and improved manufacturing processes for such technologies and products; and

(iii) increase United States industrial exports of products using the technologies described in clause (i) to those markets where the United States Government has sought to reduce barriers to exports.

(B) The current Department of Commerce export development strategy, including the implementation of the United States and Foreign Commerce Service Strategic Review and the activities of the Trade Promotion Coordinating Committee.

(C) Other specific Department of Commerce recommendations to improve the United States balance of trade.

(2) The first report provided under this section shall also address Government export financing programs and actions planned or underway to improve them.

(3) Portions of each report under this section may be based upon relevant reports and testimony produced by the Department of Commerce or other agencies, but the policy views shall be those of the Secretary of Commerce.

SEC. 205. REPORT ON EXPORT PROMOTION.

The Comptroller General shall, not later than June 30, 1991, prepare and transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report that—

(1) analyzes ways to promote United States exports; and

(2) addresses—

(A) progress made in strengthening coordination of Federal export promotion efforts,

(B) efforts made to improve coordination of Federal export promotion activities with the States,

(C) efforts made to improve export promotion coordination and cooperation with private industry groups, and

(D) the adequacy of Federal, State, and private sector export finance programs.

SEC. 206. EXPORT PROMOTION AUTHORIZATION.

Section 202 of the Export Administration Amendments Act of 1985 (15 U.S.C. 4052) is amended to read as follows:

"There are authorized to be appropriated to the Department of Commerce—

"(1) to carry out export promotion programs, $167,600,000 for the fiscal year 1991; and

"(2) to carry out section 2303 of the Omnibus Trade and Competitiveness Act of 1988, $6,000,000 for fiscal year 1991.".

SEC. 207. INTEREST SUBSIDY PROGRAM.

(a) REQUIREMENT TO EXPEND AMOUNTS APPROPRIATED.—Section 2(f)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(f)(1)) is amended by striking "may enter" and inserting "shall use all amounts appropriated to carry out this subsection to enter".

(b) EXTENSION OF PROGRAM THROUGH THE END OF FISCAL YEAR 1992.—Section 2(f)(4) of such Act (12 U.S.C. 635(f)(4)) is amended by striking "1991" and inserting "1992".

(c) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1992.—Section 2(f)(3) of such Act (12 U.S.C. 635(f)(3)) is amended—

(1) in subparagraph (A), by striking "and";

(2) in subparagraph (B), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(C) $35,000,000, for fiscal year 1992.".

SEC. 208. HUMAN RIGHTS IN YUGOSLAVIA.

(a) FINDINGS.—The Congress finds that the Department of State's Country Report on Human Rights Practices for 1989 cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards, including infringement upon and abrogation of the rights of assembly and fair trial, freedom of speech, and freedom of the press.

(b) REPORT.—The President shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance, and Urban Affairs of the House of Representatives, not later than 3 months after the date of the enactment of this Act, explaining why Export-Import Bank funding for exports to Yugoslavia has not been restricted or denied pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945.

SEC. 209. INCREASE OF MEMBERSHIP OF ADVISORY COMMITTEE.

Section 3(d)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(d)(1)(A)) is amended by striking "twelve" and inserting "15".

SEC. 210. TECHNICAL CORRECTIONS RELATING TO THE INTERNATIONAL DEVELOPMENT AND FINANCE ACT OF 1989.

(a) ELIMINATION OF LANGUAGE MADE OBSOLETE BY ETHICS REFORM ACT OF 1989.—Subsection (c) of section 101 of the International Development and Finance Act of 1989 (103 Stat. 2494; Public Law 101-240), and the amendments made by such subsection, are hereby repealed, and section 2(a)(1) of the

Export-Import Bank Act of 1945 shall be applied and administered as if such subsection (c) had never been enacted.

(b) REPEAL OF INADVERTENTLY INSERTED PARAGRAPH.—Paragraph (7) of section 101(b) of the International Development and Finance Act of 1989 (103 Stat. 2494; Public Law 101-240) is hereby repealed, and section 15 of the Export-Import Bank Act of 1945 shall be applied and administered as if such paragraph had not been enacted.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SOVIET MILITARY ASSISTANCE TO CUBA.

It is the sense of the Congress that—

(1) continuing Soviet military assistance provided to Cuba remains a serious problem in United States-Soviet relations; and

(2) the Soviet Union, in reexamining its relationship with Cuba, should cease military assistance to the Castro regime and take all other possible steps to further the policies of Glasnost and Perestroika by adopting policies supporting the political, economic, and human rights of the Cuban people.

SEC. 302. ATTACKS AGAINST ISRAELIS AND ILLEGAL ACTIVITIES IN THE UNITED STATES.

(a) REPORT ON IMPACT OF ATTACKS AGAINST ISRAELIS ON PEACE EFFORTS.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the Congress an analysis of the impact on efforts to achieve peace in the Middle East of the following recent attacks against Israelis:

(1) On May 28, 1989, an attack by the Popular Front for the Liberation of Palestine and the Palestine Liberation Front, both PLO-affiliated organizations, in which a one-year-old Israeli was injured by a Katyusha rocket.

(2) On August 7, 1989, a rocket attack on the settlement of Maoz Haim by members of the PLOaffiliated Popular Front for the Liberation of Palestine.

(3) On September 6, 1989, a rocket attack by the PLO-affiliated Popular Front for the Liberation of Palestine aimed at Kibbutz Tel-Katzir that fell on Kibbutz Sha'ar Hagolan.

(4) On October 7, 1989, an attempted raid on Kibbutz Misgav-Am by a squad of terrorists armed with machine guns and anti-tank missiles from the PLO-aligned Palestine Liberation Front.

(5) On January 26, 1990, an attack on an Israeli Army patrol by at least three terrorists of the PLO-affiliated Democratic Front for the Liberation of Palestine headed for Kibbutz Misgav-Am.

(6) On February 4, 1990, an unprovoked ambush by the Popular Front for the Liberation of Palestine-General Command on an Israeli tour bus in Egypt that killed 9 and wounded 15 Israelis.

(7) On April 13, 1990, an attempted infiltration into northern Israel by boat by four terrorists of Yasser Arafat's Al-Fatah, equipped with machine guns and grenades.

(b) REPORT ON ILLEGAL ACTIVITIES IN THE UNITED STATES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Congress a report—

(1) outlining illegal activities being undertaken in the United States by the Palestine Liberation Organization or on behalf of the Palestine Liberation Organization, including such activities as illegal drug trafficking, money laundering, weapons purchases, and arms shipments;

(2) estimating the amount of funds associated with such activities; and

(3) describing the extent to which members of the Executive Committee of the Palestine Liberation Organization, the Central Council of the Palestine Liberation Organization, and the Palestine National Council are aware of or are involved in such illegal activities.

SEC. 303. FAMILY NEEDS OF MEMBERS OF THE ARMED FORCES.

It is the sense of the Senate that—

(1) the Department of Defense is to be commended for the efforts it has made to be sensitive to the family needs of members of the Armed Forces consistent with military requirements;

(2) the morale (and therefore the military effectiveness) of members of the Armed Forces with dependents who are deployed or otherwise assigned to areas where dependents cannot accompany them is increased when those members can be assured that appropriate steps have been taken to ensure that their dependents are being well cared for;

(3) the Department of Defense has an interest in and responsibility for protecting the best interests of dependents of members of the Armed Forces;

(4) military readiness and the interests of national security require that the Department of Defense have maximum flexibility in the assignment and deployment of military personnel; and

(5) the Secretary of Defense should promptly prescribe regulations governing the assignment of members of the Armed Forces who are parents of minor children, which should provide that—

(A) policies and procedures are uniform, insofar as practicable, among the military departments;

(B) members of the Armed Forces who are parents are required to establish adequate child care arrangements in the event of deployment;

(C) appropriate consideration is given to the unique needs of—

(i) single parents;

(ii) families in which both parents are members of the Armed Forces;

(iii) newborn children;

(D) standards and procedures are prescribed to provide for the consideration of requests for reassignment, leave, or deferment from deployment based upon unforeseen family circumstances; and

(E) appropriate consideration is given to the requirements of military readiness.

SEC. 304. SANCTIONS AGAINST FOREIGN VIOLATORS.

(a) No foreign person may violate any Executive order or other regulation implementing the United Nations Security Council's economic embargo against Iraq.

(b) Whenever the President determines that a foreign person has violated subsection (a), he may issue an order requiring such person to cease and desist from such violation and prohibiting such person from acquiring any real property or other asset in the United States for a period of time deemed appropriate by the President.

(c) For the purposes of this section, the term "foreign person" means any foreign government (including any instrumentality thereof), any foreign national, or any corporation, a majority whose beneficial ownership is controlled by nationals of a foreign country, or any subsidiary of that corporation.

(d) The President may issue regulations within 30 days of the date of enactment of this section which create appropriate procedures to establish a violation of subsection (a) and to implement subsection (b) of this section.

SEC. 305. TERRORIST DEATH PENALTY ACT OF 1991.

(1) SHORT TITLE.—This section may be cited as the "Terrorist Death Penalty Act of 1991".

(2) DEATH PENALTY FOR TERRORIST ACTS.—

(a) OFFENSE.—Subsection 2332(a) of title 18 of the United States Code is amended to read as follows:

"(a) HOMICIDE.—

"(A) Whoever kills a person, with the intent to commit an act of terrorism, which is any act which appears to be intended to intimidate, retaliate against or coerce a civilian population; to influence the policy of a government by intimidation, retaliation or coercion; or to affect the conduct of a government by assassination, kidnapping, hostage-taking or other violent act, while such victim is inside the United States; or

"(B) Whoever kills a national of the United States, while such national is outside the United States; shall—

"(1)(A) if the killing is a first degree murder as defined in section 1111(a) of this title, be punished by death or imprisonment for any term of years or for life, or be fined under this title, or both; and

"(B) if the killing is a murder other than a first degree murder as defined in section 1111(a) of this title, be fined under this title or imprisoned for any term of years or for life, or both so fined and so imprisoned;

"(2) if the killing is a voluntary manslaughter as defined in section 1112(a) of this title, be fined under this title or imprisoned not more than ten years, or both; and

"(3) if the killing is an involuntary manslaughter as defined in section 1112(a) of this title, be fined under this title or imprisoned not more than three years, or both.".

(b) DEATH PENALTY.—Section 2332 of title 18, United States Code, is amended by adding at the end thereof the following:

"(f) DEATH PENALTY.—

"(1) SENTENCE OF DEATH.—A defendant who has been found guilty of an offense under subsection (a)(1)(A), if the defendant, as determined beyond a reasonable doubt at a hearing under paragraph (3) either—

"(A) intentionally killed the victim;

"(B) intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act; or

"(C) acting with reckless disregard for human life, engaged or substantially participated in conduct which the defendant knew would create a grave risk of death to another person or persons and death resulted from such conduct,

shall be sentenced to death if, after consideration of the factors set forth in paragraph (2) in the course of a hearing held under paragraph (3), it is determined that imposition of a sentence of death is justified, except that no person may be sentenced to death who was less than 18 years of age at the time of the offense.

"(2) FACTORS TO BE CONSIDERED IN DETERMINING WHETHER A SENTENCE OF DEATH IS JUSTIFIED.—

"(A) MITIGATING FACTORS.—In determining whether a sentence of death is justified for any offense, the jury, or if there is no jury, the court, shall consider each of the following mitigating factors and determine which, if any, exist:

"(i) MENTAL CAPACITY.—The defendant's mental capacity to appreciate the wrongfulness of the defendant's conduct or to con-

form the defendant's conduct to the requirements of law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

"(ii) DURESS.—The defendant was under unusual and substantial duress, regardless of whether the duress was of such a degree as to constitute a defense to the charge.

"(iii) PARTICIPATION IN OFFENSE MINOR.—The defendant is punishable as a principal (as defined in section 2 of title 18 of the United States Code) in the offense, which was committed by another, but the defendant's participation was relatively minor, regardless of whether the participation was so minor as to constitute a defense to the charge.

The jury, or if there is no jury, the court, shall consider whether any other aspect of the defendant's character or record or any other circumstances of the offense that the defendant may proffer as a mitigating factor exists.

"(B) AGGRAVATING FACTORS FOR HOMICIDE.—In determining whether a sentence of death is justified for an offense described in paragraph (1), the jury, or if there is no jury, the court, shall consider each of the following aggravating factors and determine which, if any, exist:

"(i) DEATH OCCURRED DURING COMMISSION OF ANOTHER CRIME.—The death occurred during the commission or attempted commission of, or during the immediate flight from the commission of, an offense under section 751 (prisoners in custody of institution or officer), section 794 (gathering or delivering defense information to aid foreign government), section 844(d) (transportation of explosives in interstate commerce for certain purposes), section 844(f) (destruction of Government property by explosives), section 1201 (kidnapping), or section 2381 (treason) of this title, section 1826 of title 28 (persons in custody as recalcitrant witnesses or hospitalized following a finding of not guilty only by reason of insanity), or section 902 (i) or (n) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472 (i) or (n) (aircraft piracy)).

"(ii) INVOLVEMENT OF FIREARM OR PREVIOUS CONVICTION OF VIOLENT FELONY INVOLVING FIREARM.—The defendant—

"(I) during and in relation to the commission of the offense or in escaping apprehension used or possessed a firearm as defined in section 921 of this title; or

"(II) has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than one year, involving the use or attempted or threatened use of a firearm, as defined in section 921 of this title, against another person.

"(iii) PREVIOUS CONVICTION OF OFFENSE FOR WHICH A SENTENCE OF DEATH OR LIFE IMPRISONMENT WAS AUTHORIZED.—The defendant has previously been convicted of another Federal or State offense resulting in the death of a person, for which a sentence of life imprisonment or death was authorized by statute.

"(iv) PREVIOUS CONVICTION OF OTHER SERIOUS OFFENSES.—The defendant has previously been convicted of 2 or more Federal or State offenses, each punishable by a term of imprisonment of more than one year, committed on different occasions, involving the importation, manufacture, or distribution of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) or the infliction of, or attempted infliction of, serious bodily injury or death upon another person.

"(v) GRAVE RISK OF DEATH TO ADDITIONAL PERSONS.—The defendant, in the commission of the offense or in escaping apprehension, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense.

"(vi) HEINOUS, CRUEL, OR DEPRAVED MANNER OF COMMISSION.—The defendant committed the offense in an especially heinous, cruel, or depraved manner in that it involved torture or serious physical abuse to the victim.

"(vii) PROCUREMENT OF OFFENSE BY PAYMENT.—The defendant procured the commission of the offense by payment, or promise of payment, of anything of pecuniary value.

"(viii) COMMISSION OF THE OFFENSE FOR PECUNIARY GAIN.—The defendant committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value.

"(ix) SUBSTANTIAL PLANNING AND PREMEDITATION.—The defendant committed the offense after substantial planning and premeditation.

"(x) VULNERABILITY OF VICTIM.—The victim was particularly vulnerable due to old age, youth, or infirmity.

"(xi) TYPE OF VICTIM.—The defendant committed the offense against—

"(I) the President of the United States, the President-elect, the Vice President, the Vice President-elect, the Vice President-designate, or, if there is no Vice President, the officer next in order of succession to the office of the President of the United States, or any person who is acting as President under the Constitution and laws of the United States;

"(II) a chief of state, head of government, or the political equivalent, of a foreign nation;

"(III) a foreign official listed in section 1116(b)(3)(A) of this title, if that official is in the United States on official business; or

"(IV) a public servant who is a Federal judge, a Federal law enforcement officer, an employee (including a volunteer or contract employee) of a Federal prison, or an official of the Federal Bureau of Prisons—

"(aa) while such public servant is engaged in the performance of the public servant's official duties;

"(bb) because of the performance of such public servant's official duties; or

"(cc) because of such public servant's status as a public servant.

For purposes of this clause, the terms 'President-elect' and 'Vice President-elect' mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2; a 'Federal law enforcement officer' is a public servant authorized by law or by a government agency or Congress to conduct or engage in the prevention, investigation, or prosecution of an offense; 'Federal prison' means a Federal correctional, detention, or penal facility, Federal community treatment center, or Federal halfway house, or any such prison operated under contract with the Federal Government; and 'Federal judge' means any judicial officer of the United States, and includes a justice of the Supreme Court and a magistrate.

The jury, or if there is no jury, the court, may consider whether any other aggravating factor exists.

"(3) SPECIAL HEARING TO DETERMINE WHETHER A SENTENCE OF DEATH IS JUSTIFIED.—

"(A) NOTICE BY THE GOVERNMENT.—Whenever the Government intends to seek the death penalty for an offense described in paragraph (1), the attorney for the Government, a reasonable time before the trial, or before acceptance by the court of a plea of guilty, or at such time thereafter as the court may permit upon a showing of good cause, shall sign and file with the court, and serve on the defendant, a notice—

"(i) that the Government in the event of conviction will seek the sentence of death; and

"(ii) setting forth the aggravating factor or factors enumerated in paragraph (2) and any other aggravating factor not specifically enumerated in paragraph (2), that the Government, if the defendant is convicted, will seek to prove as the basis for the death penalty.

The court may permit the attorney for the Government to amend the notice upon a showing of good cause.

"(B) HEARING BEFORE A COURT OR JURY.—When the attorney for the Government has filed a notice as required under subparagraph (A) and the defendant is found guilty of an offense described in paragraph (1), the judge who presided at the trial or before whom the guilty plea was entered, or another judge if that judge is unavailable, shall conduct a separate sentencing hearing to determine the punishment to be imposed. Before such a hearing, no presentence report shall be prepared by the United States Probation Service, notwithstanding the Federal Rules of Criminal Procedure. The hearing shall be conducted—

"(i) before the jury that determined the defendant's guilt;

"(ii) before a jury impaneled for the purpose of the hearing if—

"(I) the defendant was convicted upon a plea of guilty;

"(II) the defendant was convicted after a trial before the court sitting without a jury;

"(III) the jury that determined the defendant's guilt was discharged for good cause; or

"(IV) after initial imposition of a sentence under this paragraph, reconsideration of the sentence under the section is necessary; or

"(iii) before the court alone, upon motion of the defendant and with the approval of the attorney for the Government.

A jury impaneled pursuant to clause (ii) shall consist of 12 members, unless, at any time before the conclusion of the hearing, the parties stipulate, with the approval of the court, that it shall consist of a lesser number.

"(C) PROOF OF MITIGATING AND AGGRAVATING FACTORS.—At the hearing, information may be presented as to—

"(i) any matter relating to any mitigating factor listed in paragraph (2) and any other mitigating factor; and

"(ii) any matter relating to any aggravating factor listed in paragraph (2) for which notice has been provided under subparagraph (A)(ii) and (if information is presented relating to such a listed factor) any other aggravating factor for which notice has been so provided.

Information presented may include the trial transcript and exhibits. Any other information relevant to such mitigating or aggravating factors may be presented by either the government or the defendant, regardless of its admissibility under the rules governing admission of evidence at criminal trials, except that information may be excluded if its probative value is outweighed by the danger of creating unfair prejudice, confusing the issues, or misleading the jury. The attorney for the Government and for the defendant shall be permitted to rebut any information received at the hearing, and shall be given

fair opportunity to present argument as to the adequacy of the information to establish the existence of any aggravating or mitigating factor, and as to the appropriateness in that case of imposing a sentence of death. The attorney for the Government shall open the argument. The defendant shall be permitted to reply. The Government shall then be permitted to reply in rebuttal. The burden of establishing the existence of an aggravating factor is on the Government, and is not satisfied unless the existence of such a factor is established beyond a reasonable doubt. The burden of establishing the existence of any mitigating factor is on the defendant, and is not satisfied unless the existence of such a factor is established by a preponderance of the evidence.

"(D) RETURN OF SPECIAL FINDINGS.—The jury, or if there is no jury, the court, shall consider all the information received during the hearing. It shall return special findings identifying any aggravating factor or factors set forth in paragraph (2) of this title found to exist and any other aggravating factor for which notice has been provided under subparagraph (A) found to exist. A finding with respect to a mitigating factor may be made by one or more members of the jury, and any member of the jury who finds the existence of a mitigating factor may consider such factor established for purposes of this section regardless of the number of jurors who concur that the factor has been established. A finding with respect to any aggravating factor must be unanimous. If no aggravating factor set forth in paragraph (2) is found to exist, the court shall impose a sentence other than death authorized by law.

"(E) RETURN OF A FINDING CONCERNING A SENTENCE OF DEATH.—If an aggravating factor required to be considered under paragraph (2)(C) is found to exist the jury, or if there is no jury, the court, shall then consider whether the aggravating factor or factors found to exist outweigh any mitigating factor or factors. The jury, or if there is no jury, the court, shall recommend a sentence of death if it unanimously finds at least one aggravating factor and no mitigating factor or if it finds one or more aggravating factors which outweigh any mitigating factors. In any other case, it shall not recommend a sentence of death. The jury shall be instructed that it must avoid any influence of sympathy, sentiment, passion, prejudice, or other arbitrary factors in its decision, and should make such a recommendation as the information warrants.

"(F) SPECIAL PRECAUTION TO ASSURE AGAINST DISCRIMINATION.—In a hearing held before a jury, the court, before the return of a finding under subparagraph (E), shall instruct the jury that, in considering whether a sentence of death is justified, it shall not consider the race, color, religious beliefs, national origin, or sex of the defendant or of any victim and that the jury is not to recommend a sentence of death unless it has concluded that it would recommend a sentence of death for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant or of any victim may be. The jury, upon return of a finding under subparagraph (E), shall also return to the court a certificate, signed by each juror, that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or any victim was not involved in reaching the juror's individual decision and that the individual juror would have made the same recommendation regarding a sentence for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant or any victim may be.

"(4) IMPOSITION OF A SENTENCE OF DEATH.—Upon the recommendation under paragraph (3)(E) that a sentence of death be imposed, the court shall sentence the defendant to death. Otherwise the court shall impose a sentence, other than death, authorized by law. Notwithstanding any other provision of law, if the maximum term of imprisonment for the offense is life imprisonment, the court may impose a sentence of life imprisonment without the possibility of release or furlough.

"(5) REVIEW OF A SENTENCE OF DEATH.—

"(A) APPEAL.—In a case in which a sentence of death is imposed, the sentence shall be subject to review by the court of appeals upon appeal by the defendant. Notice of appeal of the sentence must be filed within the time specified for the filing of a notice of appeal of the judgment of conviction. An appeal of the sentence under this paragraph may be consolidated with an appeal of the judgment of conviction and shall have priority over all other cases.

"(B) REVIEW.—The court of appeals shall review the entire record in the case, including—

"(i) the evidence submitted during the trial;

"(ii) the information submitted during the sentencing hearing;

"(iii) the procedures employed in the sentencing hearing; and

"(iv) the special findings returned under paragraph (3)(D).

"(C) DECISION AND DISPOSITION.—

"(i) If the court of appeals determines that—

"(I) the sentence of death was not imposed under the influence of passion, prejudice, or any other arbitrary factor; and

"(II) the evidence and information support the special findings of the existence of an aggravating factor or factors;

it shall affirm the sentence.

"(ii) In any other case, the court of appeals shall remand the case for reconsideration under paragraph (3) of this title or for imposition of another authorized sentence as appropriate.

"(iii) The court of appeals shall state in writing the reasons for its disposition of an appeal of sentence of death under this paragraph.

"(6) IMPLEMENTATION OF A SENTENCE OF DEATH.—

"(A) IN GENERAL.—A person who has been sentenced to death pursuant to this subsection shall be committed to the custody of the Attorney General until exhaustion of the procedures for appeal of the judgment of conviction and for review of the sentence. When the sentence is to be implemented, the Attorney General shall release the person sentenced to death to the custody of a United States marshal, who shall supervise implementation of the sentence in the manner prescribed by the law of the State in which the sentence is imposed. If the law of such State does not provide for implementation of a sentence of death, the court shall designate another State, the law of which does so provide, and the sentence shall be implemented in the manner prescribed by such law.

"(B) IMPAIRED MENTAL CAPACITY, AGE, OR PREGNANCY.—A sentence of death shall not be carried out upon a person who is under 18 years of age at the time the crime was committed.

A sentence of death shall not be carried out upon a woman while she is pregnant.

"(C) EMPLOYEES MAY DECLINE TO PARTICIPATE.—No employee of any State department of corrections or the Federal Bureau of Prisons and no employee providing services to that department or bureau under contract shall be required, as a condition of that employment or contractual obligation, to be in attendance at or to participate in any execution carried out under this paragraph, if such participation is contrary to the moral or religious convictions of the employee. For purposes of this subparagraph, the term 'participate in any execution' includes personal preparation of the condemned individual and the apparatus used for the execution, and supervision of the activities of other personnel in carrying out such activities.

"(7) USE OF STATE FACILITIES.—A United States marshal charged with supervising the implementation of a sentence of death may use appropriate State or local facilities for the purpose, may use the services of an appropriate State or local official or of a person such as an official employed for the purpose, and shall pay the costs thereof in an amount approved by the Attorney General.".

SEC. 306. CRIMINAL AND CIVIL PENALTIES FOR PRODUCTION, TRANSPORT, OR USE OF BIOLOGICAL OR CHEMICAL WEAPONS WHICH KILL, MAIM OR INJURE UNITED STATES NATIONALS ABROAD.

(1) Section 2331 of title 18, United States Code, is amended as follows:

(a) Delete the "and" at the end of subparagraph (3) and replace the period at the end of subparagraph (4)(C) with "; and";

(b) Add the following at the end of the section:

"(5) An act which knowingly and materially contributes to the production, transport, or use of biological or chemical weapons, or a component thereof, which kill, maim or injure a national of the United States shall be considered an act of 'international terrorism' and shall not constitute an 'act of war.'"; and

(2) Section 2332 of title 18, United States Code, is amended as follows: Delete the period at the end of subparagraph (e) and add instead the phrase "or constituted an act as defined in section 2331(5).".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, January 22, 1992, at 9 a.m., for an executive session on pending business.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, Wednesday, January 22, 1992, at 10 a.m. to conduct a hearing on the nomination of Albert V. Casey, of Texas to be Chief Executive Officer of the Resolution Trust Corporation.

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

SELECT COMMITTEE ON POW/MIA AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent for the Senate Select Committee on POW/MIA Affairs to meet Wednesday, January 22, 1992, at 11:30 a.m. in 106 of the Senate Dirksen Office Building to examine the claim of former NSA analysts Jerry Mooney and Terry Minarcin regarding possible American POW's kept in captivity after 1973 and/or moved from Southeast Asia.

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

COMMITTEE ON ARMED SERVICES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open/closed session on Wednesday, January 22, 1992, at 9:30 a.m., to receive testimony regarding the international security environment over the next decade.

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

ADDITIONAL STATEMENTS

A TRIBUTE TO THE U.S. FOREST SERVICE AND THE COLE NEIGHBORHOOD PROJECT

• Mr. WIRTH. Mr. President, last year I had occasion to visit the Cole Neighborhood in Denver, CO, and was pleased to participate in a tree-planting community revitalization project.

I wanted to take a moment to acknowledge a few of the public spirited individuals who made this project possible, and I particularly wanted to thank the U.S. Forest Service for their support and leadership.

In August 1991, the Forest Service and the Colorado State Forest Service joined the Cole Neighborhood Coalition in a grassroots effort to beautify the neighborhood by planting trees. The Forest Service committed $10,000 for this project, which includes a documentary video showing how neighborhoods across the country can do the same thing.

Mr. President, as elected officials we often have to be very public in our criticisms of Federal agencies, and the Forest Service has been no exception. We do not always take time to commend Federal agencies or Federal employees for the outstanding work they do, and that is precisely why I wanted to take a moment to thank the Forest Service for their participation in this project.

I particularly want to commend Phil Hoefer of the Colorado State Forest Service, Bob Conrad of the U.S. Forest Service, and Susan Bartell, Linda Hecker, and Dennis Bschor of the Rocky Mountain Regional Office of the U.S. Forest Service.

Thanks in part to their good work, the resources and expertise of Government agencies committed to our public lands and natural resources has been directly beneficial to an urban community seeking revitalization. That is a real and tangible benefit to working families in our inner-city neighborhoods, and we should commend these Government employees for their efforts.•

BRIG. GEN. WALLACE P. CARSON TO RECEIVE "MINUTEMAN" AWARD

• Mr. PACKWOOD. Mr. President, I rise to honor Brig. Gen. Wallace P. Carson, Jr., who has been chosen by the enlisted members of Oregon Air National Guard as the recipient of Oregon's "Order of the Minuteman."

General Carson achieved his high rank through long and dedicated service in both the U.S. Air Force and the Oregon Air National Guard. His outstanding professionalism and exemplary leadership skills resulted in the increased effectiveness of the Guard in Oregon. He contributed greatly to the success of the Guard in Oregon and earned the deep respect of his men.

While guiding the Guard forward, General Carson pursued his civilian career in the Oregon judiciary, eventually becoming chief justice of the Oregon Supreme Court. In these endeavors, General Carson epitomizes the concept of the Minuteman—an individual who is always ready to respond to the needs of our great Nation.

The "Order of the Minuteman" was established to recognize and honor military volunteers and civilians for their significant contributions to both the welfare and prestige of the enlisted forces of the Oregon Air National Guard. General Carson's enviable record has earned him this honor, and I am pleased to be able to acknowledge his achievement.•

ESTONIAN HOMELAND

• Mr. SIMON. Mr. President, I spent two of my college years at a fine, small, liberal arts college in Blair, NE, Dana College. I owe a great deal to that splendid college.

Recently I received its alumni publication, the Dana Review, with an article by Juri Taht, who fled Estonia in 1952 and attended Dana College. He has comments about visiting Estonia after all these years that, I think, merit the attention of my colleagues in the Senate.

I ask to insert his comments in the RECORD at this point.

The comments follow:

ALUMNUS VISITS ESTONIAN HOMELAND

Fifty years ago Juri Taht '52 fled Estonia when the Soviet Union occupied that country. He and other members of his family spent the years of World War II in Germany. A professional cellist for much of his life, in 1983 Taht became an international radio broadcaster for Radio Free Europe; his broadcasts from Washington, D.C., are directed to Estonia. This summer, after an absence of half a century, Taht returned to his native land. He wrote this account of his trip for the Review:

"My trip back to Estonia was undertaken for strictly personal reasons. During the past few years of Glasnost in the Soviet Union a number of relatives had visited us here in the U.S. and urged me to come and visit now that conditions had changed. My two cousins visited Washington two years ago and assured us that it was safe again to visit, and so my brother (who lives in Germany) and I decided to return to Estonia, especially to see relatives we had never met before and our aunt who is in her eighties. We received visas from our respective Soviet consulates and were ready to set foot on Estonian soil the last day of August.

"Yet the coup d'etat attempt in Moscow on August 19 almost derailed our plans. Things looked better a few days later as the Estonian government had declared the country independent again. Thus we, my brother and I, decided to take the trip even if the situation was still unstable and the State Department warned travelers away from the Baltics.

"We arrived in Tallinn by ship from Stockholm on September 1 on a beautiful sunny and unusually warm day after an absence of a little more than half a century. It is hard to describe the basketful of mixed emotions when we arrived after half a century at the very spot where we left at the ages of ten and eight. We felt great tension, joy, and also sadness, for we were fully aware, we thought, of the conditions there after 50 years of communist tyranny, persecution and deprivation that the people have had to endure.

"It is, however, one thing to get a description from other people and to see for oneself. And thus, I must admit, I was not prepared for what I saw with my own eyes. I had returned to what could be described as a Third World country—a country that before the Soviet invasion over 50 years ago was economically more advanced and prosperous than Finland. The dilapidated condition of buildings in the cities but also on farms is a depressing sight. There is not much left of my mother's farm where she grew up and where my parents had, just before leaving Estonia, built a brand new house.

"But man lives not by bread alone and thus the bread lines we observed especially in the cities were not even the most depressing sight. What was much more disheartening was what Stalin and his successors had done to the people—people who were deprived of the freedoms we so much take for granted in this country, especially religious liberty and freedom of speech and assembly.

"Just as a wound leaves a scar after healing, it is possible to see these scars on the faces of the people and witness it in their behavior—that is the most awful legacy of the communist system. People who have been forced to use their elbows, and to cheat, steal and lie in order just to survive, don't change overnight.

"Add to this the ethnic problems that has haunted the Estonians for the last 50 years. Tens of thousands of Estonians were deported to Siberia never to return, and at the same time hundreds of thousands of migrant Russians were brought into the country. According to some sources there are now about 600,000 Russians in Estonia among not even 1 million Estonians, who have watched for almost two generations how the immigrants received preferential treatment—be it in housing, jobs or having telephones installed.

"Thus I observed cultural differences between the Russians and Estonians but also differences between me and especially people younger than I. I noticed the absence of manners in everyday dealings, the kind I am used to in this country. Saying 'thank you' does not come easy any more to people who are day in and day out forced to spend inordinate amounts of time to get hold of the bare necessities of life. Older people, who remembers the days before the occupation, tell me that honesty and integrity are a scarce commodity these days.

"Gone is also the work ethic, which was such a characteristic attitude in the life of Estonians before the communists came.

"So what about the future? I have great hopes for the Baltic states but it will take quite a while, maybe a generation, to start healing the physical, mental and spiritual scars caused by the brutality that was imposed on the Estonian people for so long.

"God willing, maybe I shall retire some day on the farm of my forefathers if conditions improve. We have already put in a claim as the rightful heirs of the property. As I stood at the gate of my mother's birthplace, I had a feeling that I have not experienced anywhere in the world—not in Germany and not even here, the country that I love so much—I felt that here was HOME.

"Somehow, however, I am left with deep anger against those who did this to my country, which I was forced to leave behind for half a century to roam the world. I know I will be able to forgive but not ever forget."•

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received a request for a determination under rule 35 for Sarah Sewall, a member of the staff of Senator MITCHELL, to participate in a program in Europe, sponsored by NATO Office of Information and Press, from January 11–19, 1992.

The committee determined that participation by Ms. Sewall in this program, at the expense of NATO Office of Information and Press, was in the interest of the Senate and the United States.•

GAMBLING COSTS

• Mr. SIMON. Mr. President, recently, Prof. Earl L. Grinois, professor of economics at the University of Illinois, and former senior economist for the Council of Economic Advisors for the President, had an article in the St. Louis Post-Dispatch titled "Gambling Doesn't Pay; It Costs."

There is a tendency now to look for easy cures to our revenue dilemmas.

His article suggests to me on a more solid base what my instinct tells me: Communities and States and the Nation should be careful when they look for easy revenue cures that may do more damage than they realize.

An example is the State lotteries. If you go into the poorest section of Chicago or East St. Louis, you will see people lined up to buy lottery tickets. I am not on a crusade to do away with State lotteries, and if you were to take a vote in those very communities, I think they would want to keep them, because those lotteries represent hope for people.

We have to learn to give people more substantial reasons for hope.

And we have to find way of raising revenue that do not impose on the weakest and poorest in our society.

I ask to insert the article by Professor Grinois into the RECORD at this point.

The article follows:

GAMBLING DOESN'T PAY; IT COSTS—BETTING PARLORS SIPHON OFF MORE MONEY FROM COMMUNITIES THAN THEY GENERATE

(By Earl L. Grinois)

Legalized gambling is spreading across the Midwest like a prairie fire. From Missouri to Minnesota, Indiana to Kansas, promoters are barraging state officials with proposals for horse racing, off-track betting parlors, slot machines, card rooms and more elaborate state lottery games.

In the name of adding jobs and boosting tax revenue in the St. Louis area, plans are afloat for riverboat casinos in recession-ravaged East St. Louis and Sauget, off-track betting parlors across Southern Illinois and, if Missouri voters approve it next year, there may be black-jack and dice under the Gateway Arch.

But wait a minute. Forget the well-established disorder of compulsive gambling, which psychologists say afflicts 2 to 4 percent of the population and devastates individuals and families. Forget, too, the evidence that teen-age gambling is on the rise. As a way to spark economic development, gambling is a bust.

Gaming executives and their political backers like to suggest that a floating casino or off-track betting parlor is like any other business in its ability to generate jobs end revitalize a community.

But a gambling operation is not like a factory or a retail store. There are givers in the world of commerce, and there are takers. Gambling is a taker.

To determine how much a host community loses when organized gambling comes to town, I completed an economic analysis of a proposed (now approved) off-track betting parlor in Champaign, Ill., one of 14 sites allowed under recent legislation. I found that in return for $436,000 in projected annual taxes, the Champaign-area economy would sustain a direct loss of $4.8 million a year and an additional loss of $8.6 million to $12 million in reduced economic activity.

But that's not all. When wages go for gambling instead of local goods and services, hoped-for economic spinoffs often fail to materialize. There are fewer restaurants in Atlantic City today, for example, than before the casinos opened. The truth is that gambling mostly attracts gamblers, not tourists.

What's more, because of reduced purchases, revenues from sales taxes goes down. In Champaign that means the city's shares of sales taxes would drop by $200,000 to $250,000 a year. That's enough to wipe out about half of the supposed tax gain from gambling.

The big winner would be the consortium of four Illinois racetracks that will run the parlor. Consider the vigorish; The parlors are required by state law to return to bettors only 77 cents of every dollar bet. Of the 23 cents not returned, 1 cent goes to the host city as tax, and 3 cents to the county and state. The rest goes to the promoters.

Gambling is not the only kind of business that can remove dollars from a local economy, but very few remove proportionally as much money for so marginal an increase in public revenue.

As Missouri residents have discovered, state lotteries have not been very successful at raising money. Nationwide, lotteries account for only 3.3 percent of the total revenue raised by lottery states—for below the amount raised by sales and income taxes.

Customers of New York City's off-track parlor wagered $959 million last year, but after paying all its bills, the corporation had only $33 million left over for the city. This year the figure will be millions lower, according to *Fortune* magazine. Within a decade, some experts believe that the New York operation will be in the red—meaning the city would have to support it. That's an ominous sign for Midwest taxpayers.

Given the widespread evidence that gambling hurts a community, what rationale is there for government to act as a conduit for the profits of private promoters?

The answer is none. But naive public officials, like addicted railbirds, remained convinced that some day they'll hit the jackpot. It's a delusion as old as gambling itself.•

HONORING BROOMFIELD HIGH MARCHING BAND

• Mr. WIRTH. Mr. President, I am delighted to acknowledge a fine group of young people from my State—all of whom are members of the Broomfield High School marching band.

The Broomfield High band was one of a very elite group of American high school bands selected to march in the Thanksgiving Day parade last year. They worked hard for this honor, and I wanted to acknowledge their efforts by commending them in a very public way—and in a way that commands national attention.

Mr. President, I want to applaud these young band members and their outstanding director, Mr. Christopher Waterbury, by listing each band member in the RECORD. It may well be that one or several of these young Americans get to Congress on their own accord, but it gives me great honor to mention each one by name and to express Colorado's pride in the job they have done:

Luke Akers, Michelle Barker, Kelly Barthule, Laura Barthule, Matt Bean, Julie Becker, Mike Becker, Nicole Beer, Eric Bergstrom, Erin Bigger, Missy Bloomquist, Melissa Borrego, Michael Caneva, Matt Castle, Jennifer Champlain.

Amy Coles, Caryn Coles, Debbie Cook, Pat Cornell, Cristy Dechant,

Renae Degasperis, Nikki Deines, Matt Dhieux, Daniel Diekhoff, Matt Douville, Megan Feltes, Bill Fickbohm, Chad Foster, Jim Frei, Scott Geertgens.

Larry Hargreaves, Kelly Hausmann, Gina Heffington, Jenna Helwig, Eric Henry, Susanne Holloway, Jennifer Hughes, Cathy Ingram, Lisa Ivey, Angela Kegerreis, Jennifer Kennedy, Laura Kindler, Kristen Kultala.

Darren Laging, Nathan Leake, Megan Ludwig, Amy Lueb, Kim Macdonald, Deborah Maggert, Sara Maranowicz, Dan Marcucci, Cindy Northrop, Mike Palmrose, Tiffany Peterson, Patricia Prentice, Jeremy Quist, Paul Quist.

Robert Ramey-Vigil, Mike Riter, Aaron Ritter, Janelle Root, Mark Russell, Matt Russell, Melissa Rutter, Jason Sarno, Erin Schissler, Anna Segurson, Kim Seibel, Jennifer Sesker.

Faith Shook, Cary Smith, Scott States, Amber Switzer, Lonell Thode, Mauricio Torrico, Michelle Trosper, Michelle Urry, Greg Vigo-Torres, Chad Voth, Amy Wegner, Joshua Wilsey, Nicole Workman.●

ENLIGHTENED BUSINESS LEADER

● Mr. SIMON. Mr. President, recently, my wife and I visited in Chicago with old friends, Newt and Jo Minow.

Among other responsibilities Newt Minow has is that he's on the board of Sara Lee.

Sare Lee is headed by someone who, I believe, is one of the most enlightened business leaders, not only in our Nation but in the world, John Bryan.

Newt Minow gave me a copy of a talk John Bryan gave to the Securities Industry Association recently in Boca Raton, FL.

I have not seen it reproduced elsewhere, and it contains so much that is simply common sense, as well as one other factor that I think is important.

That other factor is taking a long-term look at things.

In the public sector and in the private sector in our country, we have too much short-term thinking. John Bryan, here, clearly demonstrates the kind of long-term thinking that is essential for all of us in this country if we are to succeed as we can and should.

There are one or two things in his speech that I might question, but on the whole, it seems to me what he provides in the way of vision and understanding is something we need.

I ask to insert his remarks in the RECORD at this point.

The remarks follow:

REMARKS BY JOHN BRYAN TO THE SECURITIES INDUSTRY ASSOCIATION

Thank you. I am delighted to be here. This Boca Raton is quite a relief from the snow and bitter cold we've had in Chicago this week. So it's nice to be in the Sunny South.

As the program suggests, may assignment today is to discuss the global advance of business in our world today. I do, in fact, have a few thoughts on that subject.

Specifically, I should like to talk about what is driving today's global business, a little about what Sara Lee is doing in various markets around the world, and how we're working to globalize the company. And then I'll close with a few points of view about what all of this might mean, especially to economies and industries around the world.

Now my thoughts, of course, are based largely on our experience at Sara Lee Corporation, a company that has been rather intensely globalizing itself over the past few years. So before I get into my subject, I think you really ought to know a bit more about Sara Lee.

We have several rather important dimensions. First, and some of you may not know, there really is a Sara Lee. She is a bit younger than I am. She lives in New York City with her husband and four children. In fact, her husband, Axel Schupf, is a prominent investment advisor in New York, so he has a very important connection with your industry. Sara's destiny was fixed at age eight when her father, who owned a couple of bakery shops in Chicago, needed a name for his cheese cake. As a result of that decision, our company is today by far the largest in the world named for a woman. And I can tell you, it is a distinction of which we are proud.

Of course, Sara Lee is also a product, the best cheesecakes, pound cakes and coffee cakes in the world. But, as you may not know, frozen baked goods is not the major product of Sara Lee. In fact, it's our smallest product category and accounts for only about 6% of our sales. Our largest single product is, in fact, ladies' hosiery. We make about half of all ladies' hosiery sold in the United States and 30% of European hosiery. And when one adds up all the clothing items sold by Hanes, L'egg's, Playtex, Champion, Coach, Aris gloves and our other brands, Sara Lee is the largest such manufacturer in the world.

Further, we are one of America's largest packaged meats companies. We are a major coffee company, especially in Europe. Also, we have strong household and personal care positions in many parts of the world.

Sara Lee's mission is to sell branded, nondurable consumer packaged goods. And it's a good business. And while I'm not sure we deserve it, the company has been doing very well.

Last year, when Fortune magazine produced its annual report on the largest 500 companies in the United States, it showed their returns to shareholders for the past 10 years. Of the top 100 companies in America, Sara Lee was #1 in the decade of the 80s. We had a 31.7% annual return to our shareholders over that decade. Well, despite that record, two years ago at Sara Lee, we made some very radical changes of direction.

There was ample evidence that the business world was undergoing a moment of major change. It was clear that America in the 90s was to be a very different place. All that loose money, speculation and debt accumulation of the 80s had fueled a spending binge and our economic growth. The time came to sober up from that binge. I know of no one who predicts a return to 80s—style growth for the U.S. economy anytime soon.

As we began to face slower growth at home, however, an astonishing confluence of mega-events began to literally open up the rest of the world for business.

These events can be divided into three parts. The first we can call the rise of democracy. Twenty nations have turned to freedom in the past five years. None has moved in the other direction. This is really good news for business. Democracy is not an absolute requirement for building economies, for there have been some very notable successes by automatic regimes. But democracies do provide the political stability necessary to safely do business. Remember, democracies do not start wars, it is dictators who start them.

The second mega-event affecting worldwide business is a dramatic surge in appreciation for free trade. It's happening everywhere. There is the economic unification of Europe. And there is the economic unification of North America, which will soon be accomplished with the free trade agreement between the U.S. and Mexico. Also, the ripple effect is being felt further south. Such that one could imagine all of the Americas trading freely in the reasonably near future. Then there is the Uruguay round of GATT talks—the eighth such round since the end of World War II. Let me remind you that the first seven rounds cut tariffs worldwide approximately 75 percent. And as a result, over the past 40 years the U.S. and world economies have grown faster than at any period in history. As for the current round of GATT, there is optimism in the air. We see cracks in the European intransigence on agriculture. Mr. Delors has become personally committed to an agreement. I, for one, believe he and the talks, will succeed.

The third trend making this an extraordinary time for business is the massive adoption of liberal economic policies throughout the world. Capitalism has become a contagion. Countries once wedded to socialism are discovering that laissez faire economics works. Even India, one of the most over-regulated, bureaucratic economies in the world, is today lowering its barriers, throwing aside restrictions and inviting businesses in. Free enterprise is flowering everywhere with the prospect of bringing into the world marketplace as many as four billion added people. We know these people have the desire and if they can gain the means to become enthusiastic consumers, it can produce a worldwide boom of staggering and historic proportions.

Now, there are pessimists who will tell you these trends cannot last. Autocracies will reemerge. Diversity and pluralism will prove too difficult to manage. Nationalism and parochialism will override common interests. There are problems and worries. but any objective analysis of these mega-events has to be positive. And that, I believe, makes it absolutely imperative for a company such as ours to move aggressively in the international arena.

So that's what we at Sara Lee have done. In terms of markets, our first priority is surely the EEC. It's impossible to overstate the opportunities there. Historically, European product categories, especially in consumer goods, have been highly fragmented, even on a country basis. Thus, they have very high cost operations. I'll give you an example. You can go to any Wal-Mart in America and buy Hanes men's cotton underwear for $1.50 a pair. The price in most European countries is at least three times higher. The difference is that in America, the market is dominated by two major, highly efficient competitors. Europe, on the other hand, is served by small scale manufacturers, often many in each country.

In our business, there are two relevant skills necessary to build large, consolidated market positions and achieve the resulting economies of scale. They are packaged goods marketing skills, and large-scale manufac-

turing expertise. Sara Lee has both. With that in mind, we began working in 1989 to replicate some of our U.S. positions in packaged apparel in Europe. We opened an office in Paris. And we've built a business of more than $1 billion there in just two years.

As for Eastern Europe, about a year ago, we took a very productive 10-day trip to Hungary, Czechoslovakia, and Poland. These countries, by the way, do not like to be referred to as Eastern Europe. They are Central Europe. Sara Lee devised a strategy for these three countries—one that focused on two products—coffee and hosiery.

Hungary, with its more liberal traditions, was by far the easiest market. We made an acquisition that will lead to 98% ownership of Hungary's largest coffee company. It will cost about $50 million. Of course, in Central Europe you don't really buy a company. You buy a factory. Our coffee company in Hungary had 1,500 employees of which 350 were administrators. And there were no salesmen. We have installed five western executives as shadow managers. We've redesigned the packaging, put 25 salesmen on the road, TV commercials on the air, and billboards on the street. Today we have about a 60% share of the market in coffee—and profitability as good as in the West. We are pleased—and the Hungarians are certainly proud of their fast track move to free enterprise. They want to be members of the European Common Market as soon as possible.

In Czechoslovakia, we have approved many investments and hope to conclude negotiations for a major coffee business there very soon. And we have had a team in Poland all summer studying the acquisition of the major hosiery business in that country.

At a recent Sara Lee board meeting where we approved that venture, I was particularly struck by the management group chosen to carry out this extraordinary assignment. It is to be led by a 29-year-old who has spent three years in U.S. and French knitting factories since getting his MBA at Harvard. He is learning Polish. The chief financial officer will be a young Chicago native Polish-American woman from our corporate finance office. She speaks Polish fluently. And a 68-year-old who helped to build the L'eggs hosiery distribution system. He also is of Eastern European heritage and wants to spend a few years of his retirement in Poland. And there are others. It's an excited group. Wouldn't that be a challenging assignment?

Now let me turn for just a moment to South Africa. In December of 1986, Sara Lee withdrew from that market exclusively because of shareholder protest. Personally, I favored sanctions—and think they were appropriate and effective. But now the time is coming when it will be appropriate to re-invest in South Africa. Sara Lee is looking forward to doing so. And South Africa needs investment.

The fact is—with its entrepreneurial infrastructure—South Africa is the only country that can serve as a catalyst for economic development throughout the sub-Sahara region. Elsewhere around the world, in East Asia, where Sara Lee does $600 to $700 million in business, we find about half the world's population and the world's fastest-growing marketplace. Some economies in East Asia are growing 8 to 10% a year.

Sara Lee has major initiatives in this region. The catalyst for growth in East Asia has been one thing—Japanese capital. They've invested billions in countries like Thailand and it is creating tremendous consumer markets.

Last year, as I was riding in an old motorboat down one of those waterways they call klongs in Bangkok, I couldn't help noticing the television antennas sprouting from every shanty in sight. All that Japanese money and all those TV sets make a great team for creating consumer markets in that part of the world.

And then there is China. Practicing perestroika without glasnost. The combination of Confucianism, their inherent entrepreneurial ethic—combined with a little laissez faire—will produce an economic explosion someday. Hong Kong and Taiwan—China's two enormously successful satellites—are already stoking the fires. Sara Lee has a few joint ventures in China. We are moving aggressively to establish others. Finally, closer to home, as you know, the boom has already begun in Mexico. Sara Lee is there. We are negotiating several acquisitions at the present time. And we have plans underway to place quite a few sizeable factories in Mexico very soon.

So that's a glimpse at some of the global markets that are getting our attention at Sara Lee. I assure you, we are just getting started.

Let me now offer a few thoughts on how are we going about the business of globalizing Sara Lee from a strategic, rather than a geographic, perspective. For one thing, we are not very excited about joint ventures. They add an extra dimension of complication that we would like to avoid. So far, we have only done joint ventures and partial ownership for a short-term period, to make the businesses we've acquired feel more comfortable.

Another principle we've followed in globalizing Sara Lee is to really place a premium on flexibility. The dynamics of change are so great today. Think of the variability we'll see in labor costs, trade regulations, economic growth. Sara Lee plans on being very careful and very flexible as we locate facilities and enter markets around the world. We also have to remain flexible in our brand strategies. There has been great debate about local brands, versus Pan-European brands, versus global brands. There is no right answer to this one. It depends on the product and the market, even as it does in the United States today. After all, the largest corporation in Chicago is a regional company.

When it comes to management styles, we have established a simple principle. It is for us to internationalize Sara Lee—not try to Americanize the world. At Sara Lee, we simply don't have battalions of expatriate managers to dispatch around the world. And we think it would be a major mistake to try to promulgate a singular corporate culture.

At least 25% of our managers, executives, and our board of directors are foreign nationals. And we plan at least one of our 8 board meetings a year outside the U.S. I think it is for certain that the nationality of the successful global company of the future will become increasingly blurred. And that is appropriate.

When I'm in France, I often tell people that Sara Lee is a French company. We have all the required constituencies. We're on the Paris Bourse. We have French shareholders and employees and managers. We build factories and pay taxes and make charitable contributions. The only thing wrong is my accent.

Another issue often encountered in globalizing a business is the decision whether to build—or to acquire—international positions. Again, there are no absolute answers. At Sara Lee, we have made many acquisitions—and found them a good means of getting established quickly in a market. We have also found that making acquisitions overseas isn't much different than here in the U.S. Sara Lee does not do unfriendly deals, and rarely participates in auctions. We carefully identify businesses in which we are interested—and then we work to build a relationship.

I can tell you that in Europe, that approach works very well. Relationships are very important there. Businesses are very concerned about to whom they sell—and they are less comfortable turning the acquisition process over to an intermediary.

As to operating and restructuring businesses once they're acquired, American companies have historically feared co-determination governance policies abroad, particularly in Europe. I can tell you that the problems associated with worker participation in management decisions are much less common today than they were 20 years ago. While it might take a little more patience and process, we have found it's possible to close factories in all the countries of Europe. This is certainly a major change in the pattern of doing business there, compared to earlier in my experience.

So that's look at how we've gone about the business of globalizing Sara Lee. What we've learned is that in order to succeed in the global arena, you have to get your passport and your visas and your sleeping pills. And I think you have to throw out most of your preconceptions about countries and cultures in the rest of the world. Then you have to get on the plane and go. I am frankly amazed that so many American companies still choose not to do so.

Finally today—lest my perspective seem too parochial—let me conclude by offering a few comments on how the "changing patterns of doing a global business" might be affecting economies and industries in the world.

In the United States, as I said before, it will likely take some time to recover from the legacy of leverage in the 80s. But in my judgment, it is the economic unification of the United States and Mexico that will be the most powerful impetus to regenerate the U.S. economy in the decade of the 90s. It may well become George Bush's greatest domestic legacy.

You see, in most matters of politics and economics, one deals with competing interests. But free trade is the exception. It is about the only example of a policy where everyone wins. Most economists accept the notion that growth can result only from increasing productivity, or having more people in the economy. With the U.S. and Mexico joined together, we have a massively larger market to serve and such greater productivity from the economies of scale and shifts of production to the most efficient points of manufacture. The U.S. Mexican economies will both grow as a result. Let me remind you that Spain only joined the Common Market five years ago in 1986. Its growth since then has been explosive. And its neighbors to the north have also done well as a result.

Meanwhile, across the Atlantic, it's a truly extraordinary moment. Unifying Europe has been a dream of despots for centuries. But what Napoleon and Hitler could only envision, Jean Manet and Jacques Delors—with maybe a little help from Lord Cockfield and his white paper, just may accomplish this unity without a shot being fired. There will be a second Renaissance in Europe, with tremendous wealth creation.

I was speaking to a group of art museum trustees recently. I couldn't resist making

the point that for more than a century, the great collectors of European art have been Americans—because that's where the money was. The tide is turning. With their new wealth, their dynastic mentalities, their penchant for tax havens, and their love of art, Europeans will reverse the flow. In any case, the "Age of Europe" is upon us, and it will be interesting to see how it unfolds.

What about Asia? Well, 50 years ago this morning, Japan was making one of the great miscalculations of history. History and irony often go hand in hand. Japan has recovered from its mistake rather well and now is economically colonizing most of Asia and parts of America. With its enormous wealth, its educated workforce and discipline, and its proximity to the world's largest population, Japan will continue to challenge the West for economic dominance.

That's good. Countries, just like companies, need a challenge to stay sharp. But Japan will inevitably face the downside of success the arrogance, inflexibility and complacency that comes from winning too much, too often. I spent a long session negotiating with some Japanese executives this past week. They were sneering at the notion that other Asians might, within the next 30 years, be able to make a certain product as well and as cheaply as the Japanese. They are wrong. As the Japanese continue to invest and expand in Asia, they are teaching that part of the world how to do business in the modern era. Inevitably, that means they will have to share not just their knowledge, but their economic power, with others in the region.

So that's a look at some major economies. How will global patterns of business affect the industries of tomorrow? One hundred years ago, industries like steel and railroads dominated the U.S. economy. In my time, it's been energy and transportation. More than half of the top 10 and top 20 corporations on Fortune magazine's list are oil and auto companies.

That might well change over the next generation. I know it sounds self-serving, but if you accept the notion that there are four to five billion more people in the world eager to consume and they are governed in ways that can create the purchasing power to consumers. Then the consumer products industry really is tomorrow's industry.

My observation is that people in developing countries get attuned very quickly to products that make them look better and feel better about themselves. These little personal necessities that we in the West take for granted are among the first items that people in a free society want to consume in greater quantity and quality. Yes, consumer goods particularly, including the health care segment, will fare extremely well. That's my prediction for the industries of tomorrow.

Finally, a question often raised about globalization of business concerns its impact on capital markets. Those who see the glass half empty say all that growth will create the need to build infrastructure in developing countries. And that, in turn, will lead to a capital shortage and high interest rates worldwide. On the other hand, those who see the glass half full believe growth can, and will, generate more than enough wealth and savings to finance itself. Taiwan is an important mode for this. It probably won't surprise you to know that I am in the latter camp. And I believe most investors are, too.

In the United States, despite a serious recession, despite the fact that U.S. corporate profits are down 17% over the past three years, the Dow Jones is up 50%. I suspect this has a lot to do with the long-term opportunities that investors see for American companies in the international market. They believe, as I do, that what we're witnessing is not a transition, but a transformation, of the world economy. They believe these "changing patterns of global business" will lead to worldwide wealth creation on an unprecedented scale. That would certainly be a fitting conclusion to a century that has seen so many setbacks. Two barbaric world wars. A monstrous Depression. And a 70-year socialist experiment that stifled half the world.

But you know, in Chicago we like to say Mrs. O'Leary's cow made our city what it is today. The Great Fire of 1871 destroyed almost everything in its path. Yet that event ignited a boom that made Chicago a truly great city.

In somewhat the same way, militarism, fascism, communism, socialism, and protectionism, really destroyed so much of the world's potential to prosper in this century. But from the ashes of those experiences in the last decade of this millennium we have discovered impetus and the chance to build an age of prosperity in all parts of the world.

What a stimulating prospect that is for those of us doing business in our time.

Thank you.●

FIDEL CASTRO, CUBA'S OWN WORST ENEMY

● Mr. SIMON. Mr. President, on December 21, the New York Times ran portions of a letter that became public, written by Maria Elena Cruz Varela, a Cuban poet who is one of the leaders of a human rights group in Cuba.

She simply asks for human rights for all the people of Cuba.

I would like to see a better relationship with Cuba. There are many who feel as I do.

But Fidel Castro has to understand that unless and until he improves the human rights opportunity in Cuba, that simply will not happen.

Mr. Castro would do well to follow the example of Mr. Kenneth Kaunda of Zambia, who recently permitted a free election for the first time. His party was overwhelmingly defeated, and then he generously stepped aside and spoke highly of the person who defeated him in his party.

Mr. Kaunda is likely to be viewed favorably by those who write the history of Africa and Zambia particularly.

As of this time, Fidel Castro's role is much less clear, and the longer he permits the abuses of human rights, the less likely it is that history is going to view him favorably.

I ask that the Maria Elena Cruz Varela article from the New York Times be inserted in the RECORD as this point.

The article follows:

[From the New York Times, Dec. 21, 1991]

FIDEL CASTRO, CUBA'S OWN WORST ENEMY

(By Maria Elena Cruz Varela)

(This letter was written on Sept. 27, 1991 by Maria Elena Cruz Varela, a Cuban poet and the leader of Criterio Alternativo, a human rights group. On Nov. 19, Ms. Cruz was attacked in her apartment by Government henchmen and forced, in the presence of her daughter, to eat some of her political writings. She was dragged into the street, where she was beaten and arrested on charges of anti-Government activities. She is serving a two-year term in prison. Excerpts from her letter, translated from the Spanish by Toby Talbot, follow.)

HAVANA.—What a pity, Señor Fidel Castro, that you mistake where your opponents are; what a shame that you try to place the opposition so far from Cuba.

No, Señor Fidel Castro, the Cuban opposition isn't from or in the United States of America, regardless of that country's questionable positions. Your opposition is yourself and your own contradictions. Your opposition is the proven economic, political and social failure of 32 years of experiments.

We are your opposition, we 10 million Cubans who look around us in terror, searching for something that allows us to believe in the possible salvation of our lives and those of our families, the salvation of our dignity and survival as a civilized nation.

It is not an easy opposition: I regret not having the time or means at my disposal to bring together, one by one, all the elements that would make the signatures to this letter endless. It is I who am speaking now. I, with full responsibility, assume the voice of hundreds of thousands of political prisoners rotting in my country's jails; the voice of those who are now voiceless, having died in prison, or in trying to save themselves by desperately crossing the Straight of Florida; the voice of those who are beginning to take their first steps, overcoming fear.

A fearful creature. How terrible is the mirror-image of a man looking himself in the face and discovering his fear. Dramatic plastic surgery is needed on the Cuban nationality to restore its looks!

Years will go by before many realize the quality of the byproduct they've become.

But me, I exist. I speak up. I write. I oppose. I shall not stop shouting: I oppose the system you represent; I oppose the barbarism being imposed on us; I oppose you because your irresponsible leadership may give excuses to others to intervene and to be the ones to "resolve" our problems. I am not the C.I.A. I don't represent their interests; I'm not interested in them, or interested in the insecurity of the State and the psychological terror you've patiently inflicted on us for 32 years like a brutal, deadly inoculation.

