HOUSE OF REPRESENTATIVES—*Tuesday, April 28, 1992*

The House met at 12 noon.

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

Our hearts are grateful to you, O God, for all your gifts to us. In spite of the uncertainties and concerns that each person faces, our hearts and minds can yet rejoice in the blessings, the friendships, the love and affection, the mutual concerns that we share together. May your spirit, O gracious God, that forgives and heals and brings all manner of good, be with each one of us this day and every day. 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 Tennessee [Mr. CLEMENT] please come forward and lead the House in the Pledge of Allegiance?

Mr. CLEMENT 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 and a concurrent resolution of the House of the following titles:

H.R. 429. An act to amend certain Federal Reclamation laws to improve enforcement of acreage limitations, and for other purposes;

H.R. 2431. An act to amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System;

H.R. 2454. An act to authorize the Secretary of Health and Human Services to impose debarments and other penalties for illegal activities involving the approval of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes; and

H. Con. Res. 287. Concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1993, 1994, 1995, 1996, and 1997.

The message also announced that the Senate insists upon its amendment to the resolution (H. Con. Res. 287) "Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1993, 1994, 1995, 1996, and 1997" and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SASSER, Mr. JOHNSTON, Mr. RIEGLE, Mr. EXON, Mr. DOMENICI, Mr. SYMMS, and Mr. BOND, to be the conferees on the part of the Senate.

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

S. 1128. An act to impose sanctions against foreign persons and U.S. persons that assist foreign countries in acquiring a nuclear explosive device or unsafeguarded special nuclear material, and for other purposes;

S. 2055. An act to amend the Job Training Partnership Act to strengthen the program of employment and training assistance under the act, and for other purposes; and

S. 2620. An act to amend title VII of the Public Health Service Act to correct a technical oversight in the Disadvantaged Minority Health Improvement Act of 1990 (Public Law 101-527) by making schools of osteopathic medicine eligible to participate in the Centers of Excellence Program, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1254) "An Act to increase the authorized acreage limit for the Assateague Island National Seashore on the Maryland mainland, and for other purposes," with an amendment.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
April 13, 1992.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER, Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Monday, April 13, 1992 at 10:58 a.m.: That the Senate agreed to House amendment to S. 838; passed without amendment H.R. 4572 and H.J. Res. 402 and made appointments to the Mexico-United States Interparliamentary Group Conference.

With great respect, I am
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill and joint resolution on Wednesday, April 15, 1992:

H.R. 4572. To direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the Medicare or Medicaid Programs in order to enable the Dayton Area Health Plan, Inc. to continue to provide services through January 1994 to individuals residing in Montgomery County, OH, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act; and

H.J. Res. 402. Approving the location of a memorial to George Mason.

REPUBLICAN FUNDRAISER

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

Mr. SYNAR. Mr. Speaker, is it any wonder that Americans are fed up with politics as usual, skeptical that their voice will be heard over big money interests.

Tonight, while the rest of us are paying our monthly bills, the Republicans and George Bush are throwing a gala $7 million fundraiser that brings new meaning to the words—party of privilege.

While most Americans are grappling with medical expenses, making car payments, and meeting the mortgage and rent, political action committees and big business are buying tickets at $1,500 a piece, tables for $20,000, and photo opportunities with the President for $92,000.

There is an alternative. It is called campaign finance reform. Congress has passed it. The President threatens to veto it. No wonder, it would limit special interest influence, soft money and bundling.

Well, Mr. President, campaign finance reform, which has passed the House and which will later pass the Senate this week, will be laid on your desk. If you are truly committed to change, you will have an opportunity to make a strong voice heard that people do count.

WE MUST COOPERATE WITH JUDGE WILKEY

(Mr. BLILEY asked and was given permission to address the House for 1

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minute and to revise and extend his remarks.)

Mr. BLILEY. Mr. Speaker, just tell me it is not so. I could not believe the press reports over the weekend about your suggestion that maybe the House should oppose the subpoenas by Judge Wilkey.

Mr. Speaker, do not lead us down another blind alley. Do not repeat our first mistake when we suggested maybe not to make a full disclosure.

Mr. Speaker, we should promise to cooperate with the special counsel. The House cannot at this time hide behind a technicality. The public will perceive it as nothing but a coverup. If we must bring it to a vote, bring it to a vote.

Mr. Speaker, we on this side of the aisle, the Republicans, will support full cooperation with Judge Wilkey.

WHAT'S ON THE MENU TONIGHT?

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

Mr. GEJDENSON. Mr. Speaker, this evening President Bush and the Republican Party will have the biggest fundraiser in the history of moneyed politics, $7 million in one night.

I say to my colleagues, you've read the stories about strong-arm tactics and corporations being involved, but have you read the menu? For $25,000 you might be able to get an EPA administership, or you might be able to get a regulation frozen. For $75,000 you can get an ambassadorship, maybe, to a small Central American country. For $100,000 you might be able to get your picture taken with Vice President QUAYLE.

But do not expect to see campaign finance reform on the President's menu. That would be too much of indigestion for his big contributors and special interests at the dinner.

As one of the earlier speakers said, the Senate is about to do what we did, pass campaign finance reform. Let us not talk about reform while we are sucking in $7 million in one night. Sign campaign finance reform, Mr. President.

LET SOME AIR OUT OF HEALTH CARE'S INFLATIONARY BALLOON—SUPPORT H.R. 4280

(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, I believe we have the potential to develop an effective health care delivery system. We have the components—state-of-the-art technology, plenty of hospital beds, specialists in every area imaginable, but we have obviously left something out because there are 37 million Americans who still cannot afford insurance for traditional medical attention in a doctor's office, who end up becoming an emergency case for the hospital, and who have come no closer to being able to finance their own health care. So far the answer for many has been to point fingers at any number of groups—insurance companies, doctors, lawyers, hospitals, or even consumers. But for the sake of the future of this country, let's stop pointing fingers at each other. There is now basic legislation in committee that can let some of the air out of health care's inflationary balloon. H.R. 4280 is one part of the answer—it encompasses malpractice reform, improves the small group insurance market, carves out options for long-term care, and introduces consumer choice with a type of medical IRA. These are real changes that could begin to channel health resources to individuals who truly need them. Join me in cosponsoring H.R. 4280, the Health Care Choice and Access Improvement Act. We really cannot afford to wait any longer.

PEOPLE IN AMERICA SUFFER WHILE THE REPUBLICANS RAISE $7 MILLION FOR THEIR CAMPAIGN

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

Mr. FLAKE. Mr. Speaker, the record is clear as we in the Congress continue to debate campaign reform and we consider what is happening tonight in relationship to the Republican fundraiser. There are so many of our citizens, who find themselves with meager resources, who cannot even put food on their table, and yet here are people who will pay thousands of dollars, strong armed, to come to be able to support the campaign for the Republican Party. In reality there are those of us within the House who probably would argue that this is the way things ought to be done, but there are so many poor people in America who suffer each and every day of their life, who wonder how we can consistently say that we do not have the resources to provide for their basic needs and then spend so much of our time, energy, and money trying to raise money to run campaigns.

Mr. Speaker, I think it is time for us to rethink how we run campaigns in America and deal with the reality that, if we can raise $7 million for a campaign, we ought to be able to raise some dollars to meet the needs of America's citizens.

GOOD NEWS ABOUT THE TRADE BALANCE

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

Mr. BEREUTER. Mr. Speaker, for my export 1 minute today, I would like to pass along some good news.

In February, the last month for which statistics are available, Mr. Speaker, the U.S. trade deficit was its lowest in 9 years. The United States recorded a trade surplus with 9 out of the 12 members of the European Community. Add to this list the countries of Australia, Egypt, Mexico, Norway, New Zealand, all of Eastern Europe and the former Republics of the Soviet Union, and United States exporters definitely have something to smile about.

Mr. Speaker, the declining U.S. trade deficit is good news. Although the trade deficit alone, does not reflect the U.S. economy, it does say that the United States is competitive internationally in many areas.

But, Mr. Speaker, that is not the end of the good news. These figures do not include U.S. trade in services, despite the fact that we lead the world in this important export area. Nor do these figures include reports that U.S. exports have been historically underreported.

Mr. Speaker, the bottom line is that U.S. exports represent a bright spot in America's economic outlook. Nothing dramatizes this extremely important point more than a quote from yesterday's Journal of Commerce.

Mr. Speaker, according to that publication:

> Over the past five years, exports have led our economic performance, growing three times as fast as real gross domestic product in every year since 1987. Without this improvement, employment would be 3% lower than it is today, or conversely, unemployment would be 40% greater.

Yes, Mr. Speaker, this is good news.

I include the following articles:

[From the Omaha World-Herald, Apr. 19, 1992]

DON'T WORRY, BE HAPPY ABOUT TRADE

The doom-and-gloom crowd is at it again. While Americans should be pleased that the U.S. trade deficit has narrowed to its smallest monthly margin in nine years, pessimists persist in looking for negatives in the news of the narrowing trade gap.

February's $3.38 billion deficit didn't stop one economist from saying that the monthly figures are destined to climb back to around $5 billion for the rest of 1992. The reason, he said, is that the faltering economy in other parts of the world will harm the growth prospects of America's major trading partners.

But improvement is improvement. Something is going right with the American economy. A strong export performance by manufacturers has helped America improve its trade deficit with the rest of the world. Exports climbed to a record high. Imports dropped for a second straight month.

There are no smoke-and-mirrors tricks involved. No statistical sleight-of-hand, nothing but straight economic fact. The facts say that the trade deficit is getting demonstrably better. America has a trade surplus with Western Europe, Britain, France, Mexico and South Korea.

In February, the Commerce Department announced a 35-percent drop in the trade def-

icit for 1991. At the time, some naysayers argued that the country's improving trade performance was merely a sign that the U.S. economy is so crippled that Americans are less able to afford imported goods.

First it was the lousy domestic economy. Now it's the lousy international economy. What's wrong with crediting the improving trade performance to a welcome sign of renewed American competitiveness in international trade?

[From the Lincoln Journal-Star, Apr. 19, 1992]

TRADE BALANCE: BETTER THAN BETTER

Those cheers you hear in Washington—a rare sound these days—are for February's performance in the U.S. balance of trade. Actually, it may be even better than it seems. And it could get better still, if our nation remains dedicated to free trade.

The February trade deficit was $3.38 billion, compared to $5.95 billion in January. That was the best showing in almost nine years. Translated into annual terms, the deficit would be $56 billion, down from last year's $66.3 billion.

What should be recognized, however, is that this deficit is the merchandise trade deficit, dealing with tangible goods. But just as our national economy is increasingly oriented to services, so is our trade with other countries. The United States is the world's largest exporter of services—professional, financial, educational, health-related.

Statistics for services sold abroad are figured and published differently from those for merchandise. They do not make headlines each month. Yet last year the United States had a trade surplus in services of $43 billion. That would have brought our true trade deficit for the year down to $23 billion.

And there's even more to the brighter side. A National Research Council study concluded that our exports last year were underreported by $20 billion. Factor that in, and the real trade deficit sinks to $3 billion. Assume service exports are also underreported, and our trade figures may in fact be in balance, or even show a small surplus.

All this suggests two things. First, that our government needs a better system of compiling and reporting trade activity, both imports and exports, services as well as tangible stuff. Second, that it is imperative that foreign markets be kept open to U.S. exports.

U.S. sales of both goods and services in other countries are growing, and the tide of trade is running in our nation's favor. But that could change if foreign markets are closed to us. And surely if we close our own market to our other countries, they are going to bar their doors to U.S. businesses.

In a free-trade atmosphere, we can compete. And that can mean that not too far down the road our balance of trade, which may already be close to being free of red ink, could make headlines each month with surpluses, rather than deficits.

[From the Journal of Commerce, Apr. 27, 1992]

US–EC: STUCK AT THE CROSSROADS

(By William Brock)

Last year, the United States recorded a $12.5 billion trade surplus with Europe, eliminating a bilateral deficit that had plagued the United States during the 1980s. The dramatic growth in our exports to Europe has been a powerful creator of jobs. Fears of American goods being blocked at the barricades of "Fortress Europe" have, so far, proven to be unfounded.

Over the past five years, exports have led our economic performance, growing three times as fast as real gross domestic product in every year since 1987. Without this improvement, employment would be 3% lower than it is today, or, conversely, unemployment would be 40% greater.

The two-way flow of investment capital has also been a source of economic growth. American-owned firms employ more than 4 million workers around the world, including 2.7 million in Europe. Foreign investment in the United States, a phenomenon we have seen more of recently, employs more than 3 million Americans. European-owned firms employ 2.3 million of those workers. And, according to a recent DRI/McGraw-Hill study, those jobs pay wages that are on the average higher than wages for other jobs in the same communities.

In Rochester, N.Y., homegrown companies such as Eastman-Kodak and Xerox exported more than $2.3 billion worth of goods in 1990. In Austin, Texas, the city's single largest employer, IBM, is one of the largest exporters. Foreign investment in Indianapolis has created 61,400 jobs the study finds, producing $1.5 billion in wages and $125 million in tax revenues. And in Raleigh, more than 103,400 jobs are related to foreign investments, 62,000 of those resulting from European investment. In just these four cities studied, hundreds of thousands of jobs, billions of dollars in wages and millions of dollars in tax revenues are generated by foreign trade and investment. Few American cities could fail to tell a similar story.

All of us have a demonstrable stake in the continued health of the U.S.-European relationship. As studies like that of DRI prove time after time, all economics, like all politics, is local.

For half a century a trans-Atlantic partnership has existed, forged by postwar leaders who determined that the devastation of depression and war would not shadow our children. Their effort gave us international institutions to resolve disputes, institutions like the GATT, and they gave us leadership which brought peace and economic growth unequaled in all history. It is time to restore that source of mutual respect and mutual responsibility.

And so from this crossroads we reflect on the disappointment of the Bush-Delors meeting. We must find a way to conclude the Uruguay Round successfully. Beyond this, we must seek other innovative ways to strengthen a relationship that has contributed so much to global stability, peace and economic progress.

□ 1210

HOUR OF MEETING ON TOMORROW

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow.

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

There was no objection.

EXTENSION OF GI BILL BENEFITS

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

Mr. MONTGOMERY. Mr. Speaker, over the next several months, a large number of men and women will be voluntarily leaving the armed services as the Active Force is downsized. As an example, more than 22,000 will be leaving the Air Force between now and December.

In February, I wrote Secretary of Defense Dick Cheney and asked him to consider allowing these men and women who did not originally sign up for the GI bill to be given the chance to do so upon separation.

They would put up $1,200, as is required of all GI bill participants, and then would be eligible for college benefits. They will be receiving around $20,000 in severance pay and the individual contribution to the GI bill program could be taken from that total.

Those who are being involuntarily separated are already allowed to do this under the Persian Gulf appreciation package. There are many in the Armed Forces who have served 9 or 10 years, for example, who never had the chance to sign up for the GI bill. This would give them the opportunity to pursue a college degree that would help ease the transition back into civilian life.

The Secretary needs to give us an answer on this as soon as possible so we can consider the necessary legislation.

FREEDOM FOR SYRIAN JEWRY

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

Mr. GILMAN. Mr. Speaker it is with cautious optimism that we greet the recent announcement that the small Jewish community of Syria, long held hostage by President Hafez el-Assad, have been granted freedom of travel and the lifting of racist restrictions regarding property rights. Coming on the heels of last week's release from prison of the Swed brothers, this is a welcome initiative if it indeed becomes fact. No one should have to post monetary bond to ensure their return, and no one should be barred from taking family members along on a foreign trip. But this, as well as other restrictions, have been part of the daily life for the Jews of Syria.

As cochairman of the Congressional Caucus for Syrian Jewry, I can attest to the commitment of the Congress to freedom for the 4,000 Jewish men, women, and children in Syria. The Bush administration has supported these humanitarian efforts, which have been ongoing, with the dedicated assistance of the Congress and the American Jewish community. Having met with members of the Syrian Jewish community in Damascus last summer, I look forward to witnessing the early implementation of these new provisions. We are hopeful that these proposals are not mere smoke and mirrors, but are signs of real change for the

Jews of Syria, and for Syria's respect for human rights.

TRIBUTE TO THE WORKERS OF THIS COUNTRY

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

Mr. KILDEE. Mr. Speaker, today I want to pay tribute to the workers of this country.

There is a reason why we have worker safety laws in this country, for the same reason we have strong environmental protection laws—we must stop the unscrupulous from exploiting our Nation's workers and our natural resources.

I want to share with you a story about my father to illustrate why we need strong safety standards in the workplace.

In the 1930's, my father worked in the Buick plant in Flint, MI. One day, my father was working on his job when the sleeve of his shirt got caught in the machine. My father yelled and screamed for someone to turn off the machine—because there was no device on the line to allow him to do it himself. Finally, someone heard his screams and turned off the machine, before he was seriously injured.

My father was lucky that day, and I will never forget the fright on his face when he told me of that incident. Unfortunately, many workers today are not as lucky as my father.

Mr. Speaker, it is time for the Congress to pass significant OSHA reform legislation. And it is long overdue for this administration to begin enforcing existing job safety laws.

IN HONOR OF NATIONAL VICTIMS WEEK

(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, tomorrow from 12 noon until 3 p.m., in honor of National Victims Week, the Friends of Youth Institute [FYI] will introduce a major, national effort to achieve zero fatalities due to drunk driving by the year 2000. "Zero by 2000" is the first initiative of FYI, a nonprofit organization whose purpose is to give young people experiences and opportunities that will teach them decisionmaking skills about issues such as drinking and driving, AIDS, drug abuse, suicide, and pregnancy.

Mr. Speaker, I urge my colleagues to participate in the demonstration in front of the U.S. Botanic Gardens from 12 until 3. Students from the Washington-Baltimore region will team up with Members of Congress to demonstrate a specially modified car that simulates drunk driving. The simulator will be touring high schools around the country to educate students on the deadly issue of driving drunk. Let us give "Zero by 2000" our strong support.

PRESIDENT SHOULD GROW UP AND ACT PRESIDENTIAL

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

Mr. APPLEGATE. Mr. Speaker, the people back home are disgusted with all of Government. They are disgusted with the Presidential candidates because they are not talking about the issues. They are disgusted with George Bush because he eschews no leadership. They say he acts like an adolescent whose marbles were stolen and he wants to blame Congress for it.

Mr. Speaker, the people want to know why he does not want to work with Congress and why Congress does not want to work for him. But he has vetoed 27 bills that we have sent to him to help the American people.

Mr. Speaker, the President talks about balancing the budget, my people tell me, and yet he gives Congress a budget for $1.5 trillion, and it bounced.

Mr. Speaker, the President says he is the President of change. Now here is a man that has been in for 4 years, been Vice President for 8 years, and his changes are that he changes from one week to another. My people are saying why does he not grow up and act like what he is supposed to be when he was elected by them, and that is to be Presidential.

WYOMINGITES WANT SOMETHING RESPONSIBLE DONE ABOUT BUDGET DEFICIT

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

Mr. THOMAS of Wyoming. Mr. Speaker, I rise to share with my colleagues the issue that I found most prominent in Wyoming during my last 2-week visit, and that is doing something about the deficit. People in Wyoming feel like Congress has been irresponsible. People in Wyoming believe that doing something about the deficit ought to be the first priority. People in Wyoming believe that the deficit is dragging down the economy and whatever we do cannot be effective unless we do something about the deficit.

Yet it is hard to believe that frankly we do not spend more time dealing with that issue, dealing with trying to find some solutions.

Instead my colleagues this morning have spent their time posturing politically, instead of doing something about it.

Mr. Speaker, it seems to me that we ought to manage this place to where we spend some time solving problems, and we need to be more responsible about doing something about the deficit.

GOP AND CAMPAIGN FUNDS

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

Mr. TRAFICANT. Mr. Speaker, the Grand Old Party will raise $7 million tonight in 1 night. They say millionaires are buying tickets faster than favors can be doled out at the White House. In fact, Republicans who raise more than $100,000 can even get their picture taken with President Bush.

I can see it now—Japanese cameras flashing all over the convention center.

But the President said, "Let's not be misled. We must have campaign finance reform, and the Republican Party must, in fact, develop a safe money system in American politics."

The Republicans have gone from safe sex to safe money. I predict that the Republican concept of safe money will require millionaires to use condoms on all their safe money and their credit cards.

□ 1220

BRING HEALTH CARE REFORM TO THE HOUSE FLOOR

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

Mr. STEARNS. Mr. Speaker, I urge the House leadership to bring the various health reform proposals now before Congress to the floor for complete and open debate.

I held a dozen town meetings on health care reform in my central Florida district during the recent congressional recess. The American people are fed up with our current system and are fed up with Congress for sidestepping this issue.

Too many Americans live in fear of losing access to their current health care. Too many Americans fear losing their life savings to catastrophic illness or being denied coverage due to health condition.

The current health care cost crisis affects everyone. According to a report commissioned by Families USA, the average American family paid more than $4,000 for health care in 1991.

Business is feeling the cost crunch too. In 1990 the average American employer who offered employees health benefits spent more than $3,200 for each employee covered by the company's health plan.

Even with these outrageous costs 37 million Americans currently have no health insurance.

Mr. Speaker, finding answers to our current health care problems will not

be easy, but I believe if this body works together—and puts politics aside—a consensus can be found on several significant reforms.

HOUSE SHOULD COMPLY WITH SUBPOENA REQUEST OF FEDERAL JUDGE MALCOLM WILKEY

(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, special counsel, retired Federal Judge Malcolm Wilkey, has subpoened certain records and documents pertaining to Members' transaction at the now defunct House bank. There is understandable reluctance on the part of the bipartisan House leadership in complying with this subpoena based on legal, constitutional and privacy grounds.

Mr. Speaker, I believe bipartisan leadership should respond and comply with the subpoena and provide the Federal judge each and every paper he has requested.

Mr. Speaker, this is not alone a question of constitutional separation of powers, nor a question of coequal branches of Government, nor even a question of a Member's right to privacy. The question is the credibility of the House and the right of the people of America to know the truth.

Mr. Speaker, in this setting, even where there is legitimate concern on our part about the subpoena, that concern must yield to the right of the people of America to know the truth.

MEMBERS ARE HERE TO PROTECT THE INSTITUTION

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

Mr. NUSSLE. Mr. Speaker, I would join with my colleague who just spoke as well as many others here today who are asking the question, What are we hiding from?

The same question that many people out on the street are asking themselves today with regard to many of the Speaker's public statements with regard to the subpoenas that have been issued by Judge Wilkey. The question that came up during the entire reform battle that we had prior to leaving was, Are we here to protect the institution or individual Members? And we determined that we are here to protect the institution.

Therefore, individual Members in this institution and in this instance should not have the degree of protection that the Speaker is speaking of right now. I have heard a lot of Members say that this is not for the masses but this is for the leadership to determine.

I do not think it should be determined in a smoke-filled room of the leadership, but rather, this should be open to House debate. This is for the Members of the House to determine. It is not just a constitutional issue, as has been said before.

This is an issue of credibility to the people that we represent. All of us that were back home over the Easter work period recognized the fact that our credibility has been lost, and this is just another way that we will fall down that slippery slope as we move to try and bring back that credibility and that honesty to the House of Representatives.

I think that the full Membership of this body needs to determine this, needs to debate this and needs to make the kind of disclosure and the kind of compliance with these subpoenas that is requested.

NATIONAL ASSOCIATION OF FEDERAL CREDIT UNIONS—CONGRATULATIONS ON 25 YEARS OF OUTSTANDING SERVICE

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

Mr. MORAN. Mr. Speaker, yesterday marked the 25th anniversary of the National Association of Federal Credit Unions [NAFCU]. NAFCU represents more than 750 Federal credit unions and the 17 million customers they serve. There are 300 of those Federal credit unions in Virginia, representing more than 3 million members. That is about half of the State.

It is the only national trade association exclusively representing the interests of Federal credit unions, and throughout this 25-year period, NAFCU has provided its members with strong representation before Congress and the Federal regulatory agencies.

I am also very proud to note the NAFCU just moved to my congressional district in Alexandria, VA, and we are very proud to have them there. They have helped create the national credit union share insurance fund, the National Credit Union Administration as an independent Federal regulator, and the central liquidity facility, which has been providing the credit union community with additional stability since 1978.

All those measures have helped bring greater stability, safety, and soundness to credit unions. As a result, the industry as a whole has thrived.

With low-cost efficient services, impeccable credentials of safety and soundness, and a human face and an understanding of local community needs, their motto "Not for charity, not for profit, but for service," has served them well.

With the leadership of organizations like the National Association of Federal Credit Unions, credit unions will continue to grow and to serve their communities.

THE DODGE DRUNK DRIVING SIMULATOR

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

Mrs. BYRON. Mr. Speaker, I would like to take this opportunity to inform my colleagues about an important event scheduled for tomorrow. Friends of Youth Institute, a new charitable organization devoted to the prevention of teenage alcohol-related traffic deaths, will be demonstrating a remarkable device in front of the Capitol at the Botanical Gardens. The device is known as the Dodge Drunk Driving Simulator—a computer programmed automobile which delays the braking and steering response time in accordance with the driver's weight and number of drinks consumed. Simply put, this car lets a sober driver attempt to drive a car that is programmed to be drunk. It is a powerful tool in the continuing fight to eliminate drinking and driving. The press conference begins at 12:30 and the simulator will be available for test driving through 3 p.m. I urge my colleagues to stop by for a quick test drive—the results will be stunning.

THE COMMITTEE ON APPROPRIATIONS OMNIBUS RESCISSION BILL

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

Mr. FAWELL. Mr. Speaker, an historic event will occur in the House sometime over the next 2 weeks. Tomorrow, in response to the first 68 rescission messages President Bush has sent to Congress, the Appropriations Committee will mark up its own omnibus rescission bill. The significance of this occurrence is not that Congress is proposing its own rescissions—the significance is that we are going to have the opportunity to debate the projects proposed for rescission on the floor of the House. As it so conveniently does when funding pork barrel projects, the committee generally proposes rescissions in large omnibus bills which never allow the opportunity for full consideration of Presidential rescission proposals.

As the cochairman of the bipartisan porkbusters group, I welcome the appropriators' efforts to identify and eliminate wasteful spending. Porkbusting is a bipartisan endeavor we all should be engaged in to ensure that we are making wise use of the taxpayers' money.

While we welcome the committee to the fight against wasteful spending, I think it is important to stress that their rescission effort is complimentary to, rather than a substitute for, the President's rescission proposals. I

urge my colleagues to join me in opposing any attempt to squash our right to have separate consideration of the President's proposals. We should have an up or down vote on each of these projects to see if, in fact, Congress actually does support spending taxpayers' money on Hawaiian arts and crafts, a parking garage, or research on oil from jojoba.

If the majority of Congress does actually support such programs, by all means, let's fund them. If the majority does not, however, it's time to quit wasting money on them and channel those funds to national priorities. But we will never know—and the public will never know—unless we have a project-by-project vote to see exactly what the will of this body is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall vote, if postponed, will be taken tomorrow.

□ 1230

GENERIC DRUG ENFORCEMENT ACT OF 1991

Mr. WAXMAN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2454) to authorize the Secretary of Health and Human Services to impose debarments and other penalties for illegal activities involving the approval of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; REFERENCE; FINDINGS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Generic Drug Enforcement Act of 1992".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Food, Drug, and Cosmetic Act.

(c) FINDINGS.—The Congress finds that—

(1) there is substantial evidence that significant corruption occurred in the Food and Drug Administration's process of approving drugs under abbreviated drug applications,

(2) there is a need to establish procedures designed to restore and to ensure the integrity of the abbreviated drug application approval process and to protect the public health, and

(3) there is a need to establish procedures to bar individuals who have been convicted of crimes pertaining to the regulation of drug products from working for companies that manufacture or distribute such products.

(d) TABLE OF CONTENTS.—

Sec. 1. Short title; reference; findings; table of contents.

Sec. 2. Debarment and other restrictions.

"Sec. 306. Debarment, temporary denial of approval, and suspension.

"(a) Mandatory debarment.

"(b) Permissive debarment.

"(c) Debarment period and considerations.

"(d) Termination of debarment.

"(e) Publication and list of debarred persons.

"(f) Temporary denial of approval.

"(g) Suspension authority.

"(h) Termination of suspension.

"(i) Procedure.

"(j) Judicial review.

"(k) Certification.

"(l) Applicability.".

Sec. 3. Civil penalties.

"Sec. 307. Civil penalties.

"(a) In general.

"(b) Procedure.

"(c) Judicial review.

"(d) Recovery of penalties.

"(e) Informants.".

Sec. 4. Authority to withdraw approval of abbreviated drug applications.

"Sec. 308. Authority to withdraw approval of abbreviated drug applications.

"(a) In general.

"(b) Procedure.

"(c) Applicability.

"(d) Judicial review.".

Sec. 5. Information.

Sec. 6. Definitions.

Sec. 7. Effect on other laws.

SEC. 2. DEBARMENT AND OTHER RESTRICTIONS.

Sections 306 and 307 (21 U.S.C. 336, 337) are redesignated as sections 309 and 310, respectively, and the following is inserted after section 305:

"DEBARMENT, TEMPORARY DENIAL OF APPROVAL, AND SUSPENSION

"SEC. 306. (a) MANDATORY DEBARMENT.—

"(1) CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS.—If the Secretary finds that a person other than an individual has been convicted, after the date of the enactment of this section, of a felony under Federal law for conduct relating to the development or approval, including the process for development or approval, of any abbreviated drug application, the Secretary shall debar such person from submitting, or assisting in the submission of, any such application.

"(2) INDIVIDUALS.—If the Secretary finds that an individual has been convicted of a felony under Federal law for conduct—

"(A) relating to the development or approval, including the process for development or approval, of any drug product, or

"(B) otherwise relating to the regulation of any drug product under this Act,

the Secretary shall debar such individual from providing services in any capacity to a person that has an approved or pending drug product application.

"(b) PERMISSIVE DEBARMENT.—

"(1) IN GENERAL.—The Secretary, on the Secretary's own initiative or in response to a petition, may, in accordance with paragraph (2), debar—

"(A) a person other than an individual from submitting or assisting in the submission of any abbreviated drug application, or

"(B) an individual from providing services in any capacity to a person that has an approved or pending drug product application.

"(2) PERSONS SUBJECT TO PERMISSIVE DEBARMENT.—The following persons are subject to debarment under paragraph (1):

"(A) CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS.—Any person other than an individual that the Secretary finds has been convicted—

"(i) for conduct that—

"(I) relates to the development or approval, including the process for the development or approval, of any abbreviated drug application; and

"(II) is a felony under Federal law (if the person was convicted before the date of the enactment of this section), a misdemeanor under Federal law, or a felony under State law, or

"(ii) of a conspiracy to commit, or aiding or abetting, a criminal offense described in clause (i) or a felony described in subsection (a)(1),

if the Secretary finds that the type of conduct which served as the basis for such conviction undermines the process for the regulation of drugs.

"(B) INDIVIDUALS.—

"(i) Any individual whom the Secretary finds has been convicted of—

"(I) a misdemeanor under Federal law or a felony under State law for conduct relating to the development or approval, including the process for development or approval, of any drug product or otherwise relating to the regulation of drug products under this Act, or

"(II) a conspiracy to commit, or aiding or abetting, such criminal offense or a felony described in subsection (a)(2),

if the Secretary finds that the type of conduct which served as the basis for such conviction undermines the process for the regulation of drugs.

"(ii) Any individual whom the Secretary finds has been convicted of—

"(I) a felony which is not described in subsection (a)(2) or clause (i) of this subparagraph and which involves bribery, payment of illegal gratuities, fraud, perjury, false statement, racketeering, blackmail, extortion, falsification or destruction of records, or interference with, obstruction of an investigation into, or prosecution of, any criminal offense, or

"(II) a conspiracy to commit, or aiding or abetting, such felony,

if the Secretary finds, on the basis of the conviction of such individual and other information, that such individual has demonstrated a pattern of conduct sufficient to find that there is reason to believe that such individual may violate requirements under this Act relating to drug products.

"(iii) Any individual whom the Secretary finds materially participated in acts that were the basis for a conviction for an offense described in subsection (a) or in clause (i) or (ii) for which a conviction was obtained, if the Secretary finds, on the basis of such participation and other information, that such individual has demonstrated a pattern of conduct sufficient to find that there is reason to believe that such individual may violate requirements under this Act relating to drug products.

"(iv) Any high managerial agent whom the Secretary finds—

"(I) worked for, or worked as a consultant for, the same person as another individual during the period in which such other individual took actions for which a felony conviction was obtained and which resulted in the debarment under subsection (a)(2), or clause (i), of such other individual,

"(II) had actual knowledge of the actions described in subclause (I) of such other individual, or took action to avoid such actual knowledge, or failed to take action for the purpose of avoiding such actual knowledge,

"(III) knew that the actions described in subclause (I) were violative of law, and

"(IV) did not report such actions, or did not cause such actions to be reported, to an officer, employee, or agent of the Department or to an

appropriate law enforcement officer, or failed to take other appropriate action that would have ensured that the process for the regulation of drugs was not undermined, within a reasonable time after such agent first knew of such actions,

if the Secretary finds that the type of conduct which served as the basis for such other individual's conviction undermines the process for the regulation of drugs.

"(3) STAY OF CERTAIN ORDERS.—An order of the Secretary under clause (iii) or (iv) of paragraph (2)(B) shall not take effect until 30 days after the order has been issued.

"(c) DEBARMENT PERIOD AND CONSIDERATIONS.—

"(1) EFFECT OF DEBARMENT.—The Secretary—

"(A) shall not accept or review (other than in connection with an audit under this section) any abbreviated drug application submitted by or with the assistance of a person debarred under subsection (a)(1) or (b)(2)(A) during the period such person is debarred,

"(B) shall, during the period of a debarment under subsection (a)(2) or (b)(2)(B), debar an individual from providing services in any capacity to a person that has an approved or pending drug product application and shall not accept or review (other than in connection with an audit under this section) an abbreviated drug application from such individual, and

"(C) shall, if the Secretary makes the finding described in paragraph (6) or (7) of section 307(a), assess a civil penalty in accordance with section 307.