My duty is to make it clear to you, to national and international public opinion, that opposition does exist in Cuba. It only does not exist among those who turn away for three reasons: fear, fear and fear. Not only do I exist; we are many, so many, that our existence is imperiously denied; we are opponents and we are not exactly in the U.S. We are here, a few steps away from you, and you know it.

The circuses and gastronomical festivals organized to distract your visitors don't matter. That kind of irresponsible, political neo-tourism bestowed on figures from other countries doesn't matter, the fact that they depart "satisfied" by our sad spectacle doesn't matter.

Beneath all that scaffolding live the people, and we are among those people: those who oppose, repressed to be sure, but as undeniable as a birthmark in the middle of one's forehead. To those who survive our approaching catastrophe I want to say something: it is good, it's healthy, to remember: history can absolve, but it can also condemn.●

ORDERS FOR TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 10 a.m. Thursday, January 23; that following the prayer, the Journal of the proceedings be deemed approved to date; that following the time reserved for the two leaders there be a period for morning business not to extend beyond 11:30 a.m. with Senators permitted to seek therein; with the first hour of morning business under the control of the majority leader or his designee, with the remaining 30 minutes equally divided and controlled between Senators LEVIN and DOLE.

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

RECESS UNTIL TOMORROW AT 10 A.M.

Mr. KENNEDY. If there is no further business today, and I see no other Senator seeking recognition, I now ask unanimous consent that the Senate stand in recess as previously ordered until 10 a.m. on Thursday, January 23.

There being no objection, the Senate, at 5:52 p.m., recessed until tomorrow, Thursday, January 23, 1992, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate January 22, 1992:

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

THE FOLLOWING NAMED PERSONS TO BE ASSOCIATE JUDGES OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF 15 YEARS:

STEPHANIE DUNCAN-PETERS, OF THE DISTRICT OF COLUMBIA, VICE WARREN ROGER KING, ELEVATED.

ANN O'REGAN KEARY, OF THE DISTRICT OF COLUMBIA, VICE GEORGE H. GOODRICH, RETIRED.

JUDITH E. RETCHIN, OF THE DISTRICT OF COLUMBIA, VICE BRUCE S. MENCHER, RETIRED.

WILLIAM M. JACKSON, OF THE DISTRICT OF COLUMBIA, VICE WILLIAM COURTLEIGH GARDNER, RETIRED.

PEACE CORPS NATIONAL ADVISORY COUNCIL

THE FOLLOWING NAMED PERSONS TO BE MEMBERS OF THE PEACE CORPS NATIONAL ADVISORY COUNCIL FOR THE TERMS INDICATED:

EUGENE C. JOHNSON, OF MARYLAND, FOR A TERM EXPIRING OCTOBER 6, 1992, VICE GARY DALE ROBINSON.

TAHLMAN KRUMM, JR., OF OHIO, FOR A TERM EXPIRING OCTOBER 6, 1993. (REAPPOINTMENT)

ADVISORY BOARD FOR CUBA BROADCASTING

SALVADOR LEW, OF FLORIDA, TO BE A MEMBER OF THE ADVISORY BOARD FOR CUBA BROADCASTING FOR A TERM OF 2 YEARS. (NEW POSITION)

FORIEGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE U.S. INFORMATION AGENCY FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

SALLY M. GROOMS-COWAL, OF ILLINOIS
CHRISTOPHER W.S. ROSS, OF CALIFORNIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

WILLIAM J. DIETERICH, OF VIRGINIA
CYNTHIA JANE MILLER, OF TEXAS
MICHAEL F. O'BRIEN, OF CALIFORNIA
DELL F. PENDERGRAST, OF VIRGINIA
ROBERT A. POWERS, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE U.S. INFORMATION AGENCY FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DAVID L. ARNETT, OF LOUISIANA
WILLIAM DARREL CAVNESS, JR., OF GEORGIA
JOHN P. DWYER, OF CONNECTICUT
HARRIET LEE ELAM, OF MASSACHUSETTS
ARTHUR ELLIOTT GREEN, OF MARYLAND
NICHOLAS MELE, OF CALIFORNIA
BARBARA C. MOORE, OF OREGON
JONATHAN P. OWEN, OF MARYLAND
JAMES CAMPBELL POLLOCK, OF FLORIDA
RALPH HERMAN RUEDY, OF IOWA
JACK A. SEARS, OF SOUTH DAKOTA
PAUL RICHARD SMITH, OF MARYLAND
LEONARDO M. WILLIAMS, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS 4, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

SANDRA ANN CRUMPTON, OF CALIFORNIA
SARA A. ROSENBERRY, OF VIRGINIA
PAUL ALLEN WEDDERIEN, OF CALIFORNIA
THOMAS E. WILLIAMS, JR., OF TEXAS

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF STATE AND COMMERCE AND THE U.S. INFORMATION AGENCY TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DAVID B. ADLER, OF TEXAS
WILLIAM J. ALVAREZ, OF VIRGINIA
JASON R. ANNITO, OF CONNECTICUT
THOMAS J. BACHNER, OF THE DISTRICT OF COLUMBIA
BRENT GUENTER BAHL, OF WASHINGTON
CAROLYN R. BARGERON, OF MARYLAND
ERICA J. BARKS, OF VIRGINIA
JANET CARROLL BLAGG, OF VIRGINIA
DARRELL MAURICE BLOCKER, OF VIRGINIA
LINNEA G. BOHN, OF VIRGINIA
DAVID KERRY BROWN, OF WASHINGTON
MELISSA LEA BUCHANAN, OF TEXAS
JOHN G. BURGIN, M.D., OF VIRGINIA
MARK D. BYSFIELD, OF KANSAS
LAURENCE C. CHANG, OF VIRGINIA
MARTA COSTANZO, OF NEW JERSEY
THEODORE J. CRAIG, OF VIRGINIA
JEFFREY RONALD DAFLER, OF OHIO
SUZANNE L. DEMEERLEER, OF ARIZONA
GRANT CHRISTIAN DEYOE, OF MARYLAND
SURESH KUMAR DHIR, OF VIRGINIA
JAMES E. DONEGAN, OF NEW YORK
MICHAEL PATRICK DRISCOLL, OF VIRGINIA
JOHN CLAYBORNE EPPS, OF NEW JERSEY
JOHN FINBARR FLEMING, OF VIRGINIA
JOSEPH J. FORCIER, III, OF MICHIGAN
NANCY B. FORTSON, OF VIRGINIA
JOHN ANTHONY FRANCHI, JR., OF VIRGINIA
REBECCA L. GAGHEN, OF MONTANA
ROSEMARY D. GALLANT, OF VIRGINIA
BETH SHARLEEN GERTZ, OF VIRGINIA
CHARLES A. GILBERT, OF VIRGINIA
RUTH W. GODFREY, OF FLORIDA
STEPHANIE CAROLINE GOODNIGHT, OF VIRGINIA
STEVEN ARTHUR GOODWIN, OF ARIZONA
COLIN LEE GREEN, OF VIRGINIA
ROBERT P. GREVE, OF VIRGINIA
MARGARET ARMSTRONG HAMM, OF MARYLAND
MOLLY H. HARDY, OF VIRGINIA
MATTHEW T. HARRINGTON, OF THE DISTRICT OF COLUMBIA
HUGH MICHAEL HIGGINS, OF VIRGINIA
PAMELA E. HOLMES, OF VIRGINIA
JULIE POWELL HOLT, OF THE DISTRICT OF COLUMBIA
FREDERICK M. HOTCHNER, OF VIRGINIA
JOAN MARIE HUDSON, OF VIRGINIA
PETER HUMPHREY, OF HAWAII
PEYTON K. HUMPHRIES, OF VIRGINIA
ANNE B. HURLEY, OF VIRGINIA
CHRISTOPHER BLANEY JACKMAN, OF VIRGINIA
MARION LOUISE JOHNSTON, OF CALIFORNIA
ROGER D. KING, OF FLORIDA
ROBERT W. KINKEAD, OF VIRGINIA
JOHN HORTON KLAS, OF VIRGINIA
SAMUEL KOTIS, OF NEW YORK
ERIC MATTHEW KYANKO, OF WEST VIRGINIA
HAL V. LACKEY, III, OF VIRGINIA
MICHAEL J. LACOMBE, OF VIRGINIA
CHRISTOPHER JOHN LAMORA, OF RHODE ISLAND
DAVID MARC LARSEN, OF VIRGINIA
DEBRA GAIL LENKIEWICZ, OF VIRGINIA
ANDREA LEVIN, OF VIRGINIA
JOHN M. LIPINSKI, OF PENNSYLVANIA
DAVID RICHARDS LLOYD, OF VIRGINIA
GAYLE WAGGONER LOPES, OF NEBRASKA
WENDY P. LYLE, OF VIRGINIA
THOMAS M. LYNCH, OF TEXAS
MELANI M. MACDONALD, OF VIRGINIA
WILLIAMS SWIFT MARTIN, IV, OF THE DISTRICT OF COLUMBIA
CYNTHIA MARVIN, OF MARYLAND
JOSEPH L. MASSINGILL, OF TEXAS
JOHN J. MEAKAM, III, OF NEW YORK
ELI J. MENDOZA, OF FLORIDA
MARIO ERNESTO MERIDA, OF COLORADO
RICHARD WESTBROOK MIDDLETON, JR., OF WASHINGTON
PATRICIA I. MOYNIHAN, OF THE DISTRICT OF COLUMBIA
IVETTE R. MULET, OF VIRGINIA
JOYCE WINCHEL NAMDE, OF WISCONSIN
JOHN CALVIN NATION, JR., OF VIRGINIA
WILLIAM C. NELSON, OF MARYLAND
NEDRA A. OVERALL, OF CALIFORNIA
KRISTIN LYN PALM, OF VIRGINIA
RICHARD CARLTON PASCHALL, III, OF NORTH CAROLINA
FRANCIS PIERRE PECK, OF VIRGINIA
MARY ELLEN PEEBLES, OF VIRGINIA
CHRISTOPHER JOHN POCKETTE, OF VIRGINIA
NEIL SANFORD QUARTERMAN, OF GEORGIA
JOHN M. RACOOSIN, OF VIRGINIA
JEFFREY DEAN RATHKE, OF PENNSYLVANIA
DAN F. SHANOWER, OF VIRGINIA
DOROTHY CAMILLE SHEA, OF VIRGINIA
APAR SINGH SIDHU, OF CALIFORNIA
LAMONT LEONARD SILVES, OF VIRGINIA
ALEXIS E. SKOTZKO, OF VIRGINIA
THOMAS BERNARD SLATTERY, OF VIRGINIA
STEPHANIE J. SLAYMAKER, OF VIRGINIA
DAVID MICHAEL STANDERFER, OF VIRGINIA
MICHAEL WADE STEPHENS, OF VIRGINIA
PAUL J. SWINKO, OF VIRGINIA
DAVID H. STRUVE, OF VIRGINIA
LANDON R.L. TAYLOR, OF VIRGINIA
BARRY STEPHEN THEIN, OF VIRGINIA
GREGORY DEAN THOME, OF WISCONSIN
SUSAN A. THORNTON, OF MASSACHUSETTS
GERALD J. TILK, OF VIRGINIA
DIRK WILLEM VAN DER VAART, OF VIRGINIA
LINDA A. VAUGHN, OF VIRGINIA
CHEVER XENA VOLTMER, OF TEXAS
KARL T. WAGNER, OF VIRGINIA
ADAM L. WAIS, OF VIRGINIA
L. DEAN WALTON, OF VIRGINIA
EVA A. WEIGOLD, OF MINNESOTA
MATTHEW ALAN WEILLER, OF NEW YORK
COLWELL CULLUM WHITNEY, OF THE DISTRICT OF COLUMBIA
JAMES WILLIAMS, OF VIRGINIA
K. MALAIKA WILLIAMS, OF THE DISTRICT OF COLUMBIA
DAVID CHARLESON WOLFE, OF TEXAS
JOHN CHRISTOPHER WOOD, OF VIRGINIA
ANTHONY C. WOODS, OF TEXAS
THOMAS K. YAZDGERDI, OF VIRGINIA
MICHAEL S. YORK, OF NORTH CAROLINA

SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL J. LAWRENCE, OF COLORADO

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE, PREVIOUSLY PROMOTED WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED OCTOBER 3, 1991, EFFECTIVE OCTOBER 6, 1991, NOW TO BE EFFECTIVE APRIL 7, 1991:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

TERRENCE J. SHEA, OF FLORIDA

IN THE COAST GUARD

PURSUANT TO THE PROVISIONS OF 14 U.S.C., 729, THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE COAST GUARD RESERVE TO BE PERMANENT COMMISSIONED OFFICERS IN THE COAST GUARD RESERVE IN THE GRADE OF COMMANDER.

JAMES M. LEITNER
JOHN K. SYNOVEC, JR.
WILLIAM H. BOURLAND
ALLEN W. PENN
WILLIAM A. SCHNURR
EUGENE K. O'CONNOR
WILLIAM M. AMERMAN
JOHN M. RICHMOND
JAMES C. ULLIAN
JOSEPH R. MCFAUL
CATHERINE M. KELLY
MICHAEL E. THOMPSON
JAMES C. HELFRICH
THOMAS J. TRACY
JUDY L. WILKINSON
SUSAN T. COMERFORD
SHARON J. ARMSTRONG
CHARLES M. MCDONNELL
PATRICK J. DANAHER
JANE R. DITTO
MAUREEN T. WHITEHURST
DENISE E. WIKE
DANIEL R. FLOOD
FRANKLIN L. BRADHAM
ROBERT B. WILSON, JR.
WILLIAM J. VAN ORDEN
ROBERT C. BUCKLES
MORRIS L. STEPHENS
PETER C. OLSEN
GARRETT J. TIRPAK
BRIAN P. COST
ARTHUR S. OLSEN
RICHARD K. MILLER
JOHN C. ACTON, III
MILTON H. ENNIS
ROBERT W. KELLY
LOUIS M. FARRELL
GROVER M. LIPE, JR.
EVERETTE W. HOLLINGSWORTH
RAYMOND W. BLOWITSKI

THE FOLLOWING RESERVE OFFICERS OF THE U.S. COAST GUARD RESERVE FOR PROMOTION TO THE GRADE OF CAPTAIN:

DANIEL N. WOOD
TIMOTHY J. JAMISON
GEORGE W. ISELE

THE FOLLOWING RESERVE OFFICERS OF THE U.S. COAST GUARD RESERVE FOR PROMOTION TO THE GRADE OF COMMANDER:

FRANCIS C. BUCKLEY
STEPHEN W. ROCHON
VINCENT P. KILMARTIN

THE FOLLOWING CADETS OF THE U.S. COAST GUARD ACADEMY FOR APPOINTMENT TO THE GRADE OF ENSIGN:

MICHAEL J. ALLINGTON
ANGELA F. ANTHONY
WAYNE R. ARGUIN, JR.
JASON Q. ASHBURN
CHAD A. ASPLUND
DANIEL P. BARAVIK
AMY L. BARIBEAU
JERRY R. BARNES
DALE K. BATEMAN
VIRGINIA A. BAUER
EDWARD K. BEALE
MATTHEW T. BECK
ROBERT J. BEIGHAU
DAVID M. BICKEL, JR.
EDWARD L. BOCK, III
ERIC BOKINA
COREY BONHEIM
GEORGE L. BOONE, III
MICHAEL S. BUTSCH
JOSEPH R. BUZZELLA, JR.
CHRISTOPHER R. CIEPLIK
JANIE S. CLARK
MICHAEL A. CLYBURN
MICHAEL R. COCKLIN
JASON C. COLLINS
BRIAN P. CORRIGAN
SHANNON CROTHERS
JOHN P. DAILEY
RONALD T. DAVIES
BENJAMIN L. DAVIS
JOHN W. DAVIS
MARY JO DAVIS
DAVID L. DAWDY
GEOFFREY S. DEAS
KEVIN M. DEWALT
NICHOLAS DELAURA
PATRICK J. DESHON
WILLIAM DITTY
JOHN R. DUSCH
MICHAEL T. EFFLEY
SAMUEL K. EISENBEISER
LISA M. EWEN
TERESA L. FERGUSON
BRIAN E. FIEDLER
MARNI J. FLETCHER
CHRISTOPHER W. FORANDO
CHARLES E. FOSSE
GEOFFREY P. GAGNIER
JOHN L. GALLO
PETER D. GASSAN
THOMAS J. GASSER, III
EDWARD J. GAYNOR, JR.
GREGORY S. GESELE
THOMAS W. GESELE
MICHAEL R. GIBELEY
ERIC S. GLEASON
DAVID J. GODFREY
DANIEL J. GOETTLE
JAMES J. GORDON
KENNETH HALDORSEN
LAURA J. HARTLINE
BENJAMIN J. HAWKINS
ALAN J. HEDDINGS
KARL B. HELLBERG
JEFF D. HENNING
GABRIEL J. HERNAEZ
GREGORY F. HEROLD
SUSAN J. HORSEY
TODD S. HUGHES
KAREN A. HUSS
JOHN S. IMAHORI
WILLIAM S.W. IRWIN
CHAD L. JACOBY
DANIEL E. JOHNSON
MATT N. JONES
SAMUEL R. JORDAN
EDWARD L. JOYNER
COLLEEN M. KEER
BRENDAN D. KELLY
PETER S. KIM
THOMAS H. KING
ALEC S. KNIGHT
CURT M. KNUDSEN
AMY C. KOEPP
CHRISTINE KOWACK
TAMARA I. KRAMLICH
RICHARD T. KULAS
JEFFREY A. LEE
CURTIS J. LENIO
THOMAS L. LEVIN
KEVIN J. LOPES
JOHN S. LUCE
SEAN C. MACKENZIE
QUENTON A. MADDUX
JOSEPH MALINAUSKAS
CHRISTOPHER K. MARCY
PETER R. MARGATE
JEFFREY A. MARSICK
MICHAEL T. MCBRADY
LESLIE L. MCCOY
KATHERINE A. MCCREARY
MATTHEW R. MCGLYNN
MICHAEL E. MCGURKIN
MICHAEL T. MCKINNEY
MALCOM R. MCLELLAN, III
MATT T. MEILSTRUP
JAMES B. MILLICAN
LINDA J. MIOSI
TIMOTHY L. MONTAGUE
NATHAN A. MOORE
JAMES H. MORAN
MICHAEL A. MULLEN
ROBERTO J. MUNIZ
MARK M. MURAKAMI
JOHN M. MURPHY
MICHAEL B. MURPHY
LEE B. MYNATT
JASON D. NEUBAUER
CALVIN J. NEWBILL, JR.
WILLIAM T. NEWMAN
KEVIN D. ODITT
BRANDON D. OOTS
TIMOTHY J. OPSTROP
KARIN E. O'BRIEN
SEAN K. O'BRIEN
KRISTINA E. O'DELL
DAVID J. PALEZZETTI
MICHAEL L. PALINSKI
WILLIAM J. PARRY
JAMES A. PAZZARELLI
CARYN D. PETTIT
DAVID L. PETTY
MATHEW W. PHILIPP
JEROME A. POPIEL
JASON K. PRINCE
GREGORY M. PURDY
DAVID W. RAMASSINI
JERRY D. RAY, II
WILFORD R. REAMS
JOHN D. REEVES
RANDALL S. RICHARDSON
KEVIN W. RIDDLE
GREGORY S. ROBERTSON
KARL E. ROBINSON
CYNTHIA S. RODRIGUES
COREY B. RUNNELS
SEAN M. RYAN
DANIEL G. SAUTER
SEAN R. SCHENK
RONALD K. SCHUSTER
LARAE M. SEBASTIAN
DAWN S. SHERMAN
PATRICK T. SMITH
KEVIN J. SMYTH
HEATHERANN M. SOLANKA
JAMES P. SPOTTS
JOSEPH E. STAIER, III
GARRETT X. STARASINIC
JEFFREY D. STEWART
ROSS A. STROEBEL
MATTHEW B. STUCK
GUYTON P. SWINDELL
CLIFFORD D. TAYLOR
ROBERT F. TAYLOR, III
BRUCE T. TETREAULT
TRI L. THOMSON
TUAN L. THOMSON
MICHAEL T. TRIMPERT
JEFFREY D. TURNER
JOHN C. VANN
GERALD T. VERZOSA
ALDANTE VINCIGUERRA
HEATHER J. WADDINGTON
SCOTT K. WAGNER
ROBERT WALDMAN
ROBERT W. WARREN
SCOTT WASHBURN
SCOTT A. WEEMS
THOMAS L. WEISE, JR.
MICHAEL C. WESSEL
HEATHER D. WIGHT
BYRON D. WILLEFORD
MICHAEL G. WILLMON
ANDREW J. WILSON
KEVIN E. WIRTH
STEVEN P. WITTROCK
SUSAN M. WIXTED
MATTHEW L. YOUNG

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. THOMAS S. MOORMAN, [xxx-xx-xxxx] U.S. AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8218, 8373, AND 8374, TITLE 10, UNITED STATES CODE:

To be brigadier general

COL. DONALD E. MCAULIFFE, [xxx-xx-xxxx] AIR NATIONAL GUARD OF THE UNITED STATES.

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 lieutenant general

LT. GEN. WILLIAM H. RENO, [xxx-xx-x...] U.S. ARMY.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. THOMAS P. CARNEY, [xxx-xx-x...] U.S. ARMY.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. ALFRED J. MALLETTE, [xxx-xx-xxxx] U.S. ARMY.

IN THE ARMY

THE U.S. ARMY NATIONAL GUARD OFFICERS NAMED HEREIN FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES IN THE GRADES INDICATED BELOW, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 593(A), 3371 AND 3384:

To be major general

BRIG. GEN. ALLEN E. CHANDLER, [xxx-xx-x...]
BRIG. GEN. DANIEL J. HERNANDEZ, [xxx-xx-x...]
BRIG. GEN. CHARLES H. PERENICK, [xxx-xx-x...]
BRIG. GEN. JAMES F. RUEGER, [xxx-xx-xx...]
BRIG. GEN. NATHANIEL JAMES, [xxx-xx-x...]
BRIG. GEN. LARRY E. LEE, [xxx-xx-xx...]

To be brigadier general

COL. BOBERT J. BRANDT, [xxx-xx-x...]
COL. JAMES D. DAVIS, [xxx-xx-x...]
COL. EDWARD H. GERHARDT, [xxx-xx-x...]
COL. TONY G. IDOL, [xxx-xx-x...]
COL. JOHN F. KANE, [xxx-xx-x...]
COL. ALLEN F. MCGILBRA, [xxx-xx-x...]
COL. FELIX E. OCASIO-BELEN, [xxx-xx-x...]
COL. BRUCE W. VANDER KOLK, [xxx-xx-x...]
COL. JAMES E. WALKER, [xxx-xx-x...]
COL. BERNARD M. WATSON, [xxx-xx-x...]
COL. JERRY R. WYATT, [xxx-xx-x...]
COL. EUGENE S. IMAI, [xxx-xx-x...]
COL. NOAH D. DANIEL, [xxx-xx-x...]
COL. ERNEST T. EDWARDS, [xxx-xx-x...]
COL. JERRY W. FIELDS, [xxx-xx-xx...]
COL. EDWARD L. GOETT, [xxx-xx-x...]
COL. HAROLD M. GOLDSTEIN, [xxx-xx-x...]
COL. ROGER H. GREENWOOD, [xxx-xx-x...]
COL. GARY R. TRUEX, [xxx-xx-x...]
COL. RONALD P. WOODSON, [xxx-xx-x...]

IN THE MARINE CORPS

THE FOLLOWING NAMED BRIGADIER GENERALS OF THE U.S. MARINE CORPS FOR PROMOTION TO THE PERMANENT GRADE OF MAJOR GENERAL, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

BRIG. GEN. JEFFERSON D. HOWELL, JR., [xxx-xx-...]
BRIG. GEN. JAMES A. BRADHAM, JR., [xxx-xx-...]
BRIG. GEN. MICHAEL J. BYRON, [xxx-xx-...]
BRIG. GEN. CHARLES E. WILHELM, [xxx-xx-...]
BRIG. GEN. CHARLES C. KRULAK, [xxx-xx-...]
BRIG. GEN. ARTHUR C. BLADES, [xxx-xx-...]
BRIG. GEN. PETER D. WILLIAMS, [xxx-xx-...]

IN THE MARINE CORPS

THE FOLLOWING NAMED COLONELS OF THE U.S. MARINE CORPS FOR PROMOTION TO THE PERMANENT GRADE OF BRIGADIER GENERAL, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

COL. LARRY T. GARRETT, [xxx-xx-...]
COL. FRANK LIBUTTI, [xxx-xx-...]
COL. TERRENCE R. DAKE, [xxx-xx-...]
COL. LESLIE M. PALM, [xxx-xx-...]
COL. JAMES L. JONES, JR., [xxx-xx-...]
COL. JOHN E. RHODES, [xxx-xx-...]
COL. MICHAEL J. WILLIAMS, [xxx-xx-...]
COL. THOMAS L. WILKERSON, [xxx-xx-...]
COL. PETER PACE, [xxx-xx-...]
COL. RAY L. SMITH, [xxx-xx-...]
COL. LAWRENCE H. LIVINGSTON, [xxx-xx-...]

THE FOLLOWING NAMED COLONEL OF THE U.S. MARINE CORPS RESERVE FOR PROMOTION TO THE PERMANENT GRADE OF BRIGADIER GENERAL, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

BOBBY G. HOLLINGSWORTH

IN THE NAVY

THE FOLLOWING NAMED CAPTAINS IN THE LINE OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICER

To be rear admiral (lower half)

CAPT. CHARLES STEVENSON ABBOT, [xxx-xx-xxxx]
CAPT. MICHAEL LEE BOWMAN, [xxx-xx-xxxx]
CAPT. RICHARD ALAN BUCHANAN, [xxx-xx-xxxx]
CAPT. ERNEST EDWARD CHRISTENSEN, JR., [xxx-xx-xxxx]
CAPT. KEVIN FRANCIS DELANEY, [xxx-xx-xxxx]
CAPT. FRANK MATTHEW DIRREN, JR., [xxx-xx-xxxx]
CAPT. ROBERT LEE ELLIS, JR., [xxx-xx-xxxx]
CAPT. MARSHA JOHNSON EVANS, [xxx-xx-xxxx]
CAPT. HENRY COLLINS GIFFIN III, [xxx-xx-xxxx]
CAPT. LEE FREDRIC GUNN, [xxx-xx-xxxx]
CAPT. MICHAEL DONALD HASKINS, [xxx-xx-xxxx]
CAPT. HENRY FRANCIS HERRERA, [xxx-xx-xxxx]
CAPT. EDWARD KRISTIAN KRISTENSEN, [xxx-xx-xxxx]
CAPT. FRANCIS WILLIAM LACROIX, [xxx-xx-xxxx]
CAPT. THOMAS FLETCHER MARFIAK, [xxx-xx-xxxx]
CAPT. RICHARD WILLARD MIES, [xxx-xx-xxxx]
CAPT. ROBERT JOSEPH NATTER, [xxx-xx-xxxx]
CAPT. ROBERT MICHAEL NUTWELL, [xxx-xx-xxxx]
CAPT. MARC YVE EUGENIO PELAEZ, [xxx-xx-xxxx]
CAPT. JAMES GREGORY PROUT III, [xxx-xx-xxxx]
CAPT. RAYMOND CHARLES SMITH, JR., [xxx-xx-xxxx]
CAPT. JAY WOODROW SPRAGUE, [xxx-xx-xxxx]
CAPT. JAMES REYNOLDS STARK, [xxx-xx-xxxx]
CAPT. RICHARD DAVID WILLIAMS III, [xxx-xx-xxxx]
CAPT. JAY BRADFORD YAKELEY III, [xxx-xx-xxxx]

ENGINEERING DUTY OFFICER

To be rear admiral (lower half)

CAPT. LEWIS ALLEN FELTON, [xxx-xx-xxxx]
CAPT. PAUL MATTHEW ROBINSON, [xxx-xx-xxxx]

AEROSPACE ENGINEERING DUTY OFFICER

To be rear admiral (lower half)

CAPT. GLENN PATRICK PHILLIPS, [xxx-xx-xxxx]
CAPT. BARTON DALE STRONG, [xxx-xx-xxxx]

SPECIAL DUTY OFFICER (PUBLIC AFFAIRS)

To be rear admiral (lower half)

CAPT. KENDELL MILFORD PEASE, JR., [xxx-xx-xxxx]

IN THE NAVY

THE FOLLOWING NAMED CAPTAINS IN THE STAFF CORPS OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS

To be rear admiral (lower half)

CAPT. DAVID SIDNEY FROST, [xxx-xx-x...]
CAPT. DENNIS IRWIN WRIGHT, [xxx-xx-x...]

SUPPLY CORPS

To be rear admiral (lower half)

CAPT. ERNEST ALEXANDER ELLIOT, [xxx-xx-xx...]
CAPT. RALPH MELVIN MITCHELL, JR., [xxx-xx-xx...]

CIVIL ENGINEER CORPS

To be rear admiral (lower half)

CAPT. THOMAS ALLAN DAMES, [xxx-xx-x...]
CAPT. ROBERT MICHAEL GALLEN, [xxx-xx-x...]

MEDICAL SERVICE CORPS

To be rear admiral (lower half)

CAPT. STEPHEN TODD FISHER, [xxx-xx-xx...]

THE FOLLOWING NAMED CAPTAINS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF REAR ADMIRAL (LOWER HALF) IN THE LINE AND STAFF CORPS, AS INDICATED, PURSUANT TO THE PROVISION OF TITLE 10, UNITED STATES CODE, SECTION 5912:

UNRESTRICTED LINE OFFICER

To be rear admiral (lower half)

CAPT. KENNETH LEROY FISHER, [xxx-xx-xxxx] U.S. NAVAL RESERVE
CAPT. JOHN FRANCIS PADDOCK, JR., [xxx-xx-xxxx] U.S. NAVAL RESERVE
CAPT. TOM ALLEN TRAUTWEIN, [xxx-xx-xxxx] U.S. NAVAL RESERVE
CAPT. GEORGE DENNIS VAUGHAN, JR., [xxx-xx-xxxx] U.S. NAVAL RESERVE

UNRESTRICTED LINE (TAR) OFFICER

CAPT. FRANCIS WILLIAM HARNESS, [xxx-xx-xxxx] U.S. NAVAL RESERVE

ENGINEERING DUTY OFFICER

CAPT. ROGER GEORGE GILBERTSON, [xxx-xx-xxxx] U.S. NAVAL RESERVE

MEDICAL CORPS OFFICER

CAPT. EMMETT LEE TAYLOR, JR., [xxx-xx-xxxx] U.S. NAVAL RESERVE

DENTAL CORPS OFFICER

CAPT. JAMES CONLEY YEARGIN, xxx-xx-xxxx U.S. NAVAL RESERVE

JUDGE ADVOCATE GENERAL'S CORPS OFFICER

CAPT. FRED STEPHEN GLASS, xxx-xx-xxxx U.S. NAVAL RESERVE

SUPPLY CORPS OFFICER

CAPT. ROBERT CAMERON CRATES, xxx-xx-xxxx U.S. NAVAL RESERVE
CAPT. ROBERT COLE STACK, xxx-xx-xxxx U.S. NAVAL RESERVE

CIVIL ENGINEER CORPS OFFICER

CAPT. NOAH HALBROOK LONG, JR., xxx-xx-xxxx U.S. NAVAL RESERVE

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTIONS 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE.

To be lieutenant colonel

LINE OF THE AIR FORCE

MAJ. JANET S. DREW xxx-xx-x..., 23 SEP 91
MAJ. ROLLAN E. HARDY xxx-xx-x..., 23 SEP 91
MAJ. WALTER L. JONES, II xxx-xx-x..., 11 AUG 91
MAJ. THOMAS C. MCGINLEY xxx-xx-x..., 27 AUG 91
MAJ. CHARLENE K. RIPKE xxx-xx-x..., 18 SEP 91
MAJ. GARY SHICK xxx-xx-x..., 10 AUG 91
MAJ. JERRY L. YOUNGBLOOD xxx-xx-x..., 27 SEP 91

BIOMEDICAL SCIENCES CORPS

MAJ. JAMES R. HATHAWAY xxx-xx-x..., 18 AUG 91

MEDICAL CORPS

MAJ. ROGER E. KAISER, JR. xxx-xx-xx..., 10 JUL 91
MAJ. THOMAS P. MOORE xxx-xx-x..., 22 SEP 91
MAJ. JUAN M. ROSA-CARDONA xxx-xx-x..., 10 AUG 91

NURSE CORPS

MAJ. LUCINDA A. SLAGLE xxx-xx-x..., 7 SEP 91
MAJ. ROBERT A. SNORTUM xxx-xx-x..., 7 SEP 91

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICERS IDENTIFIED WITH AN ASTERISK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

JUDGE ADVOCATE GENERAL'S CORPS

To be colonel

JAMES M. NORTON xxx-xx-x...

ARMY

To be lieutenant colonel

DANIEL M. CAUGHEY, JR. xxx-xx-x...

To be major

RICHARD K. MAJOR xxx-xx-x...
ROBERT D. STOVALL xxx-xx-x...

JUDGE ADVOCATE GENERAL'S CORPS

To be major

*JACQUELINE SCOTT xxx-xx-x...

MEDICAL SERVICE CORPS

To be major

*BYRON W. BRACEY xxx-xx-x...
*JEFFERY A DELL'OMO xxx-xx-x...

VETERINARY CORPS

To be major

*ROBERT G. WEBB xxx-xx-x...

THE FOLLOWING NAMED OFFICER, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 1552, TITLE 10, UNITED STATES CODE. HE IS ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

MEDICAL SERVICE CORPS

To be major

LEWIS R. MACKEY xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS ON THE ACTIVE DUTY LIST FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10 UNITED STATES CODE:

CHAPLAIN

To be colonel

BLACK, JERRY W. xxx-xx-x...
COOPER, JOHN H. xxx-xx-x...
DODD, PAUL W. xxx-xx-x...
LONERGAN, JAMES xxx-xx-x...
OCONNELL, DAVID xxx-xx-x...
PINGEL, GILBERT xxx-xx-x...
PLUMMER, ROY G. xxx-xx-x...
RICHTER, ROBERT xxx-xx-x...
SCHMID, WAYNE L. xxx-xx-x...
VICKERS, ROBERT xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 593(A); AND 3385:

ARMY PROMOTION LIST

To be colonel

BROWN, JAMES E. xxx-xx-x...
FUSILIER, RONALD L. xxx-xx-x...
KLINE, JERRY L. xxx-xx-x...
NISHIMOTO, DELBERT M. xxx-xx-x...
TINKHAM, JOSEPH E. II xxx-xx-x...
WASSON, SHIRLEY D. xxx-xx-x...

ARMY NURSE CORPS

To be colonel

RUDDER, WILLIAM R. JR. xxx-xx-x...

CHAPLAIN CORPS

To be colonel

JOHNSON, DEAN E. xxx-xx-x...

MEDICAL CORPS

To be colonel

MCKEE, WILLIS P. JR. xxx-xx-x...

MEDICAL SERVICE CORPS

To be colonel

GIDLEY, JEFFREY L. xxx-xx-x...

ARMY PROMOTION LIST

To be lieutenant colonel

CAMPBELL, CHARLES A. xxx-xx-x...
CALHOUN, CARVIN xxx-xx-x...
DAVIS, MILTON P. xxx-xx-x...
DECKER, RICHARD J. xxx-xx-x...
GREER, DAVID E. xxx-xx-x...
HISLOP, KENNETH D. xxx-xx-x...
ILLARMO, JOHN A. xxx-xx-x...
JACOBS, ROY L. xxx-xx-x...
JOHNSEN, MICHAEL C. xxx-xx-x...
KLAPPHOLZ, MICHAEL F. xxx-xx-x...
KLEINE, KENNETH C. xxx-xx-x...
MALONE, FELIX, JR. xxx-xx-x...
MANN, KENNETH R. xxx-xx-x...
MEILICKE, ARTHUR W. xxx-xx-x...
MILLER, STEVEN M. xxx-xx-x...
NISHIJIMA, WAYNE T. xxx-xx-x...
NUSZ, JEROME R. xxx-xx-x...
PIERCE, STEPHEN H. xxx-xx-x...
PORTER, LARRY A. xxx-xx-x...
ROBINSON, CHARLES W. xxx-xx-x...
RUSSELL, JOHN T. xxx-xx-x...
TOLER, EDWARD M. xxx-xx-x...
UJIIYE, RONALD M. xxx-xx-x...
VOICHOSKI, MARK A. xxx-xx-x...

CHAPLAIN CORPS

To be lieutenant colonel

GRANT, PAUL L. xxx-xx-x...
HARRELSON, LARRY E. xxx-xx-x...
PACINI, MARIO xxx-xx-x...

DENTAL CORPS

To be lieutenant colonel

BURTON, STEPHEN M. xxx-xx-x...

JUDGE ADVOCATE GENERAL CORPS

To be lieutenant colonel

BEVIS, JAMES A. xxx-xx-x...
REISDORFF, STEVEN J. xxx-xx-x...
SINGLETON, CHARLES R. xxx-xx-x...

MEDICAL CORPS

To be lieutenant colonel

MARKUSFELD, JACK M. xxx-xx-x...
NEWELL, JOHN D. xxx-xx-x...
NORDYKE, BILLY R. xxx-xx-x...

MEDICAL SERVICE CORPS

To be lieutenant colonel

CHOATE, DONALD M. xxx-xx-x...
DEENER, ANNETTE M. xxx-xx-x...
WEST, ANNA R. xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 593(A); AND 3385:

ARMY PROMOTION LIST

To be colonel

ATKINSON, THURMAN C. JR. xxx-xx-x...
BAKER, JOHN P. xxx-xx-x...
BRENCHLEY, RALPH R. xxx-xx-x...
GLICK, ROBERT C. xxx-xx-x...
LAMOTHE, NORMAN R. xxx-xx-x...
MCGINNIS, DAVID L. xxx-xx-x...
MOEN, ROSS xxx-xx-x...

MEDICAL CORPS

To be colonel

BAUER, ULRICH xxx-xx-x...

ARMY PROMOTION LIST

To be lieutenant colonel

AGER, EDWARD D. JR. xxx-xx-x...
BEAVER, PAUL M. xxx-xx-x...
BENSON, TERRY W. xxx-xx-x...
BITSCHE, EDWARD J. xxx-xx-x...
BRAMLITT, CARL W. xxx-xx-x...
CARLINI, FRANK R. xxx-xx-x...
CHILDERS, CLIFFORD L. xxx-xx-x...
CROSSE, ROY W. JR. xxx-xx-x...
CUTLER, GILES H. JR. xxx-xx-x...
DEENER, HERMAN M. xxx-xx-x...
GRUENBAUM, DAVID G. xxx-xx-x...
HARMON, JAMES H. xxx-xx-x...
HIGH, GREGORY E. xxx-xx-x...
HOOVER, RONALD E. xxx-xx-x...
HOWELL, ROBERT D. xxx-xx-x...
JOHNSON, CLYDE H. xxx-xx-x...
KANZLER, LARRY R. xxx-xx-x...
KILDUFF, RODNEY E. xxx-xx-x...
KLEIN, ROBERT L. xxx-xx-x...
LAUER, EARL E. xxx-xx-x...
LESCAK, ALLEN JR. xxx-xx-x...
LINDBERG, GARY N. xxx-xx-x...
LOBDELL, MICHAEL W. xxx-xx-x...
MATOS, ANGEL L. xxx-xx-x...
MEYERS, BERRI K. xxx-xx-x...
MORGAN, JAMES T. xxx-xx-x...
MYERS, FRANK W. xxx-xx-x...
NEDER, JOSEPH F. xxx-xx-x...
NOWINSKI, THOMAS A. xxx-xx-x...
OTTERBERG, RICHARD E. xxx-xx-x...
PETERS, MARK R. xxx-xx-x...
SAYLORS, DAVID L. xxx-xx-x...
SCHILLER, JAMES A. xxx-xx-x...
SHELDON, ROBERT C. JR. xxx-xx-x...
SHERIDAN, ANDREW M. JR. xxx-xx-x...
TAWES, ROBERT M. xxx-xx-x...
VASSILAKOS, LOUIS G. xxx-xx-x...
WEYRICK, LEROY III xxx-xx-x...

MEDICAL CORPS

To be lieutenant colonel

PIPES, GEORGE A. xxx-xx-x...

MEDICAL SERVICE CORPS

To be lieutenant colonel

NUSS, PHILIP W. xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 593(A) AND 3370:

CHAPLAIN CORPS

To be colonel

ADE, EMMETT M. xxx-xx-x...
BECKER, DONALD W. xxx-xx-x...
COLCLOUGH, FRANKLIN xxx-xx-x...
DAY, MICHAEL H. xxx-xx-x...
ELSEY, THOMAS W. xxx-xx-x...
FROST, DONALD C. xxx-xx-x...
GAMBLIN, DOUGLAS T. xxx-xx-x...
GIBBONS, LAWRENCE xxx-xx-x...
KENNEDY, DAVID B. xxx-xx-x...
LEONARD, STEPHEN W. xxx-xx-x...
MACK, ARTHUR R. xxx-xx-x...
MCCABE, EDWARD D. xxx-xx-x...
MCDANIEL, EDGAR A. xxx-xx-x...
MIZZELL, JOE B. xxx-xx-x...
MURRAY, ROBIN G. xxx-xx-x...
POE, JACK O. xxx-xx-x...
SANTIAGO, MANUEL A. xxx-xx-x...
STAEHLING, GERALD xxx-xx-x...
WESTENSKOW, GORDON xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE:

JUDGE ADVOCATE GENERAL'S CORPS

To be colonel

ADAMS, WILLIAM V. xxx-xx-x...
ANDERSON, PAUL B. xxx-xx-x...
BOONSTOPPEL, ROBERT xxx-xx-x...
BROOKS, WALDO W. xxx-xx-x...
BURTON, JOHN T. xxx-xx-x...

BUSH, BRIAN X., xxx-xx-x...
DECORT, DONALD P., xxx-xx-x...
ESTEY, RUSSELL S., xxx-xx-xx...
FROTHINGHAM, EDWARD, xxx-xx-x...
GALLIGAN, JOHN P., xxx-xx-x...
HAGAN, WILLIAM R., xxx-xx-x...
HEFFELFINGER, HARLA, xxx-xx-xx...
KELLER, THOMAS R., xxx-xx-x...
LEDERER, VALVIN M., xxx-xx-x...
NEUGRAUTER, JOSEPH A., xxx-xx-x...
SCHNEIDER, MICHAEL, xxx-xx-x...
SMITH, GREGORY E., xxx-xx-x...
WOODRUFF, WILLIAM A., xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS ON THE ACTIVE DUTY LIST FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10 UNITED STATES CODE:

JUDGE ADVOCATE GENERAL'S CORPS

To be lieutenant colonel

ACKLEY, ROBERT L., xxx-xx-x...
BLACK, OWEN H., xxx-xx-x...
BLACK, SCOTT C., xxx-xx-x...
BUCHHOLZ, RONALD J., xxx-xx-x...
BURSELL, RICHARD A., xxx-xx-x...
BUTLER, ROBERT M., xxx-xx-x...
BUTTERS, ROGER A., xxx-xx-x...
CARROLL, RITA R., xxx-xx-x...
CARTER, KEVIN W., xxx-xx-x...
CASHIOLA, LOUIS C., xxx-xx-x...
CURRIE, JAMES S., xxx-xx-x...
DORSEY, HARRY L., xxx-xx-x...
DUBIA, DONALD H., xxx-xx-x...
FLETCHER, DOUGLAS K., xxx-xx-x...
HORTON, VICTOR L., xxx-xx-x...
KRUMP, JOHN A., xxx-xx-x...
LEWIS, CALVIN L., xxx-xx-x...
MCFETRIDGE, ROBERT, xxx-xx-x...
MCSHANE, THOMAS W., xxx-xx-x...
MEYER, JACK L., xxx-xx-x...
MEYER, KENT R., xxx-xx-x...
MILLER, JAMES M., xxx-xx-x...
MINOR, ROBERT L., xxx-xx-x...
PARRISH, PATRICK J., xxx-xx-xx...
PERKOWSKI, DANIEL A., xxx-xx-x...
PHILLIPS, DENNIS L., xxx-xx-xx...
PLOTKIN, JOHN L., xxx-xx-x...
QUINN, JAMES F., xxx-xx-x...
REINOLD, CRAIG L., xxx-xx-x...
RICE, JACKIE L., xxx-xx-x...
SAUNDERS, RAYMOND M., xxx-xx-x...
SAVOIE, PHILIP A., xxx-xx-x...
SCHMIDLI, JAMES D., xxx-xx-x...
STEWART, ANDREW D., xxx-xx-x...
STEWART, JOHN R., xxx-xx-x...
SWANN, ROBERT L., xxx-xx-x...
TAYLOR, GREGORY, xxx-xx-x...
VICK, LARRY D., xxx-xx-x...
VOWELL, DENISE K., xxx-xx-x...
WARNER, KARL K., xxx-xx-x...
WHITE, RONALD W., xxx-xx-x...
WILLIAMS, HARRY L., xxx-xx-x...
WITTMAN, CRAIG P., xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED INDIVIDUALS FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 593(A), 594 AND 3353:

MEDICAL CORPS

To be lieutenant colonel

BRAUNOHLER, WALTER M., xxx-xx-x...
CONWAY, RICHARD E., xxx-xx-x...
DAVIS, NELSON P., II, xxx-xx-x...
FITCHETT, ROSE (NMI), xxx-xx-x...
HESS, DAVID M., xxx-xx-x...
POLEY, GERALD E., JR., xxx-xx-xx...
POTTER, GEORGE P., xxx-xx-x...
RINEHART, HARRY H., xxx-xx-x...
SHEPPARD, FRANK J., xxx-xx-xx...
WILSON, WILLIAM R., xxx-xx-x...
WRIGHT, JOHN C., xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICERS ARE ALSO BEING NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

MEDICAL CORPS

To be major

BRAD A. CASE, xxx-xx-x...
UNA D. MCCANN, xxx-xx-x...
DAVID C. TELLER, xxx-xx-x...
HAROLD D. YOUNG, xxx-xx-x...

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANTS IN THE LINE AND STAFF CORPS OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE SECTION 628, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

LIMITED DUTY OFFICER (LINE)

To be lieutenant commander

SPIRES, EDWARD L.

MEDICAL CORPS

To be lieutenant commander

FRICK, ROBERT A.,
KUHLMAN JEFFREY C.,
TORBERT, CHARLES E.,
WOODS, DAVID A.

MEDICAL SERVICE CORPS

To be lieutenant commander

HILDERBRAND, LISA C.

IN THE NAVY

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT LIEUTENANT IN THE JUDGE ADVOCATE GENERAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

HANNINK, JOHN G.
HUNT, JEFFREY L.
JACKONIS,
MICHAEL J., JR. JENKINS,
JOHN S., JR.
O'BRIEN, WILLIAM F.
SMART, STEPHANIE M.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS TO BE APPOINTED PERMANENT LIEUTENANT IN THE JUDGE ADVOCATE GENERAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MILLER, ELIZABETH A.
MOBERG, BRETT A.

THE FOLLOWING NAMED DISTINGUISHED NAVAL GRADUATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

ATKINS, NIEGL S.
BERG, HENRY G.
BURKETTE, JERRY W.
CARPENTER, BRIAN A.
GEIS, SUSAN R.
HARTWIG, HANS
HELTON, DOUGLAS D.
HESTERMAN, GREGG J.
HOPKINS, ROBERT B.
JONES, STANLEY C.
MCNEILL, KENNETH R.
MITCHELL, GREGORY D.
MOORE, MARC H.
MOSTYN, JON T.
WHITTEN, SCOTT C.

HAROLD S. CAVANAH, FORMER U.S. NAVAL RESERVE OFFICER TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593.

MICHAEL J. KRENTZ, MEDICAL COLLEGE GRADUATE, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593.

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

FAGAN, STEVEN J.
MEYERS, STEPHEN A.
WAMSLEY, BRIAN W.

ANTHONY H. CARPENTER, U.S. NAVY OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR PROMOTION TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE, UNDER THE PROVISIONS OF SECTION 307, TITLE 32, UNITED STATES CODE, AND SECTIONS 8363 AND 593, TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE

To be colonel

DOUGLAS K. ACHESON, xxx-xx-x...
MARK ALLEN, xxx-xx-x...
JOHN F. AMMERALL, xxx-xx-x...
WALTER A. ARTHUR, JR., xxx-xx-x...
GARRY S. BAHLING, xxx-xx-x...
MILTON B. BAXTER, xxx-xx-x...
ARCHIE J. BERBERIAN, II, xxx-xx-xx...
JESSE L. BLAIR, xxx-xx-xx...
FREDERICK L. BONNEY, xxx-xx-x...
RICHARD R. BROWNING, III, xxx-xx-x...
JAMES BULISZAK, xxx-xx-x...
HOWARD M. BURDICK, xxx-xx-x...
CHARLES E. BURNHAM, xxx-xx-x...
JAMES R. BUXTON, xxx-xx-x...
JERRY M. DURDEN, xxx-xx-x...
GEORGE J. ELLEDGE, xxx-xx-xx...
ALBERT J. GARDNER, xxx-xx-x...
NORMAN J. GOLDSTEIN, xxx-xx-x...
HAROLD A. HALVORSON, xxx-xx-x...
JOHN W. HAYNES, xxx-xx-x...
JOHN E. IFFLAND, xxx-xx-x...
PAUL S. KIMMEL, xxx-xx-x...
KENNETH G. KING, xxx-xx-x...
EDWARD P. KUNKEL, xxx-xx-x...
EDWARD P. LEVIN, xxx-xx-x...
KENNETH W. MAHON, xxx-xx-x...
STEVEN R. MCCAMY, xxx-xx-x...
WILLIAM C. MILLER, xxx-xx-x...
CLIFFORD N. MONTGOMERY, xxx-xx-x...
CALVIN L. MORELAND, xxx-xx-x...
GEORGE R. NIEMANN, xxx-xx-x...
FISK OUTWATER, xxx-xx-x...
JAMES C. OVERMIER, xxx-xx-x...
CHRISTOPHER PANTOS, xxx-xx-x...
GARY L. PEDERSEN, xxx-xx-x...
ANGELO PERFETTI, xxx-xx-x...
STEVEN L. PETTERSEN, xxx-xx-xx...
RAYMOND P. PIGNITOR, xxx-xx-x...
CURTIS N. PINTLER, xxx-xx-x...
GEORGE S. RALSTON, xxx-xx-x...
TIMOTHY V. I. RATNER, xxx-xx-x...
LUTHER R. REED, xxx-xx-x...
EMMETT J. REESE, xxx-xx-xx...
DONALD C. ROEMHILDT, xxx-xx-x...
MILES B. SCRIBNER, xxx-xx-x...
THOMAS M. SELLERS, xxx-xx-x...
FREDERICK D. SMITH, xxx-xx-x...
ROY G. STUCKEY, xxx-xx-x...
ROBERT W. SULLIVAN, xxx-xx-x...
RICHARD B. THOBE, xxx-xx-x...
JOHN M. THOMAS, xxx-xx-x...
STEVEN WESTGATE, xxx-xx-x...
ROWLAND R. WILSON, xxx-xx-x...

JUDGE ADVOCATE

To be colonel

HAYWOOD R. STARLING, JR., xxx-xx-x...

MEDICAL CORPS

To be colonel

RUSSELL G. DOYLE, xxx-xx-x...
ROBERT L. JANCO, xxx-xx-x...
DANILO V. LUCILA, xxx-xx-x...
RICHARD O. REINHART, xxx-xx-x...
MARK A. WENTWORTH, xxx-xx-x...

NURSE CORPS

To be colonel

MARIE D. FISHER, xxx-xx-x...

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE AIR FORCE RESERVE, UNDER THE PROVISIONS OF SECTIONS 593, 8362 AND 8371, TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE

To be colonel

ROBERT O. AMAON, xxx-xx-x...
JOHN W. ANDERSON, xxx-xx-x...
RALPH A. ANTHENIEN, xxx-xx-x...
DONALD G. ATKINSON, xxx-xx-x...
LARRY N. BAKER, xxx-xx-x...
JOHN F. BANKS, xxx-xx-x...
MARVIN J. BARRY, xxx-xx-x...
GLORIA K. BEARD, xxx-xx-x...
LAWRENCE F. BENJAMIN, xxx-xx-xx...
BARRY J. BODILY, xxx-xx-x...
THOMAS R. BROWN, xxx-xx-x...
DENNIS V. BUNCH, xxx-xx-x...
LEWIS C. BURWELL, III, xxx-xx-x...
EVERT K. BYINGTON, xxx-xx-x...
WILHELMINA D. CAMP, xxx-xx-x...
ORAL W. CARPER, xxx-xx-x...
HAROLD F. CASEY, JR., xxx-xx-x...
WILLIAM H. CHESTER, xxx-xx-x...
ROBERT R. CLEMONS, xxx-xx-x...
THOMAS G. CLINE, xxx-xx-x...
ALAN B. CLUNE, xxx-xx-x...
HOWELL D. COBB, III, xxx-xx-x...
ROBERT M. COCKEY, xxx-xx-x...
JAMES C. COLE, xxx-xx-x...
THOMAS O. COLEMAN, JR., xxx-xx-x...
DAVID H. COMSTOCK, xxx-xx-x...
JOHN K. CORNEY, xxx-xx-x...
DAVID B. COVEY, xxx-xx-x...
GREGG L. CUNNINGHAM, xxx-xx-x...
PAUL A. CURS, xxx-xx-x...
KEITH E. DAMMANN, xxx-xx-x...
GARY E. DAVIS, xxx-xx-x...
JOHNNY S. DAVIS, xxx-xx-x...
PAUL R. DAVIS, xxx-xx-x...
JAMES M. DEAVER, xxx-xx-x...
CRAWFORD A. DEEMS, II, xxx-xx-x...
FREDERIC M. DENNY, xxx-xx-x...
ROGER G. DISRUD, xxx-xx-x...
KARL H. DOLL, xxx-xx-x...
SAMUEL W. DRESSLER, xxx-xx-x...
DAVID E. DUNGAN, xxx-xx-x...
SALLY ANN EAVES, xxx-xx-x...
RONALD E. EDINGER, xxx-xx-x...
JAMES B. EUSTIS, xxx-xx-xx...
RICHARD F. FERGUSON, xxx-xx-x...
JOHN J. FITZPATRICK, JR., xxx-xx-xx...
GENE H. FONG, xxx-xx-x...
WAYNE C. FOSTER, xxx-xx-x...
PAUL S. FRANK, JR., xxx-xx-xx...
ROBERT C. GARRETT, xxx-xx-x...
JOSEPH T. GATES, xxx-xx-x...
WILLIAM F. GORDON, xxx-xx-x...
GORDON E. HADLOW, xxx-xx-x...
HARRY A. HAFLER, xxx-xx-x...
STEPHEN J. HALE, xxx-xx-xx...
RICHARD L. HALL, xxx-xx-x...
DANNY W. HAMILTON, xxx-xx-x...
CHARLES K. HAMMOND, JR., xxx-xx-x...
LYNN M. HARRIS, xxx-xx-x...
GORDON L. HART, JR., xxx-xx-x...
WILLARD S. HARTMAN, xxx-xx-x...
EUGENE HAVERLAK, xxx-xx-x...
JOSEPH E. HEARN, III, xxx-xx-xx...
CHARLES D. HELTON, xxx-xx-x...

CHARLES F. HEWINS, JR. xxx-xx-xx...
MARK R. HOLLOBAUGH, xxx-xx-x...
ARTHUR H. HOWARD, xxx-xx-x...
JOHN C. HUNTER, xxx-xx-x...
JACK C. IHLE xxx-xx-x...
PAUL R. ISAACS, xxx-xx-x...
JAN M. JOBANEK xxx-xx-x...
JAMES M. JOHNSON xxx-xx-x...
RUSSELL C. JONES xxx-xx-xx...
RICHARD S. KAWANA, xxx-xx-x...
CHARLES V. KENDRICK xxx-xx-x...
GERALD J. KETTLER xxx-xx-xx...
ANTHONY F. KIJEK xxx-xx-x...
GREGORY F. KLINE xxx-xx-x...
WILLIAM M. KNIGHTON xxx-xx-x...
RICHARD R. KOEPP xxx-xx-x...
FRED D. KOHLER xxx-xx-x...
DUANE A. LANDA xxx-xx-x...
KENNETH E. LANIER xxx-xx-x...
PAUL M. LAVIN xxx-xx-x...
MICHAEL W. LEHR xxx-xx-x...
HENRY J. LIEBECK xxx-xx-x...
STEVEN E. LOWE xxx-xx-x...
JOHN L. MACK, JR. xxx-xx-x...
JAMES K. MAGUIRE xxx-xx-x...
GEORGE R. MALICK xxx-xx-x...
ROBERT M. MARSHALL xxx-xx-x...
MARVIN L. MARTIN xxx-xx-x...
WILLIAM E. MARTIN xxx-xx-x...
SCOTT V. MATTHEWS xxx-xx-x...
RONALD L. MAUNDER xxx-xx-x...
MARTIN M. MAZICK xxx-xx-xx...
ARTHUR C. MCCALL, JR. xxx-xx-x...
CHERYLL S. MCLEAN xxx-xx-x...
EDWARD J. MECHENBIER, xxx-xx-x...
JOHN R. MERCER xxx-xx-x...
JAMES I. METCALF xxx-xx-x...
BRUCE L. MILLER xxx-xx-x...
JOHN E. MILLER xxx-xx-x...
KAREN L. MILLER xxx-xx-x...
ROY P. MILLER xxx-xx-x...
TED D. MILLER xxx-xx-x...
CHARLES M. MINERMAN, xxx-xx-x...
EILEEN F. MISEK xxx-xx-x...
ALAN M. MITCHELL, xxx-xx-x...
THOMAS L. MOCKEL xxx-xx-x...
BARRY F. MONAHAN xxx-xx-x...
JOHN P. MOORE xxx-xx-x...
JOHN W. MORGAN xxx-xx-x...
KENNETH L. MORRISON xxx-xx-x...
WARREN A. MULLER xxx-xx-x...
RUSSELL K. N. MUN xxx-xx-x...
THOMAS J. MUNDT xxx-xx-x...
RICHARD A. MURNOCK xxx-xx-x...
GARY L. NEWHOUSE, xxx-xx-x...
ESAU NICHOLS xxx-xx-x...
DERMOD F. NORTON xxx-xx-x...
JOHN M. NUMOTO, xxx-xx-x...
ROBERT A. NUTTELMAN xxx-xx-x...
WILLIAM G. NUTTING xxx-xx-x...
IAN A. OCONNOR, xxx-xx-x...
ROBERT A. OSULLIVAN xxx-xx-x...
RALPH F. PALASEK xxx-xx-x...
ALFRED T. VI PARMELE xxx-xx-x...
ROBERT M. PENN xxx-xx-x...
DONALD R. PERRIN xxx-xx-x...
GARY L. PIKE xxx-xx-x...
WILLIAM T. PONDER, JR. xxx-xx-x...
JOSE M. PORTELA xxx-xx-x...
NELSON D. POWELL, JR. xxx-xx-x...
RICHARD H. PRITCHARD, xxx-xx-x...
KERMIT E. QUICK, JR. xxx-xx-x...
PAUL A. RAY xxx-xx-x...
RONALD I. REAGAN xxx-xx-x...
SAMUEL R. REAM xxx-xx-x...
FRED P. REINERO, JR. xxx-xx-xx...
PAUL R. REINOWSKI xxx-xx-x...
RONALD J. REYNOLDS xxx-xx-x...
DAVID T. RICHARDS, xxx-xx-x...
JOHN V. ROBERTSON xxx-xx-x...
PAUL W. ROTH, JR. xxx-xx-x...
JOHN K. ROWLAND xxx-xx-x...
DAVID A. RUBINSTEIN xxx-xx-x...
GERALD B. SABO xxx-xx-x...
MELVIN J. SALLY, III xxx-xx-xx...
WILLIAM C. SCHILLIG xxx-xx-x...
ALLEN J. SCHNEIDER xxx-xx-x...
RUDOLPH J. SCHWEIZER xxx-xx-x...
MICHAEL M. SELF xxx-xx-x...
DONALD F. SHEPARD xxx-xx-x...
THEODORE D. SIEPMANN xxx-xx-x...
RICHARD L. SIPE xxx-xx-x...
WILLIAM J. SMITH xxx-xx-x...
RICHARD E. SOULAM xxx-xx-x...
THOMAS W. SPENCER xxx-xx-x...
GLENWARD L. SPIVEY xxx-xx-x...
DAVID G. STANDISH, xxx-xx-x...
CLAUDE J. STAYLOR, III xxx-xx-x...
PHILIP P. STEPTOE xxx-xx-xx...
MILES H. STRALY xxx-xx-x...
ROBERT L. SWANSON, JR. xxx-xx-x...
WILLIAM R. TEFTELLER xxx-xx-xx...
JAMES A. TEILBORG xxx-xx-x...
DELBERT R. TERRILL, JR. xxx-xx-xx...
WILLIAM E. THOMLINSON xxx-xx-x...
GERALD V. THOMPSON xxx-xx-x...
JOHN S. THORNBURG xxx-xx-x...
DAVID J. TOWERS, xxx-xx-x...
ALBERT L. TWELTRIDGE, III xxx-xx-xx...
MICHAEL L. TYLER xxx-xx-x...
VERNON V. VANDIVER, JR. xxx-xx-x...
THOMAS W. VINSON xxx-xx-x...
LAWRENCE M. WAGER, xxx-xx-x...
GARY A. WAGONER, xxx-xx-x...
FRANK W. WAID, xxx-xx-x...
DAVID B. WALKER xxx-xx-x...
SAMUEL L. WARD xxx-xx-x...
HAROLD V. WEED, JR. xxx-xx-x...
WILLIAM H. WEISS xxx-xx-x...
ROBERT D. WELSH xxx-xx-x...
KAREN J. WETZEL xxx-xx-x...
EDWARD C. WHALEN, JR. xxx-xx-x...
JOHN L. WHALEN xxx-xx-x...
KENNETH C. WICHMAN xxx-xx-x...
RICHARD M. WILLIAMS xxx-xx-x...
WADE H. WILLIFORD xxx-xx-x...
ALEX V. WOLFE xxx-xx-x...
DAVID E. WRIGHT xxx-xx-x...
ROBERT A. YOUNG, xxx-xx-x...

CHAPLAIN CORPS

To be colonel

JAMES T. OLDHAM xxx-xx-x...
JOHN R. POSTON xxx-xx-x...
LOWRIE J. WELTON xxx-xx-x...

DENTAL CORPS

To be colonel

RONALD V. DORST xxx-xx-x...
JOHN T. DOYLE xxx-xx-x...
JOSEPH H. EMMERT, JR. xxx-xx-xx...
ROBERT M. LAMB xxx-xx-x...
JOHN F. OKEEFE xxx-xx-x...

JUDGE ADVOCATE CORPS

To be Colonel

ROBERT E. DIAZ xxx-xx-x...
MICHAEL B. JENNISON xxx-xx-x...
WILLIAM A. E. LANDSBERG xxx-xx-x...
KENETH B. MARVEL xxx-xx-x...
MARTIN F. MCALWEE xxx-xx-x...
CURTIS W. MCBRIDE xxx-xx-x...
DENNIS G. MILLE xxx-xx-x...
ROBERT W. PETERS xxx-xx-x...
HERBERT R. SCHULZE xxx-xx-x...
MORRIS E. SHELKOFSKY, JR. xxx-xx-xx...
KEVAN F. SMITH xxx-xx-x...
MICHAEL SOFOCLEOUS, xxx-xx-x...
GERALD A. STIMMEL xxx-xx-x...
JAMES R. WALTI xxx-xx-x...
ROGER E. WILLMETH xxx-xx-x...

MEDICAL CORPS

To be colonel

IRVIN S. BENOWITZ xxx-xx-x...
CARL R. BOYD xxx-xx-x...
CARL W. CARLSON xxx-xx-x...
ROBERT L. COOPER, JR. xxx-xx-x...
DONALD W. DATLOW, xxx-xx-x...
THEODORE L. DERN xxx-xx-x...
ROBERT W. FELDTMAN xxx-xx-x...
RONALD A. GRIFFIN xxx-xx-x...
LINDA M. HEDLUND xxx-xx-x...
RICHARD F. MCCONNELL, JR. xxx-xx-x...
JOHN G. NORRIS, JR xxx-xx-x...
JAMES C. PAPPAS xxx-xx-xx...
JOHN M. RAUENHORST xxx-xx-x...
ROBERT L. SAVORY xxx-xx-x...
DAVID SOPA xxx-xx-x...
ISADORE S. TARANTINO xxx-xx-x...
BRIAN R. YOUNGE xxx-xx-x...

NURSE CORPS

To be colonel

CAROL A. BOMAR, xxx-xx-x...
CHARLENE A. CARPENTER xxx-xx-x...
JUDY C. CARROLL xxx-xx-x...
KAY L. CARTER xxx-xx-x...
NICA V. CASON xxx-xx-x...
JEANETTE E. COOK xxx-xx-x...
MARILYN A. CREHAN xxx-xx-x...
JULIA E. ESZLINGER xxx-xx-x...
ARTHUR D. JOHNSON xxx-xx-x...
LOIS E. KILLOUGH xxx-xx-x...
RUNE B. LILLQUIST xxx-xx-x...
SHARON K. S. MAILEY xxx-xx-x...
LINDA L. MCDONALD xxx-xx-x...
BONNIE J. MCLAREN, xxx-xx-x...
LOIS A. MOCK, xxx-xx-x...
BETTY L. PAPS xxx-xx-x...
GLEN C. RAMSBORG xxx-xx-x...
JOAN D. SCHAEFER xxx-xx-x...

MEDICAL SERVICE CORPS

To be colonel

REES M. DONNESON xxx-xx-x...
NOELANI N. HAAS, xxx-xx-x...
HOWARD F. HOLMES xxx-xx-x...
LAMBERT W. RAKOWITZ xxx-xx-x...
NORMAN S. RAY xxx-xx-x...

BIOMEDICAL SCIENCES CORPS

To be colonel

TERENCE C. BLACK xxx-xx-x...
JAMES W. COBB, JR. xxx-xx-x...
JACQUELYN D. REID xxx-xx-x...
ALLAN J. REITER xxx-xx-xx...
THOMAS G. RUNDLE xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3383:

ARMY PROMOTION LIST

To be colonel

THOMAS C. ADA xxx-xx-x...
ROBERT C. BARKLEY xxx-xx-x...
GUY D. COLADO xxx-xx-x...
CLIFFORD DUNGEY xxx-xx-x...
CARL J. FIORE xxx-xx-x...
FREDERICK HAERTER, xxx-xx-x...
HAROLD S. HASHIZUME xxx-xx-x...
RICHARD S. HESS xxx-xx-x...
WILLIAM S. JENKS xxx-xx-x...
ROBERT S. KANESHIRO xxx-xx-x...
STEPHEN J. KOVACS, xxx-xx-x...
RICHARD E. MATLAK xxx-xx-x...
MARK M. MATTHEWS, xxx-xx-x...
JOHN E. MCKEMIE xxx-xx-x...
RICHARD A. MCMAHON xxx-xx-x...
MICHAEL H. PHILLIPS xxx-xx-x...
STEPHEN D. TOM xxx-xx-x...
GUY T. WATANABE xxx-xx-x...
SHERMAN E. WATSON xxx-xx-x...
THOMAS A. WESSELS xxx-xx-x...

CHAPLAIN CORPS

To be colonel

PAUL E. STANEK, JR. xxx-xx-xx...

MEDICAL CORPS

To be colonel

JOHN S. KASPER xxx-xx-x...

ARMY PROMOTION LIST

To be lieutenant colonel

NORMAN H. ANDERSSON, xxx-xx-x...
RODGER E. BENROTH xxx-xx-x...
THOMAS W. BROWN, xxx-xx-x...
WILLIAM K. BURNS xxx-xx-x...
GORDON D. BUSH xxx-xx-x...
JOSEPH DANIEL xxx-xx-x...
RALPH E. DOMAS xxx-xx-x...
JIMMY E. DOUGLAS xxx-xx-x...
JOHN T. DOWNS xxx-xx-x...
CHESTER W. DUGGER xxx-xx-x...
JAY C. DUQUETTE xxx-xx-x...
HARRY M. EDWARDS xxx-xx-x...
JAMIE K. FLOWERS xxx-xx-x...
BOBBIE J. FORREST xxx-xx-xx...
JAMES G. JENKE xxx-xx-x...
JAMES C. JONES xxx-xx-x...
WILLIAM V. KANE xxx-xx-x...
JAMES W. KESLER xxx-xx-x...
LARRY A. KIVIOJA xxx-xx-x...
WALTER L. LEWIS, JR. xxx-xx-xx...
TIMOTHY V. MAHAR, xxx-xx-x...
ROBIN D. MCCALL xxx-xx-x...
JAMES D. MCNAMARA xxx-xx-x...
RICHARD MCREYNOLDS, xxx-xx-x...
GARY L. MORRISON xxx-xx-x...
ALAN T. NAKAI xxx-xx-x...
RICHARD J. NESKE xxx-xx-x...
JAMES M. O'KIEF xxx-xx-x...
RAY L. ROBINSON xxx-xx-x...
HENRY A. RUEDEN xxx-xx-x...
MICH SANTARCANGELO, xxx-xx-x...
REX C. SCHOTT xxx-xx-x...
STEVEN R. SHANKS xxx-xx-x...
JERRY J. SHOEMAKER xxx-xx-xx...
THOMAS S. SPERBER xxx-xx-x...
RONALD STEENSLAND, xxx-xx-x...
WILLIAM G. STOREY xxx-xx-x...
JOSEPH TRIMBERGER xxx-xx-xx...
STEPHEN G. WHITLEY xxx-xx-x...

CHAPLAIN CORPS

To be lieutenant colonel

TRACY D. FLOYD, JR. xxx-xx-x...
GARY N. JOHNSTON xxx-xx-x...

MEDICAL SERVICE CORPS

To be lieutenant colonel

WALTER S. BANE xxx-xx-x...
WILLIAM P. CAHILL xxx-xx-x...

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3370:

ARMY PROMOTION LIST

To be colonel

ROGER E. BURDEN xxx-xx-x...
GEORGE H. CAMPBELL xxx-xx-x...

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3366:

ARMY PROMOTION LIST

To be lieutenant colonel

LESLIE L. DAVENPORT xxx-xx-x...
EDWARD W. FLEUREN xxx-xx-x...
JOHN H. FOARD, JR. xxx-xx-x...
ALFREDO R. REYNOSO xxx-xx-x...

THE FOLLOWING-NAMED INDIVIDUALS FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 593(A), 594(A) AND 3359:

DENTAL CORPS

To be lieutenant colonel

THOMAS K. CHUBB xxx-xx-x...
MIGUEL E. PALOU xxx-xx-x...
JAMES M. PUTNAM xxx-xx-x...

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonel

MOLLY S. MAGUIRE xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 3366:

ARMY PROMOTION LIST

To be lieutenant colonel

HECTOR L. ACEVEDO xxx-xx-x...
MICHAEL J. ACKERMAN xxx-xx-x...
PEDRO J. ACOSTA xxx-xx-x...
STEPHEN A. ADAM xxx-xx-x...
JAMES L. ADAMS xxx-xx-x...
JAMES R. ADAMS xxx-xx-x...
MICHAEL K. ADAMS xxx-xx-x...
CLARENCE H. ADKISON xxx-xx-x...
WALTER A. AHRENS xxx-xx-x...
OAKLEY M. AKERS xxx-xx-x...
DAVID W. ALLEN xxx-xx-x...
KENNETH J. ALLEN xxx-xx-x...
JOHNNY M. ALLEY xxx-xx-x...
JOHN B. ALLYN xxx-xx-x...
THOMAS H. ALPHIN xxx-xx-x...
DALE L. ALTER xxx-xx-x...
ANGEL H. ALVAREZ xxx-xx-x...
JOHN R. AMBROSINI xxx-xx-x...
JANET S. AMOR xxx-xx-x...
AARON E. ANDERSON xxx-xx-xx...
CHRISTIAN ANDERSON xxx-xx-x...
JAMES ANDERSON xxx-xx-x...
MARK C. ANDERSON xxx-xx-x...
KENYON L. ANDREASEN xxx-xx-x...
EDUARDO V. ANDREYEV xxx-xx-x...
DANIEL L. ANGELL xxx-xx-x...
ROBERT K. ANTOZZI xxx-xx-x...
JOHN E. ANWYL xxx-xx-x...
JOHN J. ANZIDEI xxx-xx-x...
JOHN P. APEL xxx-xx-x...
RENE AQUERON xxx-xx-x...
MERRILL W. ARBUCKLE xxx-xx-x...
JAMES E. ARCHER xxx-xx-x...
CLARA J. ARDOIN xxx-xx-x...
TIMOTHY H. ARENDT xxx-xx-x...
HAROLD L. ARISON xxx-xx-x...
JAMES F. ARMSTRONG xxx-xx-x...
JIMMY D. ARMSTRONG xxx-xx-x...
JEFFERY L. ARNOLD xxx-xx-xx
CHESTER A. ARTER xxx-xx-x...
MICHAEL K. ASHAR xxx-xx-x...
ROBERT L. ASHWORTH xxx-xx-x...
LOUIS C. ASKEW xxx-xx-x...
LUIS A. AVELLANET xxx-xx-x...
SAMUEL W. AXTELL xxx-xx-x...
GERALD D. BACH xxx-xx-x...
DANNY G. BAILEY xxx-xx-x...
DAVID P. BAILEY xxx-xx-x...
FRANK M. BAJEK xxx-xx-x...
RONALD F. BAKER xxx-xx-x...
THOMAS E. BAKER xxx-xx-x...
MICHAEL J. BAMBER xxx-xx-x...
WILLIAM K. BAMLER xxx-xx-x...
WAYNE A. BANISTER xxx-xx-x...
BILLIE K. BANKS xxx-xx-x...
DENNIS E. BANOWETZ xxx-xx-x...
SHEENA A. BARFIELD xxx-xx-x...
ALBERT H. BARKEY xxx-xx-x...
ALLEN A. BARNA xxx-xx-x...
PETER BARNA xxx-xx-x...
JOHN W. BARNES xxx-xx-x...
BRUCE M. BARRY xxx-xx-x...
JOHN D. BARRY xxx-xx-x...
THOMAS H. BARRY xxx-xx-x...
WILLIAM B. BASKIN xxx-xx-x...
JOSE E. BASORA xxx-xx-x...
GARY D. BASS xxx-xx-x...
DAVID M. BASSETT xxx-xx-x...
ROBERT E. BATOR xxx-xx-x...
DAVID G. BATTAGLIA xxx-xx-x...
GARY D. BATTLES xxx-xx-x...
JINI L. BAUSCH xxx-xx-x...
STANLEY R. BAYLEY xxx-xx-x...
JOHN F. BAYNES xxx-xx-x...
EVERETT T. BEADLE xxx-xx-x...
ROBERT L. BEAMER xxx-xx-x...
ANTHONY BEARDSLEY xxx-xx-x...
PATRICIA L. BECK xxx-xx-x...
THOMAS D. BECKMAN xxx-xx-x...
THOMAS N. BEDIENT xxx-xx-x...
GEORGE M. BEDINGER xxx-xx-x...
KEITH G. BEEBE xxx-xx-x...
JOHN J. BELKEWITCH xxx-xx-x...
WESLEY A. BELL xxx-xx-x...
PAUL D. BELZ xxx-xx-x...
JAMES H. BENDER xxx-xx-x...
ROBERT J. BENNETT xxx-xx-xx...
JAMES M. BENNINGTON xxx-xx-x...
BENJAMIN L. BENOIT xxx-xx-x...
JAMES R. BERRY xxx-xx-x...
ROLAND M. BERRY xxx-xx-x...
ROBERT D. BETZ xxx-xx-x...
DONALD R. BETZOLD xxx-xx-x...
JAMES W. BIAS xxx-xx-x...
TERRY D. BIRCHFIELD xxx-xx-x...
ELSA J. BIRCHWOOD xxx-xx-x...
MITCHELL T. BISANAR xxx-xx-x...
CARLTON E. BISHOP xxx-xx-x...
EDWARD J. BITSCHE xxx-xx-x...
OTIS W. BLACKWOOD xxx-xx-x...
ROBERT J. BLUM xxx-xx-x...
RICHARD M. BLUNT xxx-xx-x...
LARRY D. BOGGS xxx-xx-x...
THOMAS A. BOLAND xxx-xx-x...
JEFFREY M. BOLTON xxx-xx-xx...
LOUIS J. BONAIUTO xxx-xx-x...
FRANK T. BONELLI xxx-xx-x...
THOMAS H. BONORDEN xxx-xx-x...
THOMAS E. BOOTH xxx-xx-x...
JOHN M. BOREK xxx-xx-x...
RICHARD B. BORER xxx-xx-x...
LOUIS G. BORNMAN xxx-xx-x...
JOSEPH S. BOWEN xxx-xx-x...
HENRY R. BOWER xxx-xx-x...
CHARLES A. BOWLER xxx-xx-x...
GLADWYN G. BOWLIN xxx-xx-x...
CLARENCE P. BOYD xxx-xx-x...
LLOYD L. BOYER xxx-xx-x...
RICHARD C. BOYNTON xxx-xx-xx...
GARRY W. BRADFORD xxx-xx-x...
JACQUELYN A. BRADY xxx-xx-x...
JAMES C. BRADY, JR. xxx-xx-xx...
CARL W. BRAMLITT xxx-xx-x...
EDWIN J. BRAND xxx-xx-x...
THOMAS A. BRANDTNER xxx-xx-x...
JOHN R. BRAULT xxx-xx-x...
JAMES H. BRAY xxx-xx-x...
GLENN C. BREITLING xxx-xx-x...
JUDITH E. BRENDEL xxx-xx-xx...
SAMUEL L. BRENTNALL xxx-xx-x...
DUANE M. BRENTZEL xxx-xx-x...
MICHAEL D. BREWER xxx-xx-x...
TERRY B. BREWER xxx-xx-x...
DANIEL F. BRIDGERS xxx-xx-xx...
JAMES K. BRINKLEY xxx-xx-x...
WILLARD BROADWATER xxx-xx-x...
JAMES E. BROOS xxx-xx-x...
EDWARD H. BROTHERS xxx-xx-x...
JOHN E. BROUGHTON xxx-xx-x...
DAVID B. BROWN xxx-xx-x...
DAVID C. BROWN xxx-xx-x...
JESSE B. BROWN xxx-xx-x...
LLOYD T. BROWN xxx-xx-x...
REX A. BROWN xxx-xx-x...
RICHARD E. BROWN xxx-xx-x...
ROBERT J. BROWN xxx-xx-x...
VAUGHN H. BROWN xxx-xx-x...
WILLIAM R. BROWN xxx-xx-x...
CHRISTOPHER BROWNE xxx-xx-x...
JAMES A. BRUNET, II xxx-xx-xx...
LESLIE E. BRYAN xxx-xx-x...
MORRIS R. BUCHANAN xxx-xx-x...
JOHN W. BUCHER xxx-xx-x...
ELBERT T. BUCK xxx-xx-x...
JOHN S. BUCKLEY xxx-xx-x...
MICHAEL H. BUCKLEY xxx-xx-x...
BRIAN S. BUCKOSKI xxx-xx-x...
ROBERT J. BUKOWCZYK xxx-xx-x...
CRAIG W. BULKLEY xxx-xx-x...
STEVEN H. BULLOCK xxx-xx-x...
BENJAMIN A. BUNN xxx-xx-x...
MELVIN L. BURCH xxx-xx-x...
BRADFORD BURCHYETT xxx-xx-x...
WILLIAM A. BURCKARD xxx-xx-x...
LAWRENCE BURGOYNE xxx-xx-x...
WILLIAM T. BURKE xxx-xx-x...
WILLIAM C. BURNHAM xxx-xx-x...
JAMES L. BURSON xxx-xx-x...
STANLEY O. BURST xxx-xx-xx...
MELVIN H. BUSSELL xxx-xx-x...
WALTER J. BUTTRICK xxx-xx-x...
ANTHONY F. CABRERA xxx-xx-x...
PAUL R. CACCHIOTTI xxx-xx-x...
DAVID E. CALDERO xxx-xx-x...
JEFFREY B. CALHOON xxx-xx-x...
WAYNE T. CAMERON xxx-xx-x...
STEVEN B. CAMPBELL xxx-xx-x...
JAMES A. CANNON xxx-xx-x...
STUART M. CANNON xxx-xx-x...
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CARLOS C. CANTU xxx-xx-x...
JULIO CAPOCAPO xxx-xx-x...
MICHAEL L. CARLEY xxx-xx-x...
WENDELL A. CARLSON xxx-xx-x...
EUGENE J. CAROLAN xxx-xx-x...
AUBREY B. CARPENTER xxx-xx-x...
RICHARD CARPENTER xxx-xx-x...
CHARLES W. CARR xxx-xx-x...
WILLIAM F. CARROLL xxx-xx-x...
LEWIS K. CARTER xxx-xx-x...
OSCAR L. CARTER xxx-xx-x...
ANDREW J. CASAVANT xxx-xx-x...
RICHARD A. CASAZZA xxx-xx-x...
DALE CASTRO xxx-xx-x...
GARY E. CATHCART xxx-xx-x...
JAMES C. CAUL xxx-xx-x...
JOHN E. CAVANAUGH xxx-xx-x...
DAVID H. CAVAZOS xxx-xx-x...
NICHOLAS CEKOVICH xxx-xx-x...
PAUL J. CHACHO xxx-xx-x...
MARTHA H. CHAFFINS xxx-xx-x...
FRANK P. CHALE xxx-xx-x...
THOMAS E. CHALIFOUX xxx-xx-x...
CHARLES A. CHAMBERS xxx-xx-x...
WILLIAM CHANCELLOR xxx-xx-x...
DOUGLAS N. CHANDLER xxx-xx-x...
ROBERT J. CHAPIN xxx-xx-x...
KENNETH D. CHEATHAM xxx-xx-x...
GEORGE G. CHESTER xxx-xx-x...
BOBBY CHIN xxx-xx-x...
MARGAR CHRISTENSEN xxx-xx-x...
PAUL L. CHRISTENSEN xxx-xx-xx...
REYNOL CHRISTENSON xxx-xx-x...
ROBERT M. CHRISTIAN xxx-xx-x...
PAUL A. CIANCHETTI xxx-xx-x...
ROBERT E. CIESLA xxx-xx-x...
MICHAEL K. CLAPPER xxx-xx-x...
PETER M. CLARK xxx-xx-x...
GERALD B. CLEMENT xxx-xx-x...
HAROLD T. CLEMENTS xxx-xx-x...
JIMMY L. CLEMENTS xxx-xx-x...
LARRY E. CLIFTON xxx-xx-x...
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ALFRED COFRANCESCO xxx-xx-x...
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TOMMY O. COMBS xxx-xx-x...
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BRUCE J. CONARD xxx-xx-x...
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DON E. CORRY xxx-xx-x...
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MARILYN P. COWLES xxx-xx-x...
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GERARD L. CREDIDIO xxx-xx-x...
JAMES M. CREIGHTON xxx-xx-x...
LYNETTE J. CREPEAU xxx-xx-xx...
JERRY T. CREWS xxx-xx-x...
JOHN W. CRITTENDEN xxx-xx-x...
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ROY W. CROSSE xxx-xx-x...
JAMES C. CROWDER xxx-xx-x...
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RODGER A. CRUM xxx-xx-x...
JOSE R. CUEVAS xxx-xx-x...
PAUL M. CUICCHI xxx-xx-x...
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TIMOTHY J. CULLEN xxx-xx-x...
VANNOY CULPEPPER xxx-xx-x...
JOHN F. CUNERO xxx-xx-x...
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GEORGE M. CURBELLO xxx-xx-x...
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PAUL D. CUSHMAN xxx-xx-x...
RONALD N. CUSSINS xxx-xx-x...
LAWRENCE J. CZEPIEL xxx-xx-xx...
THOMAS W. DABROSCA xxx-xx-x...
THOMAS E. DACAR xxx-xx-x...
IRVINE DAMRON xxx-xx-x...
DONALD D. DAUPHINEE xxx-xx-x...
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MADISON DAVIS xxx-xx-x...
MITCHELL R. DAVIS xxx-xx-x...
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S. P. DAVIS xxx-xx-x...
GARY A. DEAN xxx-xx-x...
LEE P. DEARMOND xxx-xx-x...
FRANK A. DEBACA xxx-xx-x...
MAUREEN DECIANTIS xxx-xx-x...
RICHARD J. DECKER xxx-xx-x...
ROSEMARY DEFRANCO xxx-xx-x...
AMELIA I. DEGEN xxx-xx-x...
FRANK M. DEGREGORY xxx-xx-x...
DAVID A. DEKEYSER xxx-xx-x...
JUDITH L. DELANEY xxx-xx-x...
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FRANCISCO DELTORO xxx-xx-x...
PAUL S. DENISON xxx-xx-x...
CRAIG L. DENNIS xxx-xx-x...
BARBARA J. DEPASQUE xxx-xx-x...
GEORGE A. DERBIN xxx-xx-x...
CAROLYN J. DERBY xxx-xx-x...
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RICHARD D. DEY xxx-xx-x...
FRANCIS T. DEYO xxx-xx-x...
JIMMIE J. DEZZUTTI xxx-xx-xx...
DAVID L. DICKSON xxx-xx-x...
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GORDON N. DIEM, xxx-xx-x...
ISMA DIEPPABERNABE, xxx-xx-x...
JOHN M. DIETRICH, xxx-xx-x...
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JOE M. DILL, xxx-xx-x...
ROBERT DINNERVILLE, xxx-xx-x...
LARRY A. DODSON, xxx-xx-x...
VANCE E. DOESCHER, xxx-xx-x...
PATRICK M. DOLAN, xxx-xx-x...
RICHARD J. DOLCE, xxx-xx-x...
SIDNEY H. DONNELL, xxx-xx-x...
ZACHARY M. DOPPEL, xxx-xx-x...
MICHAEL L. DORSETT, xxx-xx-x...
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DONALD W. DRASHEFF, xxx-xx-x...
PETER DREES, xxx-xx-xx...
THOMAS E. DREW, xxx-xx-x...
JAMES R. DRINNON, xxx-xx-x...
DONALD A. DRISCOLL, xxx-xx-x...
WILLIAM C. DUESBURY, xxx-xx-x...
CHESTER W. DUGGER, xxx-xx-x...
AUDREY S. DUNDEE, xxx-xx-x...
HARVEY A. DUNHAM, xxx-xx-x...
JAMES DUNKELBERGER, xxx-xx-x...
JOHN L. DUNLEAVY, xxx-xx-x...
MARK W. DUSHNYCK, xxx-xx-x...
THOMAS DUSZKIEWICZ, xxx-xx-x...
JAMES P. DWYER, xxx-xx-x...
BENJAMIN DY, xxx-xx-x...
JEWEL E. DYCUS, xxx-xx-x...
CHARLES J. EARL, xxx-xx-xx...
ALONZO B. EARNEST, xxx-xx-x...
ROBERT E. EASLEY, xxx-xx-x...
BARBARA A. EAZOR, xxx-xx-x...
HERSHEL D. EBLE, xxx-xx-xx...
HENRY C. EDENS, III, xxx-xx-x...
MAIOS ELIADES, xxx-xx-x...
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JACK D. ELMQUIST, xxx-xx-x...
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ALBERT ENGLEHARDT, xxx-xx-x...
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ALLEN W. ESTES, xxx-xx-x...
SUSAN K. EURE, xxx-xx-x...
JOSE G. EVANS, xxx-xx-x...
RONALD E. EVERHART, xxx-xx-x...
JAMES R. EXNICIOS, xxx-xx-x...
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RICHARD A. FALLS, xxx-xx-x...
REED B. FANNING, xxx-xx-x...
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MARC M. FEINBERG, xxx-xx-x...
JAIME R. FERNANDEZ, xxx-xx-xx...
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LARRY W. FLOWERS, xxx-xx-x...
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ROBERT C. FOOTE, xxx-xx-x...
JAMES D. FORD, xxx-xx-x...
PATRICIA M. FOREST, xxx-xx-xx...
EDWARD A. FORMAN, xxx-xx-x...
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JAMES E. FRANCKE, xxx-xx-xx...
JAMES A. FRANK, xxx-xx-x...
STEVE R. FRANKE, xxx-xx-x...
CARL P. FRECHETTE, xxx-xx-xx...
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JOHN R. FREEMAN, xxx-xx-x...
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ROBERT J. FRY, xxx-xx-xx...
DARRELL J. FUESTING, xxx-xx-xx...
LEO E. FUHR, xxx-xx-x...
RICHARD H. FULTON, xxx-xx-x...
SAMUEL FUOCO, xxx-xx-x...
JOE R. GAINES, xxx-xx-xx...
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BRUCE R. GALTON, xxx-xx-x...
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STEPHEN A. GANNON, xxx-xx-x...
JESSE S. GARCIA, xxx-xx-xx...
PEDRO S. GARCIA, xxx-xx-x...
JOSEPH E. GARLAND, xxx-xx-xx...
DENNIS V. GARRISON, xxx-xx-x...
STUART H. GARRISON, xxx-xx-x...
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ROBERT B. GAUNTNER, xxx-xx-x...
MITCHELL E. GAVIN, xxx-xx-x...
THOMAS F. GAVIN, xxx-xx-x...
ROGER D. GENCE, xxx-xx-x...
JOHN P. GERHARD, xxx-xx-x...
BENJAMIN D. GIBSON, xxx-xx-x...
PATRICK D. GIBSON, xxx-xx-x...
CAREY R. GIDDENS, xxx-xx-x...
JAMES M. GIESEKE, xxx-xx-xx...
JERRY M. GILL, xxx-xx-xx...
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LUCIEN R. GILLHAM, xxx-xx-x...
HENRY L. GILLIS, xxx-xx-x...
J. M. GILSON, xxx-xx-x...
CHRIS L. GINGLES, xxx-xx-x...
STEPHEN R. GINGRICH, xxx-xx-x...
GARY S. GLENN, xxx-xx-x...
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PHILLIP H. GLISE, xxx-xx-xx...
GERALD W. GLOVER, xxx-xx-x...
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WILLIAM S. GODWIN, xxx-xx-x...
JOHN E. GOETZE, xxx-xx-x...
EDWARD A. GOLDSMITH, xxx-xx-x...
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ALBERT J. GOLLY, xxx-xx-x...
BENJAMIN H. GOOD, xxx-xx-x...
WILLIAM D. GOODNER, xxx-xx-x...
JOHN D. GORDON, xxx-xx-x...
JOSEPH F. GOYETTE, xxx-xx-xx...
DENNIS L. GRAY, xxx-xx-x...
DANIEL E. GRAYSON, xxx-xx-x...
LAWRENCE GRAZIANI, xxx-xx-x...
JAMES P. GREEN, xxx-xx-xx...
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JEFFREY A. GREENE, xxx-xx-x...
LAWRENCE G. GREENE, xxx-xx-x...
GARRISON GREENWOOD, xxx-xx-x...
JERRY K. GREEVER, xxx-xx-xx...
DIRK W. GRESS, xxx-xx-x...
ARTHUR J. GRIFFIN, xxx-xx-xx...
ANN S. GRISDALE, xxx-xx-x...
MICHAEL W. GROCH, xxx-xx-x...
STEPHEN B. GROVE, xxx-xx-x...
DAVID G. GRUENBAUM, xxx-xx-x...
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RUSSELL D. GULLETT, xxx-xx-xx...
DAVID F. GUTHRIE, xxx-xx-x...
REUBEN A. HAASE, xxx-xx-x...
TIMOTHY E. HACKETH, xxx-xx-x...
RICHARD P. HACKMAN, xxx-xx-x...
DAVID P. HAGARMAN, xxx-xx-x...
MICHAEL C. HAGERMAN, xxx-xx-x...
MAYBERRY I. HAINSEY, xxx-xx-x...
RONALD J. HAIRSTON, xxx-xx-x...
ROBERT J. HALADY, xxx-xx-x...
JOHN C. HALE, xxx-xx-x...
DAVID A. HALL, xxx-xx-x...
JERRY W. HALL, xxx-xx-x...
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TIMOTHY C. HALSTROM, xxx-xx-x...
EDWARD J. HAMILTON, xxx-xx-x...
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ODES W. HAMILTON, xxx-xx-x...
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GARY M. HARA, xxx-xx-x...
JOHNNY L. HARDEMAN, xxx-xx-x...
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FRANK G. HARTLEROAD, xxx-xx-x...
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DONALD J. HASSIN, xxx-xx-x...
WILLIAM H. HATFIELD, xxx-xx-x...
WADE B. HAUBERT, xxx-xx-x...
DONALD R. HAWKINS, xxx-xx-x...
JOHN D. HAWTHORNE, xxx-xx-x...
THOMAS H. HAYNES, xxx-xx-x...
DIANE M. HEADSTROM, xxx-xx-x...
STEVEN R. HEALD, xxx-xx-x...
LAWRENCE W. HEBEN, xxx-xx-x...
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DAVID J. HONEYCUTT, xxx-xx-x...
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BRUCE E. HOWARD, xxx-xx-x...
DAN R. HOWARD, xxx-xx-x...
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FRANK H. HOWE, xxx-xx-x...
ERIC HUCKABEE, xxx-xx-x...
JOHN J. HUNT, xxx-xx-x...
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JOHN W. JACOBS, xxx-xx-x...
JAY K. JACOBSMUHLEN, xxx-xx-x...
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JERRY G. JAMES, xxx-xx-xx...
MICHAEL A. JANOVICZ, xxx-xx-x...
FRANK V. JASINSKI, xxx-xx-x...
BARRY K. JENKINS, xxx-xx-x...
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MICHAEL P. JESTER, xxx-xx-xx...
JAMES D. JINKINS, xxx-xx-x...
ANTHONY A. JOACHIM, xxx-xx-x...
ROBERT W. JOHANSON, xxx-xx-x...
ALAN W. JOHNSON, xxx-xx-x...
CLYDE H. JOHNSON, xxx-xx-x...
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LAMESE M. JOHNSON, xxx-xx-x...
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VINCENT P. JOHNSON, xxx-xx-x...
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CECIL B. JONES, xxx-xx-x...
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PAUL L. JONES, xxx-xx-x...
MARK T. JOOSSE, xxx-xx-x...
DALE R. JORGENSEN, xxx-xx-xx...
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KENNETH E. JUELL, xxx-xx-xx...
ANTHONY M. JUNIKER, xxx-xx-x...
JAMES R. KAHL, xxx-xx-x...
ANTHONY J. KALKUS, xxx-xx-x...
THEODORE E. KANE, xxx-xx-x...
THOMAS W. KANE, xxx-xx-x...
LARRY R. KANZLER, xxx-xx-x...
GEORGE K. KAPP, xxx-xx-x...
JAKOB J. KAPP, xxx-xx-xx...
ROBERT E. KAUFFMAN, xxx-xx-x...
AUGUSTUS J. KEAT, xxx-xx-x...
TERRY L. KECK, xxx-xx-x...
JACKIE F. KEEL, xxx-xx-xx...
MICHAEL J. KEENAN, xxx-xx-x...
KENNETH C. KEENER, xxx-xx-x...
JAMES J. KEENEY, xxx-xx-xx...
HAROLD E. KEETON, xxx-xx-x...
LEWIS W. KELLER, xxx-xx-x...
EDWARD V. KELLY, xxx-xx-x...
RANDAL L. KENNEDY, xxx-xx-x...
MICHAEL T. KENNEY, xxx-xx-x...
RALPH J. KETRON, xxx-xx-xx...
DAVID L. KEYS, xxx-xx-x...

MICHAEL A. KIEREN xxx-xx-x...
LLOYD B. KILLEN xxx-xx-x...
GARY A. KING xxx-xx-x...
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DANIEL KININMONTH xxx-xx-x...
MICHAEL S. KINKADE xxx-xx-x...
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FREDERIC KLEIHAUER xxx-xx-x...
ROBERT KLEIN xxx-xx-x...
ARTHUR H. KLINE xxx-xx-x...
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PAUL S. SMITH xxx-xx-x...
PETER G. SMITH xxx-xx-x...
ROBERT M. SMITH xxx-xx-x...
TERRENCE J. SMITH xxx-xx-xx...
STANLEY L. SNIFF xxx-xx-xx...
ALAN E. SOMMERFELD xxx-xx-x...
HUGH S. SOMSEN xxx-xx-x...
LEO P. SOPICKI xxx-xx-x...
LAWRENCE J. SOUZA xxx-xx-x...
CHARLES L. SPARKS xxx-xx-x...
JOHN E. SPEARMAN xxx-xx-x...
JAMES B. SPENCER xxx-xx-x...
ROBIN S. SPOFFORD xxx-xx-x...
DANIEL S. SPRING xxx-xx-x...
KARL R. SPRINGER xxx-xx-x...
JAMES M. ST GERMAIN xxx-xx-x...
LARRY T. STAFFORD xxx-xx-x...
JOHN J. STANKIEWICZ xxx-xx-x...
GARY G. STANKO xxx-xx-x...
NANCY S. STANLEY xxx-xx-x...
WILLIAM STAPLETON xxx-xx-x...
KENNETH L. STARR xxx-xx-x...
DAVID J. STEFFEN xxx-xx-x...
THOMAS D. STEMPSON xxx-xx-x...
WINSLOW A. STETSON xxx-xx-x...
JAMES M. STEWART xxx-xx-x...
RICHARD W. STEWART xxx-xx-x...
WILLIAM E. STIDHAM xxx-xx-x...
CHARLES C. STJOHN xxx-xx-x...
WILLIAM R. STOCKTON xxx-xx-x...
CHARLES R. STONE xxx-xx-x...
WILLIAM J. STRANGE xxx-xx-x...
ROBERT A. STRANKO xxx-xx-x...
THOMAS C. STREDWICK xxx-xx-x...
WILLIAM A. STULL xxx-xx-x...
GERRY L. SUCHANEK xxx-xx-x...
HOWARD T. SUGAI xxx-xx-x...
TERRY A. SUNDERLAGE xxx-xx-x...
THOMAS W. SWANSON xxx-xx-x...
JOSEPH G. SWEGER xxx-xx-x...
SUSAN L. SWITZER xxx-xx-x...
JACKIE S. SWOPE xxx-xx-x...
ROBERT C. SZILAGYI xxx-xx-x...
GLEN D. SZYCHOWSKI xxx-xx-x...
WILLIAM TACKENBERG xxx-xx-x...
GREGG A. TAKAMURA xxx-xx-x...
ROBERT T. TAPP xxx-xx-xx...
RICHARD C. TARICSKA xxx-xx-x...
ROBERT M. TAWES xxx-xx-x...
CHARLES E. TAYLOR, I xxx-xx-x...
DANIEL J. TAYLOR xxx-xx-x...
EUGENE A. TAYLOR xxx-xx-x...
HAROLD J. TAYLOR xxx-xx-x...
RICHARD W. TAYLOR xxx-xx-x...
DICK E. TEETERS xxx-xx-x...
KENNETH M. TENNO xxx-xx-x...
BENNY M. TERRELL xxx-xx-x...
DAVID A. TESNOW xxx-xx-x...
PAUL J. TETLACK xxx-xx-x...
BRENT A. THEILING xxx-xx-x...
DAVID E. THOMPSON xxx-xx-x...
JOHN G. THOMPSON xxx-xx-x...
JOHNNY D. THOMPSON xxx-xx-x...
PAUL W. THOMPSON xxx-xx-x...
PETER C. THOMPSON xxx-xx-x...
RANDOLPH THOMPSON xxx-xx-x...
RICHARD W. THOMPSON xxx-xx-x...
LEWIS C. THORNBERRY xxx-xx-x...
CHARLES B. THORNELL xxx-xx-x...
JOHN L. THORNTON xxx-xx-x...
MICHAEL R. THORPE xxx-xx-x...
THOMAS S. THORPE xxx-xx-x...
GARY L. TIDWELL xxx-xx-x...
MICHAEL A. TIER xxx-xx-x...
LAWRENCE J. TOMAN xxx-xx-x...
RIGOBERTO TORRES xxx-xx-x...
ROBERT L. TORRES xxx-xx-x...
PETER V. TRAIN xxx-xx-x...
RONALD B. TRAVIS xxx-xx-x...
ROBERT G. TREGASKIS xxx-xx-x...
JOHN L. TREVEY xxx-xx-x...
CHARLES I. TRICKEY xxx-xx-x...
DAVID W. TRIMELONI xxx-xx-x...
WILLIAM P. TROY xxx-xx-x...
CLIFFORD L. TRUITT xxx-xx-x...
LARRY A. TRUJILLO xxx-xx-x...
ORRIN A. TRYON xxx-xx-x...
CHARLES S. TSONOS xxx-xx-x...
DANIEL L. TURNER xxx-xx-x...
DANIEL D. TUTTLE xxx-xx-x...
GARY S. TYER xxx-xx-x...
JOSEPH S. TYSON xxx-xx-xx...
ROBERT J. UDLAND xxx-xx-x...
RONALD M. UJIIYE xxx-xx-x...
JOHN E. UXER, JR. xxx-xx-xx...
KEN J. VAHLE xxx-xx-x...
DENN VANDENBLOOMEN xxx-xx-x...
WILLIAM F. VANHORNE xxx-xx-x...
ROBERT W. VANMETER xxx-xx-x...
JAMES L. VANOVER xxx-xx-x...
MARTIN O. VANSCOTER xxx-xx-x...
LOUIS G. VASSILAKOS xxx-xx-x...
CHARLOTTE E. VAUGHN xxx-xx-x...
EZEQUIEL VAZQUEZ xxx-xx-x...
WILLIAM A. VEITCH xxx-xx-x...
BRUNO R. VELASQUEZ xxx-xx-x...
ERIC B. VERMILLION xxx-xx-x...
HANS A. VERSDAHL xxx-xx-x...
LARRY G. VEZINA xxx-xx-x...
SHELDEN M. VIE xxx-xx-x...
BERT F. VIETA xxx-xx-x...
BARBARA G. VISE xxx-xx-x...
CHARLES G. VOELKER xxx-xx-x...
DOUGLAS J. VOGEL xxx-xx-x...
ROGER C. VOGEL xxx-xx-x...
PIERRE A. VOISARD xxx-xx-x...
THOMAS E. VOLKMANN xxx-xx-x...
CHARLES K. WAGENER xxx-xx-x...
MICHAEL S. WAITE xxx-xx-x...
G. S. WAKEFIELD xxx-xx-x...
MARTIN H. WALKER xxx-xx-x...
MATILDA L. WALKER xxx-xx-x...
NORMAN G. WALKER xxx-xx-x...
WESLEY F. WALKER xxx-xx-x...
RICHARD A. WALTER xxx-xx-x...
ELYSE G. WANDER xxx-xx-x...
LOUIS P. WARCHOT, II xxx-xx-x...
GARY C. WARD xxx-xx-x...
RICHARD E. WARD xxx-xx-x...
ROGER L. WARD xxx-xx-x...
HOWARD L. WARDELL xxx-xx-x...
JANET N. WATFORD xxx-xx-x...
GEORGE R. WATKINS xxx-xx-x...
GERALD L. WATNE xxx-xx-x...
DAVID M. WATSON xxx-xx-x...
JIMMY L. WATSON xxx-xx-x...
RICHARD K. WATTS xxx-xx-x...
STEPHEN C. WAXMAN xxx-xx-x...
CHARLE WEATHERFORD xxx-xx-x...
RANDAL WEATHERHEAD xxx-xx-x...
LONNIE J. WEAVER xxx-xx-x...
DANIEL A. WEBB xxx-xx-x...

EDWARD S. WEEKS, JR. xxx-xx-x...
JIM P. WEEMS xxx-xx-x...
EDWARD N. WEIGHTON xxx-xx-x...
FRANCIS E. WEISS xxx-xx-x...
JAMES L. WELCH xxx-xx-x...
JAMES P. WELCH xxx-xx-x...
LOWELL E. WENGER xxx-xx-x...
JIMMY H. WEST xxx-xx-x...
RICHARD D. WEST xxx-xx-x...
RODGER E. WEST xxx-xx-x...
MARK A. WESTROM xxx-xx-x...
STEPHEN A. WHATLEY xxx-xx-x...
COURTNEY B. WHEELER xxx-xx-x...
DAVID W. WHITE xxx-xx-x...
DENNIS A. WHITE xxx-xx-x...
HENRY L. WHITE xxx-xx-x...
FLOYD R. WHITHAM xxx-xx-x...
BRYANT A. WHITMIRE xxx-xx-x...
EDWIN B. WHITMORE xxx-xx-x...
WILLIA WHITTINGTON xxx-xx-x...
JOSEPH W. WIDDEN xxx-xx-x...
CHARLES WIDDICOMBE xxx-xx-x...
JOHN M. WILLARD xxx-xx-x...
DENNIS M. WILLIAMS xxx-xx-x...
LOSSIE J. WILLIAMS xxx-xx-xx...
MICHAEL J. WILLIAMS xxx-xx-x...
NATHANIEL WILLIAMS xxx-xx-x...
NORMAN K. WILLIAMS xxx-xx-x...
RICARDO J. WILLIAMS xxx-xx-x...
RODGER A. WILLIAMS xxx-xx-x...
RICHARD WILLIAMSON xxx-xx-x...
CHARLES B. WILSON xxx-xx-x...
JOHN R. WIRTH xxx-xx-x...
MARY K. WISEMAN xxx-xx-x...
WILLIAM L. WITHAM xxx-xx-x...
VINCENT J. WLOCH xxx-xx-x...
HENRY L. WOHLE xxx-xx-x...
JOHN H. WOHNER xxx-xx-x...
WILLIAM J. WOLSKE xxx-xx-x...
JEFFREY L. WONDER xxx-xx-x...
DENNIS WOOD xxx-xx-x...
RANDALL M. WOOD xxx-xx-x...
WILLIAM K. WOODS xxx-xx-x...
WILLIAM H. WOODWARD xxx-xx-x...
JUNE WOOLVERTON xxx-xx-x...
JOSEPH E. WORLEY xxx-xx-x...
FRANK H. WRIGHT xxx-xx-x...
FRANK W. WRIGHT xxx-xx-x...
RONALD W. WRIGHT xxx-xx-x...
WALTER E. WRIGHT xxx-xx-x...
RICHARD M. WYKA xxx-xx-x...
ANTHONY J. YATES xxx-xx-x...
KERRY K. YEN xxx-xx-x...
DONALD L. YOUNG xxx-xx-x...
LAWRENCE W. YOUNG, I xxx-xx-x...
RAY N. YOUNG xxx-xx-x...
GORDON J. YUSKA xxx-xx-x...
RAYMOND A. ZAGGER xxx-xx-x...
MARK E. ZANIN xxx-xx-x...
MICHAEL A. ZAVOSKY xxx-xx-x...
MYRON J. ZAYDEL xxx-xx-x...
JOHN D. ZECHMAN xxx-xx-x...
LEWIS F. ZERFOSS xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE. THE OFFICERS INDICATED BY ASTERISK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

MEDICAL SERVICE CORPS

To be major

WILLIAM R. *. ADDISON xxx-xx-x...
JAMES R. ALARCON xxx-xx-x...
WANDA ALLENHUBERT xxx-xx-x...
DAVID W. *. ANDERSEN xxx-xx-x...
BRIAN E. *. ANSELMAN xxx-xx-x...
JORGE L. *. APONTE xxx-xx-x...
SHARON A. BARNES xxx-xx-x...
REGINA R. BASS xxx-xx-x...
TIMOTHY E. BATEMAN xxx-xx-x...
STEPHEN *. BEARDSLEE xxx-xx-x...
CHARLES H. BENNETT xxx-xx-x...
STEVEN M. BERKOWITZ xxx-xx-x...
EDWARD B. *. BERNARD xxx-xx-x...
JILL M. *. BERRY xxx-xx-x...
JAMES M. *. BOBBITT xxx-xx-x...
MANUEL R. *. BORRELL xxx-xx-x...
RICHARD H. BORSCHEL xxx-xx-x...
MARK R. BRUINS xxx-xx-x...
GARY H. *. BUCK xxx-xx-x...
ROBERT L. *. BULLARD xxx-xx-x...
EDITH M. *. CHAMBERLIN xxx-xx-x...
MARK A. CHIN xxx-xx-x...
ERIC D. CIPRIANO xxx-xx-x...
WAYNE W. CLARK xxx-xx-x...
JOANNE L. DAUGIRDA xxx-xx-x...
MARK K. *. DAVIS xxx-xx-x...
PATRICK O. *. DEAN xxx-xx-x...
JEFFREY A. *. DELLOMO xxx-xx-x...
BRIAN J. *. DICIANCIA xxx-xx-x...
HAROLD C. *. DICKENS xxx-xx-x...
DENNIS D. *. DOYLE xxx-xx-x...
JAMES B. *. DURAND xxx-xx-x...
JERRY ERVIN xxx-xx-x...
DANIEL D. EVANS xxx-xx-x...
DUANE C. *. FLEMMING xxx-xx-x...
JOHN B. FOLEY xxx-xx-x...
DAVID E. FULBRIGHT xxx-xx-x...
JOHN A. *. GIDDENS xxx-xx-x...
DEBBIE M. GILL xxx-xx-x...
STEVEN R. GILREATH xxx-xx-x...
PATRICIA L. *. GOGGINS xxx-xx-x...
DONALD L. *. GOODE xxx-xx-x...
LISANNE G. *. GROSS xxx-xx-x...
RICHARD *. GULLICKSON xxx-xx-x...
ROBERT D. *. HANDS xxx-xx-x...
JILLEEN T. HANLON xxx-xx-x...
CHRISTO HARRINGTON xxx-xx-x...
STEVEN M. HARTMANN xxx-xx-x...
TIMOTHY C. *. HARTNETT xxx-xx-x...
MARK W. HEGERLE xxx-xx-x...
KAYLENE M. HENSON xxx-xx-x...
ELIZABETH *. HIGGINS xxx-xx-x...
SHEILA A. *. HOBBS xxx-xx-x...
ROBERT A. HOLDEN xxx-xx-x...
RAY E. HORN, JR. xxx-xx-x...
LEONARDO HUGHES xxx-xx-x...
WILLARD L. *. KIEFNER xxx-xx-x...
FRANCIS W. *. KLOTZ xxx-xx-x...
RODNEY A. *. KNUDSON xxx-xx-x...
TIMOTHY E. *. LAMB xxx-xx-x...
VERGEL C. *. LAYAO xxx-xx-x...
RAYNER B. LOTTON xxx-xx-x...
ANGEL L. LUGO xxx-xx-x...
SHIRLEY M. MABRY xxx-xx-x...
GEORGE J. MAGNON xxx-xx-x...
ROGER B. *. MARCIL xxx-xx-x...
LARRY A. MARLIN xxx-xx-x...
PAMELA J. *. MARTIN xxx-xx-x...
WENDY L. *. MARTINSON xxx-xx-x...
BEVERLYAN *. MAULTSBY xxx-xx-x...
JOANNE E. *. MCGOVERN xxx-xx-x...
GREGORY A. MCKEE xxx-xx-x...
MARK R. MCLARTY xxx-xx-x...
MARK A. MCPHERSON xxx-xx-x...
WALTER G. *. MECZYWOR xxx-xx-x...
WILLIAM J. *. MIKLOSEY xxx-xx-x...
KENNETH A. *. MILES xxx-xx-x...
KENNETH N. MISSLER xxx-xx-x...
ALBERT W. MORAN xxx-xx-x...
LAWRENCE E. *. MULLEN xxx-xx-x...
GORDON D. MURRAY xxx-xx-x...
RAYMOND B. MURRAY xxx-xx-x...
JOSEPH A. MUSISCA xxx-xx-x...
ULMONT C. *. NANTON xxx-xx-x...
ROBERT K. NEWHOUSE xxx-xx-x...
RICHARD A. NICHOLS xxx-xx-x...
EDSEL R. *. NICKELL xxx-xx-x...
CHARLES P. OHARA xxx-xx-x...
JEREMY L. OLSON xxx-xx-x...
PATTI L. *. PALMER xxx-xx-xx...
JAMES C. PARKER xxx-xx-x...
MARY R. PARKER xxx-xx-x...
THERESA S. *. PATTON xxx-xx-x...
ANGELA *. PEREIRA xxx-xx-x...
HERMAN F. PETERSON xxx-xx-x...
SUSA PETERSONJONES xxx-xx-xx...
HARVEY J. *. PURTZ xxx-xx-x...
MARILOU D. PUTMAN xxx-xx-x...
CHERYL A. REED xxx-xx-x...
ANTONIO F. *. REYES xxx-xx-x...
JAMES S. *. RICE xxx-xx-xx...
RODGER J. RUDOLPH xxx-xx-x...
MICHAEL L. *. RUSSELL xxx-xx-x...
EDWARD *. SCHOWALTER xxx-xx-x...
PATRICK G. *. SESTO xxx-xx-x...
LAWRENCE E. *. SHAW xxx-xx-x...
DAVID A. *. SHEETS xxx-xx-x...
ALAN C. *. SHERO xxx-xx-x...
ANDREW W. *. SHOOK xxx-xx-x...
MARK L. *. SILKWOOD xxx-xx-x...
JOHN C. SLATTERY xxx-xx-x...
DAVID J. *. SMITH xxx-xx-x...
MICHAEL L. *. SMITH xxx-xx-x...
TIMOTHY G. *. SPROLES xxx-xx-x...
DELFINA A. *. TOMAINI xxx-xx-x...
HELGA *. VENUS xxx-xx-x...
VICK *. VESTALMULFORD xxx-xx-x...
TODD W. *. WALKER xxx-xx-x...
ROBERT V. WARD xxx-xx-x...
MARY A. *. WARREN xxx-xx-x...
ANDREW C. WHELEN xxx-xx-x...
JOHN E. *. WILLIAMS xxx-xx-x...
PATRICK O. *. WILSON xxx-xx-x...
WAYNE R. *. WILSON xxx-xx-x...
CURTIS L. *. YEAGER xxx-xx-x...

ARMY MEDICAL SPECIALIST CORPS

To be major

GASTON P. *. BATHALON xxx-xx-x...
LYNN L. *. BRAINARD xxx-xx-x...
STEVEN D. HUNTER xxx-xx-x...
JEREMY P. *. HUTTON xxx-xx-x...
SUSAN *. KRUPENEVICH xxx-xx-x...
SARAH J. *. PIERRE xxx-xx-xx...
FRANCIS POTTENGER xxx-xx-x...
BRUCE R. *. REED xxx-xx-x...
ROBBIN V. *. ROWELL xxx-xx-x...
PAULA J. *. RUTAN xxx-xx-x...
RONALD W. *. SCOTT xxx-xx-x...
VICKY L. *. THOMAS xxx-xx-x...

VETERINARY CORPS

To be major

KAREN L. *. ANDREWS xxx-xx-x...
EDWARD J. DICK, JR. xxx-xx-x...
CAROL L. *. EISENHAUER xxx-xx-x...
JEFFREY H. *. ENGLISH xxx-xx-xx...
JAMES M. *. FUDGE xxx-xx-x...
BONNIE J. *. MARTIN xxx-xx-x...
MARK G. MENSE xxx-xx-x...
JAMES T. *. MILLER xxx-xx-xx...
WILLIAM R. *. PARLETTE xxx-xx-x...
PAUL W. *. SCHMIDT xxx-xx-x...
PETER *. SCHULTHEISS xxx-xx-xx...
STEVEN W. *. TOBIAS xxx-xx-x...
LORNA *. VANDERZANDEN xxx-xx-x...
DEBBIE J. *. VASUT xxx-xx-x...
JOHN R. *. WARDLAW xxx-xx-x...
ROBERT G. *. WEBB xxx-xx-x...

ARMY NURSE CORPS

To be major

EUGENE N. *. ACOSTA xxx-xx-x...
JULIA A. *. ADAMS xxx-xx-x...
DONALD T. *. ALBEE xxx-xx-x...
CYNTHIA B. *. ALOOT xxx-xx-x...
MATTHEW J. *. ANDERSON xxx-xx-x...
DEBRA C. *. APARICIO xxx-xx-x...
MARK E. *. ARRINGTON xxx-xx-x...
PAUL S. *. ASTPHAN xxx-xx-x...
SHARON M. *. AVERY xxx-xx-x...
JANET L. BABB xxx-xx-x...
TONETO G. *. BARRY xxx-xx-x...
MICHAEL K. *. BAYLES xxx-xx-x...
LINDA M. *. BOWDEN xxx-xx-x...
DEBORAH E. *. BRAY xxx-xx-x...
LYNN A. *. BRIGGS xxx-xx-x...
CYNTHIA F. *. BROWN xxx-xx-x...
PEGGY A. *. BRYANT xxx-xx-x...
JOYCE W. *. BURNS xxx-xx-x...
JANET G. *. BURNSIDE xxx-xx-x...
CAROL J. *. BUTORAC xxx-xx-x...
FRANZ K. *. BYARS xxx-xx-x...
JANICE E. *. CARVER xxx-xx-x...
VINCENT L. *. CASSANI xxx-xx-x...
PATRICE E. *. CHANDLER xxx-xx-x...
ALFREDO O. CHAVEZ xxx-xx-x...
CATHY J. *. CHESS xxx-xx-x...
DEREK L. *. COLE xxx-xx-x...
JEANNETTE *. COMPTON xxx-xx-xx...
THERESE A. *. CONNER xxx-xx-x...
BRENDA C. *. CONWAY xxx-xx-x...
DAVID W. *. COOPER xxx-xx-x...
PORTIA *. CORNELIOUS xxx-xx-x...
DAVID A. *. DAVIS xxx-xx-x...
RICHARD P. DIAZ xxx-xx-x...
RICHARD *. DICKERSON xxx-xx-x...
ROBERT *. DOMINGUEZ xxx-xx-x...
BEVERLY J. *. DREYER xxx-xx-xx...
EDWARD W. *. DROST xxx-xx-x...
THEODORE *. ECKERT, II xxx-xx-x...
JENNIFER M. *. ECTOR xxx-xx-x...
CAROLYN A. *. EDDINGS xxx-xx-x...
MARYANN *. EDMONDSON xxx-xx-x...
PEGGY R. *. EMORY xxx-xx-x...
PAUL J. *. FANUCCHI xxx-xx-x...
MELBA E. *. FAULK xxx-xx-x...
ELEANOR M. *. FENNELL xxx-xx-x...
HUBERT M. *. FISCHER xxx-xx-x...
ELLEN E. *. FORSTER xxx-xx-xx...
ANDREA J. *. FULLER xxx-xx-xx...
EDWIN S. *. FULLER xxx-xx-x...
MARTIN D. *. GODWIN xxx-xx-x...
MARY E. *. GRAHAM xxx-xx-x...
SHERIE *. HAGAHOGSTON xxx-xx-x...
JAMES *. HALLIBURTON xxx-xx-x...
JANIE D. *. HAMILTON xxx-xx-x...
PATRICI *. HARRINGTON xxx-xx-x...
CORINNE M. *. HASLAM xxx-xx-x...
MARGARET *. HAWTHORNE xxx-xx-x...
JAMES R. *. HICKEY xxx-xx-x...
KATHERIN HIGHTOWER xxx-xx-x...
MARK D. *. HINES xxx-xx-x...
ANN K. *. HOCHHAUSEN xxx-xx-x...
ANNIE J. HOFFMAN xxx-xx-x...
DAVID R. HOFLAND xxx-xx-x...
JOYCE A. *. HOHNER xxx-xx-x...
RUFUS S. *. HOWE xxx-xx-x...
ZORINA S. *. INNOCENT xxx-xx-x...
ANNA R. *. IUNGERICH xxx-xx-x...
PEGGY J. *. IVERSON xxx-xx-x...
LILLIAN L. JENNINGS xxx-xx-xx...
CAROLYN J. *. JOHNSON xxx-xx-x...
ELIZABETH *. JOHNSON xxx-xx-x...
TEMPSIE L. *. JONES xxx-xx-xx...
HYACINTH J. *. JOSEPH xxx-xx-x...
ALICE S. *. KAPPNER xxx-xx-x...
RONALD S. *. KEEN xxx-xx-x...
JUDY D. KIDWELL xxx-xx-x...
FAITH D. *. KLINE xxx-xx-x...
PAUL M. KONDRAT xxx-xx-x...
CAROL A. *. KORODY xxx-xx-x...
FRANCES E. *. KRAMER xxx-xx-x...
EDGAR A. *. LABRADOR xxx-xx-x...
HERBERT J. *. LAING xxx-xx-xx...
MARY I. *. LAMBERT xxx-xx-x...
FRANCINE M. *. LEDOUX xxx-xx-x...
STEPHEN W. *. LOMAX xxx-xx-x...
PATRICIA A. *. MALLEY xxx-xx-x...
LAWRENCE A. *. MARQUEZ xxx-xx-x...
ANGELA *. MARTINELLI xxx-xx-x...
JENNIFER D. *. MAZZONE xxx-xx-x...
FUJIO *. MCPHERSON xxx-xx-x...
AWILDA MEEKS xxx-xx-x...
LYNNE C. *. MEYER xxx-xx-x...
AMELIA C. *. MINTON xxx-xx-x...
CONSTANCE J. MOORE xxx-xx-x...