"(2) DEBARMENT PERIODS.—

"(A) IN GENERAL.—The Secretary shall debar a person under subsection (a) or (b) for the following periods:

"(i) The period of debarment of a person (other than an individual) under subsection (a)(1) shall not be less than 1 year or more than 10 years, but if an act leading to a subsequent debarment under subsection (a) occurs within 10 years after such person has been debarred under subsection (a)(1), the period of debarment shall be permanent.

"(ii) The debarment of an individual under subsection (a)(2) shall be permanent.

"(iii) The period of debarment of any person under subsection (b)(2) shall not be more than 5 years.

The Secretary may determine whether debarment periods shall run concurrently or consecutively in the case of a person debarred for multiple offenses.

"(B) NOTIFICATION.—Upon a conviction for an offense described in subsection (a) or (b) or upon execution of an agreement with the United States to plead guilty to such an offense, the person involved may notify the Secretary that the person acquiesces to debarment and such person's debarment shall commence upon such notification.

"(3) CONSIDERATIONS.—In determining the appropriateness and the period of a debarment of a person under subsection (b) and any period of debarment beyond the minimum specified in subparagraph (A)(i) of paragraph (2), the Secretary shall consider where applicable—

"(A) the nature and seriousness of any offense involved,

"(B) the nature and extent of management participation in any offense involved, whether corporate policies and practices encouraged the offense, including whether inadequate institutional controls contributed to the offense,

"(C) the nature and extent of voluntary steps to mitigate the impact on the public of any offense involved, including the recall or the discontinuation of the distribution of suspect drugs, full cooperation with any investigations (including the extent of disclosure to appropriate authorities of all wrongdoing), the relinquishing of profits on drug approvals fraudulently obtained, and any other actions taken to substantially limit potential or actual adverse effects on the public health,

"(D) whether the extent to which changes in ownership, management, or operations have corrected the causes of any offense involved and provide reasonable assurances that the offense will not occur in the future,

"(E) whether the person to be debarred is able to present adequate evidence that current production of drugs subject to abbreviated drug applications and all pending abbreviated drug applications are free of fraud or material false statements, and

"(F) prior convictions under this Act or under other Acts involving matters within the jurisdiction of the Food and Drug Administration.

"(d) TERMINATION OF DEBARMENT.—

"(1) APPLICATION.—Any person that is debarred under subsection (a) (other than a person permanently debarred) or any person that is debarred under subsection (b) may apply to the Secretary for termination of the debarment under this subsection. Any information submitted to the Secretary under this paragraph does not constitute an amendment or supplement to pending or approved abbreviated drug applications.

"(2) DEADLINE.—The Secretary shall grant or deny any application respecting a debarment which is submitted under paragraph (1) within 180 days of the date the application is submitted.

"(3) ACTION BY THE SECRETARY.—

"(A) CORPORATIONS.—

"(i) CONVICTION REVERSAL.—If the conviction which served as the basis for the debarment of a person under subsection (a)(1) or (b)(2)(A) is reversed, the Secretary shall withdraw the order of debarment.

"(ii) APPLICATION.—Upon application submitted under paragraph (1), the Secretary shall terminate the debarment of a person if the Secretary finds that—

"(I) changes in ownership, management, or operations have fully corrected the causes of the offense involved and provide reasonable assurances that the offense will not occur in the future, and

"(II) sufficient audits, conducted by the Food and Drug Administration or by independent experts acceptable to the Food and Drug Administration, demonstrate that pending applications and the development of drugs being tested before the submission of an application are free of fraud or material false statements.

In the case of persons debarred under subsection (a)(1), such termination shall take effect no earlier than the expiration of one year from the date of the debarment.

"(B) INDIVIDUALS.—

"(i) CONVICTION REVERSAL.—If the conviction which served as the basis for the debarment of an individual under subsection (a)(2) or clause (i), (ii), (iii), or (iv) of subsection (b)(2)(B) is reversed, the Secretary shall withdraw the order of debarment.

"(ii) APPLICATION.—Upon application submitted under paragraph (1), the Secretary shall terminate the debarment of an individual who has been debarred under subsection (b)(2)(B) if such termination serves the interests of justice and adequately protects the integrity of the drug approval process.

"(4) SPECIAL TERMINATION.—

"(A) APPLICATION.—Any person that is debarred under subsection (a)(1) (other than a person permanently debarred under subsection (c)(2)(A)(i)) or any individual who is debarred under subsection (a)(2) may apply to the Secretary for special termination of debarment under this subsection. Any information submitted to the Secretary under this subparagraph does not constitute an amendment or supplement to pending or approved abbreviated drug applications.

"(B) CORPORATIONS.—Upon an application submitted under subparagraph (A), the Secretary may take the action described in subparagraph (D) if the Secretary, after an informal hearing, finds that—

"(i) the person making the application under subparagraph (A) has demonstrated that the felony conviction which was the basis for such person's debarment involved the commission of an offense which was not authorized, requested, commanded, performed, or recklessly tolerated by the board of directors or by a high managerial agent acting on behalf of the person within the scope of the board's or agent's office or employment,

"(ii) all individuals who were involved in the commission of the offense or who knew or should have known of the offense have been removed from employment involving the development or approval of any drug subject to sections 505 or 507,

"(iii) the person fully cooperated with all investigations and promptly disclosed all wrongdoing to the appropriate authorities, and

"(iv) the person acted to mitigate any impact on the public of any offense involved, including the recall, or the discontinuation of the distribution, of any drug with respect to which the Secretary requested a recall or discontinuation of distribution due to concerns about the safety or efficacy of the drug.

"(C) INDIVIDUALS.—Upon an application submitted under subparagraph (A), the Secretary may take the action described in subparagraph (D) if the Secretary, after an informal hearing, finds that such individual has provided substantial assistance in the investigations or prosecutions of offenses which are described in subsection (a) or (b) or which relate to any matter under the jurisdiction of the Food and Drug Administration.

"(D) SECRETARIAL ACTION.—The action referred to in subparagraphs (B) and (C) is—

"(i) in the case of a person other than an individual—

"(I) terminating the debarment immediately, or

"(II) limiting the period of debarment to less than one year, and

"(ii) in the case of an individual, limiting the period of debarment to less than permanent but to no less than 1 year,

whichever best serves the interest of justice and protects the integrity of the drug approval process.

"(e) PUBLICATION AND LIST OF DEBARRED PERSONS.—The Secretary shall publish in the Federal Register the name of any person debarred under subsection (a) or (b), the effective date of the debarment, and the period of the debarment. The Secretary shall also maintain and make available to the public a list, updated no less often than quarterly, of such persons, of the effective dates and minimum periods of such debarments, and of the termination of debarments.

"(f) TEMPORARY DENIAL OF APPROVAL.—

"(1) IN GENERAL.—The Secretary, on the Secretary's own initiative or in response to a petition, may, in accordance with paragraph (3), refuse by order, for the period prescribed by paragraph (2), to approve any abbreviated drug application submitted by any person—

"(A) if such person is under an active Federal criminal investigation in connection with an action described in subparagraph (B),

"(B) if the Secretary finds that such person—

"(i) has bribed or attempted to bribe, has paid or attempted to pay an illegal gratuity, or has induced or attempted to induce another person to bribe or pay an illegal gratuity to any officer, employee, or agent of the Department of Health

and Human Services or to any other Federal, State, or local official in connection with any abbreviated drug application, or has conspired to commit, or aided or abetted, such actions, or

"(ii) has knowingly made or caused to be made a pattern or practice of false statements or misrepresentations with respect to material facts relating to any abbreviated drug application, or the production of any drug subject to an abbreviated drug application, to any officer, employee, or agent of the Department of Health and Human Services, or has conspired to commit, or aided or abetted, such actions, and

"(C) if a significant question has been raised regarding—

"(i) the integrity of the approval process with respect to such abbreviated drug application, or

"(ii) the reliability of data in or concerning such person's abbreviated drug application.

Such an order may be modified or terminated at any time.

"(2) APPLICABLE PERIOD.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), a denial of approval of an application of a person under paragraph (1) shall be in effect for a period determined by the Secretary but not to exceed 18 months beginning on the date the Secretary finds that the conditions described in subparagraphs (A), (B), and (C) of paragraph (1) exist. The Secretary shall terminate such denial—

"(i) if the investigation with respect to which the finding was made does not result in a criminal charge against such person, if criminal charges have been brought and the charges have been dismissed, or if a judgment of acquittal has been entered, or

"(ii) if the Secretary determines that such finding was in error.

"(B) EXTENSION.—If, at the end of the period described in subparagraph (A), the Secretary determines that a person has been criminally charged for an action described in subparagraph (B) of paragraph (1), the Secretary may extend the period of denial of approval of an application for a period not to exceed 18 months. The Secretary shall terminate such extension if the charges have been dismissed, if a judgment of acquittal has been entered, or if the Secretary determines that the finding described in subparagraph (A) was in error.

"(3) INFORMAL HEARING.—Within 10 days of the date an order is issued under paragraph (1), the Secretary shall provide such person with an opportunity for an informal hearing, to be held within such 10 days, on the decision of the Secretary to refuse approval of an abbreviated drug application. Within 60 days of the date on which such hearing is held, the Secretary shall notify the person given such hearing whether the Secretary's refusal of approval will be continued, terminated, or otherwise modified. Such notification shall be final agency action.

"(g) SUSPENSION AUTHORITY.—

"(1) IN GENERAL.—If—

"(A) the Secretary finds—

"(i) that a person has engaged in conduct described in subparagraph (B) of subsection (f)(1) in connection with 2 or more drugs under abbreviated drug applications, or

"(ii) that a person has engaged in flagrant and repeated, material violations of good manufacturing practice or good laboratory practice in connection with the development, manufacturing, or distribution of one or more drugs approved under an abbreviated drug application during a 2-year period, and—

"(I) such violations may undermine the safety and efficacy of such drugs, and

"(II) the causes of such violations have not been corrected within a reasonable period of time following notice of such violations by the Secretary, and

"(B) such person is under an active investigation by a Federal authority in connection with a civil or criminal action involving conduct described in subparagraph (A),

the Secretary shall issue an order suspending the distribution of all drugs the development or approval of which was related to such conduct described in subparagraph (A) or suspending the distribution of all drugs approved under abbreviated drug applications of such person if the Secretary finds that such conduct may have affected the development or approval of a significant number of drugs which the Secretary is unable to identify. The Secretary shall exclude a drug from such order if the Secretary determines that such conduct was not likely to have influenced the safety or efficacy of such drug.

"(2) PUBLIC HEALTH WAIVER.—The Secretary shall, on the Secretary's own initiative or in response to a petition, waive the suspension under paragraph (1) (involving an action described in paragraph (1)(A)(i)) with respect to any drug if the Secretary finds that such waiver is necessary to protect the public health because sufficient quantities of the drug would not otherwise be available. The Secretary shall act on any petition seeking action under this paragraph within 180 days of the date the petition is submitted to the Secretary.

"(h) TERMINATION OF SUSPENSION.—The Secretary shall withdraw an order of suspension of the distribution of a drug under subsection (g) if the person with respect to whom the order was issued demonstrates in a petition to the Secretary—

"(1)(A) on the basis of an audit by the Food and Drug Administration or by experts acceptable to the Food and Drug Administration, or on the basis of other information, that the development, approval, manufacturing, and distribution of such drug is in substantial compliance with the applicable requirements of this Act, and

"(B) changes in ownership, management, or operations—

"(i) fully remedy the patterns or practices with respect to which the order was issued, and

"(ii) provide reasonable assurances that such actions will not occur in the future, or

"(2) the initial determination was in error.

The Secretary shall act on a submission of a petition under this subsection within 180 days of the date of its submission and the Secretary may consider the petition concurrently with the suspension proceeding. Any information submitted to the Secretary under this subsection does not constitute an amendment or supplement to a pending or approved abbreviated drug application.

"(i) PROCEDURE.—The Secretary may not take any action under subsection (a), (b), (c), (d)(3), (g), or (h) with respect to any person unless the Secretary has issued an order for such action made on the record after opportunity for an agency hearing on disputed issues of material fact. In the course of any investigation or hearing under this subsection, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(j) JUDICIAL REVIEW.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any person that is the subject of an adverse decision under subsection (a), (b), (c), (d), (f), (g), or (h) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside.

"(2) EXCEPTION.—Any person that is the subject of an adverse decision under clause (iii) or (iv) of subsection (b)(2)(B) may obtain a review of such decision by the United States District Court for the District of Columbia or a district court of the United States for the district in which the person resides, by filing in such court (within 30 days following the date the person is notified of the Secretary's decision) a complaint requesting that the decision be modified or set aside. In such an action, the court shall determine the matter de novo.

"(k) CERTIFICATION.—Any application for approval of a drug product shall include—

"(1) a certification that the applicant did not and will not use in any capacity the services of any person debarred under subsection (a) or (b), in connection with such application, and

"(2) if such application is an abbreviated drug application, a list of all convictions, described in subsections (a) and (b) which occurred within the previous 5 years, of the applicant and affiliated persons responsible for the development or submission of such application.

"(l) APPLICABILITY.—

"(1) CONVICTION.—For purposes of this section, a person is considered to have been convicted of a criminal offense—

"(A) when a judgment of conviction has been entered against the person by a Federal or State court, regardless of whether there is an appeal pending,

"(B) when a plea of guilty or nolo contendere by the person has been accepted by a Federal or State court, or

"(C) when the person has entered into participation in a first offender, deferred adjudication, or other similar arrangement or program where judgment of conviction has been withheld.

"(2) EFFECTIVE DATES.—Subsection (a), subparagraph (A) of subsection (b)(2), and clauses (i) and (ii) of subsection (b)(2)(B) shall not apply to a conviction which occurred more than 5 years before the initiation of an agency action proposed to be taken under subsection (a) or (b). Clauses (iii) and (iv) of subsection (b)(2)(B) and subsections (f) and (g) shall not apply to an act or action which occurred more than 5 years before the initiation of an agency action proposed to be taken under subsection (b), (f), or (g). Clause (iv) of subsection (b)(2)(B) shall not apply to an action which occurred before June 1, 1992. Subsection (k) shall not apply to applications submitted to the Secretary before June 1, 1992.".

SEC. 3. CIVIL PENALTIES.

Chapter III, as amended by section 2, is amended by adding after section 306 the following:

"CIVIL PENALTIES

"SEC. 307. (a) IN GENERAL.—Any person that the Secretary finds—

"(1) knowingly made or caused to be made, to any officer, employee, or agent of the Department of Health and Human Services, a false statement or misrepresentation of a material fact in connection with an abbreviated drug application,

"(2) bribed or attempted to bribe or paid or attempted to pay an illegal gratuity to any officer, employee, or agent of the Department of Health and Human Services in connection with an abbreviated drug application,

"(3) destroyed, altered, removed, or secreted, or procured the destruction, alteration, removal, or secretion of, any material document or other material evidence which was the property of or in the possession of the Department of Health and Human Services for the purpose of interfering with that Department's discharge of its responsibilities in connection with an abbreviated drug application,

"(4) knowingly failed to disclose, to an officer or employee of the Department of Health and Human Services, a material fact which such person had an obligation to disclose relating to any drug subject to an abbreviated drug application,

"(5) knowingly obstructed an investigation of the Department of Health and Human Services into any drug subject to an abbreviated drug application,

"(6) is a person that has an approved or pending drug product application and has knowingly—

"(A) employed or retained as a consultant or contractor, or

"(B) otherwise used in any capacity the services of,

a person who was debarred under section 306, or

"(7) is an individual debarred under section 306 and, during the period of debarment, provided services in any capacity to a person that had an approved or pending drug product application,

shall be liable to the United States for a civil penalty for each such violation in an amount not to exceed $250,000 in the case of an individual and $1,000,000 in the case of any other person.

"(b) PROCEDURE.—

"(1) IN GENERAL.—

"(A) ACTION BY THE SECRETARY.—A civil penalty under subsection (a) shall be assessed by the Secretary on a person by an order made on the record after an opportunity for an agency hearing on disputed issues of material fact and the amount of the penalty. In the course of any investigation or hearing under this subparagraph, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(B) ACTION BY THE ATTORNEY GENERAL.—In lieu of a proceeding under subparagraph (A), the Attorney General may, upon request of the Secretary, institute a civil action to recover a civil money penalty in the amount and for any of the acts set forth in subsection (a). Such an action may be instituted separately from or in connection with any other claim, civil or criminal, initiated by the Attorney General under this Act.

"(2) AMOUNT.—In determining the amount of a civil penalty under paragraph (1), the Secretary or the court shall take into account the nature, circumstances, extent, and gravity of the act subject to penalty, the person's ability to pay, the effect on the person's ability to continue to do business, any history of prior, similar acts, and such other matters as justice may require.

"(3) LIMITATION ON ACTIONS.—No action may be initiated under this section—

"(A) with respect to any act described in subsection (a) that occurred before the date of the enactment of this Act, or

"(B) more than 6 years after the date when facts material to the act are known or reasonably should have been known by the Secretary but in no event more than 10 years after the date the act took place.

"(c) JUDICIAL REVIEW.—Any person that is the subject of an adverse decision under subsection (b)(1)(A) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside.

"(d) RECOVERY OF PENALTIES.—The Attorney General may recover any civil penalty (plus interest at the currently prevailing rates from the date the penalty became final) assessed under subsection (b)(1)(A) in an action brought in the name of the United States. The amount of such penalty may be deducted, when the penalty has become final, from any sums then or later owing by the United States to the person against whom the penalty has been assessed. In an action brought under this subsection, the validity, amount, and appropriateness of the penalty shall not be subject to judicial review.

"(e) INFORMANTS.—The Secretary may award to any individual (other than an officer or employee of the Federal Government or a person who materially participated in any conduct described in subsection (a)) who provides information leading to the imposition of a civil penalty under this section an amount not to exceed—

"(1) $250,000, or

"(2) one-half of the penalty so imposed and collected,

whichever is less. The decision of the Secretary on such award shall not be reviewable.".

SEC. 4. AUTHORITY TO WITHDRAW APPROVAL OF ABBREVIATED DRUG APPLICATIONS.

Chapter III, as amended by sections 2 and 3, is amended by adding after section 307 the following:

"AUTHORITY TO WITHDRAW APPROVAL OF ABBREVIATED DRUG APPLICATIONS

"SEC. 308. (a) IN GENERAL.—The Secretary—

"(1) shall withdraw approval of an abbreviated drug application if the Secretary finds that the approval was obtained, expedited, or otherwise facilitated through bribery, payment of an illegal gratuity, or fraud or material false statement, and

"(2) may withdraw approval of an abbreviated drug application if the Secretary finds that the applicant has repeatedly demonstrated a lack of ability to produce the drug for which the application was submitted in accordance with the formulations or manufacturing practice set forth in the abbreviated drug application and has introduced, or attempted to introduce, such adulterated or misbranded drug into commerce.

"(b) PROCEDURE.—The Secretary may not take any action under subsection (a) with respect to any person unless the Secretary has issued an order for such action made on the record after opportunity for an agency hearing on disputed issues of material fact. In the course of any investigation or hearing under this subsection, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(c) APPLICABILITY.—Subsection (a) shall apply with respect to offenses or acts regardless of when such offenses or acts occurred.

"(d) JUDICIAL REVIEW.—Any person that is the subject of an adverse decision under subsection (a) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside.".

SEC. 5. INFORMATION.

Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following:

"(8) The Secretary shall, with respect to each application submitted under this subsection, maintain a record of—

"(A) the name of the applicant,

"(B) the name of the drug covered by the application,

"(C) the name of each person to whom the review of the chemistry of the application was assigned and the date of such assignment, and

"(D) the name of each person to whom the bioequivalence review for such application was assigned and the date of such assignment.

The information the Secretary is required to maintain under this paragraph with respect to an application submitted under this subsection shall be made available to the public after the approval of such application.".

SEC. 6. DEFINITIONS.

Section 201 (21 U.S.C. 321) is amended by adding at the end the following:

"(bb) The term 'abbreviated drug application' means an application submitted under section 505(j) or 507 for the approval of a drug that relies on the approved application of another drug with the same active ingredient to establish safety and efficacy, and—

"(1) in the case of section 306, includes a supplement to such an application for a different or additional use of the drug but does not include a supplement to such an application for other than a different or additional use of the drug, and

"(2) in the case of sections 307 and 308, includes any supplement to such an application.

"(cc) The term 'knowingly' or 'knew' means that a person, with respect to information—

"(1) has actual knowledge of the information, or

"(2) acts in deliberate ignorance or reckless disregard of the truth or falsity of the information.

"(dd) For purposes of section 306, the term 'high managerial agent'—

"(1) means—

"(A) an officer or director of a corporation or an association,

"(B) a partner of a partnership, or

"(C) any employee or other agent of a corporation, association, or partnership,

having duties such that the conduct of such officer, director, partner, employee, or agent may fairly be assumed to represent the policy of the corporation, association, or partnership, and

"(2) includes persons having management responsibility for—

"(A) submissions to the Food and Drug Administration regarding the development or approval of any drug product,

"(B) production, quality assurance, or quality control of any drug product, or

"(C) research and development of any drug product.

"(ee) For purposes of sections 306 and 307, the term 'drug product' means a drug subject to regulation under section 505, 507, 512, or 802 of this Act or under section 351 of the Public Health Service Act.".

SEC. 7. EFFECT ON OTHER LAWS.

No amendment made by this Act shall preclude any other civil, criminal, or administrative remedy provided under Federal or State law, including any private right of action against any person for the same action subject to any action or civil penalty under an amendment made by this Act.

Amend the title so as to read: "An Act to authorize the Secretary of Health and Human Services to impose debarments and to take other action to ensure the integrity of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes.".

The SPEAKER pro tempore (Mr. NEAL of North Carolina). Pursuant to the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes.

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

GENERAL LEAVE

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

legislation presently under consideration.

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

There was no objection.

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

Mr. Speaker, the bill before us is authored by the chairman of the Committee on Energy and Commerce. It is cosponsored by every member of that committee and was adopted by this body on October 31, 1991, by a vote of 413 to 0.

The record supporting the bill was built by Mr. DINGELL's Subcommittee on Oversight and Investigations. The bill gives the Food and Drug Administration a variety of new authorities to deal with fraud and corruption that may occur in connection with abbreviated drug applications, which are the short-form applications that the law permits to be submitted to the FDA for generic drug products.

The Senate amendment expands the bill beyond the generic drug industry in one significant respect. It would give the Food and Drug Administration the authority to debar individuals who work for drug companies that sell patented drugs and who have breached the public trust. Where employees of drug companies have engaged in corrupt of fraudulent conduct, the Food and Drug Administration would for the first time have the authority to prohibit those individuals from working in both the generic and brandname segments of the drug industry.

Mr. Speaker, this bill is the result of a 2-year bipartisan effort. It is largely due to the leadership of Chairman DINGELL.

On a staff level, I would like to acknowledge the hard work of Mary McGrane, counsel for the committee's minority, David Keaney, counsel for the committee's majority, Reid Stuntz, staff director of the committee's Subcommittee on Oversight and Investigations, and David Meade, legislative counsel. They all made an enormous contribution to the effectiveness, fairness and readability of the bill.

Mr. BLILEY and I have agreed to a statement of explanation which I am inserting at this point.

STATEMENT OF EXPLANATION

The legislation does not limit any authority the agency has under current law to establish priorities in the review of applications to market products where the Food and Drug Administration has determined that there is a significant question with regard to the reliability of the data in such an application. The legislation also does not limit any authority the agency has under current law to deny approvals of products where a significant question with regard to the reliability of the data in an application has been raised, except as provided in the new section 306(f) of the Federal Food, Drug and Cosmetic Act, added by the bill. Section 306(f) would establish the procedures for temporary denial of approval of abbreviated drug applications where such a question has been raised. Section 306(f) does not limit the agency's authority to issue a final decision under 505 or 507 denying approval of an abbreviated drug application.

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

Mr. BLILEY. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise in support of H.R. 2454, the Generic Drug Enforcement Act of 1992, as amended by the Senate. The Senate amendments represent an agreement that has been worked out by the House and the Senate.

This bill is a response to the generic drug scandal. For the better part of the last 3 years, the Subcommittee on Oversight and Investigations—on a bipartisan basis—has been conducting an investigation into the abuses in the generic drug industry. Unfortunately, the subcommittee found that large segments of the industry were riddled with corruption.

I think H.R. 2454 represents a fair and reasonable approach to ridding the generic drug industry of its bad actors and to restoring public confidence in the safety and efficacy of generic drugs. It provides the FDA with the authority to not accept or review applications for the approval of generic drugs if a company has been convicted of certain specified crimes that undermine the integrity of the drug approval process. The FDA would also be able to debar individuals convicted of such crimes from participating in the development of drug applications to be submitted to the FDA for both generic and brand name drugs.

In addition, the bill includes provisions granting FDA the authority to: Temporarily deny approvals of generic drug applications of a company under criminal investigation; impose civil money penalties for fraudulent conduct related to generic drug applications; and suspend approved generic drugs applications sponsored by companies which are under investigation and which have engaged in flagrant and repeated material violations of good manufacturing practices which may undermine the safety and efficacy of the drugs.

The Senate amendments make numerous technical and substantive improvements in the bill. In addition, at the request of the Department of Justice, the final agreement includes a provision allowing for early termination of a debarment period if such an action serves the interests of justice. This provision will provide both the FDA and the Department of Justice with the flexibility they need in their investigations and prosecutions in obtaining the necessary information and cooperation.

The Senate amendments also broaden the scope of the bill to include brand name drugs in several instances. In the first instance, when individuals employed by drug companies have been convicted of a felony relating to the regulation of any drug product, the FDA is required to bar such individuals from holding positions of any type in the drug industry. In the second instance, when individuals employed by drug companies in high level managerial positions of responsibility and trust are found to have worked with an individual who took actions resulting in a felony conviction and debarment and the agent knew of these actions and did not report them, FDA would have the authority to debar such individuals from working in the drug industry.

Mr. Speaker, I would also like to note my full agreement with the explanatory statement that Mr. WAXMAN has inserted in the RECORD.

Finally, I would like to express my appreciation to Mr. DINGELL, Mr. WAXMAN, and Mr. LENT and their staffs for all their efforts to develop and pass this important legislation. In particular, I would like to thank Bill Schultz, Reid Stuntz, and David Keaney of the majority staff and David Meade from the Office of Legislative Counsel for their very fine and hard work on this bill.

Mr. Speaker, the time has arrived to pass this legislation to give FDA the appropriate enforcement tools it needs to ensure that corrupt individuals and companies will not be able to continue to defraud the public. I urge my colleagues to join me in supporting this bill.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL], the distinguished chairman of the Committee on Energy and Commerce.

Mr. DINGELL. Mr. Speaker, I thank my friend, the distinguished gentle n from California [Mr. WAXMAN], . . yielding me this time. I want to pay tribute to him as the chairman of the subcommittee which processed this legislation, and pay particular tribute to my colleagues on the committee on both sides of the aisle who worked so long and so hard and so effectively with us on both the investigation which underlays the drafting of the legislation, but also the fairness and toughness and the decency with which he worked with me in a thoroughly bipartisan fashion.

I would also like to pay compliments to my good friend, the gentleman from New York, Mr. NORMAN LENT, the ranking minority member of the Committee on Energy and Commerce, and the other members of the subcommittee and the full committee who worked long and hard.

Our good friends and colleagues in the Senate, the gentleman from Utah [Mr. HATCH] and the gentleman from Massachusetts [Mr. KENNEDY], both have provided enormous leadership and

great cooperation in bringing this legislation to passage.

Mr. Speaker, the legislation was triggered by the discovery and the investigations which were conducted by the Subcommittee on Oversight and Investigations. It was a major scandal of the generic drug industry. It was astonishing in its breadth and depth. The payoffs to regulators, lies, and false filings were a regular part of business as usual in the generic industry. Criminal investigations triggered by the subcommittee, resulting from its inquiry, have resulted to date in convictions of 27 individuals and 8 companies. More will come.

I would note in addition to this that there has been significant peril at different times because of the slovenliness of the way in which the drugs were compounded and the approvals of the abbreviated new drug applications were corrected. The legislation is drafted to prevent those kinds of practices occurring again, and to see to it that there are adequate penalties for serious wrongdoing.

This business of the generic drugs, Mr. Speaker, is a gold mine. A company starting in a garage can in a couple of years have a $100 million net worth simply by using generic drugs.

The incentives to wrongdoing are enormous. The committee found bribery of Food and Drug officials to prevent honest competitors from moving forward into production using the abbreviated new drug process. It found payoffs to expedite the interests of wrongdoers. It found virtually the entirety of the new drug section of the Food and Drug Administration were full of abusers of this particular process, and that there was significant and new innovation, not in drugs, but in the ways in which the law was circumvented and the testing process was corrupted.

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I would urge my colleagues to adopt this legislation. I believe it will go a long way toward preventing the kind of abuses which we have seen before and giving the American public a sense of satisfaction that the generic drugs which are properly made available, and in good part under the leadership of our good friend, the gentleman from California [Mr. WAXMAN], chairman of the subcommittee, are efficacious, but also to see to it that they understand that these drugs have to be made available under conditions where there is adequate safety for the user, and that savings can be made without a fear of threat to the health, the safety, the life or the well-being of the users of these prescription pharmaceuticals.

Again I thank my good friend for yielding me the time.

Mr. BILIRAKIS. Mr. Speaker, as one of the original cosponsors of the Generic Drug Enforcement Act, I rise in support of this legislation before us today as amended by the Senate. The legislation, in my judgment, indicates how little tolerance Congress has for fraud and abuse within private industry and Government agencies, especially when it could jeopardize public health.

When this bill was debated in the House Energy and Commerce Committee, I discussed the demographics of my congressional district. I represent a large number of older Americans and there are seniors who have concerns about the rising costs of prescription drugs. Lower priced generic drugs have given them, especially those with limited income, the opportunity to purchase their medication at lower prices.

Unfortunately, many, due to the reports of the highly publicized generic drug scandal, do not feel comfortable substituting generic drugs for more expensive brand-name products. The legislation before us today will hopefully restore their faith in the quality of generic drugs.

Mr. Speaker, I served as a member of the Oversight and Investigation Subcommittee when it launched its investigation on generic drug approval process. I have been a strong supporter of cleaning up this process and I believe this legislation is a step in the right direction. I am hopeful that this bill will be approved by Congress and signed into public law as expeditiously as possible.

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

Mr. WAXMAN. Mr. Speaker, I urge all Members to support this legislation.

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

The SPEAKER pro tempore (Mr. NEAL of North Carolina). The question is on the motion offered by the gentleman from California [Mr. WAXMAN] that the House suspend the rules and concur in the Senate amendments to H.R. 2454.

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

A motion to reconsider was laid on the table.

COMMUNICATION FROM HON. WILLIAM L. CLAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Hon. WILLIAM L. CLAY, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the Missouri Circuit Court.

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

Sincerely,

WILLIAM L. CLAY.

COMMUNICATION FROM THE HON. PHIL SHARP, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Hon. PHIL SHARP, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 22, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, U.S. Capitol Building, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena duces tecum issued by the Blackford County Circuit Court in the State of Indiana. It requests that my office provide informational materials in a legal dispute between two local parties.

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

Sincerely,

PHIL SHARP,
Member of Congress.

COMMUNICATION FROM CHAIRMAN OF SUBCOMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND COMPETITIVENESS OF COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Subcommittee on Commerce, Consumer Protection, and Competitiveness of the Committee on Energy and Commerce:

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE, SUBCOMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND COMPETITIVENESS,
Washington, DC, April 6, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that the Subcommittee on Commerce, Consumer Protection, and Competitiveness of the Committee on Energy and Commerce has been served with a subpoena issued by the United States District Court for the Southern District of New York for testimony by a staff member. After consultation with the General Counsel to the Clerk, the attached letter was sent to the court, and the subpoena was withdrawn.

Sincerely,

CARDISS COLLINS,
Chairwoman.

COMMUNICATION FROM ACTING CHAIRMAN OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following communication from the acting chairman of the Committee on Standards of Official Conduct:

HOUSE OF REPRESENTATIVES, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,

Washington, DC, April 24, 1992.

Hon. THOMAS S. FOLEY,

Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Committee on Standards of Official Conduct has been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely,

MATTHEW F. MCHUGH,
Acting Chairman.

COMMUNICATION FROM SERGEANT AT ARMS, U.S. HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from Werner W. Brandt, Sergeant at Arms, U.S. House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 1992.

Hon. THOMAS S. FOLEY,

Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely,

WERNER W. BRANDT,
Sergeant at Arms.

MAKING THE S&L CROOKS PAY

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

Mr. ANNUNZIO. Mr. Speaker, once again the American taxpayer has become the victim of widespread Government mismanagement with respect to our banking system. A staff report issued last week by the Subcommittee on Financial Institutions revealed that the administration has failed to collect hundreds of millions of dollars of court-ordered restitution from convicted felons in financial institution fraud cases.

Courts order defendants to pay restitution in these cases to make the victimized institution or insurance fund whole. In 15 of the 19 cases highlighted in the subcommittee staff report, courts awarded more than $42 million in restitution in financial institution fraud cases involving closed institutions. This money was either to be paid immediately at sentencing or soon thereafter and is now owed to the Federal Deposit Insurance Corporation [FDIC] or Resolution Trust Corporation [RTC].

Yet, the Justice Department, the FDIC, and the RTC have collected less than 1 percent of the $42 million of the restitution ordered in these 15 cases even though this restitution was either due in full at the time of sentencing or has since become past due. Clearly, such a small percentage of restitution actually collected does not even begin to compensate for the damage that these crooks stole from the American taxpayer's pocketbook.

The Justice Department criticized the staff report on the grounds that only 19 of the 59 cases reviewed by the staff were discussed in the report. Indeed, the staff report is selective. Four of the 19 cases were selected to illustrate the point that judges hinder the restitution collection process by unnecessarily allowing convicted criminals years to pay their court-ordered restitution.

The remaining 15 cases were chosen primarily because the courts had ordered those defendants to pay their restitution immediately or shortly thereafter. In more than half of these cases, there was evidence that the defendants possessed significant assets either when they first fell under Government investigation or at the time of their sentencings.