DONNA J. *. MOORE, xxx-xx-x...
MICHAEL L. MOORE, xxx-xx-x...
ROBIN M. *. MOORE, xxx-xx-x...
LOUISE B. *. MOREY, xxx-xx-x...
JOHN H. *. MORSE, xxx-xx-x...
RUBY D. *. MURPHY, xxx-xx-x...
TIMOTHY A. *. NEWCOMER, xxx-xx-x...
CAROL A. *. NEWMAN, xxx-xx-x...
DEBORAH M. *. NEWSOME, xxx-xx-x...
MARILYN E. *. OSBORNE, xxx-xx-x...
REBECCA J. *. OSKEY, xxx-xx-x...
FRANKIE L. *. PARKS, xxx-xx-x...
RANDY A. *. PATE, xxx-xx-x...
WILLIAM PAWLYSHYN, xxx-xx-x...
ANA T. *. PEREZSORZANO, xxx-xx-x...
TANYA D. *. PERRY, xxx-xx-x...
ROBERT A. PLAWECKI, xxx-xx-x...
BRUCE A. *. PLUMMER, xxx-xx-x...
CARLEEN *. POELLINGER, xxx-xx-x...
PEARL R. *. POPE, xxx-xx-x...
JERRY L. *. PRICE, JR., xxx-xx-xx...
GERALD W. *. PRIEST, xxx-xx-x...
MARSHA A. *. PRINCE, xxx-xx-x...
PRISCI QUACKENBUSH, xxx-xx-x...
RICHARD W. *. REDGATE, xxx-xx-x...
THOMAS G. *. REED, xxx-xx-x...
TIMOTHY D. *. REESE, xxx-xx-x...
LAURA J. *. RICE, xxx-xx-x...
CYNTHIA *. RICHARDSON, xxx-xx-x...
MARIA D. *. RIVERA, xxx-xx-x...
SALLY *. ROBERTSON, xxx-xx-x...
EVE *. RODRIGUEZWHITE, xxx-xx-x...
HAROLD D. *. RUTAN, xxx-xx-x...
DIANA L. *. RUZICKA, xxx-xx-x...
CYNTHIA D. *. SANCHEZ, xxx-xx-x...
MICHAEL L. *. SANCHEZ, xxx-xx-x...
LAURIE J. *. SANDSTROM, xxx-xx-x...
GREGORY D. *. SCHOLES, xxx-xx-x...
JOE *. SCHRETENTHALER, xxx-xx-x...
SUS *. SCHRETENTHALER, xxx-xx-x...
SHERI H. *. SEMARGE, xxx-xx-x...
PA *. SHEELYADOLPHSON, xxx-xx-x...
FRIDA G. *. SHERMAN, xxx-xx-x...
MICHAEL *. SHOEMAKER, xxx-xx-x...
KEITH E. *. SICKAFOOSE, xxx-xx-x...
ARLENE *. SIMMONS, xxx-xx-x...
JANE B. *. SOBIESKI, xxx-xx-x...
SHARON L. *. STEELE, xxx-xx-x...
FATEME STRITMATTER, xxx-xx-xx...
SUSAN R. *. SUGHROUE, xxx-xx-x...
STEPHANIE M. *. SWEENY, xxx-xx-x...
NENNA *. THOMPSON, xxx-xx-x...
SHERYL A. *. TOYER, xxx-xx-x...
NANETTE *. TRACY, xxx-xx-x...
CHRISTOPHE *. ULLMANN, xxx-xx-x...
DEBORAH S. *. VANLAAR, xxx-xx-x...
LINDA M. *. WALTON, xxx-xx-x...
JANET I. *. WARBER, xxx-xx-x...
WILLIAM N. *. WATSON, xxx-xx-x...
DAVID T. *. WEAVER, xxx-xx-x...
HEIDI E. *. WEGMANN, xxx-xx-x...
DIANE M. *. WEINBAUM, xxx-xx-x...
CHARLENE D. *. WENGER, xxx-xx-x...
RICKE L. *. WHALEY, xxx-xx-x...
TEREASA *. WILLIAMSON, xxx-xx-x...
ANNE B. *. WOODS, xxx-xx-x...
MARY E. *. WYGANT, xxx-xx-x...
JAMES E. *. YAFFE, xxx-xx-x...
MICHAEL W. *. YATES, xxx-xx-x...
ROBERT J. *. YATES, xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE. THE OFFICERS INDICATED BY ASTERISK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

DENTAL CORPS

To be colonel

JAMES E. ALBRITTON, xxx-xx-x...
FRANCIS W. ALLEN, xxx-xx-x...
DWIGHT E. BAGLEY, xxx-xx-x...
MICHAEL A. BILLMAN, xxx-xx-x...
JAMES E. BOWERS, xxx-xx-x...
JOSEPH A. BRITTON, xxx-xx-x...
CAROLYN M. BROWN, xxx-xx-x...
ARTHUR W. BRYANT, xxx-xx-x...
JERRY C. CAMPBELL, xxx-xx-x...
GLENN R. CASEY, xxx-xx-x...
CHARLES J. COLVIN, xxx-xx-x...
JEROME C. DONNELLY, xxx-xx-x...
CARL F. DRISCOLL, xxx-xx-x...
ROSEMARY E. ENGLE, xxx-xx-x...
JOHN R. EVANS, xxx-xx-x...
ERNEST C. FARABEE, xxx-xx-x...
MAX L. GASTON, xxx-xx-x...
SAMUEL N. GOTTLIEB, xxx-xx-x...
THOMAS D. GROOM, xxx-xx-x...
ALVIN H. HINGER, xxx-xx-x...
EMANUEL J. HNARAKIS, xxx-xx-x...
MICHAEL M. HOEN, xxx-xx-x...
WILLIAM R. HOGANS, xxx-xx-x...
CHARLOTTE K. JONES, xxx-xx-x...
MICHAEL W. JUDAH, xxx-xx-x...
ROBERT C. LEEDS, xxx-xx-x...
MICHAEL MACPHERSON, xxx-xx-x...
GREGORY P. MATHIEU, xxx-xx-x...
MICHAEL MCDOUGLE, xxx-xx-x...
WILLIAM P. MILLS, xxx-xx-x...
JOSEPH C. MULREAN, xxx-xx-x...
THEODORE NEDDERMAN, xxx-xx-x...
JAMES J. PILGRIM, xxx-xx-xx...
PATRICE D. PRIMACK, xxx-xx-x...
RICHARD J. *. PUGH, xxx-xx-x...
LESLIE A. RAULIN, xxx-xx-x...
DAVID E. REID, xxx-xx-x...
JIMMIE G. RUDD, xxx-xx-x...
JOSEPH L. SHURTLEFF, xxx-xx-xx...
BARBARA SIAS, xxx-xx-x...
JAMES M. STARTZELL, xxx-xx-xx...
GEORGE D. SUCHKO, xxx-xx-x...
GARY P. SWISTAK, xxx-xx-x...
FRED L. SYKES, xxx-xx-x...
MELVIN N. THALER, xxx-xx-x...
JAMES M. THOREN, xxx-xx-x...
JAMES M. THREADGILL, xxx-xx-x...
JAMES E. TUPA, xxx-xx-x...
THOMAS WOODARD, xxx-xx-x...

MEDICAL CORPS

To be colonel

THEODORE L. *. ALLEN, xxx-xx-x...
JAMES L. *. ATKINS, xxx-xx-x...
WADE D. *. BALDWIN, xxx-xx-x...
ERIC W. BANTZ, xxx-xx-x...
KEVIN J. CHISMIRE, xxx-xx-x...
SHARON P. COOPER, xxx-xx-x...
RANDOLPH COPELAND, xxx-xx-x...
WILLIAM H. CRAGUN, xxx-xx-x...
RICARDO DAVILA, xxx-xx-x...
GLENN B. DEMPSEY, xxx-xx-x...
THIERNO A. DIALLO, xxx-xx-x...
RAFAEL R. DIAZ, xxx-xx-x...
DAVID J. ECKBERG, xxx-xx-x...
WILLIAM *. EGGEBROTEN, xxx-xx-x...
ERIC T. EVENSON, xxx-xx-x...
ROBERT J. FALBEY, xxx-xx-x...
CLIFFORD *. FERGUSON, xxx-xx-x...
FREDERICK G. FLYNN, xxx-xx-x...
CLOYD B. GATRELL, xxx-xx-x...
MARY J. GELNETT, xxx-xx-x...
DAVID P. *. GEORGE, xxx-xx-x...
WILLIAM *. GEORGITIS, xxx-xx-x...
DAVID L. GOODMAN, xxx-xx-x...
JAMES C. *. GRIFFITH, xxx-xx-xx...
MICHAEL G. HARPER, xxx-xx-x...
SHANNON M. HARRISON, xxx-xx-x...
ROBERT C. *. HAYS, xxx-xx-x...
CLIFFORD C. HAYSLIP, xxx-xx-x...
ANTHONY R. HENRY, xxx-xx-x...
SAMUEL R. *. HETH, xxx-xx-x...
HARRIS W. HOLLIS, xxx-xx-x...
DONALD A. HOLLSTEN, xxx-xx-x...
ROBIN E. HOSTETTER, xxx-xx-x...
NADIA M. IBRAHIM, xxx-xx-x...
DAVID G. *. JARRETT, xxx-xx-x...
TERRY R. *. JENKINS, xxx-xx-xx...
ROBERT M. JOHNSON, xxx-xx-x...
JAMES C. *. JONES, xxx-xx-x...
STEPHEN L. *. JONES, xxx-xx-xx...
ALFRED J. KIRKWOOD, xxx-xx-x...
FRANCISCO *. MACASAET, xxx-xx-x...
LEST MARTINEZLOPEZ, xxx-xx-x...
JOHN P. MCGUINNESS, xxx-xx-x...
STRATHMORE MCMURDO, xxx-xx-x...
RODNEY A. *. MICHAEL, xxx-xx-x...
DENNIS P. *. MONG, xxx-xx-x...
JOE M. MOODY, xxx-xx-xx...
JOHN J. MOORE, xxx-xx-x...
DENNIS M. MORITZ, xxx-xx-x...
THOMAS J. *. MORK, xxx-xx-x...
BERRY E. MORTON, xxx-xx-x...
EDWARD J. MUELLER, xxx-xx-x...
ALAN G. MUENCH, xxx-xx-x...
DUONG NGUYEN, xxx-xx-x...
TIMOTHY J. OROURKE, xxx-xx-x...
JAMES W. PARKER, xxx-xx-x...
HARLAN S. PATTERSON, xxx-xx-x...
JOHN H. PATTERSON, xxx-xx-x...
DENVER E. *. PERKINS, xxx-xx-x...
MUHAMMAD S. RAHMAN, xxx-xx-x...
KRISHNAN *. RAJAGOPAL, xxx-xx-x...
MANUEL F. RAMIREZ, xxx-xx-x...
ROBERT D. RANLETT, xxx-xx-x...
TROY M. REYNA, xxx-xx-x...
CESAR ROSAVAZQUEZ, xxx-xx-x...
LEONARD R. SANDERS, xxx-xx-x...
ERIC B. SCHOOMAKER, xxx-xx-x...
EDWIN D. SCHOONOVER, xxx-xx-x...
DENNIS F. SHANAHAN, xxx-xx-x...
MUHAMMAD *. SHAUKAT, I, xxx-xx-x...
RAJ *. SHEKAR, xxx-xx-x...
KARABI SINHA, xxx-xx-x...
MARIA H. *. SJOGREN, xxx-xx-x...
STEVEN J. SKOOG, xxx-xx-x...
KATHLEEN J. SMITH, xxx-xx-x...
WILLIAM D. STRAMPEL, xxx-xx-x...
RICHARD O. *. SUTTON, xxx-xx-x...
ROBER TABACHNIKOFF, xxx-xx-x...
DAVID N. *. TAYLOR, xxx-xx-x...
THOM S. THOMASSEN, xxx-xx-x...
EDWARD S. URBAN, xxx-xx-x...
BRUCE E. VANDAM, xxx-xx-x...
MARINA N. *. VERNALIS, xxx-xx-x...
IDELLE M. *. WEISMAN, xxx-xx-x...
LEWIS *. WESTMORELAND, xxx-xx-x...
STEPHEN WILKERSON, xxx-xx-x...
STEVEN G. *. WYNDER, xxx-xx-x...
ARLENE J. ZALOZNIK, xxx-xx-x...
JAMES ZARINCZUK, xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3366:

CHAPLAIN CORPS

To be lieutenant colonel

JOHN A. ATWOOD, xxx-xx-x...
ROBERT D. BRANSON, xxx-xx-x...
EUGENE P. BRENNAN, xxx-xx-x...
JAMES N. BROWN, xxx-xx-x...
MICHAEL C. CLIFTON, xxx-xx-x...
RONALD L. COBB, xxx-xx-x...
ARTHUR W. COFFEY, xxx-xx-x...
DAVID H. CROMER, xxx-xx-x...
JOHN L. DAUERNHEIM, xxx-xx-x...
WILMER D. DELK, xxx-xx-x...
BRIAN C. DONLEY, xxx-xx-x...
JOHN E. DORAN, xxx-xx-x...
DAVID W. FEEDER, xxx-xx-x...
TRACY D. FLOYD, xxx-xx-x...
THOMAS A. GREY, xxx-xx-x...
HARRY C. GRUBBS, xxx-xx-x...
PETER J. HAAS, xxx-xx-xx...
BILLY E. HEATON, xxx-xx-x...
ROBERT HERSHBERGER, xxx-xx-x...
PATRICK L. HOLDER, xxx-xx-x...
CARL T. HOLT, xxx-xx-x...
LYNN E. HUMPHREYS, xxx-xx-x...
MELVIN R. JACOB, xxx-xx-x...
MARTIN L. JOHNSON, xxx-xx-x...
EVAN J. JONES, xxx-xx-x...
DAVID W. KAESER, xxx-xx-x...
JOHN W. KLEIN, xxx-xx-x...
MARTIN L. KROEKER, xxx-xx-x...
JAMES D. LAYMAN, xxx-xx-x...
SIDNEY L. LEAK, xxx-xx-x...
DONALD P. LOESCHEN, xxx-xx-x...
RUSSELL M. LONG, xxx-xx-x...
WILLIAM G. LOVE, xxx-xx-x...
JEROME G. MALAK, xxx-xx-x...
DENIS E. MEIER, xxx-xx-x...
HARLAND C. MERRIAM, xxx-xx-x...
RICHARD W. MEYERS, xxx-xx-x...
EDWARD R. MOORE, xxx-xx-x...
DWIGHT U. NELSON, xxx-xx-x...
PAUL D. PFEFFER, xxx-xx-x...
RONALD C. POWELL, xxx-xx-x...
FRANK J. POWERS, xxx-xx-x...
GERALD L. PRIEST, xxx-xx-xx...
LARRY W. RACSTER, xxx-xx-x...
JOHN R. RICHARDSON, xxx-xx-x...
DWIGHT D. RIGGS, xxx-xx-x...
HENRY P. ROBERSON, xxx-xx-x...
STEPH SCHAITBERGER, xxx-xx-x...
ALBERT E. SELLERS, xxx-xx-xx...
ALAN R. SHERMAN, xxx-xx-x...
JOHN W. STEINER, xxx-xx-x...
NELSON C. STONE, xxx-xx-x...
ROGER L. TATE, xxx-xx-x...
ARTHUR F. TAYLOR, xxx-xx-x...
DENIS J. TEJADA, xxx-xx-x...
LLOYD T. TOBIASSEN, xxx-xx-x...
GREGORY D. VACCA, xxx-xx-x...
JOSEPH B. WEBB, xxx-xx-x...
AVI S. WEISS, xxx-xx-x...
LYNN H. WITTERS, xxx-xx-x...
FRANK ZIEMKIEWICZ, xxx-xx-x...

IN THE ARMY

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES, IN THE GRADE OF CAPTAIN, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 531, 532, AND 533:

JOHN G. ANGELO, xxx-xx-x...
KRISTEN C. BARNER, xxx-xx-x...
ROSS BARNER, xxx-xx-x...
MARY J. BORSES, xxx-xx-x...
ROBERT S. BRIDWELL, xxx-xx-x...
CHESTER C. BUCKENMAIER, xxx-xx-x...
CARL L. BUISING, xxx-xx-x...
NICOLE M. BUSSIAN, xxx-xx-x...
ARTHUR B. CHASEN, xxx-xx-x...
CYNTHIA L. CLAGETT, xxx-xx-x...
WILLIAM C. CONNER, xxx-xx-x...
PATRICK J. CONTINO, xxx-xx-x...
MARK H. CROLEY, xxx-xx-x...
ROBIN J. DELEON, xxx-xx-x...
THEODORE S. DERSE, xxx-xx-x...
KEVIN D. DEWEBER, xxx-xx-x...
MARIE A. DOMINGUEZ, xxx-xx-x...
MICHAEL E. DOYLE, xxx-xx-x...
ERIN P. EDGAR, xxx-xx-x...
JENNIFER M. EDGAR, xxx-xx-x...
ETHAN E. EMMONS, xxx-xx-x...
JAMES J. ENGLAND, xxx-xx-x...
MICHAEL S. FRIEDMAN, xxx-xx-x...
ANGELA L. GIBBS, xxx-xx-x...
JOHN F. GILLMAN, xxx-xx-x...
DONNA C. GIRVIN, xxx-xx-x...
JOSH L. GORDON, xxx-xx-x...
BLAKE D. GRAHAM, xxx-xx-x...
NELSON A. HAGER, xxx-xx-x...
CHEUK Y. HONG, xxx-xx-x...
MATTHEW B. JENNINGS, xxx-xx-x...
NIEL A. JOHNSON, xxx-xx-x...
JAMIE L. KENDRICK, xxx-xx-x...

MICHELLE B. KRAVITZ xxx-xx-x...
ROBERT K. LATHER xxx-xx-x...
GREGORY Y. LEE xxx-xx-x...
DAVID B. LONGENECKER xxx-xx-x...
CHRISTIAN R. MACEDONIA xxx-xx-x...
MICHAEL S. MACHEN xxx-xx-x...
JEFFREY S. MACINTIRE xxx-xx-xx...
TIMOTHY A. MAREAN xxx-xx-x...
ROBERT A. MAZUR xxx-xx-x...
GARY W. MENEFEE xxx-xx-x...
MICHAEL A. MILLER xxx-xx-x...
KELLY A. MURRAY xxx-xx-x...
ANNE L. NACLERIO xxx-xx-x...
FRANK J. NEWTON xxx-xx-x...
JOHN J. OBRIEN xxx-xx-x...
SARAH L. OKADA xxx-xx-x...
JOHN M. PALMER xxx-xx-x...
DANIEL E. PARKS xxx-xx-x...
DAVID C. PETERS xxx-xx-x...
MARY E. PORISCH xxx-xx-x...
JUSTIN D. ROBY xxx-xx-x...
MARYJO K. ROHRER xxx-xx-x...
DAVID A. SIEGEL xxx-xx-x...
BRYAN L. SMITH xxx-xx-x...
MICHAEL H. SMYTH xxx-xx-x...
GEOFFREY D. SNYDER xxx-xx-x...
DOUGLAS M. SORENSEN xxx-xx-x...
MALCOLM A. WHITAKER xxx-xx-x...
DAVID J. WILKIE xxx-xx-x...
FRANKLIN H. WOOD xxx-xx-x...
NORI P. YOUNG xxx-xx-x...

THE FOLLOWING NAMED RESERVE OFFICERS' TRAINING CORPS CADETS FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES, IN THE GRADE OF SECOND LIEUTENANT, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 531, 532, AND 533:

MARIA L. FELGER-CARLTON xxx-xx-x...
JAMES P. FITZGERALD xxx-xx-xx...
IAN T. FORBES xxx-xx-x...
GEORGE W. HOWARD xxx-xx-x...
DAVINIA A. JOHNSON xxx-xx-x...
JASON I. KUROIWA xxx-xx-x...
RICHARD B. LOWE xxx-xx-x...
CARL J. PACKER xxx-xx-x...
JORGE L. PINARGOTTE xxx-xx-x...
TIMOTHY J. PURDUE xxx-xx-x...

IN THE MARINE CORPS

THE FOLLOWING NAMED U.S. NAVAL ACADEMY GRADUATES FOR PERMANENT APPOINTMENT TO THE GRADE OF SECOND LIEUTENANT IN THE U.S. MARINE CORPS, PURSUANT TO TITLE 10, U.S. CODE, SECTION 531:

UNITED STATES MARINE CORPS CONFIRMATION LIST

To be second lieutenant

ARNOUX ABRAHAM, xx...
ARMANDO ACOSTA, xx...
KENNETH Q. AGUILAR, xx...
JOHN C. ALLEE, xx...
GARY V. ALLISON, xx...
WAYNE W. ANDERSON, xx...
JOHN A. ATKINSON, x...
STEPHEN C. AUGUSTIN, xx...
TERRY L. BAGGETT, xx...
DAVID E. BAKER, xx...
JOHN O. BARKER, xx...
CRAIG P. BARNETT, xx...
TIMOTHY E. BARRICK, xx...
MICHAEL B. BARRY, xx...
JEFFREY S. BELL, xx...
MICHAEL W. BERRY, xx...
PARRISH M. BOULWARE, x...
CHAD S. BREESE, xx...
DOUGLAS E. BROPHY, xx...
ANDREW S. BURCHFIELD, xx...
SHAWN P. CALLAHAN, x...
PERRY CAMERON, xx...
BRIAN E. CARBAUH, xx...
JOHN P. CASEY, xx...
CLINTON J. CHLEBOWSKI, xx...
JEFFREY M. COCHRAN, xx...
JEFFREY G. CONWAY, xx...
SAMUEL COOK, xx...
ROBERT D. COOPER, xx...
JUSTIN C. CREVIER, xx...
MARK W. DAVISON, x...
DAVID C. DAYS, xx...
MELANIE C. DOBAY, xx...
HOLLY M. DOBSLAW, xx...
ROBIN K. DREEKE, x...
MARCY M. DUPRE, xx...
MATTHEW C. EDIC, xx...
PETER S. EGELI, xx...
MARK T. EVANS, xx...
ANTHONY C. FABIANO, xx...
KELLY A. FAGAN, xx...
ROBERT W. FALKENBACH, xx...
TODD W. FERRY, x...
TIMOTHY J. FETSCH, xx...
CHRISTOPHER J. FLAHERTY, xx...
PATRICK J. FLOOD, xx...
ROBERT C. FULFORD, xx...
TODD W. GARCIA, xx...
ROBERT R. GIBBS, xx...
DOUGLAS V. GLASGOW, xx...
STEVEN G. GODINHO, xx...
HENRY L. GONZALES, xx...
ISSAC A. GONZALEZ, xx...
DANIEL T. GOODWIN, xx...
MICHAEL E. GREENE, x...
DANIEL Q. GREENWOOD, xx...
CHRISTOPHER D. GUIDRY, xx...
TIMOTHY I. GUTIERREZ, xx...
WILLIAMS HAGEROTT, xx...
KIMBERLY R. HALL, xx...
EARL D. HAMILTON, xx...
JOHN W. HATALA, x...
DAVID S. HELON, xx...
JOHN G. HOLBROOK, xx...
ERIC E. HOUNCHELL, xx...
BRIAN G. HUGHES, xx...
PEYTON B. HUTTON, xx...
DAVID E. JONES, xx...
HERBERT G. JONES, xx...
JAMES B. JOYCE, xx...
THOMAS M. KARN, xx...
KEVIN J. KENNEDY, xx...
ANDREW E. KETTERING, xx...
FRANKLIN P. KOLBE, xx...
STEVEN T. KONKOLY, xx...
EDWIN J. LANDHERR, xx...
BEAU LASKEY, xx...
RAUL LIANEZ, x...
CHRISTOPER J. LOPEZ, xx...
ANDREW C. LYNCH, xx...
CHRISTINE A. MACDONALD, xx...
SHAWN E. MANSFIELD, xx...
JAMES E. MARKS, xx...
JAMES P. MARQUET, xx...
ANTHONY J. MARUCCI, xx...
ROBERT W. MCCORMACK, xx...
KRISTA A. MCKINLEY, xx...
MARIA S. MCMILLEN, xx...
JAMES A. MCPHERSON, xx...
CHRISTOPHER A. MIDDLETON, xx...
WILLIAM J. MILITELLO, x...
MICHAEL J. MOES, x...
TODD H. MOHRMAN, x...
JOHN V. MOLOKO, xx...
MICHAEL J. MOONEY, xx...
DAVID A. MORALES, xx...
LANCE D. MUNIZ, x...
FREDERICK E. NAUCK, xx...
SEAN E. NAYLOR, xx...
JAMES D. NEAL, xx...
NATHAN G. NEBLETT, xx...
ANTHONY P. NELIPOVICH, xx...
JEFFREY K. NORDSTROM, xx...
CHRIS A. OBALLE, xx...
DAVID M. OCONNELL, x...
JOHN F. ODONNELL, xx...
BRYAN P. OLEARY, xx...
ANDREW J. PAIGE, xx...
LOUIS J. PALAZZO, xx...
MALCOLM K. PALMORE, x...
HWAN PARK, xx...
JAMES W. PEACO, xx...
ERIC A. PECK, x...
ROBERT S. PETERSON, xx...
KENT C. PFLUGER, xx...
MICHAEL A. PIERCE, xx...
CLAYTON D. PIERSE, xx...
JAMES R. PIETILA, xx...
RONALD D. POE, xx...
THOMAS M. POINDEXTER, xx...
MATTHEW P. PORTONI, xx...
SCOTT A. PRITCHARD, xx...
JAMES T. QUANN, xx...
PHILLIP L. REED, xx...
GAVINO RIVAS, xx...
CRAIG D. ROGERSON, xx...
GEORGE B. ROWELL, xx...
FREDERICK G. SCHENK, xx...
JASON C. SCHUETTE, xx...
MACK W. SEDWICK, xx...
MARK A. SEXTON, xx...
JACOB C. SKALA, xx...
DAVID W. SMITH, xx...
JASON A. SMITH, xx...
DANIEL E. STIMPSON, xx...
CHRIS J. STODDARD, xx...
GLEN TAKABAYASHI, xx...
MARK W. TANKERSLEY, x...
EDWARD R. TAYLOR, x...
IVAN G. THOMAS, xx...
PETER C. TWINING, x...
JOSEPH A. VACCARELLA, xx...
VINCENT C. VERTIN, xx...
JEFFREY M. VORCE, xx...
MARK C. WELCH, xx...
JIM B. WELLONS, xx...
DEREK S. WESSMAN, xx...
EDWARD J. WHITE, xx...
JEROMY B. WILLIAMS, xx...
JONATHAN R. WILLIAMS, xx...
KENT J. WILLIAMSON, xx...
WILLIAM J. WISEMAN, xx...
TOM A. YORK, xx...
DAVID W. ZIMMERMANN, xx...

THE FOLLOWING NAMED NAVAL RESERVE OFFICERS TRAINING CORPS GRADUATES FOR PERMANENT APPOINTMENT TO THE GRADE OF SECOND LIEUTENANT IN THE U.S. MARINE CORPS, PURSUANT TO TITLE 10, U.S. CODE, SECTIONS 531 AND 2107:

UNITED STATES MARINE CORPS CONFIRMATION LIST

To be second lieutenant

KEVIN D. ABBEY, xx...
GINA L. ABBOTT, xx...
ERIK ABJORNSON, xx...
CHRISTOPHER C. ABRAMS, x...
PAUL J. ACKERMAN, JR., xx...
ROBERTO AGUILAR, xx...
FREDRICK D. ALDRIDGE, xx...
BRYAN C. ANDERSEN, xx...
LEONARD ANDERSON, xx...
MATTHEW C. ANDERSON, xx...
WALTON I. ANDERSON, xx...
SHERRI M. ANNAN, xx...
RYAN M. ANTHONY, xx...
BRUCE M. APPLIN, xx...
THOMAS ARCHER, xx...
WILLIAM E. ARICK, III, xx...
MICHAEL S. ARNAND, xx...
PETER C. ARNOLD, xx...
MITCHELL K. ARNZEN, xx...
BARTLEY E. ARRINGTON, xx...
HUGH L. ATKINSON, xx...
MARK H. BACHARACH, xx...
RICHARD M. BACHMANN, xx...
PRAVEEN P. BAHETHI, xx...
EDWARD H. BAIN, xx...
CHARLES A. BAIRD, xx...
SCOTT A. BALDWIN, xx...
BRYAN C. BANDEKO, x...
JEFFREY A. BANDINI, xx...
SCOTT C. BARBER, xx...
CHRISTIAN D. BAREFORD, xx...
JASON W. BAREFORD, x...
STEVEN F. BARKER, xx...
JOHN W. BARTOL, xx...
DAVID B. BATTHAUER, xx...
TIMOTHY S. BAUGHMAN, xx...
JANET M. BEAL, xx...
LUCAS A. BEEBE, xx...
DANIEL M. BELLIG, xx...
GARY H. BENNETT, JR., xx...
PAUL E. BENNETT, II, xx...
GEORGE S. BENSON, xx...
SEAN D. BERG, xx...
CHARLES K. BERGMAN, xx...
HASSAN E. BERMISS, xx...
GUY G. BERRY, xx...
ERIC P. BERTAUD, xx...
KEVIN M. BIGGIE, xx...
ROBERT W. BILLINGSLEY, xx...
JOHN R. BINDER, x...
HEATHER S. BLACK, xx...
TODD M. BLACKMAR, xx...
DANIEL P. BLAKE, xx...
PETER BLAKE, xx...
DEVIN T. BLEA, xx...
ANDREW D. BLENKLE, xx...
ERIC BONARDI, JR., x...
MARK C. BOONE, x...
ALLAN BORDIOUS, xx...
DAVID C. BORKOWSKI, xx...
JOSEPH S. BORNSCHEIN, xx...
ERIC A. BORSONI, xx...
ERIK J. BOURGERIE, xx...
BRIAN B. BOYCE, xx...
KATHERINE E. BOYCE, xx...
ROBERT G. BRACKNELL, xx...
CAMERON T. BRADFORD, xx...
CHRISTOPHER M. BRADLEY, xx...
BRIAN P. BRESNAHAN, xx...
ROLLIN D. BREWSTER, III, xx...
JAMES M. BRIGADIER, xx...
KENNETH L. BRIGGS, xx...
VAN P. BRINSON, III, xx...
SCOTT E. BROBERG, x...
PETER J. BRODING, xx...
MATTHEW G. BRONIEC, xx...
GEOFFREY E. BROOKS, xx...
KARL F. BROWER, xx...
BILLY W. BROWN, xx...
MICHAEL J. BROWN, xx...
DOUGLAS R. BROWNE, xx...
CHARLES W. BROWNFIELD, xx...
DEAN M. BRUBAKER, xx...
TIMOTHY R. BRYANT, x...
VICTOR J. BUNCH, xx...
JOEL A. BURDETTE, xx...
VANIA S. BURGEAT, xx...
WILLIAM S. BURGER, xx...
KEVIN M. BURKE, xx...
SEAN D. BURKE, xx...
AUDREY A. BURNEY, xx...
KEVIN R. BUSKE, x...
JOSEPH BUTKUS, xx...
FRED BUTLER, xx...
BRUCE A. CADY, xx...
TOM M. CALHOON, xx...
TODD CALHOUN, x...
MICHAEL J. CALLANAN, xx...
GABRIEL CALVETTI, JR, xx...
JOHN CAMPBELL, xx...
GUIDO CAMPELLONE, xx...
JOHN R. CAPUTO, xx...
JASON L. CARLSON, xx...
MICHAEL T. CARSON, xx...
DAVID F. CARTER, xx...
MELVIN G. CARTER, xx...
ERIC R. CASEY, xx...
PATRICK J. CASHMAN, xx...
MICHAEL J. CASTAGNA, x...
MATTHEW CASTRO, x...
THOMAS K. CATALANO, xx...
GLEN B. CAULEY, xx...
JOHN P. CAVANAUGH, xx...

KRISTINA M. CHALTRY, xx...
GLEN H. CHANCY, xx...
CHRISTOPHER E. CHAPMAN, xx...
DAVID L. CHARLTON, x...
GREGORY J. CHIASSON, xx...
FREDDY S. CHUCK, xx...
MICHAEL A. CHURCH, xx...
JOHN CLARK, xx...
RICHARD T. CLARK, xx...
WILLIAM A. CLARK, xx...
SEAN P. CLEMENTS, xx...
CHRISTIAN J. CLOYDE, xx...
CHRISTIN M. COADY, xx...
ERIN D. COADY, xx...
MICHAEL C. COCHRAN, x...
DOUGLAS L. CODY, xx...
JEFFREY L. COKER, xx...
RYAN M. COLLINS, xx...
TONY CONNOT, x...
RIAN E. COOK, x...
BRYAN C. CORCORAN, x...
OWEN M. COULMAN, x...
KENNETH L. CRABTREE, xx...
SCOTT A. CRAIG, xx...
QUINTON J. CRENSHAW, x...
KEVIN L. CROOMS, xx...
JEFFREY G. CROSS, xx...
GARY W. CROWE, x...
PAUL D. CUCINOTTA, xx...
DREW E. CUKOR, xx...
CORY M. CUNNINGHAM, x...
RUSSELL J. CURTIS, xx...
MATTHEW T. DALKIEWICZ, xx...
CHAD W. DANDO, x...
DAWN E. DANIEL, xx...
WILLIAM A. DAVIDSON, IV, x...
BRANDON A. DAVIS, xx...
CHRISTOPHER A. DAVIS, x...
STEPHEN M. DECKMAN, xx...
MICHAEL E. DEHNER, xx...
JOHN J. DEIS, xx...
PAUL T. DEUTSCH, xx...
FRANK D. DIAZ, x...
CHRISTOPHER S. DICARLO, xx...
ALLAN J. DIETSCH, xx...
DAVID E. DINGES, xx...
ANNE M. DIPONIO, xx...
JOHN J. DONAHOE, xx...
JONATHAN M. DONIGAN, xx...
CHRISTOPHER B. DOODY, xx...
MATTHEW J. DORMAN, xx...
FRANCISCO J. DUARTE, x...
BRIAN D. DYSON, xx...
KURT G. EBAUGH, x...
DON R. EDENS, II, xx...
BEN T. EDWARDS, JR, xx...
DAVID S. EDWARDS, xx...
DEREK W. EDWARDS, xx...
KYLE B. ELLISON, xx...
WILLIAM P. EMOND, xx...
JERVASE A. EPPS, xx...
JEFFREY R. ERTWINE, xx...
YURI A. ESCANDON, xx...
JOSEPH R. FANDREY, xx...
JONATHAN E. FARLEY, x...
JOHN D. FERNANDEZ, xx...
ALIKA K. FERREIRA, xx...
CHRISTOPHER A. FEYEDELEM, x...
STEPHEN C. FIACCO, xx...
CASEY J. FISHER, xx...
THOMAS J. FLANNERY, xx...
JASON FLEMING, xx...
TODD A. FLEMING, xx...
DAVID M. FOELLINGER, xx...
DOM D. FORD, xx...
SCOTT E. FORREY, xx...
MATTHEW J. FOWLER, xx...
ROBERT D. FRANSON, xx...
KEITH B. FRANTZ, xx...
JOHN W. FRAZIER, xx...
ROBERT A. FREELAND, xx...
RICKY L. FREEMAN, xx...
JACOB D. FREIVALD, xx...
JAMES W. FREY, xx...
JOSEPH M. FRIEDERICHS, xx...
LISA E. FRITZ, xx...
SAMUEL FROESE, x...
JAMES R. FULLWOOD, JR, xx...
MAURICE S. GALLAGHER, xx...
SEAN B. GALLAGHER, xx...
TODD G. GALLATI, xx...
SCOTT R. GANT, xx...
ADOLFO GARCIA, JR, xx...
CHRISTOPHER C. GAYDOS, xx...
PAUL J. GEARY, x...
NICHOLAS O. GETER, xx...
CHRISTOPHER T. GIBSON, xx...
JASON G. GILBERT, xx...
SEAN J. GILECE, xx...
GEORGE K. GILL, JR, xx...
ERIC M. GILLARD, xx...
ALLYN M. GIRLING, xx...
RYAN J. GIVENS, xx...
BRIAN M. GOEBEL, xx...
MARTIN W. GOGUEN, xx...
ROBERT J. GORDON, xx...
WILLIAM A. GORDON, xx...
DARREN C. GOULD, xx...
KEVIN F. GRANEY, xx...
WILLIAM C. GRAY, xx...
STUART J. GREENBAUM, x...
DAVID W. GREENLESS, xx...
SEAN M. GRENIER, xx...
SCOTT H. GRIMES, xx...
JAMES M. GROHMAN, xx...
JAMES W. GROOMS, II, xx...
MATTHEW S. GROSZ, xx...
CHRISTOPHER P. GROTON, xx...
KARL R. GUMTOW, xx...
JOSHUA P. HALLETT, xx...
EARL L. HALQUIST, xx...
MICHAEL A. HARKIN, xx...
JOHN P. HARLOW, xx...
MICHAEL J. HARMON, xx...
ANDRE T. HARRELL, xx...
JOHN D. HARRILL, xx...
JOHN N. HART, IV, xx...
DANNY B. HASKELL, xx...
MARK D. HAWKINS, xx...
GLENN E. HEATH, xx...
MICHAEL J. HEFFERNAN, xx...
DAVID E. HENDERSON, xx...
WALTER H. HENDERSON, III, xx...
JOSEPH P. HENNIGAN, xx...
JOHN M. HENRY, x...
DAVID L. HERLONG, xx...
DAVID HERR, xx...
BEN L. HEWLETT, xx...
DERRICK R. HEYL, xx...
CRAIG A. HILL, xx...
JOHN M. HIMES, xx...
JOHN G. HINSON, xx...
MICHAEL O. HIXSON, xx...
MARK A. HODORY, xx...
JASON T. HOLDEN, xx...
COURTNEY J. HOLLAR, x...
DAVID J. HOLZWEISS, xx...
CHRISTOPHER C. HOMEWOOD, xx...
RAMON L. HOPKINS, xx...
MARK D. HOROWITZ, xx...
ARTHUR C. HOUGHTY, II, xx...
LESTER R. HOUSTON, xx...
JAMES E. HOWARD, xx...
BRIAN M. HOWLETT, xx...
DAVID E. HOY, xx...
MARK A. HOYLE, xx...
JASON A. HULETT, x...
DAVID H. HULL, xx...
CHARLES A. HULMES, x...
THOMAS P. HUMANN, xx...
DAVID T. HUME, xx...
MATTHEW K. HURD, xx...
WENDY J. HYING, xx...
PHILIP E. HYNES, xx...
JAMES W. INNES, xx...
CHAD E. JACKSON, xx...
JASON K. JACKSON, xx...
ROLLIN F. JACKSON, x...
TERRANCE P. JAILLET, xx...
MARTIN A. JAROSICK, JR, xx...
THOMAS M. JENSEN, x...
MICHAEL J. JERNIGAN, xx...
JOHN P. JERNOVICHS, xx...
STUART M. JESSOP, xx...
ERRIN P. JEWELL, xx...
CHAD W. JOHNSON, xx...
DANNY L. JOHNSON, xx...
ERIC S. JOHNSON, xx...
ALLAN B. JONES, xx...
BRIAN E. JONES, xx...
ROBERT O. KALOUSTIAN, JR, xx...
AMY R. KARAM, xx...
THEMISTOCLE W. KARAVITES, x...
PATRICK J. KEANE, xx...
ROGER J. KELLER, II, xx...
JAMES E. KELLY, xx...
THOMAS E. KERLEY, xx...
MILLER J. KERR, xx...
SAMANTHA K. KERRY, xx...
JOHN G. KERWOOD, xx...
CARL N. KIEWERT, xx...
MICHAEL T. KINDT, xx...
JOSEPH D. KLOPPEL, xx...
ERICH S. KNOX, xx...
ERIK D. KOBS, x...
THOMAS S. KOGLMAN, xx...
PAUL A. KONOPKA, xx...
KEITH C. KORENEK, xx...
TIMOTHY D. KORNACKI, xx...
JOHN J. KOWATCH, xx...
LUKE W. KRATKY, xx...
EDWARD J. KREPPEIN, xx...
ADAM R. KUBICKI, xx...
PETER E. KUNKEL, xx...
MELISSA D. KUO, xx...
HERBERT A. KUPEC, xx...
STEPHEN C. LABASH, xx...
STEPHEN C. LABRECHE, xx...
SCOTT S. LACY, xx...
CHRISTOPHER J. LAMBERT, xx...
TIMOTHY B. LAMPARD, xx...
CHRISTOPHER T. LAMPE, xx...
MARC C. LANGEVIN, xx...
ERIC R. LARSON, xx...
FRANK N. LATT, xx...
CHRISTOPHER J. LAUER, xx...
ERIK E. LAUFER, I, xx...
JOHN T. LAW, II, x...
WILLIAM C. LAWS, xx...
GARY P. LEE, x...
MICHAEL T. LEGENS, JR, xx...
METIN T. LEGGETT, xx...
CORY J. LEONARDI, xx...
MICHAEL D. LEPSON, xx...
MICHAEL W. LERSBAK, xx...
DARIN L. LETZRING, xx...
JAMES J. LIEBERTZ, xx...
MARK D. LIGHT, xx...
JOHN T. LINCOLN, xx...
MARK A. LIST, xx...
ROBERT S. LIST, xx...
MARK A. LISTER, xx...
DANIEL C. LOGAN, xx...
THEODORE J. LONG, xx...
MATTHEW J. LOVELL, xx...
ANDERS F. LOWENFISH, xx...
EDWIN H. LOWSMA, xx...
PHILLIP J. LOZADA, xx...
DAVID W. LUCAS, xx...
HENRY W. LUTZ, xx...
RAQUEL L. LYLES, x...
JOSEPH F. LYONS, xx...
ALLISON J. MACBAIN, xx...
GARY W. MACLEOD, JR, xx...
MICHAEL S. MAGEE, xx...
MATT C. MAHAFFY, x...
KEVIN S. MALLOY, xx...
ARTHUR C. MALPERE, xx...
DENNIS A. MANACO, xx...
ROBERT E. MANCINI, xx...
BRYAN T. MANGAN, xx...
BART A. MANGUNO, xx...
MORGAN G. MANN, xx...
RUSSELL W. MANTZEL, x...
JOHN W. MARCHETTI, xx...
JENNIFER L. MARKS, xx...
LEONARD F. MARTIN, xx...
MATTHEW D. MARTIN, xx...
BRET W. MASSEY, xx...
YUKA R. MASTERSON, x...
THOMAS J. MATALAVASE, xx...
DAVID H. MAYHAN, xx...
WILLIAM H. MCAFEE, x...
RONALD W. MCBAY, xx...
DAVID L. MCCAFFREE, JR, xx...
CAMERON A. MCCAMPBELL, xx...
MATTHEW J. MCCORMACK, xx...
JON C. MCDANIEL, x...
KEITH O. MCDONNELL, x...
MICHAEL J. MCGANN, xx...
MATTHEW A. MCGARVEY, xx...
DANIEL E. MCGEE, xx...
PATRICK M. MCGEE, xx...
PATRICK F. MCGUIRE, xx...
JOHN MCKEEHAN, xx...
EDWARD T. MCKENNA, xx...
PATRICK D. MCKENNA, xx...
MICHAEL T. MCKINNEY, xx...
JEFFREY A. MCNEICE, xx...
JEFFREY J. MCNEIL, xx...
RUSSELL D. MEADE, xx...
SCOTT A. MEEHAN, xx...
FRANCIS M. MESS, xx...
KRISTIAN H. MEYERS, x...
SAMUEL L. MIDDLETON, xx...
CHARLES J. MILES, xx...
JOHN J. MILES, xx...
DUNCAN W. MILLER, xx...
ROBIN E. MILLER, xx...
JAMES T. MIMS, xx...
STEPHEN D. MINOR, x...
SCOTT M. MONGILLO, xx...
RODRICK M. MONTGOMERY, xx...
GARY G. MOON, x...
KEITH MOORE, xx...
PHILIP M. MOORE, xx...
JEFFERY M. MORGAN, xx...
MATTHEW W. MORGAN, xx...
ERIC T. MORHENN, xx...
DAVE J. MORRIS, xx...
DAVID C. MORRIS, xx...
HAROLD M. MOSLEY, xx...
SEAN A. MUELLER, xx...
MICHAEL L. MULLER, xx...
WESLEY W. MULLER, xx...
JEFFREY T. MURPHY, xx...
MAUREEN B. MURPHY, xx...
CHRISTOPHER J. MYERS, xx...
JEFFREY A. MYERS, xx...
JONATHAN P. MYERS, x...
MICHAEL D. MYERS, xx...
JEFFREY P. NADEAU, xx...
MICHAEL J. NADOLSKY, xx...
GREGG W. NELSON, xx...
THOMAS M. NELSON, xx...
LAWRENCE J. NEVEL, xx...
EVERETT G. NEWBRY, xx...
TIMOTHY A. NEWLAND, xx...
BENJAMIN J. NEWPORT, xx...
SHANE D. NICKLAUS, xx...
MICHAEL T. NIPPER, xx...
CHRISTOPHER J. NODURFT, xx...
JEAN E. NOGGLE, xx...
JOSHUA P. NORTON, xx...
DONALD A. NOSCHESE, xx...
TIMOTHY M. OBOYLE, xx...
JASON OPPERMANN, xx...
GEORGE R. OPRIA, xx...
JOHN J. OTOOLE, xx...
ALEXANDER H. OTTE, xx...
DAVID S. OWEN, xx...
WILLIAM S. OYSTER, xx...
JAY F. PALMOS, xx...
MARIO A. PALOMINO, xx...
CHRISTOPHER J. PALUMBO, xx...
ALBERTO J. PARACCHINI, x...

ERIC PARKER, xx...
SEAN D. PARKER, xx...
ROBERT J. PATRICK, xx...
KELLY L. PATTERSON, xx...
GEORGE L. PAVEY, xx...
JOHN J. PEDERSEN, xx...
MICHAEL J. PELAK, x...
JOHN D. PERCIVAL, xx...
RONALD J. PETERSON, xx...
JOHN L. PETRICOLA, x...
ANDREW J. PETRUCCI, xx...
ADIN M. PFEUFFER, xx...
CHRISTOPHER L. PHELPS, xx...
CARL A. PHILLIP, xx...
MICHAEL A. PHILLIPS, x...
LEONARD E. PHILO, xx...
SCOTT E. PIERCE, xx...
STEPHEN S. PIERSON, xx...
BENJAMIN A. PIPER, xx...
THEODORE E. PITT, JR., xx...
STEPHANIE M. POLVINO, xx...
TERRY L. POTTER, xx...
HEATHER L. POUNCEY, xx...
ALEXANDER W. POWELL, xx...
MICHAEL J. PRATT, xx...
CHARLES P. PRESTON, xx...
CRAIG I. PRICE, xx...
RICHARDSON G. PRICE, x...
EDWARD S. PROCTOR, xx...
GARY PROVENZANO, xx...
ROMAN T. PRZEPIORKA, xx...
ANDREW J. RAINS, x...
WILLIAM L. RANEY, III, xx...
CARLOS G. RASCON, xx...
GEORGE A. RAY, II, xx...
CHARLES A. REDDEN, xx...
KENNETH A. REESE, xx...
GREGORY L. REICHERT, xx...
MATTHEW S. REID, xx...
KEVIN P. REILLY, xx...
ROBERT C. RICE, x...
JAMES M. RICH, xx...
CHRISTIAN RICHARDSON, xx...
RORY D. RICHARDSON, xx...
SAMUEL RICHARDSON, III, xx...
CHRISTOPHER S. RICHIE, xx...
ALAN L. RICKETTS, II, xx...
TIMOTHY M. RIORDAN, xx...
THOMAS H. RIPLEY, xx...
GLEN E. RITTA, xx...
BRET H. RITTERBY, xx...
CHARLES R. RIVENBARK, JR., xx...
ALAN S. ROBERTS, xx...
KEVIN ROBERTS, xx...
BRIAN P. ROBINS, xx...
CRAIG R. ROBINSON, xx...
GEORGE M. ROBINSON, xx...
DENNIS D. RODGERS, xx...
MICHAEL E. RODGERS, xx...
MICHAEL R. ROGERS, x...
KARL C. ROHR, xx...
JOHN F. ROLLINS, xx...
MARY M. ROMANS, xx...
DAVID H. ROSENBERG, JR., xx...
KEITH A. RUDY, xx...
ANDREW F. RUF, xx...
JEFFREY N. RULE, xx...
REB J. RUSSELL, III, xx...
ANDREW T. RYAN, x...
JOSEPH M. RYAN, xx...
ROBERT S. RYSER, II, xx...
CRAIG J. SALOMONSON, xx...
MICHAEL V. SAMAROV, xx...
ELEAZAR O. SANCHEZ, xx...
DAVID B. SANDVOLD, x...
LAWRENCE B. SAVARESE, xx...
MICHAEL SAYLOR, xx...
JEFFREY C. SCALZO, xx...
RALPH E. SCHACKART, III, xx...
JOHN P. SCHAEFER, xx...
BYRON L. SCHLATHER, xx...
ALVIN SCHMIDT, IV, xx...
ARTHUR J. SCHNEIDER, x...
GEORGE A. SCHUTTER, x...
JOHN P. SCHWARZ, x...
EDWIN L. SCOGGIN, xx...
MICHAEL P. SCOTT, xx...
OLIN J. SEAGO, xx...
JOSEPH W. SEARS, xx...
VICKIE M. SELF, x...
ARTHUR J. SEMENTELLI, xx...
MATTHEW D. SEMONIK, xx...
WILLIAM J. SENENKO, xx...
WADE A. SHAW, xx...
BRANDON W. SHEARER, xx...
JAMES D. SHEEHAN, xx...
MICHAEL S. SHEWFELT, xx...
ROBERT J. SHOVLIN, xx...
PATRICK H. SILVIA, xx...
MICHAEL S. SIMS, x...
JOHN B. SKINNER, xx...
JOSEPH B. SMITH, xx...
MARCUS C. SMITH, x...
ROBERT P. SMITH, xx...
THOMAS C. SMITH, xx...
JEFFREY A. SNELLING, xx...
ALAN W. SOLTER, xx...
WALTER C. SOPP, x...
RANDY J. SORIANO, xx...
DAX C. SOULE, xx...
JOSEPH M. SPAMPINATO, xx...
TROY D. SPENCER, xx...
SEAN R. STALLARD, xx...
JAMES C. STANLEY, xx...
PHILIP K. STAUFFACHER, xx...
ARNIE M. STEPHENS, III, xx...
JEFFREY A. STERNBERG, xx...
JEFFERY S. STEWART, xx...
BENJAMIN P. STINSON, xx...
JEFFREY A. STIVERS, xx...
MARK R. STROBL, xx...
MATTHEW R. STUCKEY, xx...
JOHN P. SULLIVAN, JR., xx...
ARVIND B. SUTHAR, xx...
CHRIS SUTTON, x...
TRAVIS L. SUTTON, xx...
MATTHEW SWEETLAND, xx...
SHAWN M. SWIER, xx...
HANS A. SYLVESTER, xx...
KEITH K. TAKABAYASHI, xx...
JAMES S. TARVER, xx...
ANDREW J. TATE, x...
PETER Z. TAYLOR, xx...
SCOTT A. TAYLOR, xx...
STACEY TAYLOR, xx...
THOMAS T. TAYLOR, xx...
MICHAEL J. TEATES, xx...
ROBERT E. THIEN, xx...
COREY E. THOMAS, xx...
TIMOTHY W. THOMASSON, xx...
MARC C. THOMPSON, x...
DARIS TILLMAN, xx...
AARON C. TOBUL, xx...
PATRICK A. TORREY, xx...
BRIAN P. TOSH, xx...
SCOTT M. TOUNEY, xx...
MARK C. TRENTALANGE, xx...
JOHN C. TREPKA, x...
WENDY TRUDEAU, xx...
ROBERT E. TSCHAN, II, xx...
SCOTT W. TSCHETTER, xx...
PATRICK M. TUCKER, xx...
THOMAS A. TUCKER, xx...
DAVID W. TURNER, xx...
CRAIG C. ULLMAN, xx...
KELLY J. UNDERWOOD, x...
TONY UZZLE, xx...
HENRY E. VANDERBORGHT, xx...
STEPHEN K. VANRIPER, xx...
TIMOTHY VANTASSEL, x...
JAMES P. VAUGHN, xx...
LUIS E. VELAZQUEZ, xx...
NICOLE T. VERICH, xx...
DONALD A. WADSWORTH, xx...
DANIEL H. WAKINS, xx...
CHRISTOPHER K. WALES, xx...
BEN L. WALLACE, xx...
HOWARD B. WALLACE, III, xx...
IAN S. WALLACE, xx...
CHRISTOPHER B. WALTERS, xx...
DAVID D. WALTERS, xx...
BRENT G. WAS, xx...
PAUL R. WEAVER, xx...
AARON D. WEISS, x...
JASON C. WEJNERT, xx...
DONALD D. WELCH, xx...
CHARLES B. WEST, III, xx...
MARK T. WETHERILL, x...
JEROME S. WHALEN, xx...
ROBERT F. WHALEN, x...
STEVEN J. WHITE, xx...
CURT J. WHITEFIELD, xx...
KEITH E. WHITEHOUSE, xx...
NICOLE WHITING, xx...
JONATHAN D. WHITTLES, xx...
GUNNAR R. WIEBOLT, xx...
BYRON T. WIEDEMAN, xx...
SAMUEL E. WIGGINS, xx...
ERIK J. WIGNES, xx...
JAMES WILKINSON, xx...
ADAM N. WILLIAMS, x...
ROCKY W. WILLIAMS, xx...
TIMOTHY T. WILLIAMS, xx...
ZOE G. WILLIAMS, xx...
EDWARD S. WILSON, III, xx...
GEORGE H. WILSON, xx...
KENNETH N. WILSON, xx...
PETER C. WILSON, xx...
BRIAN E. WOLFE, x...
FRANCIS R. WOLSKY, xx...
WILLIAM G. WOMACK, xx...
MARCUS H. WOOLLARD, xx...
GARY D. WRIGHT, xx...
JAMES C. WRIGHT, xx...
JEFFERY B. WRIGHT, xx...
TROY V. WRIGHT, xx...
DANIEL L. YAROSLASKI, xx...
MICHAEL E. YATES, xx...
JASON D. YORK, xx...
DARREL S. YOUNG, xx...
DEREK P. YOUNG, x...
DEVIN C. YOUNG, xx...
VINCE E. YURICK, xx...
PHILLIP ZEMAN, xx...
MICHAEL S. ZUMMER, xx...

THE FOLLOWING NAMED MARINE CORPS ENLISTED COMMISSIONING EDUCATION PROGRAM GRADUATES FOR PERMANENT APPOINTMENT TO THE GRADE OF SECOND LIEUTENANT IN THE U.S. MARINE CORPS, PURSUANT TO TITLE 10, U. S. CODE, SECTION 531:

MADELEINE D. ALLEN, xx...
JOHN F. AMERICA, x...
PHILIP G. ANTEKEIER, xx...
KELLY A. AUSTIN, xx...
WILLIAM G. BALESTRERI, xx...
CRYSTAL T. BAXLEY, xx...
WENDELL BAZEMORE, xx...
CHRISTOPHER C. BEAVERS, xx...
GABRIEL BELTRAN, xx...
STEFAN J. BOOTH, xx...
PETER J. BROWN, xx...
ALBERT J. BUSENBARK, xx...
JOHN D. CANNON, xx...
JOSE M. CASADO, xx...
LORNIA M. CHANCE, xx...
KEITH A. COLEMAN, xx...
WAYNE E. COLLINS, xx...
DAVID S. COOK, xx...
SAMUEL A. CRISLER, xx...
GARY M. DECKARD, xx...
DAVID I. DIERSON, xx...
MICHAEL K. DOTY, xx...
ANDREW J. DRAKE, x...
STEVEN E. DUKE, xx...
GEORGES T. EGLI, xx...
RANDAL S. ENGBERG, x...
WESLEY L. FEIGHT, xx...
ERIC C. FLEMING, x...
ERNESTO L. FLORES, JR., xx...
DOUGLAS K. FORDHAM, xx...
THOMAS M. GAINOR, xx...
BRIAN E. GARD, xx...
JEFFREY M. GRAHAM, xx...
THOMAS J. HAIL, xx...
MARK P. HANEY, xx...
BYRON R. HARPER, x...
DANIEL P. HEALEY, xx...
RONALD E. HEATH, xx...
CLEMENT W. HEY, xx...
JEFFERY J. JACKSON, xx...
JEFFREY R. JOHNSON, xx...
CHARLES E. JONES, JR., xx...
DANIEL R. KAZMIER, xx...
GARY A. KING, xx...
PATRICK S. KIRCHNER, xx...
DOUGLAS V. KUHN, xx...
WALTER W. KULAKOWSKI, xx...
DARYL J. LANINGA, xx...
PATRICK T. LAVIGNE, xx...
JAMES O. LESPERANCE, xx...
DAVID A. LEWIS, xx...
DIANE L. LIEN, xx...
ERIC E. LUCAS, xx...
STEVEN G. LUHRSEN, xx...
JOHN A. MANNING, xx...
HENIBERTO A. MARTINEZ, x...
WILLIAM P. MCCLANE, x...
WILLIAM J. MCCUTCHEON, xx...
WILLIAM J. MCWATERS, xx...
JEFFREY W. MEGARGEL, xx...
CHRISTIAN C. MILLER, xx...
BRIAN P. MONTOYA, xx...
CURTIS E. MOORE, xx...
DAVID A. MOORE, xx...
PAUL R. MOORE, xx...
ALBERTO MORALES, xx...
JOE H. MORRIS, xx...
CHRISTIAN A. NELSON, xx...
GEORGE J. NEMES, JR., xx...
STEWART R. NICKLESS, xx...
CLINT J. NUSSBERGER, xx...
PLACIDO ORDONA, JR., xx...
SOUTSANA OUNKHAM, xx...
RONALD S. PAHL, xx...
ERIC J. PALM, xx...
WALTER K. PARKER, xx...
DAVID L. PARKS, JR., xx...
JACQUES T. PELLETIER, xx...
SCOTT W. PIERCE, xx...
KENNETH A. QUINER, xx...
SCOTT C. RAINVILLE, xx...
EUGENE E. REDDING, xx...
CHARLES T. REITZ, xx...
CASEY T. RENFREW, xx...
STEVEN D. RICHARDSON, xx...
MILDRED A. RIDDELL, xx...
SEAN R. RIGGS, x...
GARY D. ROTSCH, xx...
DOMENIC J. SCARCIA, xx...
NEIL C. SCHUEHLE, xx...
JEFFREY SCHULMAN, xx...
MICHAEL B. SEGER, xx...
JONATHAN W. SELBY, xx...
MARK D. SEWELL, x...
KEITH E. SHAFFER, xx...
PETER J. SHELBY, xx...
DAVID S. SIEGER, xx...
TY A. SIMMONS, xx...
PATRICK S. SIPE, xx...
CYNTHIA A. SMIGIEL, xx...
PHILLIP E. STACKHOUSE, xx...
PATRICK E. SULLIVAN, xx...
LELAND W. SUTTEE, xx...
DAVID J. SWICEGOOD, xx...
JOHN E. TAYLOR, xx...
MICHAEL A. THOMAS, x...
TODD S. TOMKO, xx...
LARRY M. TREMAGLIO, xx...
LISA L. VIGNEAU, xx...
ROBERT A. VOJTIK, xx...
CHARLES D. WALKER, xx...
MCCLENDON N. WATERS, III, xx...
ROBERT H. WILLIS, JR., xx...