The cases picked were ones in which the restitution is owed today, not 5 years from now. They were cases where there was some indication that defendants had assets to pay their restitution. The study didn't ask the Justice Department, the FDIC, and the RTC to get blood from stones; it asked whether they could get blood from a blood bank.

The Justice Department also argues that the 1-percent collection rate for the 15 cases documented in the report is misleading. Yet, a recent GAO report similarly concluded that the Justice Department has collected less than one-half of 1 percent of the almost $80 million of court-ordered restitution in cases involving its "top 100 savings and loan referrals." In fact, both the FDIC and the Justice Department's own statistics indicate that only between 4 to 6 cents of each restitution dollar has been collected out of the hundreds of millions of dollars of restitution awarded since 1988. Contrary to the Justice Department's unsupported allegations, the subcommittee staff did not manipulate data. Instead, the report merely relied on the FDIC and Justice Department's own figures to show how little restitution has been actually collected.

It is unfortunate that the Justice Department's initial response to the report engages in personal attacks rather than addressing how the restitution collections process can be improved. If the Justice Department spent more time trying to collect this money from the S&L crooks and less time trying to defend its own record, perhaps it wouldn't need to try so hard to defend its record.

In a report to Congress last year, the Department of Justice stated it was making substantial progress in * * * recovering fraudulently acquired assets. Although that report stated that courts had ordered these crooks to pay millions of dollars in fines and restitutions, the report was completely silent about the amounts of fines and restitutions actually collected in these cases. Although the Justice Department now apparently claims that it is proud of its restitution collection work, the Justice Department had not even reported to Congress the amount of restitution actually in financial institution fraud cases until well after the subcommittee began its investigation. Moreover, in previous conversations with subcommittee staff, Justice Department personnel repeatedly stated that Justice was not a collection agency.

Additionally, the Justice Department's characterization of the restitution owed by these criminals as alleged debt may provide some insight as to why there is such poor collections record. This is not alleged debt. It is money that judges ordered S&L crooks to pay to the United States as part of their sentence. These defendants were ordered to pay this money to compensate for the criminal havoc they have wreaked on these closed financial institutions. There is nothing alleged about it.

As four cases in the report illustrate, the Justice Department may be correct in its contention that some of this restitution may not be presently collectable through the criminal justice system. Nonetheless, these criminal sentencing orders directing defendants to pay restitution can be used to file a civil suit and to obtain an immediately enforceable civil judgment against these crooks in relatively short order. Unfortunately, neither the FDIC nor the Justice Department appear to be using the criminal restitution orders in the civil justice system to enforce their legal rights to immediate payment.

Someone must be held accountable for this shameful record. According to the Crime Control Act of 1990, the Department of Justice, together with the FBI, the Department of Treasury, the OTS, the RTC, the FDIC, the OCC, the Federal Reserve Board, and NCUA, is supposed to coordinate the investigation and prosecution of financial institution fraud cases.

For the most part, these other Federal agencies rely on the Justice Department with respect to collecting restitution, because at the time of sentencing, the prosecuting attorney receives a copy of the confidential presentence report from the probation office. Significantly, this report lists all of the crook's reported assets and income from which restitution can be paid. Yet, the Justice Department says that its job is essentially over once a jury returns a guilty verdict because it is not a collection agency. But by law, the prosecuting attorney is the only individual from the executive branch who has access to this important information.

Let us not focus exclusively on the failures of the Justice Department. In this case, there is clearly blame to go around. It is difficult to understand why these other agencies would not take whatever steps necessary, either at the time of sentencing or beforehand, to assure that their interests are protected so that they may collect their court-ordered restitution. If an insurance fund or regulator is awarded $1 million in restitution, there is a clear responsibility to collect as much of that money as possible and minimized the ultimate cost of the institution's failure to the taxpayer.

It has been estimated that fraud and insider abuse contributed to almost half of all recent S&L failures. In light of the billions of dollars that these failures will ultimately cost the American taxpayer, the administration must make the collection of restitution in financial institution fraud cases a much higher priority.

The American people are tired of footing the bill for these crooks' free lunch in the eighties, while in the nineties, these crooks may return home from prison to their mansions and yachts. After Congress has appropriated $70 billion to rescue the bank insurance fund and more than $100 billion for the RTC, less than 10 cents of each dollar of court-ordered restitution has been collected in financial institution fraud cases.

Unless we act now, law-abiding Americans will continue to unfairly foot the bill for these

crimes. Therefore, I plan to have the Subcommittee on Financial Institutions hold hearings on this matter later this spring in order to examine ways to improve the restitution collections process. After those hearings, it is my hope that Congress will consider legislation to improve collection of court-ordered restitution from S&L crooks.

Mr. Speaker, it is time for Congress to make sure that the Justice Department aggressively pursues the S&L crooks to pay back every penny they have stolen.

REMEMBRANCE OF THE ARMENIAN GENOCIDE APRIL 28, 1992

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

Mr. LEVINE of California. Mr. Speaker, I want to add my voice to those remembering the Armenian genocide of 1915–23. The significance of remembering tragic historical events such as the Armenian genocide and the Jewish Holocaust cannot be understated. Those who forget the past are condemned to repeat it. This is not merely a clever turn of a phrase. It is a warning which we ignore at our own peril. The Armenian people embody this lesson as exemplified by Hitler's infamous statement, "Who remembers the Armenians."

It was this day in 1915 when the horror for the Armenian community began. Scores of Armenian religious, political, educational, and intellectual leaders where arrested in Constantinople and deported to Anatolia. Many were taken from their homes and murdered. Many more died during forced marches and other deportations. Over an 8-year period, there were over 1 million Armenian casualties. It is the memory of these people that we remember today.

While it is important to recall the past, it is also vital to look toward the future. The dismantling of the Soviet Union and the rebirth of an independent Armenia presents a unique opportunity to build strong relations between the United States and Armenia. Additionally, it presents an opportunity for the United States to exercise leadership in the Transcaucus region. But the Bush administration has failed to seize this opportunity.

The lack of United States leadership in the region has been felt most in the Nagorno-Karabakh enclave. The situation on the ground in Nagorno-Karabakh is intolerable. The roughly 180,000 Armenians who live in the enclave are besieged and surrounded by well-supplied Azeri forces. The Azeri government's policy appears to be designed to change the demographic composition of Nagorno-Karabakh so that the Armenians are no longer in the majority, following the model of Nakhichevan. Armed violence, forced deportations, and severe deprivation due to a blockade of food, medical supplies, and fuel are some of the measures used by Azeri forces to enforce this policy.

The Government of Azerbaijan must immediately discontinue all military operations against Armenian population centers in Nagorno-Karabakh. Additionally, Azerbaijan must terminate its blockade of Armenia and Nagorno-Karabakh and respect the will of the people of Nagorno-Karabakh, as reflected in the national referendum of December 10, 1991, by granting independence to Nagorno-Karabakh.

The Bush administration must reevaluate its current policy toward the Transcaucus region. At this time and for the foreseeable future, Armenia and Nagorno-Karabakh will face great political risk due to their geography. They are landlocked and surrounded by countries which are either hostile, potentially hostile, or unstable. The United States has a vital interest in seeing that Armenia remain strong and secure.

HEALTH CARE CHOICE AND ACCESS IMPROVEMENT ACT OF 1992

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

Mr. RHODES. Mr. Speaker, I want to take a few minutes today to highlight the importance of the Congress acting this year on health care reform and specifically about the reform initiatives contained in H.R. 4280, the Health Care Choice and Access Improvement Act of 1992, sponsored by me and by 12 of my colleagues. Let me say at the outset, Mr. Speaker, that, while I am the prime sponsor of the bill, I have been joined in this effort by the gentleman from Florida [Mr. GOSS], the gentleman from Illinois [Mr. HASTERT], and our very, very dedicated and hard-working staffs. We have worked on putting this bill together for about 1½ years and were able to introduce it here just about a month ago. Over the past two Congresses, we have been working to develop meaningful, responsible, and effective incremental reforms in America's health care delivery system. My guess is the Congress will debate into the next Congress the issue of comprehensive national health care reform and the issue of a federally run national health care system versus reform of our present system. While that debate may be worthwhile, I doubt we can reach a consensus anytime soon. What we can do soon is find solutions to specific health care problem areas.

During a series of four neighborhood health forums I conducted with constituents in my congressional district last week, it became even more clear that our constituents want changes, especially in affordable access to basic health care. But there remains no clear consensus as to how best to achieve that goal. While a search for a solution on a national level must continue in Congress and with the people of America, I am convinced we can and should take action now on an incremental basis to provide some meaningful relief for constituents in terms of health care costs and access to quality care for themselves and their families.

H.R. 4280 identifies several critical elements that can be implemented now. Although America has the finest health care in the world, in a nutshell, two critical areas must be addressed. First, not all Americans have access to medical insurance to pay for health care. Second, the cost of health care continues to spiral out of control. This bill focuses on these crucial areas of concern and provides reforms that will make health care coverage more affordable and accessible. Furthermore, our proposals will not impose new financial burdens on States or businesses, nor impose new Federal taxes. Most importantly, every provision in our bill could begin to be implemented tomorrow, with immediate and positive results.

The Health Care Choice and Access Improvement Act of 1992 is designed to reform those areas of our health care system that need immediate attention. It has four sections—medisave accounts tax incentives; long-term care insurance incentives; medical malpractice tort reform; and small group insurance market reform.

Briefly, title I would allow employers and employees to contribute to tax deductible medical savings accounts. These accounts would be portable, tax-free, and would accrue to the employee over time. The employee's health insurance deductible would then be higher and routine medical expenses would be paid out of the medisave account.

Title II contains provisions to promote and expand the private long-term care insurance market so that individuals can better plan for their future. Accelerated death benefits, and a $2,000 tax credit for in-home care of family members needing care would be of immediate help to those in need of long-term care.

Title III creates incentives for States to enact medical malpractice tort reform instead of Federal preemption of State tort law. H.R. 4280 outlines a set of tort reforms that States would need to institute in order to receive enhanced Medicare and Medicaid reimbursement. Responsibility is returned to the State medical boards and national data bank in order to ensure medical quality. Community health centers would be brought under the Federal Tort Claims Act, thereby clearing up $50 million for additional services that are currently paid out in malpractice premiums.

Title IV reforms the small group insurance market to make health insurance affordable and accessible for the working uninsured and their dependents. This group represents a substantial portion of the 35 million Americans who have no health insurance coverage. The National Association of Insurance Commissioners [NAIC] would be requested to develop model benefit packages which insurers would be required to offer to small businesses between 3 to 50 employees. These basic benefit plans would be more affordable,

accessible, and dependable than current small market coverage.

All four sections of H.R. 4280 focus on areas of reform that have consensus in Congress and will be effective in making health care coverage more affordable and accessible. None of our proposals will impose new financial burdens on States or businesses, nor impose new Federal taxes. Most importantly, if passed, every provision in our bill could begin to be implemented almost immediately with positive results.

Let me now speak in greater detail about just two of the provisions of H.R. 4280—the medical savings accounts and small market reform provisions.

Title I of our bill would amend the Internal Revenue Code of 1986 to allow the establishment of medical savings accounts. Any amount of money deposited up to an applicable limit is tax deductible and funds withdrawn from the account are nontaxable if used for qualified medical services currently approved under the IRS Tax Code. The limit is determined by the number of dependents in the family.

An individual may establish a medical savings account if the person is not currently covered by an employer-provided group health plan or if covered only by an employer-provided group catastrophic health plan. Medical savings accounts are subject to other applicable rules and limitations similar to those imposed on individual retirement accounts. Employers would also be able to contribute to these medical savings accounts on behalf of their employees, as a part of their health insurance benefit plans. If employees were to withdraw moneys for nonmedical purposes, there would be a 10-percent penalty.

Mr. Speaker, this is a popular and innovative idea which deserves a chance to prove its effectiveness. Congress should not be in the position of constantly preventing and blocking innovation in the private sector, or in local government. We are not going to solve this health care morass alone and this provision will allow some prudent experimentation to take place.

Next, I want to discuss the small market reform provisions of H.R. 4280. In title IV, we begin by requesting the National Association of Insurance Commissioners to develop standards for what we call medequity plans. These standards would set forth the basis benefits to be included in the medequity plans. Standards will also be developed to require insurance carriers to offer these plans, and to require guaranteed issue. These no-frills medequity plans would include straightforward basic hospital, medical, and surgical benefits with cost containment features. Various State prohibitions against managed care are also prohibited, to promote effective use of health resources.

What have become costly State-mandated benefits would be prohibited and carriers offering health benefits in a State would be required to offer the approved medequity plan to small employers—any business between 3 to 50 employees—in that State. An insurer would not be allowed to exclude small businesses or their employees based on preexisting conditions. Premium increases would be limited.

Under our initiative, an insurance carrier may not cancel a small employer other than for nonpayment of premiums, fraud, or failure to comply with plan provisions. If the insurer does terminate the offering of health benefit plans, the carrier would be prohibited from offering health insurance for 5 years.

The National Association of Insurance Commissioners would also be requested to develop models for reinsurance mechanisms. States would then be required to select a reinsurance mechanism from the models developed. If a State should fail to either certify a medequity plan for small employers or fail to select a reinsurance mechanism, then the Secretary of Health and Human Services is directed to make such a designation for the State.

Under our proposal, self-employed individuals would be allowed to deduct a full 100 percent of the cost of their insurance premiums. Current law allows only a 25-percent deduction. In addition, to promote the ability of small businesses to band together and form insurance purchasing groups, this bill defines a purchasing group as being administered solely under the authority and control of its member employers. These purchasing groups would be exempt from State-mandated benefits, State taxes on health insurance, and State laws prohibiting certain types of managed care.

Mr. Speaker, medical savings accounts and small market insurance reform are just two of the titles in H.R. 4280. In crafting this legislation, my colleagues and I looked for proposals that were innovative and promised to add to the private sector's ability to respond to the health care crisis. We also looked for ideas which have been widely discussed here as well as across the country in constituent forums such as I held in my district last week. They include the small market insurance reform, tort reform, and long-term health care coverage, all of which are contained in our legislation.

America desperately needs these reforms; tomorrow would not be soon enough. This American health care reform package addresses some of our most immediate problems in a very pragmatic fashion. I urge the Speaker and Republican leader to put our bill and others on the legislative agenda for this year. Let us debate these issues, adopt what we can, and fulfill the leadership responsibilities which the American people expect of us.

Ours are constructive, workable initiatives. I urge my colleagues to join with us as cosponsors of H.R. 4280. It contains innovative ideas and solutions that offer help in the near-term. Please join us in pushing for responsible health care reform today.

□ 1250

Mr. Speaker, I yield now to the gentleman from Florida [Mr. GOSS], who is an original cosponsor of this bill and who has worked with the gentleman from Illinois [Mr. HASTERT] and I, over the course of the last many months, in bringing us to the point where we could introduce H.R. 4280.

Mr. GOSS. Mr. Speaker, I thank the gentleman from Arizona for yielding.

Mr. Speaker, I am obviously pleased to have the opportunity to join the gentleman from Arizona [Mr. RHODES] and others in this very necessary discussion about H.R. 4280, the Health Care Choice and Access Improvement Act, and the real possibilities for reform that it represents.

□ 1300

Mr. RHODES has been absolutely tireless in his efforts and deserves a great deal of credit in moving this legislation forward.

So I am especially pleased to be here involved in this colloquy today. We have all acknowledged the fact that reform is urgent. It really cannot be postponed any longer. There are pressing economic reasons which are incontrovertible on that point. Doing nothing is not the answer. We need a solution. I would like to take a moment to illustrate the facts in rather dramatic fashion and the developments that have taken place in my home State of Florida.

I thank the gentleman from Arizona [Mr. RHODES] in his statement has very well outlined the provisions of H.R. 4280 and what is doable now. But why it is so important is that there are 50 States out there that are dealing with the problems on an individual basis. In Florida, in late January, the Governor proposed a health reform plan that was subsequently passed by the Florida House of Representatives on March 11—that was January to March—not one dissenting vote in the house in Florida. On March 13, 2 days later, it was passed by the Florida Senate 35 to 2.

It was signed by Governor Chiles on March 24, 1992, becoming Florida Statute No. 20.42. This is the action of a State in desperate need of change. That type of legislation dealing with a controversial issue like health care passing the State legislature in 2 months with that kind of support says there is a real problem.

In Florida, in fact, 18.9 percent of our population is uninsured. Seventy-five percent of the uninsured are workers and their dependents, and most of them—most of that number, I think about a third—are actually children.

In 1990 Florida spent about $31.4 billion for health care. By the year 2000

expenditures are projected to go as high as $90 billion. Florida families spend $3,392, or 11 percent of their income, on health care. Those are statistics, those are not meaningful expositions of the suffering and the lack that some people are feeling. Statistics never do reflect the human misery that is often involved, and they do not in this case. But what they do reflect is that there is a serious problem out there which needs immediate attention, and it is not just a few, it is a great many people. The situation is not acceptable.

The Florida Legislature has spoken. The Florida Governor has spoken. Florida's new health plan, which is now law, embraces exactly the same goals we are trying to promote in H.R. 4280, accessibility and affordability. The reason the bill passed so easily in Florida is that, until 1995, the reforms are voluntary. In other words, what they have done in my State is say, "We have got 3 years before we get serious and enforce this. But in those 3 years you had better come up with something that works, you people who are players in the health care drama." The reason, I think, is that the State has recognized its commitment to reform but it wanted to leave up to the employers, business, people in small business and in large business, the insurance industry, and all of the other players in the health care system, the opportunity to do what is right and to do what works and what is affordable and provides the access that we are talking about and at the same time holding over the heads of the players the threat that a pay-or-play mandate is in the offing and the offing is only 3 years away, in 1995.

That is a serious stick to wave around to get these people's attention. I think the Federal Government has got to take the lead at this point, and that is why this year we should be dealing with the legislation that we have proposed.

The Florida health plan did receive overwhelming support in the Florida Legislature because it embraces the initiatives of individual responsibility and incentives for individual health promotion.

It does not say, "Don't worry about this, somebody is going to take care of you." It says, "Look, we are going to try to find programs, but as an individual you have some responsibility and some accountability, too." That is, after all, the American way.

Florida's legislation talks about medical liability reforms. My colleague, the gentleman from Arizona [Mr. RHODES] has alluded to the provisions in this bill on that point. It is extremely important. We are wasting literally billions of dollars in liability problems, in defensive medicine. Insurance reforms come under that heading, very definitely, and it does in the area of what I would call streamlining our health administration.

Mr. Speaker, we are wasting many, many billions of dollars in our paperwork, in our handling. Anybody who has ever filed a Medicare or a Medicaid claim knows exactly what we are talking about. Any doctor's office, any hospital that has had to work with these firms and the insurance company, understands the volume of paperwork involved. And sometimes, frankly, the catch-22's that you can never get out of.

There are all areas that are addressed in H.R. 4280, the Health Care Choice and Access Improvement Act, that we hope our colleagues are going to embrace and help us move.

Mr. Speaker, the States need the Federal Government to make the necessary changes in the Federal codes, and they need it now. The States are looking to the Federal Government for some leadership here. In fact, they say—the American public also say, "We do not want to wait any longer."

If we stall, we are faced with the pay or play. Pay or play is a very bad label. It is pay a lot or play in the sense you are not going to enjoy this play. It is not play, have fun play. Pay or play is not a good option. In fact, it will become an unbearable reality not only for Floridians if Florida does not clean up its act and come up with a program—and Florida, of course, is asking that we as the Federal Government do that first so that they can be consistent with what we are trying to do. And as I say, they are trying to do the very type of thing that H.R. 4280 proposes to do.

Mr. Speaker, as the gentleman from Arizona [Mr. RHODES] has outlined, the bill, H.R. 4280, can translate some of the waste and mismanagement of our current system into health care for millions of individuals. We are simply talking about making savings by doing things more efficiently and more properly and passing those savings on to the people who cannot afford health care now. Those savings become their vehicle to get the quality health care that many Americans enjoy because they do need insurance.

We must consider this, I suppose, a preliminary step because it does not solve all the problems, but H.R. 4280 does reform malpractice laws, which is a big-ticket item in terms of cost, which obviously has many defensive medical practices costs involved in it, not only the awards in court but the practices that doctors take and the medical profession undertake to protect themselves from suits.

H.R. 4280 introduces necessary controls and incentives into the small-business insurance group market, where they are very badly needed, and small groups talk to small business, and small business is very much involved, it is what the economy of our Nation is about.

It cuts administrative waste from large self-insured corporations by providing a new approach to them which involves individual participation, something that the gentleman from Arizona referred to, a medical savings account option, similar to an IRA. We are not reinventing the wheel here, we are taking something that works and applying it to an area where it fits a need.

Mr. Speaker, unlike other bills, we have done something in H.R. 4280 that helps a lot in places like Florida, and that is emphasis on long-term care by providng cost-effective options for today's elderly but also urging tomorrow's seniors to utilize long-term health care insurance, which we provide for.

There is really nothing controversial or drastic in what we have done here. It is certainly not going to change the face of our health care delivery system, but it certainly, also, can prevent the cost shifting that we all understand is going on, that is currently outpricing millions of our citizens from the health care they need.

We need relief, people are saying that they have a right to expect that relief, they are looking for us to do it, and I suspect that we have come forward in good faith with H.R. 4280, which is a step that is doable now. It should be palatable to both sides of the aisle. People are serious about this. The leadership on both sides is, as we know. I think we have done something worth looking at here. I recommend that we seize the day before we are faced with the solution of last resort, and that will be the unaffordable, and I emphasize the word unaffordable, single-payer system. So let us take the responsible approach by providing real and sustainable access to affordable health care. I think we have carved a way to do it. It is time to walk down the path, and I compliment my friend, the gentleman from Arizona [Mr. RHODES], for his initiative today and in arranging for this time and for his tireless efforts on bringing the legislation to this point. I urge my colleagues to pay attention to this and join with us. This is worth doing, it is doable.

Mr. RHODES. I thank the gentleman for his comments, which are very much to the point.

In conclusion, let me just say to my colleagues and to the American people, we are not advertising H.R. 4280 as a comprehensive solution to all the problems that exist in the health care system. We do not believe that we are ready yet for that. But if you as a Member of the House are planning to wait until there is a magic pill that comes along that cures everything, H.R. 4280 is not for you. But if you believe, as we do, there are steps that can be taken now to assist people who currently do not have access to our health care system, to obtain that access, if you agree with us that having 35 million people in this country uninsured is

not acceptable, especially when you consider that 70 percent of those 35 million are either employed or are dependents of persons who are employed, that that situation is not acceptable, if you agree with us that we cannot put the burden of resolving the health care accessibility issue on the backs of small businesses or on the backs of the taxpayers, then we think H.R. 4280 is for you.

□ 1310

Mr. Speaker, we invite our colleagues to take a good hard look at it, and we urge them to join us in cosponsoring it and urge them to join us in urging the leadership of the House to bring it forward in this year so that we can address this problem that we have ignored for too long now.

As I said before, the citizens of this country deserve nothing less.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

KISSINGER ASSOCIATES, SCOWCROFT, EAGLEBURGER, STOGA, IRAQ, AND BNL

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

Mr. GONZALEZ. Mr. Speaker, today I will talk about Henry Kissinger, his consulting firm Kissinger Associates, two former Kissinger Associates directors, Lawrence Eagleburger and Brent Scowcroft, and the chief economist at Kissinger Associates, Alan Stoga.

I will explore their links to Banca Nazionale del Lavoro [BNL] and Iraq, and the Bush administration's handling of the BNL scandal. But first, I will provide some background information on the BNL scandal.

BACKGROUND ON BNL SCANDAL

BNL is one of the largest banks in Italy with assets over $100 billion. At the time the BNL scandal was disclosed in August 1989, BNL was 98 percent owned by the Italian Government. BNL has operations around the world including U.S. branches in Chicago, Los Angeles, Miami, Atlanta, and its U.S. headquarters in New York.

Several former employees of the Atlanta branch of BNL conspired to provide the Government of Iraq with over $4 billion in unreported loans between 1985 and 1990. They accomplished this massive fraud by keeping a secret set of accounting records that concealed the over $4 billion in loans to Iraq.

These secret books were presumably not furnished to BNL's management in Rome or to the bank regulatory agencies responsible for regulating BNL's operations in the United States. To date, several of the former employees have pleaded guilty to the conspiracy and signing false financial statements. The former manager of BNL, Chris Drogoul, goes to trial on June 2. He claims that the BNL management in Rome was aware of the loans to Iraq and the United States and Italian Governments should have been aware of the loans.

The $4 billion plus in BNL loans to Iraq between 1985 and 1990 were crucial to Iraqi efforts to feed its people and to build weapons of mass destruction. In addition, the BNL loans were crucial to Reagan and Bush administration efforts to assist Saddam Hussein.

The loans to Iraq were split just about evenly between agricultural and industrial loans. Iraq used a little over $2 billion to purchase agricultural products and to pay for the shipping charges associated with the delivery of those products. Well over $800 million of agriculture-related loans were guaranteed by the U.S. Department of Agriculture's [USDA's] Commodity Credit Corporation.

BNL was the largest participant in the Commodity Credit Corporation [CCC] program that Iraq used to purchase about $5 billion in United States agricultural commodities between 1983 and 1990. Had the USDA ever inspected the publicly available financial statements of BNL, they would have most likely uncovered the scandal years earlier.

The remaining $2 billion plus in BNL loans to Iraq went to Iraqi Government entities involved in running a secret Iraqi military technology procurement network. The procurement network, which operated through front companies situated in Europe and the United States, used the BNL loans to supply Iraqi missile, chemical, biological and nuclear weapons programs with industrial goods such as computer controlled machine tools, computers, scientific instruments, special alloy steel and aluminum, chemicals, and other industrial goods.

A number of the procurement network's imports from the United States were guaranteed by the Export-Import Bank. In fact, BNL was also a major participant in the Export-Import Bank program for Iraq. In total, the Eximbank program helped to finance the sale of over $300 million in industrial goods to various Iraqi Government entities.

It is truly amazing that the BNL scandal went on as long as it did. Various agencies within our Government knew of BNL's role in bankrolling Iraq—yet they supposedly did not know that the loans were unauthorized or not properly reported. How is this possible? The committee is still investigating the extent to which the U.S. Government had knowledge of the BNL scandal.

Several of BNL's high level friends in the United States should have been aware of the BNL loans to Iraq. The high level patrons that I am referring to are Henry Kissinger, and his Kissinger Associates compadres, Brent Scowcroft and Lawrence Eagleburger.

Several Kissinger Associates clients had extensive dealings with Iraq including Volvo, Midland Bank, Chase Manhattan Bank, Fiat, and Asea Braun Boveri and those same companies also were the beneficiaries of BNL loans to Iraq or were involved in some way with BNL-Atlanta.

Kissinger, Scowcroft, and Eagleburger maintain that they were unaware of the BNL loans to Iraq. I offer no definitive proof that they were aware of the BNL loans, but I will explore in more detail their interlocking relationships with BNL and Iraq.

In addition, I will reveal that both Mr. Eagleburger and Mr. Scowcroft played a key role in the Bush administration's handling of the BNL scandal, even though BNL was a paying client of Kissinger Associates just months prior to the BNL scandal becoming public.

HENRY A. KISSINGER, BNL, AND IRAQ

Henry Kissinger is one of the best known and most powerful Presidential advisers of the post-World-War II era. He began his political career in 1956 as a consultant on military affairs. He has also advised many executive-branch organizations including the Joint Chiefs of Staff, the National Security Council, and the Department of State.

In 1969, he became President Nixon's National Security Adviser, and in 1973 Nixon named him Secretary of State. He held that post until 1977. In 1989, Mr. Kissinger was appointed as a member of the President's Foreign Intelligence Advisory Board [FIAB]. Members in this elite club are permitted access to highly classified information and members actually advise the President on intelligence issues.

Today, Mr. Kissinger is active as a foreign policy analyst and consultant through the firm that bears his name, Kissinger Associates, Inc. He founded the firm in 1982, and he has offices in New York and Washington. Kissinger Associates analyzes political risk and international economic trends to help clients make business decisions about operations in a foreign country.

KISSINGER DELIBERATELY MISLEADS PUBLIC

Until recently, Mr. Kissinger was a member of the BNL's international advisory board and during the height of the BNL-Atlanta scandal BNL was a paying client of Kissinger Associates.

While Henry Kissinger was a paid member of the BNL's advisory board for international policy between 1985 and June 1991, he received at least $10,000 for attending each meeting of the BNL advisory board. Mr. Kissinger met each year with the president of BNL when the latter visited the United

States to attend the annual IMF conference in Washington, DC.

Other BNL advisory board members included David Rockefeller, the chairman of the Rockefeller Group and a director of Chase Manhattan Bank, Pierre Trudeau, the former Prime Minister of Canada, Lord Thornycroft, the former British Minister of Defense, and other politically well-connected international notables.

After my April 25, 1991, floor statement on Mr. Kissinger, he told the Financial Times newspaper that he had resigned from the BNL advisory board a week before the BNL indictment in February 1991 because "he did not want to answer questions about such incidents."

Two weeks ago, the prominent TV show, "60 Minutes," revealed that Kissinger had not resigned from the BNL advisory board in February 1991, as he had told the Financial Times. In fact, "60 Minutes" reported that Mr. Kissinger served on BNL's advisory board until his contract expired in the summer of 1991, more than 4 months after the date he had previously reported.

Mr. Kissinger was not the only Kissinger Associates employee that dealt with BNL. Mr. Brent Scowcroft, the vice chairman and Mr. Lawrence Eagleburger, the president of Kissinger Associates also had relationships with BNL.

IMPORTANCE OF THE BNL SCANDAL

Before detailing the relationship between BNL and Mr. Scowcroft and Mr. Eagleburger and the role they played in the handling of the BNL scandal, I will provide some background in order to put their actions into perspective.

As I have shown in previous floor statements, the BNL scandal was closely linked to the decline of the United States-Iraq relations. I have introduced numerous documents showing that the CCC program for Iraq was the cornerstone of United States-Iraq relations. In turn, BNL was the largest participant in the CCC program for Iraq.

When the BNL criminal investigation in Atlanta uncovered significant fraud and abuse in the CCC program for Iraq, it jeopardized the continuation of the CCC program and the cornerstone of United States-Iraq relations began to crack. The BNL investigation also revealed that high-level Iraqi Government officials were involved in the scandal, including the second most powerful man in Iraq, Saddam Hussein's son-in-law, Hussain Kamil.

To show the link between the BNL scandal and the CCC program, consider an October 13, 1989, State Department memo that states:

> The unfolding BNL scandal is directly involved with the Iraqi CCC program and cannot be separated from it.

To illustrate of the serious problems uncovered by the BNL investigation and the scandal's potential influence on the CCC program for Iraq is contained in an October 1989 State Department memo which states:

> There are currently 10 separate investigations of BNL Atlanta branch activity to Iraq. It now appears that at a minimum, elements of the Government of Iraq knew of the illegal dealings of the BNL, but found it convenient to continue using its good offices. Indications are that in addition to violating U.S. banking laws, the BNL's activities with Iraq may have led to diversion of CCC guaranteed funds from commodity programs into military sales. * * * The U.S. Department of Agriculture expectations are that the investigation could blow the roof off the CCC. If smoke indicates fire, we may be facing a four alarm blaze in the near future. * * * there were 19 investigations of CCC this year (1989) and the integrity of the program is now in question.

The importance of the BNL scandal was not lost on Mr. Scowcroft or Mr. Eagleburger. I will now provide some details on their roles in handling the BNL scandal.

BRENT SCOWCROFT, BNL, AND IRAQ

One of the most prominent of the Kissinger Associates alumni is Brent Scowcroft, President Bush's current National Security Adviser and head of the NSC staff. Early in his military career, Scowcroft served 1 year as the air attache at the United States Embassy in Belgrade, Yugoslavia. In total, Mr. Scowcroft has held various positions in six administrations.

After earning a Ph.D. and working in academia from 1962 to 1968, he held a succession of national security posts in the Department of Defense. In 1971, President Nixon appointed Scowcroft military aide to the President, and in 1973 Kissinger chose him to be Deputy Assistant to the President for National Security Affairs.

Scowcroft often took charge of the National Security Council while Kissinger was fulfilling his duties as Secretary of State, and in 1975 he succeeded Kissinger as National Security Adviser to President Ford. Although he resigned the position during the Carter administration, Scowcroft stayed active as a member of the President's general advisory committee on arms control.

In 1982, Scowcroft joined Kissinger in setting up Kissinger Associates. Scowcroft served as vice chairman and head of Kissinger Associate's Washington, DC, office until becoming the head of the National Security Council under President Bush in January 1989.

WHITE HOUSE AND SCOWCROFT-LED NSC ROLE IN BNL HANDLING

I will not show that President Bush's top advisers at the White House were directly involved in the handling of the BNL scandal. They intervened in late 1989 to make sure that Iraq received a $1 billion allocation of CCC credits for fiscal year 1990 despite the findings of the BNL investigators in Atlanta.

The former Deputy Assistant to the President, and Director of Cabinet Affairs, Mr. Steve Danzansky was one of President Bush's staff assigned responsibility for overseeing the late 1989 decision to provide Iraq with $1 billion in CCC credits. Mr. Danzansky received regular updates on the BNL scandal as well as progress reports on the USDA's efforts to win approval for the CCC program for Iraq.

An October 30, 1989, USDA memo on the CCC program and the BNL scandal that was sent to Mr. Danzansky states:

> "Please let me know if you * * * have any questions on this, or if I can provide further information on the situation with Banca Nazionale del Lavoro."

But Mr. Danzansky's role went beyond monitoring the BNL scandal and the decision to grant Iraq additional CCC credits. A November 7, 1989, USDA General Counsel memo to Mr. Danzansky regarding the decision to grant the $1 billion CCC program for Iraq states:

> Steve, attached are possible materials for circulation by Treasury for tomorrow's NAC meeting. Thanks for your help on all this and please let me know if there are any additional materials I should prepare.

That comment shows that the USDA staff was taking orders from Mr. Danzansky and that Mr. Danzansky was assisting the USDA in winning approval for the fiscal year 1990 CCC program for Iraq. In addition, Mr. Danzansky personally attended the November 1989 NAC meeting that made the decision on the CCC program.

Several Administration officials have told the Banking Committee that this was the first time that a White House official sat in on a NAC decision to grant credits to a foreign country. That meeting also marked the first time in the history that the minutes of a NAC meeting were classified so as to restrict access to the public, and the Congress.

There are other CCC/BNL-related documents with Mr. Danzansky's name on them—but to truly understand their importance one must consider Mr. Danzansky's position. Mr. Danzansky was the Director of Cabinet Affairs—in other words he had direct access to the President and the various Cabinet members involved in making decisions on the CCC program for Iraq and on the handling of the BNL scandal.

Given Mr. Danzansky's role in the CCC decision and his job as adviser to President Bush and Director of Cabinet Affairs, it is clear that President Bush was directly involved in the decision to provide Iraq with a $1 billion in CCC credits just months before the invasion of Kuwait.

MR. SCOWCROFT, BNL, AND THE CCC

While at Kissinger Associates, Mr. Scowcroft worked on the BNL account and met on numerous occasions with the BNL management. On three occasions between 1986 and 1989, Mr. Scowcroft briefed the BNL board on international political and economic developments. In addition, when the Presi-

dent of BNL traveled to the United States to attend the annual IMF conference, he met with Kissinger and Scowcroft in New York.

Just months after resigning from Kissinger Associates to join the Bush administration, Mr. Scowcroft was heavily involved in the handling of the BNL scandal including winning approval of the $1 billion CCC program for Iraq in late 1989. Mr. Scowcroft was also directly involved in trying to win the release of the second $500 million CCC installment for Iraq in March 1990.

NSC STAFF HEAVILY INVOLVED IN CCC DECISION

Under Mr. Scowcroft's direction, the NSC staff was heavily involved in winning approval of the $1 billion CCC program for Iraq in late 1989 despite the implications of the BNL scandal. The NSC staff received regular briefings and memorandums from the USDA regarding the decision to grant Iraq additional credits.

The NSC was also directly involved in the decision to grant the CCC credits to Iraq. On April 2, 1990, USDA memo states:

During the fall of 1989, there was intense debate among the agencies regarding approval of Iraq's request for an FY 1990 CCC allocation of $1 billion. The State Department and National Security Council supported a decision favorable to Iraq.

The NSC did not limit its activities to supporting the 1989 decision to grant credit to Iraq. The NSC was also directly involved in the USDA investigation of the BNL scandal.

NSC AND USDA STUDY OF BNL

In a highly unusual maneuver, the NSC had responsibility for reviewing and approving the release of the USDA administrative review of the BNL scandal and CCC program for Iraq in May 1990. The NSC staff even went as far as approving the date of the release of the USDA study.

Regarding the release of the USDA study in May 1990, Ms. Sandra Charles, the Director for Near East and South Asian Affairs at the NSC, sent a fax to the USDA's Richard Crowder, the man technically responsible for the CCC program for Iraq. Ms. Charles' handwritten notes on the memo state: "Dick, with this press release the NSC has no objection to your releasing the report. Suggest you coordinate with State [Department]."

The NSC's role in the USDA administrative review raises serious questions because the USDA review was an almost complete whitewash of the problems found during the BNL investigation. First, the scope of the USDA administrative review was severely restricted in order to downplay the importance of the BNL scandal and problems in the CCC program for Iraq.

For example, the press release and executive summary accompanying the report give the impression that the USDA conducted an exhaustive review of the CCC program for Iraq. In fact, the vast majority of the USDA study is based on a review of the records of a single firm involved in the BNL scandal.

The most glaring example of the whitewash is related to the issue of whether or not CCC-guaranteed agricultural commodities destined for Iraq were diverted to pay for weapons. The conclusion in the USDA report is not even supported by the facts as listed in the report. The summary of the USDA report states:

The USDA administrative review uncovered no evidence to suggest that there has been diversion of commodities sold to Iraq. It appears, based on a review of sample records, that Iraq maintains records to establish proof of arrival for its CCC purchases.

In fact, a closer look at the USDA report shows that USDA investigators did not obtain records to verify that United States commodities had actually arrived in Iraq. Compare the findings of the report to an October 13, 1989, USDA memo which states.

Although additional research needs to be done, it appears more and more likely that CCC guaranteed funds and or commodities may have been diverted from Iraq to third parties in exchange for military hardware. Where documents indicate shipments arrived in Baghdad, the timing appears improbable, shipments arrived in Baghdad prior to arriving at interim ports. McElvain and the USDA IG are concerned that commodities were bartered in Jordan and Turkey for military hardware.

Ultimately, the USDA investigators, who had numerous contacts with the NS, took the word of the Iraqi Government that the CCC-guaranteed commodities had arrived in Iraq. In effect, the USDA report is very misleading as to the issue of whether or not CCC-guaranteed commodities were diverted—they certainly found no concrete evidence to indicate the goods actually arrived in Iraq.

Could it be that the NSC's involvement in the USDA study of BNL was meant to cover up an awareness that CCC-guaranteed commodities were being diverted to pay for Iraq weapons purchases? After all, the USDA study was deceiving as to the issue of diversion. We know that the administration conducted covert operations to assist Iraq. We also know that various memos indicate that diversion was a real possibility. And finally, the Iran-Contra affair provided proof positive that the NSC thought of itself as above the law.

Taken together, these factors raise serious questions about why the NSC was involved in the BNL investigation and whether or not they were aware of the diversion of U.S. commodities. These questions take on special importance in light of NSC Director Scowcroft's long affiliations with BNL.

SCOWCROFT GETS IN THE ACT

Not only was the NSC staff involved in the BNL/CCC investigation under Mr. Scowcroft's direction, Mr. Scowcroft himself pushed for the release of the second $500 million installment of CCC credits for Iraq that were delayed because of the BNL scandal.

A March 5, 1990, State Department memo related to the release of the second $500 million CCC installment for Iraq states: "National Security Council staff [NSCS] contacted the USDA March 2 to inquire about the delay after the Iraqi Ambassador complained to General Scowcroft."

NSC AND WHITE HOUSE INVOLVED IN THWARTING INVESTIGATION OF IRAQIS?

I revealed in a March 30 floor statement that the United States attorney in Atlanta wanted to investigate the various Iraqis involved in the BNL scandal. I also revealed that the United States attorney was never allowed to interview the Iraqis because of the potential negative effect such an investigation could have on United States-Iraq relations.

Instead, the State Department decided that the United States attorney in Atlanta would have to write letters to the various Iraqis involved in the BNL fraud and ask them written question about their criminal activities. The committee has documents showing that the NSC and White House both received memos related to the pen-pal investigative strategy and the committee is continuing to probe their role in developing that strategy.

Mr. Scowcroft was not the only Kissinger Associates client involved in handling the BNL scandal—the Deputy Secretary of State, Lawrence Eagleburger, also played a key role.

EAGLEBURGER, BNL, AND IRAQ

Lawrence Eagleburger, Deputy Secretary of State, has held many positions of international influence in both the public and private sectors. Eagleburger started his political career in 1957 as a Foreign Service officer. In this capacity, he represented the United States in Honduras for 2 years, and in Yugoslavia for 4 years.

When, in 1969, Henry Kissinger became Nixon's national security adviser, Mr. Eagleburger served as his executive assistant. After working as a political adviser to NATO in Belgium, and as Deputy Assistant Secretary in the Department of Defense, Eagleburger rejoined Kissinger at the State Department, again as his executive assistant in 1973.

Eagleburger was appointed Ambassador to Yugoslavia during the Carter administration and served in that capacity from 1977 to 1981. Under President Reagan, Eagleburger became Assistant Secretary of State for European Affairs, and held this position from 1981 to 1982. Subsequently, he served for 2 years as Deputy Undersecretary for Political Affairs.

Before assuming his current position as Deputy Secretary of State in 1989, Mr. Eagleburger, like Mr. Scowcroft, worked for Kissinger Associates, Inc. In fact, during this tenure, Mr.

Eagleburger was the president of Kissinger Associates.

BNL was a client of Kissinger Associates during Mr. Eagleburger's tenure. Mr. Kissinger has stated that Mr. Eagleburger did not handle the BNL account at Kissinger Associates. Renato Guadagnini, the former head of BNL's operations in the United States told committee investigators recently that Mr. Eagleburger was at a meeting between the BNL managers and Kissinger Associates in New York in 1987 or 1988.

While at the State Department, Mr. Eagleburger was fully aware of the link between BNL and the CCC program for Iraq and the importance of the BNL scandal. A State Department memo dated October 13, 1989, states: "The unfolding BNL scandal is directly involved with the Iraqi CCC program and cannot be separated from it."

Mr. Eagleburger's role in promoting United States-Iraq relations spans both his commissions at the State Department. During the early 1980's Mr. Eagleburger wrote letters promoting the use of the CCC and Eximbank as tools to provide United States financial assistance to Iraq. Starting in 1989 Deputy Secretary of State Eagleburger played a key role in winning approval of the $1 billion CCC program for Iraq just months prior to the Iraqi invasion of Kuwait.

WINNING APPROVAL OF THE CCC PROGRAM FOR IRAQ

In order to win approval of the $1 billion CCC program for Iraq for fiscal year 1990, Secretary Baker wrote a letter to the Secretary of Agriculture, Clayton Yeutter, and then called him personally to express his conviction that Iraq should be given the benefit of the doubt and granted the full $1 billion CCC program for fiscal year 1990. The talking points for Mr. Baker's call to Mr. Yeutter state:

> On foreign policy grounds, we support a program of up to $1 billion, released in tranches, with periodic compliance reviews. With safeguards, I hope we can get this important program back on track quickly.

Convincing the Department of Agriculture to support the allocation of the full $1 billion to Iraq was the least of the State Department's worries. The largest barrier was convincing the OMB and Treasury Department to drop their opposition to the $1 billion program for Iraq. This assignment was left to Deputy Secretary of State, Lawrence Eagleburger.

The Treasury Department and OMB were opposed to the fiscal year 1990 CCC program for Iraq because of Iraq's precarious financial condition and the BNL scandal. The Treasury Department actually voted against the fiscal year 1989 program for Iraq because of creditworthiness concerns, but this did not stop Mr. Eagleburger.

Mr. Eagleburger sent letters to the highest levels of the OMB and Treasury to win approval for the fiscal year 1990 CCC program. The first was a letter dated November 8, 1990, from Mr. Eagleburger to the Deputy Treasury Secretary, John Robson, which states:

> Further to our discussion, on foreign policy grounds we support the Department of Agriculture's proposal for a full billion-dollar program of CCC export credit guarantees in FY 1990 with adequate safeguards, for Iraq. * * * the CCC program is important to our efforts to improve and expand our relations with Iraq, as ordered by the President in NSC-26. With regard to the real concerns which arise from the investigation into the operations of the Atlanta branch of the Banca Nazionale del Lavoro, we have received from the Government of Iraq a pledge of cooperation.

He sent a similar letter to the OMB. Mr. Eagleburger's efforts were crucial to neutralizing OMB and Treasury opposition to the CCC program. After much lobbying and back scratching, in November 1989 the CCC program for Iraq was approved, but Mr. Eagleburger's involvement with the CCC program for Iraq and the BNL scandal did not stop.

The committee has documents showing that Mr. Eagleburger was involved in other aspects of the BNL scandal. For instance, Mr. Eagleburger provided the United States Embassy in Rome with guidance on how to handle press calls related to the BNL scandal. He also received two cables from the United States Embassy in Italy that contained interesting revelations.

The first indicated that top BNL managers approached the U.S. Ambassador to ask for damage control related to the handling of the BNL scandal in the United States. The second involved a meeting at the U.S. Embassy at which a BNL official voiced his displeasure at rumors that the Justice Department was about to indict BNL.

As a sidenote related to the Italians' request for damage control, I would like to say that United States law enforcement officials did not conduct a serious investigation of the role BNL's Rome management played in the over $4 billion in loans to Iraq. I wonder if BNL's friends in the Bush administration had a role in the decision to exonerate BNL's management in Rome?

The most notorious Eagleburger involvement in the BNL prosecution was related to the investigation by the United States attorney in Atlanta of Iraqis involved in the BNL scandal. As I stated above and in previous floor statements sometime between the BNL raid in August 1989 and early 1990, it was decided that the Atlanta investigators would not be permitted to interview the Iraqis involved in the BNL scandal.

Instead, it was decided that the Atlanta investigators would be permitted to submit written questions to the State Department which in turn would send the questions to Iraq. This pen pal approach to the criminal investigation effectively thwarted the investigation of the Iraqis responsible for the BNL scandal and was used as an excuse to delay the rest of the BNL indictment until it was more politically correct to reveal Iraqi involvement in the scandal.

To show the State Department involvement in the BNL case, consider a March 20, 1992, New York Times article containing excerpts of an interview with Robert L. Barr, the former U.S. attorney in Atlanta who was in charge of the BNL case until April 1990. Mr. Barr acknowledged that in the BNL case considerations of foreign policy had become intertwined with those of law enforcement and that the State Department was involved in thwarting the BNL investigation. The Times quoted Mr. Barr as saying: "The State Department had become involved early on and that the case became complex both legally and because of foreign policy concerns."

To illustrate Mr. Eagleburger's role in the State Department's involvement in the pen-pal investigation of the Iraqis involved in the BNL scandal, consider a February 9, 1990, cable from Mr. Eagleburger to April Glaspie in Baghdad. The cable provides a status report on the BNL investigation and the CCC program from Iraq. In the cable, Mr. Eagleburger refers to State Department's role in handling the questions for the Iraqis involved in the BNL scandal. Mr. Eagleburger states:

> * * * Legal has received a memorandum from the USDA General Counsel recommending a demarche to the Iraqis to request assurances that they will assist in the BNL investigation. If the Department of Justice (DOJ) or the Atlanta prosecutor have any specific questions they want to put to the Iraqis, we (the State Department) should convey these * * *.

Apparently Mr. Eagleburger did not want the USDA or others back in Washington to get wind of the State Department's strategy. Later in that same memo to Ambassador Glaspie, Mr. Eagleburger states:

> We have no problem with your sharing the above with the USDA attache at your discretion, but please ask that he be careful not to play it back to his colleagues here (in Washington, D.C.).

Mr. Eagleburger played a key role in winning approval of the CCC credits for Iraq and in the State Department's handling of the BNL case. Mr. Eagleburger did not recuse himself from the State Department handling of the scandal.

ALAN STOGA—KISSINGER ASSOCIATES

Another link between Kissinger Associates, BNL and Iraq is Alan Stoga. Alan Stoga is a former economist at First Chicago Bank and is currently a director of Kissinger Associates. Mr. Stoga is said to be an expert in country risk analysis and international finance. He has been interested in the Middle East for many years and has made extensive visits to the area.

Mr. Stoga worked as the chief economist of the international division at First Chicago Bank. The chairman of the First Chicago at that time was A. Robert Abboud, the chairman of the United States-Iraq Business forum and director of First City Bank, Houston, TX.

The former head of BNL's U.S. operations stated that he attended a 1987 meeting in New York with Mr. Stoga, the head of BNL's Rome headquarters, and Mr. Kissinger, Mr. Scowcroft, Mr. Eagleburger in 1987. The meeting was held to give BNL advice on doing business in several countries including India. Mr. Stoga and Mr. Scowcroft brought the BNL officers to lunch after the meeting.

Mr. Stoga was also a friend to the United States-Iraq Business Forum. He is a friend of Mr. Robert Abboud, the former chairman of the Business Forum. On November 14, 1989 Mr. Stoga was a panelist at a Business Forum function titled, "Third Annual Symposium on U.S. Commercial Economic and Strategic Interests in Iraq. Mr. Stoga gave advice on the economic aspects of financing trade and investment with Iraq.

Just months before that meeting, in June 1989, Mr. Stoga visited Iraq with Mr. Abboud and other members of the United States-Iraq Business Forum. The Forum members met with Saddam Hussein to discuss expanding commercial relations between the United States and Iraq.

Committee investigators interviewed Mr. Stoga about his role during the June 1989 trip to Iraq. Mr. Stoga stated that he went along on the trip to get to know the country better since he had never before been to Iraq. He stated that he did not go on the trip to discuss Iraq's debt problems.

To the contrary. In a "60 Minutes" interview that aired 2 weeks ago, the president of the United States-Iraq Business Forum, Marshal Wiley, stated that Mr. Stoga was in Iraq to advise Saddam Hussein on Iraq's debt problems and the feasibility of restructuring Iraq's debts. Mr. Stoga may also have misled the public about Kissinger Associates relationship with the BCCI organization.

BCCI AFFILIATE A CLIENT OF KISSINGER ASSOCIATES

BCCI was notorious for recruiting well connected former high-level government officials around the world in order to influence government policy and to gain protection from the law. They also tried to hire Kissinger Associates in the fall of 1989, when Mr. Stoga and BCCI's representatives met several times to discuss BCCI becoming a client of Kissinger Associates.

The day after BCCI-Tampa was indicted for money laundering in October, 1988, a high-level BCCI official wrote a letter to the president of BCCI which stated:

I received a call today from Mr. Stoga, who informed me that Dr. Kissinger recommends that a public relations offensive be made by us * * * Kissinger Associates Inc. have indicated that they shall be happy to use their personal contacts with the firm and make the necessary recommendations.

In newspaper reports Mr. Stoga denied ever saying that Mr. Kissinger ever recommended a public relations offensive. He also stated that "Henry never met or talked with them [BCCI]." BCCI itself may not have become a client of Kissinger Associates, but it appears that BCCI's secretly owned affiliate, the National Bank of Georgia, which was purportedly owned by Saudi front man Ghaith Pharoan, was a client of Kissinger Associates.

In a New York Times interview Mr. Stoga is quoted as stating: "We were never employed by them (BCCI) and we are not in a habit of giving free advice."

The committee has obtained documents showing that the former president of the National Bank of Georgia, Mr. Roy Carlson, received a briefing from Mr. Kissinger. Mr. Carlson's expense report from July 1986 states, "Briefing Session Dr. Henry Kissinger."

As Mr. Stoga stated, Kissinger Associates does not give free advice. The National Bank of Georgia therefore must have been a client of Kissinger Associates. After all, Mr. Kissinger knew Ghaith Pharoan's father, an adviser to Saudi royal family, and he knew Ghaith Pharoan for many years.

This raises the question of whether or not Mr. Eagleburger or Mr. Scowcroft worked on the National Bank of Georgia account while they were at Kissinger Associates and whether or not they played any role in the postindictment prosecution of BCCI when they were back in the Government.

CONCLUSION

BNL was a client of Mr. Scowcroft's while he was the vice-chairman of Kissinger Associates. Mr. Scowcroft regularly provided advice to BNL's management and received hefty fees in return.

Mr. Scowcroft and his staff at the National Security Council, along with the State Department, masterminded the Bush administration's handling of the BNL scandal in order to mitigate the damage it would have caused to United States-Iraq relations. In the process they trampled on United States law enforcement efforts and repeatedly misled the Congress and the American public about the United States policy toward Iraq.

BNL was not Mr. Eagleburger's client at Kissinger Associates although he did meet with BNL's management for at least one briefing. But I did show in an April 25, 1991 and February 24, 1992 floor statements that several of Mr. Eagleburger's Yugoslavian-related business ventures, the LBS Bank and the Yugo automobile, relied on BNL-Atlanta financing. Despite these ties Mr. Eagleburger did not recuse himself from the handling of the BNL case.

These revelations are not surprising—Mr. Scowcroft and Mr. Eagleburger refused to recuse themselves from the handling of the BNL scandal even though BNL was a client of Kissinger Associates just months earlier. Their actions provide a revealing example of the ethical atmosphere at the White House and the top levels of the State Department.

As for Mr. Kissinger, he misled the public about his relationship with BNL and about his firm's contact with Saddam Hussein. Mr. Stoga misled the Banking Committee about the reasons for his trip to Iraq in the summer of 1989 when he met with Saddam Hussein to discuss Iraq's debt problems.

Their ethical behavior is just as deplorable as Mr. Scowcroft's and Mr. Eagleburger's. Is anyone really surprised?

Ministers have come under obligations to great interests; and it can be presumed or alleged that their votes or speeches have been corrupt.—W. Churchill.

Articles referred to follow:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, October 30, 1989.

Hon. STEPHEN I. DANZANSKY,
Deputy Assistant to the President and Director, Office of Cabinet Affairs,
The White House, Washington, DC.

DEAR STEVE: Attached is a paper prepared by the Foreign Agricultural Service regarding the GSM credit guarantee program. The paper describes the process by which country credits and individual transaction guarantees are approved. It also discusses the situation with respect to the Iraqi credit.

As you know, Undersecretary Crowder is eager to resolve the new credit to be offered to Iraq quickly. Please let me know if you (or any other members of the group you assembled last week) have any questions on this, or if I can provide further information on the situation with the Banca Nazionale del Lavoro.

Best regards.

Sincerely,

ALAN CHARLES RAUL.

USDA POSITION ON IRAQ

1. BALANCING RISKS

USDA is currently evaluating its GSM-102/103 Export Credit Guarantee Programs for IRAQ for FY 1990. This evaluation involves prudent balancing of political and financial risks against marketing opportunities and benefits.

On the one hand, Iraq represents a very carefully nurtured $1 billion market for U.S. agricultural exports. Failure to reach an agreement with Iraq on a GSM program for FY 1990 risks loss of that market and a number of potential spillover effects: alienation of key sectors of U.S. agriculture who have been participating in this GSM market; negative impact on the U.S. trade balance; economic hardship in several agricultural sectors; and impairment of the carefully measured political rapprochement which the United States has been developing with one of the richest and most influential Arab States.

On the other hand, Iraq's general creditworthiness appears to have deteriorated somewhat in the past several years. Although Iraq has continued to pay its U.S. debt, it has not met its payments to some other creditor nations. In addition, Iraq has recently come under scrutiny for possible involvement in the Banco Nazionale del Lavoro (BNL) affair in Atlanta, where there has apparently been a major case of bank fraud centering on unauthorized loans to Iraq by the Atlanta branch of BNL, estimated at $1.7 billion. while the BNL investigation is in its early stages, there have been suggestions of possible impropriety with respect to BNL's GSM loan portfolio, which is approximately $750 million.

Investigators from the Office of the Inspector General have been detailed to work with the United States Attorney in the BNL investigation. In the course of its recent negotiations with Iraq, USDA learned that there were numerous allegations of possible wrongdoing, potentially involving Iraq. Attorneys from the Office of General Counsel were sent to Atlanta to discuss the matter with the assistant U.S. Attorney in charge of the case, to meet with the OIG personnel involved in the investigation, and to review available bank records. Those attorneys report that, as of the current stage of the investigation, no hard evidence has yet been uncovered which indicates misuse of the GSM program or wrongdoing by Iraq. At this stage, the allegations of impropriety appear to derive from theories of possible misuse hypothesized because of evidence of apparent wrongdoing uncovered in non-CCC loan transactions. At this juncture, however, the evidence developed in the case appears to center largely on bank fraud, although the investigation is still at an early stage.

Under the circumstances, a prudent and measured approach must be developed. At the current time, there has been no evidence developed to support allegations that Iraq has engaged in misuse of GSM programs, and so clearly discontinuation of the Iraq program would not be warranted. At the same time, when serious allegations are being made in the BNL investigation, a "business as usual" approach seems unwise. USDA believes that the prudent approach is to offer a measured program, announcing a large enough credit line to permit Iraq to continue purchases over the near term, while making every effort to assure that there have indeed been no program abuses. Associated with this, USDA will accelerate its own efforts to ensure future program integrity through improved management and regulation, including the development of a system of program compliance review.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, October 31, 1989.

Facsimile Transmission for: Stephen I. Danzansky, Deputy Assistant to the President and Director, Office of Cabinet Affairs.

From: Alan Charles Raul, General Counsel.

DEAR STEVE: Attached is a press release issued by the Iraqi Embassy in Washington in which it indicates that "Iraq firmly abides by these agreements [with Banca Nazionale del Lavoro providing letters of credit guarantees for the companies having contracts with Iraqi establishments] and is desirous to honor its part of these agreements in accordance with international laws and conventions."

I thought you should be aware of this Iraqi assurance in connection with your review of the matter. Please call me if you have any questions.

STATEMENT ISSUED BY THE IRAQI EMBASSY IN WASHINGTON, D.C.

Having heard the inaccuracies appeared in some news reports on irregularities concerning Letters of Credit issued for Iraqi firms by Banca Nazionale del Lavoro (BNL)—Atlanta Branch, the Embassy of Iraq issues the following statement:

In 1982 Iraq signed agreements with Banca Nazionale del Lavoro providing Letters of Credit guarantees for the companies having contracts with Iraqi establishments. Both contracting parties worked for the proper implementation of these agreements. Iraq, on its part, honored its obligations provided for by the agreement, i.e., prompt and exact payments.

However, the Embassy feels obliged to express astonishment at these unfounded reports including the account given by BNL officials who claimed that their Atlanta branch acted in violation of their bank policy and had no authorization to sign these agreements with Iraq.

The Embassy reiterates that Iraq is not involved in any way in the so-called irregularities. The agreements between Iraq and the BNL were lawful and the facilities provided for by these agreements were used for the implementation of development projects and the import of agriculture and food products and machinary of pure civil nature under contracts with well known Italian and US firms.

The Embassy believes that these reports are untrue and entirely detrimental to the interests of Iraq and Italian and US firms.

Furthermore, any BNL reluctance to implement these agreements would cause serious damage to these firms.

In the mean time, Iraq firmly abides by these agreements and is desirous to honor its part of these agreements in accordance with international laws and conventions. Iraq also expects the other party to do so.

DEPARTMENT OF AGRICULTURE,
Washington, DC, November 7, 1989.

Memorandum for: Stephen I. Danzansky, Director, Office of Cabinet Affairs.

From: Alan Charles Raul.

Subject: Iraq.

STEVE: Attached are possible materials for circulation by Treasury for tomorrow's NAC meeting.

Thanks for your help on all of this and please let me know if there are any additional materials I should prepare.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, May 16, 1990.

Memorandum for Richard T. McCormack, Under Secretary of State; Edward S.G. Dennis, Jr., Assistant Attorney General; Timothy Deal, Special Assistant to the President and Senior Director, International Economic Affairs National Security Council.

From: Richard T. Crowder, Under Secretary, International Affairs and Commodity Programs; Alan Charles Raul, General Counsel.

Subject: Report of Administrative Review of Iraq GSM Program.

Attached for your review and clearance is a draft report of USDA's administrative review of certain transactions in connection with the GSM program for Iraq. We intend to release this document to the House and Senate Agriculture Committees, and make it available to the public, together with an executive summary and a press release. We believe it is essential to get these facts and conclusions out to the public as soon as possible.

In essence, after interviewing Iraqi agriculture officials and certain U.S. exporters, and reviewing certain bank records, exporter records and Iraqi records, we have concluded that certain Iraq GSM transactions improperly included freight charges within the amounts that were registered with USDA. In addition, the evidence suggests that a number of exporters provided Iraq with "after sales services" in possible violation of the GSM regulations.

HOUSE OF REPRESENTATIVES,
Washington, DC, August 1, 1991.

Dr. HENRY KISSINGER,
Kissinger Associates, Inc.,
New York, NY.

DEAR MR. KISSINGER: The Committee on Banking, Finance and Urban Affairs is investigating $4 billion in unauthorized loans to Iraq made by the former employees of the Atlanta branch of Banca Nazionale del Lavoro (BNL). The Banking Committee would like to learn more about your personal knowledge of BNL loans to Iraq as well as that of your firm, Kissinger Associates. Accordingly, in your capacity as a former member of the BNL Consulting Board for International Policy, the Committee would appreciate your response to the following questions:

A. Related to BNL:

1. How long were you a director of BNL? In what capacity (i.e. political consultant, financial advisor, etc.) did you serve BNL?

2. Is BNL a current or former client of Kissinger Associates? If yes, during what time frame?

3. As former employees of Kissinger Associates, did Mr. Lawrence Eagleburger or Mr. Brent Scowcroft have any involvement with BNL? If yes, in what capacity?

4. Were you or any employees of Kissinger Associates aware of the unauthorized BNL-Atlanta loans to Iraq? If yes, please explain.

5. Did Kissinger Associates employee Mr. Alan Stoga, visit Iraq in 1989 as an official of Kissinger Associates? If yes, in what capacity?

B. Related to U.S.-Iraq commercial relations:

1. Did Kissinger Associates ever assist its clients with any aspect of the U.S. export control process, the Export-Import Bank, or the Commodity Credit Corporation as it applied to exports to Iraq?

2. As employees of Kissinger Associates, did Mr. Lawrence Eagleburger or Mr. Brent Scowcroft have any involvement with the export control process, the Export-Import Bank, or the Commodity Credit Corporation as it applied to commercial relations with Iraq? If yes, please explain.

3. Was the U.S.-Iraq Business Forum (previously the U.S.-Iraq Business Roundtable) ever a client of Kissinger Associates?

4. Were any members of the U.S.-Iraq Business Forum Kissinger Associates clients?

5. Is First City Bancorp., Houston, Texas, or its affiliates, a current or former client of Kissinger Associates?

6. To the best of your knowledge, have you, or has any current or former employee of Kissinger Associates ever met with Mr. Saddam Hussein or any other Iraqi government officials to discuss U.S.-Iraq commercial relations?

7. Are any of the following current or former employees of Kissinger Associates:

a. U.S.-Iraq Business Forum Chairman—Robert Abboud?

b. Amman Resources, Amman Jordan;

c. Bank of Credit and Commercial International (BCCI);

d. First American Bank of New York or its affiliates.

Thank you for time and cooperation. With best wishes.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

KISSINGER ASSOCIATES,
New York, NY, August 30, 1991.

Mr. HENRY B. GONZALEZ,
Chairman, Committee on Banking, Finance and Urban Affairs, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Your letter of August 1 raised a number of specific questions. Before responding to those, I would like to make two general points:

First, neither I nor any of my associates had any personal knowledge of loans to Iraq made by the Banca Nazionale del Lavoro (BNL) or any of its branches or subsidiaries;

Second, neither I nor Kissinger Associates, Inc. (KAI) have ever done any business in Iraq; nor has KAI ever done any business with or on behalf of any Iraqi entity government or private.

You asked twelve questions; my responses follow:

A. Related to BNL:

1. I was never a director of BNL. From 1985 to 1991, I served as a member of the bank's International Advisory Board, along with Raymond Barre (former Prime Minister of France), David Rockefeller (Chairman, Rockefeller Group), Pierre Trudeau (former Prime Minister of Canada), Lord Thorneycroft (former British Chancellor of the Exchequer and Minister of Defense), Lord Ezra (former Chairman of the British National Coal Board), Roberto de Oliveira Campos (Brazilian Senator), Silvio De Capitani (former Swiss Parliamentarian), Hans Merkle (Managing Partner, Robert Bosch Industrietreuhand), Enrique Fuentes Quintana (former Deputy President of Spain and Minister of Economic Affairs), Jean-Pierre Amory (Chairman, Petrofina S.A.), Horst Jannott (Chairman, Munchaner Rockversicherungs-G.), Pierre Ledoux (Chairman, Banque National de Paris), William Takagaki (former Managing Director, Mitsubishi Rayon Co. Ltd.) and Ettore Lolli (Chairman, International Advisory Board, Banca Nazionale del Lavoro). The Board met once a year to discuss international economic and political developments, with each member contributing comments on current developments in his own country. It was not the function of the Board to analyze, discuss, or pass on BNL's specific business activities.

2. BNL was a general consulting client of Kissinger Associates from July 1986 to June 1988, during which time we provided the Bank's senior management with briefings on international political and economic developments. We were not involved in advising the Bank on any specific business activities and had no involvement in any BNL business with or in Iraq.

3. As Vice Chairman of Kissinger Associates, Brent Scowcroft participated in the three general consulting meetings which were held with members of the senior management of BNL between July 1986 and June 1988. These meetings dealt with international political and economic developments, not with specific business activities of the Bank. As previously reported to the Senate Foreign Relations Committee, the KAI clients with whom Lawrence Eagleburger was involved did not include BNL.

4. Neither I nor my associates had any personal knowledge of BNL's loans to Iraq, authorized or unauthorized.

5. As Managing Director of Kissinger Associates, Alan Stoga visited Iraq in 1989 at the invitation of the U.S.-Iraq Business Forum to inform himself about conditions in that country.

B. Related to U.S.-Iraq commercial relations:

1. KAI represents no clients before U.S. Government agencies nor does it lobby any branch of the U.S. Government on behalf of clients. Therefore, Kissinger Associates did not assist its clients with any aspect of the U.S. export control process, the Export-Import Bank, or the Commodity Credit Corporation with respect to Iraq or any other country.

2. As indicated above, neither Kissinger Associates nor any of its employees had any involvement with these U.S. Government agencies.

3. Neither the U.S.-Iraq Business Forum nor its predecessor organization was ever a client of Kissinger Associates.

4. I do not know which, if any, clients of Kissinger Associates were members of the U.S.-Iraq Business Forum.

5. Neither First City Bancorp nor any of its affiliates have ever been clients of Kissinger Associates.

6. As indicated, Mr. Stoga participated in the U.S.-Iraq Business Forum's trip to Baghdad in 1989 during which U.S.-Iraq commercial relations were discussed by the group with Saddam Hussein and other Iraqi officials. Additionally, Mr. Stoga and other employees of Kissinger Associates met with Iraqi diplomats on social occasions. At these meetings the Iraqis often expressed their desire for improved commercial relations with the United States. However, no specific commercial projects were ever discussed. Nor, as I mentioned above, has Kissinger Associates ever done any business in Iraq.

7. Kissinger Associates has had no relationship with A. Robert Abboud or any of the organizations you mention.

Sincerely,

HENRY A. KISSINGER.

U.S. DEPARTMENT OF STATE,
Washington, DC, November 8, 1989.

To: The Acting Secretary.

Subject: Letter to Treasury Deputy Secretary Robson on a CCC Program for Iraq.

In your conversation earlier today, Department of the Treasury Deputy Secretary John Robson asked that you send him a letter outlining the policy reasons for which State strongly backed USDA's proposal for a full, billion-dollar program of Commodity Credit Corporation (CCC) credit guarantees, with safeguards, for Iraq. Attached is a letter for your signature that outlines those policy considerations. It essentially follows the talking points provided for your telephone conversation with Mr. Robson.