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

RICHARD D. ALLEN, xxx-xx-xxxx
GARY W. ANDERSON, xxx-xx-xxxx
RAYFEL M. BACHILLER, xxx-xx-xxxx
JAMES R. BATTAGLINI, xxx-xx-xxxx
ROBERT A. BEAUDOIN, xxx-xx-xxxx
CHARLES D. BENNETT, xxx-xx-xxxx
GEORGE H. III BENSKIN, xxx-xx-xxxx
THOMAS L. BLICKENSDERFER, xxx-xx-xxxx
DAVID R. BLOOMER, xxx-xx-xxxx
ROBERT B. JR BLOSE, xxx-xx-xxxx
JAMES L. SR BOOKER, xxx-xx-xxxx
JOHN F. BOULDRY, xxx-xx-xxxx
WILLIAM G. III BOWDON, xxx-xx-xxxx
WILLIAM L. BOWLING, xxx-xx-xxxx
MICHAEL H. BOYCE, xxx-xx-xxxx
ROBERT E. BRAITHWAITE, xxx-xx-xxxx
DARRELL A. BROWNING, xxx-xx-xxxx
BRUCE E. BRUNN, xxx-xx-xxxx
JAMES E. CARTWRIGHT, xxx-xx-xxxx
THOMAS A. CAUGHLAN, xxx-xx-xxxx
STEPHEN A. CHENEY, xxx-xx-xxxx
JAMES P. CHESSUM, xxx-xx-xxxx
RICHARD W. CHRISTIANSEN, xxx-xx-xxxx
JOHN S. CIPPARONE, xxx-xx-xxxx
ELIGAH D. JR CLARK, xxx-xx-xxxx
WAYNE A. CLEMMER, xxx-xx-xxxx
JAMES K. COBB, xxx-xx-xxxx
ROBERT S. COHEN, xxx-xx-xxxx
JOHN R. COHN, xxx-xx-xxxx
LARRY P. COLE, xxx-xx-xxxx
RAYMOND COLE, xxx-xx-xxxx
GARY W. COLLENBORNE, xxx-xx-xxxx
JAMES M. II COLLINS, xxx-xx-xxxx
JOSEPH COMPOSTO, xxx-xx-xxxx
LARKIN E. CONATSER, xxx-xx-xxxx
KEVIN A. CONRY, xxx-xx-xxxx
MICHAEL A. COULMAN, xxx-xx-xxxx
WALDO B. JR CUMMINGS, xxx-xx-xxxx
WILLIAM C. DARNER, xxx-xx-xxxx
DONALD L. DAVIS, xxx-xx-xxxx
RONALD V. DELONEY, xxx-xx-xxxx
MELVIN W. JR DEMARS, xxx-xx-xxxx
HENRY M. DENTON, xxx-xx-xxxx
CHARLES L. DOCKERY, xxx-xx-xxxx
ROBERT C. JR DODT, xxx-xx-xxxx
CHARLES W. DORMAN, xxx-xx-xxxx
PETER A. DOTTO, xxx-xx-xxxx
GERALD J. DUDA, xxx-xx-xxxx
THOMAS E. DUNKELBERGER, xxx-xx-xxxx
JAMES M. DURHAM, xxx-xx-xxxx
JAN M. DURHAM, xxx-xx-xxxx
JAMES B. EGAN, xxx-xx-xxxx
JAMES M. II EICHER, xxx-xx-xxxx
ROBERT M. FLANAGAN, xxx-xx-xxxx
TIMOTHY M. GAHAN, xxx-xx-xxxx
JON A. GALLINETTI, xxx-xx-xxxx
JOHN R. GARVIN, 7726
JOHN M. GAUTREAUX, xxx-xx-xxxx
WILLIAM M. III GIVEN, xxx-xx-xxxx
RYAN P. GOODELL, xxx-xx-xxxx
JOHN F. GOODMAN, xxx-xx-xxxx
JOSEPH P. JR GORDON, xxx-xx-xxxx
VINCENT J. JR GOULDING, xxx-xx-xxxx
BARRY P. GRIFFIN, xxx-xx-xxxx
WILLIAM C. JR GRUBE, xxx-xx-xxxx
RANDALL B. HAGLUND, xxx-xx-xxxx
WILLIAM L. HAMMERLE, xxx-xx-xxxx
JAMES C. HARDEE, xxx-xx-xxxx
MARK K. HAYDEN, xxx-xx-xxxx
JEFFREY F. HEMLER, xxx-xx-xxxx
CARL M. HERDERING, xxx-xx-xxxx
JOHN M. HIMES, xxx-xx-xxxx
TIMOTHY J. HIMES, xxx-xx-xxxx
RICHARD P. JR HOBBS, xxx-xx-xxxx
JOHN D. HOLDSTEIN, xxx-xx-xxxx
RICHARD A. HUCK, xxx-xx-xxxx
JEFFREY L. HULL, xxx-xx-xxxx
HAROLD L. INABINET, xxx-xx-xxxx
RICHARD B. INGHRAM, xxx-xx-xxxx
ALVIN W. JR KELLER, xxx-xx-xxxx
RICHARD L. KELLY, xxx-xx-xxxx
MICHAEL M. KEPHART, xxx-xx-xxxx
PIERCE R. KING, xxx-xx-xxxx
STEVEN J. KING, xxx-xx-xxxx
THOMAS R. KING, xxx-xx-xxxx
STEPHEN J. JR LABADIE, xxx-xx-xxxx
JOHN II LANGDON, xxx-xx-xxxx
LEE F. II LANGE, xxx-xx-xxxx
JAMES A. LASSWELL, xxx-xx-xxxx
ROBERT N. LEAVITT, xxx-xx-xxxx
JAMES D. LENARD, xxx-xx-xxxx
DAVID C. LITCHFIELD, xxx-xx-xxxx
LAWRENCE A. MACHABEE, xxx-xx-xxxx
HAROLD J. MAHER, xxx-xx-xxxx
RICHARD A. MALONEY, xxx-xx-xxxx
DENNIS C. MCBRIDE, xxx-xx-xxxx
KEVIN J. MCHALE, xxx-xx-xxxx
JOHN B. MEAGHER, xxx-xx-xxxx
ROBERT G. MELLON, xxx-xx-xxxx
OTTAVIO J. MILANO, xxx-xx-xxxx
JOHN R. MILLS, xxx-xx-xxxx
JAMES R. MORRIS, xxx-xx-xxxx
JOHN J. MOYER, xxx-xx-xxxx
STEPHEN F. MUGG, xxx-xx-xxxx
CLIFFORD O. III MYERS, xxx-xx-xxxx
MICHAEL R. NANCE, xxx-xx-xxxx
DENNIS K. OBERHELMAN, xxx-xx-xxxx
JAMES P. ODONNELL, xxx-xx-xxxx
MICHAEL L. OLSON, xxx-xx-xxxx
JOHN C. OSBORNE, xxx-xx-xxxx
RICHARD L. OWEN, xxx-xx-xxxx
RICHARD L. JR OWEN, xxx-xx-xxxx
CRUZ PARDO, xxx-xx-xxxx
RALPH E. JR PARKER, xxx-xx-xxxx
WILLIAM H. PARRISH, xxx-xx-xxxx
JOHN F. PETTINE, xxx-xx-xxxx
MARK B. PIZZO, xxx-xx-xxxx
RAYMOND L. POLAK, xxx-xx-xxxx
JOSEPH J. RIGGIO, xxx-xx-xxxx
PAUL F. JR ROQUES, xxx-xx-xxxx
JAMES L. SACHTLEBEN, xxx-xx-xxxx
JOHN F. SATTLER, xxx-xx-xxxx
RICHARD Y. SHINTANI, xxx-xx-xxxx
LAURENCE E. SIMPSON, xxx-xx-xxxx
CHARLES O. SKIPPER, xxx-xx-xxxx
CLYDE H. SLICK, xxx-xx-xxxx
BYRON E. SMITH, xxx-xx-xxxx
MICHAEL H. SMITH, xxx-xx-xxxx
WILLIE T. SNOW, xxx-xx-xxxx
JOHN B. SOLLIS, xxx-xx-xxxx
CURTIS B. SOUTHWICK, xxx-xx-xxxx
WILLIAM R. SPAIN, xxx-xx-xxxx
GRANT M. SPARKS, xxx-xx-xxxx
LINDEN L. SPARROW, xxx-xx-xxxx
CHRISTOPHE B. STOOPS, xxx-xx-xxxx
JAMES N. STROCK, xxx-xx-xxxx
LYNN A. STUART, xxx-xx-xxxx
JONATHAN W. STULL, xxx-xx-xxxx
LEONARD M. SUPKO, xxx-xx-xxxx
BONNI L. SUTHERLAND, xxx-xx-xxxx
DAVID J. TURNER, xxx-xx-xxxx
GUY M. VANDERLINDEN, xxx-xx-xxxx
GERALD J. VARELA, xxx-xx-xxxx
JAMES E. VESELY, xxx-xx-xxxx
JOHN H. WAGNER, xxx-xx-xxxx
WILLIAM J. WESLEY, xxx-xx-xxxx
WILLIAM A. WHITLOW, xxx-xx-xxxx
JIMMY L. WHITSON, xxx-xx-xxxx
FRANCES C. WILSON, xxx-xx-xxxx
JOHN D. WINCHESTER, xxx-xx-xxxx

IN THE NAVY

THE FOLLOWING NAMED NAVAL ACADEMY MIDSHIPMEN TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U. S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NAVAL ACADEMY MIDSHIPMEN

To be ensign; permanent

MICHAEL NARCISO ABREU
ARMANDO ACOSTA, JR
JOHN HOWARD ADAIR, II
JEFFERSON WADE ADAMS
THOMAS PATRICK ADISSI
KENNETH QUITUGUA AGUILAR
JOHN BOWMAN AHRENS
CHRISTOPHER DEANE ALEXANDER
SCOTT WILLIAM ALEXANDER
JOHN CODY ALLEE
TIMOTHY LON ALLEN
GARY VOS ALLISON
CARMINA AMEZCUA
CHRISTOPHER BRIAN Q. ANDERSON
DAVID RICHARD ANDERSON
SHANNON DELONG ANDERSON
WAYNE WALTER ANDERSON, JR
EDAN BARRETT ANTOINE
JON JAY ANTONELLI
FERNANDO JOSE ARGELES
CREIGHTON JOHN ARMSTRONG
GEORGE RICHARD ARNOLD, II
JAMES MATTHEW ARRISON, IV
BENJAMIN ANDREW ATKINS
JOHN ALVIN ATKINSON, JR
STEPHEN CHARLES AUGUSTIN
MICHAEL CHRISTOPHER AVERNA
MICHAEL DONALD BACHMEIER
MARK BENNETT BAEHR
KENNETH BRADLEY BAELL
TERRY LYNN BAGGETT
DAVID EUGENE BAKER
KYLE WILLIAM BAKER
JOSEPH RONALD BALDWIN
THOMAS CHARLES BALDWIN
MARC CHRISTOPHER BALIOTTI
DARREN JENS BANKS
DOUGLAS PAUL BARBER, JR
JOHN OLLIE BARKER
CRAIG PHILIP BARNETT
JONATHAN WILLIAM BARNEY
JOHN FOSTER BARON
RICHARD FERSON BARRETT, JR
RONALD ANTHONY BARRETT, JR
TIMOTHY EDWARD BARRICK
JOHN JOSEPH BARRY, III
MICHAEL BYRON BARRY
RICHARD PHILLIP BASSI
SHAUNA MARIE BATTY
TROY DEAN BAUDER
JUDITH MARIE BRUCE BAUMGARTNER
WESLEY ELI BEADLE, IV
EILEEN BEAZLEY
KEITH MACAULAY BECK
KEITH ANTHONY BEITER
JEFFREY SCOTT BELL
CHRISTINA MARIE BENACCI
JEFFREY ALBYN BENNETT, II
WILLIAM DEARL BENSCH
FERDINAND BASCO BEREDO
MATTHEW BREEDEN BERG
DAVID ERICK BERGSTROM
JERRY LLOYD BERMAN
PETER RAYMOND BERNING
MAX WAYNE BERRY
PAUL NOLIN BERTHELOTTE
MARK DOUGLAS BEST
ERIK PAUL BETHEL
KEVIN WAYNE BILLINGS
MICHAEL BERNARD BILZOR
RICHARD WHITNEY BISHOP
SHANE WILLIAM BISHOP
DAVID THOMAS BITLER
WILLIAM ACKEN BLOSZINSKY
BRADLEY ALLEN BLOYE
SCOTT FRANCIS BLUNDO
RAFAEL EDUARDO BOBENRIETH
TODD WILLIAM BOEHM
ROBERT ERIK BOEHNING
MATTHEW DOUGLAS BOGDAN
JENNIFER ANNE BOLIN
ANTHONY RICHARD BONATO
DUANE W. BOREN
NEAL DAVID BORKERT
GEORGE PETER BOTOULAS
PARRISH MUSCOE BOULWARE
CHARLES THOMAS BOUTIN
BARTH H. BOYER
SEAN WESLEY BOYER
CHRISTOPHER JOHN BOYLE
PETER CHRISTOPHER BOZZO
MARK ARNOLD BRAGG
DEVIN ROY BRAKOB
CARL FRANK BRASEK
CHAD STUART BREESE
DAVID MICHAEL BRETT MAJOR
WILLIAM DAVID BREWSTER, JR
JENKS DAVID BRITT
PATRICK TYLER BRITT
BRIAN DAVID BROCK
GEOFFREY DAVID BRODERICK
CHARLES ALEC BROOMFIELD
DOUGLAS EDMOND BROPHY
KENNETH WALTER BROWN
ROBERT WILLIAM BRUCE
RUSSELL ANTHONY BRUNE
MICHAEL SCOTT BUCHANAN
THOMAS ROBERT BUCHANAN
ANDREW STEWART BURCHFIELD
MANUEL MARTIN BURGA
WILLIAM ERNEST BURGESS, III
TIMIKA LYNN BURNETT
MICHAEL OWEN BURNS
PATRICK ROBERT BYRNE
ALEX DANIEL CABRERA
PATRICK EDGAR CALDWELL
SHAWN PATRICK CALLAHAN
MARCUS CHRISTOPHER CAMACHO
PERRY CAMERON
ALYCE AILEEN CAMPBELL
MARK CHRISTOPHER CANADY
BRIAN EDWARD CARBAUH
STEVEN HAROLD CARGILL
THOMAS JEFFREY CARLSON
LARRY JOSEPH CARPENTER
STEVEN HENRY CARRINGTON
CURTIS CONRAD CARROLL
JOHN PATRICK CASEY
JAMES ALFRED CAVINESS, JR
MATTHEW BRANTLEY CERVARICH
ALEXANDER TAGGART CHALMERS
HEATHER LEE CHAUNDY
RINA SUSAN CHELGREN
DON ELIOT CHERAMIE
SCOTT VINCENT CHESBROUGH
ROBERT WAYNE CHESSON
CLAY STEPHEN CHILSON
CLINTON JAMES CHLEBOWSKI
KATHRYN SAIMA CHRISTENSEN
MICHAEL CHRISTOPHER CHRISTIAN
LAURA LYNN CHRISTMAN
DAMIEN ROBERT CHRISTOPHER
PATRICK JOHN CHRZANOWSKI
THOMAS SEON O. CHUNG
CARL DAVID CIRILLO
DANIEL JOHN CLABBERS
DONALD ALMOND CLACK
MAXIMILIAN CLARK
JULIANA LASSITER CLELAND
DARIN SCOTT CLINE
TONY SHUO WEN CLINTON
LEA ADOLPH CLOWER, JR
JEFFREY MICHAEL COCHRAN
RONALD ANTHONY COCHRAN
BRETT WILLIAM COFFEY
WILLIAM PAUL COFFIN
BRAD JAY COLLINS
RICHARD COLLYER
JEFFREY GALLAGHER CONWAY
CHARLES ALLEN COOK, III
SAMUEL CHAPMAN COOK
JOHN ANDREW COOLEY
AARON KEITH COOPER
APRIL SERENE COOPER
ROBERT DIRK COOPER
BRUCE CORCORAN
JEFFERY LEE CORDER
CHRISTOPHER ADAMS CORDERO
TIMOTHY JOSEPH CORNELL
DOUGLAS WEDDELL COSLEY
RICKY COTTRELL
SCOTT ROBERT COUGHLIN
THAI ERIC COUGHLIN
MARILEE ALICE COWAN
RODERICK LONGWORTH COWARD
ANTHONY WARNER COX
WILLARD JEFFERSON COX, III
GLENN MICHAEL CRABBE
JEFFREY ANDREW CRAIG
MICHAEL ALEXANDER CRARY
JUDITH PAGE CREED
PAUL GENE CREIGHTON
CLINTON CHARLES CRESAP
THOMAS CHARLES CRIMMINS
KENNETH JOSEPH CROWLEY
BRETT ELLIOTT CROZIER
DAVID CANNON CULPEPPER
DONALD SCOTT CUNNINGHAM
KEITH ADAM CUSTER
DAVID LYNDELL CUTE, JR
JEFFREY CHAUCER D. ALATRI
JAMES SCOTT D. ALESSANDRO
MARK JEFFREY D. AMBRA
THOMAS PATRICK DAILY
SAMUEL ALLAN DAVEY, JR
MICHAEL ANGELO DAVIS
RICHARD STEVEN DAVIS
STEVEN ROGER DAVIS
MARK WILLIAM DAVISON
TIMOTHY PRESCOTT DAY
DAVID CHARLES DAYS
GERALD PAUL DEARIE
JEFFREY DALE DEBRINE
AMY GAYLE DELAVAN
THOMAS MORGAN DELL
DANIEL FRANCIS DEMASO
FLOYD CALHOUN DENT, III
JEROME CHRISTOPHER DEREN
DAVID GREGORY DETWILER
RUSSELL DEVRIES, JR
MICHAEL CRAIG DEWALT
ROBERT LEE DEWITT, JR
WILLIAM JOSEPH DEY
DENNIS PAUL DIAS
CURTIS DESMOND DIAZ
STANLEY PHILLIP DILLARD, II
SHAWN MICHAEL DISARUFINO
STEPHANIE ANN DIXON
CHUONG TRONG DO
THAISON DUY DO
MELANIE CELESTE DOBAY
ANGELA MARIE DOBBS
HOLLY MICHELLE DOBSLAW
MICHAEL DUFFY DOHERTY
TIMOTHY WAYNE DOLLAR, II
JEFFREY JOHN DOLVEN
DONALD JOSEPH DONEGAN
GEORGE DANIEL DONEY
SEAN DENNIS DONNELLY
MICHAEL JAMES DOWLING
RICHARD ERIK DOYLE
BRIAN CHRISTOPHER DOZIER
PAUL DRAKE, IV
ROBIN KENNETH DREEKE
JOHN DAVID DROSNER
KRISTIN MARILYN DRYFUSE
CHRISTOPHER PATRICK DUFFY
JOHN DANIEL DUNAWAY, JR
BRADLEY DEAN DUNHAM
FRANKLIN CHRISTOPHER DUNN
MARTHA SUZANNE DUNNE
NGAN HUU DUONG
MARCY MATHIAS DUPRE, V
WENDELL SCOTT EARGLE
JARED VAUGHN EAST
CARL HARVEY EBERSOLE
MARC CHRISTOPHER ECKARDT
CHRISTOPHER ALLEN ECKERLE
DAVID VINTON EDGARTON
MATTHEW CHRISTOPHER EDIC
PETER STUART EGELI
PETER DAVID EISENHAUER
ALEXANDER WILLIAM ELLERMANN
JOHN KEVIN ELLZEY
CHRISTIAN BLAKE ELSTER
BRIAN POTTER ENDERSBE
STEPHEN SCOTT ERB
SHIRLEY ANN EUBANKS
BRIAN KEITH EVANS
GEORGE WADE EVANS
MARK TAYLOR EVANS
MICHAEL ANTHONY EVARISTO
PAUL KENNETH EWING
JOHN DAVID EYDENBERG
ANTHONY CHRISTOPHER FABIANO
JASON BANCROFT FAUNCE
TODD WARNER FERRY
TIMOTHY JAMES FETSCH
TODD BENNETT FINKLER
BRIAN JAMES FINMAN
RHETT FALK FISHER
JOHN PATRICK FITZGERALD
CHRISTOPH JACKSON FLAHERTY
TIMOTHY EDWARD FLECKER
BRIAN MATTHEW FLEISHER
PATRICK JOSEPH FLOOD
CARLOS DANIEL FLORES
FRANCIS THOMAS FLORES, III
ROBERT JOSEPH FLYNN
PATRICK VINCENT FOEGE
MARK DOUGLAS FOLDY
VINCENT HENRY FONTENOT, JR
DAVID ALAN FORD
JOSEPH K. FORD, JR
CALVIN MORGAN FOSTER
JASON FOURNIER
JOHNNY SAMUEL FOX, III
PETER JOHN FRANKENFIELD
JOSEPH ANTHONY FRATANGELO
GREGORY EUGENE FRENCH
WARREN KEITH FRIDLEY
THOMAS ANTONY FROSCH
PETER FROST
ROBERT CARLTON FULFORD
THOMAS FRIEDRICH FULTON
MARK LOUIS FUSCO
ARNOLD EDGAR GALIT
MICHAEL JOSEPH GALLAGHER
JULIANE JEAN GALLINA
JON ROBERT GALLOWAY
BRADLEY ROYCE GARBER
MONIQUE MARIE GARCIA
TODD WILLIAM GARCIA
DANIEL LEE GARDNER
JAMES PHILIP GARDNER
JOHN BRIAN GARRY
GREGORY KENT GASKEY
STEPHEN DOUGLAS GASTON
STEVEN JOHN GAUERKE
BRAD ANDERSON GAZAWAY
MICHAEL PAUL GEBHARDT
SCOTT ALLEN GENARD
DEMETRIOS MICHAEL GEOKEZAS
JAMES JOSEPH GEORGE, II
MICHAEL JOSEPH GIANNETTI
ROBERT ROYCE GIBBS, II
MICHAEL PATRICK GIGGIE
GREGORY WORTH GILLAND
SEAN CAMPBELL GILLESPIE
HILARY BUCKLEY GILLIGAN
TED DAVID GIRDNER
DOUGLAS VAIL GLASGOW
STEVEN GLENN GODINHO
DANIEL STEVEN GOLDENBERG
PAUL RICHARD GOMEZ
HENRY LUCIO GONZALES
LAWRENCE EDWARD GONZALES
JOHN FRANCIS GOODPASTER, III
DANIEL FRANCIS GOODWIN
BRYAN JOSEPH GORDON
KEITH HUNTLY GORDON
STEPHEN JOSEPH GORDON
GEOFFREY CHRISTOPHER GRAHAM
MATTHEW LEE GRAHL
WILLIAM BOARDMAN GRAVES
ANTHONY MAURICE GRAY
MICHAEL EARL GREENE
MICHAEL SCOTT GREENE
DANIEL QUENTIN GREENWOOD
MARK ALLEN GREGORY
CRAIG DENTON GRUBB
BRIAN DEAN GRUBBS
MICHELLE MARIE GRULKOWSKI
JOSEPH KEARNEY GUIDO
CHRISTOPHER DEAN GUIDRY
KENNETH MARK GUSTAVSEN
TIMOTHY ISAAC GUTIERREZ
WILLIAM TODD HAGEROTT
CHRISTOPHER JEREMIAH HAINES
SEAN PATRICK HALEY
VINCENT FLOYDEL HALEY
KIMBERLY RAQUEL HALL
JOHN MICHAEL HALLER
EARL DAVID HAMILTON
TODD ALEXANDER HAMILTON

WILLIAM BLAINE HAMMACK, JR
CHRISTOPHER MICHAEL HAMRE
UN KYONG HAND
MICHAEL WAYNE HANEY
DALE ALAN HANSON
DAVID JAMES HANSON
MICHAEL WILLIAM HARKS
TODD ANTHONY HARMAN
MARSHAL FRANCIS HARPE
JEFFREY STEVEN HARRIS
MATTHEW JORDAN HARRISON
JOHN WILLIAM HATALA
LAURA ROSE HATCHER
CHRISTOPHER DAVID HAYES
JONATHAN FRANKLIN HAYES
JONATHAN BRITTON HAYNES
STACEY LYNN HAYTHORN
WILLIAM HENRY HEANEY
WILLIAM ANDREW HEARTHER
PHILLIP WAYNE HEBERER
MATTHEW THANE HEISLER
SCOTT RICHARD HEISLER
STEVEN TODD HEJMANOWSKI
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TIMOTHY MICHAEL HILL
KEVIN LEE HINKAMPER
KERRY PHILLIP HINTON
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MYUNG SIN HOBSON
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DOYLE KENDALL HODGES
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SEAN WILLIAM HORTON
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PEYTON BRADFORD HUTTON
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SHAWN BRIAN INMAN
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KATHY ANN L. ITALIEN
NATHAN ADAM IVES
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JOHN EDENS JACKSON
RONALD GREG JACOBSON
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TRACEY NICOLE JAMES
WAYNE ANTHONY JANG
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CHRISTIAN THOMAS JENNINGS
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MATTHEW PEARSON JENSEN
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CHRISTOPHER LAWRENCE JOHNSON
JAMES THOMAS JOHNSON, JR
JOEL RUSSELL JOHNSON
JOEY JON JOHNSON
JUDSON ELLIOTT JOHNSON
LOUIE WILLIAM JOHNSON
ROBERT GREGORY JOHNSON
STACIA NILES JOHNSON
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KEVIN JAMES KENNEDY
LAWRENCE HENRY KENNEDY
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KATHLEEN ANN KERRIGAN
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KURT KANE KILGORE
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LAWRENCE JOSEPH KISTLER
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ROLAND JOSEPH KLEIN
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AMY LAWLESS
DAN EDWARD LAWRENCE
WILLIAM EDWARD LAWRENCE
HUNG BA LE
ROBERT TIMOTHY LEAKE
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LANCE PHILLIP LEE
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IGNACIO LEPE
LANCE LEON LESHER
MARY ANN LESLIE
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GREG ANTHONY LOPEZ
DAVID PARK LOWER
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AMANDA ANN MANGES
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TODD ALAN MASTERS
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ROBERT WILLIAM MATHEWSON, JR
MICHAEL DAVID MATSON
MARK MUIR MATTHEWS
MARK WILLIAM MATTHYS
DEMETRIUS FRENCHIE MAXEY
RYAN JAMES MCBRAYER
JAMES BRENDAN MCCALL
RICHARD KEITH MCCARTHY
CHARLES ANDREW MCCARTNEY
KURT MAXWELL MCCLUNG
ROBERT WAYNE MCCORMACK
JEFFREY DEEREN MCCREARY
MARK WILLIAM MCCULLOCH
JEFFREY ALAN MCDANIEL
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TALLEY ELIZABETH MCINTYRE
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ANTHONY EUGENE MCNEASE
MICHAEL EDWARD MCNULTY
DARREN GRAHAM MCPHERSON
JAMES ANDREW MCPHERSON
SAMUEL JAMES MECKEY
MICHAEL DAVID MEHLS
KEVIN ANDREW MELODY
CARLOS MENDEZ
KYLE ALDEN MENZEL
MELISSA ANN MICELI
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CHRISTOPHER ALMOND MIDDLETON
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WILLIAM JAMES MILITELLO
ERNEST DANIEL MILLER, JR
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PAUL MENDEZ MILLER
PERRIN LEE MILLER
SCOTT MORNINGTON MILLER
SUSAN STRINGHAM MINTON
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MICHAEL JUDE MOES
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LEIF ERIC MOLLO
JOHN VINCENT MOLOKO, JR
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ADRIAN QUENTIN MONTGOMERY
STEPHEN HIRO MOODY
MICHAEL JOSEPH MOONEY
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GEOFFREY COMAN MOORE
PATRICK JOSEPH MOORE
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GARY LEE MORRIS
JASON LEA MORRIS
JEROD LEE MORRIS
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RUSSELL BENFIELD MOSIER, III
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JOHN BARRON MOULTON
SHELBY ANDREW MOUNTS
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XUAN DUYET MUCK
THOMAS CHARLES MULDOON
MARGARET MARY MULLEN
NIKOLAI FRANCIS MULLIGAN
PAUL SEAN MULLIGAN
DAVID TROY MUNDY
LANCE DAVID MUNIZ
DEAN ANTHONY MURIANO
BRENDAN JAMES MURPHY
SEAN JAMES MURPHY
ROBERT CHADWICK MUSE
NICOLE MYSLINSKI
JAMES TAUBERT NADALINI
TAKESHI NAKAZAWA
BRUCE ANDREW NALEY
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STEPHEN LEE NEWLUND
CHRISTOPHER CUSHNIE NEWMAN
LONG KIM NGUYEN
DUDLEY STEPHEN NICHOLS, III
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CHRISTINE STEPHANIE NIEBUHR
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GAVIN DENIS O'HARE
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BENJAMIN GLENN REYNOLDS
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GAVINO RIVAS
CHRISTOPHER RICHARD RIVERA
DENNIS JAMES RIVET, II
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RANDY JOE ROBERGE
BONNIE RENEE ROBERTS
DAVID CHRISTOPHER ROBINSON
DOUGLAS RONALD ROGERS
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STEPHEN FREDERICK SCHMIDT
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JASON CHRISTOPHER SCHUETTE
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THOMAS EMIL SCHUTTE
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DAVID MEREDITH SCOTT
JENNIFER MARIE SCOTT
KEITH ALLEN SCOTT
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OLIN MICHAEL SELL
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AMY MARIE SEURYNCK
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THOMAS PATRICK SHANLEY
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HANS ERIC SHOLLEY
LEE ROY SHORT
MICHAEL CARL SIEPERT
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JACOB CHARLES SKALA
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GEORGE PATRICK SMITH
JASON ALAN SMITH
MARK ALLEN SMITH
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SAMUEL DOUGLAS SNOW
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MICHAEL BRENDAN TATSCH
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KYLE WILLIAM MAAS TAYLOR
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TREVOR NEGAL TYLER
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JEFFREY MICHAEL VORCE
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SAMUEL HOPKINS WAGENER
THOMAS ROBERT WAGENER
HANS CHRISTIAN WALDRAFF
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ANTONIO LEVONNE WALKER
SAMUEL EUGENE WALKER, JR
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CHARLES FLETCHER WARNER, III
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MICHAEL DAVID WATERS
DEAN PATRICK WATKINS
KRISTIN LEE WATT
KYLE CORDELL WEAVER
JOHN DAVID WEBER
ARTHUR ERIC WEISS
DAVID BAXTER WELLER
JAMES BENJAMIN WELLONS
STEVEN MICHAEL WERVE
LANCE CHRISTOPHER WEST
STEVEN WAYNE WEST
JAMES FRANKLIN WEYANT, II
MARCINE MANNING WHEATFALL
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TROY TADEMY WHITE
LANCE EDWARD WHITEWOLF
ERIC SCOTT WHITMAN
DAVID ROBERT WHITTAKER
ADAM RANDAL WICHMAN
DAVID JAMES WICKERSHAM
BRYAN DUDLEY WILLIAMS
CHRISTOPHER KIMBER WILLIAMS
COLIN PATRICK WILLIAMS
DAVID CHARLES WILLIAMS
JONATHAN ROBERT WILLIAMS
KEVIN GEORGE WILLIAMS
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STEVEN LESLIE WOOD
TIMOTHY SHEA WOOD
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WILLIAM MANNING YANCEY
LYN MARIE YATKO
THOMAS AMBROSE YORK
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MARK BRADLEY ZINSER
STEVEN MARTIN ZIP
JOSEPH SALVATORE ZURZOLO

EXTENSIONS OF REMARKS

CASEY WONDERGEM: STAND-IN, AND STAND-OUT, IN PUBLIC AFFAIRS

HON. GUY VANDER JAGT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. VANDER JAGT. Mr. Speaker, he has always been a stand-out in his chosen field of public affairs. And when Casey Wondergem was recognized recently, after a lifetime of service to community organizations, State and local political efforts, and, of course, his employer, the tributes were genuine—and enthusiastic. But let the story in the Grand Rapids Business Journal tell the tale:

STREET TALK: ONWARD

(By Carole Valade Smith)

The good news this year belonged to Amway (and very nearly Amway alone). The Tribute luncheon last week, however, belonged to Casey Wondergem, Amway's senior public affairs counsel. But it was not an event related to Amway. Baxter Community Center Executive Director Gene Proctor thought Wondergem deserved a spotlight all his own, having served and benefacted Proctor's board for more than 10 years and generally for working behind the scenes on most every community fund-raising effort, including the largest in the city's history, the new Grand Rapids Public Museum campaign. The luncheon itself, however, was strictly a tribute and not a fund-raiser (i.e. no luncheon ticket proceeds were donated to Baxter Community Center).

Twas a star-filled afternoon, with comments more akin to roasts than tributes from Amway's leading men. Amway COO William Nicholson played "The Candy Man" song for Wondergem, after complaining that he can't get to his parking space for all the school buses and social service agency vans parked in wait for Casey. But co-founders Rich DeVos and Jay Van Andel had already told the best one-liners regarding Wondergem's giving program fueled by Amway money. Van Andel honored him for "my generosity with which he is so spirited." DeVos suggested Wondergem talk with Fred Meijer, who "is jacking up his numbers again" (in regard to recent profit and wealth stories) and suggested a "Get Fred First" community fund-raising campaign. (Meijer served on the Tribute steering committee but never had the microphone to retort.) Sincerity and thanks were saved for emcee Robert Hooker, Proctor and Grand Rapids Foundation Executive Director Diana Seiger. (Hooker, by the way, is said to be negotiating for a June appearance by D. Storm's Norman Schwarzkopf. Hooker is president of the Grand Rapids Economic Club.)

Proctor said several local agencies had requested to be part of the Tribute, a measure of Wondergem's community commitment and scope of influence. Those groups included Pine Rest Christian Hospital; Butterworth Hospital Foundation; Helen DeVos Women's/Children's Hospital; Grand Rapids Performing Arts Center; Grand Valley State University Foundation; Celebration on the Grand; Gerald R. Ford Museum; Grand Rapids Symphony Society; Economic Club of Grand Rapids; West Michigan Special Olympics; Downtown Development Authority; Grand Rapids Area Chamber of Commerce; The Right Place Program; and United Way.

As the article notes, Casey has always been willing to go the distance for his employers—and his friends. Why he even was willing to play "wife for a dinner"—and he'll still go a long way for a free meal. Here's that story from the Grand Rapids Press more than 20 years ago:

PR MAN PLAYS A CONGRESSMAN'S WIFE BEFORE NATION'S NOTABLES

(By David Nicolette)

Actors may recall strange and exciting roles in their careers, but none will ever top Casey Wondergem and the night he played the wife of 9th District Rep. Guy Vander Jagt.

"It was fabulous, unbelievable," says Wondergem, who operates a public relations company here. It was also a nerve-straining experience as he braved the carefully-planned security measures for the President Nixon state dinner honoring Apollo 11 astronauts.

"Guy said, 'Stick close to me,' worked his way through this big crowd on the steps leading to the ballroom and waved his invitation at the people checking credentials," says Wondergem. "I don't know how we did it. I just followed close and we were in. One of the security men called, 'Hey, is that for two,' and Guy waved and nodded and we went right in."

The trip to Los Angeles and the celebrity-jammed dinner last Aug. 13 started with a telephone call from Vander Jagt in Washington to Wondergem here the day before.

"His wife Carol was expecting a baby and she couldn't go to the dinner," says Wondergem. "So, Guy says, 'Why don't you meet me out there and go with me.'"

Wondergem refused at first, appalled at the idea of "standing-in" for his good friend's wife at such a historic event. Besides, arranging for an airline flight, getting a tuxedo and all the other arrangements seemed insurmountable.

"Then I mentioned it to my wife Violet and my son Tim, who is a real space nut, and they said, 'Well, you're going to go aren't you?'"

Maybe it was the excited, wide-eyed look of Tim that decided him. Anyway, Wondergem hustled around and made the trip.

A month later he still shakes his head in disbelief and says, "I'm amazed that it came off."

Incidentally, Mrs. Vander Jagt gave birth to a girl, Virginia Marie, at Fairfax Hospital in Great Falls, Va., on Sept. 7.

Her stand-in never felt a thing.

Frankly, I think Carol would have traded places in a heartbeat, but as proud parents, then of a new born and today of a summa cum laude college graduate, we were delighted to have had a chance to let a stand-out friend be a stand-in companion. Casey is not only a stand-out as a friend, as a political sounding board, and as a public affairs executive, he is an asset to his community. He and his wife Vi are truly an example to all of us of a dedicated and loving family, and of folks who believe that they have an obligation to share their life and joy with others. It is a pleasure to relive some old, and great, times in recognizing Casey. I offer a brief biography of Casey for the edification of my colleagues:

CASEY WONDERGEM

Active in public relations all his adult life, Casey Wondergem brought with him to Amway an established reputation as an expert in his field.

Upon graduation from Calvin College in 1951, he served four years in the Air Force. Wondergem worked in the Public Information Office of the Alaskan Air Command as feature and speech writer for Major General Acheson. Returning to Grand Rapids, he became manager of the Christian Reformed Church Centennial Celebration, directing activities throughout the U.S. and Canada.

During the next 22 years, Wondergem was a freelance public relations counselor, gaining broad experience in all phases of P.R. His major accounts included leaders in the architectural, engineering, and building fields, in locations ranging from California to Jamaica. His responsibilities included bond issue campaigns and promotions for schools and hospitals, open house events, and government relations.

At the same time, he was active in numerous political activities involving both candidates and bond-issue referendums. He also took prime responsibility for several Congressional election campaigns.

Wondergem became best-known locally for his successful fund-raising campaigns on behalf of such non-profit organizations as Pine Rest Christian Hospital (the nation's second largest mental hospital), Butterworth Hospital, the Grand Rapids Performing Arts Center, and Grand Valley State Colleges.

Joining Amway in May, 1979 as Corporate Public Relations Office and "spokesman for Amway" to news reporters, he quickly organized a smooth operating team of skilled professionals. Presently Director of Public Relations, he is responsible for a wide variety of public information services, including media contacts, corporate publicity and special events, community relations, advocacy programs, and speeches and schedules for Rich DeVos and Jay Van Andel.

His current membership in a broad spectrum of organizational boards and committees reflects both Amway's interests and his own. Among others, Wondergem is a member of the Public Relations Society of America, the International Public Relations Association, the Celebration on the Grand Committee, the Public Museum Campaign Committee, the Grand Rapids Symphony Society, SAS Children's Village (Jamaica), the Grand Rapids Economic Clubs, the New Grand Rapids Committee, the West Michigan Special Olympics, the Direct Selling Association

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

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

Public Relations Committee, and formerly, the Netherlands-American Bicentennial Commission.

His personal interests and those of Violet, his wife, include sailing, swimming, skiing and tennis. They have one married son, Timothy.

WHY WE NEED TO IMPROVE CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 18, 1991 into the CONGRESSIONAL RECORD:

WHY WE NEED TO IMPROVE CONGRESS

Earlier this year I introduced legislation to set up a temporary House-Senate committee on congressional reorganization. The idea is to have a comprehensive, systematic review of the structures and procedures of Congress to see how they could be improved. Here are some reasons why such an effort is needed:

PROCEDURAL INEFFICIENCIES:

Members of Congress must deal with 200-member conference committees trying to reconcile different House and Senate versions of a bill, allnight session to deal with the pileup of important bills at year's end, and 2000-page omnibus bills that must be digested and voted on within hours. The same time-consuming issues can be taken up repeatedly, and filibusters and other delaying tactics are becoming more frequent, even on minor issues. Many congressional procedures, such as the budget process, are so complex that not even those who drafted them agree on what they mean.

OVERLAPPING COMMITTEES:

The number of congressional committees and subcommittees has grown sharply in recent years, from 38 in 1947 to more than 300 today. At least 40 committees in the House and Senate, for example, would be involved in crafting a national energy policy. Issues are considered by three layers of committees— the budget, authorization, and appropriations committees. Multiple committee referrals of bills have jumped sharply in recent years, tieing up legislation. Congress increasingly has had to resort to task forces or ad hoc groups outside the normal committee channels to get things done.

NEW ISSUES:

The division of committee responsibility has not kept up with the changing domestic and international agenda. And increasing array of issues before Congress—such as global warming, terrorism, and drug trafficking—are both international and domestic and no longer cut neatly across organizational lines. The end of the Cold War and growing economic interdependencies mean Congress will face a new set of challenges and priorities.

SCIENTIFIC, TECHNICAL COMPLEXITY:

Congress faces an explosion of scientific and technical information, on everything from arms control verification to telecommunications policy. In an era of tight budgets, Members are being called upon to choose between major scientific projects that few fully understand. It is not clear that Congress is ready to handle an increasingly complex agenda.

DISPERSED POWER

With the reforms of the 1970s, congressional power has become too fragmented and too dispersed. Today, for example, all Senate Democrats and almost half the House Democrats chair subcommittees, and similar share of Republicans are ranking minority members. When everyone is part of the leadership, the act of leading becomes more difficult. In addition, the declining importance of political parties in campaigns has increased the independence of Members. That means that coalitions in the modern Congress must be reassembled for every significant piece of legislation.

MANAGEMENT DEFICIENCIES

Congressional offices are frequently cramped and overcrowded, and many are not utilizing the latest information technology to ease workloads. Mail coming into congressional offices has increased twenty-fold over the past two decades. Some weeks mail simply overwhelms offices, and keeps staff and Members away from legislative work. Congress itself, with its extensive buildings, land, and workers, in many ways resembles a small city. Check bouncing and unpaid food bills are symptons of management deficiencies.

STAFF

House and Senate staff have doubled since the late 1960s to some 12,000 today, with most of the growth in the 1970s in response to the growing federal agenda. Staff is frequently misallocated, with too many in some areas and too few in others.

HOUSE-SENATE RELATIONS

Cooperation between the two chambers is frequently hampered by problems including different legislative agendas, different procedures, and even different workweeks. The jurisdictions of related House and Senate committees often differ, complicating the legislative process and resulting in House-Senate conferences in which a committee from one chamber meets with two, three, or four committees from the other.

OVERSIGHT

Congress has gotten so bogged down that it frequently gives insufficient attention to executive branch oversight. For example, there was clearly inadequate oversight of the savings-and-loan regulators before the industry collapsed. Moreover, when oversight does occur it is often prosecutorial rather than policy-oriented.

LEGISLATIVE-EXECUTIVE RELATIONS

A lack of trust between the branches produces too many conflicts and inefficiencies. When Congress thinks its wishes are being ignored, it somtimes micromanages programs, adds earmarks for funding, and sets up extensive requirements for reports. One cabinet official told me that 40% of his time in Washington is taken up by testifying before various congressional committees, typically repeating the same testimony over and over.

SHORT-TERM THINKING

Congress too often is simply reactive, unable to think long-term. The national debt has quadrupled since 1981 to more than $4 trillion, mortgaging America's future. Federal programs that involve long-term investments—for infrastructure, research and development, and education—are dwarfed by federal spending for current consumption, and are more likely to be cut in tough times. The congressional planning horizon for budgets and program authorizations is typically only one year.

PUBLIC UNDERSTANDING OF POLICY

Despite the extensive coverage of Congress, even basic facts about federal policy are poorly understood. When most Americans don't know, for example, whether the largest federal spending category is foreign aid or defense or older Americans (the answer is older Americans); whether tax policy is tilted toward consumption or investment; or whether a greater share of GNP goes for welfare or education, it is little wonder that Congress has difficulty moving to address the major issues of the day. Congress took an important step when it opened its proceedings to television. Yet viewers do not understand the process and are more likely to see scripted speeches, empty seats, and bickering than major debates on key national issues.

Certainly not everything is wrong with the organization of Congress. But improvements can be made, as they often have been in the past. Organizational reform is no panacea; political will is also needed to tackle the issues Americans care about the most. Yet reforms that remove institutional roadblocks and inefficiencies could improve the ability of Congress to respond effectively to its increasingly complex agenda.

SHAZZON BRADLEY OFFERS THANKS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DUNCAN. Mr. Speaker, those of us who are fans of the University of Tennessee football team have closely followed a young man named Shazzon Bradley for the past 4 years.

He has been an outstanding player and has been a very valuable member of the team.

Shazzon is from Athens, TN, which is in my congressional district. I first met Shazzon at his church one day, and it was obvious to me that I was meeting a high-quality individual.

Since that time, I have heard many good things about Shazzon Bradley. I am especially impressed with his kindness toward children.

Some of our athletes are looked up to but should not be. Shazzon Bradley is truly an athlete who deserves respect and admiration from young and old alike.

On November 29, 1991, the Knoxville News-Sentinel published a column written by Shazzon. I was so impressed by it that I wanted to share it with my colleagues and other readers of the CONGRESSIONAL RECORD.

We too often read about athletes who get in trouble. We do not often read about the good personal qualities that most college athletes have and which really come through in this article by Shazzon Bradley.

BRADLEY REFLECTS ON HIS YEARS AS VOL, OFFERS THANKS

(By Shazzon Bradley)

(Editor: You might not recognize Shazzon Bradley's byline, but I think you know the name. In his four years at the University of Tennessee, he has been the quintessential team player, shifting from one defensive position to another for the team's benefit and sometimes his own detriment.

(But that's not the main reason for giving him a forum in the sports section on the eve

of his final game at Neyland Stadium. For four years, he has been enlivening our stories with sparkling quotes and anecdotes.

(We owed him one.—Editor)

I've had a very good—no, an outstanding career at Tennessee. There have been many ups and downs, but I've grown from it all.

As I reflect on my career here, I'm grateful for many things; I'll try to mention a few.

I'm grateful for the opportunity to get a college degree. That was a dream I thought would never happen, but it will soon be a reality. I'm very happy and proud of that.

The coaches, administrators and teachers have been very helpful and positive about graduation being my primary reason for being at the University. I'd like to thank the many folks who have helped, especially those who have studied with me.

Thanks to the many fans who have been kind and supportive. It has really been a thrill to have so many people want me to succeed; to hear 96,000 people cheer when my name is called, I just can't describe it.

One of the great traditions at Tennessee is in your senior year, when you run through the "T" as you tell everyone goodbye. I'd rather stand outside the stadium and shake each fan's hand and look them in the eye and thank them for what they've done for me.

I'd like to hug all the children who made me their hero. Their innocence and love is overwhelming. Only eight short years ago, my abilities in the classroom were seriously questioned, and now kids stand in line to get my autograph.

I wish everyone could have that feeling. Thanks to all of you, I have been able to experience that.

My teammates have been great. My freshman year we lost our first six games, and it was pretty scary when that was your first taste of college football. But since then, we've only lost five games. I've been associated with some real winners, people who know how to pay the price, to recover, regroup and go forward.

I've learned a lot from all of them and I've grown from these relationships.

Last, but absolutely not least, are my coaches. So much has been said since I've been here, but not enough has been said about the coaches. I've gotten upset with them, and they have gotten upset with me. But overall, I'm very grateful for my coaches.

I want to thank Phil Fulmer for recruiting me, taking a chance on me when other schools weren't so sure; Ken Donahue for working me hard so I could start as a freshman; Dick Bumpas for believing in me; Jim Bates for making me believe in myself (I think often of you, Coach Bates); Rex Norris for teaching me techniques and knowledge of the game (If God answers my prayers and I play in the NFL, it will be because of you.); I appreciate Larry Lacewell for having confidence in me.

And now, I want to thank "The Coach," Johnny Majors.

People never realize how much he helps the players in ways other than football. I thank him for his open door, for always hearing me out, for giving me a fair shake when my mouth had written checks my butt couldn't cash.

His football knowledge is second to none, and his friendship is worth more than I could express. Coach Majors IS "Big Orange," and I always want to be a part of it.

You can see how grateful I am for my four years here. There have been some tough times, but I have learned to overcome them and win.

Some might say I was moved around too much and not allowed to showcase my talents. I say, I've started for UT at more positions than any player in the history of UT.

I've never had my picture on the front of a game program, but I've been listed as a starter in most of them since I've been here. I've never singlehandedly won a game, but I've had a hand in every game UT has played for four years.

No post-season bowls (Senior, East-West Shrine, Hula or Japan Bowl) have contacted me. I do not know what my future in football will be, but I can tell you that my future is bright because of my four years here at UT. I've learned to win, to give 120 percent on every play, at every practice, in the weight room and most importantly in the classroom.

I want to say goodbye to all the folks that made my career here possible and fulfilling. But before I say too many goodbyes, I still have a semester to go, and I don't won't those professors to forget old Shazzon too quickly.

I still need their help.

SALUTE TO MACK POWELL

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MATSUI. Mr. Speaker, I rise today to salute the many achievements of a good friend and an outstanding American, Mack Powell. Mack was president of the 124,000 member California Association of Realtors [CAR] in 1991, and was the first president to come from the Sacramento association since the 1940's.

Under Mack's leadership, the realtors focused on encouraging the membership to get back to the basics of marketing and selling homes. In a year which could have been divisive for the industry, Mack kept the CAR productive by incorporating the concerns and needs of its members into effective policy actions.

Mack's dedication to his staff, his colleagues and the entire real estate industry made him an outstanding president. His sensitivity to human need and his fine sense of humor makes him truly beloved. Indicative of Mack's wit was a comment he made last year for which he became well known. He said, "We are not in a recession. We may be having the smallest boom we ever had, but we are not in the midst of a recession."

Mack never stopped talking about affordability. He continually stressed to the media and the membership that it was time to get back to selling people homes as a principle means of shelter and not necessarily the principle means of wealth. He worked with low income housing advocates as well as the building industry to look for areas of common ground to help promote affordable housing. In an effort to help the membership cope with the changing real estate market, Mack developed and held six educational "Spring Conferences" around California. Although he has left his post, Mack left the California Association of Realtors strong and dynamic and in a position to effectively address the many issues facing the real estate industry.

Mr. Speaker, it is truly an honor to speak on behalf of Mack Powell. I know the Sacramento community and the real estate industry will continue to look to Mack for the same kind of inspiration and leadership he has always shown. I ask my colleagues to join me in congratulating Mack and in wishing him many years of continued success.

JIM TOWEY: MIAMI'S NEW HRS CHIEF

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Jim Towey, who recently was featured in the Miami Herald, after he became the new chief of the Florida Department of Health and Rehabilitative Services [HRS] in Dade and Monroe counties. The article "New HRS Chief Here To Serve Poor," by Adres Viglucci tells how his varied background as a congressional aide and worker for Mother Teresa in a Mexican village have helped prepare him for his new position:

The plainest clue that Jim Towey is not your typical bureaucrat sits on his desk in the governor's office in Tallahassee: a picture of him and Mother Teresa.

The portrait was one of the first things to come out of the moving boxes Thursday, when he took over his new office at the state Department of Health and Rehabilitative Services district headquarters in Miami.

Towey, the governor's unconventional choice as new HRS chief for Dade and Monroe counties, steps into one of the most important—and thorniest—jobs in local government with a reformist's zeal and a missionary's devotion.

Towey—pronounced *Too-ee*—shuns bureaucratic euphemisms about "clients." His language, tinged with deep religious conviction, is blunt.

"We're here to serve the poor," he said.

Towey set the tone on his first day, speaking to his top deputies during a morning meeting about their obligations to taxpayers and the people HRS serves. Later, Towey mixed easily with the residents of HRS' Landmark Learning Center, an institution for severely retarded people in North Dade.

Gov. Lawton Chiles named Towey to the job last month, after HRS district administrator John Farie resigned amid criticism of his work.

Towey's path to HRS followed an unusual route: from law school at Florida State and a seven-year stint as a congressional aide to a detour in Calcutta, India, where a fateful meeting with Mother Teresa, the Nobel Prize-winning Catholic missionary, transformed his life.

Burned out on politics, he got rid of everything he owned, and went to work for Mother Teresa in a Mexican village with no running water or electricity.

The experience, he says, only partly in jest, should prepare him well for public service with HRS.

Three years later, at 35, he's taking over a huge, troubled bureaucracy with a $1 billion budget and nearly 5,000 employees, despite little experience in social work administration.

Unfazed, Towey quotes Mother Teresa: "God doesn't call me to be successful. He calls me to be faithful."

"I can be faithful to certain principles," Towey said, "I can be faithful to the dignity of the people we serve, to the public who pays for our services, and to HRS employees who are giving their lives to a thankless job."

Towey got a taste of just how thankless on his first day. He was greeted by a newspaper article describing how HRS investigators dismissed complaints that a Northwest Dade man was beating his children.

The man, Wayne Oats, is now charged with beating his baby boy to death last week. A police detective said HRS investigators might have prevented the baby's death.

"This is what I knew I was getting into," Towey said.

Citing the baby's death. Towey pleaded for more funding for the district's abuse investigators during a meeting Wednesday with the Dade legislative delegation in Tallahassee.

Towey is taking over the job at an especially troubled time for HRS. The Legislature is expected to approve $140 million worth of cuts to its budget.

Towey said he intends to use his new job to persuade Tallahassee that Dade and Monroe must have more money for social services.

"Tallahassee is going to hear loud and clear that we're going to have a lot of poor people who don't get served," Towey said.

If anyone can get the word through, it's Towey, said Dade State Attorney Janet Reno.

"He comes across as a deeply religious person, but I think he can be very tough when he needs to be," Reno said. "His intensity may help convey the message to those who don't hear it.

"His caring is very eloquent, but he also has a very realistic sense of politics. He's no babe in the woods. I think he's going to be marvelous."

But Towey still must prove himself, some Dade legislators said Thursday.

"I think he's a fine person, but I don't know about his managerial skills," said Senate President Gwen Margolis, D-North Miami Beach. "Not that I question them. That remains to be seen.

"He certainly is a very good-spirited person. He thinks good thoughts. What can I tell you? He walks with Mother Teresa."

I am happy to pay tribute to Mr. Towey by reprinting this article. He brings many unique and valuable qualities to his important job as the administrator of State services for those in need in south Florida.

A TRIBUTE TO GLENN BRENNER

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mrs. MORELLA. Mr. Speaker, today, I would like to pay tribute to a constituent, Glenn Brenner, who died tragically last week at the age of 44 after being diagnosed with a malignant brain tumor. Mr. Brenner was a Washington broadcaster and a Bethesda resident whose sudden and untimely death was a tremendous loss for the community. Rarely has a television sportscaster touched the lives of so many sports fans and non-fans alike.

Glenn Brenner distinguished himself with his charm, honesty, and extraordinary sense of humor. Watching one of his newscasts was a treat, for Glenn talked about the "big game" without getting technical or too wrapped up in scores and statistics. He delivered a broadcast that non-sports fans could not only follow, but truly enjoy. He always kept sports in perspective.

Glenn began his career as an athlete, a baseball player with the Philadelphia Phillies' organization before moving into broadcasting. After stops in his hometown of Philadelphia, Huntington, WV, and Millville, NJ, Glenn came to Washington's WUSA–TV—channel 9—in 1977. For the next 14 years, Glenn laughed and cried with athletes of all shapes, sizes, and abilities. Sportscasters enjoy interviewing a famous athlete, but interviews with little leaguers and fans on the street were always done in a professional, yet sympathetic manner.

Some say Glenn Brenner was a comedian in a broadcaster's body. That was partly true. However, no one can ever say that Glenn treated a story too lightly or did not treat it with sensitivity.

Glenn was a devoted husband and father to his wife and three children, making his family life his first priority amid a busy broadcasting schedule.

I offer my condolences to Glenn's family. As evidenced by the hundreds upon hundreds who braved bitter temperatures to pay their last respects, Glenn's passing has left a void not only for his family and friends, but also for hundreds of thousands of his fans in the Washington area who may never have met him. But thanks to his magnetism and good humor, we came to consider him a close friend. To paraphrase his colleague Gordon Peterson, Glenn was a real "pal" to all of us.

A TRIBUTE TO JOSEPH "TURK" KANE

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BLACKWELL. Mr. Speaker, I rise today to pay tribute to a man who has dedicated his life to the International Longshoreman's Association, and the well-being of the Port of Philadelphia. As Joseph "Turk" Kane retires from nearly 60 years of service on the Philadelphia waterfront, I would like to take this opportunity to reflect on Turk's remarkable career.

Joseph "Turk" Kane was born in Philadelphia on August 17, 1918, the fifth son of Teresa and John Kane's 13 children. Since his birth, Turk has never been far from the waterfront. In 1933 at the young age of 15, Turk was obliged to leave school and begin work on the waterfront, due to financial hardships.

Over the years, Turk worked with various gangs on the waterfront. During World War II, at the request of the Army, Turk volunteered together with other Philadelphia longshoremen, to go to Greenland to instruct soldiers in the loading and unloading procedures of cargo ships. A few years after the war in 1951, Turk served on the committee which negotiated upcoming labor assignments. He has participated on each and every negotiation committee ever since. In December 1953, he was elected Secretary of International Longshoreman's Local No. 1291. Turk served in this capacity until 1971. Turk has also served as a trustee of the sugar royalty and pension funds, secretary-treasurer of the Philadelphia District Council I.L.A., and chairman of the board of trustees of the pension fund. In 1971, Turk was elected administrator of both the pension and welfare funds.

All of these tremendous accomplishments aside, I would like to talk about Turk the adviser and friend. Throughout the course of his years of service, Turk has gained the respect and admiration of every person associated with the Port of Philadelphia. As an aggressive, yet sympathetic administrator, Turk has always been there for any fellow member who came to him.

During all these years of dedicated service, Turk has always been supported by his wonderful wife of 50 years, Mary, his four children, and his six grandchildren. Despite his overwhelmingly busy schedule, Turk always had time for his family, and their well-being.

The Port of Philadelphia is extremely fortunate to have had Turk Kane on its side. As a man who knows the waterfront well, I have watched Turk Kane constantly striving for the continued success of the Port of Philadelphia, and the well-being of his fellow workers. He is a credit to the city of Philadelphia and the United States of America. The world needs more men like Turk. I ask my colleagues to join me in wishing Joseph "Turk" Kane much happiness and good health in his retirement.

SUPPORT INDEPENDENCE FOR KOSOVA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BONIOR. Mr. Speaker, recently, there has been progress toward a cease-fire to end 6 months of Serbian-led aggression against Croatia. I sincerely hope this cease-fire, unlike the many previous ones, will hold, bringing peace to Croatia.

While Serbian aggression against Croatia has dominated press coverage, there is another terrible situation of long standing—Serbian repression of over 3 million ethnic Albanians in Kosova and throughout the region. We must not forget the continuing repression in Kosova especially as the fighting in Croatia subsides. In fact, with the end of violence in Croatia, there is a real possibility of escalating aggression and repression against Albanians in Kosova.

The Communist regime of Slobadan Milosevic has committed a litany of brutal human rights abuses against ethnic Albanians. This past year, scores of Albanians have been killed and tens of thousands have been fired from their jobs on the basis of ethnicity. A state of emergency is still imposed on Kosova, and many political activists have been imprisoned.

A more recent example of violence against ethnic Albanians is the brutal beating at the hands of police and the subsequent death of Mikel Marku, a lawyer and former district judge. Early last month, I wrote the President

to urge that the United States adopt a policy toward Yugoslavia that stresses human rights and self-determination for all peoples.

It is with great pleasure, therefore, that I am happy to cosponsor the resolution which has been introduced expressing the sense of the Congress that the President should recognize the independence of the Republic of Kosova and extend full diplomatic recognition.

Recognizing Kosova and extending full United States diplomatic recognition would indicate our firm commitment to see that ethnic Albanians achieve their wish for independence and self-determination.

I urge my colleagues to support this important resolution.

TREATING ISRAEL UNFAIRLY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. FRANK of Massachusetts. Mr. Speaker, one need not be in agreement with all of the policies that Israel has been following in its administration of the territories it holds as a result of the war it fought in its own self-defense in 1967 to be unhappy with the administration's recent support for a U.N. resolution strongly condemning Israel and calling into question Israel's right to consider a unified Jerusalem as its capital.

The case against this dangerous resolution, which can only encourage some of the most irresponsible element in the Arab world who remain unreconciled to Israel's existence was made very cogently by William Safire in his article in the New York Times on January 9.

Because it is important that our Government play a more reasonable role in its relationship with Israel if we are to succeed in helping bring about a true peace in the Middle East, I ask that the article by Mr. Safire be printed here.

STRONGLY CONDEMN

(William Safire)

WASHINGTON.—At 11:30 A.M. on Friday, Jan. 3, in the State Department office of Assistant Secretary Edward Djerejian, at the instigation of Director of Policy Planning Dennis Ross and with the concurrence of Richard Haass, a national security aide, the decision was made to unload on Israel as never before.

P.L.O. hit men had murdered four Israeli settlers in the past 10 weeks, provoking Israeli to expel a dozen Palestinian inciters to violence—a measured and bloodless retaliation to deter further killing. Now Yasir Arafat was sending word that Arabs would boycott the peace talks unless the U.S. voted in the U.N. to "strongly deplore" the deportations.

The U.S. had in May 1991 voted to "deplore" (up from a previous "regret") such action by Israel, after deportations helped suppress an outbreak of knifings of Israeli civilians. Now the P.L.O. wanted to offset the U.N.'s recent rescission of the "Zionism is racism" resolution by ratcheting up the disapproval one notch: to "strongly deplore."

Mr. Ross acquiesced in this blackmail and raised the ante: the U.S. would not only grant the P.L.O.'s wish to add adverbial strength to our disapproval, but the trio at State changed the wording to "strongly condemn" Israel.

Words have weight in diplomacy. When Saddam Hussein invaded Kuwait, the U.N. resolved to "condemn" Iraq, its most severe denunciation. By proposing to strongly condemn Israel, the trio at State was even more severe.

The escalating anger of Secretary Baker's trio was based on a false reading of international law. The Geneva Convention of 1949 was directed against Nazi-style mass deportations of whole populations; it has been twisted by Arab dictators to cover the deportation of individual riot-inciters by Israel in territories whose sovereignty is in dispute.

When Saudi Arabia runs 600,000 longtime Yemeni residents out of the Kingdom, as it did last year, the U.N. and U.S. stand mute. When Kuwait ejects over 200,000 peaceful Palestinians, many lifelong residents, from the land we saved from Iraq—many of whom entered the West Bank—that's mass deportation of a population. The U.N. and U.S. look shyly away.

But when Israel arrests 12 known troublemakers and releases them at the border to discourage the murder of more Israelis, an outraged trio at State, with Bush-Baker approval, escalates the U.N.'s hypocritical "deplore" to "strongly condemn."

Moreover, we sign on to words in those one-sided resolutions that specifically undermine the Camp David accords, which carefully refrained from defining who owned what territory.

Twice in this week's appeasing condemnation we see the phrase "occupied Palestinian territories," once even adding "including Jerusalem." If that issue has already been decided by the U.N.—if the disputed lands are Palestinian by definition—then what's left to negotiate?