Recommendation: That you sign the attached letter to Deputy Secretary Robson.

DEPARTMENT OF STATE,
Washington, DC, November 8, 1989.

The Hon. JOHN E. ROBSON,
Deputy Secretary of the Treasury.

DEAR JOHN: Further to our discussion, on foreign policy grounds we support the Department of Agriculture's proposal for a full, billion-dollar program of Commodity Credit Corporation GSM-102 export credit guarantees in FY 90, with adequate safeguards, for Iraq.

In addition to the near-term benefits for agricultural sales, the CCC program is important to our efforts to improve and expand our relationship with Iraq, as ordered by the President in NSD-26. Iraq is a major power in a part of the world which is of vital importance to the United States. Our ability to influence Iraqi behavior in areas from Lebanon to the Middle East peace process to missile proliferation is enhanced by expanded trade. Also, to realize Iraq's enormous potential as a market for U.S. goods and services, we must not permit our displacement as a major trading partner.

With regard to the real concerns which arise from the investigation into the operations of the Atlanta branch of the Banco Nationale de Lavoro, we have received from the Government of Iraq a pledge of cooperation. Our intention is to hold Iraq to this commitment and to work with the Department of Agriculture to ensure that the problems with the program in the past are fully resolved in a new program. The safeguards proposed by USDA, including disbursement of the CCC guarantees in tranches, buttress the program and merit our backing.

I appreciate your support in this connection.

Sincerely,

LAWRENCE S. EAGLEBURGER,
Acting Secretary.

KISSINGER ASSOCIATES,
New York, NY, October 7, 1988.

ABOL FAZL HELMY,
Bank of Credit and Commerce,
New York, NY.

DEAR ABOL: I enjoyed lunch yesterday and, even more, your suggestion that BCCI might be interested in developing a relationship with Kissinger Associates.

As you suggested, I am enclosing a brief explanation of our firm and biographical sketches of our principals. I am not sure the former really does us justice, but I am reluctant to be more specific, at least on paper, about the kinds of consulting projects we undertake for clients. The key point, of course, is that our consulting and transaction work are rooted in the firm's understanding of geopolitics and economics: a client should not ask us how to build a polyethylene plant, but should ask about what is likely to happen in the various countries where that plant might be sited.

I agree that a next step should be for me to meet your management in London or in New York. I am not scheduled to be in London (I was there two weeks ago) the rest of this year, but might be able to arrange a detour either on November 10 or November 18 (between those days I will be in Sweden, France, and Italy). Alternatively, I could fly over for a day in early December, although for expense and convenience reasons, I would prefer to tie London into another trip. Let me know your thoughts on this.

I look forward to hearing from you soon,

Best regards,

ALAN STOGA.

BANK OF CREDIT
AND COMMERCE INTERNATIONAL,
New York, October 13, 1988.

From: Abol Fazl Helmy.

To: Mr. Swalch Naqvi.

Further to our recent conversation in London, I met with Mr. Alan Stoga who is one of the 3 partners of Kissinger Associates, Inc. Subsequently, the developments in the United States took place. Judging by the high level of adverse publicity that is being generated by the media, it is imperative that a firm response be made.

I received a call today from Mr. Stoga who informed me that Dr. Kissinger recommends that a public relations offensive be made by us and in that context has suggested using Burson-Marstellar, a highly reputable public relations firm that successfully dealt with the 1st Chicago crises last year. Kissinger Associates, Inc. have indicated that they shall be happy to use their personal contacts with the firm and make the necessary recommendations. I shall, of course, not proceed in any way without explicit instructions from you.

While I am certain, we have our fair share of advisors and consultants, I thought it prudent to pass on the information considering the importance of its source.

Best Personal Regards.

BANK OF CREDIT AND COMMERCE INTERNATIONAL,
New York, October 13, 1988.

From: Abol Fazl Helmy.
To: Mr. Swalch Naqvi.

I am enclosing for your attention the relevant details on Kissinger Associates, Inc. as discussed.

I shall be meeting them tomorrow (October 14, 1988) to discuss further details. I shall keep you appropriately informed.

Best Regards.

BANK OF CREDIT AND COMMERCE INTERNATIONAL,
New York, October 14, 1988.

From: Abol Fazl Helmy.
To: Mr. Swalch Naqvi.

I just met with Mr. Alan Stoga, Dr. Kissinger's partner and discussed the relevant matters as per our phone conversation of yesterday.

I emphasized to Mr. Stoga that our conversation in getting our two respective organizations together have been going on for over a year and hence, have not been generated as result of the present circumstances.

I feel that a relationship could be established in the near future depending on how fast the present publicity ends.

I shall keep you duly informed of my next meeting with Dr. Kissinger himself which should be sometime next week.

Best personal regards.

BANK OF CREDIT AND COMMERCE INTERNATIONAL,
New York, December 19, 1988.

From: Abol Fazl Helmy.
To: Mr. Swalch Naqvi.

I am in communication with Mr. Alan Stoga, Partner of Kissinger Associates, Inc. Their response was they are interested in principal but would like to wait a bit longer. I will be meeting Mr. Stoga in the first week of January, 1989 and will be discussing the issue further. It would be of interest for you to know that Mr. Scowcroft is now the National Security Adviser Designate in the Bush Administration and another Partner of Kissinger Associates is being tapped for Assistant Secretary of State in the Bush Administration. I shall keep you informed of my next meeting. You may agree that this association with Kissinger Associates, Inc. needs time to be cultivated. I am working in that direction.

If there are any further instructions with respect to this matter, please call prior to my January meeting.

Best Regards.

BANK OF CREDIT AND COMMERCE INTERNATIONAL,
New York, January 11, 1989.

From: Abol Fazl Helmy.
To: Mr. Swalch Naqvi.

I had a lunch meeting with the gentleman on January 5, 1989 and a follow up telephone conversation on January 10, 1989. It was established that it is in our best interests for both parties to continue with the conversations. As such, the door for an eventual relationship remains open.

They were far more knowledgeable of the details of our situation during this meeting and made certain "unofficial" general recommendations which I shall convey to you at our next meeting. I am meeting my contacts senior partner by the end of January with a view of discussing our overall worldwide activities.

Best Regards.

UNITED STATES-IRAQ BUSINESS FORUM, THIRD ANNUAL SYMPOSIUM ON UNITED STATES COMMERCIAL, ECONOMIC, AND STRATEGIC INTEREST IN IRAQ, TUESDAY, NOVEMBER 14, 1989

TOPIC: "FINANCING TRADE AND INVESTMENT WITH IRAQ"

Preliminary Program

Introductory Remarks, Marshall W. Wiley, President, United States-Iraq Business Forum.

Greetings and Commentary, His Excellency Dr. Mohamed Sadiq Al-Mashat, Ambassador of Iraq.

Panel One—"The United States and Post-War Iraq"

Sandra Charles, National Security Council Staff, The White House.

Michael H. Van Dusen, Staff Director, Subcommittee on Europe and the Middle East, House of Representatives Committee on Foreign Affairs.

Moderator: John R. Hayes, Middle East Public Affairs, Mobil Oil Corporation (Member of the U.S.-Iraq Business Forum).

Panel Two—"Economic Aspects of Financing Trade and Investment with Iraq"

Alan J. Stoga, International Economist, Kissinger Associates.

Vahan Zanoyan, Oil Economist, Petroleum Finance Institute.

Moderator: Witold S. Sulimirski, Servus Associates.

Panel Three—"Doing Business with Iraq"

Ray L. Hunt, Chairman of the Board, Hunt Oil Company (Member of the U.S.-Iraq Business Forum).

Donald N. DeMarino, Deputy Assistant Secretary of Commerce.

Moderator: William M. Arnold, First City Bancorporation of Texas (Member of the U.S.-Iraq Business Forum).

Luncheon Working Session

Presiding: A. Robert Abboud, Chairman of the Board and CEO, First City Bancorporation of Texas (Chairman of the Board, U.S.-Iraq Business Forum).

Address: Edward Cnehm, Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs—"The Future of U.S.-Iraqi Relations."

Closing Remarks

Lucius D. Battle, President, The Middle East Institute.

PARTICIPANTS

Elias Aburdene, Fairbanks Management Corporation.

James H. Andrews, M.W. Kellogg Company.

Garabed Armenian, Westinghouse Electric Corporation.

William Arnold, First City Bancorporation, Texas.

Frederick Axelgard, Center for Strategic & Interntl. Studies.

Lucius D. Battle, Middle East Institute.

Erol Benjenk, Fentex International Corporation.

Hani N. Beyhum, Olayan Development Corporation.

Carolyn Brehm, General Motors Corporation.

Patrick A. Briggs, Bell Helicopter Textron, Inc.

David Chambers, U.S.-Iraq Business Forum.

Sandra Charles, National Security Council Staff.

Ronald C. Clegg, Bell Helicopter Textron, Inc.

George Coy, Office of Congressman Feighan.

Robert R. Copaken, Department of Energy.

Lynn Coprivira, Dantzler Lumber and Export Company.

Charles Delaplane, Department of Agriculture.

Donald N. DeMarino, Department of Commerce.

Luis Echeverria, Export-Import Bank of the U.S.

Majed Elass, ARAMCO.

Bryan Estep, Luxor California Exports.

Ghaleb O. Faidi, National U.S.-Arab Chamber of Commerce.

Benedict F. FitzGerald, BDM International.

Michael Foster, Abu Dhabi International Bank.

Jay Ghazal, Office of Senator Pell.

Edward Gnehm, Department of State.

Harry Griffith, Brown & Root.

John Haldane, U.S.-Iraq Business Forum.

Thomas Harrold, Glan McCullock Sherrill & Harrold.

John R. Hayes, Mobil Oil Corporation.

John M. Howland, American Rice, Inc.

Arthur H. Hughes, Department of State.

Ray L. Hunt, Hunt Oil Company.

Evaleen Jaager, General Motors.

Paul Jabber, Bankers Trust Company.

Les Janka, Neill and Company.

Ed Jesteadt, AT&T International.

K. Kachadurian, Ionics, Inc.

Riad Khayali, AT&T Network Systems.

James King, Glan McCullock Sherrill & Harrold.

Mary King, U.S.-Iraq Business Forum.

Michael Kostiw, Texaco, Inc.

Diane Landau, AT&T Network Systems.

Alexander Lang, AT&T International.

John Lawrence, Neill and Company.

Lloyd R. Lawrence, Jr., Bob Lawrence and Associates.

William Lehfeldt, General Electric Company.

Paul R. Lensch, Caterpillar, Inc.

John Lesting, Continental Grain Company.

Gerald P. Lewis, AT&T Network Systems.

Peter J. Little, Boeing Commercial Airplanes.

M.J. Lyons III, American Cast Iron Pipe Company.

Phebe Marr, National Defense University.

Terry Martin, Anodyne, Inc.

Lawrence McBride, Sneed McBride International.

Robert D. McFarren, Stone & Webster Engineering Corporation.

Robert M. McGee, Occidental International Corporation.

Michael A. Miller, Occidental International Corporation.

Rick Myers, Anodyne, Inc.

Khalid Mohammed, Embassy of Iraq.

L.T. Nierth, Jr., Texaco, Inc.
Robert M. McGee, Occidental International Corporation.
Thomas Nassif, Gulf Interstate International.
William T. O'Malley, Sikorsky Aircraft, United Technologies.
Charles K. Olson, Dearborn Financial, Inc.
Raad B. Omar, Embassy of Iraq.
Clarence Ornsby, Servaas, Incorporated.
Kristina L. Palmer, Middle East Institute.
Ark W. Pang, Ionics, Inc.
Andrew T. Parasiliti, Middle East Institute.
John N. Parker, Mobil Corporation.
Arthur Pilzer, Export-Import Bank of the U.S.
James A. Placke, Paul, Hastings, Janofsky & Walker.
Stephen Plopper, SerVass, Inc.
Suzanne Pond, Department of State.
Charles T. Prindeville, International Resources Trading Company.
Ali Qaragholi, Crescent Construction Company.
Yousif M. Abdul Rahman, Embassy of Iraq.
Muzhir Razoki, Embassy of Iraq.
Burke G. Reilly, Ford Motor Company.
Philip Remler, Department of State.
John E. Rhame, General Motors Corporation.
Marc Rose, Pepsi-Cola International.
Thomas E. Rowney, BDM International.
Thomas A. Sams, Department of Commerce.
Helmut L. Stark, General Motors Overseas Corporation.
Alan J. Stoga, Kissinger Associates.
Witold S. Sulimirski, INTERCAP Investments, Inc.
S.A. Taubenblatt, Bechtel Group, Inc.
Michael Van Dusen, House Subcommittee on Europe and the Middle East.
Christopher Van Hollen, Middle East Institute.
Marshall Wiley, U.S.-Iraq Business Forum.
Guenther Wilhelm, Exxon Corporation.
William F. Williams, Bank of New York.
Vahan Zanoyan, Petroleum Finance Institute.

□ 1400

THE NATURE OF THE PROBLEMS FACING THE CONGRESS

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

Mr. WASHINGTON. Mr. Speaker, I am happy to follow the distinguished gentleman from Texas [Mr. GONZALEZ].

As I sat and listened to his remarks, it seemed to me, and I recall, that the gentleman was a voice in the wilderness back before Watergate became public, and I would commend to my colleagues and the general public to listen carefully when the gentleman from Texas [Mr. GONZALEZ] gets upon an issues such as he has elucidated and addressed today. We may very well take heart with his remarks.

The purpose of my taking the well today, Mr. Speaker, is to address what I thought were, or I perceived to be, the nature of the problems facing the Congress and particularly the House of Representatives.

As the Members know and as the general public knows, for the past 2 weeks Congress has been in a workbreak recess celebrating either Easter, Passover, Ramadan, or any other religious holiday that the people in the country see fit to celebrate.

I, like I suspect many Members, had a certain amount of dread about going back to my district during that period of time. This was, as you recall, at the very height of the criticism that the House was receiving with respect to the so-called bank scandal. Congress was held in very low esteem at the time, and I suspect that there were many Members like myself who did not look forward with great anticipation to returning to their districts and to the people who had elected them.

But I am happy to report, Mr. Speaker, that my 2-week visit back to Houston and to Texas, Austin, TX, where I formerly served in the State legislature, has renewed my faith and renewed my strength, and I return to this job with renewed dedication and vigor for the tasks ahead of us.

Because the people who elected me have had an opportunity to embrace me and to discuss not only the low esteem that the press often reports but the high esteem in which they hold me and other Members of Congress. They renewed my faith in and my strength in my meetings with over 3,000 people in my district. I held the pleasure to meet with the issues committee that regularly advises me, make up of a good cross section of the people from Houston, from all walks of life, and we had a 2-hour meeting. We had an opportunity to discuss issues that were then pending in Congress, issues which had been pending and voted on in Congress, and issues which were yet to be voted on in this session of Congress. That was a cross section of individuals from, as I say, all walks of life, some 40 to 50 in number.

We had a good, frank, open, honest discussion about where we were as a Nation and where we were as a people.

□ 1410

And when I say people, I mean human beings.

Mr. Speaker, I had meetings with civic club groups while I was in Houston, TX. I had the opportunity to attend civic club meetings and to meet with various communities of interest in the 18th Congressional District that I am privileged, by them, and blessed by God, to have the opportunity to serve.

Mr. Speaker, I had the occasion to make public speeches to large audiences of individuals from different walks of life and different groups and public places while I was in Houston.

While I was in Houston, I had the privilege of being able, as a healthy person, to visit one of the public hospitals called Ben Taub Hospital in Houston. It refreshed my memory as to the length and breadth of the problems that the people in our country face and suffer on a daily basis.

Every once in a while all of us need to visit a hospital to see how blessed we are, because it is easy to overlook places like hospitals where people from the youngest of children to the oldest of citizens of our society suffer on a daily basis, especially a public hospital.

Mr. Speaker, I had the opportunity, while I was in Houston, to visit several chambers of commerce, to meet with business leaders, working businessmen and women in our community. One group was called the Greater Houston Partnership, made up of individuals from a broad section of our community, from all walks of life, who have as their distinct charge and mission the betterment of the condition of life of the people in Houston, TX. And they bring to that the various business professions, law, medicine, what have you, to the task of making Houston a better place in which to live.

Mr. Speaker, I had the opportunity while I was in Houston for the Easter break, Passover, Ramadam break to meet with energy consortium of business people who are involved in and interested in the energy industry. I had the opportunity to meet with ministers, both Episcopalian as well as Baptist and Methodist ministers, while I was in Houston. I had the opportunity to meet with local elected officials, city council people, school board people, county commissioners, State representatives, State senators.

We had an election going on in Houston, fortunately, the Tuesday before Easter, Passover, Ramadan period that included a runoff election for various offices. I think those who love liberty and those who love democracy look upon, with particular splendor, any time that we have an election in which people participate because it seems to all of us who believe in a democracy and who believe in liberty that the quintessential manifestation of a democracy is not the President of the United States, it is the people who vote in an election. That is what makes us a democracy.

And I had an opportunity to visit with many local officials while I was in Houston, local elected officials as well as appointed officials, I might add.

In addition, Mr. Speaker and Members, I had the opportunity to visit with the local news media. I hosted two luncheons at my congressional office in which we had a good repertoire between local elected officials and local news media people and myself. We had a good back and forth about issues of concern to them in the community and issues that I saw facing the people by way of us here in the Congress.

Mr. Speaker, I had the opportunity as well to meet with the newly elected mayor of the city of Houston. He renewed and reinvigorated my faith in

the democratic process, with a small "d" democratic process, by which he was elected to serve all of the citizens of the city of Houston. I might add, in my judgment he serves them very well, only having been in office for a little less than 4 months now, and he has made quite a record of getting police officers out on the streets, reducing crime by 14 percent in the city of Houston in that short period.

Mr. Speaker, I had the opportunity to visit a multiservice center, paid for with Federal dollars. The Federal Government, before I came to Congress, and I took no credit for it, appropriated money to the city of Houston, which was used to build this multipurpose center, which is out in the community as are multipurpose centers throughout our Nation and cities, places that belong to the people, where the people can get together and discuss issues of importance to them, where the people in the various communities have the opportunity to interchange ideas, hold civic club meetings. It is a good meeting place for the exchange of ideas among people.

I had all of these opportunities, Mr. Speaker, to meet with these various individuals and organizations because I want to make it clear to the Members of this body that in over 3,000 encounters of the best kind with the people who elected me to the Congress, not once, not once were they concerned about the checks that were written. They know that that is a pig in a poke.

Mr. Speaker, they were concerned about what we are doing to make America a place that it ought to be. Members, I was told that Members should stop being afraid to face their constituents. I was told by my constituents, the message that I received, Mr. Speaker, was that we need to stop playing politics, to stop making politics a game. Politics is not the game of who gets to be king of the mountain; politics should be the means by which the people of this country express themselves in electing their leaders and in seeing the fruits of their labor, that is, the election of their leaders, returned to them in kind in the goods and services that the Government, at whatever level, is able to afford its citizens.

Mr. Speaker, John Kennedy said, and I quote:

> From those to whom much is given much is required, and when at some future date the high court of history sits in judgment on each of us—

That is, those of us who are elected officials—

> recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure in whatever office we hold will be measured by the answer to four questions. First, were we truly men and women of courage? Second, were we truly men and women of judgment? Third, were we truly men and women of integrity? And finally, were we truly men and women of dedication?

Now, I believe those words are as true now as they were when John Fitzgerald Kennedy uttered those words. The people care about this country, and they care about the leaders that they have elected to lead this country.

Mr. Speaker, much has been said to every person who holds public office. It is not a right; it is a privilege to hold public office in a country such as the United States of America. It is the high office of privilege to be elected alderman or sheriff or to hold any public office where the people give the most precious gift that they can give in a democracy, the most precious gift in a democracy, a vote of the people, an affirmation of the views of the individuals collectively to represent them in the body politic, whether that be the Congress of the United States or the city council or the county commissioner or whatever level the form of government. They are all the same, they all belong to the people.

John Kennedy said, and I repeat, that, When we are judged as to whether we have fulfilled our responsibilities, our success or failure is not in whether we bring dollars back to our districts, whether we appropriate money or bring the bacon home. The thing that occurs to me as I talk to people in my district, they say, "We want the NASA program down here, Craig, and we want the super conductor, supercollider," I ask them, "Who is going to pay for it?" Well, that is the problem: If every Member of Congress is expected to drag the sack back to their districts, and take home bacon, so to speak, but no Member of Congress ever votes for the funds to pay for that, then no wonder we are in debt. No wonder this country is in debt, because too many political leaders have not the courage to stand up and to say, "I will bring those things to our districts if we are willing to pay for them." Too many political leaders do not have the judgment to say, "Well, maybe this is a good thing, but what is best for America?" Not "what is best for my district?"

We happen to be elected from a district, but we also happen to be U.S. Representatives in Congress, not just from Georgia, not just from Texas, not just from New York, but looking out for the people in the country as a whole.

I firmly believe that there is nothing magic about the lines that are drawn around an imaginary district from which each of us happen to be elected. I do not presume or pretend to represent the views of the one-half million people who live within the 10th Congressional District. But this is a democracy.

Whenever my views are not in concert with the majority of the people of the 18th Congressional District, they have the right to take that job back. I am not afraid to tell them how I stand or how I think about an issue, because the job does not belong to me. It is not mine by inheritance. I was not given this job because I was born to it. I earned this job with the respect and admiration of the people when I stood for election.

But neither am I afraid of them, because they have the right to take their job back every 2 years. They have term limitations; every 2 years the people in my district can look at the record of what I voted for and what I voted against, what I have stood for and what I have stood against, and they have the right, when my name is on the ballot, to vote for the other guy. And I want them to vote for the other guy whenever they do not agree with me, I want them to vote for the person who is running against me, and I have the courage to say that. I do not want to die being a Member of the U.S. Congress. I do not even want to represent the 18th Congressional District unless I represent a majority of the views of a majority of the people who live in that district.

□ 1420

Mr. Speaker, every Member of Congress ought to think that way. I am sure that most of them do.

I met with 3,000 people in my district who did not ask me any questions about what Members had been hiding from, dreading going home about, and that is the so-called check scandal. It is a tempest in a teapot. It was a tempest in a teapot from the beginning because, while the papers were putting day after day on the front page of the paper the fact that there was this minuscule amount of money that was borrowed from one Member and another, they did not have the time, nor the audacity, to write that during that same period of time we passed a $1.5 trillion budget. This was during the same period of time when the front page of every newspaper from coast to coast, from New York to Los Angeles, played up the so-called check scandal. The sink was being taken away. They were taking a crowbar and dismantling the very fiber of this country because we passed a budget which requires for the next 5 years this country to spend $400 billion on a war that does not exist, $400 billion defending Germany from Russia, $400 billion defending Japan from China, while at the same time we here, we the Congress, not with my vote, but by a majority of the Members of the Congress, give most-favored-nation status to China. Now this is the enemy we are defending Japan from.

Mr. Speaker, something does not make sense to me. We must be men and women of courage. Courage includes the ability to stand up and tell the people of America what is right with America, what is wrong with America, and what we ought to be doing better and what we are doing wrong, and, in my judgment, my courage requires me

to tell you, Mr. Speaker, and the other Members of this body that $400 billion is being wasted and poured down a rat hole when we have a standing army in Germany, when we have people over there who are teachers, people over there who are doctors, people over there who are lawyers that ought to be working in rural America and urban America, where we have too few doctors, too few lawyers, too few nurses and too few schoolteachers.

Why are we defending the rest of the world from communism that does not exist anymore? Have we not heard that the Berlin Wall has fallen? Have we not heard that the members of the Warsaw Pact want to join NATO? So, we spend $150 billion a year defending NATO from the Warsaw Pact countries, and they want to join NATO.

Where is that $150 billion best spent? I think we should have the courage, and the judgment, and the integrity and the dedication, as John Kennedy said, to spend it on reforming our education system. For every four children who start the first grade in this country, one drops out by the 8th grade, and of the three who graduate from the 12th grade, only two have any marketable skills similar to those that could be equated with a high school education. One of three has been pushed out of school; they are marching year after year without getting past the eighth grade, without the functional equivalent of a high school education. We need to reform our education. I think that local communities, Governors of States, school boards and even the Congress could find ways to spend part of that $400 billion.

Mr. Speaker, $1 billion is $1,000 million. We are spending 400 times $1,000 million defending Germany and Japan from an enemy that does not exist so that Lockheed can continue to build airplanes and McDonnell Douglas can continue to build airplanes, and I do not care if they are in Texas. I do not care if they have the plants located in Texas. If we have the technology, and the ingenuity, and the education to be able to make bombs that will go down a hole in Iraq that is 1 foot in diameter, why can we not make the next generation of color television and VCR's? Why do we have to continue to buy these things from Germany and Japan? Why do we have to focus all of our industrial might on making guns and ammunition? Because they do not want to make the conversion that the President talked about.

While I was home on recess, Mr. Speaker, I heard President Bush talk about reforming the welfare state, and I stood up and applauded. We need to reform the welfare state, but we need to reform all of the welfare state. It is just as much welfare to give a farmer money for not planting a crop as it is to give a poor mother money to feed her children. Both of them are welfare. So, if we are going to reform part of the welfare system, Mr. Speaker and Members—see, in the House we are not allowed, under the rules, to address the President directly, so I will address my remarks to the Speaker of the House, which is appropriate, and hope that the television down at the White House is on and that somebody has put a tape in so that sometime in the future the President will be able to listen to these remarks, and I hope that he will heed them. It seems to me that, if we are going to reform, Mr. Speaker, the welfare state, and I am for that; I am for stopping welfare mothers from being on welfare for two and three generations because it hurts them, and it hurt our country—but let us not fool the American people.

Mr. Speaker, there is no difference between welfare and subsidy except one sounds nicer than the other. When we pay milk producers money to not sell their milk, that is welfare. When we pay a farmer money not to plant a crop, that is welfare. When we pay McDonnell Douglas money to build a new airplane so that they can sell it back to us, that is welfare. When we send money to Israel so they can buy more planes from us; not from us, the Government, but from us, our friends who own the big companies, not my friends, but the President's friends—Mr. Speaker, I was not speaking to the President. I was speaking about the President, Mr. Speaker, but that is welfare. That is welfare when we give Israel a check to come over here so they can buy more bombs and planes so they can knock more Palestinians out of the sky. Then we will turn around and give F-15E fighters to Saudi Arabia so that they will have the latest technology, so that each side continues to be king of the downing around.

So, we spend our money to do that while our children cannot get an education, while there are more black men in prison than there are in college. It costs $40,000 a year to house 1 inmate in prison. It does not cost that much to go to Harvard University.

Where are our priorities? We could better spend $400 billion on an education system, it could be better spent on eradicating the demand for illegal drugs in this country.

Mr. Speaker, we are spending a lot of money trying to stop the importation of drugs from Central America, and where we should be. I have been down to the Andean Mountains. I know the problems of the farmers down there. First of all, cocaine is perfectly legal to grow in Central America. We need to make them do something about that. I do not think we can impose our will on them to change their law, but when they have something that is legal to grow in Central America, and they have no substitution for another crop, it seems to me that that creates an awful demand when that which is legal to grow is worth so much, at least ostensibly in this country, and therein lies part of the problem. But our problem is we need to, Mr. Speaker, in my judgment, eradicate the demand for drugs on this end.

First of all, those drug dealers in Bolivia, and Peru, and Venezuela, and all those countries down there do not send the drugs up here on consignment. It is not like an automobile that comes off the assembly line in Detroit where the car is produced, is placed on a train or a truck, is shipped to some part of the country. The car is unloaded. The car dealer takes the car. He or she sells the car, and then they write out a check. Almost 90 percent of the money goes back to the manufacturer of the car; 10 percent of the money stays for the dealer.

It does not work like that in drugs. When they send the drugs up here, they have their money in advance, so, if we could stop the money from going down there, they are not going to send the drugs up here on credit. We ought to spend some time doing that.

We ought to lock up the bankers it seems to me. If we are going to work on demand, we have got to lock up the bankers. There is no difference between some kid standing on the corner selling drugs so that he can buy a BMW and wear a Mr. T starter kit around his neck than it is between the drug dealer who happens to be a banker, who sits on the 50th floor in a $1,000 or a $2,000 suit, in a pair of $500 or $1,000 alligator shoes looking down on how the poor people are living.

□ 1430

But this is the person who puts the money in circulation. The U.S. Government prints all of this money. You cannot walk up there and cash a check at the Federal Reserve for any amount of money. The money that is printed by the Bureau of Engraving and Printing is turned over to Federal Reserve Banks. Federal Reserve Banks send the money to banking institutions, either credit unions, banks, or savings and loans institutions. Ordinary citizens cannot walk up there and get a nice big stack of $1 bills or $10 bills or $1,000 bills or whatever you are able to buy. You cannot go up there and get them.

So when you read in the paper every once in awhile about the DEA being successful and catching somebody with a truckload of dollars that are still in bank wrappers, you have to ask yourself, "Self, how did these people, this drug dealer, come into possession of $100 bills that are still in sequential serial numbers?"

A bank is the answer. Somebody at the bank put that money in circulation.

There is a lot of money to be made there. If you steal from the drug dealer, who is going to tell? Nobody. He cannot tell anybody.

If we are going to do something about drugs in this country, cut down on the demands for drugs, we ought to make the penalty as high for the drug dealer who puts the money in circulation as we do for the drug dealer who puts the drug in circulation, because there is no difference. The Andean drug dealer does not sell drugs on credit. So if we stop money from going down there, we stop drugs from coming up here.

I would bet you with $400 billion, or part of it, Mr. Speaker, we could stop a lot of drugs from coming up from down there.

What else could we do with this so-called peace dividend that the Congress wants to spend? First of all, we could reduce the deficit. We could do away with the deficit between now and the year 2000, except for those things that are not even considered to be part of the deficit anyway, like the savings and loan bailout.

The savings and loan scandal, whenever you hear the word "deficit" mentioned, remember, every Member of Congress, unless he or she specifically says so, is not talking about the trillions of dollars that we are spending and will spend in the future to bail out the savings and loan fiasco. That is not even included as part of the trillion dollar deficit that you hear Members of Congress talking about. We can pay some of that down with the peace dividend when we bring our troops home.

We can also reduce crime in our communities with $400 billion. We ought to spend the money on law enforcement. We ought to beef up law enforcement in our communities.

The mayor of the city of Houston has demonstrated that. The mayor of the city of Houston took office in January. I believe he was sworn in on January 2 or 3 or something like that, one of those first few days in January.

Mr. Speaker, January has 31 days. February had 29 days this year because it was a leap year. March every year has 31 days. Now we are down to 28 days in April.

As of April 1, for the first quarter of the year, crime was down 14 percent in the city of Houston because the new mayor had the courage and the judgment and the integrity and the dedication to take police officers from behind desks typing on typewriters and put them on the streets of Houston where they belong. He put civilians in those jobs answering the telephones.

I am not trying to denegrate the importance of those jobs, but police officers go to an academy to learn how to fight crime. Our mayor put them on the street where we as citizens want them, fighting crime.

We can do more of that, from Los Angeles, to New York, to Atlanta, to Miami, to Seattle, WA, to Chicago, and all points in between, with $400 billion.

We can rebuild our cities. There is not a city in America, not a major city, that is not undergoing urban blight and urban decay.

After World War II we had a Marshall plan. The United States of America had a wonderful manifest destiny for the people of Europe. We rebuilt Europe. We called it the Marshall plan.

You look at any city from this city where we sit right now and tell me the difference between being burned out by urban blight and decay and being bombed out, and there is no difference. Infrastructurewise, there is no difference. We could rebuild our cities and our highways with part of this $400 billion.

Mr. Speaker, we could provide health care for all of our people. AIDS has now become more than a gay disease to most people. I knew that 10 years ago.

I once had a bill in the Texas Senate when I was a member that addressed the question of AIDS. Usually when people have opposition to an issue that you bring in the Texas Senate they will rapidly engage you in debate and we will engage in dialog back and forth.

What I find pervasive about that occasion as I recall it was the silence, the silence of my colleagues who did not even have the courage to debate the issue of AIDS because it was thought to be a gay disease.

Here was a member of the senate bringing a bill to help gay people to the floor of the senate. What was wrong with me? But they did not want to engage in debate about it because they did not want to be perceived as being homophobic.

But they all voted against it. Out of 31 members of the Texas Senate, on a bill that would have provided some leadership, long before it became a national phenomenon. I got 3 votes out of 31 in the Texas Senate.

We need to do more about AIDS. We do not know what the solution is, but we know that a more humane treatment for persons who are HIV positive or who have contracted full-blown AIDS would be the use of Federal funds and dollars with matching funds from the local area.

Mr. Speaker, part of this $400 billion can go a long way toward getting research and development so that we can encourage scientists to keep on until they find a vaccine or cure for AIDS.

Mr. Speaker, this would not be just for gay people, but for all people in our society. The people who have AIDS are our mothers and fathers, our sisters and brothers, and cousins. They are part of us. They are not different from us, they are like us. We ought to invest our resources in them, it seems to me.

Childhood immunization could be a major focus of our attention if we spent the $400 billion that I am talking about here in this country.

For poor people who do not regularly see a doctor, after the child loses the mother's natural immunity at 6 months and until the child has to go to be vaccinated to start school, most children, unless they are injured in some way or contract an illness, do not see a doctor.

Most poor children between the ages of 6 months and 6 years never see a doctor unless they have some sort of illness that requires them to go to the clinic or hospital or to a doctor's office.

This means that common diseases that were done away with we thought 20 years ago, such as measles and chicken pox, are on the rise again. The reason for this is because we do not have a system set up to immunize these children.

We are immunizing children because these diseases can cause permanent disability and death, but also can be contracted by other children in our society. It is for the self-protection of all of us that we should spend part of the $400 billion, it seems to me, to insure that childhood immunization is a reality for all of our children.