Not to worry, says our strongly condemnatory trio: we plead guilty with an explanation. In an "EOV"—"Explanation of Vote"—our Perm-rep mumbles that our acceptance of this conclusion is "merely demographically and geographically descriptive and not indicative of sovereignty." If we have to explain that the words do not mean what they clearly say, why do we sign?

"This resolution gives aid and comfort to terrorists who want to derail the peace process," says Defense Minister Moshe Arens in Tel Aviv. "Expulsions are effective in stopping incitement to murder. You can't always use conventional judicial means, as the U.S. showed in Panama and Libya."

I also called Gov. Bill Clinton, campaigning in Tulsa. He was on top of the issue:

"We should have had a resolution, but a more balanced and less extreme one. To use that language, stronger than the condemnation of Iraq's invasion of Kuwait, with not word one about what seems like systematic terrorist attacks—and when the U.N. has said nothing about the deportation of Palestinians from Kuwait—I think it was a mistake.

"The U.N. has to be seen by all sides as a trustworthy guarantor of the peace," said the Democratic front-runner, "and this resolution does not further that."

REDUCE CAPITAL GAINS TAX AND ENCOURAGE INVESTMENT

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HUBBARD. Mr. Speaker, I have received and would like to share with my colleagues an excellent letter from my friend and constituent Darrell L. Gustafson, president of First City Bank and Trust Co. of Hopkinsville, KY.

In his letter, Mr. Gustafson makes some very cogent arguments in favor of an investment tax credit and a reduction in the capital gains tax. By combining these two reforms, he argues, Congress could stimulate long-term investment without any undue loss of tax revenue. The letter follows in its entirety:

FIRST CITY BANK AND TRUST CO.

Hopkinsville, KY, January 3, 1992.

Congressman CARROLL HUBBARD,

Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN HUBBARD: In my position as a banker in Western Kentucky, I am seeing an increasing amount of procrastination on the part of borrowers to consummate investment plans due to two very important issues, investment tax credit and capital gain taxation. We simply must have legislation addressing these issues if our local economy is to continue to prosper.

Please consider the following example as it applies to capital gains taxation.

1. Leave the rate at the current level of 28 percent for short-term gains.

2. Offer the following credits for assets held for a specific period.

[In percent]

	Credit	Effective tax rate
Assets held 3 to 5 years	10	25.20
Assets held 5 to 7 years	20	22.40
Assets held 7 to 10 years	30	19.60
Assets held over 10 years	40	16.80

We feel that this approach would do much to get us back on the road to economic recovery. I have personal knowledge of one multi-million dollar transaction that hinges on the issue of capital gain taxation. Your affirmative vote on this issue would be appreciated.

Similarly, we have several loans for capital items pending with the determining factor being investment tax credit.

Investment tax credit, coupled with a reduction in capital gains taxation is the medication needed for our economy.

Would you please have this letter made a part of the congressional record and urge your constituents to support these very important issues.

Sincerely,

DARRELL L. GUSTAFSON.

STRATEGIC DEFENSE INITIATIVE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday,

December 4, 1991 into the CONGRESSIONAL RECORD:

STRATEGIC DEFENSE INITIATIVE

The Congress recently approved a defense bill that makes important changes in the scope and direction of the Strategic Defense Initiative (SDI), the Pentagon's main program for antimissile defenses. The defense bill, which the President is expected to sign, would move the program toward a limited deployment of ground-based defenses later this decade, and would place new emphasis on defenses against short-range missiles like those used in the Gulf War.

BACKGROUND

SDI has been embroiled in controversy since President Reagan unveiled in 1983 his proposal to establish a nationwide defense against potential missile attacks. The Pentagon has spent $25 billion on research of such defenses over the last eight years, but has had to scale back considerably President Reagan's vision of a leakproof nuclear umbrella. Concerns have been raised about the cost of deploying such defenses, in an era of declining defense budgets; about the need for such defenses, at a time when the Soviet threat has almost vanished; about the effectiveness of missile defenses, when none of the SDI technologies has been proven as an effective defense; and about the consequences of arms control, as deployment of an extensive defense system would require the U.S. to abandon the Antiballistic Missile (ABM) Treaty.

President Bush attempted to address some of these concerns by proposing earlier this year a more limited SDI program called GPALS, which stands for global protection against limited strikes. GPALS would combine space-based interceptor missiles known as Brilliant Pebbles and ground-based missiles. Its aim would be to protect U.S. territory, allies or overseas forces against relatively small attacks by developing countries like Iraq; unauthorized attacks by renegade military units in the Soviet Union or elsewhere; or accidental launches. Cost estimates to build, test and deploy the GPALS system range from $40–60 billion. GPALS would also require the U.S. to abandon the ABM Treaty.

DEFENSE BILL

The defense bill would spend a total of $4.15 billion this fiscal year on SDI programs, the first increase in the SDI budget in three years. It would allocate $1.2 billion for ground-based defense systems, $848 million for more sophisticated defenses against short-range missiles, and $465 million for research into space-based interceptors, including Brilliant Pebbles.

Several factors contributed to the compromise on missile defenses in this year's defense bill. First, the Patriot missile, used in the Gulf War, dramatically illustrated the importance of antimissile defenses, particularly defenses against short-range missiles. Second, the breakup of the Soviet Union has raised new concerns about the potential transfer of ballistic missiles to the Soviet republics, and about command and control of Soviet nuclear forces during a period of political turmoil. Third, a declining defense budget has forced the President and the Congress to compromise on expensive new weapons systems, like SDI and the B2 "Stealth" Bomber.

Most significantly, the bill calls for deployment of a ground-based missile defense system by 1996 that complies with the ABM Treaty. The treaty allows for the deployment of a single ground-based ABM site with no more than 100 fixed launchers. The Soviets operate an ABM base outside Moscow. The U.S. has a facility near Grand Forks, North Dakota, which has been inactive since 1975. The Pentagon will likely reactivate the North Dakota site, at an estimated total cost of $10 billion.

The bill also includes a provision urging the President to discuss with the Soviets the feasibility of amending the ABM Treaty to allow for additional ABM sites and space-based systems. The treaty has long been a cornerstone of U.S. arms control policy. It is based on the assumption that, so long as each superpower is vulnerable to the other's nuclear armed missiles and bombers, neither would attack for fear of retaliation. Hence, the treaty bars nationwide ABM systems, which might destabilize this balance of terror and spur a new arms race. The Congress has in the past rejected Reagan and Bush Administration proposals to significantly relax ABM Treaty restrictions. The Soviets have traditionally opposed amending the treaty, although in recent months, President Gorbachev promised to "consider" U.S. proposals on SDI.

ASSESSMENT

Arms control advocates contend that an ABM deployment is premature, as hostile nations like Libya, North Korea, and Iraq are unlikely to develop a long-range missile capability, this century. They also note that the proposed ABM site would only provide limited protection to the central U.S., not to the coastal areas where most Americans live, and would offer no protection against terrorist nuclear attacks near or inside our borders. They further argue that modifying the ABM Treaty is the wrong approach to guarding against further proliferation of missile technologies. The U.S. should be working more actively to curb missile sales and strengthen existing nonproliferation agreements.

Some SDI supporters respond that the defense bill does not go far enough in embracing the program. They call for U.S. withdrawal from the ABM Treaty, increased spending on SDI programs, additional ground-based ABM sites, and near-term deployment of space-based interceptors. They argue that the U.S. must prepare now for future threats from terrorists, dictators, and rogue military commanders.

I am generally supportive of the approach taken in the defense bill. The threat of a Third World attack or accidental or unapproved Soviet firing has become more plausible. The defense bill authorizes a limited ground-based defense permitted by the ABM Treaty, and improved defenses against short-range missiles like those used in the Gulf War. I also support its funding of continued research into sophisticated space-based and ground-based defenses, rather than deployment of the President's Brilliant Pebbles program. Space-based defenses, like Brilliant Pebbles, are unproven and very expensive, and would violate the ABM Treaty. The treaty has been an effective deterrent over the last 20 years and should not be abandoned. The U.S. can better respond to emerging threat by reinvigorating efforts to stop the spread of ballistic missiles and weapons of mass destruction and by negotiating with the Soviets new protections against accidental or unapproved launches.

TRIBUTE TO GRETCHEN HOUSEHOLDER POSTON

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mrs. MORELLA. Mr. Speaker, I rise to pay tribute, in memoriam, to Gretchen Householder Poston, who died of breast cancer on January 6. Ms. Poston was an incredible woman who celebrated life, even in ill health.

She was the White House social secretary during the Carter administration and a founder and co-owner of Washington Inc., an events-planning company. She also helped establish the Washington Race for the Cure, a 5 kilometer run to raise awareness about breast cancer prevention and to promote funding for research to find a cure.

When Ms. Poston's illness was first diagnosed in 1988, she scheduled chemotherapy on Fridays so she could be back at work on Mondays. Realizing the need for increased support for funding research and education, she continued her long history of helping others. She worked on the Lombardi Cancer Ball and, with Marilyn Quayle, organized the Washington Race for the Cure.

As she had with so many other functions, including the Corporation Against Drug Abuse luncheon and the Arts for the Aging fundraiser, she managed the organization and mechanics of the race, from its inception 2 years ago. She brought professionalism, creativity and an enthusiasm to this event. She devoted most of her volunteer time for the last 3 years to the race. Her major interest was in enlisting volunteers, who had had breast cancer or had relatives who were survivors. This past year, the race raised more than $500,000 for breast cancer research and education as 20,000 people turned out for what has become one of the world's largest 5K races.

Prior to her death Washingtonian magazine selected Gretchen Poston as one of its "Washingtonians of the Year," although the award was presented posthumously. To commemorate her enormous contribution in support of cancer research, this year's Washington Race for the Cure on June 20 will be dedicated to Gretchen Poston. A Gretchen Poston Celebrity Tennis Tournament is planned for May 11, and the Ladies Professional Golf Association Mazda Tournament will donate proceeds to the Race for the Cure.

Ms. Poston is one of the more than 44,500 women that the National Cancer Institute estimate will die of breast cancer this year. Another 175,000 will be diagnosed with the disease. For women, breast cancer is the second leading cause of cancer mortality; one of every nine women will contract breast cancer at some time in her life. We, in Congress, have been responsible for some advancement in the area of women's health last year, but we have a long road to travel. As an original cosponsor of the Women's Health Equity Act, a comprehensive package of bills to address the deficiencies in the treatment of women's health in the areas of research, services and prevention, I look forward to additional progress in the upcoming year. Thousands of lives depend upon our actions.

TRIBUTE TO DR. FRED HURST

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DUNCAN. Mr. Speaker, one of my closest personal friends is Dr. Fred Hurst, a popular and well-respected physician who lives in my hometown of Knoxville, TN.

A few years ago, I had the honor of being in the wedding of Dr. Hurst and his wonderful wife, Dena.

For many years, Dr. Hurst has not only been my friend, but he has been my personal physician as well.

Fred is a caring, compassionate man whose deep concern for his patients is obvious to all. His patients have a deep love for and great faith in this amazing man.

A few months ago, Dr. Hurst began writing a weekly column for the Knoxville News-Sentinel.

Many of these columns have been outstanding, but I thought the piece that Dr. Hurst wrote for Christmas Day 1991, was especially good.

I would like to call the attention of my colleagues and others to this great column by Dr. Fred Hurst.

This country would be a much better place if Dr. Hurst's wish list could come true.

CHRISTMAS WISH LIST INCLUDES PEACE, GOOD HEALTH AND COMMON SENSE

Today I want to share my 1991 Christmas wish list with you. While you are reading this today, Christmas Day 1991, whether I have received any of the "items" on my list is by now perhaps a matter of history.

I assure you the list is sincerely mine because I have "checked it twice" (at least).

I want, first and foremost, an epidemic of peace and renewed brotherhood around the world, of which we have seen significant outbreaks in the past several months.

I want for everybody's stockings a cure for the ailing economy, Mr. President. And I want a good treatment plan for our state's (and the nation's) educational plans, Mr. Governor.

I want relief for those who are suffering—physically, mentally or emotionally—from disease or pangs of hunger or malnutrition, or from exposure to the extremes of nature's elements because they have no shelter. I want comfort for those who grieve over losing friends or loved ones. I want improvement for dysfunctional families and broken relationships and a renewed hope that those lives may be happy, contented, fulfilled and honestly share in love again.

I want us to stop doing things to ourselves that we know are detrimental and harmful to our bodies and minds. I want persons to stop using illegal, illicit and unprescribed drugs recreationally. I want people to stop abusing prescribed drugs intended to be medicinal and therapeutic.

I want us to use temperance and good sense and restraint if we choose to use alcohol. I never want us to combine consuming alcohol with operating a motorized vehicle of any sort.

I want us to wear our seat belts at all times when driving and riding in order to prevent the tragedies which await those of us who either ignore or forget this practice.

I want people to be tolerant and respectful of one another, to turn the other cheek, and to forgive and forget "70 times seven."

I want medical services, treatment and care to be available to everybody, including those millions who now have no insurance for this purpose. I want all of us who are able to busy ourselves, through employment and ambition and productivity, with the provisions of goods, products, and services for the benefit of one another's needs.

I want us to realize that we are indeed all equal in the important ways and that we need one another and must depend on each other's talents and abilities for life's ultimate fulfillment.

I want children and the elderly to be protected from abuse in every shape, form or fashion. I want those who abuse children or the elderly to be punished forthrightly and severely. I want husbands and wives to stop abusing one another.

I want us to love, revere and honor our freedom, our country and democracy. I want us to reward right and accentuate the positive and never lose faith in ourselves as individuals, as a collective people and as a nation. I want us to have ultimate faith in God. I want us to maintain faith in our abilities to resolve our problems.

I want the spirit of Christmas and the holiday season to last long into the New Year and be a reference point for us each day of our lives. I want prejudice in any form to be erased from our minds and thoughts. I want cures for the dread diseases which pillage our people resources.

I want to thank you for allowing me to share my "Healthy Thoughts" with you each week and I want to continue to have this privilege and opportunity for a long time to come. I want to borrow a line from Dickens' Tiny Tim and say, "God bless us each and every one." Merry Christmas and Happy Holidays!

LOKKER-RUTGERS: A CENTENNIAL OF GROWTH AND COMMITMENT

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. VANDER JAGT. Mr. Speaker, Lokker-Rutgers, now a broad-based merchandiser of mens and womens clothing in downtown Holland, MI, celebrates its centennial year in 1992. I bring this event to the attention of my colleagues because it is a story of persistence, of hope, of success, and of commitment to the future.

The urban center as a wasteland is the paradigm of our times—major cities across the country suffer from urban flight, of residents and of businesses. In these economic times those who remain committed to the vitality of downtown, and to serving their communities, deserve the highest praise and support. To have done so for 100 years merits our recognition and best wishes for the future.

I want, especially, to congratulate and commend the Kobes family for their 60 years of association and leadership. Beginning with the family's stake in the company in 1932, they have maintained a commitment not only to the viability of the business, but to its presence in downtown Holland.

The current president, Jerome J. Kobes, and the entire family deserve to be recognized and commended for their contributions to the maintenance of a vital and growing downtown Holland. Let us hope that their children, and their children's children, will celebrate a bicentennial in just as growing, and vital, a Holland in 2192 as they have helped create today. I offer, for my colleagues' review, a brief history of the first 100 years:

In 1892 J. Lokker and J. Rutgers started the company bearing their names. Among items sold were mens and boys clothing, bicycle parts, blankets and many other items.

Early in the 1900's Mr. Rutgers sold his interest in the business to Mr. Lokker. Mr. Lokker operated the store until 1932, when his interest in the business was mainly purchased by John Sturing and John Kobes.

During the Depression the store relied upon help from its vendors, and a greatly modified work schedule to remain in business. Merchandise schemes were also changed to reflect the changing markets. Lokker Rutgers relied upon mens and boys clothing as the foundation of the business.

By 1954 the second generation of Kobes' entered the firm. Mr. Ronald Kobes started his long association with the firm. By 1959 major changes were made to the interior and exterior of the business through renovations, marking one of the first major improvements to downtown Holland. Under the direction of Ronald Kobes, design and merchandising were changed dramatically to keep step with major market changes.

In the early 1970's the Kobes family purchased the major stake in the company. In 1975 Jerome Kobes joined the firm and in 1977 Lynn Kobes joined the firm. Also in early 1972 womens wear was added to complement the mens inventories.

In 1984 Lokker Rutgers added another location in Holland at 21 West 8th Street specializing in Tall and Big mens clothing. This business grew tremendously and by 1986 Lokker Rutgers consolidated the entire operation by expanding into two adjacent buildings offering its customers over 15,000 square feet of retailing space. Mr. Ronald Lugten also was appointed the Tall and Big manager to guide that operation.

In 1989 with the closing of the DuMez Ladies Clothing Company, Lokker Rutgers again expanded by doubling its size again to 30,000 square feet, and the addition of fourteen more people to its staff.

While 1992 brings many worries, Lokker Rutgers is planning its busiest year in its century of business. With promotions and giveaways and the rebirth of a revitalized downtown, it remains even more committed to serving Holland, the surrounding communities. Today the business is headed by Jerome Kobes as President, Lynn Kobes as Vice-President, and is guided by Ron Lugten as General Manager. Today the store retails mens and womens clothing and accessories, Tall and Big Mens clothing, Work Clothing, Mens shoes, and Womens Petite Clothing.

LINDA STITH: OVERCOMING RECESSION'S IMPACT ON MIAMI'S HOTEL INDUSTRY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Linda Stith, who was featured in the Miami Herald after being appointed the director of sales and marketing at the Miami Sheraton River House at Miami

International Airport. The article "In search of new hotel guests, sales chief plies local market" tells how she has been successful in filling hotel rooms despite the recession:

Many companies that traditionally travel to warm-weather sites to hold annual conventions have opted to stay close to home in 1991 to cut down on expenses.

It's a problem that Linda Stith must overcome.

As the newly appointed director of sales and marketing at the Sheraton River House at Miami International Airport, Stith must find alternate methods of filling the hotel's 408 rooms.

"We're stepping into the local market, the corporations here, and we're also dealing with smaller companies," Stith said. "We're going out and knocking on doors. It doesn't matter what size."

It seems to be working. Despite the dropoff in tourism and the fragile economy, Stith said that from September through December, the hotel's occupancy level has been above 1991 projections.

Another area of concern for Stith has been the black convention boycott led by prominent Miami attorney H.T. Smith. Stith estimates the hotel has lost sales of between 800 and 900 rooms this year because of the boycott.

"We're having to cut the rates a bit to be competitive," said Stith, who sits on the Corporate Advisory Board of the Greater Miami Convention and Visitors Bureau. "We're beefing up our service and giving more personal service. All the hotels are doing it."

Stith joined the hotel in January as senior sales manager, but was prepared "to move anywhere the Continental Cos. sent me to become director of sales." The Continental Cos. is the parent company of the Sheraton River House. It manages about 60 hotels throughout the United States and abroad.

"She has more than 10 years in the hospitality industry, with many years of experience in sales," said the River House's general manager, Tim Brennan. "She has excelled as senior sales manager here, and we are excited to see her move into the director of sales and marketing position."

The previous director resigned in October. By the middle of November, the position was hers.

"I wanted to stay in Miami. It's an exciting city," she said. "Quite a change from the Midwest."

In 1979, Stith, who was married with a 2-year-old daughter and an 8-year-old son, thought she'd be a housewife forever. Suddenly divorced, she was left to find a career and she had no college education.

Her career began with a front desk job at the Lodge of the Four Seasons, a resort hotel at the Lake of the Ozarks in Missouri. In 1984, with her career on the rise, she moved to Miami as national sales manager for the Key Biscayne Hotel and Villas.

By 1988, she was director of sales for the Palm Beach Airport Hilton. A year later, she joined Miami's Hotel Sofitel as director of sales and marketing. She remained there until joining her present employer in January.

I am happy to pay tribute to Linda Stith by reprinting this article. She has overcome many obstacles to achieve her goal, and is an inspiration to those who are still climbing the ladder to their dream.

TRIBUTE TO PAULA COLOMBO

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MATSUI. Mr. Speaker, I rise today to salute Paula Colombo who is retiring as president of the Sacramento Association of Realtors.

Paula Colombo has served the Sacramento Association of Realtors [SAR] with great distinction. She has been an active member since 1979 and has spent 6 years on the SAR Board of Directors. In 1983, she was named the president of the Sacramento chapter of the Women's Council of Realtors and by 1987 was the Women's Council of Realtors' statewide president. For the last year, Paula Colombo has served as president of the Sacramento Association of Realtors, and has worked effectively to bridge differences between often conflicting segments of the industry.

Although Paula is retiring as president, she has pledged to continue serving SAR and the real estate industry. She will continue her work through her membership on the SAR Board of Directors, as a member of the California Association of Realtors Board of Directors, and as chair of the SAR 1992 Government Relations Committee.

In addition to her efforts on behalf of the real estate industry, Paula Colombo has been quite active in other areas of community service. Among her many contributions are her years of service on the Cerebral Palsy Guild and her current membership on Sacramento's Child Care Task Force.

Mr. Speaker, Paula Colombo's achievements are truly worthy of praise. On behalf of myself, the Sacramento real estate industry and the Sacramento community, I extend my most sincere congratulations on a job well done and wish her many years of continued success.

U.S. DEBT FORGIVENESS DURING FISCAL YEAR 1991

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HAMILTON. Mr. Speaker, I initiated correspondence on November 18, 1991 with the Office of Management and Budget concerning the total value in fiscal year 1991 of loans forgiven or reduced beyond standard Paris Club rescheduling terms. In replying to my letter, the Office of Management and Budget provided the attached table in early January 1992.

This table indicates that some 26 countries received debt forgiveness from the United States during fiscal year 1991 totaling $12.09 billion. Egypt received over half the debt forgiveness and Poland was the second largest recipient, receiving $2.4. billion in debt forgiveness.

The table provided by the Office of Management and Budget follows:

U.S. DEBT FORGIVENESS IN FY 1991

[In millions of dollars]

Region and country	Egypt and Poland Secs. 259/592[1]	Sec. 572[1]	Sec. 411[2]	Sec. 604[2]	Total
Egypt	6,998.1				
Poland	2,444.1				
Africa:					
Benin		20.8	0	0	20.8
Burkina Faso		2.4	0	0	2.4
Cameroon		42.2	0	0	42.2
Cote d'Ivoire		13.0	0	0	13.0
Ghana		55.9	95.8	0	151.7
Kenya		57.7	102	0	159.7
Madagascar		0	53.4	0	53.4
Malawi		19.7	2.2	0	21.9
Mozambique		0	52.9	0	52.9
Niger		4.0	0	0	4.0
Nigeria		40.3	0	0	40.3
Sengegal		0	34.5	0	34.5
Tanzania		55.0	59.1	0	114.1
Togo		7.4	0	0	7.4
Uganda		0	16.3	0	16.3
Zambia		91.0	0	0	91.0
Subtotal		409.4	416.2	0	835.6
Asia: Bangladesh		291.6	0	0	291.6
Latin America and Caribbean:					
Bolivia		314.3	0	30.3	344.6
Chile		0	0	16.0	16.0
Guyana		76.4	37.1	0	113.5

U.S. DEBT FORGIVENESS IN FY 1991—Continued

[In millions of dollars]

Region and country	Egypt and Poland Secs. 259/592 [1]	Sec. 572 [1]	Sec. 411 [2]	Sec. 604 [2]	Total
Haiti		0	98.8	0	98.8
Honduras		324.6	108.9	0	433.5
Jamaica		0	0	216.8	216.8
Nicaragua		262.4	24.8	0	287.2
Subtotal		1,004.7	269.6	263.1	1,537.4
Total	9,442.2	1,705.7	685.8	263.1	12,096.8

[1] Foreign Appropriations Act.
[2] Agricultural Trade, Development and Assistance Act.

A CHILD'S PROSPECTIVE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. RANGEL. Mr. Speaker, it is with great pride that I share with you and my fellow colleagues some of the winners of the 1991 School District No. 6 Anti-Drug Writing Competition which took place in the Highbridge Park section of New York City.

The competition involved some 300 students from the district who presented their anti-drug poems and essays to a packed auditorium. Competitions like this are an important step in getting our children to think about drug abuse as well as a useful tool in educating future generations on the harsh realities of drug use.

Mr. Speaker, these children know first hand the repercussions of drug use. They are surrounded by it. Their honest portrayals of growing up in a world infested with drugs makes their messages extremely compelling.

It is with great pleasure that I share with you today three selected pieces of writing that I found especially touching and well written. I invite my colleagues to read the attached poems and essays and to reflect on the haunting message that their words send forth.

ESSAYS AND POSTERS

The Drug Free World

BY ADRIANA-HERNANDEZ, CLASS 2-102, PS 128

Once upon a time I lived in Santo Domingo and there were no drugs. I'll be happy if there are no drugs anywhere so the whole city will be just like we want it to be. There will be no smoking, no littering, and no drugs. I like to see only flowers, grass and the sunshine, beautiful clouds in the air and the world clean. I do not want to see the world messy, and no paper around the corner.

Proud To Be Drug Free

BY HOLLI GOODWIN, CLASS 5-305, P.S. 28

In a world where drugs run free
Where pushers and peddlers stop and bother me
I look around and all I see
Is too many people who are not drug free.
I go to school every day
And see strange things on my way.
I look down on the ground and what do I see
But small plastic bottles smiling up at me.
With pretty color tops that dance before my eyes
And say, "Pick me up, check out what's inside."
But with good common sense that my mother taught me
I walk on proudly and pretend not to see.
As I walk a little faster to keep time
A woman approaches me begging for a dime.
Now once I'm in school, the picture does not change
The pushers get younger and they even know my name.
And I say to myself,
"What a shame, what a shame."
As I sit in school doing my work
I say to myself,
"I'm glad to be
young, bright and proud to be drug free."

How To Be Drug Free

BY MAROL MARMOLEJO, CLASS 6-315, P.S. 252

It is very important that we keep away from drugs.

Most people do drugs when they are under pressure, family problems or depression. You can solve these problems by talking to a family member, a school counselor, a doctor, or someone you trust that can give you good advice. You cannot throw your life away just because you have problems. You only have one life and if you throw it away by smoking or taking drugs it is not anybody else's problem, it's your problem. If everybody killed themselves by using drugs just because they had problems there would be no life on this planet. You have to try to solve your problems. You have a lifetime to live, do not throw it away just because somebody else asks you to go on. You have to take charge of your own life and enjoy the things that a child likes to do, like reading, going to the park, visiting museums, talking or playing with your friends because as you grow older you have to keep adding more knowledge to enrich your mind and when you are grown up you will have your education backing you up so you can get a good job and have children so they can be proud of you.

ARTHUR BENSHOFF TURNS 100

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MURTHA. Mr. Speaker, I'd like to take a moment to recognize a distinguished citizen of Windber, PA, who will be celebrating his 100th birthday tomorrow. Dr. Arthur Benshoff has been a pillar of the Windber community for most of the 20th century, and the celebration of his 100th birthday is certainly a notable event.

Dr. Benshoff served the citizens of Windber as a general practitioner for 60 years. He took care of the medical needs for generations of Windber families, and many young adults in the Windber area had their parents, grandparents, and even great-grandparents taken care of by Dr. Benshoff.

The changes that have taken place in the last century are overwhelming to think about. As a practicing physician in Windber until his retirement in 1985, Dr. Benshoff not only observed these changes, he participated in the many innovations in the health care field.

As he celebrates his 100th birthday, I hope Dr. Benshoff looks back proudly on his contributions to the Windber community. I join with many residents of Windber and the surrounding area in sending him congratulations and all best wishes.

A TRIBUTE TO KALAMAZOO COLLEGE ON ITS 30TH ANNIVERSARY OF AN OUTSTANDING FOREIGN STUDY PROGRAM

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. VANDER JAGT. Mr. Speaker, on January 23, 1992, a special reception will be held at La Maison Francaise de Washington, Embassy of France, to commemorate the 30th anniversary of educational exchange in France by Kalamazoo College students under the framework of the Kalamazoo plan.

Founded in Kalamazoo, MI, in 1833, Kalamazoo College is a small liberal arts college but was a pioneer in the development of program-integrated foreign study for its students.

Kalamazoo College was the first liberal arts college in the United States to be designated as a "Center for Western European Studies" by the U.S. Department of Education; over the past 30 years, has recorded the highest percentage—nearly 90 percent—of its graduates having studied in foreign universities among all colleges and universities in the United States; and has the oldest, most diversified and longest continuing foreign studies programs integrated with African universities.

Mr. Speaker, it is most appropriate that the special reception be held at the Embassy of France for it was the universities of France which were the first and principal hosts to Kalamazoo College students. It was in Caen, along with centers in Bonn, Germany and Madrid, Spain, that Kalamazoo College initiated its pilot program in 1958, which program a few years later became fully integrated into a student's curriculum at the college.

The foreign study program, an integral part of the Kalamazoo plan, makes Kalamazoo

College a unique liberal arts institution. Encouraged by the success of its experimental summer foreign study program, the college arranged its present calendar, implemented in 1961, to provide a period of foreign study for virtually all students. The curriculum was organized so students could easily meet all requirements and still study abroad. Clearly, foreign study is seen as an essential part of the educational development of the students.

The foreign study program is the backbone of the international focus at Kalamazoo college and has provided students with a one-, two- or three-quarter foreign study experience. The goals for foreign study are: First, to become acquainted in some depth with a culture—usually including language—a people, and an educational system different from one's own, and second, to participate in an academic experience which is both comparable in quality to work on the home campus and is significantly enriched by the environment in which it takes place. Participants not only benefit academically, but also return home with an increased understanding of themselves and their own country, as well as the country visited.

Proficiency in a second language, required for most foreign study programs, provides strong support for the on-campus language offerings—eight languages are currently taught—and the language graduation requirement. The college's foreign study programs, including some fully integrated into foreign universities, have been designed to make different kinds of linguistic demands upon the participants. In a typical year Kalamazoo students will study in 25 to 30 individual locations the world over.

Strong ties with a number of universities in Anglo- and Francophone sub-Saharan Africa is a unique feature of the program. Since 1962, Kalamazoo has led the way in placing undergraduates in these universities. A number of regular Africa-oriented courses are supplemented by an extensive summer cocurricular program of lectures, and cultural and social events.

Enhanced by an endowment unique in higher education, the foreign study program provides continued financial aid for all scholarship recipients while studying abroad. Costs to students are thus equivalent to on-campus costs. Students apply for individual programs in accordance with their language facility and academic ability and interest, though final determination of placement is made by the foreign study office. Whenever possible, students are fully integrated into foreign universities. Course work is usually in language, literature, fine arts and social studies, although qualified students may enroll in other disciplines. The quarter prior to foreign study, students attend weekly orientation sessions aimed at preparing them to study, live, and travel in foreign settings.

In short, from a very limited, noncredit, uncertain beginning, the foreign study program has grown and matured into a highly regarded, regular aspect of a student's academic program at Kalamazoo College and in more than a dozen countries worldwide.

Mr. Speaker, some may wonder why I have been pleased to take this opportunity to join in the commemoration of this Kalamazoo College program since I am a graduate of a competing institution of the Michigan Intercollegiate Athletic Association to which Kalamazoo College belongs, namely, Hope College of Holland, MI.

My answer is relatively simple. Both colleges are fine, privately endowed, institutions of higher education and each has areas in which it excels and for which it should be recognized. In addition, probably the greatest experience of my life was a year spent as a Rotary Foundation Fellowship student at the University of Bonn in 1955–56 during which time I greatly enjoyed visits to France, Notre Dame, and the American Church in Paris. I can readily agree with Kalamazoo College that nothing can substitute for on-site study and living if one truly desires to understand to the fullest not just the language, but the culture, the mores, the historical perspective, yes, even the political outlook and appreciation of the people of another country.

Although Kalamazoo College is probably little known by most of my colleagues in the Congress, some are very familiar with it and its fine academic reputation. To my knowledge, no sitting member of either body is a graduate of Kalamazoo, however, several are recipients of honorary degrees including two members of the other body, the gentleman from Oregon [Mr. HATFIELD] and the gentleman from Illinois [Mr. SIMON]. Others so honored by Kalamazoo include my colleague from Michigan, Mr. WOLPE, former Supreme Court Justice Thurgood Marshall and respected columnists David Broder and William Raspberry.

In conclusion, Mr. Speaker, I wish to express my personal congratulations to Kalamazoo College for initiating and continuing for the past 30 years, its most successful foreign study program and I extend to it and its program my very best wishes for the years to come.

PRECISION RESPONSE: ONE OF MIAMI'S FASTEST GROWING COMPANIES

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Precision Response, a Miami-based telemarketing firm which was recently featured in the Miami Herald. The article "On Call: Pharmaceutical Link is the Key to Precision Response Success" by Alina Matas tells how this company grew from a small operation with 12 employees in 1984 to a major telemarketing business with 500 employees today:

Two million people concerned about hair loss have called Opa-locka.

The calls were answered by operators at Precision Response, a telemarketing firm that handles 800 numbers for a wide range of national companies, responds to the inquiries and follows up with a mailing campaign.

By fielding those toll-free calls, Precision Response has grown into a major player in a growing industry. The privately owned company said its 1991 revenues will be $18 million, compared with $250,000 in 1984. The number of employees have grown from 12 to 500 in the same seven years.

"They're a fine, fine company," said Nadji Tehrani, publisher and editor of Telemarketing Magazine. "If I had money, I'd buy them myself."

Telemarketing Magazine recently ranked Precision Response 17th among the country's 50 largest companies handling 800 calls and doing the follow-ups. And for the third year in a row, Inc. Magazine's December issue named Precision Response among the 500 fastest-growing private companies.

The company employs about 300 phone operators at hourly rates ranging from $6 to $8. They answer calls reading a script they call up in a personal computer, respond to questions and enter callers' information in a computer database. Each call is followed with a mailing of information, designed to get the customer to take a step toward buying the product or using the service.

Another 200 people work on the follow-ups and in the executive ranks.

Many of the calls coming these days to the Opa-locka headquarters—open 24 hours a day—come from callers answering an advertisement for a hair-loss product, Rogaine, by the Upjohn Co.

The advertising campaign has run since 1989. From the calls, operators have compiled a data base of two million people who are losing hair and are interested in doing something about it.

"It helps us identify potential consumers and helps us evaluate the different elements of our campaign," said Laura Harwin, an Upjohn spokeswoman.

It is not an inexpensive service, said Mark Gordon, the company's chief executive. For a full-fledged program—setting up the operators, preparing the script, compiling information from callers in a computer, mailing information and handling the response to the mailing—start-up costs are about $250,000.

The company has carved a niche among large, national pharmaceutical companies; they make up 60 percent of its business. The Food and Drug Administration forbids pharmaceutical companies from advertising the name of a prescription product and its applications without including other detailed pharmaceutical information. Because television ads are time-constrained, companies frequently omit the name of the product or the application and simply offer an 800 number for the viewer to get more information.

In 1985, the company obtained an FDA license to store and mail pharmaceutical products. A relationship with an early client, Key Pharmaceuticals, provided a springboard for Precision Response to develop more business in that industry. When the company merged with Schering Plough, based in New Jersey, Precision Response kept doing business with both companies.

"That really was a pivotal point and led us to pursue more national business," said David Epstein, the company's president.

The growth of the telemarketing industry also helped.

"Customer service has become much more important, and using the telephone is a big part of customer service," said Maggie Yost of the American Telemarketing Association.

When the association was formed in 1983, it had 23 members. Now it has more than 1,000. In 1984, it estimated that the industry employed one million people. Now, telemarketing operations are estimated to employ 3.5 million people and to generate $500 billion in revenues, Yost said.

Precision Response just moved with the trend, Gordon and Epstein said.

The company, which until earlier this year was called Florida Fulfillment, began in 1981 as a storer, handler and mailer of promotional material. It only had two phones. Epstein, 28, was finishing college and helping two now-gone founders run the three-man operation.

Gordon, 44, a marketer who moved from Chicago in 1984, took an interest in the company and bought the two founders out. He redefined the focus of the company and started offering expanded services to clients.

"He brought the emphasis on target marketing," said Epstein, who now owns 10 percent of the company. "Together, he and I shared that vision."

Rather than just mail brochures, they wanted a definite target: Information compiled from incoming calls becomes a list of prospective clients to target in future promotions.

Where they used to mail and forget, now they would create incentives for prospective clients to do something after receiving the mail. In the Upjohn program, callers get a rebate certificate for visiting a physician and asking about products to treat hair loss. Since customers have to mail back a signed certificate in order to get the rebate, the company can keep track of who is responding to the campaign.

The leap into uncharted territory paid off. Gordon said 1991 has been the company's best year. The company has turned a profit in the last four years.

It has come a long way, he said.

"We were a struggling company that almost didn't make it at one time," Gordon said, "Whatever the future was, in wasn't in warehousing brochures."

I am happy to pay tribute to the company's chief executive, Mark Gordon, and president, David Epstein, by reprinting this article. They have proven that the enterprising spirit that made America great is still alive and well today.

LESS TAXING WAYS TO RUN THE COUNTRY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DUNCAN. Mr. Speaker, over the years, I have enjoyed many columns by Lewis Grizzard. However, I especially liked a recent column he ran which one paper headlined as "Less Taxing Ways to Run The Country."

LESS TAXING WAYS TO RUN THE COUNTRY

(By Lewis Grizzard)

An economist was testifying before a House Ways and Means Committee studying tax policy and economic growth. I was watching him on C-Span.

The economist was asked, "Should the American people be paying more taxes?"

"Yes, he replied, "if they are to expect the same level of governmental services they are now getting."

The thought hit me. OK, so what if we decided we don't need the current level of governmental services?

What if the individual states got together and said, "Let's start handling things on our own?"

Missouri, the Show Me State, might ask, "You mean dissolve the central government like what happened in the Soviet Union?"

"Something like that," might be the reply to Missouri. "We tell the federal government just to make sure we've got a good military in case Canada decides to attack North Dakota, and we'll take it from there."

"But what would the president do?" pesky Missouri would continue.

"Be commander-in-chief and play a lot of golf," would be a terrific answer.

Isn't that what the Founding Fathers had in mind in the first place, a weak central government?

Under my plan, the states could even handle maintaining their own domestic tranquility. That's what state patrols are for. If they needed any help, they could ask for volunteers from Rotary Clubs.

Cut out about 99 percent of what Washington does, and wouldn't that drastically affect taxes, spur economic growth and help reduce the federal budget? Of course it would. Couldn't we do without the following:

The Park Service: Give the parks back to the bears. They were there first anyway.

Welfare and foreign aid: The golden goose is dead. Only the brain-damaged think otherwise.

Federal grants: Want $50,000 to find out why kudzu grows so fast? Forget it. It just does.

The post office: Who writes letters anymore? Air freight it, fax it or simply pick up the phone and call.

Health care: States could order any doctor owning more than one Mercedes to dispense aspirin for free. That, alone, would knock health-care costs for a loop.

The space program: We spent billions going to the moon. What did that get us? A few lousy rocks.

Highways: If Nebraska wants one, let Nebraskans pay for it.

Endowments for the arts: Wanna put on a show? Sell tickets.

Other governmental agencies: Will the last person leaving the office please turn out the lights?

Of course, there remains the question of what to do with all those federal employees who, under my plan, suddenly would be out of work.

Congress could open a law firm handling accident claims. Everybody else could join the circus. They will already have had a great deal of experience.

SACRAMENTO GALLERY HOSTING EXHIBITION BY ASIAN-AMERICAN WOMEN ARTISTS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MATSUI. Mr. Speaker, I rise today to honor the Lite Rail Gallery on the occasion of their latest event. From February 3 through March 6, 1992, the Lite Rail Gallery in Sacramento will be hosting "Gathering: an Asian-American Women Artist's Association," a juried exhibition.

The AAWAA was founded in 1989 by two women from the San Francisco Bay area, Florence Wong of Sunnyvale and Betty Kano of Berkeley. The group has grown to include 75 members whose purpose is "to come together to share, to encourage, and to support one another." AAWAA, while united in purpose, is a diverse group of artists, with a great range of backgrounds, ages, experiences, and styles of expression. Members are involved in visual and performance arts, music, design, video, and literature.

Mr. Speaker, I appreciate the opportunity to commend the Lite Rail Gallery for their exhibit honoring the talents of the women of the AAWAA. The organization contributes a rich array of perspectives to American art, and I ask my colleagues to join me in extending to the Light Rail Gallery best wishes as it hosts this important exhibition.

IN HONOR OF DR. MARTIN LUTHER KING, JR.

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BLACKWELL. Mr. Speaker, it is with the greatest honor and respect that I submit a speech I made on Monday, January 20, 1992, Martin Luther King, Jr. Day. It is my sincere hope that my colleagues will take these words to heart, and continue to work toward making the dream of Dr. King a reality.

SPEECH BY HON. LUCIEN E. BLACKWELL AT OPERATION PUSH ANNUAL ALL FAITHS SERVICE IN HONOR OF DR. MARTIN LUTHER KING, JR. MONDAY, JANUARY 20, 1992

Good morning. I am honored to have been invited by Operation Push to share in this annual All Faiths service commemorating the life of Dr. Martin Luther King, Jr.

I join you here today not just to remember the dreamer or just to keep the dream alive. I join you here today to express my total commitment in making Dr. King's dream a reality.

In his last speech, "I See The Promised Land," Dr. King spoke of the need to redistribute the economic pain forced on a large segment of the American community—mainly African Americans, the unemployed, the underemployed, poor and working class families.

Not only is the pain Dr. King spoke of with us today, but we are witnessing the expansion of an even greater economic pain suffered by American workers, American families and American businesses all across urban America. Not only is this pain unjust, and undeserved, it has grown to agonizing levels.

Americans are losing their jobs in greater numbers than any time since the Great Depression. That is why my colleagues and I in the Congress must act now to make fair trade legislation a reality. We must not only save American jobs, we must also lead the way to sound economic recovery for all of the people of this country.

Americans are feeling the pain of a lack of health care insurance. It is a national scandal that over 37 million Americans are denied medical attention because they cannot afford heath care insurance. We are going to make health care insurance a reality, as Dr. King would expect us to do.

Last Tuesday, I held the first of three town hall meetings, seeking the input of residents of the Second Congressional District for a national consensus on a national health care insurance plan. It is ironic that, as I prepared for last week's town meeting, members of my staff gave me a speech that compared the death rate of black babies to white ba-

bies. I gave it back to them and told them to take the words black and white out. Any baby that dies because of a lack of adequate health insurance is one too many. No baby, regardless of color, should die in this great country of ours because of a lack of health insurance.

Americans are feeling the pain from racial and sexual discrimination in the workplace—the kind of pain Dr. King fought so hard against in his quest for equality and fairness. After lengthy debate, the Congress last November made a new commitment to equal rights by passing into law the Civil Rights Act of 1991. I am proud to say that I strongly supported this act that restores the original intent of the civil rights statutes Dr. King and other martyrs of the civil rights movement fought and died for.

The civil rights movement may have lost a drum major with the assassination of Dr. King, but today, among you, I see a new determination focused on critical human issues—issues that require a relentless commitment, the kind that Dr. King offered to us, and to those filled with desperation and pain.

To make Dr. King's dream a reality, we all must make a pledge to rededicate ourselves—today and every single day of our lives—to easing the pain Americans are feeling in these difficult times of economic recession and moral decline in just about every segment of our society.

As your Congressman, I am prepared to do my part. And with your help, we, as elected officials, can make that pledge to work, to fight and to achieve the goal of making Dr. King's dream a living truth.

Thank you, and God bless all of you.

IN MEMORY OF ISABEL CABLE MANES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. RANGEL. Mr. Speaker, it is with great sadness that I rise today to recognize the passing of an extraordinary woman and leader, Isabel Cable Manes.

Mrs. Manes was the granddaughter of the late George W. Cable, the New Orleans novelist and long time friend of Mark Twain. After fighting in the Confederate army, Mr. Cable went on to be a champion in the struggle for civil rights for former slaves and freemen alike.

Following in her grandfather's footsteps, Mrs. Manes devoted much of her life to the civil rights movement. Mrs. Manes, intrigued by her grandfather's views on racial equality, studied and later edited a selection of Mr. Cable's political writings entitled "A Southerner Looks at Negro Discrimination", which was published in 1946. Throughout her life Mrs. Manes remained politically active, serving on the executive committee of the Bronx CORE as well as the executive committee on Vietnam. More recently, Mrs. Manes completed a manuscript on Mr. Cable's attitudes toward racial discrimination entitled "Reconstructed Rebel" which is currently being edited for publication.

Mrs. Manes' diverse interests brought her to New York in the 1920's where she became involved in the arts and later acted with the Children's Theater. Mrs. Manes became a member of Actor's Equity and later, in the 1930's, became involved with the Federal Theater Project.

In addition to her work on civil rights and her involvement in the arts, Mrs. Manes was concerned with issues effecting the elderly. In 1971, Mrs. Manes and her husband Max founded the Seniors for Adequate Social Security [SASS], a volunteer organization for the elderly. As a spokesperson for the elderly, Mrs. Manes fought long and hard for improvements in Social Security benefits and pensions.

She served as a corresponding secretary of the SASS and coedited the organization's newsletter until the mid-1980's, when she became ill.

Mrs. Manes, who passed away on November 2 at the age of 83, had been suffering from Alzheimer's disease. She is survived by her husband Max, her two children, Michael and Joan, and her grandson, Sean.

Mr. Speaker, I ask all my colleagues to join me in honoring Mrs. Manes for her dedication and her commitment to racial equality over the years. Mrs. Manes' selfless service surely makes her a role model for us all.

THE 1ST SESSION OF THE 102D CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 11, 1991 into the CONGRESSIONAL RECORD:

THE 1ST SESSION OF THE 102D CONGRESS

With a final spurt of chaotic activity Congress concluded the first session of the 102nd Congress. The session began with the debate on going to war with Iraq and ended with the House enduring a 33-hour marathon that left Members exhausted. As Congress pushed toward adjournment what stuck me most was that it at last was beginning to deal with domestic issues from taxes to health care to the recession. It wasn't necessarily solving them but it was at least addressing them. The first session saw a modest, even respectable record of accomplishment, but a lot was put off to the second session.

ACCOMPLISHMENTS

Congress approved a transportation bill which refocuses national transportation policy for the first time since the interstate highway system was begun 35 years ago. It provides $151 billion over six years, promotes mass transit, and gives greater discretion to states and localities on how to use the funds. In addition to the job-creating highway bill, victims of the recession got help through an extension of unemployment insurance providing up to 20 weeks of aid to jobless workers who have exhausted their benefits. Because unemployment benefits have repeatedly been extended in past recessions, I could never understand the great difficulty Congress and the President had in agreeing to extend them now.

Congress voted to extend for six months a dozen tax breaks due to expire at the end of this year, including a deduction for self-employed people's health insurance and credits for corporate research and low-income housing construction. It approved $95 billion to cover costs of failed banks and savings-and-loan institutions, provided disaster and drought assistance to farmers, and approved the President's request for fast-track negotiating procedures for a free trade agreement with Mexico. Congress also approved a compromise reached by the President and the nation's governors that resolved a dispute over state financing of the Medicaid health program for the poor. New civil rights protections make it easier for workers to win anti-discrimination suits and give victims of sex discrimination the right to sue for damages.

On national security matters, Congress began the year by authorizing going to war with Iraq. The manner in which that decision was made drew widespread praise as Congress reasserted a constitutional sense of responsibility. The Senate approved the 1990 Conventional Forces in Europe Treaty to reduce the number of U.S. and Soviet tanks, combat aircraft, and other non-nuclear weapons in Europe. A new defense law puts more emphasis on lighter, more mobile forces to respond to post-Cold War threats, and cuts strategic programs like the B–2 Stealth Bomber. Congress also authorized the President to divert up to $500 million from the defense budget to Soviet aid.

One of the more important achievements was that Congress abided by last year's budget agreement, which I believe in time will work to reduce the deficit. The blunt truth is that until we pay the bills from the past decade or so of extravagance, no Congress is going to be able to distinguish itself by solving the nation's problems.

UNFINISHED BUSINESS

Much was left unfinished, including health care reform, tax relief for the middle class, campaign finance reform, an expansion of aid to higher education and Head Start, and what to do about the overall level of defense spending as the threat from the Soviet Union diminishes if not disappears. Congress failed to overhaul the banking laws to expand banks' investment opportunities and to permit interstate operations. One of the greater failures was the inability to pass a comprehensive energy bill.

A proposal to nullify a ban on abortion counseling in federally funded family planning clinics was approved by both houses but vetoed by the President. Vetoes are expected next year on congressional measures to place restrictions on trade with China and to require employers to guarantee unpaid leave so workers can tend to newborn children or family emergencies.

Next year Congress will probably try to complete work on a crime bill. Everyone wants to look tough on crime but I think people are beginning to realize that it is a political myth that the federal government has much of a role in fighting street crime. An overhaul of the nation's health care system will also be a lively election year topic, but the problems of the system are so huge and so diverse that proposals are unlikely to be approved until after the election.

The opening salvos in the second session are expected to be on economic growth. Both the President and the Democratic leadership will almost certainly produce proposals to stimulate economic growth. My own view is that a ⅓-trillion-dollar deficit already provides substantial stimulus for the economy. I still think that Congress should not breach the spirit of the deficit reduction agreement and that any tax bill should focus more on redistribution than stimulus. That means higher effective tax rates for those in the

highest tax bracket to increase progressivity and some tax cuts for middle- and lower-income groups to give them extra purchasing power.

ASSESSMENT

One constituent said to me the other day that Congress is irrelevant—that it is not dealing with the issues that concern Americans the most, such as economic growth, improved health care, and better schools. In the political process, symbolism often prevails over substance. Congress, for example, fights crime by voting for the death penalty or addresses job insecurity by debating racial quotas. With huge budget deficits, substantive accomplishments are becoming more difficult to achieve and that encourages politicians to exploit the use of symbols. Part of the problem is also that Congress had to scramble this year just to stay even with fast-breaking events like the collapse of financial institutions at home and the demise of communism abroad. All year long I had the feeling we were trying to catch up.

Overall, I do not think Congress enhanced its reputation much by its performance in the first session of the 102nd Congress. Even though some good legislation was passed, there was much to be embarrassed about—the hearings on the nomination of Justice Thomas, the unimpressive performance on banking reform, the dominance of symbols over substance, the snarling partisanship that erupts from time to time. Although the record of the first session is probably better than is given credit, there isn't any doubt that the people do not hold Congress in very high esteem. They think that it takes too long to get anything done and is too far removed from the hopes and desires of the American citizens.

LOWELL KINNEY: HE DID IT THE WAY IT SHOULD BE DONE

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. VANDER JAGT. Mr. Speaker, the Greek philosopher Diogenes is reported to have once been found walking along holding a lamp before him and, having been asked what he was doing, said that he "was seeking an honest man."

In 1963, GTE of Michigan was seeking staff for their public relations effort, and they hired Lowell Kinney. They had found their honest man. This is a man whose operating philosophy, in a corporate setting, is that it's not his job to make his bosses look good—just understood; that the task of a public relations office is to be open and honest at all times.

These are remarkable goals—guidelines—for a public relations officer at time when, especially in this town, Washington, DC, flackery is an art form. And, in Lowell Kinney's case, his corporate employer has been the beneficiary of a unique integrity, as has the public which relies on that honesty.

When was the last time, in this town of professional public relations efforts, you heard that a news organization commended a corporate pr officer for his openness during a labor dispute? After a particularly difficult negotiation, and strike, in 1978, the Associated Press office in Michigan did exactly that in appreciation for Lowell Kinney's professionalism and integrity. He truly has been the epitome of a public relations professional: Speaking the truth, warts and all, and knowing that the truth will set you free.

After nearly 30 years of speaking the truth Lowell Kinney is free. At 55, an age when many are slowing down, Lowell Kinney is taking early retirement and seeking new challenges—opportunities to put his skills to yet other uses.

And his challenges and opportunities are many. I'm sure he will find any number of opportunities to freelance his skills—he's even thinking of a book. I'll look forward to that.

But there's a special challenge that drives Lowell Kinney and his lovely wife Roxanne: The cause of fire safety, and the tragic loss of their son Stephen in a fire in 1989. Since that tragic event, Lowell and Roxanne have worked tirelessly to strengthen fire safety laws, and to prevent the circumstances which led to their great loss. With the integrity and commitment which have characterized his professional life, his special advocacy has resulted in a whole new awareness of the need for, and improvements in regulations governing, fire safety in our State of Michigan. We wish him continued success.

Lowell Kinney, and Roxanne, embark on a well-deserved rest from the work-a-day world at GTE. But as Roxanne pursues her duties as a council member and mayor pro-tem of their home town of Norton Shores, and they share in the joys of their daughters Kathy Suffel and Rebecca Kinney, also in Norton Shores, I am confident that Lowell will find even greater opportunities to be the honest man who embarked so many years ago on the path to "see that GTE is understood." They were, and for that we thank Lowell Kinney.

I offer, for my colleagues' review and consideration, a profile of Lowell on the occasion of his retirement, which appeared in the Muskegon Chronicle.

[From the Sunday Chronicle, Dec. 29, 1991]

GTE'S VOICE BIDS GOODBYE

(By Susan E. Harrison)

The saying on his work table is from the Bible.

"Where there is no vision, the people perish." Proverbs 29:18.

There are other sayings, rules and philosophies, courtesy of the man attached to the work table and corporate office.

Rule No. 1: Be open and honest at all times.

Rule No. 2: Never violate Rule No. 1.

"Follow those, and you can hardly fail," says the man who has triumphed in the often turbulent field of corporate public relations.

In what is often an adversarial role with the news media, Lowell Kinney stands alone. He has been in corporate public affairs and community relations since 1965. Kinney not only has succeeded in terms of longevity, but also has been recognized and honored by members of the press.

Unheard of in most public relations-news media circles.

The occasion was 1978, the year of the first statewide strike at GTE, although one would follow exactly 10 years later.

"The first time, it was real rewarding to do what I had to do," he says. "The second time, it was pure pain."

Nonetheless, every day, Kinney faced television crews and newspaper reporters, updating them on what Kinney candidly describes as "about as distasteful a work situation as possible."

When the first strike was over and workers were back on the job, the Associated Press sent Kinney a letter of commendation for handling news of the strike in a "factual, open manner" and "doing things the way they should be done."

"That's the only way," says the man with rules No. 1 and 2, guided by the verse from Proverbs. "There is no other way."

HANGING UP ON A CAREER

For nearly 30 years, since he graduated with a degree in journalism from Michigan State University, Lowell Kinney has occupied the public-relations office at GTE.

But last week, the office door swung shut.

And the man who has met with the news media and public since 1963 left for good, taking advantage of an early retirement program to reduce management employment levels nationally.

"One thing I never wanted to do is lose my effectiveness . . . or the ability to be creative and innovative," Kinney says. "It seemed the right time to go."

His list of accomplishments before retirement at 55 is a full one. His job description since 1982, when he was named regional director of public affairs, has included responsibility for internal communication, public information, news media relations and community relations—including the company's cultural arts and other sponsorships, contributions and membership programs.

Highlights?

Organizing the first Seaway Festival (renamed The Great Lumbertown Music Festival) parade in 1964 and chairing it for 10 years.

Accompanying former President Gerald R. Ford in 1985 at GTE's sponsorship of Michigan's 19th-century artists. During a 2½-hour airplane flight, Ford and he talked non-stop, something Kinney calls "a thrill."

Introducing management conferences when GTE was reorganizing its corporate structure and needed some "internal healing."

Working closely with the internship program through the West Michigan chapter of the Public Relations Society of America, of which he has been president three times.

And, of course, the Associated Press commendation.

He tells of the time an intern applicant made a flippant remark to him like "I know your job is to make GTE look good." The comment still makes Kinney's blood boil.

"That is not what the public-relations professional's job is all about," he says. "My job is to see that GTE is understood . . . If you spend all your time trying to make something just look good, you'll have a miserable life."

Saying a public-relations professional's purpose is "not to shield or disguise management," Kinney describes the job as a "conduit that puts diverse audiences in contact with one another."

He points to the disastrous manner in which Exxon handled the publicity of the Exxon Valdez oil tanker spill in Alaska, compared to the successful public-relations campaign run by Johnson and Johnson after one of its products, Tylenol, was tampered with in 1982.

Successful vs. disaster.

There's a lesson in this, he says.

"I've always counseled management to be open and honest, Rule No. 1, and to be sure the message they give is what they want to say," Kinney says.

NEW JOB CLOSE TO HEART

What comes next?

What does a man who's spent his entire professional life in the public eye do after retirement?

On this, his first official weekend of retirement, he and his wife, Roxanne, are in the Upper Peninsula to celebrate his aunt and uncle's 50th wedding anniversary.

Although there's no set time or program, he is seriously contemplating working as a consultant, passing along the wisdom he has accumulated all these years.

But there is a personal agenda to follow first, a matter that could mean the difference between life and death.

As many in Muskegon know, the Kinneys' son, Stephen, was one of two summer workers killed Sept. 9, 1989, in a rooming-house fire on Mackinac Island. The fire triggered a state investigation that resulted in hundreds of state fire-marshal citations for code violations and in criminal charges being filed by Attorney General Frank Kelley.

The Kinneys have worked tirelessly to strengthen fire-safety laws in Michigan. Retirement gives Kinney more time to devote to the campaign.

"It is something I have to do," he says quietly.

His base of operation will continue to be his home in Norton Shores, where he and Roxanne Kinney are active in the community. She is a Norton Shores council member and mayor pro tem. Both of their daughters, Kathy Suffel and Rebecca Kinney, live in Muskegon.

FORREST McGINLEY LEAVES MIAMI-DADE COMMUNITY COLLEGE AFTER 25 YEARS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, Miami-Dade Community College will miss Forrest McGinley. For 25 years he has brought his flair for music education to hundreds and hundreds of students. The Miami Herald recently printed an article honoring Mr. McGinley by staff writer Jon O'Neill. That article follows:

When Forrest McGinley looks back at his 25 years of teaching music and humanities at Miami-Dade Community College's South Campus, one word comes to mind:

"Glorious."

McGinley, 58, put away his grade book for the last time as the fall term ended at the college last week. He is heading for a secluded home in North Carolina, leaving behind hundreds of memories and dozens of tearful students.

"The way the funding situation is now, it's a good time to get out," said McGinley, who directed the Caravan Singers, the South Campus chorus made up of selected students. "I will miss the kids, though. When they get going, it's so great to see it and know that you're the catalyst for it."

McGinley has a way with students, especially those he coaches in music. Some call him eccentric, and he is. Last week, he sported a tie with a blinking Christmas light attached to it.

He is also funny. His humor is dry and pointed, and only those who are paying attention get the jokes. Students who let their minds wander risk becoming the focus of McGinley's playful comments.

"He brightens up practice because he fools around a lot," said singer Shaye Johnson, 19. "But he knows his stuff, and he's a great teacher. His office door is always open, and he's willing to talk about anything. I'd just wish I'd gotten to know him sooner."

Jessica Bass, 20, said: "He is very funny, but he's also very kind, and he really cares. He has helped me tremendously, especially when it comes to interpreting music."

No matter what he was teaching, McGinley tried to keep his students interested and alert. He was honest "because they can tell when you fib," and he pushed his charges to do their best.

"They're there to work, and I was very demanding," he said. "But they knew I cared about them, and they didn't want to let me or themselves down. It gets to the point where they start motivating each other."

McGinley also had a special knack for spotting talent and drawing it out, even when students were reluctant or shy.

"I was very shy, but he saw something in me," said singer Charlie Toomer, 19. "He helped me express myself by singing and built up my confidence. I'm going to miss him a lot."

Dennis Mulrooney, 19, said McGinley helped get him into the music program at Miami-Dade.

"He's a wonderful guy," he said. "He's meant a lot to the program here and to me."

McGinley's bosses thought so, too. His final evaluation was stellar. Supervisor Gus Perry wrote that McGinley was "highly respected," "a team player" and "always sensitive to student needs."

McGinley was born in Memphis and his bachelor's and master's degrees in music education from Florida State. He studied at a conservatory in Salzburg, Austria, and started teaching at a junior high in Fort Pierce 30 years ago.

He came to Dade-South in 1966 and has been there ever since. He has taken the Caravan Singers into Mexico and South America, served on countless music committees and advisory boards, and helped several local artists have their music published and performed.

"For me, the challenge was to make learning fun," he said. "I wanted to give every student I taught a few triumphs that they could build on."

Mr. Speaker, it is always exciting to recognize a talented educator whose highest aspiration is to see his students excel, and excel they have. As Miami-Dade Community says goodbye to this gifted music teacher, we all wish him a wonderful retirement, a reward he most profoundly deserves.

ROE VERSUS WADE ANNIVERSARY

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mrs. MORELLA. Mr. Speaker, today marks the 19th anniversary of Roe versus Wade, the Supreme Court ruling which has protected a woman's right of reproductive choice. However, in the wake of the Court's decision to hear the Pennsylvania case, Planned Parenthood of Southeastern Pennsylvania versus Casey, this fundamental right is seriously threatened. If the Court further erodes or overturns the Roe decision, the consequences will be devastating. It will mark the first time in the 200 years of the Court's history that a fundamental right will be lost.