Mr. Speaker, we can reduce infant mortality with part of this $400 billion. Doctors have demonstrated that for every dollar we spend on prenatal care for pregnant mothers, we save $1,000 per day in care for prematurely born children who have to stay in incubators for 6 months. We are being penny-wise and pound-foolish by not providing care for all of the young women, especially young women who are pregnant, many of whom never get to see a doctor until they are late in the third trimester, many of whom in Houston sit out in parking lots sleeping in cars at night until it is time to deliver the child because they know if they go in the hospital, if they go in the emergency rooms and are in active labor, that no doctor can turn them away.

These women have not seen a doctor at all in their pregnancies. They are more likely to have low birth weight babies, more likely to have premature babies, and more likely to have children that will die within the first year of life. Here in America the infant mortality rate in many communities is higher than it is in so-called developing Third World countries.

□ 1440

We can turn that around by spending part of the $400 billion that we can save by learning and having the courage to say that we do not need to defend Germany and Japan anymore. Let them defend themselves. Let us spend our money on ourselves and our children.

We can improve the quality of life for our senior citizens. There are many senior citizens throughout this country who only get one meal a day, one meal a day, because they live on fixed incomes and because the Meals on Wheels Program, because of the cutback on funds, they do not have enough to subsist upon. Is this any way for them to live the twilight of their lives? Is this the American promise? I think not.

We ought to have the courage, judgment, integrity, and dedication to spend part of that $400 billion that we could save by deciding that we are not going to be the world's military superpower and spend it on our people. We could eliminate homelessness in this country.

My colleagues, remember who the homeless people are. They are our mothers and fathers, sisters and brothers. They are homeless because they do not have a job and their houses have been taken away by one means or another. They are homeless because we do not have an adequate system of public housing for the people in this country. They are homeless because we have not developed a system of adequate job opportunities for the people in this country. I am glad that spring has come because when winter is here, not 50 miles away from here in Alexandria, VA, and in the hills and foothills leading up to Appalachia, because we have a paucity of shelters in which homeless people may live, the men give up all the space in the shelters for the women and children.

In order to stay warm at night, the men dig holes in the ground and cover up the hole with cardboard to stay warm. This is not my America. We can do better by our own people.

How can we spend money defending Germany from an enemy that does not exist and Japan from an enemy that does not exist so that they can keep buying bigger bombs and guns to defend themselves from Russia which is not a threat anymore, when our people are sleeping on the ground, when our people, when our senior citizens do not get a meal every day, when our children go to school without a free breakfast program every morning, when our educators tell us that if we feed the child a breakfast in the morning, they are three times more likely to learn? And if they are three times more likely to learn, they are three times less likely to be in prison. Then we have to pay $40,000 a year to house them in prison when they turn 18 and 19 years old.

We could spend part of that $400 billion doing that if we had the courage, and the judgment, and the integrity and dedication to be about our people's business in this country. We could clean up the environment in this country.

There are too many rivers and harbors, too much dirty air, too much pollution in the sky. We do not have the time nor the inclination to turn our attention to these things. We are busy taking care of the world. We are busy being the world's policeman.

We could take the $400 billion or part of it and convert our defense economy into a peacetime economy. Why cannot people who are paid $50,000 a year, for example, to be a doctor in Germany just in case some solider of ours happens to get into some mishap and needs a doctor, why can we not bring them home?

I would rather pay that doctor $50,000 a year to go out to Podunk, TX, where they have no hospital because the hospitals have had to close in the rural areas because the doctors have all moved to the urban areas because they need to make more money than they are able to make in the rural area. If we are paying that doctor $50,000 a year anyway, or that nurse $30,000 a year anyway, or that schoolteacher to teach American children in Germany, why do we not bring them home and send those teachers to the areas where we need teachers?

We need teachers in urban America; and we need teachers in rural America. We need doctors in urban America; we need doctors in rural America. We need nurses in urban America; we need nurses in rural America. I am not against Germany and Japan, but they ought to be able to take care of themselves. They have been riding the nipple of this economy for 40 years. I think it is time that they take care of themselves, because being all that you can be does not mean being in the military for the rest of your life.

We are raising a whole generation of young people who have nothing to look forward to except staying in the service for 30 years, and then retiring because we do not have any jobs in a peacetime economy.

If we can build an airplane, the best airplane in the world that fly in the sky, no one can tell me that that is not better built than a Toyota automobile. If we can build airplanes that fly twice the speed of sound to go from one place to another off an aircraft carrier and drop napalm bombs, no one can tell me that the same industrial technology that does that cannot be turned to a peacetime economy so that we can build jobs in this country for our people.

We can take $400 billion and we can make America proud and strong again. We can do that and we can live up to the words of John F. Kennedy, which I will again quote in closing: "For of those to whom much is given," no one would argue that to every Member of Congress much has been given. And there are some of us who are second and third generation in these jobs and they are privileged to have them. Their daddies and granddaddies did not will them these jobs. The people of America gave them these jobs. Much has been given to every Member of Congress. Much has been given by God, or by Allah, or whatever God, or no God, that we all individually follow. So since we have been so much, John Kennedy said we needed to give something back:

> Much is required and when at some future date the high court of history sits in judgment on each Member of Congress, each elected official, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure in whatever office we hold will be measured by the answer to four questions.

First, were we truly men and women of courage. My answer to that is that my history teaches me that Congress has not been men and women of courage. We need more men and women of courage, not Democrats and Republicans, elected to Congress. We need men and women of courage who are not afraid to look the voters in the eye and say, "this is where I stand on this issue and why and if 50 percent of you do not agree with me, then take your job back." That is what a domocracy is. The people ought to have the right to take their job back. The people ought to have a right not to be lied to.

It reminds me of the old story about the senator who was out on the stump campaigning, not a member of the U.S. Senate, of course, because we cannot address them in our remarks. We say the other body.

But there was this joke about this, little story about the senator, and he was out there and he had his white suit on, just waxing away. And he was going on and on with a wonderful speech, much better than the few remarks that I have been able to make here, and a heckler was in the back of the audience. And one of the hecklers says, "Yeah, but how do you stand on whiskey?"

And this was a dry country where he happened to be speaking, so everybody had mixed emotions about it, so a hush fell over the crowd. And they were waiting to see what the senator was going to say. And the old senator, being smart as he was, took out his handkerchief and wiped his brow and kind of sized the crowd up while he was doing as many politicians are prone to do.

And let me stop and say, do not be so ingratiated by these politicians who smile at you and shake your hand and look at your name tag, "Hi, Bob, how are you doing?"

They do not know you from Adam, and the only people that can stop them from faking like they are genuine is you. We cannot stop them. Only the people of America can stop them from jiving you, and that is what they do most of the time. They do not know who you are. They do not know you from Adam, but they smile, pat you on the back.

If that is what you want in a public official, then you get what you deserve. If you want somebody who shows up at every country fair and every picnic and every function that goes on in the community and does nothing, does nothing up here in Congress to stand up for you and your rights, if you are looking for all form and no substance, then you get what you deserve. But if you want somebody who is going to stand up and look you eye to eye and tell you, "I disagree with you," how can any one

person agree with a half-million people when they do not agree with each other? Not in any congressional district in America will you find unanimity of thought on anything. On what color the school buses ought to be, on what time the sun ought to come up in the morning, on whether we ought to be on daylight saving time or not, on whether children ought to go to school 12 months a year. So how in the world can this person look you in the eye and tell you that they are in agreement with you on everything? They are lying to you.

□ 1450

You let them get away with it. You let them get away with it, with 30-second commercials on television. They stand there with a flag waving behind them and a dog on their laps and a person of the opposite sex beside them, and you are supposed to get the subliminal message that they are patriotic because they have a flag behind them and they are kind to animals, because they are holding a dog. They might kick the dog as soon as the commercial is over, and this might not even be their husband or wife standing beside them.

That does not matter. How do they stand on the issues that are important to the people in this country? Where do they stand up? How can they vote to send money to your district for programs and then vote against the taxes to pay for it? That is disingenuous. You can't have it both ways.

If we want to keep the Electric Boat Co. up in Connecticut building Seawolf submarines that we do not need any more, somebody has to pay for them. The people in Connecticut want the jobs but they want the rest of America to pay for them.

The people down in Newport News, VA, want to keep the naval base that they have down there, even though we do not need a large Navy, but the rest of the country has to pay for it. The same is true in Texas. We want the superconducting super collider. We think that is going to lead to scientific advance in the future, but nobody wants to pay for it.

They want to keep the thing down at NASA, and then they put all the pressure on your congressional delegation from your State to vote for these programs: "Craig, they are good for Texas; by God, these are good jobs for Texas." Somebody has to pay for these good jobs.

The same people who are trying to twist my arm to vote for these things are the same people that say, "Let us reduce the deficit and let us cut back taxes." How are you going to do both when California wants programs and Florida wants programs? Everybody wants programs.

It reminds me of what a minister said a long time ago, "Everybody wants to see Jesus and nobody wants to die."

Back to the story about the Senator. Some heckler said, "How do you stand on whiskey?" After the Senator summed up the crowd pretty good, he said, "Well, if you mean that evil brew that divides families," and everybody says yes, "That ruins homes," and everybody says yes, "that kills people on the highways," and everybody says yes, he said, "then I am against it." Then everybody says, "Wow."

The he said, "However, if you mean that social beverage that draws people together, around which wonderful decisions are made, then I am for it."

That is the way most of your politicians are. They are for everything that you are for and they are against everything that you are against. How could that be? How could that be? Wouldn't you rather have somebody who is honest? Wouldn't you rather have somebody who looks you eye to eye, toe to toe, and says, "I know where you stand on this and I am against you on this. I am not for that, and here is why."

Then you have an election. If a majority of people that live in this community, whether it is the mayor, the dogcatcher, or whatever, if the majority of the people in a democracy, in an informed democracy, decide that this person is not voting in their best interests, they ought to have the right to have that job back. That is what a democracy is. That is what John F. Kennedy was talking about.

Let me finish this, and then I will be finished.

Regarding whether, in our brief span of service, we fulfill our responsibilities to the State, that is, to the people, not to the Government, the Government only exists for the people. We have all these nice mottoes up around here. They say nice things, and sometimes we have a nice prayer in the morning, and 5 minutes later the Members of this body forget what the prayer was.

Unfortunately, there are Members of Congress who serve in the same body who do not even speak to each other. I think that is really tragic. Here we are, 435 grown men and women, and sometimes some people have picked out other people that they do not even speak to. It seems to me that is awfully childish. It seems to me that the American people, if they know that and knew who these people were, would do something about it.

I am not at liberty to say. It does not matter to me personally. I learned a long time ago there are some people who speak to me and some people who would not. It does not bother me any. That is something they have to carry around on their conscience when they might meet their God one time.

I speak to everybody around here. I try to speak to everybody. But I think there is something awfully wrong with an institution that is looked up to, or used to be looked up to as being the highest elected office that can be bestowed upon the men and women of this country, and this is a high office. It is a high office to hold this position. It is a high honor to be elected to be a Member of Congress.

Then you walk up and down the halls and see other people elected to Congress and you find something to do, to turn your head to look at some papers, rather than speak.

My mother taught me there was nothing wrong with speaking. It does not take anything away from you just to say, "Good morning," or "Hello," or "How are you doing?" It is no wonder Congress is in the shape it is in.

In whatever office we hold, we will be measured by the answer to four questions:

First, were we truly men and women of courage? Second, were we truly men and women of judgment?

Third, were we truly men and women of integrity? Finally, were we truly men and women of dedication?

Having visited with my constituents for the past 2 weeks, Mr. Speaker, and without regard to whether I am reelected to another term in this office or not, because frankly, I do not care, because I think it is better to serve as best we can for a short while than to stay here forever and do nothing, I am recommitted that between now and the end of the term to which the people of the 18th Congressional District have either fortunately or unfortunately elected me to hold, I will, with all the fiber in my body, bring to the attention of the American people on this microphone on a regular basis the problems that we confront as a country, not as a Democrat, not as a Republican, but as a person who meant it when he held up his hand and took the oath that I would defend with my life the Constitution and laws of the United States and the people that elected me.

JOB TRAINING 2000 ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 102-321)

The SPEAKER pro tempore (Mr. NEAL of North Carolina) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor, the Committee on Ways and Means, the Committee on Veterans' Affairs, the Committee on Agriculture, and the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the "Job Training 2000 Act." This legislation would reform the Federal vocational training system to meet the Nation's work force needs

into the 21st century by establishing: (1) a network of local skill centers to serve as a common point of entry to vocational training; (2) a certification system to ensure that only high quality vocational training programs receive Federal funds; and (3) a voucher system for vocational training to enhance participant choice.

Currently, a myriad of programs administered by a number of Federal agencies offer vocational education and job training at a cost of billions of dollars each year. This investment in the federally supported education and training system should provide opportunities to acquire the vital skills to succeed in a changing economy. Unfortunately, the current reality is that services are disjointed, and administration is inefficient. Few individuals—especially young, low-income, unskilled people—are able to obtain crucial information on the quality of training programs and the job opportunities and skill requirements in the fields for which training is available.

The Job Training 2000 Act transforms this maze of programs into a vocational training system responsive to the needs of individuals, business, and the national economy.

Four key principles underlie the Job Training 2000 Act. First, the proposal is designed to simplify and coordinate services for individuals seeking vocational training or information relating to such training. Second, it would decentralize decision-making and create a flexible service delivery structure for public programs that reflects local labor market conditions, Third, it would ensure high standards of quality and accountability for federally funded vocational training programs. Fourth, it would encourage greater and more effective private sector involvement in the vocational training programs.

The Job Training 2000 initiative would be coordinated through the Private Industry Councils (PICs) formed under the Job Training Partnership Act (JTPA). PICs are the public/private governing boards that oversee local job training programs in nearly 650 JTPA service delivery areas. A majority of PIC members are private sector representatives. Other members are from educational agencies, labor, community-based organizations, the public Employment Service, and economic development agencies.

Under the Job Training 2000 Act, the benefits of business community input, now available only to JTPA, would enhance other Federal vocational training programs. PICs would form the "management core" of the Job Training 2000 system and would oversee skill centers, certify (in conjunction with State agencies) federally funded vocational training programs, and manage the vocational training voucher system. Under this system, PICs would be accountable to Governors for their activities, who in turn would report on performance to a Federal Vocational Training Council.

The skill centers would be established under this Act as a one-stop entry point to provide workers and employers with easy access to information about vocational training, labor markets, and other services available throughout the community. The skill centers would be designated by the local PICs after consultations within the local community. These centers would replace the dozens of entry points now in each community. Centers would present a coherent menu of options and services to individuals seeking assistance: assessment of skill levels and service needs, information on occupations and earnings, career counseling and planning, employability development, information on federally funded vocational training programs, and referrals to agencies and programs providing a wide range of services.

The skill centers would enter into written agreements regarding their operation with participating Federal vocational training programs. The programs would agree to provide certain core services only through the skill centers and would transfer sufficient resources to the skill centers to provide such services. These provisions would ensure improved client access, minimize duplication, and enhance the effectiveness of vocational training programs.

The Job Training 2000 Act also would establish a certification system for Federal vocational training that is based on performance. To be eligible to receive Federal vocational training funds, a program would have to provide effective training as measured by outcomes, including job placement, retention, and earnings. The PIC, in conjunction with the designated State agency, would certify programs that meet these standards. This system would increase the availability of information to clients regarding the performance of vocational training programs and ensure that Federal funds are only used for quality programs.

For the most part, vocational training provided under JTPA, the Carl D. Perkins Vocational Education Act (postsecondary only), and the Food Stamp Employment and Training Program would be provided through a voucher system. The voucher system would be operated under a local agreement between the PIC and covered programs. The system would provide participants with the opportunity to choose from among certified service providers. The vouchers would also contain financial incentives for successful training outcomes. By promoting choice and competition among service providers, the establishment of this system would enhance the quality of vocational training.

This legislation provides an important opportunity to improve services to youths and adults needing to raise their skills for the labor market by focusing on the "consumer's" needs rather than preserving outmoded and disjointed traditional approaches. Enactment of this legislation would make significant contributions to the country's competitiveness by enhancing the opportunities available to our current and future workers and increasing the skills and productivity of our work force.

I urge the Congress to give this legislation prompt and favorable consideration

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES, FISCAL YEAR 1991—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

In accordance with the provisions of the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(b)), I am pleased to transmit herewith the 25th Annual Report of the National Endowment for the Humanities for fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

ANNUAL REPORT FOR 1991 OF FEDERAL COUNCIL ON AGING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I hereby transmit the Annual Report for 1991 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

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. STEARNS) to revise and ex-

tend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes each day, on May 18, 19, 20, 21, 26, 27, 28, and 29.

Mr. GINGRICH, for 60 minutes each day, on May 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 27, 28, 29, June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 22, 23, 24, 25, and 26.

Mr. FAWELL, for 60 minutes, on April 29.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WASHINGTON, for 60 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Ms. KAPTUR, for 60 minutes each day, today and May 1.

Mr. POSHARD, for 60 minutes each day, today and April 29, 30, and May 1.

EXTENSION OF REMARKS

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

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

Mr. DANNEMEYER in two instances.

Mr. MARTIN.

Mr. ROBERTS.

Mr. LEWIS of California in four instances.

Mr. HEFLEY.

Mr. GEKAS in two instances.

Mr. GILMAN in three instances.

Mr. RHODES.

Mrs. JOHNSON of Connecticut.

Ms. ROS-LEHTINEN in 10 instances.

Mr. GALLEGLY.

(The following Members (at the request of Mr. TRAFICANT) 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.

Mr. MAZZOLI in two instances.

Mr. MCMILLEN of Maryland.

Mr. JOHNSON of South Dakota.

Mr. SCHUMER.

Mr. TORRES in two instances.

Mr. OWENS of Utah.

Mr. SMITH of Florida.

Mr. CARDIN in five instances.

Mr. DORGAN of North Dakota.

Mr. REED.

Mr. YATRON in two instances.

Mr. SOLARZ.

Ms. SLAUGHTER in two instances.

Mr. GEREN of Texas.

Mr. BORSKI.

Mr. LANTOS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1128. An act to impose sanctions against foreign persons and United States persons that assist foreign countries in acquiring a nuclear explosive device or unsafeguarded special nuclear material, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

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

H.R. 4572. An act to direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the Medicare or Medicaid programs in order to enable the Dayton Area Health Plan, Inc., to continue to provide services through January 1994 to individuals residing in Montgomery County, OH, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act.

H.J. Res. 402. Joint resolution approving the location of a memorial to George Mason.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p.m.) under its previous order, the House adjourned until Wednesday, April 29, 1992, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3307. A letter from the Deputy Secretary of Defense, transmitting a report on what would be the anticipated impact of termination of the funding by the Department of Defense for the activities and operations of the National Board for the Promotion of Rifle Practice, pursuant to Public Law 102-172 (105 Stat. 1158); to the Committee on Appropriations.

3308. A letter from the Deputy Director, Defense Research and Engineering, Department of Defense, transmitting notification of one additional fiscal year 1992 test project, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3309. A letter from the Deputy Under Secretary of Defense, transmitting the annual report of the Foreign Comparative Testing [FCT] Program, pursuant to 10 U.S.C. 2350a(g)(4); to the Committee on Armed Services.

3310. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes; to the Committee on Armed Services.

3311. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend title XXXIV of the National Defense Authorization Act for fiscal years 1992 and 1993, and for other purposes; to the Committee on Armed Services.

3312. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for effective acquisition, maintenance, and operation of sealift for the Armed Forces, and for other purposes; to the Committee on Armed Services.

3313. A letter from the Secretary of Energy and Deputy Secretary of Defense, transmitting a report of the Defense Science Board on warhead pit-reuse, pursuant to Public Law 102-190, section 3133(c); to the Committee on Armed Services.

3314. A letter from the Secretary, Department of Housing and Urban Development, transmitting the report entitled, "Final Evaluation of the Neighborhood Development Demonstration Program," pursuant to 42 U.S.C. 5318 note; to the Committee on Banking, Finance and Urban Affairs.

3315. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to authorize financial institutions to disclose to the Office of Personnel Management the names and current addresses of their customers who are receiving, by direct deposit or electronic funds transfer, payments of civil service retirement benefits under chapter 83 or Federal employees' retirement benefits under chapter 84 of title 5, United States Code; to the Committee on Banking, Finance and Urban Affairs.

3316. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to make certain programs of the Department of Housing and Urban Development more cost effective, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

3317. A letter from the Acting Commissioner, Department of Education, transmitting the first report on the evaluation of the National Assessment of Educational Progress "Trial State Assessment," pursuant to Public Law 100-297, section 3403(a) (102 Stat. 348); to the Committee on Education and Labor.

3318. A letter from the Deputy Secretary of Education, transmitting a copy of Final Regulations—Assistance for local educational agencies in education of children where local education agencies cannot provide suitable free public education, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3319. A letter from the Secretary of Education, transmitting a copy of the report on Notice of Final Priorities for Certain New Direct Grant Awards under the Office of Special Education Programs, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3320. A letter from the Secretary of Education, transmitting a copy of the report on Notice of Final Priorities—National Institute on Disability and Rehabilitation Research for 1992-93, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3321. A letter from the Secretary of Education, transmitting Final Regulations—Educational Partnerships Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3322. A letter from the Secretary of Education, transmitting a draft of proposed legislation to extend and amend the Rehabilitation Act of 1973, to improve rehabilitation services for individuals with disabilities, to

modify certain discretionary grant programs providing essential services and resources specifically designed for individuals with disabilities, to change certain terminology, and for other purposes; to the Committee on Education and Labor.

3323. A letter from the Secretary of Education, transmitting a draft of proposed legislation to make certain amendments to the act of September 30, 1950 (Public Law 874, Eighty-first Congress), and the act of September 23, 1950 (Public Law 815, Eighty-first Congress), and for other purposes; to the Committee on Education and Labor.

3324. A letter from the Secretary, Department of Transportation, transmitting the 16th annual report on the Automotive Fuel Economy Program, pursuant to 15 U.S.C. 2002(a)(2); to the Committee on Energy and Commerce.

3325. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Departments of the Navy's and Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Finland for defense articles and services (Transmittal No. 92-20), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3326. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Thailand (Transmittal No. DTC-12-92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3327. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Taiwan (Transmittal No. DTC-9-92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3328. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending March 31, 1992, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

3329. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Donald K. Petterson, of California, to be Ambassador to the Republic of Sudan, and members of his family, also Hume Alexander Horan, of the District of Columbia, to be Ambassador to the Republic of Cote d' Ivoire, and members of his family, also Kenton Wesley Keith, of Missouri, to be Ambassador to the State of Qatar, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3330. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3331. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3332. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Russian Federation, Ukraine, and Byelarus are committed to the course of action described in the Soviet nuclear risk reduction legislation; to the Committee on Foreign Affairs.

3333. A letter from the Employee Benefits Manager, Farm Credit Bank of Columbia, transmitting the audited financial statements as of August 31, 1990, for the Columbia District, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3334. A letter from the Chairman, Interstate Commerce Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3335. A letter from the Chairman, National Capital Planning Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1991; pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

3336. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3337. A letter from the Chairman, Pension Benefit Guaranty Corporation, transmitting the PBGC's management report, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3338. A letter from the Chairman, Rural Telephone Bank, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1991, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

3339. A letter from the Secretary of Transportation, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

3340. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3341. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

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3346. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3347. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to provide for the remedy of a civil injunction for the violations of counterfeiting and forgery, and for other purposes; to the Committee on the Judiciary.

3348. A letter from the Chairman, Advisory Commission on Conferences in Ocean Shipping, transmitting a report containing information on and analysis of the major issues that arise in connection with ocean shipping conferences, pursuant to 46 U.S.C. 1717(h); to the Committee on Merchant Marine and Fisheries.

3349. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to clarify inspection and enforcement authority over foreign passenger vessels and align inspection authority with the International Convention for the Safety of Life at Sea, and for other purposes; to the Committee on Merchant Marine and Fisheries.

3350. A letter from the Chairman, Inland Waterway Users Board, transmitting the Board's fifth annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99-662, section 302(b) (100 Stat. 4111); to the Committee on Public Works and Transportation.

3351. A letter from the Administrator, General Services Administration, transmitting information copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

3352. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to clarify the authority of the Chief Medical Director or designee regarding review of the performance of probationary title 38 health care employees; to the Committee on Veterans' Affairs.

3353. A communication from the President of the United States, transmitting his decision to terminate the application of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) to the Czech and Slovak Federal Republic and the Republic of Hungary, also proclaim the extension of nondiscriminatory treatment (most-favored-nation [MFN] treatment) to the products of both countries (H. Doc. No. 102-320); to the Committee on Ways and Means and ordered to be printed.

3354. A letter from the President, U.S. Institute of Peace, transmitting the financial audit for fiscal year 1991, pursuant to 22 U.S.C. 4607(h); jointly, to the Committees on Foreign Affairs and Education and Labor.

3355. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting copies of the following annual report which are contained in the enclosed winter issue, March 1992, of the "Treasury Bulletin": Airport and Airway Trust Fund (26 U.S.C. 9602), Asbestos Trust Fund (20 U.S.C. 4014), Black Lung Disability Trust Fund (26 U.S.C. 9602), Harbor Maintenance Trust Fund (26 U.S.C. 9505), Hazardous Substance Superfund (26 U.S.C. 9507), Highway Trust Fund (26 U.S.C. 9602), Inland Waterways Trust (26 U.S.C. 9602), Leaking Under-

ground Storage Tank Trust Fund (26 U.S.C. 9508), Nuclear Waste Trust Fund (42 U.S.C. 1022(e)(1)), Reforestation Trust Fund (16 U.S.C. 1606a(c)(1)), Statement of Liabilities and Other Financial Commitments of the U.S. Government (31 U.S.C. 331(b)); jointly, to the Committee on Ways and Means, Education and Labor, Agriculture, Energy and Commerce, Interior and Insular Affairs, and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

[Pursuant to the order of the House on April 9, 1992, the following reports were filed on April 22, 1992]

Mr. CONYERS: Committee on Government Operations: Misplaced Trust: The Bureau of Indian Affairs' Mismanagement of the Indian Trust Fund (Rept. 102-499). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN: Committee on Science, Space, and Technology. 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; with an amendment (Rept. 102-500). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. Issues in Aircraft Cabin Safety and Crash Survivability: The USAir-Skywest Accident (Rept. 102-501). Referred to the Committee of the Whole House on the State of the Union.

[Introduced April 28, 1992]

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4485. A bill to authorize reimbursement of expenses for overseas inspections and examination of foreign vessels (Rept. 102-502). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROE: Committee on Public Works and Transportation. H.R. 4691. A bill to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal year 1993 and 1994, and for other purposes; with an amendment (Rept. 102-503). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

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

[Omitted from the Record of April 9, 1992]

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2407. A bill entitled the "Farm Animal and Research Facilities Protection Act of 1991"; with an amendment; referred to the Committee on the Judiciary for a period ending not later than July 2, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m), rule X (Rept. 102-498 Pt. 1). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X, the following action was taken by the Speaker:

[Submitted April 17, 1992]

H.R. 3304. Referral to the Committees on Government Operations and Rules extended for a period ending not later than May 8, 1992.

[Submitted April 28, 1992]

H.R. 776. Referred to the Committee on Agriculture for a period ending not later than May 1, 1992, for consideration of those provisions within titles XII, XVI and XIX contained in the amendment recommended by the Committee on Energy and Commerce that fall within the jurisdiction of that committee pursuant to clause 1(a), rule X.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CARDIN:

H.R. 4989. A bill to amend title 35, United States Code, to impose a 5-year moratorium on the granting of patents on invertebrate or vertebrate animals, including those that have been genetically engineered, in order to provide time for the Congress to fully assess, consider, and respond to the economic, environmental, and ethical issues raised by the patenting of such animals; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 4990. A bill rescinding certain budget authority, and for other purposes; to the Committee on Appropriations.

By Mr. CLAY (for himself, Mr. ACKERMAN, and Mr. KANJORSKI):

H.R. 4991. A bill to amend title 5, United States Code, to establish notification requirements relating to reductions in force affecting Federal employees; to require that the Office of Personnel Management establish and maintain a Governmentwide list of vacant positions in Federal agencies; to implement measures designed to facilitate the reemployment of certain displaced Federal employees; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRANE:

H.R. 4992. A bill to suspend until January 1, 1995, the duty of Ceretec; to the Committee on Ways and Means.

By Mr. DANNEMEYER:

H.R. 4993. A bill to amend the Americans with Disabilities Act of 1990 and other provisions of law to provide for the prevention of certain adverse effects on the economy of the United States; jointly, to the Committees on Education and Labor, Public Works and Transportation, Ways and Means, and the Judiciary.

H.R. 4994. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to exempt certain persons from liability under that act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DORGAN of North Dakota (for himself and Mr. ECKART):

H.R. 4995. A bill to provide for the establishment of a savings and loan criminal fraud task force to prosecute crimes involving savings and loan institutions; to the Committee on the Judiciary.

By Mr. GEJDENSON (for himself, Mr. ROTH, Mr. LEVIN of Michigan, Mr. MCGRATH, Mr. JOHNSTON of Florida, Mr. FEIGHAN, Mr. WOLPE, Mr. LEVINE of California, Mr. ENGEL, Mr. ORTON, and Mr. MURPHY):

H.R. 4996. A bill to extend the authorities of the Overseas Private Investment Corporation, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEREN of Texas:

H.R. 4997. A bill to promote a North Atlantic Defense Community; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina:

H.R. 4998. A bill to suspend until January 1, 1995, the duty on certain textile spinning machines; to the Committee on Ways and Means.

By Mr. KOSTMAYER:

H.R. 4999. A bill to authorize additional appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN (for himself, Mr. BILIRAKIS, Mr. DINGELL, Mr. SCHEUER, Mr. LENT, Mr. WAXMAN, Mr. MOORHEAD, Mr. SHARP, Mr. RINALDO, Mr. MARKEY, Mr. DANNEMEYER, Mr. SWIFT, Mr. RITTER, Mrs. COLLINS of Illinois, Mr. BLILEY, Mr. SYNAR, Mr. FIELDS, Mr. TAUZIN, Mr. OXLEY, Mr. HALL of Texas, Mr. SCHAEFER, Mr. ECKART, Mr. BARTON of Texas, Mr. RICHARDSON, Mr. CALLAHAN, Mr. SLATTERY, Mr. MCMILLAN of North Carolina, Mr. SIKORSKI, Mr. HASTERT, Mr. BRYANT, Mr. HOLLOWAY, Mr. BOUCHER, Mr. UPTON, Mr. COOPER, Mr. BRUCE, Mr. ROWLAND, Mr. MANTON, Mr. TOWNS, Mr. MCMILLEN of Maryland, Mr. STUDDS, Mr. KOSTMAYER, Mr. LEHMAN of California, and Mr. HARRIS):

H.R. 5000. A bill to amend the Petroleum Marketing Practices Act; to the Committee on Energy and Commerce.

By Mr. KOSTMAYER (for himself, Mr. OWENS of Utah, and Mr. GEJDENSON):

H.R. 5001. A bill amend the Outdoor Recreation Act of 1963 to authorize the National Park Service and the U.S. Geological Survey to conduct a national river systems recreation assessment; to the Committee on Interior and Insular Affairs.

By Mr. RHODES:

H.R. 5002. A bill to amend title XVIII of the Social Security Act to require physicians not participating in the medicare program to refund amounts paid for physicians' services by individuals enrolled under part B of the program in excess of the limiting charges applicable to such services, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. ROTH:

H.R. 5003. A bill to provide for the deobligation of certain unexpended balances of funds made available for foreign economic assistance; to the Committee on Foreign Affairs.

By Mr. SARPALIUS:

H.R. 5004. A bill to provide the authority for Lake Meredith National Recreation Area to enter into a management agreement for public recreational use on lands administered by the Bureau of Mines; to the Committee on Interior and Insular Affairs.

By Mr. TRAFICANT:

H.R. 5005. A bill to exempt any person operating a trade or business in the State of Ohio from all Federal laws and regulations applying with regard to such trade or business; to the Committee on Government Operations.

By Mr. BERMAN (for himself, Mrs. MORELLA, Mr. WEISS, Mr. WAXMAN, and Mr. LEVINE of California):

H.J. Res. 473. Joint resolution to prohibit the proposed sale to Kuwait of an air defense system; to the Committee on Foreign Affairs.

By Mr. ROBERTS:

H.J. Res. 474. Joint Resolution designating the week of October 4 through 10, 1992, as "National Customer Service Week"; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ:

H. Con. Res. 311. Concurrent resolution recognizing the 50th anniversary of the Battle of the Coral Sea, paying tribute to the United States-Australian relationship, and reaffirming the importance of cooperation between the United States and Australia within the region; to the Committee on Foreign Affairs.

MEMORIALS

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

370. By the SPEAKER: Memorial of the General Assembly of the Commonwealth of Virginia, relative to public assistance benefits; to the Committee on Agriculture.

371. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the 276th Engineer Battalion; to the Committee on Armed Services.

372. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the 276th Engineer Battalion; to the Committee on Armed Services.

373. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to health care benefits for Virginia's coal miners; to the Committee on Education and Labor.

374. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Medicaid payment for covered outpatient drugs; to the Committee on Energy and Commerce.

375. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to state-of-the-art communications network systems; to the Committee on Energy and Commerce.

376. Also, memorial of the General Assembly of the State of Vermont, relative to breast cancer; to the Committee on Energy and Commerce.

377. Also, memorial of the General Assembly of the State of Colorado, relative to the allocation of the electromagnetic spectrum; to the Committee on Energy and Commerce.

378. Also, memorial of the General Assembly of the State of Colorado, relative to the cable industry; to the Committee on Energy and Commerce.

379. Also, memorial of the General Assembly of the State of Indiana, relative to Federal funds for interstitial cystitis public education and research; to the Committee on Energy and Commerce.

380. Also, memorial of the General Assembly of the State of Iowa, relative to preventive measures for breast cancer, to the Committee on Energy and Commerce.

381. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Federal mandates on the Commonwealth; to the Committee on Government Operations.

382. Also, memorial of the Senate of the State of Michigan, relative to the National Park System; to the Committee on Interior and Insular Affairs.

383. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the line-item veto power; to the Committee on the Judiciary.

384. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to desecration of the American flag; to the Committee on the Judiciary.

385. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the equal rights amendment; to the Committee on the Judiciary.