Mr. Speaker, it is vital that a woman's reproductive choice be preserved, and I urge my colleagues to join in efforts to protect this vital freedom. We must also immediately address the social conditions that result in so many unintended pregnancies each year.

CLEM WHITAKER WILL BE HONORED BY THE CALIFORNIA CONGRESS OF SENIORS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to longtime political consultant Clem Whitaker. Next Wednesday, January 29, 1992, his friends and colleagues at the California Congress of Seniors will be honoring him for his outstanding contributions in the field of politics.

Clem is currently the CEO of Whitaker & Baxter, a public relations/public affairs counseling firm founded in the 1920's by his late father, Clem Whitaker, Sr. Shortly after serving as a pilot in World War II, Clem joined his father's firm. Already an accomplished writer, having worked as a reporter for both the Sacramento Bee and the Sacramento Union, Clem utilized his writing, speaking, and organizational skills in developing an impeccable reputation in politics. Among his career highlights, Clem boasts of having directed and managed over 50 political campaigns throughout the United States. Though he specialized in initiative campaigns, a list of his former candidates includes: Ronald Reagan, Richard Nixon, Everett Dirksen, Goodwin Knight, and George Christopher. In addition, Clem wrote speeches for the likes of Dwight Eisenhower, Barry Goldwater, and Senator Dirksen.

Clem has been the CEO of Whitaker & Baxter since 1958 spearheading the firm's direction and personally acting as principal account manager for all energy and utility clients. His work on behalf of his clients has led him into a number of political frays with Congress, various State legislatures as well as Federal and State regulatory agencies. Throughout these battles, Clem displays both a high level of integrity and a unique ability to forge consensus among divisive parties.

His involvement in a number of senior, environmental, union and business organizations allow Clem to maintain a high level of contact within the community as well as with his peers throughout the Nation. Furthermore, he currently serves on the board of directors for the San Francisco Opera Association Foundation and the Asian Art Museum.

It is my distinct honor and pleasure to ask my colleagues to join me in saluting Clem Whitaker, Jr., an invaluable member of my community.

TRIBUTE TO PETER L. SIMPSON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. CLAY. Mr. Speaker, I mourn the loss of a great American, Peter L. Simpson, and I want to enter into the CONGRESSIONAL RECORD observations on the loss of this very dear friend, colleague and fellow civil rights fighter. Together we pursued liberal causes and fought for equal rights and racial justice. We served together on the St. Louis Board of Aldermen in the 1960's.

Peter was a writer of note, having published poetry and prose as well as many articles including those in the minority press. He was personable and knew how to win friends and influence people. He was a man of giant intellect with common interests. He will be missed.

[From the Riverfront Times, Jan. 15–21, 1992]

PETER L. SIMPSON, 1932–92

(By Martin Quigley)

Pete Simpson and I had a lot in common—a love for baseball, poetry and a good bunch of pals.

The last time I saw Pete was on a dreary 35-degree afternoon between Christmas and New Year's. It was only a week or so before he fell into his big sleep. He had just come out of the Big Sleep, the bookstore he owned and ran with Chris King, another old buddy from way back.

Pete and I met by chance, which is the only way we ever met, going back to the Gaslight Bar on Boyle in the 60s. He used to come in to find surcease from the talk of City Hall, where he served the old 28th (West End) Ward as a two-term alderman; I, to escape the PR jargon and establishmentarian machinations of my colleagues at Fleishman-Hillard, then but a fledgling Satan, of which I was a senior partner. With other escapees from the mundane under the baton of the late Jack O'Neill, the magisterial barkeep, we talked of many things but not of what we did to make our livings. What did that have to do with our true loves for The Game and a book of verses underneath the bough?

I was a traditionalist whose verse rhymed in iambics. "But only in iambic tetrameter," Pete would say of it. "You're a foot short."

I teased him about his loose and limber free verse and its private insights into the Pete none but he knew.

When I saw him on the corner that last time, I knew that he was about out of time, and he knew that I knew.

A line of one of his poems came to me: "Listen," he had written, "let's try to keep some hearts from sinking any further."

"Tell you what we're gonna do," I told him.

"What are we going to do, con man?" he asked.

"We're going to watch the home opener together from the press box if I'm still welcome there."

"Be my guest," he said.

We embraced and each went his way.

In the last five years, unless I was on the road somewhere, I always got a copy of the Sentinel to read his weekly column. So did a lot of other people. Many he wrote for this appropriately minority-owned and -edited newspaper were reprinted in far- and near-flung newspapers, including The Riverfront Times.

A lot of his pals and those who knew him only by what he wrote in poetry and prose will be saying so long to Pete at his memorial mass in St. Francis Xavier (College) Church at 1 p.m. Saturday.

I plan to watch the home opener next April from the press box as his guest.

NUCLEAR WASTE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, January 22, 1992, into the CONGRESSIONAL RECORD:

NUCLEAR WASTE

The nuclear power industry has the potential to significantly reduce our dependence on foreign oil. But before this technology can become a more important part of the nation's long-term energy mix, we must find a permanent method for disposing of the growing mountain of highly radioactive nuclear waste.

Background. Although nuclear energy was first put to military use four decades ago, the vast majority of nuclear waste is now produced by the commercial nuclear power industry. High doses of nuclear waste can kill human beings in a matter of weeks; moderate levels of exposure cause cancer and other health problems. Used nuclear fuel is responsible for 95 percent of the radioactivity in nuclear waste. Thousands of years are necessary for used fuel and other high-level radioactive waste products to reach safe levels. Nuclear reactors also produce low-level waste materials, often called "miscellaneous radioactive junk." Lower in radioactivity than used nuclear fuel, low-level waste ranges from the discarded clothing of operators to valves from reactor cooling systems.

Most used fuel and high-level nuclear waste is now sitting in pools of water next to the nuclear reactors where it was created. Some of the worst examples of nuclear waste mismanagement have occurred at reactors operated by the Department of Energy, which runs the nuclear weapons production program. For instance, at the Hanford nuclear weapons reservation in Washington State, over 400 million gallons of liquid radioactive waste have been dumped directly into the ground, along with massive quantities of solid waste. And of the 177 underground storage tanks located there, at least 66 have leaked hazardous materials into the environment. An optimistic forecast is that 30 years and $30 billion will be required to clean up the poisoned ground of Hanford. I think there is a determination in Congress and the executive branch to reverse the poor environmental record in the nuclear weapons production program.

Disposal. Although Congress has wrestled with the management of radioactive waste since the beginning of the nuclear power industry in the 1960s, federal waste management policies have grown steadily more stringent in recent years. The current plan is to dispose of used fuel and high-level waste in deep geological deposits that are unlikely to be disturbed for at least ten thousand years. The costs for this program are to be covered by a fee on nuclear-generated electricity. At this point, the Yucca Mountain site in Nevada is the only one under consideration. Many questions have been raised about the security of that site, including the likelihood of earthquakes, volcanoes, groundwater contamination, and human intrusion—for example, exploratory drilling. Congress has directed the Department of Energy to test the reliability of the Nevada site, but even if scientists conclude that it is suitable and Nevada's bitter opposition can be overcome, the repository at Yucca Mountain is not expected to be ready before the year 2010.

Unlike used fuel and high-level radioactive waste, which is a federal responsibility, commercial low-level waste is handled by the states. Experts believe that low-level waste can be safely stored in shallow trenches. Currently, there are three disposal sites available for commercial low-level waste—in Nevada, South Carolina, and Washington State. However, after 1992 these sites can refuse to accept waste from outside their regions. Other states and regions are supposed to open their own low-level waste facilities. Because of public opposition and a lengthy licensing process, most states will not meet the 1992 deadline. As a result, a large quantity of low-level waste also will remain onsite at nuclear facilities, causing considerable difficulties for medical and other research institutions that lack the necessary storage capacity.

Options. The American people are very fearful of nuclear waste. They want iron-clad assurances that the waste will never escape from its containers. However, scientists simply cannot give that kind of total assurance. The government is now evaluating a number of different approaches to the disposal problem. One approach is to continue efforts to bury high-level waste in a place that is dry, stable and desolate, but finding the spot has proven difficult. A second approach is to chemically treat radioactive waste so that the plutonium is removed, but this process is costly and the plutonium produced might promote the spread of nuclear weapons. Still a third approach is to store the waste above ground in strong steel or concrete containers thick enough to block the radiation, or in thinner containers housed in solid, earthquake-resistant buildings. The containers will not last forever, but the hope is that they will keep well into the next century, by which time scientists will have found a solution to the problem of nuclear waste. Other approaches to nuclear waste management have been mentioned, such as disposal under the sea or in outer space, but these are not currently under consideration by the United States. I am impressed with the array of scientific and technical questions that must be addressed before a national nuclear waste management system can be implemented. Expanded research efforts are needed.

Certain organizational reforms may also aid the development of a coherent nuclear waste disposal policy. Many executive branch departments and agencies are involved in various aspects of nuclear waste disposal, which may complicate efforts to develop a comprehensive policy. Some people have proposed the creation of a single government agency to supervise the management of nuclear waste. Similar problems occur in Congress, where many different committees have jurisdiction over these issues. Organizational changes to improve coordination are necessary.

Nuclear waste problems transcend international boundaries. Many other nations have disposal problems more daunting than our own. And some—Russia and Ukraine, for example—may be entering periods of great

political and economic unrest. When it enters the air and water supply, nuclear contamination does not respect borders. International cooperation is essential.

The record of the United States in handling nuclear waste is deplorable. Unfortunately, it is not at all clear at this point that the nuclear waste problem can be fixed. Yet, we must continue to address it in a variety of ways, including more research, public dialogue, and international cooperation. In the meantime, we must closely monitor the current accumulation of nuclear waste, and take every step necessary to ensure its safe storage.

BLACK CONSERVATIVES ENJOY INCREASING RANKS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. GINGRICH. Mr. Speaker, Mr. Lyle Harris and Robert Vickers wrote these articles for the Atlanta Journal/Constitution last December 29. I urge all of my colleagues to read them and gain a better understanding why a growing number of black Americans who identify themselves with conservative values and the Republican Party.

This was refreshing and enlightening series, and I recommend it to all those who follow American political trends.

Attached are "Black Conservatives Wage Less Lonely Fight," "Black Campuses Are a Training Ground for Conservatives," and "Could 11th be Proving Ground?" from the December 29, 1991 Atlanta Journal/Constitution:

BLACK CONSERVATIVES WAGE LESS LONELY FIGHT

(By Lyle V. Harris and Robert J. Vickers)

Since the 1960s, black conservatives have topped a list of endangered political species.

But earlier this month an invitation-only who's who of black conservatives packed an upscale Georgetown house in honor of the new Supreme Court justice, Clarence Thomas. Around him and the tight network swarmed civil rights leaders, GOP heavyweights and Hollywood's elite.

For some, the party was more than a social affair, it was the start of a crusade. "We are saving souls," said Armstrong Williams, 32, a friend of Justice Thomas's who hosted the party.

The year 1991 was a watershed for black conservatives, from Gen. Colin Powell, who oversaw Operation Desert Storm, to Justice Thomas's appointment. Even Anita Hill, whose testimony threatened Justice Thomas's Senate confirmation, was a Ronald Reagan Republican.

Like no time before, the year provided an unprecedented showcase for a cadre of blacks who dominated the national stage while turning political stereotypes upside down.

Though still dismissed as Uncle Toms by many blacks and political oddities by many whites, African-Americans declaring themselves conservative, Republican or both are no longer a laughing matter.

At the grand old age of 22, Kevin Pritchett is riding high on the lecture circuit, largely because of his politics and his race. "I just want to show people that black conservatives, or whatever you want to call them, are not strange, are not aliens," said Mr. Pritchett, a rookie reporter for The Wall Street Journal.

He recently graduated from Dartmouth College, where black peers essentially accused him of being a yuppie in blackface and branded him "incog-Negro."

NOT YET A MASS MOVEMENT

It would be premature to describe the growth of political conservatism among blacks as a mass movement. In the 1988 presidential election, 10 percent of black voters were registered Republicans, a figure not expected to change much in 1992. And of the 162 members of the Republican National Committee, two are black. No blacks sit in the U.S. Senate; Rep. Gary Franks of Connecticut is the only black Republican in Congress.

But consider this:

Once unheard of and unwelcome, Republican student groups are cropping up at black colleges nationwide.

The number of African-Americans voting for Republicans in congressional campaigns has risen from 8 percent in 1984 to 22 percent in 1990. Younger blacks lead the trend.

Tony Brown, perhaps the nation's best-known syndicated black TV broadcaster, recently cast off his strong ties to the Democratic Party and switched to the GOP. He urges his viewers to re-evaluate their own voting habits.

As the nation's economy worsens, affirmative action and welfare reform have become issues in the presidential campaigns of mainstream candidates—not to mention that of ex-Klansman David Duke. Black politicians are among those entering the debate.

"I'm not praising David Duke, and I'm not a Republican or a conservative. I'm a realist, and what I'm saying is that if black leaders are afraid to talk about these things, David Duke wins," said Julius Sloss, a black councilman in Nashville.

ECONOMISTS OFTEN IN VANGUARD

Black conservative thought springs from a seedbed tended by a long—and often lonely—line of thinkers, many professors with economic backgrounds.

Among the vanguard: Robert Woodson, director of the Washington, D.C.-based National Center for Neighborhood Enterprise; Shelby Steele, a San Jose State University professor; Thomas Sowell, a Stanford University economist; Walter Williams, a George Mason University economist; and Glen Loury, a political economist at Boston University.

Many are bitterly critical of Democrats and civil rights groups that have shaped the debate over race and politics.

"The old order is dead," said Mr. Woodson. "Just standing up and decrying what white folks are doing and demanding expansion of the welfare state is going to be laughed off the political agenda."

Although Mr. Woodson bridles at the conservative label, his indictment is especially stinging: He is past president of an Urban League chapter in Pennsylvania.

To traditional civil rights leaders, black conservatives threaten the solidarity that has made black voters a potent force.

"If they don't like the NAACP and the Urban League, why don't they start the National Association of Black Conservatives?" asked Benjamin Hooks, executive director of the NAACP. "If they can do that, fine, I'll join. But they need to stop taking potshots while we are out here getting muddy in the struggle."

BOOKER WASHINGTON VS. DUBOIS

If black conservatives emphasize economic independence over direct political power, then 1991 served as the revival of a debate that has waxed and waned since Booker T. Washington urged newly freed slaves to "pull yourselves up by your bootstraps," while W.E.B. DuBois advocated government leadership toward a desegregated society.

Particularly in the South, blacks were first loyal to the party of Lincoln—a matter of philosophy, but also because they were banned from the Democratic Party. But the Depression and the end of white-only primaries began a shift toward Democrats that was cemented by the Kennedy and Johnson administrations with civil rights legislation.

The current debate is steeped in that history, and black Republicans admit they are likely to remain a minority for a long time.

"I don't think anything short of an act of God is going to overcome the bad taste most black people have about the Republican Party," admitted Mr. Brown, who now calls himself a moderate Republican. His public affairs program, "Tony Brown's Journal," reaches an estimated 5 million viewers.

Nonetheless, while organizations such as the NAACP and the National Urban League focus on the role of government in the treatment of minorities, black conservatives contend that most barriers of discrimination have fallen.

They offer as proof Justice Thomas and General Powell—both of humble backgrounds. (As chairman of the Joint Chiefs of Staff, General Powell has avoided declaring his party affiliation.)

They denounce some affirmative action programs, saying they reinforce a myth of black inferiority.

Leaders in black America's political establishment dismiss that theory as coming from those who have benefited from plenty of help themselves.

"How can somebody say he is pulling himself by his own bootstraps while somebody else is tying his shoes?" asked Virginia Gov. L. Douglas Wilder, the nation's first black governor and a 1992 Democratic presidential candidate. "That's not a conservative view. It's a cynical view."

But even Mr. Wilder is trying to break the stereotype linking black politicians and social progams. He is running as a fiscal conservative who has cut $2.2 billion from his state's budget.

While ideology is one reason for the rise of black conservatives, pragmatism is another. Save for four years of Jimmy Carter, the last generation of power in Washington has been purely Republican.

GOP THE ONLY GAME IN TOWN

If the Nixon administration provided a toehold, then Mr. Reagan and President Bush greased the track for a select corps of ambitious blacks.

"Anita Hill is a perfect example of a young, upwardly mobile law school graduate who wanted to work in government, and decided to take a lot of bull to get what she wanted," said Ronald Walters of Howard University.

Her former boss followed the same track—although when he was nominated to the high court, Clarence Thomas sat atop an informal network of high-ranking black federal bureaucrats, serving as mentor and counselor despite his young age, 43.

Armstrong Williams, who hosted this month's party for the new justice, was a top Thomas aide when the future justice headed the Equal Employment Opportunity Commission. He and others speak of Justice Thomas with a reverence rarely heard inside the Beltway. "Justice Thomas ignited a flame; it's burning. We have to feed the

flame, rekindle it and pass it on," said Mr. Williams, who galvanized support for his former boss when Ms. Hill accused him of sexual harassment.

Despite Mr. Bush's making an issue of rapist Willie Horton in his 1988 campaign, and his initial opposition to the 1991 Civil Rights Act, some Republicans hope the image of Mr. Thomas fighting off white inquisitors will beckon African-American voters back to the GOP.

Among them are Alan Keys, who is running a long-shot campaign for a Senate seat in Maryland now held by incumbent Democrat Barbara Mikulski. Mr. Keyes served in the Reagan administration and hopes to lure black voters with his message of economic self-help and "family values."

WINNING VOTES FROM WHITES

But like other black conservatives, he needs support from whites living in what he calls "redneck country," and thus walks a tighrope. Outside Mr. Keyes's kickoff celebration in November, an unemployed white trucker distributed fliers from the John Birch Society, the ultra-conservative, anti-communist organization seen as racially intolerant by most blacks.

"Why should it bother me if people are handing out literature from the John Birch Society?" asked Mr. Keyes. "I don't belong to the John Birch Society, to a large degree I don't subscribe to their views, but they vote."

Rather than the furor over Mr. Thomas, most analysts recognize that larger issues such as deeping economic woes and a middle-class tax revolt are more likely to touch off a battle of philosophies within the black community.

But it is the link between hard times and intolerance that poses the greatest handicap for black conservatives seeking converts. And their fate could be just as firmly connected to the economy as Mr. Bush's.

"Look at the linkage between our economic problems and all our social problems. David Duke is the result of a poor economy," said Mr. Brown, the broadcaster. "We must be able to see affirmative action and other social programs from the point of view of a white family who doesn't have any money, and for whom the American dream is fading right in front of their eyes."

"These days, such empathy may be in short supply. And so Milton Bins, president of the Council of 100, a group of black former GOP administration appointees, says any progress will likely be marginal.

"After '92 comes '96," he said. "We have some representatives who will be out there who will fire up and excite black folks, but it's going to be inch by inch."

ISSUES FACING BLACK CONSERVATIVES

Although black conservative viewpoints vary widely, there are several core issues that have drawn the most attention:

WELFARE

No single issue seems to inspire more flamboyant rhetoric among black conservatives, some describing it as "modern-day slavery." They advocate either "workfare," which would require recipients to work for their benefits, or reforms that would encourage recipients to seek employment.

BUSING

Seen as a perversion of the goal of desegregation, busing, claim black conservatives, has hastened white flight from the public school system but accomplished little else. Instead, they advocate a voucher system that would allow parents to pick the school their child attends

ECONOMIC INDEPENDENCE

If black conservatives had a formal agenda, this would be the cornerstone. Advocates such as Tony Brown have proposed programs that would recirculate money spent in the black community more effectively than is done now. For example, Mr. Brown is starting a "900" line that would advertise black goods and services and use the proceeds to help entrepreneurs start new businesses.

TENANT OWNERSHIP

Under a program touted by HUD Secretary Jack Kemp and Robert Woodson of the National Center for Neighborhood Enterprise, the management of public housing would be "privatized" and put in the hands of residents.

BLACK CAMPUSES A TRAINING GROUND FOR CONSERVATIVES

(By Robert J. Vickers)

Said Sewell III spent two years laying ground work for a Republican club at Morehouse College. Even so, classmates still tear down his fliers, confront him in the cafeteria and accuse him of selling out.

"We're selling in," retorts Mr. Sewell, chairman of the 5-month-old group. "There are many guys who are closet Republicans. We're just opening the door for them to come out."

Though no one has counted them all, fledgling GOP groups appear to be springing up within black America's traditional strongholds of liberal thought: its universities. Already Republican clubs have formed on the cream of black campuses—not just Morehouse in Atlanta, but Howard University in Washington, Florida A&M University in Tallahassee and Hampton University in Virginia.

In each case, its members struggle to balance their wish to be cut in on the political process with a desire not to be ostracized by classmates and faculty.

"You've got two things happening on campus at the same time," said Ed Wiley, assistant managing editor of Black Issues in Higher Education magazine. "You've got people talking Afrocentricity, but you've also got the buppie who's interested in economic security."

The Morehouse group is guided by some faculty and administrators, holds forums and works in state campaigns. "It's us taking hold of our future," said Mr. Sewell, 20, a senior. "As a result, we are beginning to speak for ourselves."

In Washington, the GOP heard thousands of voices in 1989 when students stormed Howard University's administration building and forced Republican National Committee Chairman Lee Atwater off the school's board of trustees.

Within that climate, Howard's Republican Club has survived.

"I'm a Republican, but I'm black first," said Stuart DeVeaux, 21, president of the small group. "But I see the problems in our community as being economic, and the Republicans are more in line with that."

Like Mr. DeVeaux, many black students link conservatism and black nationalism, which also stresses self-help. The presence of conservative thought among black leadership that kicked off the civil rights movement in the 1960s.

"I'm bringing my own revolution," Mr. DeVeaux said. "I'm tired of the same ol' same ol'."

Black students are also flexing conservative muscle at some mostly white Ivy League schools.

The conservative coming-out for Kevin Pritchett came as a freshman at Dartmouth College when he denounced an embattled black instructor while most black students supported him.

It was blacker, he argued, to remove an ineffectual black than show sentimental solidarity. "That's when I started getting into trouble," recalled the 23-year-old former editor of the Dartmouth Review. "I got threats on the phone, articles against me and people coming up and threatening to kick my ass."

Coming to Florida A&M in 1986, Kevin Ford dismissed campus Republicans as "lost." Now the 23-year-old financial analyst boasts of being a Republican longer than commentator Tony Brown, who declared his switch this past fall. "Being a black Democrat at this point in time seems to serve no one," he said.

That attitude can shock parents who have benefited from years of Democratic attention.

"My parents thought me becoming a Republican was a youthful indiscretion," Mr. DeVeaux said. "My mom laughs it off, but they see I'm serious and they kind of respect me."

COULD 11TH BE PROVING GROUND?

BLACK MODERATE MAY LURE ALIENATED WHITES

(By Robert J. Vickers)

If conservativism is a yellow-brick road for black politicians in Georgia, an up-in-the-air congressional district uniting urban blacks with rural whites may be the first step.

The new 11th District stretches from south DeKalb County east to Augusta and south to Macon. Now under review by the U.S. Justice Department, the new district's 60 percent black population would be drawn from the urban areas at its far reaches. Rural whites would make up most of the rest.

"The candidates that are successful are those who appeal to a cross section of people," said Scotty Greenwood, executive director of the state Democratic Party. "Would a black moderate do well? I think so."

By spanning such varied demography, the district will test the strategy of any politician in the race—black or white.

Augusta Mayor Charles DeVaney, a white Democrat who rejected a race in the 11th, suggests that a strategy aimed at the black middle class would also appeal to white residents. "No party can write off an entire segment of the vote," he said.

Conservatism has long been suggested to Georgia's black politicians as a means of leaping across the racial barrier into high state office, but only recently has the theory been tested.

In 1990, Andrew Young played down his civil rights background, conceded that capital punishment is appropriate in some cases, and emphasized jobs and economic growth, all to lure whites in a governor's race. It didn't work.

In 1992, Labor Commissioner Al Scott, a former state senator, will attempt to become the first black to win a statewide partisan race in Georgia. Gov. Zell Miller appointed him to the office last year, but to keep the seat he must win a special election.

"A moderate black would be acceptable to the working-class white community," insists Phylis Mack, who like Mr. Scott is from Savannah. "They have, for the most part, been left out too."

Ms. Mack, a Democrat, has already experimented with the opposite side of the coin. It was she who led the support in Savannah's

community for Mayor-elect Susan Weiner in October. Although white and Republican, Ms. Weiner focused on crime and won 38 percent of the black vote against a 21-year Democratic white incumbent, John Rousakis.

But if more blacks are willing to vote more conservatively, few black candidates are tempted to go so far as to run as Republicans.

Marshall Bailey, a decorated Navy veteran, this summer cofounded the Black Republican Council of Dougherty County. He didn't make it past the GOP primary in Albany's mayoral race this year getting little support from black or white voters.

OUR CURRENT HEALTH CARE SYSTEM COULD ONLY HAVE BEEN DESIGNED IN A DRUNKEN STUPOR

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. STARK. Mr. Speaker, I would like to include in the RECORD at this point a very perceptive article by Princeton Professor Uwe Reinhardt describing the problems of our current health care system—and suggesting some ways to improve it.

As Professor Reinhardt suggests, would anyone, even in a drunken stupor, ever hit upon the idea to construct a health care system as goofy as our current system?

CAN BUSINESS HELP BRING ABOUT A BETTER HEALTH-INSURANCE SYSTEM?[1]

(Uwe E. Reinhardt, Ph.D., James Madison Professor of Political Economy, Princeton University

Imagine the following scenario: You and a group of equally well educated and well meaning colleagues are invited to a dinner at which the spirits—Bourbon, Gin and Chardonnay—flow like water. Eventually all of you are too impaired to drive home. Instead, you play a game called "Building America's health-insurance system."

Would you, even in the most drunken stupor, ever hit upon the idea to construct for our land a health-insurance system that:

Ties the health-insurance coverage of an entire American family to one particular job in one particular company in a way that causes the family to lose that coverage should the family's breadwinner lose that job;

Grants high-income families a higher tax-subsidy toward the purchase of health insurance than it grants low-income families;[2]

Leads Americans to hold on to jobs they loathe, merely to have health insurance;

Tells families without employer-provided health insurance that their premiums will be sky-high, should one or several members of the family be stricken with chronic illness;

Sometimes simply denies families or small business firms with chronically ill members any health-insurance coverage, period;

Leaves some 35 million Americans completely without any health insurance, among them many hard-working women with children, and among them some 10 million American children;

Tells a family, stricken with illness and without health insurance, first of all to pamperize itself thoroughly before society will stretch out a helping hand in the for of Medicaid;[3]

Has members of uninsured families die at a much higher rate from given illnesses than do similarly situated families that do have insurance coverage;

Allows the private insurance carriers that cover individuals or small business firms to eat up over one third of the premiums they collect in the form of commissions, administrative overhead and profits;

Saddles doctors, hospitals, patients and business firms with a claims process whose sheer waste of paper and time is unmatched anywhere in the world; and that, for all this,

Costs some 40 percent more per capita than does Canada's health system, the second most expensive health system in the world, and thus

Has the executives of even American business firms now humble themselves in testimony before the U.S. Congress with their lament that they simply cannot control the cost of providing their employees with health insurance that they therefore cannot compete effectively anymore in the international market place?

If you were a misanthrope with a truly wicked streak, you might dream up such a scheme, drunk or sober. If you are, then, Mazeltov! You've got your wish, for I have just described to you the main outlines of our nation's health-insurance system.

Who, you may ask, put this wicked Rube Goldberg contraption in place to begin with? It is difficult to answer that question tactfully, for the honest answer is this: it was America's business executives and their allies, the leaders of our labor unions. They did so, however, not because they were wicked; they actually meant well. They did so without ever thinking very deeply about the long-run consequences of their policies. Alas, the proverbial eggs they laid in the past now have become the proverbial chickens that are coming home to roost. The system is crumbling all around us.

Suppose you were possessed of both a keen mind and a humanitarian heart. What would be the design specs you would posit for a sensible American health insurance system worthy of the name insurance. Would you not, as a minimum, require that the basic health-insurance policy available to all Americans be:

Portable from job to job and from employment into unemployment;

Based on premiums that are community-rated rather than actuarially fair (i.e., based on the ethical premise "God bless me, and to hell with you!");

Administratively simple and efficient?

If premiums are to be based on actuarially fair principles, then government should at the least grant families tax credits high enough so that no family spends more than X% of its budget on health care, where X should be low for low-income families and then rise with income.

Would these design specs really be too much to ask for a nation that seeks the label "civilized" and that finds itself embedded in a highly dynamic, fiercely competitive, global economy that holds every American job hostage to managerial decisions made on distant shores? In fact, aren't these pretty much the design specs that characterized the old Blue Cross and Blue Shield plans—private socialism at its best?

If your mind and your soul do lead you to embrace these design specs, what sort of system might incorporate them? It turns out that there are a great many such systems, ranging all the way from a single-payer, government-financed system such as Canada's to the pay-or-play proposals now before the Congress or to the "managed-care" scheme proposed by Professor Alain Enthoven of Stanford University (if his scheme were accompanied by the many government regulations he calls for). Each of these alternative systems could be coupled with portable, community-rated and administratively simple insurance products.

What could American business do to move our system in the direction of these design specs? Most importantly, it might get off its ideological horse that has bucked every time the word "government" or "taxes" or "regulation" has been mentioned in the past. Let us face it: if health-care is to be subject to the social ethic that wealthy and/or healthy people subsidize poor and/or sick fellow Americans, then the redistributive or at least regulatory hand of some public collectivity—the state or federal government—will necessarily be part of the required social contract.

Unfortunately, so far America's business executives have been content merely to naysay whatever constructive proposal for better health insurance has been put before the nation. They have never put on the table a constructive idea of their own. Instead they now do something quite illogical: they proclaim, out of one side of their mouths, that they can discipline the health-care market better than could government, all the while whining, out of the other side of their mouths, that they are the hapless victims of a cost-shift from government (Medicare and Medicaid) to business. How can both propositions hold at once? Either Ameircan business does have the moxy to just say "No!" when the cost-shift comes its way in the form of higher physician fees or hospital prices, or it does not. If it does not, then would this not be a propitious time to professes structural impotence in the health-care market and ask the government to keep that market in check? In any event, America's business executvies really can't have it both ways much longer without losing the respect of health-policy analysts.

Will America's executives soon get their act together and support a workable health-insurance plan for the nation? That remains the $64,000 question. In the meantime, be prepared for more unpredictable and uncontrollable increases in your company's health insurance premiums, and for more strife in the labor market, as your company seeks to deflect these cost increases onto its employees (yourself included). I'll be here to chronical your agony and, frankly, I won't shed many tears for you. You, my friends—or at least your bosses, past and present—had it all coming. Won't you agree?

[1] Written for CFO Magazine, a trade journal for chief financial officers.

[2] Health insurance coverage provided by employers is a tax-deductible business expense, as is any form of compensation paid employees. Yet, unlike cash income, this fringe benefit is not taxable income to the recipient. Persons who face high marginal tax rates thus pay fewer cents per dollar of health insurance than do persons in lower brackets.

[3] On average, the income threshold above which families lose Medicaid eligibility is below 50% of the federal poverty line. In Alabama, that income-threshold in 1991 was $1,488 per year for a family of three. In Arizona it was $2,448 and in Florida $3,528.

A TRIBUTE TO ROLANDO BARRAL

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is indeed an honor to have the opportunity to recognize Mr. Rolando Barral, the host of "Barral Hoy," a talk show which will be aired for the first time this month on Telemundo, south Florida's channel 51.

"Barral Hoy" will set the stage for performances and interviews with some of our worlds artistic, social, political and religious personalities who may have an interesting or informative message for the different Hispanic communities throughout our Nation. The first program of "Barral Hoy" will feature international artist Iris Chacon and the outspoken Geraldo Rivera among others. The objective of "Barral Hoy" is to communicate, inform and entertain its audience.

Mr. Barral began his professional career at the age of nine in Cuba and has now achieved 42 years of artistic endeavor. Throughout his career, Rolando Barral has starred in a number of leading roles, performing in 68 television serial productions. He has also worked in 11 feature films, 34 theater productions and over 1,500 hours of serial radio drama. He has been the host of several TV game shows in Miami, Puerto Rico and the Dominican Republic. His work and love for the arts has taken him to Spain, Venezuela, Dominican Republic, Peru, Argentina, Ecuador, Brazil, Chile, El Salvador, Mexico, and Canada.

In addition, Mr. Barral has earned awards and recognition as "Mr. Television" in Panama, Puerto Rico, and Miami; and was named into the Hall of Fame of the Association of Critics and Commentators of Art in Miami.

I would like to congratulate Mr. Barral for his outstanding work in the field of entertainment. Mr. Barral is a dedicated professional, and his perseverance and love of the arts is evident in his terrific success and his many accomplishments in the field. I congratulate Mr. Barral for his latest victory—"Barral Hoy."

UNITED STATES-JAPANESE TRADE RELATIONS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BEREUTER. Mr. Speaker, in the few weeks since we last met as a body, the subject of international trade has received a considerable amount of attention in a variety of forums. In Geneva, the Uruguay round of the General Agreement on Tariffs and Trade, after 5 years of negotiations, appears to be heading toward some conclusion. In Japan, the subject of United States-Japanese trade relations occupied center stage in the President's trip there, and currently, in New Hampshire, Republican and Democratic candidates for President are debating their relative positions on U.S. trade relations.

Nevertheless, in all forums, the level of debate over this subject often involves a significant amount of rhetoric and half-truths. Consequently, at a time when political buzzwords such as protectionist, Japan bashing, and fair trade are used indiscriminately, I would like to commend a recent article in the Omaha World-Herald to my colleagues.

Mr. Speaker, this article concisely and accurately stresses that both Detroit's lack of vision as well as Japan's nontariff barriers have contributed to 75 percent of Japan's $42 billion trade surplus with the United States.

DETROIT HAS A FORMULA FOR SALES

President Bush did what he could for U.S. automakers during his trip to Japan. But some of Detroit's problems must be solved in Detroit.

Executives of Ford and Chrysler maintained that Japan didn't make enough concessions when it agreed to import 20,000 more U.S. cars each year, to double the volume of auto parts purchased from U.S. manufacturers, relax inspection standards and boost sales of other U.S. goods.

Certainly Japanese protectionism hasn't helped the American auto industry sell its cars in Japan. But Detroit's main problem isn't a lack of sales in Japan. It's the fact that the Big Three got out of step with the demand for smaller, more fuel-efficient cars in the 1960s and 1970s, which allowed imports to command an increasing share of the domestic market.

There also was a perceived quality gap. But American cars have closed that gap in recent years. And in some cases there has been a price problem. Years of expensive union contracts—auto workers, among other things, even collect a salary and benefits during temporary layoffs—have made it harder for U.S. cars to hold their own in Japan.

Furthermore, exports haven't been helped by the fact that Detroit still hasn't moved the steering wheels of its Japanese-bound cars to the right side of the passenger compartment, as is customary in Japan.

Certainly doing business in Japan can be difficult. Japanese manufacturers tend to buy only from Japanese suppliers even when foreign products of equal quality can be bought at competitive prices. Price fixing is not uncommon. Interlocking ownerships of distribution systems and retail outlets can freeze out foreign products.

Three-quarters of Japan's trade surplus with the United States, approaching $42 billion, involves cars. Japanese companies sell about 1.75 million vehicles in the United States each year, while Japan imports 35,000. About 20,000 of the Japanese cars are built at Japanese-owned factories in the United States. Even if Detroit sold 20,000 more cars in Japan this year under the new agreement, it wouldn't have much effect on the trade imbalance.

But Detroit shouldn't have to sell cars by negotiation. It should sell cars the way Henry Ford sold them—Ford's basic formula for success was to build a good product and keep it affordable. The more closely the automakers and their unions follow that philosophy, the less they will need the president of the United States to go to bat for them.

TESTIMONY BEFORE THE WAYS AND MEANS COMMITTEE

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. PEASE. Mr. Speaker, on December 17, my distinguished colleague from North Dakota, BYRON DORGAN, testified before the Ways and Means Committee on the state of the economy. He described the futility of looking for a quick fix for our country's economic problems, explaining that long-term problems necessitate long-term solutions.

Representative DORGAN accurately identifies many of the causes of our current problems, and I think overall he identifies many of the challenges confronting us today. His testimony is worthy of consideration by all of us, and I urge my colleagues to do so.

TESTIMONY OF BYRON L. DORGAN

It could only have been with a healthy sense of humor that the American people viewed the news of 1991 sandwiched by a story early in the year that the U.S. Government had assumed ownership of the failed junk bonds of the Taj Mahal Casino, and by the news at the end of the year that Donald Trump, the mogul who built the Taj Mahal Casino, was invited to testify before Congress to offer advice on how to straighten out a failing U.S. economy.

It probably didn't surprise anybody that when Mr. Trump testified before Congress, he joined those apostles of change serving here in Congress who tell us that if we will just make a few adjustments to our economy things will turn out just fine.

In this land of instant credit, instant coffee, Jiffy Lube and fast food, it's not surprising that there are those among us who promise a quick fix for everything—even our national economic problems. But the truth is, there isn't a magic potion that will quickly and effectively solve America's serious economic troubles.

Our country is suffering an economic decline from an unprecedented decade of public sector neglect and private sector greed, and it requires a whole lot more than a "quick fix."

In the public sector, the staggering federal deficits, an incompetent trade policy, and negligent regulators who allowed the financial institutions and airlines and other key industries to trek to the edge of ruin—all have created serious, long-term problems for our country.

In the private sector, an orgy of greed, symbolized by hostile takeovers, leverage buyouts, and junk bonds, cannibalized America's enterprises at the very time our competitors were building better products and capturing our markets.

Now we suffer a national economic hangover. And those who helped create the brew are telling us the solution is to pass the jug. Well, the sad truth is it's time to sober up and start taking care of business.

The American economy rides on a cushion of confidence. People confident about the future, their jobs, and opportunities for their families make decisions to buy, save, borrow, and invest. They do the things that help our economy grow.

But people who lose confidence in the future do just the opposite. They worry about jobs, security, and they delay decisions to buy, to invest, to borrow, and the economy

slows down, resulting in layoffs, deficits, and economic decline. And confidence is further eroded. The key is confidence.

Almost no one disagrees that today the American people now lack confidence in the future. They believe our country is off track and moving in the wrong direction. They worry that the U.S. is losing its edge. They see staggering public and private debt, collapse of financial institutions, a miserable trade policy, and a President and Congress unwilling to provide bold leadership. The question today is what *can* we do about that, and what *will* we do about that?

Who has the keys to the kingdom of economic growth? Are they in some menu of taxing and spending gimmicks that will unleash America's productivity once again? I don't think so. I think the keys that open America's future to new opportunity and growth are the same keys that created America's economic strength in the first place. They are timeless truths, such as paying our bills, making the best products, insisting on fair trade. These are the principles that will guide us to a better future.

Our country has to deal with its fundamental problems. First and foremost is a crushing debt that erodes people's confidence in the future. The federal debt is out of control. And private debt levels are also dangerous. For a decade we have been through a denial process—denying there is a problem when the entire world has seen our country develop an addiction to debt. It is time to look that problem square in the eye and give the American people some confidence that we are going to do something about it.

I recognize that it's a whole lot more popular for people to be talking about reducing taxes than it is to be reducing the debt and deficits. But the only way we are going to restore confidence in the American economy is to demonstrate to people that the President can lead and the Congress will follow in a direction that will offer real progress in reducing the federal deficit.

Second, it is important for us to be encouraging policies in the private sector that promote long-term investment rather than short-term investment. Our vision must extend beyond the next quarterly P&L statement. Our ability to compete in international markets requires U.S. companies to plan and invest for the long term.

Third, it's time to stop the leveraged buyouts, hostile takeovers, and junk bond fever. It is a binge of speculation that is debt driven and that weakens our country's production enterprises.

Fourth, Uncle Sam ought to stop paying everybody else's defense bills. It's time to tell our allies to pay for their own defense, and we can use the billions we now spend to reduce our deficit instead.

Fifth, we should stop talking about free trade and start insisting in fair trade. We can't win when the rules are stacked against us.

Sixth, we should develop a joint public sector/private sector initiative to make "Made in America" a symbol of value and quality again. We will succeed when we make the best products in the world.

Seventh, we must commit to building and maintaining the finest education system in the world.

These steps require a long, patient commitment to doing the right things to make America grow again and make America great again. They require leadership and discipline and they require making a long-term commitment to this country's future.

These hearings have been called to discuss the general subject of economic growth. But, the testimony has included much more than that. There has been a fair amount of discussion about the need to do something to respond to the conditions that were created in the 1980s in which the rich got richer and paid less in taxes while the middle class got squeezed with a higher tax rate. I don't disagree that there is a need for some middle income tax relief paid for by the modest tax increase in those very upper income earners.

While the debate over the capital gains tax break has focused on the proposal offered by President Bush which truly would provide the bulk of its benefits to the very, very wealthy, I have written and others have proposed a capital gains tax cut that will focus its benefits on middle income taxpayers. We should seriously consider that approach. Those who own a family farm or a small business, or who save for their kid's college education should not be paying a tax on the increased inflation value of their asset. My proposal for a $200,000 lifetime bank of capital gains income at a lower tax rate is one that targets help to the middle income families.

Also, the Chairman's proposal which I have co-sponsored to provide a credit against Social Security taxes paid to try to provide some middle income tax relief makes sense to me. These are the types of policies we can and should discuss to make improve things easier for the working families who are the backbone of this country's economic strength.

But, notwithstanding those policies which I think we should pursue, the long patient work necessary to put our country back on track requires a devotion to dealing with the fundamental problems which I have outlined earlier in this statement. Our country has to make some tough decisions if it wants to retain its economic strength, and remain an economic power. In our history, whenever times have been tough, its leaders have been willing to lead, and the American people have risen to the challenge. I am convinced that we will see that same spirit once again as we rededicate ourselves to the future of this country.

USX SPEAKS OUT ON TRADE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DINGELL. Mr. Speaker, as our $41 billion trade deficit with Japan gains greater public attention, more and more major American corporate executives are urging the United States to toughen its trade policy with that country. Charles A. Corry, chairman, board of directors and chief executive officer of USX Corp., is one of those individuals who has had the courage to speak out on the issue. Mr. Corry correctly observes that our $41 billion deficit with Japan, $31 billion of which is in the automotive sector, is devastating our economy. In a recent letter to President Bush, Corry says, "Mr. President, simply refuse to permit the Japanese to import that $30 billion of automotive business in 1992 and let the U.S. industry satisfy that market." He concludes, "We desperately need an element of self-interest and common sense injected in our trade policies. What we have been doing in trade has been self-destructive, and the evidence is all around us—your leadership can change it."

I insert the text of this letter for the benefit of my colleagues.

USX CORPORATION,
Pittsburgh, PA, December 13, 1991.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: The country has suffered an economic malaise for some time now, and much has been written about what needs to be done to invigorate the economy. It is clear that low interest rates alone will not do the job, nor, in my opinion, will the tax tinkering now being discussed in Washington. The tax proposals also pose budgetary and other risks, and their impacts would take time to percolate through the economy and not provide the "quick fix" which would be far more worthwhile.

The "quick fix" to our current economic problems lies in our trade deficit with Japan. The Japanese this year expect to extract $41 billion in wealth from the United States via our trade deficit about three quarters of that is automotive related. That $30 billion of deficit is so focused and concentrated makes the problem easier to address and manage. Mr. President, simply refuse to permit the Japanese to import that $30 billion of automotive business in 1992 and let U.S. industry satisfy that market. If legislative support is needed, I am certain that Congress would be no problem.

Consider the terrific impact that $30 billion of additional automotive manufacturing would have on the economy. Automobiles are an extremely high value-added product that cuts across the U.S. industrial economy like no other product. Large quantities of plastics, electronics, steel, aluminum, rubber, glass, and fabric are involved in its manufacture. Such an injection of business would have a quick and dramatic impact on our industrial activity. For their part, the Japanese would have to content themselves with a $10 billion trade surplus in 1992 instead of the $40 billion to which they have become accustomed. The transfer of this enormous industrial activity from the Japanese economy to our own would have no domestic political downside, and your resolute trade leadership would be uniformly applauded.

A vigorous economy requires healthy consumers. Our trade practices over the past decade have devastated the U.S. manufacturing sector, and we have, therefore, lost a large portion of the best jobs in our economy. These were the jobs that made the American factory worker the envy of his peers around the world. These were the jobs that enabled a person to own a home and a car, educate his children, take vacations, and in short, be a good consumer. Yes, we have created many new jobs—in health care, in shopping centers, and in hotels and restaurants, but these are not the jobs that a family can build a life around. Walk through a shopping mall and see all the "help wanted" signs and on the same day read the press report of another major corporation eliminating good jobs. What has happened seems obvious everywhere but in Washington. Now, two jobs are required in a family to provide the standard of living that one job provided years ago. We are speaking today about the next generation not living as well as their parents. You can be sure, Mr. President, that is not being said today in Japan or Korea where our trade policies have created tremendous wealth and prosperity.

The cumulative trade deficit over the past decade totals $1 trillion; about half, $480 billion, has gone to Japan. Isn't ten years of experience and $1 trillion in damage sufficient and convincing evidence that our trade poli-

cies have not worked well for Americans. With that record, why not try something different. Your leadership is urgently needed, and a nation's standard of living is at stake.

I am a businessman with over thirty years of domestic and international business experience, I know of what I speak, and I would not presume to offer you advice on a nonbusiness matter. We desperately need an element of self-interest and common sense injected in our trade policies. What we have been doing in trade has been self-destructive, and the evidence is all around us—your leadership can change it.

Thank you for your patience. If you believe a further discussion of the point of my letter would be constructive, I would be pleased to make myself available to you or your staff.

Yours very truly,

C.A. CORRY.

ONE SMALL CAPITAL GAIN—ONE BIG TAX

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. ARCHER. Mr. Speaker, the following article recently published in the Wall Street Journal speaks for itself. I hope my colleagues who may try to paint the false picture that a reduction in the capital gains rate will only benefit the "rich" will first consider those, similar to Mr. Walker and his family, who would otherwise take economic risks but choose not to because of counterproductive tax policies.

ONE SMALL CAPITAL GAIN—ONE BIG TAX

(By George W. Walker III)

I had heard the arguments in favor of a reduction in America's capital-gains tax. But why should people like me, who work in education; or people like my neighbor the plumber; or the electrician I know; or the guy who runs the local carpet store; or that nice young kid who works as a clerk at the home improvement center—why should any of us be in favor of a "trickle down" tax reform to benefit "the rich"?

I, for one, couldn't make up my mind. Then my wife and I bought a house, a weathered and abandoned old domicile in a nice neighborhood. We didn't want to live there; we just saw an opportunity to refurbish a run-down home and sell it for a modest profit. Theoretically, we took one of the greatest risks of all. We secured a home-equity loan on our family residence and used the money to purchase a "handy-man's special."

I was convinced that it would be a great lesson for our four children. Even the 10-year old worked right alongside us: washing, cleaning, scraping wallpaper, priming, sanding, painting, sawing wood, knocking out walls, climbing ladders, installing siding, tacking down carpets. And more.

We didn't do our own plumbing or electrical work. We hired that neighbor who's a plumber, and that fine man who had done some electrical work around our own home a couple of years ago. We were on a first-name basis with all the folks at the lumber store and the home improvement center. We were there two or three times a week for month after month, spending money to turn this neglected old structure into a gracious, inviting home.

We frequented the fabric store (my wife sewed all the curtains) and the building store (vinyl siding). We spent more money at the pizza shop (no time to cook), and they even began to recognize us at the drug store (bandages and liniment).

"But," I said confidently to my wife, "it will all be worth it after the house is sold, when we take the kids into one of those private rooms at the bank and I count out our profit for them to see in real cash, before we deposit it. 'This,' I will tell them, 'is what America's economic system is all about. If you're willing to take a reasonable risk and work hard, you may reap a financial reward that makes the whole adventure worthwhile!'"

A funny thing happened on the way to the bank. I stopped in to see our accountant. "Congratulations on your profit," he said. "But remember that today's capital-gains tax is the same as your 28% personal income tax. And as a resident of New York state, you'll need to add on 7% in state taxes. So whatever your gross profit, be sure to set aside 35% for taxes."

We'd found a buyer willing to pay $60,000. We'd thought that would let us reach our goal of making about $6,000 on this venture. But deducting 35% of that would leave us with a net profit of $3,900. Our very conservative estimate is that the combined labor of all the family members who worked on this project totaled 1,200 hours. That means that after the capital-gains tax is paid, we netted about $3.25 per hour. We would have earned more standing at a cash register repeating the words "Paper or plastic?"

Will we try a venture like this again? I doubt it. And if the capital-gains tax bite discourages us from trying it again, that means we won't be hiring the plumber and the electrician; we won't be visiting the fabric and carpet stores; we won't be making home equity loan payments to our hungry local bank; we won't be writing checks that help pay the salary of the nice young man at the home improvement center.

I'm not rich. But what if I were? Then, instead of fixing up one old relic, maybe I'd be building an entire housing development. Maybe I'd be buying tens of thousands of yards of carpet. Maybe I'd be hiring scores of skilled laborers. Maybe I'd be pumping more money into more corners of my community and the economy than I can even imagine.

A tax break for the rich? So what? Scrooge McDuck, my children tell me, puts his money in a bin and swims in it. But there's evidence that most rich people don't do that. They spend their money. They invest it, risk it, try to get it to work for them so that it will grow. But that's hard to do without hiring people, buying materials and supplies, and spending in a multitude of other ways and places.

There's talk that a cut in the capital-gains tax just might make it through Congress before long. That'll be too late for us. We're tired and a little discouraged right now. But maybe a few people who aren't "rich" will read this article and then tell their legislators they want that capital-gains tax cut.

It's not that we care about "the rich." We promise that we'll continue to envy them and resent them. Still, let that tax cut go through. America could use the jobs * * * and the prosperity.

(Mr. Walker is dean of students at Genesee Community College, Batavia, New York.)

A SPECIAL THANKS TO OUR DEPARTING PAGES

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MAZZOLI. Mr. Speaker, I would like to take this opportunity to express my personal appreciation and gratitude to all the departing Pages who have served in the House of Representatives during the fall of 1991. I am sure my sentiments echo those of all Members of the House. There is little doubt that the effort and dedication of these young people from all over the country contribute to the efficient and effective operation of the House of Representatives.

In particular, Mr. Speaker, I would like to congratulate April Patterson, from my home district of Louisville, KY. I had the privilege of sponsoring April this term, and I commend her not only for her academic prowess, but for her cheerful demeanor which always brightened the day for me and my staff.

Mr. Speaker, we all know that the job of a congressional Page requires long hours, as well as the ability to balance educational and work responsibilities. But these young people were selected for the Page program on the basis of their academic ability and their personal maturity. It is not surprising then, that they should do such an outstanding job for the House. They represent some of the finest young people that our Nation has to offer.

The Pages arrived in September 1991 and will complete their service on January 24, 1992. Over the course of these few months they have had the unique opportunity to learn about their Government, different people, a different city, and themselves. As these Pages leave Washington, I am confident that they will take with them an experience which will enhance their academic and personal development in the years ahead. The departing Pages are:

DEPARTING PAGES FOR FALL 1991-92

Abbott, Lucy; Abdul-Hadi, Roni; Biltekoff, Leslie; Campbell, Lindsay; Clester, Alisha; Connors, Michael; Creeden, Kelly; Demetriou, Michael; Desai, Sonal; Dinusson, John; Dooley, Sean; Eckstrom, Kevin; Eichhorn, Heidi; Flahive, Julie; Floyd, Bryn; Froehlich, Michael; Goldwasser, Emily; Hauselt, Margaret; Hinze, Jonathan; Hoff, Christopher; Hooks, Stacy; Humphreys, Desiree; Iacomino, Thea; Just, Nathan.

Kelley, Paul; Margolis, Michael; McCoy, Robyn; Musser, Fritz; Paige, Mark; Patterson, April; Pfaff, Kelly; Reed, Christopher; Riley, Jade; Romansky, Michael; Rothman, Meg; Shamblin, Claire; Smith, Keysha; Sontag, Rachel; Steele, Dax; Taylor, Tyson; Thompson, Matthew; Tompkins, Samantha; Turnbull, Amy; van der Walde, Lambert; Vasquez, Brandon; Ward, Laura.

Mr. Speaker, I ask my colleagues to join me in extending a warm "thank you" to this distinguished group of young people for their dedication and great work.

TRIBUTE TO COMMEMORATE UKRAINIAN INDEPENDENCE DAY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BONIOR. Mr. Speaker, Wednesday, January 22, 1992 is a day that signals for Ukrainians around the world, and certainly in Michigan's 12th Congressional District, the end of a long, painful struggle for an independent Ukraine. The hearts and souls of Ukrainians everywhere now overflow with the glorious realization of freedom and democracy.

For almost the entire 20th century, the Ukrainian people have struggled to shed themselves of a government brutally imposed from above. Russian invaders relentlessly assailed Ukrainian heritage and continuously sought to crush Ukrainian identity and wipe the existence of Ukrainian culture off the face of the Earth.

Yet try as they might, the Soviets could not crush the religious, social, and cultural identity of the Ukrainian people nor their yearning to be free and independent once again. And is August 1991, the Ukrainian people cast away the chains of repression and demonstrated to the world that the spirit of freedom is a far more powerful and compelling force than is the philosophy of fear and intimidation.

Today, the future of Ukraine rests firmly in the hands of the Ukrainian people. Yet at the same time, we must remember that the sacrifices of the past cannot be bartered for the promises of the future. As Ukraine stands ready to assume its rightful place among the free nations of the world there is a great deal of work to be done and a great many challenges to overcome.

Mr. Speaker, as a Ukrainian American, I am deeply proud of my heritage and my people. For all of us, January 22 will always signify a very special day. On this day we pause to think of the valiant struggle for independence that has now won a future of promise and possibility for the people of Ukraine.

SALVUCCI'S VISION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. FRANK of Massachusetts. Mr. Speaker, one of the most talented, dedicated and successful public servants that I have known is Fred Salvucci, who I met when we first worked for Mayor Kevin White in 1968. Fred Salvucci has been a pioneer in making urban transportation policy more civilized. Fred Salvucci brought together his professional expertise in the field of transportation with a full understanding of the rich texture of urban life and a first-rate set of values. He has more than any other individual transformed transportation policy in Massachusetts in the direction of both efficiency and humanity, and we are deeply in his debt. I was delighted that the Boston Globe recently chose to call attention to a great debt we in the greater Boston area owe to Fred Salvucci and I ask that that editorial be printed here.

SALVUCCI'S VISION

The hands at the control levers are those of someone else, but the start of visible construction activity on the Central Artery/third harbor tunnel project is a tribute to the vision and perseverance of former state Transportation Secretary Fred Salvucci.

Now at Massachusetts Institute of Technology—an academic semi-retirement for a person of his aggressive work habits—Salvucci brought the project from a figment of a planner's imagination to the concrete reality of construction before leaving office with the change of administrations a year ago.

It may have been Salvucci's major achievement, shortly after former Gov. Dukakis was returned to office in November 1982, to blend together what until then had been seen as separate projects that were competing with each other for political and funding support.

Salvucci realized that the two projects—depression of the Central Artery and construction of a third harbor Tunnel—made more sense together than either one did by itself. As the combined project appears now in scale models and on maps, its benefits seem so obvious as to make it difficult to imagine either one existing without the other.

But that was Salvucci's doing—even if it took a half-dozen years to convince State House politicians, East Boston community activists and downtown business leaders. He was fortunate that an early convert to the sense of that vision was former House Speaker Thomas P. O'Neill, who had to bear partisan gibes at "Tip's tunnel" but came through with the necessary federal funding.

Salvucci's name is unlikely to emblazon any roadway overpass or tunnel abutment along the path of the Central Artery and the third harbor tunnel, but without him there probably would be no overpass or tunnels to put someone else's name on.

FRIENDS AND FAMILY HONOR THE REV. MARTIN N. AÑORGA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is a pleasure to recognize the Reverend Martin N. Añorga for his commitment and dedication to the members of our community during his tenure as pastor of the First Hispanic Presbyterian Church of Miami and director of La Progresiva Presbyterian School.

The Reverend Añorga has earned the respect of his congregation and his school as well as that of all throughout the community through his devotion and patience, as well as his decision to stand for the high moral values of the young people of our community.

For 30 years the Reverend Añorga's presence in our community has been an inspiration to us all. He has worked as the head of the First Hispanic Presbyterian Church and La Progresiva Presbyterian School for 28 consecutive years. His work has reached many and he has gone above and beyond the call of duty in his attempt to realize his aspirations. He has set no limits or boundaries in what he strives to accomplish daily.

A group of the reverend's friends and family joined to honor his work of nearly 30 years. On January 11, 1992, Reverend Añorga was honored at the Coconut Grove Convention Center in Miami.

I would like to take this opportunity to congratulate Rev. Martin N. Añorga for his never-ending dedication and service to the many individuals he has reached. His sense of dedication to the spiritual values which are the core of our existence is hard to match. The Lord has guided Rev. Añorga throughout the many turns of his life and this strong devotion to God has inspired Rev. Añorga to lead his delegation to perform good work for the entire community.

May the Lord continue to bless Rev. Añorga and his family.

NATION CELEBRATES THE BILL OF RIGHTS

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DARDEN. Mr. Speaker, on December 15, 1991, our Nation celebrated the bicentennial anniversary of the implementation of the Bill of Rights to the Constitution of the United States.

Described by former Supreme Court Justice Warren E. Burger as the horse power and the harness respectively, the Constitution and the Bill of Rights serve as the backbone of our national identity. With these documents, one can chart the Great American Story—our 200-year-old quest for the ideals of liberty, justice, and equality.

We were the first people to found our Nation on the basis of individual rights. Accordingly, our Bill of Rights is not a rigid blueprint of rules, but serves to represent fundamental values.

In honor of the bicentennial celebration of the ratification of the Bill of Rights, Dr. Floyd Roebuck, pastor of First Baptist Church of Rome, GA, wrote a most interesting editorial for the Rome News-Tribune and addressed the subject of first amendment rights. Mr. Speaker, I would like to take this opportunity to share Dr. Roebuck's article with my distinguished colleagues at this time.

VITAL FREEDOMS ARE IN IT—AND OTHER THINGS AREN'T IN IT

(By Rev. Floyd Roebuck)

Imagine the scene if you can. It is a relatively small room, crowded with overdressed, perspiring, at times rowdy men. They are a diverse group, having come from all over this new country.

They are rich and poor, learned and unlettered, lawyers, merchants, farmers and much more. By nature they are fiercely independent and have only recently broken their long-standing emotional and political ties with the countries of their roots.

Now they are making an honest effort to give shape to shadows and bring into being a satisfactory government. Vigorously shaking their wigged heads, and dramatically pointing accusing fingers at one another, they hammer out a political compromise which will hopefully make the already written Constitution palatable to the former colonies.

What comes into being is a dozen amendments (only 10 of which will be later ratified by the states), the product of hard-fought world battles. It is an amazing and a fortuitously durable document which specifically identifies fundamental rights and freedoms possessed by every citizen, while limiting the coercive powers of the Congress.

It is a treasured and prized piece of legislation, based in part on biblical foundations, as well as being drawn from the finest of ancient civilizations, and reflecting at times the firmly held views of some of the nation's early "patriarchs."

It is also a document seldom actually read and often misquoted, either because of unfamiliarity with it, or from a deliberate attempt to discredit or bend it. We emphasize the lines we like and conveniently overlook those which do not support our personal prejudices.

Most law-abiding citizens are hardly aware of most of the provisions, for a majority of them deal primarily with criminal-justice issues. On the other hand, at least a couple of these amendments are an integral part of all our lives every day.

I certainly will make no claim that in a few sentences I can settle all the arguments about these amendments, often debated in and out of judicial chambers, but I will express some opinions.

The "right" which concerns me most is the first one, and that particular part of it which speaks to freedom of religion and freedom of speech. Certainly this is of primary importance and absolutely essential in a free society like ours.

Problems arise when persons (including courts and administrators) misinterpret the intended meaning. What the First Amendment needs is to be understood in the context of persons fleeing the despicable tyranny of state churches in Europe. They had personally witnessed the negative consequences of the merging of civil and religious authority. They had seen the abuses of power and felt the painful sting of being taxed to support churches, institutions and clergy of which they did not approve. So now they have insisted that the government shall be neutral in matters of religion.

The famous "establishment" clause clearly states that there shall be no favored state church (or denomination). Or to say it differently, there is to be no "official religion" in this country.

Actually, this ran contrary to practice, for at one time or another, 12 of the original 13 colonies had a "state church." In 1639, Roger Williams, an early crusader on this subject, having been run out of existing cities, fled to the wilderness area in Rhode Island, established a city (Providence), and laid the groundwork for a denomination (Baptist). The separation views he espoused were not acceptable to those currently in charge of the government.

Authors of the First Amendment, 150 years later, strongly supported Williams' clearly articulated position and wrote in the guarantee that, in this new nation, the state and the church would be forever separate. They intended that no religious group or denomination would have undue influence on the government, nor the government on any religious group or denomination. There would be no favored religious party or denomination. Religious groups would not be usable for political purposes.

The other part of that first section says that these citizens will "not be prohibited in the free exercise" of their religious beliefs. The government is neutral, not atheistic. "In God We Trust" would become our motto and would find its way onto our currency. "Under God" would be deliberately added to the Pledge of Allegiance. It isn't that God is to be "gonged," or religious values eliminated. Rather, those who live in this country will be free to worship when, where and how they choose, without any interference from the government. While the state shall not favor any denomination or religious body, it shall never make any effort to prevent the free practice of one's religious convictions.

The freedom of speech and the press provision, while precious of the people, has also been distorted, perverted and used as an excuse for all kinds of filth, pornography and other obscenities. Our forefathers would blush in their graves if they were able to see what despicable caricatures certain persons have made of their serious attempts at protecting citizens from those who would limit or restrict the free flow of truthful information. In no way does the Bill of Rights permit me to say anything I wish, write or publish anything I may want to.

In my opinion, it was an attempt to determine that the government would not control or manage information distributed to the citizenry. The people have a right to know the truth, for the truth can make them free. The prelude to all tyrannical governments is the gaining control of communications in those affected nations. That is plainly prohibited here.

So, on this 200th anniversary of the ratification of the Bill of Rights, it is time to call attention to the significance of the document, and to warn against taking it for granted and the abuse and perversion of such magnificent rights.

Happy anniversary!

FROM THE CONGRESS OF THE UNITED STATES TO IRVING DEAN, SR.: HAPPY BIRTHDAY!

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. SOLOMON. Mr. Speaker, I call them quiet American heroes. They don't ask a thing of their government. They hardly ever get their names in the papers.

But they are the salt of the earth.

All they do is work hard, pay taxes, obey the laws, and raise families. And that's plenty. But in the process they always leave something behind. They always leave their communities a little better than they found it. I'd like to talk to you about one of those quiet American heroes today.

His name is Irving Dean, Sr. of Queensbury, NY. He's going to be 80 years young on February 6.

Mr. Speaker, I can remember when I first ran for town councilman over 25 years ago. I campaigned heavily in the West Glens Falls area of Queensbury. One of the landmarks there was the grocery store Mr. Dean ran until a few years ago with his late, beloved wife Mary on a full-time basis after finishing 20 years with Sandy Hill Corp. I'll always have warm memories of that grocery store, because it will always be connected in my mind with the beginning of my public life.

And there's another reason I'll always have a warm regard for Irv Dean, Sr. He's a World War II veteran, and you all know how special that makes him in my eyes. Mr. Dean earned a Purple Heart while serving with the U.S. Army in North Africa and Italy, and rose to the rank of sergeant.

A native of the Saratoga County town of Corinth, Mr. Dean spent the 45 years in West Glens Falls. He and Mary raised six children, one of whom, Irv, Jr., has been a highly respected newsman in the area as long as I've been in public life. The Dean children have produced 28 grandchildren at last count, and a growing number of great grandchildren.

Mr. Speaker, that large family will be honoring Mr. Dean with a special birthday party on Saturday, February 1. Let us rise and pay our own special tribute to Mr. Irving Dean, Sr., one of my quiet American heroes.

REQUEST ACTION TO CORRECT OVERPAYMENT OF CUSTOMS DUTY

HON. JOHN J. LAFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. LAFALCE. Mr. Speaker, today I am reintroducing legislation to provide relief for my constituent, Noco Energy Corp. of Tonawanda, NY, who overpaid a customs duty by $18,687.61 in December 1985. At that time, Noco Energy Corp. imported 1.6 million gallons of fuel oil from Gulf Canada Limited. However, a mathematical error occurred when the customs duty was calculated. Instead of multiplying the quantity of oil in gallons by $.00125, which was the appropriate customs duty, the quantity was multiplied by $.0125. The misplacement of this crucial decimal point resulted in Noco Energy Corp. being overcharged in excess of $18,000.

Unfortunately, the error was not discovered until the statute of limitations for seeking relief from the Customs Service had already expired. Therefore, the only recourse now available to Noco Energy Corp. is to reliquidate the appropriate customs entry and, if appropriate, to refund the duty. I am reintroducing such legislation today and ask for the support of Members to correct this error, which for the past several years has been an unnecessary expense for Noco Energy Corp. This action is only just since the U.S. Treasury Department, as a result of an error, received this overpayment which it is not entitled to by law.

TRIBUTE TO STEVE SMITH

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DYMALLY. Mr. Speaker, it is with great pleasure that I rise today to commend Steve Smith, a corporate vice president and general manager of Northrop's Aircraft Division who has just retired after serving the Northrop Corp. and his country since 1955.

Prior to his current position, Mr. Smith was program manager of the YF–23 Advanced Tactical Fighter Program, a program he man-

aged since 1986 when Northrop was awarded an Air Force contract for two prototype aircraft.

As a good friend I have had the opportunity to see first hand how Steve had advanced through the corporate ladder, attaining positions of responsibility within Northrop. He has held a wide range of technical and program management positions at Northrop since he joined the company in 1955, including vice president of the F–20 Tigershark program and vice president of engineering and advanced development. Mr. Smith's commitment and success led to spanning the range of major aircraft programs and included his involvement in the development of advanced concepts focusing on very low observables, what is commonly known as stealth technologies.

Mr. Smith's academic and accomplishment record is truly commendable. It exemplifies how American education and technical expertise together can lead to the world's most advanced technology in any single field. Mr. Smith holds bachelor's and master's of science in mechanical engineering from Stanford University. He also attended the management program at UCLA as well as Harvard's Advanced Management Program. In 1983, his contribution to avionics and our Nation's defense were recognized by Secretary of Defense Casper Weinberger when he presented him with the Defense Medal for Distinguished Public Service.

Added to his intense commitment to his career and the Northrop Corp. which put him on the cutting edge of technology, Mr. Smith found the time to serve as a board member of the Los Angeles Council, Boy Scouts of America. I sincerely hope, together with many of the Northrop employees, and community members, that Mr. Smith will now have more time to share his tremendous knowledge and experience with young professionals to whom he is a perfect role model, a living testament to the virtues of hard work and devotion to duty.

GLENN BRENNER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. ANDERSON. Mr. Speaker, watching Glenn Brenner on channel 9 was, from the beginning of his Washington career, a must for both the informed and the uninformed sports fan in the greater National Capitol area. Before long his sports segment became a must for anyone who enjoyed life, humor, and good television reporting. The man dominated the tube during his segments and attracted to himself a legion of admirers. I count myself amongst that group.

Glenn Brenner's passing has been duly noted and reported by all of the media. The void that his demise leaves in our community has been obvious since the first announcement of his condition. Our television programming will never quite be the same.

All of the preceding is self-evident. What lies behind the story of Glenn Brenner is the immense humanity of the man. Loving husband and devoted father, he was also an affectionate son to his parents. He held the respect and admiration of his professional peers. He maintained a good working relationship with staff personnel, not always an easy accomplishment. In retrospect, we now realize that everyone adored the man. How are we to countenance his loss?

Gordon Peterson, the consumate wordsman, put it best, as he always does. "We will miss you, pal." And that says it for all of us. Glenn Brenner was our pal. A pal to his wife, a pal to his children, a pal to his parents. He was a pal to all of his audience. A pal to the worker, a pal to the housebound, a pal to the professionals, a pal to everyman.

So, it's goodbye, pal. We will miss you. Everytime we turn on the television we will think of you. We will think of you with love, with reflection, and with sorrow. But, we will also remember you with tremendous joy. You brightened our lives, pal, and for that we will be forever grateful.

My wife Lee and my Washington-based staff particularly, join me in expressing sorrow to Glenn's wife, Suzi, and to his three children, Amy, Ashley, and Matthew. Their legacy is a rich one. Their legacy is eternal.

GERALD STERN AND HIS EXEMPLARY SERVICE TO BET TZEDEK AND THE COMMUNITY

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. LEVINE of California. Mr. Speaker, I rise today to bring the outstanding leadership and service of my friend, Mr. Gerald Stern, to my colleague's attention.

Through our involvement with Bet Tzedek, a free legal services provider to low income and senior citizens of Los Angeles County, my wife and I have had the privilege to work with Jerry and see first hand his commitment to serving Bet Tzedek and the community.

Joining the all-volunteer Bet Tzedek board of directors in 1984, Jerry currently serves as its president and has helped bring "The House of Justice" to its stature as one of the finest poverty law centers in the country. Bet Tzedek provides 12,000 poor, elderly and disabled clients with free legal assistance each year. The Los Angeles Times has featured Bet Tzedek for the outstanding work it has done for the community.

Jerry's legal career underscores his commitment to public service. Starting as a civil rights attorney for the U.S. Department of Justice in the Kennedy administration, Jerry handled cases that helped blacks in the South obtain the right to vote. He then joined a prominent Washington, D.C. law firm where he served as the lead attorney for the survivors of a coal mining disaster that killed 125 people in West Virginia. His book about this case is required reading in law schools around the country.

Shortly after the resolution of this case, Jerry and two friends established a small firm of public interest lawyers, representing clients like Common Cause and the Amalgamated Clothing Workers of America. Of his experience at the firm, Jerry commented "Cases were not all that lucrative, but * * * we really felt we were making a difference." Jerry is now senior general counsel and executive vice president at Occidental Petroleum Corp., where he has served for the past 10 years, using his public service skills to make the large corporation more sensitive to community concerns.

Jerry's service to Bet Tzedek is an inspiration to all who know him and have the opportunity to work with him. The support of his wife Linda, who is also a dear friend of mine, has greatly contributed to the tremendous impact Jerry has had on the community.

We can all be proud of Jerry's impressive achievements and generous service to Bet Tzedek and the community. His extraordinary work and dedication brings the meaning of public service to life.

NATION COMMEMORATES THE BIRTH OF DR. MARTIN LUTHER KING, JR.

HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. KYL. Mr. Speaker, on January 20 our Nation commemorated the birth of Dr. Martin Luther King, Jr.

January 20 was a day not only to honor one extraordinary man and his message, but also a day for the Nation to recommit itself, and redouble its efforts, to fulfill Dr. King's dream of a better America for all Americans. For as important as it is to remember Dr. King, it is more important that the Nation continue to strive to fulfill his dream of liberty and justice for all.

I am pleased to tell my colleagues that a group of students from Saguaro High School in Scottsdale, AZ, has been working since the spring of 1989 on a special project to help keep the Nation's attention focused in that regard.

It was during the students' visit to Washington with the Close Up Foundation's Washington program in 1989 that they stood on the steps of the Lincoln Memorial and recounted with their teacher, John Calvin, the historic "I Have a Dream" speech which Dr. King delivered there on August 28, 1963. They noted that the memorial was also stage to an Easter Sunday concert 24 years earlier, when Marian Anderson sang to a crowd of 75,000 after being banned from a nearby auditorium because of her race.

The Saguaro High students conceived of the idea of an exhibit at the Lincoln Memorial which would continue to celebrate the dream of liberty and justice for all, and an exhibit which would also feature Dr. King. They went home and began planning what has since become a national fundraising effort, known as Pennies Make a Monumental Difference. The goal, according to John Calvin, their teacher, is to honor those Americans who, like Dr. King and Marian Anderson, exercised their first amendment rights by demonstrating their wishes and concerns for a better America at the Lincoln Memorial.

The students chose the penny as a symbol because they wanted other young Americans

to realize that their rights, if left on the ground like an ignored penny, are worthless. But, if they use their rights, like a penny picked up from the ground, and combine them with others, they can accomplish great things.

Their goal is to raise a penny from every student in the country, and in so doing inspire America's youth to truly try to make a difference. The funds raised from the effort will be used to develop exhibits for the new Lincoln Memorial Museum which will open in 1993, including exhibits commemorating Dr. King's speech.

I encourage my colleagues to help support the students' efforts and to let youngsters in their congressional districts know how they can participate as well. By joining together, young men and women across the country of all races and creeds can help keep Dr. King's message alive.

As the Saguaro students have said:

What Lincoln started, and King advanced, let all Americans finish.

Let's join them to complete the job of making this a better America for all Americans.

HONORING FORMER REPRESENTATIVE ROBERT T. SECREST OF OHIO

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. APPLEGATE. Mr. Speaker, I would like to take this opportunity to join with my colleagues in the House and Senate in honoring a former Member of this Chamber, a Representative who served a total of nearly 20 years and who is celebrating his 88th birthday today, Robert T. Secrest of Cambridge, OH, a long-time and close personal friend.

Bob Secrest was born on January 22, 1904, on a farm near Senecaville, OH, in Noble County. He graduated from Muskingum College, New Concord, OH, in 1926. His marriage to Virginia Bowden on November 28, 1929, started what was to be just over 60 years of tremendous happiness together. Today, Bob carries on with warm memories of his late wife "Dutch" and with the support of their three children, Robert, Jr., Nancy, and Mary Jane.

Bob entered the House of Representatives on March 4, 1933, the same day that one of America's true giants of history was sworn in as President, Franklin Delano Roosevelt. Bob served in each succeeding Congress until resigning on August 3, 1942, in order to join the United States Navy during World War II, serving in England, Africa, Italy, and the Pacific, and eventually assuming the rank of Commander.

Bob returned to Congress on January 3, 1949, serving until September 26, 1954, when he assumed a position as a member of the Federal Trade Commission, appointed by President Dwight D. Eisenhower. He held on to this post throughout the balance of the Eisenhower administration and later returned to Ohio as the Director of Commerce. Bob then assumed his third and final stint in Congress from January 3, 1963, until January 3, 1967. He was elected to two terms in the Ohio State Senate, where I had the pleasure of serving with him in Columbus.

Anyone who knows Bob, and there are so many who do, knows that he is probably the most essential person to invite to any kind of gathering, from a convention of Legionnaires to a meeting of the Chamber of Commerce. Most assuredly, Bob will probably be the last one standing at any party and he can keep on going well beyond the point where others give up and drop.

Bob is one of the most outstanding public speakers I know, and he can easily outtalk someone half his age and supposedly twice as smart. Bob can take on just about anyone. Mr. Speaker, Robert T. Secrest was a highly influential and conscientious Member of this Chamber, and I wish to join with his friends and with his family in wishing him the very best during these very special golden years.

COMPREHENSIVE PREVENTIVE HEALTH CARE ACT OF 1992—H.R. 4094

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. GILMAN. Mr. Speaker, an estimated 34.7 million Americans lack health insurance, the largest number of uninsured in 25 years. Currently, 21.1 percent of the residents in my home State of New York are uninsured. The time has come for Congress to take the necessary steps to give adequate health care to our Nation's citizens.

Therefore, I rise today to introduce legislation which will cover individuals for periodic health exams, as well as counseling and immunizations, H.R. 4094.

The Comprehensive Preventive Health Care Act of 1992 will cover individuals for periodic comprehensive health exams under the Medicare Program, the Federal Employees Health Insurance Benefits Program, the Department of Veterans Affairs health care system, and our Nation's health clinics.

More specifically, my legislation will direct the Department of Health and Human Services [HHS] to cover individuals for periodic comprehensive health exams under the Medicare Program. The Secretary, along with major health organizations, will join together in analyzing the list of exams included in this bill to determine their effectiveness, the frequency of such exams, and the assessment of which tests or procedures should remain and those that are no longer warranted.

Furthermore, this measure directs the Office of Personnel Management and the Department of Veterans Affairs to utilize the information coordinated by HHS and include a comprehensive periodic health exam in the Federal Employees Health Insurance Benefits Program, and in the Department of Veterans Affairs health care system.

Moreover, my legislation directs HHS to set up a demonstration project which will go to 50 counties over a 5-year period to provide preventive health care services at health clinics. This program will cover preventive health care services for all children, adults under a certain income level—if above the determined income level, fees will be based on a sliding scale. Additionally, the project will entail both urban and rural areas in different regions of our Nation to educate the public on the benefits of practicing preventive health care, the need for periodic health exams, and the need for establishing a medical history, as well as providing services.

Finally, this legislation directs HHS to study each of the 50 States' requirements regarding preventive health care.

Mr. Speaker, currently there are many proposals on how to heal our Nation's health care system, but there has not been any proposal which has received wide acceptance. Experts have concluded that practicing preventive health care does work, and will produce a healthier nation. Although there is a consensus on the benefits of practicing preventive health care, only approximately 20 percent of health insurance companies offer coverage for periodic health exams.

The Comprehensive Preventive Health Care Act of 1992 will not solve our Nation's health crisis, but will take the necessary steps to heal it. This measure has all the necessary ingredients that will be needed in a national health care plan, and will be applicable to that plan.

Therefore, to all my colleagues who share my concern regarding the importance of producing a healthier nation, I invite and urge you to cosponsor this measure, sending a clear message to our Nation's citizens that Congress is taking steps to improve our Nation's health care system.

At this point in the RECORD I request that the full text of my bill be inserted for review by my colleagues:

H.R. 4094

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 "Comprehensive Preventive Health Care Act of 1992".

SEC. 2. ESTABLISHMENT OF SCHEDULE OF PREVENTIVE HEALTH CARE SERVICES.

(a) IN GENERAL—The Secretary of Health and Human Services shall establish a schedule of recommended preventive health care services, broken down by age and gender, consistent with the requirements of section 3.

(b) ADJUSTMENTS PERMITTED.—In consultation with representatives of providers of health care services and in accordance with section 553 of title 5, United States Code, the Secretary may issue regulations modifying the schedule of preventive health care services established under this Act.

SEC. 3. SERVICES DESCRIBED.

(a) CHILDREN FROM BIRTH TO 18 MONTHS.—

(1) IN GENERAL.—In the case of a child under 19 months of age, services under the schedule established under this Act shall consist of a monthly examination in which the following tests and services are provided:

(A) The taking of a family medical history.

(B) Measurements, including measurements of height, weight, and the circumference of the head.

(C) Hereditary and metabolic screening—how is this different from the family medical history.

(D) Counseling the child's parents on diet, injury prevention, and dental health for the child.

(E) Tuberculin skin test (except that such test is required to be provided only during 12th, 13th, 14th, or 15th monthly examination during this period).

(F) Diphtheria-tetanus-pertussis vaccine (except that such vaccine is required to be provided only during one of the final 4 monthly examinations during this period).

(G) Oral poliovirus vaccine (except that such vaccine is required to be provided only during one of the final 4 monthly examinations during this period).

(H) Conjugate haemophilus influenzae type b vaccine (except that such vaccine is required to be provided only during the 15th monthly examination during this period).

(I) Measles-mumps-rubella vaccine (except that such vaccine is required to be provided only during the 15th monthly examination during this period).

(J) Complete blood count (unless a complete blood count was already performed on the child).

(K) Urinalysis (unless a urinalysis was already performed on the child).

(2) HIGH-RISK CHILDREN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a child who is considered to be at an unusually high risk for any of the conditions the tests or service is intended to detect or prevent:

(A) Developmental and behavioral assessment.

(B) A tuberculin skin test performed at the 12th monthly examination.

(C) Vision testing.

(D) Hearing testing.

(E) Measurement for erythrocyte protoporphyrin.

(F) Fluoride supplements.

(b) CHILDREN AGES 2 THROUGH 6.—

(1) IN GENERAL.—In the case of a child over 23 months of age but under 7 years of age, services under the schedule established under this Act shall consist of a monthly examination in which the following tests and services are provided:

(A) The taking of a family medical history.

(B) Measurements, including measurements of height, weight, and the circumference of the head.

(C) Urinalysis.

(D) Counseling the child and the child's parents on diet, injury prevention, and dental health for the child.

(E) Diptheria-tetanus-pertussis vaccine (except that such vaccine is not required to be provided during the 2nd or 4th annual examination during this period).

(F) Conjugate haemophilus influenzae type b vaccine (except that such vaccine is not required to be provided during the 2nd or 4th annual examination during this period).

(G) Oral poliovirus vaccine (except that such vaccine is not required to be provided during the 2nd, 4th, or 5th annual examination during this period).

(H) Blood pressure measurement (except that such measurement is not required to be provided during the 1st annual examination during this period).

(I) Measles-mumps-rubella vaccine (except that such vaccine is not required to be provided during the 1st, 2nd, or 4th annual examination during this period).

(J) Testing for amblyopia and strabismus (except that such test is only required during the 2nd or 3rd annual examination during this period).

(K) Tuberculin skin test (unless such test was already performed during one of the annual examinations during this period).

(L) Complete blood count (unless a complete blood count was already performed during one of the annual examinations during this period).

(M) A referral to a dentist for dental care (unless a referral was already made during one of the annual examinations during this period).

(2) HIGH-RISK CHILDREN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a child who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) A tuberculin skin test.

(B) Vision testing.

(C) Hearing testing.

(D) Measurement for erythrocyte protoporphyrin.

(E) Fluoride supplements.

(c) CHILDREN AGES 7 THROUGH 12.—

(1) IN GENERAL.—In the case of a child over 6 years of age but under 13 years of age, services under the schedule established under this Act shall consist of an annual examination in which the following tests and services are provided:

(A) The taking of a family medical history.

(B) Measurements, including measurements of height, weight, and the circumference of the head.

(C) Counseling the child and the child's parents on diet, injury prevention, and dental health for the child.

(D) Blood pressure measurement.

(E) Complete blood count (unless a complete blood count was already performed during one of the annual examinations during this period).

(F) Urinalysis (unless a urinalysis was already performed during one of the annual examinations during this period).

(2) HIGH-RISK CHILDREN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a child who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) A tuberculin skin test.

(B) Vision testing.

(C) Hearing testing.

(D) Fluoride supplements.

(d) CHILDREN AGES 13 THROUGH 18.—

(1) IN GENERAL.—In the case of a child over 12 years of age but under 19 years of age, services under the schedule established under this Act shall consist of an annual examination in which the following tests and services are provided:

(A) The taking of a family medical history.

(B) Measurements, including measurements of height, weight, and the circumference of the head.

(C) Blood pressure measurement.

(D) Counseling relating to diet, exercise, injury prevention, tobacco cessation, substance abuse, and sexual practices.

(E) Complete blood count (unless a complete blood count was already performed during one of the annual examinations during this period).

(F) Urinalysis (unless a urinalysis was already performed during one of the annual examinations during this period).

(G) Tetanus-diptheria booster (except that such booster is only required to be provided during 2nd, 3rd, or 4th annual examination during this period).

(H) Measles-mumps-rubella vaccine (unless such a vaccine was already provided during any of the annual examinations provided to the child after age 3).

(2) HIGH-RISK CHILDREN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a child who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Vision testing.

(B) Hearing testing.

(C) Complete skin examination.

(D) Testing for rubella antibodies.

(E) Screening for chlamydial infection.

(F) Screening for gonorrhea.

(G) Testing for, and counseling relating to preventing exposure to, human immunodeficiency virus.

(H) VDRL screening test for syphilis.

(I) Tuberculin skin test.

(J) Examination of the testicles.

(K) Clinical breast examination (for females).

(L) Pap smear.

(e) WOMEN AGES 19 THROUGH 39.—

(1) IN GENERAL.—In the case of a woman over 18 years of age but under 40 years of age, services under the schedule established under this Act shall consist of an annual pap smear together with an examination (performed not earlier than 35 months after the most recent examination) in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, substance abuse, and sexual practices.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Clinical breast exam.

(F) Mammography in the case of a woman over 34 years of age (unless a mammography was already provided during an examination during this period).

(G) Tetanus-diphtheria booster (unless a tetanus-diphtheria booster was provided to the woman during the 10-year period ending on the date of the examination).

(2) INFLUENZA VACCINE FOR HIGH-RISK WOMEN.—In addition to the services required under paragraph (1), in the case of a woman who is considered to be at an unusually high risk for influenza, services under the schedule established under this Act shall include an annual influenza vaccine.

(3) EXPANDED EXAMINATION FOR HIGH-RISK WOMEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a woman who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) Testing for rubella antibodies.

(C) VDRL screening test for syphilis.

(D) Urinalysis.

(E) Screening for chlamydial infection.

(F) Screening for gonorrhea.

(G) Testing for, and counseling relating to preventing exposure to, human immunodeficiency virus.

(H) Hearing testing.

(I) Tuberculin skin test.

(J) Electrocardiogram.

(K) Colonoscopy.

(L) Hepatitis B vaccine.

(M) Pneumococcal vaccine.

(N) Complete oral cavity examination.

(O) Palpation to detect thyroid nodules.

(P) Complete skin examination.

(f) WOMEN AGES 40 THROUGH 64.—

(1) IN GENERAL.—In the case of a woman over 39 years of age but under 65 years of age, services under the schedule established under this Act shall consist of an annual examination in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, substance abuse, and sexual practices.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Clinical breast eaxm.

(F) Mammography.

(G) Tetanus-diptheria booster (unless a tetanus-diptheria booster was provided to the woman during the 10-year period ending on the date of the examination).

(H) Pap smear.

(2) HIGH-RISK WOMEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a woman who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) VDRL screening test for syphilis.

(C) Urinalysis

(D) Screening for chlamydial infection.

(E) Screening for gonorrhea.

(F) Testing for, and counseling relating to preventing exposure to, human immunodeficiency virus.

(G) Hearing testing.

(H) Tuberculin skin test.

(I) Electrocardiogram.

(J) Fecal occult blood test or flexible sigmoidoscopy.

(K) Fecal occult blood test or colonoscopy.

(L) Screening for low bone mineral content.

(M) Hepatitis B vaccine.

(N) Pneumococcal-pneumonia vaccine (unless such a vaccine was provided during the 5-year period ending on the date of the examination).

(O) Influenza vaccine.

(P) Complete oral cavity examination.

(Q) Palpation to detect thyroid nodules.

(R) Complete skin examination.

(S) Ausculation for carotid bruits.

(g) WOMEN 65 OR OLDER.—

(1) IN GENERAL.—In the case of a woman 65 years of age or older, services under the schedule established under this Act shall consist of an annual examination in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, and substance abuse.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Clinical breast exam.

(F) Mammography.

(G) Tetanus-diptheria booster (unless a tetanus-diptheria booster was provided to the woman during the 10-year period ending on the date of the examination).

(H) Pap smear (unless a pap smear was provided to the woman during the 3-year period ending on the date of the examination).

(I) Urinalysis.

(J) Thyroid function test.

(K) Influenza vaccine.

(L) Pneumococcal-pneumonia vaccine (unless such a vaccine was provided to the woman during the 5-year period ending on the date of the examination).

(M) Screening for glaucoma (performed by a physician specializing in diseases of the eyes).

(N) Blood urea nitrogen test.

(2) HIGH-RISK WOMEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a woman who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) Tuberculin skin test.

(C) Electrocardiogram.

(D) Fecal occult blood test or flexible sigmoidoscopy.

(E) Fecal occult blood test or colonoscopy.

(F) Hepatitis B vaccine.

(G) Complete oral cavity examination.

(H) Palpation to detect thyroid nodules.

(I) Complete skin examination.

(J) Ausculation for carotid bruits.

(h) MEN AGES 19 THROUGH 39.—

(1) IN GENERAL.—In the case of a man over 18 years of age but under 40 years of age, services under the schedule established under this Act shall consist of an examination (performed not earlier than 35 months after the most recent examination) in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, substance abuse, and sexual practices.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Tetanus-diptheria booster (unless a tetanus-diptheria booster was provided to the man during the 10-year period ending on the date of the examination).

(2) INFLUENZA VACCINE FOR HIGH-RISK MEN.—In addition to the examination required under paragraph (1), in the case of a man who is considered to be at an unusually high risk for influenza, services under the schedule established under this Act shall include an annual influenza vaccine.

(3) EXPANDED EXAMINATION FOR HIGH-RISK MEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a man who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) Testing for rubella antibodies.

(C) VDRL screening test for syphilis.

(D) Urinalysis.

(E) Screening for chlamydial infection.

(F) Screening for gonorrhea.

(G) Testing for, and counseling relating to preventing exposure to, human immunodeficiency virus.

(H) Hearing testing.

(I) Tuberculin skin test.

(J) Electrocardiogram.

(K) Colonoscopy.

(L) Hepatitis B vaccine.

(M) Pneumococcal-pneumonia vaccine (unless such a vaccine was provided during the 5-year period ending on the date of the examination).

(N) Complete oral cavity examination.

(O) Clinical testicle examination.

(P) Palpation to detect thyroid nodules.

(Q) Complete skin examination.

(i) MEN AGES 40 THROUGH 64.—

(1) IN GENERAL.—In the case of a man over 39 years of age but under 65 years of age, services under the schedule established under this Act shall consist of an examination (performed not earlier than 35 months after the most recent examination) in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, substance abuse, and sexual practices.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Tetanus-diptheria booster (unless a tetanus-diptheria booster was provided to the man during the 10-year period ending on the date of the examination).

(F) Prostate-specific antigen test in the case of a man over 49 years of age (unless such a test was provided to the man during the 5-year period ending on the date of the examination).

(2) INFLUENZA VACCINE FOR HIGH-RISK MEN.—In addition to the examination required under paragraph (1), in the case of a man who is considered to be at an unusually high risk for influenza, services under the schedule established under this Act shall include an annual influenza vaccine.

(3) EXPANDED EXAMINATION FOR HIGH-RISK MEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a man who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) VDRL screening test for syphilis.

(C) Urinalysis.

(D) Screening for chlamydial infection.

(E) Screening for gonorrhea.

(F) Testing for, and counseling relating to preventing exposure to, human immunodeficiency virus.

(G) Hearing testing.

(H) Tuberculin skin test.

(I) Electrocardiogram.

(J) Fecal occult blood test or colonoscopy.

(K) Fecal occult blood test or sigmoidoscopy.

(L) Screening for low bone mineral content.

(M) Hepatitis B vaccine.

(N) Pneumococcal-pneumonia vaccine (unless such a vaccine was provided during the 5-year period ending on the date of the examination).

(O) Palpation to detect thyroid nodules.

(P) Complete skin examination.

(Q) Ausculation for carotid bruits.

(j) MEN AGES 65 AND OVER.—

(1) IN GENERAL.—In the case of a man 65 years of age or older, services under the schedule established under this Act shall consist of an annual influenza vaccine and prostate-specific antigen test, together with an examination (performed not earlier than 35 months after the most recent examination) in which the following tests and services are provided:

(A) Nonfasting total blood cholesterol test, including testing for high density and low density lipoprotein subparts.

(B) Counseling relating to diet, exercise, injury prevention, tobacco cessation, and substance abuse.

(C) The taking of a family medical history.

(D) Blood pressure measurement.

(E) Tetanus-diphtheria booster (unless a tetanus-diphtheria booster was provided to

the man during the 10-year period ending on the date of the examination).

(F) Urinalysis.

(G) Thyroid function test.

(H) Pneumococcal-pneumonia vaccine (unless such a vaccine was provided to the man during the 5-year period ending on the date of the examination).

(I) Screening for glaucoma (performed by a physician specializing in diseases of the eyes).

(J) Blood urea nitrogen test.

(2) HIGH-RISK MEN.—In addition to the tests and services required under paragraph (1), the examination described in such paragraph shall include any of the following tests or services in the case of a man who is considered to be at an unusually high risk for any of the conditions the test or service is intended to detect or prevent:

(A) Fasting plasma glucose measurement.

(B) Tuberculin skin test.

(C) Electrocardiogram.

(D) Fecal occult blood test or flexible sigmoidoscopy.

(E) Fecal occult blood test or colonoscopy.

(F) Hepatitis B vaccine.

(G) Complete oral cavity examination.

(H) Palpation to detect thyroid nodules.

(I) Complete skin examination.

(J) Ausculation for carotid bruits.

SEC. 4. COVERAGE OF PREVENTIVE HEALTH CARE SERVICES UNDER MEDICARE.

(a) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) by striking "and" at the end of subparagraph (O);

(2) by striking the semicolon at the end of subparagraph (P) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(Q) in the case of an individual, services applicable to the individual under the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992 (to the extent such services are not otherwise covered with respect to the individual under this title);".

(b) CONFORMING AMENDMENTS.—Section 1862(a) of such Act (42 U.S.C. 1395y(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by striking "and" at the end,

(B) in subparagraph (F), by striking the semicolon at the end and inserting ", and", and

(C) by adding at the end the following new subparagraph:

"(G) in the case of items or services described in section 1861(s)(2)(Q), which are not provided in accordance with the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992;"; and

"(2) in paragraph (7), by striking "paragraph (1)(B) or under paragraph (1)(F)" and inserting "subparagraphs (B), (F), or (G) of paragraph (1)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after January 1, 1993.

SEC. 5. COVERAGE OF PREVENTIVE HEALTH CARE SERVICES FOR VETERANS.

(a) IN GENERAL.—Section 1701(6) of title 38, United States Code is amended—

(1) by striking "and" at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(C) with respect to any veteran, any preventive care services applicable under the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992, to the extent such services are not otherwise treated as medical services under this paragraph.".

(b) PROVIDING SERVICES IN OUTPATIENT SETTING.—Section 1712(a)(5)(A) of such title is amended—

(1) in the first sentence, by striking the period at the end and inserting the following: ", or any other medical services applicable to the veteran under the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992."; and

(2) in the second sentence, by inserting after "admission" the following: "or any services applicable to the veteran under the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992 (other than services applicable under such schedule that are reasonably necessary in preparation for hospital admission)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after January 1, 1993.

SEC. 6. COVERAGE OF PREVENTIVE HEALTH CARE SERVICES UNDER FEDERAL EMPLOYEES HEALTH BENEFIT PLANS.

(a) IN GENERAL.—Paragraphs (1) and (2) of section 8904(a) of title 5, United States Code, are each amended by adding at the end the following new subparagraph:

"(G) With respect to an individual, any preventive health care services applicable to the individual under the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to services furnished on or after January 1, 1993.

SEC. 7. PREVENTIVE HEALTH CARE DEMONSTRATION PROJECT.

(a) ESTABLISHMENT.—There is hereby established a demonstration project to demonstrate the effectiveness in providing preventive health care services in improving the health of individuals and reducing the aggregate costs of providing health care, under which the Secretary of Health and Human Services shall—

(1) make grants over a 5-year period to 50 eligible counties to assist the counties in providing preventive health care services (in accordance with sub section (b)) to individuals who would otherwise be unable to pay (or have payment made on their behalf) for such services;

(2) conduct the study described in subsection (c); and

(3) carry out the educational program described in subsection (d).

(b) GRANTS TO COUNTIES.—

(1) SERVICES DESCRIBED.—A county receiving a grant under subsection (a)(1) shall provide preventive health care services to individuals at clinics in accordance with the schedule of preventive health care services established under the Comprehensive Preventive Health Care Act of 1992, except that—

(A) the county may furnish services to individuals residing in rural areas at locations other than clinics if no clinics that are able to provide such services are located in the area; and

(B) the Secretary may revise the schedule of services otherwise required to be provided to take into account the special needs of a participating county.

(2) ELIGIBILITY OF COUNTIES.—A county is eligible to receive a grant under subsection (a)(1) if it submits to the Secretary, at such time and in such form as the Secretary may require, an application containing such information and assurances as the Secretary may require.

(3) GEOGRAPHIC BALANCE AMONG COUNTIES SELECTED.—In selecting counties to receive grants under subsection (a)(1), the Secretary shall consider the need to select counties representing urban, rural, and suburban areas and counties representing various geographic regions of the United States.

(c) STUDY OF STATE PREVENTIVE CARE REQUIREMENTS.—

(1) STUDY.—The Secretary shall conduct a study of the requirements regarding preventive health care services that are imposed by each State on health benefit plans offered to individuals residing in the State.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the study conducted under paragraph (1).

(d) DISSEMINATION OF INFORMATION ON PREVENTIVE HEALTH CARE.—Not later than 2 years after the date of the enactment of this Act, the Secretary, in consultation with experts in preventive medicine and representatives of providers of health care services, shall publish and disseminate information on the benefits of practicing preventive health care, the importance of undergoing periodic health examinations, and the need to establish and maintain a family medical history.

(e) STATE DEFINED.—In this section, the term "State" means each of the 50 States and the District of Columbia.

TRIBUTE TO WILLIAM C. FORREY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. GOODLING. Mr. Speaker, on December 31, 1991, William C. Forrey of Camp Hill, PA, retired as director of the Pennsylvania Bureau of State Parks after more than 30 years of service with the Commonwealth of Pennsylvania.

Bill Forrey is to be commended for his many years of hard work and dedication to Pennsylvania, promoting its parks and recreation. Bill Forrey began his career with the Pennsylvania Department of Forests and Water as a landscape architect in 1960 after receiving a degree in landscape architecture from Pennsylvania State University and serving in the U.S. Navy for 4 years. Bill received a masters degree in regional planning from Pennsylvania State University in 1971 when he also became assistant director of the Pennsylvania Bureau of State Parks.

Since 1973, Bill Forrey served as director of the Pennsylvania Bureau of State Parks where his responsibilities included the overall planning, management and administration of Pennsylvania's State park system. He has also represented the Commonwealth of Pennsylvania very ably and professionally in its dealings with the Federal Government. I certainly appreciate the assistance Bill and his office have given me and my staff throughout the years.

Throughout his career, Bill has been honored for his work by the Pennsylvania Recre-

ation and Park Society, American Youth Hostels, the National Association of State Park Directors, the Pennsylvania House of Representatives, the National Park Service, and the American Society of Landscape Architects.

Although he is retiring from his position with the Bureau of State Parks, I do not expect Bill to slow down in the least. He is currently an adjunct professor at Pennsylvania State University's Capital campus and has been an active leader of the Penn State Alumni Association.

Mr. Speaker, I would ask that my colleagues join me in expressing our gratitude to Bill for his many years of dedicated service to the State parks of Pennsylvania and every other State in this country.

I would also like to wish Bill and his wife Dot the very best of luck in all of their retirement plans. I am sure they will enjoy even more time spent with their family and at their cabin near Pine Grove Furnace State Park.

Again, Mr. Speaker, I believe we all owe Bill a great deal of thanks for his dedicated service to Pennsylvania and its State parks. Every person who has visited any of Pennsylvania's State parks is indebted to Bill for the work he has done through the years. He will surely be missed and we wish him and his family the very best of luck in the future.

A TRIBUTE TO PI SIGMA EPSILON FOR ITS OUTSTANDING CONTRIBUTIONS TO THE STATE OF LOUISIANA

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BAKER. Mr. Speaker, I feel it is important to recognize individuals who give that extra service and who do so in a manner that suggests a genuine concern for others.

Pi Sigma Epsilon, a national professional organization in marketing sales management and selling, prides itself in serving the Greater Louisiana State University community. The chapter was founded at LSU in 1971, and competes nationally with approximately 75 other chapters located around the United States. For the past decade, Beta Xi–LSU has consistently been rated as one of the top 10 percent nationwide.

Their major achievements and contributions to LSU in the past 2 years include: girls of LSU calendars, top 10 reasons why I went to LSU, tiger tales T-shirts, kid-vid, Baton Rouge big buddy, business basics, junior achievement, blood donation, golf tournaments, alcohol policy, adopt-a-highway, marketing research projects for LaRoche Chemical Co., Cellular One and others, professional speakers series, executive-for-a-day, mock interview programs, and hosted PSE regional convention.

However, the chapter's most outstanding contribution to LSU and the State of Louisiana last year involved producing "The Jimmy Buffet Save the Wetland Concert." This concert raised over $65,000 which was contributed to the LSU Coastal Studies Institute. Plans are currently underway for another benefit concert.

To Pi Sigma whose mission is to serve others, we wholeheartedly support you in your endeavors and fully support your goals. The full impact of your efforts will never be adequately measured but there are hundreds of people who are leading better lives because of your willingness to get involved. To Pi Sigma, we thank you.

IN HONOR OF JOHN M. LANGSTON BAR ASSOCIATION PRESIDENT GEORGE L. MALLORY, JR.

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. DIXON. Mr. Speaker, I rise today to congratulate Los Angeles attorney George L. Mallory, Jr. on a successful term as president of the John M. Langston Bar Association and on a distinguished record of service to his profession and the community at large. George became active in the Langston Bar Association in 1976 and has since served on numerous committees. Prior to being elected president last year, George served as sergeant at arms and vice president of the association.

Born and raised in Los Angeles, George attended Los Angeles public schools, including Los Angeles High School, where he was involved with student government and earned all-city honors in football. He then matriculated at Occidental College, graduating in 1974, with a degree in Political Science.

In 1977, he received his Juris Doctor degree from Western State University, having earned honors for his participation in moot court competition and served as president of the Black American Law Students. While attending law school, George served as a law clerk for the Los Angeles law firm formerly known as Cochran, Atkins & Evans.

From 1979 to 1986, George served as a deputy city attorney, first as a prosecutor and later defending and prosecuting civil claims in superior and municipal court on behalf of the Department of Water and Power of the city of Los Angeles. During his tenure in the city attorney's office, George tried numerous personal injury, products liability and environmental cases as well as other liability matters, on the city's behalf.

Mallory left the city attorney's office in 1986 to become a founding partner in the law firm of Mallory, Brown-Curtis & Mallory which specializes in civil litigation matters.

In addition to compiling an impressive record of professional achievement, George has been highly active in community and civic affairs, indulging his long-held interest in politics and demonstrating a genuine commitment to justice, equality and civil rights. Once a member of the 49th assembly district committee, George has served as a delegate to the State Democratic convention for 3 years. George was recently appointed to the county Democratic central committee and the citizens watchdog committee to implement the Christopher Commission Report concerning last year's Rodney King police brutality incident.

George has served on the board of directors of the NAACP since 1983 and held the office of first vice president of the NAACP's Los Angeles branch. George has negotiated fair share agreements with the Southern California Gas Co. and currently serves on the committee to monitor the national fair share agreement between the NAACP, PUSH and Coors Brewery.

Mr. Speaker, although still young, George Mallory's career is already marked by numerous noteworthy accomplishments. I believe it is safe to expect that he will achieve even bigger things in the future. George offers a shining example to his community, and I look forward to watching his career progress.

It gives me great pleasure, then, to join with the John M. Langston Bar Association today in honoring its outgoing president, George M. Mallory, Jr., for his commendable record of professional achievement and community service. Please join me in wishing for George, his wife and law partner, Bobbi Tillmon-Mallory, and their two sons, Morgan and Ryan, continued good health and success.

A TRIBUTE TO CALIFORNIA'S DISTINGUISHED JUSTICE, EDWARD GROGAN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. MILLER of California. Mr. Speaker, I wish to bring to the attention of the House the accomplishments of a distinguished Californian, Edward Grogan.

Judge Grogan, born in 1925 in San Francisco, graduated from the University of California in 1947 and from Hastings School of Law in 1950. He then worked in private practice, specializing in medical malpractice, labor, workers' compensation, and domestic relations law as a partner in the law firms of Edises & Treuhaft and Howell & Elson.

After being appointed a workers' compensation judge for the State of California in 1978, Judge Grogan became a staff judge for the worker's compensation appeals board in 1981. From 1982 to 1985 he assumed the position of assistant chief of workers' compensation judges for the State of California, after which he returned to the position of workers' compensation judge in Oakland, CA until his retirement in 1991. Judge Grogan completed many difficult and complex judicial assignments within the workers' compensation appeals system, for which he received the high honor of being named "Judge of the Year" by the bar in 1988.

His family includes his wife, Ruth, and two children, Tracy and Gail. Having many diverse interests, his hobbies range from cultivating roses to archeology and travel, and he is an active contributor to the United Negro College Fund, Appalachian causes, and American Indian organizations. He was the president of the El Cerrito Democratic Club, and is a member of the California State Bar Association, the Conference of California Workers' Compensation Judges, the National Lawyers Guild, Amnesty International, Sierra Club, Audubon Society, and the Defenders of Wildlife.

Mr. Speaker, I would like you and my colleagues to join me celebrating this respected

jurist whose dedication as a public employee has bettered the lives of the citizens of California and of the Nation as a whole.

FOUR FALLEN FIREMEN HONORED BY COMMUNITY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. GAYDOS. Mr. Speaker, I respectfully request my colleagues in the Congress of the United States join me today in a silent tribute to four young volunteer firemen who died in the line of duty on December 20, 1991.

Trapped on the first floor of a burning building, the men lost their lives when a portion of the floor collapsed beneath them, opening up an air passage through which roared a fireball that created an inferno and raised the temperature to higher than 3,000 degrees.

The fallen firemen, all members of Hilltop Hose Company in Harrison Township, southwest Pennsylvania, included:

David Emanuelson, age 23, who leaves his wife, Kathy, and a 2-year-old daughter, Cara. A second child is expected in the spring.

Frank Veri, Jr., age 31, who leaves his wife, Sheri, and son, Jason, age 11.

Michael J. Cielicki Burns, age 28, who was engaged and scheduled to be married August 8, 1992.

Second Lieutenant Rick Frantz, age 23, a third generation member of Hilltop Hose Co., his brother, Don, Jr., father, Don, Sr., and grandfather, Frank, belong to the company. A cousin, Matt, currently serves as chief.

Mr. Speaker, the death of these gallant men was mourned by more than just family, friends and neighbors. More than 4,000 people attended a memorial service for them in the auditorium of Highlands High School. Gov. Robert P. Casey, who met privately with the families of the deceased, led a host of elected and fire officials from all levels of government to the proceedings.

Many of those in attendance were brother firefighters, some of them coming from as far as California, Connecticut, Michigan, New Jersey, and New York to honor their fallen comrades. Their presence demonstrated how strong the common bond is that exists among those who risk their lives protecting others.

In unison, the mourners intoned the "Fireman's Prayer," which says, in part:

When I am called to duty, God, wherever flames may rage, give me the strength to save some life, whatever be its age—I want to fill my calling and give the best in me; to guard my every neighbor and protect his property. And if, according to your will, I have to lose my life, please bless with your protecting hand my children and my wife.

Mr. Speaker, their community will not forget these men nor will their fellow firemen. As the elected Representative from the Harrison Township, area to this Congress, I ask the Members of the House to remember them in our prayers today.

TRIBUTE TO MRS. RUTH HARRIS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. BROWN. Mr. Speaker, next month in my congressional district will be a celebration to honor Mrs. Ruth Harris, who is retiring after completing 38 consecutive years on the Bloomington and Colton Boards of Education. In addition to her board experience in Bloomington and Colton, Mrs. Harris was also a member of the San Bernardino County Board of Education for 18 years. The Colton Joint Unified School District will honor Mrs. Harris on February 11.

Throughout the years, Mrs. Harris has worked tirelessly and with great effectiveness to improve the education system for many children. Her extensive service to students and the community have been immeasurable. The Colton Joint Unified School District Board of Education voted 2 years ago to name their newest junior high school for Mrs. Harris. The school will serve seventh and eighth graders from Bloomington and Fontana and is expected to be completed in 1993.

Mrs. Harris has also been active in the PTA during her 46 years in Bloomington. She became involved in the Bloomington PTA groups shortly after moving there and served as president of a local school unit. In 1950, the Bloomington PTA Council was formed with Mrs. Harris as its first president. Since then, she has held five directorships and served as president, vice president, and parliamentarian of the fifth district PTA.

In addition to her tremendous work as a member of the board of education she has donated countless hours to community agencies. Throughout the years, she has served on the board of directors for the American Red Cross, Arrowhead United Fund, and Colton Unified Methodist Church. She has also served as the community association chairman of the San Gorgonio Council Girl Scouts; as president of American Field Services; as president of the San Bernardino County Museum and parliamentarian for the California Association of Neurologically Handicapped Children.

Mrs. Harris will be sorely missed by her colleagues and her students. I would like to take this opportunity to point out my admiration for Mrs. Harris and commend her for her many contributions that have benefited our community.

TAX FAIRNESS FOR CO-OP OWNERS

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. GREEN. Mr. Speaker, today I am pleased to introduce legislation to clarify that section 277 of the Internal Revenue Code does not apply to housing cooperatives. The legislation, which has been introduced in the Senate by Senator MOYNIHAN, would also clarify how certain income of a housing cooperative would be taxed under subchapter T of the Code. These provisions seek to promote tax fairness as well as eliminate a serious threat to the viability of much of our country's stock of affordable, cooperatively owned housing.

In cities large and small across this Nation, cooperatives provide affordable housing to their resident owners through efficient, cost-based operation. As many of my colleagues know, the Federal Government has fostered this affordable housing through FHA-insured mortgages and through assistance under a wide variety of housing programs designed to aid low- and moderate-income families. State and local governments have added their own support through a variety of funding strategies.

Some of these cooperatives, known as limited equity co-ops, go beyond providing affordable housing to their current resident owners by controlling resale prices and thus retaining affordability to a target population of low- and moderate-income potential purchasers.

All of these cooperatives are threatened by a recent practice of the IRS which seeks to break apart the cooperative enterprise, and separately tax sources of income which, though functionally tied to the provision of housing, would, when set apart, have few or no offsetting deductions.

Here is just one example: When cooperatives accumulate reserves to replace worn-out roofs, furnaces, and water heaters, as they are required to do when they are financed by FHA-insured mortgages, and prudently invest those reserves in federally insured CD's or savings accounts, as they are required to do under FHA regulation, that interest income would be set apart and subject—without deductions—to taxation at the highest corporate rate.

This punitive result is based on a IRS position with dubious legislative foundation. Section 277 of the Code was adopted in 1969 to deal with social clubs and other member organizations that operate primarily to furnish services or goods to their members. There is nothing in the history of section 277 which indicates that Congress intended to apply section 277 to housing cooperatives, and the effort of the IRS subsequently to apply that section seems to be most inappropriate.

Housing cooperatives are doing their best to battle the IRS in the courts, where resolution may take 10 to 15 years. In the meantime, the IRS has proposed deficiencies and added penalties which are forcing numerous individual cooperatives to choose between substantial and unfair overpayments or expensive litigation. Either option is costly, and thus a threat to the precious stock of affordable housing which Congress has fought so hard to defend.

My bill eliminates the threat by making it clear that a cooperative housing corporation is not subject to section 277, and goes on to eliminate the need for further costly litigation by specifying appropriate tax treatment under subchapter T of the Code, which comprehensively deals with the taxation of cooperative entities.

While my bill eliminates the threat of overtaxation, it does not create any loopholes or inappropriate tax advantages for housing cooperatives. In fact, it supplements the Tax

Code's existing deterrents to tax shelters with a specific restriction of its own.

In closing, this legislation strives to achieve tax fairness as well as protect affordable housing. I know that both of these objectives are of great concern to my colleagues and encourage your support.

THE ANNIVERSARY OF ROE V. WADE

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. WYDEN. Mr. Speaker, on the anniversary of the landmark Roe versus Wade decision protecting the privacy of women, this country is also facing a tremendous threat to one of our most cherished liberties—the freedom of speech.

The U.S. Department of Justice has found a powerfully destructive weapon in the Rust versus Sullivan gag rule decision.

The President's lawyers are not only working to restrict information for women in title X family planning clinics, but also in the area of medical and scientific research.

Just this summer, in a case filed in the U.S. District Court of the District of Columbia, the Justice Department attempted to use the Supreme Court's gag rule decision as a bludgeon against Stanford University scientists who had won a National Institutes of Health contract to research an artificial heart device.

In this case, the Federal Government tried to restrict the Stanford scientists from discussing the results of their research with their colleagues.

Putting a gag order on scientists kills the most critical element of scientific discovery—the free exchange of information.

Unless Congress takes decisive action to overturn the gag rule, we can expect more and more efforts to impose dangerous gag orders on scientists and doctors involved in all areas of medicine.

HONORING BAILEY L. REECE FOR 30 YEARS SERVICE TO THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. SARPALIUS. Mr. Speaker, today I wish to honor a man who has devoted his life to preserving the spirit and heritage of rural America. Mr. Bailey Reece is retiring after 30 years of service to the National Rural Electric Cooperative Association [NRECA].

Bailey is no stranger to rural America. Having attended high school in Adrian, TX and completing his bachelor's degree in business management and agriculture from West Texas State University in Canyon, TX, Bailey embarked on a landmark career with the rural electric cooperative associations.

From the Swisher Electric Coop as power use advisor, he quickly became a leader and sound manager. In just 5 years, Bailey became the manager of the Swisher facility before bringing his talents to the Dickens Electric Coop in Spur, TX.

Bailey's service to community is not just vested in rural electric cooperatives. From 1952 to 1956, he served in the U.S. Navy. Bailey has been chairman, president, board member, and friend to such organizations as the Democratic Party, Lions Club, Chamber of Commerce, and currently is an active member of the Caprock Cutting Horse Association. Mr. Reece has been a businessman and friend to every community where he has resided.

More important than all his awards and honors is Bailey's commitment to family. His most prominent role has been that of father. Bailey and Houstene Reece are the proud parents of daughters, Janet Freeman and Kay Acton, and son, Richard Reece. Also, Bailey and Houstene have been blessed with four grandchildren: Kristin Freeman, Lauren Freeman, Ashley Acton, and Kelsie Reece.

Mr. Speaker, I ask my fellow colleagues to join me in congratulating Bailey Reece for a job well done and commending him for his sincere desire to preserve the heritage of rural America.

DARK DAY AT THE UNITED NATIONS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. SCHUMER. Mr. Speaker, during the recess, our Government took a most unfortunate step at the United Nations by supporting a resolution condemning Israel's deportation of 12 Palestinian terrorists. The peaceful deportation of these terrorists is a response to a situation in which Israel had hard evidence that these men were involved in plans to incite violence and murder. But regardless of whether my colleagues agree with this response, it is difficult to find any justification for the United Nations' response, and America's vote in support of it.

When Iraq invaded Kuwait, killing thousands, the U.N. resolved to condemn Iraq, but when Israel deports 12 terrorists, the U.N. resolves to strongly condemn Israel. And yet the U.N. and the United States remained silent when Kuwait forced out 200,000 law-abiding Palestinians from the their country shortly after we liberated it.

It is unfortunate that, so soon after the U.N. took the important step of rescinding the heinous Zionism is racism resolution, the U.N. would then adopt a resolution like this one. It does serious damage to the credibility of the U.N. as a impartial arbiter of peace. Finally, I am ashamed that our Government made the mistake of supporting the resolution.

BILL GRAHAM

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Ms. PELOSI. Mr. Speaker, born Wolfgang Grajonca to Russian Jewish parents in Berlin, Bill Graham was the mega concert promoter of the last three decades. His life ended in a terrible helicopter crash in California on October 25, 1991.

Bill Graham was one of six children. When Bill's father died only 2 days after Bill's birth, his mother placed Bill and his sister, Tolla, in an orphanage.

Bill Graham, his sister, and 62 other children were forced to flee with a Red Cross worker, on foot, from the occupying Nazi forces. Bill Graham was 1 of only 11 children who survived that journey through Europe, northern Africa, Cuba, and finally to the United States.

Settling in San Francisco after service in the Korean war, Bill Graham began his career as a rock promoter. In an effort to raise money for the San Francisco Mime Troupe, of which he was a member, Bill Graham created the first of his many music fundraisers.

By turning an old San Francisco skating rink into the Fillmore Auditorium, Bill Graham created a rich outlet for the unique talents of the new musicians of the 1960's—Bob Dylan, the Grateful Dead, the Rolling Stones and many other now famous performers. This was the beginning of a new career for Bill Graham and the opening of careers for many young struggling artists whose accomplishments would be multiplied by their association with Bill Graham.

While his flight from the Nazis and his success as a rock promoter are inspiring for all of us, Bill Graham's greatest achievements can be found in the wonderful work he did for others. In 1985 he promoted the "Live Aid" fundraising concert for African relief. This event raised desperately needed money to fight African famine, and raised the consciousness of the world to the needs and struggles of starving people in other countries.

As a champion of human rights he produced the Conspiracy of Hope concerts for Amnesty International. Following his speaking out against antisemitism, his offices were destroyed by fire. However, his courage and fervor were not deterred.

Bill Graham was concerned about people and their problems throughout the world; he was concerned about the drug scourge in America; and he was concerned about his community. One of Bill Graham's most recent concert events was "Crackdown on Crack," held in New York City. By focusing attention on the troubled youth of America, Bill Graham demonstrated his compassion for others and his ability to bring a new level of understanding to a very real problem.

Bill's generosity was local as well as global. He was a great supporter of the Haight-Ashbury Free Clinic in San Francisco. He was also planning yet another event, in response to the recent Oakland fire, to benefit the victims of the bay area.

Bill will be missed for his abundant talent, his generous spirit and his compassion for all

of humanity. As we approach the Thanksgiving season, I want to call to the attention of my colleagues Bill Graham's generosity. I also want to offer thanks to Bill Graham's family and his great legacy.

WHITE HOUSE CONFERENCE ON INDIAN EDUCATION

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. FALEOMAVAEGA. Mr. Speaker, throughout the course of this year I want to share with my colleagues on a regular basis the problems and significant events in the American Indian community. I would like to start this series by bringing to the attention of my colleagues the White House Conference on Indian Education which begins today and runs through the 24th.

As 1 of the 78 delegates appointed to the conference by Speaker FOLEY, among only 234 delegates selected nationwide, I consider it an honor to be a part of the process that seriously addresses the critical issues impacting on the education of American Indians and Alaska Natives at both the community and national levels.

The conference is planned around 11 topic areas based on preconference reports written by the 24-person task force on the White House Conference on Indian Education. These reports are the result of meetings and discussions that have been taking place since 1990 involving thousands of education representatives from throughout the country. These reports include information from and make use of recommendations for the U.S. Department of Education's "Indian Nations At Risk: An Educational Strategy for Action," October 1991 and the National Advisory Council on Indian Education's "Toward the Year 2000: Listening to the Voice of Native America." The reports are thoughtful and focused, and were done at the expense and selfless sacrifices of many individuals. I hope the delegates to the conference will give these reports their greatest possible attention.

The 11 topic areas are: the governance of Indian education/independent board of education; the well-being of Indian communities/delivery of services; literacy/student academic achievement/high school graduation; safe, alcohol/drug-free schools; exceptional education; readiness for school; native languages and culture; structure for schools; higher education; native and nonnative school personnel; and adult education and lifelong learning/parental, community, and tribal relationships.

Mr. Speaker, thank you for this opportunity to share with my colleagues an outline of this important conference. I look forward to discussing other topics important to the American Indian community during the course of this year.

THE RETIREMENT OF MR. B.J. "BILL" BUNNELL

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 22, 1992

Mr. THOMAS of California. Mr. Speaker, I want to recognize Mr. Bill Bunnell on his retirement from public service after over 40 years of dedicated employment with the State of California—over 30 of which was with the State department of corrections.

Bill Bunnell began his long and successful career as an institution cook at Stockton State Hospital. After 6 years of experience, and being promoted to supervising cook II at the correctional training facility at Soledad, Mr. Bunnell became an instructor in cooking, allowing others to benefit from his knowledge.

Through hard work and proficiency, Mr. Bunnell continued to advance, becoming food manager at the Deuel Vocational Institution and then business manager at the California Conservation Center in Susanville and at San Quentin. But these, too, proved to be just temporary stops on Mr. Bunnell's career path as he was promoted to correctional administrator, then to superintendent and finally to warden of the California Correctional Institution at Tehachapi, here in the 20th Congressional District.

Throughout his career with the California State Department of Corrections, Bill Bunnell has exemplified the dedication and expertise we all hope to find in our public servants. Mr. Bunnell is highly respected by both his colleagues and employees at the correctional institution at Tehachapi, as well as by those who have worked with and for him in the past. While we are all pleased that Bill Bunnell will finally have a well-deserved opportunity to relax, you can be sure that he and his many talents will be missed.

Mr. Speaker, I thank my colleagues for allowing me this opportunity to honor Bill Bunnell on his over 40 years of service to the State of California.

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 Thursday, January 23, 1992, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 28

2:30 p.m.
Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings on H.R. 2450, to revise Title 28, United States Code, to grant Federal district courts jurisdiction over certain multiparty, multiforum civil actions.
SD–226

JANUARY 30

3:30 p.m.
Armed Services
Conventional Forces and Alliance Defense Subcommittee
To hold hearings in conjunction with North Atlantic Assembly's Subcommittee on Defense Cooperation on European security issues.
SR–222

JANUARY 31

9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings on stealth compensation of corporate executives, focusing on Federal treatment of stock options.
SD–342

10:00 a.m.
Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal year 1993 for the Department of Defense and to review the fiscal years 1993–1997 future year defense plan.
SH–216

FEBRUARY 4

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Legislative Branch.
SD–116

FEBRUARY 5

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1993 for the Legislative Branch.
SD–116

FEBRUARY 6

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the Hawaiian Homes Commission Act.
SD–366

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1993 for the Legislative Branch.
SD–116

FEBRUARY 25

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to re-

view the legislative recommendations of the Disabled American Veterans.
345 Cannon Building

MARCH 3

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.
345 Cannon Building

MARCH 5

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Blinded Veterans of America, and WWI Veterans.
345 Cannon Building

APRIL 8

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETs, American Ex-POWs, Jewish War Veterans, and Non-Commissioned Officers Association.
SD-106