386. Also, memorial of the General Assembly of the State of Missouri, relative to the commerce of insurance; to the Committee on the Judiciary.

387. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to constructing a veterans' medical facility in northern Virginia; to the Committee on Veterans' Affairs.

388. Also, memorial of the Legislature of the State of Maine, relative to the 10th anniversary of the Vietnam Veterans Memorial in Washington, DC; to the Committee on Veterans' Affairs.

389. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the industrial revenue bond program; to the Committee on Ways and Means.

390. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to U.S. trade laws and trade agreements; to the Committee on Ways and Means.

391. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to public assistance benefits; to the Committee on Ways and Means.

392. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to health care benefits for Virginia's coal miners; to the Committee on Ways and Means.

393. Also, memorial of the Legislature of the State of Colorado relative to additional wilderness areas in Colorado; jointly to the Committees on Agriculture and Interior and Insular Affairs.

ADDITIONAL SPONSORS

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

H.R. 78: Mr. CAMPBELL of California.

H.R. 110: Mr. ABERCROMBIE.

H.R. 299: Mr. INHOFE and Mr. EDWARDS of Oklahoma.

H.R. 467: Mrs. SCHROEDER, Mr. HUNTER, Mr. LOWERY of California, Mr. SABO, and Mr. MILLER of Ohio.

H.R. 671: Mr. MCCOLLUM.

H.R. 784: Mr. ATKINS, Mrs. MEYERS of Kansas, and Mr. ASPIN.

H.R. 842: Mr. GREEN of New York and Mr. RAY.

H.R. 1110: Mr. OLVER and Mr. SAWYER.

H.R. 1130: Ms. PELOSI.

H.R. 1161: Mr. SIKORSKI.

H.R. 1300. Mr. ENGEL and Mr. BORSKI.

H.R. 1468: Mr. SENSENBRENNER and Mr. CAMP.

H.R. 1497: Mr. CHAPMAN, Mr. MORAN, Mr. OBERSTAR, Mr. MCCURDY, and Mr. OXLEY.

H.R. 1703: Mr. JONES of Georgia.

H.R. 1860: Mr. CRAMER.

H.R. 1994: Mr. BLAZ.

H.R. 2070: Mr. SWIFT, Mr. EDWARDS of Oklahoma, Mr. TALLON, Mr. SMITH of Texas, Mr. ABERCROMBIE, Ms. PELOSI, Mr. DAVIS, Mr. WOLPE, and Mr. WELDON.

H.R. 2200: Mr. DANNEMEYER.

H.R. 2248: Mr. STENHOLM and Mrs. LOWEY of New York.

H.R. 2361: Mr. LEHMAN of California.

H.R. 2385: Mr. FROST.

H.R. 2782: Mr. RICHARDSON, Mr. TRAXLER, Mr. ACKERMAN, Mr. FLAKE, Mr. WHEAT, Mr. LEHMAN of California, Mr. DAVIS, and Mr. FASCELL.

H.R. 2840: Mr. SCHIFF, Mrs. BOXER, and Mr. POSHARD.

H.R. 2890: Mr. MAVROULES.

H.R. 2945: Mr. GILCHREST.

H.R. 3026: Mr. SENSENBRENNER.

H.R. 3071: Mr. JEFFERSON, Mr. SCHIFF, Mr. HANSEN, Mr. HUCKABY, Mr. COUGHLIN, and Mr. MCCOLLUM.

H.R. 3121: Mr. GUNDERSON and Mr. KLUG.

H.R. 3142: Mr. GRANDY and Mr. MAVROULES.

H.R. 3173: Mr. LANTOS.

H.R. 3229: Mr. OWENS of New York.

H.R. 3373: Mr. LAROCCO, Mr. FLAKE, Mr. BARTON of Texas, Mr. CLINGER, Mr. GEREN of Texas, and Mr. LENT.

H.R. 3438: Mr. TORRICELLI.

H.R. 3440: Mr. TORRICELLI.

H.R. 3441: Mr. ALLEN.

H.R. 3450: Ms. PELOSI, Ms. NORTON, Mr. NAGLE, and Mr. HASTERT.

H.R. 3518: Mr. FISH, Mr. MCCLOSKEY, Mr. WOLF, Mr. MILLER of California, Mr. TOWNS, and Mr. SHAW.

H.R. 3526: Mr. ENGEL and Mr. BOUCHER.

H.R. 3561: Mr. SENSENBRENNER, Mr. HEFLEY, Mr. ZELIFF, Mr. KOLBE, Mr. PENNY, and Ms. HORN.

H.R. 3612: Ms. PELOSI.

H.R. 3633: Mr. ACKERMAN, Mr. FROST, Mr. MRAZEK, and Mr. ENGEL.

H.R. 3725: Mr. LAGOMARSINO and Mr. GLICKMAN.

H.R. 3861: Mr. MORAN.

H.R. 3971: Mr. HOLLOWAY, Mr. PRICE, and Mr. CONDIT.

H.R. 3986: Mr. COSTELLO.

H.R. 4013: Ms. KAPTUR and Mr. CARPER.

H.R. 4083: Mr. BARNARD, Mr. PRICE, and Mr. RITTER.

H.R. 4107: Mr. MACHTLEY.

H.R. 4174: Mr. BOEHNER, Mr. JACOBS, Mr. DANNEMEYER, Mr. FRANK of Massachusetts, Mr. GOSS, and Mrs. SCHROEDER.

H.R. 4178: Mr. COX of California, Mr. STARK, Mr. SHAW, Mr. WAXMAN, Mr. EVANS, Mr. HOYER, Mr. CLINGER, and Mr. GUARINI.

H.R. 4206: Mr. STOKES, Mrs. BYRON, Mr. SOLARZ, Mr. BLACKWELL, Mr. SERRANO, and Mr. ESPY.

H.R. 4222: Mr. ROE, Mr. LIPINSKI, Mr. MILLER of California, Mr. FROST, Mr. ABERCROMBIE, Mr. BUSTAMANTE, Mrs. UNSOELD, Mr. RIGGS, Mr. BATEMAN, and Mrs. BOXER.

H.R. 4229: Mr. KOSTMAYER.

H.R. 4278: Mr. SCHIFF.

H.R. 4280: Mr. STUMP.

H.R. 4304: Mr. DINGELL, Mr. CHAPMAN, Mr. DEFAZIO, Mr. SANDERS, and Mr. MURTHA.

H.R. 4342: Mr. RHODES.

H.R. 4361: Mr. FROST, and Mr. EVANS.

H.R. 4399: Ms. HORN.

H.R. 4406: Mr. NICHOLS and Mr. WALKER.

H.R. 4414: Mr. HUGHES, Mr. ATKINS, and Mr. LEHMAN of California.

H.R. 4416: Mr. STUDDS and Ms. OAKAR.

H.R. 4419: Mr. BATEMAN, Mr. TORRICELLI, Mr. FROST, Mr. HOAGLAND, Mr. BUSTAMANTE, Mr. INHOFE, Mr. EVANS, and Mr. GORDON.

H.R. 4430: Mr. INHOFE and Mr. HAYES of Louisiana.

H.R. 4473: Mr. SAWYER and Mr. ANDREWS of Maine.

H.R. 4490: Mr. GLICKMAN, Ms. KAPTUR, and Mr. EVANS.

H.R. 4504: Mr. ZELIFF.

H.R. 4513: Mr. CAMPBELL of California, Mr. MACHTLEY, and Mr. MORAN.

H.R. 4516: Mr. KENNEDY, Mr. OLVER, Mr. TRAXLER, Mr. KOPETSKI, Mrs. MINK, Mr. DE LUGO, Mr. SAVAGE, Mr. AUCOIN, Mr. HUTTO, Mr. DEFAZIO, Mr. NEAL of Massachusetts, Mr. JEFFERSON, Mr. FRANK of Massachusetts, and Mr. MCCLOSKEY.

H.R. 4530: Mr. OLVER, Mr. SPRATT, Mr. GUARINI, Mr. GLICKMAN, Mr. ALLEN, and Mr. MARTINEZ.

H.R. 4538: Mr. COLEMAN of Texas, Mr. GUARINI, Ms. PELOSI, and Mr. EVANS.

H.R. 4554: Mrs. SCHROEDER, Mr. BLACKWELL, Ms. NORTON, Mr. EVANS, Mr. JONTZ, and Mr. MARTINEZ.

H.R. 4565: Mr. SOLOMON, Mr. NICHOLS, and Mr. INHOFE.

H.R. 4584: Mr. NAGLE, Mr. MAZZOLI, Mr. ENGLISH, Mr. JONTZ, and Mr. ZELIFF.

H.R. 4613: Mr. WALSH, Mr. LIVINGSTON, Mr. RANGEL, Mr. GILLMOR, and Mr. EWING.

H.R. 4689: Mr. KOSTMAYER, Mr. GOODLING, Mr. ATKINS, and Mr. BRYANT.

H.R. 4713: Mr. LIVINGSTON and Mr. DORNAN of California.

H.R. 4730: Mr. WAXMAN, Mr. BACCHUS, Mr. BONIOR, Mr. TOWNS, Mrs. LLOYD, Mr. SHAYS, and Mr. ABERCROMBIE.

H.R. 4750: Mr. SAXTON, Mr. MURPHY, Mr. WILLIAMS, Mr. DOOLEY, Mr. STOKES, Mr. CAMPBELL of Colorado, Mr. GEJDENSON, Mr. DONNELLY, Mr. SABO, Mr. HOAGLAND, Mr. FOGLIETTA, Mrs. MORELLA, Ms. SNOWE, Mr. RANGEL, Mr. PRICE, Mr. CARPER, Mr. LIPINSKI, and Mr. MOODY.

H.R. 4754: Mr. SHAW.

H.R. 4779: Mr. BUSTAMANTE, Mr. LANCASTER, Mr. PAYNE of New Jersey, and Mr. EVANS.

H.R. 4908: Mr. JONES of North Carolina.

H.R. 4944: Mr. SCHIFF and Mr. EWING.

H.J. Res. 22: Mr. CHANDLER.

H.J. Res. 27: Mr. ROSE.

H.J. Res. 271: Mr. LEHMAN of California.

H.J. Res. 318: Mr. GALLEGLY, Mr. SPENCE, Mr. TORRES, Mr. HAMMERSCHMIDT, Mr. ASPIN, Mr. CHANDLER, Mr. CLINGER, Mr. COYNE, Mr. SPRATT, Mr. STOKES, Mr. KOSTMAYER, Mr. BROOKS, Mr. EDWARDS of Texas, Mr. MURTHA, Mr. ORTON, Mr. LEWIS of Georgia, Mr. WEBER, Mr. YATES, Mr. HOCHBRUECKNER, Mr. TRAFICANT, Mr. MOODY, Mr. WYDEN, Mr. LOWERY of Califorina, Mr. WISE, Mr. MILLER of Washington, Mr. COX of California, Mr. SARPALIUS, Mr. GREEN of New York, Mr. SMITH of Oregon, Mr. OBEY, Mr. YOUNG of Florida, Mr. HUTTO, Mr. GIBBONS, Mr. JOHNSTON of Florida, Ms. MOLINARI, Mr. EARLY, and Mr. WOLF.

H.J. Res. 358: Mr. COBLE.

H.J. Res. 378: Mr. MANTON, Mr. MATSUI, Mr. BLILEY, and Mr. CAMP.

H.J. Res. 388: Mr. LEVINE of California, Mr. SAWYER, Mr. HAMMERSCHMIDT, Mr. SCHUMER, Mr. ROSE, Mr. GALLO, Mr. DICKINSON, Mr. COOPER, Mr. DYMALLY, Mr. BLACKWELL, Mr. KENNEDY, Mr. GINGRICH, Mr. GEKAS, Mr. MOLLOHAN, Mr. COLEMAN of Texas, Mr. ENGEL, Mr. HUBBARD, Mr. BONIOR, Mr. LEHMAN of Florida, Mr. MCCOLLUM, Mr. MURPHY, Mrs. LOWEY of New York, Mr. PARKER, Ms. OAKAR, Mr. GORDON, Mr. FLAKE, Mr. PICKLE, Mr. KOSTMAYER, Mr. ROWLAND, Mr. SOLARZ, Mr. SOLOMON, Mr. SPENCE, Mr. SLATTERY, Mr. DORNAN of California, Mr. LANTOS, Mr. ASPIN, Mr. BACCHUS, Mr. YOUNG of Florida, Mr. MCEWEN, Mr. CHANDLER, Mr. KILDEE, Mr. DEFAZIO, Mr. WASHINGTON, Mr. APPLEGATE, Mr. BORSKI, Mr. CARR, Mr. LEWIS of Georgia, Mr. DOOLITTLE, Mr. DELLUMS, Mr. HEFNER, Mr. EWING, Mr. HALL of Ohio, Mr. GREEN of New York, Mr. WYDEN, Mr. GONZALEZ, and Mr. HOCHBRUECKNER.

H.J. Res. 391: Mr. ROE, Mr. HOLLOWAY, Mr. GORDON, Mr. GUARINI, Mr. BILIRAKIS, Mr. SUNDQUIST, Mr. TRAXLER, Mr. TANNER, Mr. RANGEL, Mr. WAXMAN, Mr. RAY, and Mr. GILCHREST.

H.J. Res. 397: Mr. FRANKS of Connecticut, Mr. MACHTLEY, Mr. JOHNSON of South Dakota, Mr. PURSELL, and Mrs. MORELLA.

H.J. Res. 411: Mr. ENGEL, Mr. CALLAHAN, Mr. CARDIN, Mr. CONYERS, Mr. DARDEN, Mr. COYNE, Mr. DELLUMS, Mr. DICKS, Mr. DONNELLY, Mr. GILCHREST, Mr. GOODLING, Mr. MURTHA, Mr. KOSTMAYER, Mr. HYDE, Mr. HUBBARD, Mr. SERRANO, Mr. GUNDERSON, Mr. EVANS, Mr. JACOBS, Mr. WELDON, and Mr. HAMMERSCHMIDT.

H.J. Res. 425: Mr. LEVIN of Michigan, Mrs. COLLINS of Illinois, Mr. TOWNS, Mr. JOHNSTON of Florida, Mr. DINGELL, Mr. SCHUMER, Mr. WALSH, Mr. HORTON, Mr. BRUCE, Mr. LAFALCE, Mr. WEBER, Mr. ENGEL, Mr. EVANS, Mr. MCGRATH, Mr. CONYERS, Mr. ANNUNZIO, Mr. CARPER, Mr. JONTZ, Mr. CARR, Mr. RINALDO, Mrs. ROUKEMA, Mr. ROYBAL, Mr. SAXTON, Mr. SOLARZ, Mr. WAXMAN, Mr. WOLPE, Mr. YATRON, and Mr. CLINGER.

H.J. Res. 430: Ms. SLAUGHTER, Mrs. VUCANOVICH, Mr. RICHARDSON, Mr. ROWLAND, Mr. SISISKY, Mr. COBLE, Mr. WISE, Mr. LOWERY of California, Mr. YOUNG of Florida, Mr. GRANDY, Mr. KILDEE, Mr. CONYERS, Mr. DOOLITTLE, and Mr. SCHEUER.

H.J. Res. 431: Mr. MURPHY, Mr. WAXMAN, Mr. RAMSTAD, Mr. BEVILL, Mr. CAMP, Mr. ROTH, Mr. LEWIS of Florida, Mr. HYDE, Mr. KOSTMAYER, Mr. DE LA GARZA, Mr. CALLAHAN, Mr. LEWIS of California, Mr. GREEN of New York, Mr. BURTON of Indiana, Mr. GILMAN, Mrs. KENNELLY, Mr. AUCOIN, Mr. TAUZIN, Mr. ROWLAND, Mr. JOHNSTON of Florida, Mr. SMITH of Oregon, Mr. APPLEGATE, Mr. MINETA, Mr. MCCOLLUM, Mr. RAY, Mr. HUCKABY, Ms. OAKAR, Mr. PERKINS, Ms. LONG, Mr. BORSKI, Mr. LAUGHLIN, Mr. SCHEUER, Mr. TALLON, Mr. VENTO, Mr. PETERSON of Florida, Mr. FAZIO, Mr. PICKLE, Mr. JONES of North Carolina, Mr. COYNE, Mr. CLAY, Mr. REED, Mr. KILDEE, Mr. GUNDERSON, Mr. ALEXANDER, Mr. YOUNG of Alaska, Mr. FOGLIETTA, Mr. JONTZ, Mr. SISISKY, Mr. INHOFE, Mr. DELAY, Mrs. MINK, Mr. MCHUGH, Mr. RICHARDSON, Mr. BATEMAN, and Ms. PELOSI.

H.J. Res. 433: Mr. ABERCROMBIE, Mr. BACCHUS, Mr. BALLENGER, Mr. BERMAN, Mr. BILIRAKIS, Mr. BREWSTER, Mr. CLEMENT, Mr. CLINGER, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. DELLUMS, Mr. DE LA GARZA, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. EVANS, Mr. FEIGHAN, Mr. FISH, Mr. FORD of Tennessee, Mr. FROST, Mr. GALLO, Mr. GEREN of Texas, Mr. HALL of Ohio, Mr. HARRIS, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. IRELAND, Mr. JOHNSON of South Dakota, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mr. KASICH, Mrs. KENNELLY, Mr. KILDEE, Mr. LANCASTER, Mr. LANTOS, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. MARTIN, Mr. MARTINEZ, Mr. MAVROULES, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. ORTON, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. RAVENEL, Mr. RHODES, Mr. ROSE, Mr. SAVAGE, Mr. SCHUMER, Mr. SHARP, Mr. SLATTERY, Mr. SOLARZ, Mr. SPENCE, Mr. SPRATT, Mr. STAGGERS, Mr. STARK, Mr. TRAFICANT, Ms. WATERS, Mr. WEISS, Mr. WHITTEN, Mr. WOLPE, Mr. YATRON, and Mr. YOUNG of Florida.

H.J. Res. 435: Mr. DELLUMS, Mr. ESPY, Mr. FORD of Tennessee, Ms. NORTON, Mr. TOWNS, and Mr. KILDEE.

H.J. Res. 442: Mr. MILLER of Washington, Mr. WOLF, Mr. SHAYS, Mr. QUILLEN, Mr. BAKER, Mr. BALLENGER, Mr. RAVENEL, Mrs. MEYERS of Kansas, Mr. MCEWEN, Mr. NUSSLE, Mr. LUKEN, Mr. PASTOR, Mrs. PATTERSON, Mr. LAUGHLIN, Mrs. COLLINS of Michigan, Mr. HEFNER, Mr. JOHNSTON of Florida, Mr. TRAFICANT, Mr. WELDON, Mr. TOWNS, Mr. HOBSON, Mr. PRICE, Mr. COLORADO, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, Mrs. BOXER, Mr. GONZALEZ, Mr. MARTINEZ, Mr. HAMMERSCHMIDT, and Mr. ENGEL.

H.J. Res. 466: Mr. SAWYER, Mr. SCHULZE, Mr. WASHINGTON, Mr. INHOFE, Mr. YATRON, Mr. SHUSTER, Mr. FIELDS, Mr. SANDERS, Mr. RAVENEL, Mr. MOODY, Mr. BLILEY, Mr. DICKINSON, Mr. BEVILL, Mr. PAXON, Mr. LEWIS of California, Mr. MARTINEZ, Mr. SHAYS, Mr. HANSEN, Mr. SMITH of Florida, Mr. ROWLAND, Mr. HYDE, Mr. HAYES of Illinois, Mr. BURTON of Indiana, Mr. LEACH, Mr. SLATTERY, Mr. BUNNING, Mr. MCCRERY, Mr. HUCKABY, Mr. NICHOLS, Mr. WOLPE, Mr. OBERSTAR, Mr. ESPY, Mr. JOHNSON of South Dakota, Mr. CLEMENT, Mr. RANGEL, Mr. GRANDY, Mr. COX of California, Mr. HOBSON, Mr. HUBBARD, Mr. SANGMEISTER, Mr. EMERSON, Mr. LEVIN of Michigan, Ms. MOLINARI, Mr. DAVIS, Mr. DEFAZIO, Mr. KOPETSKI, Mr. QUILLEN, Mr. EWING, Mr. MCMILLEN of Maryland, Mr. STUDDS, Mr. MCGRATH, Mr. MCEWEN, Mr. BLACKWELL, Mr. HOYER, Mr. VENTO, Mr. LANCASTER, Mr. DORNAN of California, Mr. ENGEL, Mr. HUGHES, Mr. ACKERMAN, Mr. CARDIN, Mr. RHODES, Mr. MINETA, Mr. DWYER of New Jersey, Mr. PAYNE of New Jersey, Mr. OWENS of New York, Mr. BILBRAY, Mr. HOCHBRUECKNER, Mr. COSTELLO, Mr. LAFALCE, Mr. LEHMAN of Florida, Mrs. MORELLA, Mr. LIVINGSTON, Mr. SCHIFF, Mr. GILCHREST, Mr. FRANKS of Connecticut, Mr. ROSE, Mr. TRAFICANT, Mr. PURSELL, Mr. FRANK of Massachusetts, Mr. BLAZ, Mr. WYDEN, Mr. TRAXLER, Mr. MFUME, Mr. GOODLING, Mr. WAXMAN, Mr. COUGHLIN, Mr. SERRANO, Mr. BROOKS, Mr. JEFFERSON, Mr. REGULA, Ms. NORTON, Mr. CALLAHAN, Mr. ANDERSON, Mr. MCCOLLUM, Mr. JONES of Georgia, Mr. FAWELL, Mr. JONTZ, Mr. FALEOMAVAEGA, Ms. DELAURO, Mrs. BENTLEY, Mr. HEFNER, Mr. TAUZIN, Mr. FEIGHAN, Mr. KASICH, Mr. LEWIS of Florida, Ms. SLAUGHTER, Mr. RITTER, Mr. PRICE, Mr. FASCELL, Mr. HARRIS, Mr. LOWERY of California, Mr. DANNEMEYER, Mr. IRELAND, Mr. MICHEL, Mr. EVANS, Mrs. MEYERS of Kansas, Mr. CONYERS, Mr. DE LUGO, Mr. SHAW, Mr. ROE, Mr. DOWNEY, Mr. MILLER of Washington, Mr. VANDER JAGT, Mr. APPLEGATE, Mr. WEISS, Mr. HUTTO, Mr. THOMAS of Wyoming, Mr. TALLON, Mr. NATCHER, Mr. YOUNG of Alaska, Mr. RIGGS, Ms. LONG, Mr. PACKARD, Mr. TAYLOR of Mississippi, Mr. SKELTON, Mr. BROWN, Mr. COLORADO, Mr. VALENTINE, Mr. BENNETT, Mr. HOAGLAND, Mr. DONNELLY, Ms. KAPTUR, Mr. PICKETT, Mr. SYNAR, Mr. SOLARZ, Mr. CLINGER, Mr. RAY, Mrs. PATTERSON, Mr. PASTOR, Mr. DOOLITTLE, Mr. DIXON, Mr. MONTGOMERY, Mr. FLAKE, Mr. PARKER, Mr. COLEMAN of Texas, Mrs. VUCANOVICH, Mr. PALLONE, Mr. ANDREWS of New Jersey, Mr. SCHEUER, Mr. GINGRICH, Mr. JONES of North Carolina, Mr. MAVROULES, Mr. DORGAN of North Dakota, Mr. STOKES, Mr. MURPHY, Mr. SPRATT, Mr. BUSTAMANTE, Mr. CHANDLER, Ms. OAKAR, Mr. MORAN, Mr. MOLLOHAN, Mr. MATSUI, Mrs. MINK, Ms. PELOSI, Mr. GALLO, Mr. SMITH of New Jersey, Mr. WALSH, Mr. GILMAN, Mr. GEREN of Texas, Mr. CARPER, Mr. HUNTER, Mr. OXLEY, Mr. BREWSTER, Mr. BORSKI, Mr. SPENCE, Mr. SISISKY, Mr. LANTOS, Mr. SMITH of Texas, Mr. MANTON, Ms. SNOWE, Mr. ROGERS, and Mr. ORTON.

H. Con. Res. 180: Mr. MARTINEZ.

H. Con. Res. 192: Mr. MARKEY, Mr. STOKES, Mr. WHEAT, Ms. DELAURO, Mr. KILDEE, Mr. KASICH, Mr. ARMEY, Mr. GRANDY, Mr. HUNTER, Mr. HYDE, Mr. LIVINGSTON, Mr. MCGRATH, Mrs. MORELLA, Mr. RAMSTAD, Mr.

RIDGE, Mr. SCHULZE, Mr. WALKER, Mrs. ROUKEMA, Mr. SLATTERY, Mr. HOBSON, and Mr. TAUZIN.

H. Con. Res. 246: Mr. SAWYER, Mr. THOMAS of Georgia, Mr. MFUME, Mr. STAGGERS, Mr. RANGEL, Mr. HERTEL, Mr. WISE, Mr. MONTGOMERY, Ms. COLLINS of Michigan, Ms. OAKAR, Mr. DIXON, Mr. DICKS, Mr. MAVROULES, and Mr. PRICE.

H. Con. Res. 248: Mr. ACKERMAN, Mr. TORRICELLI, Mr. CARPER, and Ms. PELOSI.

H. Con. Res. 274: Mr. CAMPBELL of California and Mr. PALLONE.

H. Con. Res. 282: Mr. MORAN, Mr. HERTEL, Mr. SMITH of New Jersey, Mr. NOWAK, Mr. SOLARZ, Mr. MCNULTY, Mr. LUKEN, Mr. GALLO, Mr. CAMP, Mrs. COLLINS of Michigan, Mr. FORD of Michigan, Mr. HAMMERSCHMIDT, Mr. DAVIS, Mr. CONYERS, Mr. FISH, Mr. WHEAT, Mr. CARR, Mr. APPLEGATE, Mr. EDWARDS of California, Mr. BLACKWELL, Mr. FORD of Tennessee, Mr. STAGGERS, Mr. JACOBS, Mr. HOBSON, Mr. WILSON, Mrs. LOWEY of New York, Mr. RICHARDSON, Mr. GEKAS, Mr. FEIGHAN, Mr. RAMSTAD, Mr. FLAKE, Mr. NEAL of North Carolina, Mrs. MINK, Mr. JENKINS, Mr. COYNE, Mr. TALLON, Mr. DINGELL, Mr. MCEWEN, Mr. TOWNS, Mr. COLORADO, Mr. RANGEL, Mr. REED, Mr. EMERSON, Mr. KLECZKA, Mr. BONIOR, Mr. BOEHNER, Mr. SHUSTER, Mr. GOODLING, Mr. KENNEDY, Ms. NORTON, Mr. SAWYER, Mr. ABERCROMBIE, Mr. CLAY, and Mr. SKELTON.

H. Con. Res. 301: Mr. DORNAN of California, Mr. SAXTON, Mr. ACKERMAN, Mr. SCHEUER, Mr. CHAPMAN, Mr. KOSTMAYER, Mr. ZELIFF, Mr. LENT, and Mr. BATEMAN.

H. Res. 257: Mr. PERKINS.

H. Res. 323: Mr. BUSTAMANTE.

H. Res. 359: Mr. OWENS of Utah and Mr. EVANS.

H. Res. 377: Mr. JAMES.

PETITIONS, ETC.

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

152. By the SPEAKER: Petition of the council of the city of New York, New York, NY, relative to loan guarantees for Israel; to the Committee on Foreign Affairs.

153. Also, petition of the council of the city of New York, City Hall, New York, NY, relative to the Haitian Refugee Act; to the Committee on the Judiciary.

154. Also, petition of Illinois Association of County Veterans Assistance Commissions, Kankakee, IL, relative to the needs of veterans; to the Committee on Veterans' Affairs.

SENATE—*Tuesday, April 28, 1992*

(Legislative day of Thursday, March 26, 1992)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable J. ROBERT KERREY, a Senator from the State of Nebraska.

PRAYER

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

Let us pray:

If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.—II Chronicles 7:14.

God of Abraham, Isaac, and Israel, You made this profound promise to Your people, called by Your name. Your people know who they are. Help us hear Your word. Help us humble ourselves, pray, seek Your face and repent of our Godless ways.

Election tactics have contributed to our division, indeed our fragmentation, treating rich and poor and middle class, whatever that is, as enemies; aggravating racial and sexual differences; demeaning our political institutions. Desperately we need healing as a nation, lest this national election year reduce us to total anarchy. Help us, Lord God. Help us who profess to know You, to hear You and respond to Your gracious promise that we may be forgiven of our sins and our land healed.

For the glory of God and our spiritual restoration as a nation. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 1992.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable J. ROBERT KERREY, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. MITCHELL. Mr. President, this morning following the time reserved for the two leaders, there will be a period for morning business extending until 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each. At 10:30 this morning, under a previous unanimous-consent agreement which is printed in full at page 2 of today's calendar, the Senate will proceed to the consideration of the conference report accompanying H.R. 3337, the White House commemorative coins bill, with the conference report to be considered under a 2-hour time limitation, that is, from 10:30 until 12:30. From 12:30 p.m. to 2:15 p.m., the Senate will stand in recess in order to accommodate the respective party conferences.

At 2:15 p.m., the Senate will conduct a rollcall vote on adoption of the White House commemorative coins conference report. Senators should be aware that a rollcall vote will occur at 2:15. As provided in the agreement, should the conference report be defeated, the Senate would again insist on its amendment and the Chair would be authorized to appoint conferees. Prior to the appointment to conferees, however, it is in order for Senator CRANSTON or Senator WALLOP to move to instruct the conferees. Of course, should the conference report be adopted, then the remaining portions of the agreement are moot. Mr. President, once the Senate has disposed of the coins conference report, it is my intention to then call up the conference report accompanying S. 3, campaign finance reform legislation, and I will be making a more detailed statement on that important legislation later in the day.

THE JOURNAL

Mr. MITCHELL. Mr. President, parliamentary inquiry, am I correct in my understanding that the Journal of proceedings has been approved to date?

The ACTING PRESIDENT pro tempore. The Journal has been approved.

RESERVATION OF LEADER TIME

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

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

APPOINTMENT OF CONFEREES—HOUSE CONCURRENT RESOLUTION 287

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair will now appoint conferees to House Concurrent Resolution 287.

The ACTING PRESIDENT pro tempore appointed Mr. SASSER, Mr. JOHNSTON, Mr. RIEGLE, Mr. EXON, Mr. DOMENICI, Mr. SYMMS, and Mr. BOND, conferees on the part of the Senate.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m. with Senators permitted to speak therein for not to exceed 5 minutes each.

NATIONAL SALUTE TO HOSPITALIZED VETERANS

Mr. NUNN. Mr. President, during the week of February 9–15, the Department of Veterans Affairs [VA] sponsored its annual National Salute to Hospitalized Veterans. I commend the VA for honoring those who have served our country and whose health now requires care in VA hospitals. All Americans owe a great debt to the men and women who have sacrificed so much to serve their country and who are now hospitalized.

Americans have always cared for their own, and believed that those who risked so much for our freedom deserved the best of medical care. I recently visited the VA Medical Center in Decatur, GA. As with every visit to a VA facility, I came away with a renewed gratitude for the veterans who have given so much for the cause of freedom.

After this visit, I came out determined to ensure that VA hospitals have both the moral and budgetary support to serve the veteran community. I normally applaud the desire to cut the cost of Government programs, but cutting services and VA health care personnel in the face of growing need is not legitimate cost savings. Commensurate with the Federal fiscal restraints we face, we should take the steps necessary to ensure the availabil-

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

ity of high quality medical care for deserving veterans.

Earlier this year, the Department of Veterans Affairs own Advisory Committee for Health Research Policy concluded that VA research "is inadequately supported to achieve its goals." Nearly 80 percent of VA research proposals that were approved by merit review are not funded in the administration's fiscal year 1992 budget.

Last October, the Commission on the Future Structure of Veterans Health Care criticized recent declines in funding for the VA medical care system and warned that unless funding is increased, the system cannot meet its obligations to veterans in the next two decades.

While medical costs jumped 117 percent during the decade of the 1980's, VA funding increased by only 10 percent in constant dollars. The resulting funding gap has produced a $1 billion backlog for replacing equipment, long waiting lists for services, closed beds and lower employee morale. As the veteran population ages, the stress on the system becomes even greater.

There are 20,370,000 American veterans today, and the reduction in military forces will swell that number by 1.5 million more by 1995. Currently more than 44,000 veterans are hospitalized long-term, and nearly 960,000 are receiving short-term care.

Our Nation has been blessed that we have not had to fight our battles in our own land in this century. Our cities and farms and forests have not been bombed or strafed and destroyed by enemy fire. Our children have not known war or seen their mothers and grandparents and friends shot down in the streets.

We owe that safety to those young Americans we sent to foreign shores to fight for our freedom. They slogged through mud and snow, desert and jungle, enduring physical hardship and lonely vigils, diseases unknown to our land and dreadful injuries—all for our sake.

And now we owe those same Americans who sacrificed so much to keep us safe—the old and frail, the young who will never leave their hospital beds—the best of medical care.

I am grateful that a week in February was set aside to salute hospitalized veterans. Americans should be aware that, every day and every week, we enjoy the benefit of living in a free society because our veterans answered the call of duty. It is our duty to keep faith with them as they did with us.

TRIBUTE—DEPARTMENT COMMANDER JOSEPH F. CHASE

Mr. SPECTER. Mr. President, on Saturday, May 2, 1992, Joseph F. Chase will be honored by the Pennsylvania American Legion at a testimonial dinner for his outstanding leadership as department commander. But the story of this proud American does not start and stop with his current position of department commander, a position which he has served faithfully and with great distinction for the past year. The true story of Joe Chase covers a lifetime of dedication to the American Legion and achievements in its behalf. His loyalty to his fellow Legionnaires and his dedication to this country's ideals of democracy, freedom, and duty are etched in stone.

A veteran of the Korean war, Joe Chase has been a proud member of the American Legion for over 25 years. The founder and only adjutant of his post, the Spirit of 76 Post 676, Joe has also been active on all levels of the American Legion from the national organization to the post level.

His other positions of responsibility have included those of eastern vice commander, eastern section adjutant, 1st district commander, and post commander. Additionally, he served a 2-year term as president of the Post District Commanders Association and a 1-year term as secretary of the Pennsylvania American Legion Press Association.

In addition, Joe is currently serving a 3-year term on the National American Legion Magazine Commission. Last year, he completed his 10th assignment as Department Public Relations Committee chairman.

Of special pride to Joe is his origination of the Department of Pennsylvania's Blue Cap of the Year Award, a recognition which is presented annually to Pennsylvania's outstanding Legionnaire.

A graduate of Villanova University, Joe served as the university's sports information director for 5 years. Following this assignment, he was selected as a public relations officer for the city of Philadelphia, where he served with distinction for 24 years.

Joe is married to a lovely lady, Louise Chase, who is a past eastern vice commander and two-term fourth district commander. Louise has also served as Joe's eastern section adjutant. They live in Horsham, in Montgomery County.

The American Legion and the State of Pennsylvania are proud of Joe Chase. Upon the occasion of the testimonial dinner in his honor, I take this opportunity to recognize him before the U.S. Senate.

TRIBUTE TO FRANCIS HEESAKKER

Mr. KASTEN. Mr. President, I rise today to pay tribute to one of Wisconsin's most dedicated public servants, Outagamie County veterans services officer Francis Heesakker. Francis will be retiring at the end of April after 46 years of working with Appleton area veterans and I want to share with my colleagues a few comments about this distinguished individual.

Francis' own military career earned him numerous commendations and awards. While serving with the U.S. Army's 7th Cavalry in the Pacific Theater during World War II, he was seriously wounded twice during the Battle of Luzon, losing a limb and earning a Purple Heart with an Oak Leaf Cluster. His list of decorations also includes three Bronze Campaign Stars, American Theater Ribbon, Asiatic-Pacific Theater Medal, Philippine Liberation Medal with two Bronze Stars, U.S. Army Good Conduct award, and Distinguished Unit Badge.

After returning home in 1946, Francis began working for the Outagamie County veterans service office and 10 years later became the county's veterans service officer. Over the years, he has used his unique personal experiences in the military to help veterans from World War II, Korea, Vietnam, and others who, like him, have answered when their country has called. He has touched the lives of hundreds of veterans and their families and his work has served as a model of public service.

Wisconsin has been truly fortunate to have Francis Heesakker as its veterans services officer for Outagamie County for nearly four decades and I know his counsel and experience will be missed.

NAACP LEGAL DEFENSE AWARDS TO SENATOR JEFFORDS

Mr. LEAHY. Mr. President, on April 9, 1992, the NAACP Legal Defense Fund honored my distinguished colleague from Vermont, Senator JAMES JEFFORDS, and I had the pleasure—and I might say I had the honor—of introducing Senator JEFFORDS at the awards dinner on April 9. I say the "honor" because I have known JIM JEFFORDS for certainly all of my public life. We served in different public offices in Vermont—he in the State senate, and then as attorney general of the State, and Congressman, and now as a U.S. Senator from Vermont.

In the House of Representatives, JIM JEFFORDS led the charge to pass the Civil Rights Restoration Act after the Grove City decision, to enact the Americans With Disabilities Act, and to protect older Americans from employment discrimination. As a Member of this body, he has continued his commitment to fairness and dignity for all Americans.

He was a crucial Republican sponsor of the Civil Rights Act in the Senate. There are some, I must say, in his party, who seem to like the idea of wielding the quota weapon at supporters of the bill.

But JIM JEFFORDS refused to exploit racial tensions for political gain. He recognized the power of the civil rights law to bring people together, to heal old wounds and encourage optimism

about the future. His tireless work with Senator KENNEDY and Senator DANFORTH to craft the civil rights bill is a tremendous achievement.

It should also be noted that Senator JEFFORDS gets no political benefit for this. This is not a case of representing a State with a large minority population. In fact Vermont has the smallest minority population of any State in the Union.

JIM JEFFORDS did it because it was right, because it adhered to the best principles of the party that he represents. So I was delighted to take part in the ceremony because I am proud of my colleague's work. I am proud of the State we both serve, and the honor he brought to the State of Vermont. And I am proud to be his friend.

JIM JEFFORDS has earned the respect and admiration of his State and I ask unanimous consent that I may have printed in the RECORD at this point the statement of Senator JEFFORDS at the Equal Justice Awards Dinner on April 9.

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

STATEMENT OF SENATOR JAMES M. JEFFORDS, EQUAL JUSTICE AWARDS DINNER, APRIL 9, 1992

Let me begin by thanking the Legal Defense Fund for bestowing this honor upon me. If I have been able to contribute, it is in large part due to the help of the people in this room, and to colleagues like Ted Kennedy and Jack Danforth, Ham Fish and Gus Hawkins.

In fact, I've spent a career in Congress following Gus Hawkin's footsteps—onto the Employment Subcommittee in the House and then on to serve as his counterpart on the Republican side of the Education and Labor Committee. And tonight I follow him as a recipient of the Equal Justice Award. Gus alone makes this pretty fine company I am joining.

Though we often worked together in the House, Gus Hawkins and I could not have represented more disparate districts. More than just geography separates Watts and the whitest state in the nation. But political leadership involves taking on each others' problems. Gus did this for me, and I tried to understand the problems his constituents faced—day in and day out.

By no means are the problems of racial discrimination absent in Vermont. Sadly, a state full of church steeples and village greens has seen a cross burning and other ugly incidents of late.

But on the whole, I am blessed in being able to represent a state with a fine tradition of tolerance. Vermont was the very first state to abolish slavery in its Constitution, doing so, in fact, when it was still an independent republic. It was a hotbed of abolitionism. And when President Lincoln put out the call, Vermont freely sacrificed many of its sons for the Union—more for its size than any other state.

That, I suppose, is ancient history in a town where news gets stale faster than bread. But these are the roots, I think, of a very progressive state when it comes to issues involving civil rights. And for some reason, Vermonters seem to live with their history more than most people.

I represent a state with a strong commitment to equal opportunity. What other state—without any affirmative action policy—would hire such a diverse workforce in Congress, with a Republican, Democrat and Independent?

But my commitment to civil rights is more than a matter of representation. It's a matter of conviction. My parents and ancestors worked toward this end, and it seems only natural to carry on their work.

Thus, while a lot of my friends in the House and Senate have become frustrated and have chosen to retire, I think we have accomplished a great deal in many areas, civil rights among them. I entered the House with Tim Wirth, and served as an Attorney General alongside Warren Rudman, and I will miss them greatly. But while I share their frustration, I am excited by the challenges still before us.

There is still a long ways to go. But for the most part, our laws secure a solid set of rights and remedies. They are not perfect, and will continue to be the source of frustration and debate for litigators and legislators for years to come. And I think we can count on this Supreme Court to make its own unique contribution.

But we do seem to have a consensus in Congress that equal justice—even in its arcane forms of disparate impact and mixed motive cases—must be maintained and strengthened.

That consensus is not impervious—to demagogues, to hard times, to demography. You know better than I that it is a constant struggle. The LDF has over 50 years of experience to my relatively brief tenure in Congress. But I can tell you that I see the need—even in my state in which I take great pride—to continue a healthy dialogue and the process of education.

That's my job as well as yours. And I can assure you that I have tried to explain to my constituents why real remedies are necessary. Discrimination is all too alive and well, not just in some distant southern state, but in my own state as well.

Basically good, decent people in this country are apprehensive about their future, and their children's future. Their government has failed them by racking up record amounts of red ink. They see additional protections against discrimination as burdens with little benefit. Discrimination, in their mind, is a thing of the past.

You and I know it is not, but somehow, we are failing to convince many people and some policy makers of that.

We have the rights and remedies we need for the most part. But rights and remedies without education and understanding will lead to bitterness, not betterment.

Probably the bigger question in my mind these days is not so much about rights and remedies as about the vast numbers of minorities who will barely see their way into a high school classroom, let alone a court room.

Rights and remedies that do not lead to economic opportunity and absorption into a receptive society will not lead to the kind of nation we claim to be.

Yes, much has been done. But there is so much more to do. There will be no success until we provide to victims of prejudice and discrimination better economic hope than the peddlers of dope; or to women who peer through the glass ceiling a path to success rather than empty regrets.

The needs are brought home every night I go home. When not in Vermont, I live on the increasingly infamous Capitol Hill here in Washington.

I don't consider myself a particularly cautious person, but I don't park on the street, I don't walk around any more than I have to at night, and I am always nervous when my adult children do.

But my concern is not so much for my own safety as for what the symptom of crime represents for Washington and cities in general. What's happening to these kids? Where are they going?

Most will hang in there and persevere, thanks to a strong parent, or teacher or church. But the deck is stacked unfairly against them.

As research by the Center for the Study of Social Policy just found, Washington, D.C. ranks dead last in 8 of 10 indicators of child well-being. It's a grim fact that Washington, once jokingly known as last in the American League, is now last in controlling infant mortality, violent teen deaths, and high school dropouts.

In hard times, with a big budget deficit, generosity is in short supply. Frankly, I am not sure that we can rally support across this country to tackle the problems of the inner city on the basis of some of the past arguments for equity.

Whatever their environment, adults make choices, in the popular view. We have seen, I think, a rising tide of individualism that borders on Social Darwinism, a lessening of communal spirit that accompanies diminished expectations.

But if there is one reservoir of good will, I think it lies with our children. Children generally can't make choices, and are excused if they make bad ones. If we are to appeal to the nation, I think it must be on the basis of saving our children.

This may be criticized as triage. Maybe it is. It certainly is not pleasant, but it is the best route I can see. In order to make real changes, and in order to secure broad support, I think we have to focus on the future, and try to cope with the present as best we can.

There will not be massive increases in federal spending for our cities. But I think that gradually we can increase our spending for the building blocks of a better society; health care, nutrition, education, and training.

We are at critical juncture in our history, abroad and at home. The end of the Cold War, the collapse of communism, and the rise of multilateralism have given us the opportunity to dramatically decrease the resources devoted to defense. We can now, for the first time in my life, really hope that future international battles will be fought with brains and not bombs.

But the battle against communism has beggared us. Defense spending and deficits have climbed steadily over the past 15 years. We are bringing defense spending down, but we must do likewise with deficits, for they are crushing domestic spending.

We also need to take care in what we are doing. For better or worse, the military offered a path for many disadvantaged Americans into the mainstream of life. With a 100,000 fewer entrants a year, what will we do to replace its role?

We need to be careful, but as we work to put our budgets into balance, we need not—must not—forgo resetting priorities and trying to better address human needs. I support making entitlements of WIC, Head Start and Pell Grants, and want to create a national health care system.

I suppose this is heresy for a Republican. But if Pat Buchanan can have a vision for the Republican Party, so can I. I want to return to our future.

For just as I feel like Vermont's roots are my own, so, too, do I feel close to the roots

of the Republican Party. The Republican Party was born as the party of equal opportunity, and Republicans must not forget those roots.

The Civil War galvanized not only Vermont's commitment to civil rights, but that of the Republican Party's. As Lincoln put it after four years of bloodshed had put 600,000 Americans in their graves:

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds . . .

Today's wounds are neither as mortal or as visible as those of 130 years ago. But it is time to bind up our wounds, to take stock and make firm and hopeful plans, with a bit of dreaming about the future course of this country.

Lincoln saw, before the last guns have been fired, that it was time to set a new course. It is that time again.

Even in this election year, when there is a cacophony of caution, we must clamor for real, not symbolic, change. I hope that we will see meaningful, maybe even radical reform, in the near future. The road to true equality stretches before us filled with turns and grades, but lighted by the possibility of great progress.

But I am preaching to the choir. This organization has been in the vanguard of change for over fifty years, and will be for years to come.

God and Vermonters willing, I hope to continue to help you in the causes you have so nobly advanced. I am deeply grateful for this award and thank you from the bottom of my heart.

Mr. RIEGLE. Will the Senator then yield a moment on the issue of Senator JEFFORDS?

I want to join with my colleague in commending Senator JEFFORDS. I think it is important he has been recognized for important leadership that he has given on civil rights issues. It is not surprising that he should be honored because he has a long record along that line.

As one who once served on this side of the aisle, the Republican side of the aisle, I admire that leadership going back, as it does in the history of the party, to the leadership of people like Abraham Lincoln. It has unfortunately been missing, I am afraid, in large degree, with some notable exceptions like Senator JEFFORDS.

The only point I would make is this. I think it is important that when good things are done my Members on either side of the aisle, that we acknowledge those across the party aisle. I think it is significant that a Democratic Senator is willing to come and pay a deserved tribute to a Republican colleague on matters of substance. I think this is the road we ought to be on more of the time. I want to draw attention to that fact.

Mr. LEAHY. Mr. President, I thank the Senator from Michigan for his comments, justly deserved.

RECOGNITION OF FORMER YUGOSLAVIA REPUBLICS MUST INCLUDE KOSOVA

Mr. PRESSLER. Like the dinosaur and the Soviet Union, Yugoslavia no longer exists. Today, President Bush adjusted United States policy to correspond to this reality. I commend the President for his decision to recognize Croatia, Slovenia, and Bosnia-Hercegovina. Recognition sends a signal to Belgrade that the United States will no longer allow that regime to strong arm its neighbors.

However, I also want to stress the urgency of the need to extend the recognition process to Albanian populated Kosova. In addition, the Albanians of the former Yugoslavia must be given a seat at the peace table in Brussels.

Having lost control of Croatia and Slovenia, Belgrade may increase its already crushing pressures on Kosova. Like a number of others in Congress, I strongly support recognition of Kosova. For this reason, in February I submitted Senate Concurrent Resolution 96, expressing the sense of Congress that the United States should recognize the independence of the Republic of Kosova.

The Albanians represent the third largest ethnic group in the former Yugoslavia. Yet they have been excluded from the peace talks in Brussels. If a true and lasting peace is to be achieved in the countries emerging from the former Yugoslavia, several things must occur.

First, Yugoslavians of Albanian descent must be given a place at the peace talks. Second, martial law must be lifted in the Republic of Kosova. Third, Kosova must be recognized as an independent state. Finally, free elections, conducted under international supervision, must be allowed to occur in Kosova.

The United States should not tolerate further bloodshed in the former Yugoslavia. That is why I recently introduced the Former Yugoslavia Act of 1992, which, among other things, calls upon the President to tell Congress what he will do to recognize those regions and Republics within what was Yugoslavia that desire independence. The legislation also requires the President to tell Congress what he will do to end Belgrade's military aggression or occupation in the former Yugoslavia and to bring violators to justice. I am delighted that, to date, Senators DOLE, D'AMATO, and HELMS have joined me in this effort.

Artificial countries like the former Yugoslavia should not be preserved against the will of the people. Standing for the principles of freedom and independence, the United States can assist the peoples of the former Yugoslavia to enjoy independence and peace.

I hope the President's announcement of recognition will begin that process. I commend him for his action. However, I believe he should continue the process. It is my hope that he will move rapidly to address the needs of the Albanians of Kosova in the manner I have outlined.

NATIONAL NURSES' WEEK IN ALABAMA

Mr. HEFLIN. Mr. President, Gov. Guy Hunt recently proclaimed the week of May 4–10, 1992, National Nurses Week in Alabama. This designation coincides with the American Nurses' Association's celebration of their profession's outstanding contributions to our health delivery system.

Of course, we could not survive without the dedicated services of our nurses. Besides their primary mission of helping save lives, they provide comfort and lift the spirits of the sick and infirmed. And yet, we often take their work for granted, not realizing how very important they are, or how tremendous their responsibility. Nurses fill needs not met by any other health care providers, and are required to make an intense, demanding commitment throughout their professional lives.

Through the many enlightening activities associated with this year's National Nurses' Week, the theme of which is "Nursing: Shaping the Future of Health Care," it is my hope that we will pause, reflect, honor, and acquire a stronger appreciation for nurses, their professionalism, and their unyielding commitment to quality health care. It is important for them to be recognized for the valuable knowledge they possess and the important service they provide.

I proudly commend and congratulate Alabama's nurses for choosing a career of serving others through healing and comforting. I am happy to join all of their friends, colleagues, and family in recognizing our nurses during their special week.

I ask unanimous consent that Governor Hunt's proclamation designating May 4–10 National Nurses Week be included in the RECORD following my remarks.

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

STATE OF ALABAMA—PROCLAMATION

Whereas, registered nurses in Alabama represent the largest group of health care providers in the state; and

Whereas, nurses make a difference in the lives of people they serve every day by demonstration of their unique combination of qualities—clinical knowledge, sound judgement and the ability to care; and

Whereas, the demand for nursing service is greater than ever because of the aging population, the ability to sustain life through advanced technology, changes in the setting where health care is delivered, changes in health care financing and the changing health care needs of today's consumers; and

Whereas, more qualified nurses will be needed in the future to meet the increasingly

complex needs of health care consumers in Alabama; and

Whereas, the Alabama State Nurses' Association and the American Nurses' Association have designated May 4–10 as National Nurses Week and ASNA has accepted the theme "Nursing—Shaping the Future of Health Care" in celebration of the ways in which nurses contribute to high quality patient care and improvement of our health care system:

Now, therefore, I, Guy Hunt, Governor of the State of Alabama, do hereby proclaim May 4th through 10th, 1992, as "National Nurses Week" in Alabama, and I urge all citizens to join me in celebrating nursing accomplishments and recognizing nurses for their unique contributions and their ability to have a positive impact on the lives of those for whom they care.

RETIREMENT OF SENATOR TIMOTHY WIRTH

Mr. HEFLIN. Mr. President, this body, along with the people of the State of Colorado, was stunned a few weeks ago by the unexpected retirement announcement of our friend and colleague, Senator TIMOTHY E. WIRTH. Like the absence of other Members who have announced that they will not seek reelection this year, the departure of Colorado's senior Senator will leave a tremendous void that will be difficult for the 103d Congress to fill.

TIMOTHY WIRTH has worked hard during his tenure in Congress to advance educational and environmental causes. He possesses a keen intellect, a tireless energy, and the kind of work ethic that any legislator should strive to emulate. Everyone in this Chamber, whether they agree with him on the issues or not, knows him to be a dependable man of his word, arguably the most admirable quality a Senator can have.

It is truly distressing to see the Senate losing Members of the caliber of TIMOTHY WIRTH. The April 20, 1992, edition of U.S. News & World Report, in a discussion of the alarming number of national legislators calling it quits this year, describes the Coloradan as a star-quality lawmaker "most voters would yearn to have represent them." He is "smart, principled, effective * * *" Whatever problems this institution has won't be helped by his leaving.

We certainly wish the distinguished Senator well. TIMOTHY WIRTH's leadership and command of the issues will be sorely missed when the new Congress convenes next year, but we hope the future holds much happiness and fulfillment for him and his family.

NO RETREAT ON U.S. AGRICULTURAL POSITION IN GATT

Mr. PRESSLER. Mr. President, last week in Geneva, I met with Deputy U.S. Trade Representative Rufus Yerxa about the status of negotiations in the Uruguay round of GATT talks. I am very concerned over what I perceive as the possibility that U.S. negotiators may be preparing to give ground on the issue of agricultural subsidies. I rise today to oppose in the strongest terms possible any such action.

Last year, In introduced Senate Resolution 227 to establish U.S. Senate policy that meaningful reforms with respect to agricultural subsidies must be achieved in the GATT negotiations. By meaningful, I mean any new GATT agreement must ensure freer and fairer trade for American farmers and ranchers. Growth in international trade is key to the future of U.S. agriculture. We must open more world markets to U.S. farmers and ranchers.

The Uruguay round was originally scheduled to be concluded in December 1990. At that time the United States was calling on the European Community [EC] to reduce its domestic subsidies by 75 percent and its export subsidies by 90 percent over a 10-year period. This demand already marked a retreat from the original U.S. position of eliminating all agricultural subsidies. The EC balked and walked away from the negotiations.

In December 1991, efforts were again made to reach a consensus for a new agreement. Though the United States continued to insist on its modified position, discussion centered on a 36-percent reduction in export subsidies and a 20-percent reduction in domestic subsidies over a 6-year period.

Mr. President, at that time, I wrote the President, and the U.S. Trade Representative urging them not to back down from our demands that Europe cease to practice agricultural protectionism. No consensus was reached, and GATT-Director General Arthur Dunkel proposed a draft final agreement embracing a 36-percent reduction in export subsidies and 20-percent reduction in domestic subsidies over a 6-year period. The so-called Dunkel proposal is now the center of negotiations on agricultural trade in the Uruguay round.

Current negotiations to establish new trading rules in agriculture focus on three areas: internal support, market access and export competition, Mr. President, the United States must insist that measurable improvements be made in each of these areas if the Uruguay round is to be successful.

I was alarmed by some of the things I learned in my meeting with Ambassador Yerxa. As I mentioned at the outset, I was left the impression that the United States may be preparing to retreat dramatically from its demands that the EC reduce its agricultural subsidies. This should not be permitted to happen. If these proposed changes in our negotiating position occur, I and many other farm State Senators will be very disappointed. I will fight any GATT rules that hurt American farmers and ranchers.

The reason for this position is simple. The EC spent nearly $31.3 billion on agricultural supports and export programs in 1990. That amount was over 4½ times the $6.8 billion spent by the United States.

Since 1987, EC agricultural subsidies have increased nearly 60 percent and are expected to total $43.54 billion this year. In that same time period, U.S. agricultural subsidies have decreased 44 percent and are expected to total $13 billion this year. Mr. President, there is no reason to believe that, without meaningful reform, EC agricultural subsidies will not continue to rise in the future.

What has been the result of these subsidies? EC output of the three major oilseeds—rapeseed, sunflower seeds, and soybeans—rose to a record 12.6 million tons in 1990. EC grain stocks soared in 1990–91 to a record 18.8 million tons. This was a 60-percent annual increase and surpassed the previous record set in 1985.

Mr. President, as a result of excessive agricultural subsidies, the EC overproduces in the agricultural sector by approximately 20 percent. The EC's Common Agricultural Policy [CAP] shields its farmers from market forces, generates excessive surpluses, and depresses world market prices—all to the detriment of U.S. farmers and ranchers. As a result of the EC's export subsidies, the EC has gone from being a net importer to a major net exporter of such products as beef, sugar, and wheat.

Excessive EC export subsidies have led to the dumping of EC agricultural surpluses on world markets. This has meant lost markets and lower prices for South Dakota's and America's farmers and ranchers. Through it all, the administration promised it would insist on fair treatment for our farmers. The proposed concession, if it occurs, would mark a retreat from that position.

Elimination of EC agricultural supports, such as variable levies and export subsidies, could boost U.S. exports in all markets between $4 and $5 billion, while at the same time reduce U.S. imports about $2 billion, according to industry sources. Among key commodities, U.S. grain exports could rise about $1.8 billion with imports dropping $22 million. Meat and egg exports could increase $1.3 billion while imports could fall almost $2.4 billion.

Mr. President, if realized, the effect of such gains would be substantial. Every billion dollars' worth of agricultural exports means 26,000 jobs here in the United States.

Allowing the EC to continue its protectionist agricultural subsidy programs means that South Dakota farmers and ranchers would continue to face unfair foreign competition. Every farmer and rancher in South Dakota knows that higher grain, dairy and meat prices depend on better access to foreign markets. EC export subsidies

deprive our producers of billions of dollars in foreign sales.

Mr. President, another area that demands meaningful reform in the GATT is how international agricultural trade rules are enforced. There are several instances in which current GATT rules have failed to resolve major trade disputes. For instance, in 1990 the EC banned shipments of beef from all U.S. plants, claiming the plants did not meet EC standards. The problem was that U.S. plants did not follow the exact standards in place in the EC. American standards for beef are at least as strong as in the EC. In some cases they are superior. However, since they are not the same, this trade dispute continues. The EC's ban on beef containing hormones restricts the sale of U.S. beef as well.

These nontariff trade barriers not only have impaired U.S. sales to the EC, they have helped cause an extreme surplus situation in the EC beef market. The EC likely will resort, as it has in the past, to subsidizing the sales of surplus commodities overseas—at the expense of U.S. agricultural exports.

Another excellent example of some of the problems with current GATT rules concerns the EC oilseed regime. A unique feature of GATT is that once a tariff concession is made, it cannot be rescinded and affected countries cannot be compensated. In 1962, during the Dillion round of the GATT the EC bound its oilseed—soybeans, sunflowers, et cetera—import tariffs at zero—that is, it removed all import duties on the commodities. At that time, the EC was in need of oilseed imports. However, since 1962 that situation has reversed.

In the 1970's, EC grain production grew tremendously. By the late 1980's the EC went from being a net importer of 20 million tons of grain to a net exporter of 20 million tons of grain. To reduce its huge grain surplus, the EC began subsidizing its farmers who switched from grain to other crops like oilseeds. Not surprisingly, U.S. exports to the EC of oilseeds such as soybeans fell 63 percent. In 1987 the United States filed a suit against the EC alleging the EC oilseed subsidies violated international standards by discriminating against oilseed imports and, as a result, the zero-bound tariff on oilseed was impaired. Two GATT rulings have favored the U.S. position, yet the EC oilseed regime remains in place and the dispute continues. U.S. farmers, processors and exporters are losing $2 billion annually in sales to the EC as a result of its illegal oilseed regime.

A new GATT agreement that meaningfully addresses the issue of EC agricultural subsidies would increase the U.S. share of world export markets in grains and meats. Such an agreement would likely result in little change in government supports and higher market prices for most U.S. commodities. World prices for most agricultural commodities would likely be higher than under a continuation of current policy. Reducing export subsidies and import barriers would increase world demand relative to world supply. Mr. President, U.S. taxpayers, and U.S. grain, oilseed and livestock producers will benefit from meaningful GATT reforms.

But concessions on these issues by U.S. negotiators are a bad idea. The administration must not back down at this stage of the negotiations. The United States has reduced substantially its agricultural subsidies over the past ten years, while the EC dramatically has increased subsidies. We must keep pressure on the EC to make major reductions in its export subsidies programs. This is essential if U.S. farmers and ranchers are to have any hope for a decent return on their hard work and investment.

A new agreement also would shape significantly the future economic growth of the world's developing and lesser developed countries. The concessions afforded those countries would determine their future economic growth and potential for development. This could be significant for the United States, since 40 percent of U.S. agricultural trade is with the world's developing and lesser developed countries.

As I stated earlier, controversy over reductions of agricultural subsidies has deadlocked the current round of GATT negotiations. Just this past week, the deadline was extended to June 1992.

Mr. President, the Dunkel proposal submitted in December 1991 does not go far enough. The uneven playing field on which U.S. farmers and ranchers currently must compete will remain so even under the Dunkel proposal. Our negotiators must level this playing field by insisting on further concessions from the EC.

The United States is trying to find common ground for an agreement on agricultural issues, but this has proven elusive. The drama of the negotiation process will continue and any final agreement probably will be reached in an 11th hour deal. Agriculture has become the key to breaking the current deadlock. Other areas of dispute will remain unresolved until a consensus is reached on agriculture. Unless a significant reduction in agricultural subsidies—at both the export and domestic levels—is achieved, the Uruguay round of GATT negotiations will continue for quite some time.

None of this is reason enough for U.S. negotiators to back away from this country's current position on agricultural subsidies. They should not. For too long, America's farmers, ranchers and the economy itself have suffered unfairly as the result of nontariff trade barriers. What the deadlock does mean is that the Uruguay round may fail in its objective to create a more level playing field upon which the world's trading nations could compete fairly.

CLIFFORD L. ALEXANDER RECEIVES THE EQUAL JUSTICE AWARD

Mr. LEAHY. Mr. President, on April 9, 1992, the NAACP Legal Defense and Educational Fund honored both Senator JAMES JEFFORDS and Clifford L. Alexander, Jr. Cliff Alexander and I have known each other, really, almost from the time I came to the Senate. He served with distinction in the President's Cabinet. We met, oft-times on issues of national defense and such matters. But since then on a whole host of different matters.

Cliff Alexander is one of these people who is extremely knowledgeable in subjects of both domestic and foreign policy matters. On April 9, he spoke to one of the most important domestic matters, the need to eliminate bigotry in our society. Clifford Alexander spoke as a black to the NAACP. But he spoke of the problems Jews face, when anti-Semitism comes up; Latinos face, Japanese face, that everybody faces who has bigotry against them in this society. I think Cliff Alexander is one of the giants of our society.

I ask unanimous consent his entire statement be printed in the RECORD.

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

STATEMENT BY CLIFF L. ALEXANDER, JR., AFTER RECEIVING THE 1992 EQUAL JUSTICE AWARD

We are not going to eliminate bigotry in this or any other society. But we certainly can dramatically reduce this lingering bad human habit. The NAACP Legal Defense Fund has responded eloquently to the vestiges of slavery and segregation. It has been a leader in the battle for equity.

Let me, however, make this suggestion to each one of us in this room. Get outraged when someone from a group other than your own is under attack by the bigots.

African-Americans need to stop turning their backs to anti-semitism. When a Jew is under attach for being Jewish, there is no excuse for silence by any of us.

The most prevalent daily drumroll of hate is now aimed at the Japanese. Japan's economic policies are in excuse for too many to condemn people of Japanese origin—including those who are American citizens. We should be outraged at the manifestations of narrowminded hatred directed at people of Japanese ancestry. Racist remarks by some Japanese leaders in no way justified an attack on Japanese people. Where are the front page stories quoting our leaders expressed their outrage at this? Why are we not taking on the narrowminded business and political leaders who are direct in their condemnation of the Japanese as a people?

The armies of Americans who believe in fair play see it first and foremost as fair play for people who are in their group. These armies get big and bad when they see the threat as personal. When it is someone else's group under attack they say it is not their fight.

How many times have you read when a Latino was under unfair attack that "The

Latino Community was up in Arms". Then the article goes on to quote a "Latino leader". Well on such occasions many of you who are not Latino are upset too! Tell the papers to question people of other backgrounds to see how they react publicly to injustice done to "another" group.

Yes we have to be outraged by bigotry and not on a superficial level. Along with the need to condemn bigotry directed at other groups, it is the responsibility of the media to treat racism and sexism with thoughtfulness and depth. Only then will its perniciousness be fully understood. An example: why so much time by the media on Bill Clinton's golf game at a golf club that excludes? Where is their coverage of people who belong to these clubs and play there in their segregated worlds year round. Do you think if they do not admit blacks to their club they are going to treat African-Americana fairly when they supervise African-Americans in the workplace?

We need more passion today. Passion for what is right and good. Passion for someone other than those who come from the same background we do. If you are against bigotry wear it on your sleeve. The sleeve of your multicolored coat.

TRIBUTE TO BRANDON DEMESY BROWN

Mr. DURENBERGER. Mr. President, today I rise to tell you about a courageous family that truly is an inspiration to other families in Edina, MN. In September 1989, Dr. David, Jeanenne, Andrea, and Casaundra Brown lost their son and brother, Brandon DeMesy Brown. They have overcome their grief in order to share Brandon's love and to keep his enthusiasm alive for other children.

At 12 years, Brandon possessed a magic on ice. Whether it was figure skating or hockey, he had natural ability and grace coupled with competitive ambitions. When he was 9 years old, he won a Minnesota State championship in figure skating. A year later, he won the Upper Great Lakes Championship.

He was a joy to watch during his artistic performances of figure skating, and he was a joy to cheer during the suspense of hockey. Coaches and fans did not doubt that it might be possible for Brandon to someday achieve his goals to represent the United States as a figure skater and as a member of the United States hockey team.

Brandon was a champion because he believed that "sooner or later the man who wins is the one who thinks he can." Brandon excelled in academics, sports, and relationships. He was able to dream and a winner because of the empowerment that he received from his family and friends. He was well on the way to fulfilling his dreams, when he collapsed from severe respiratory distress playing football on his school's playground.

As mere humans, we do not comprehend the reasons for such tragedies of life, but with faith we know that life is an endless one. It was once said, that "we can't measure the excellence of a painting by the size of the canvas or the excellence of a life by its length. None of us knows how big our canvas on Earth will be, but as long as we live on Earth, each day we are adding a touch to the picture we leave for those who come after us."

Actually, Brandon's life and personality were influenced by the wonderful collection of people he met. Brandon had the exceptional gift to easily express and share that love. His life painted a picture of glowing colors that provided happiness and inspiration to friends and acquaintances. Just before his death, Brandon wrote a paper on friendship for his sixth grade class. It was called, "Friends Forever". "Friends should be honest." "A friend should be kind to your other friends." "Sharing is the thing that makes a great friend." "Friends should respect your ideas." And, "Friends who are thoughtful are friends to keep."

Awarded, annually, to outstanding athletes is the Brandon DeMesy Brown Friendship Award in hockey and ice skating. Today, the Brown family, the Edina Hockey Association, the Edina community, and the Braemer Arena for Ice Sports continue to remember Brandon by honoring his example of friendship and sportsmanship. In the spring, the Braemer City of Lakes Figure Skating Club also sponsors a companion award. These awards are memorials to Brandon and serve as an inspiration to recipients encouraging them "to be a champion * * * to excel in all things we try."

Brandon certainly had an enthusiastic love of life and expressed this through friends, academics, and athletics. The Brown family and their community are to be commended for encouraging youth to experience their fullest potential.

TRIBUTE TO YOSHIKI OTAKE

Mr. THURMOND. Mr. President, I rise today to pay tribute to a very distinguished businessman, Yoshiki Otake. Mr. Otake is the president of the Japan Branch of the American Family Life Assurance Co. of Columbus, GA. He was also a close associated and friend of the late John Amos, the founder of AFLAC and a man who was greatly respected by a number of us in this body.

Mr. Otake was instrumental in the founding of AFLAC's Japan branch, and he has guided it since its beginning in 1974. Under his leadership, the branch has grown a relatively modest endeavor into one of the premier insurance companies in Japan, with 30 percent of the insurance business in the country. Mr. Otake advised Mr. Amos on Japanese culture and business practices, and encouraged him to let Japanese run the day-to-day operations of the branch.

AFLAC's success in Japan is a testament to both Mr. Amos' vision and Mr. Otake's outstanding leadership. In addition, it is an excellent example of how U.S. businesses can succeed in this very different but promising market.

TOM KAHN, A MAN WHO MADE A DIFFERENCE

Mr. MOYNIHAN. Mr. President, Ben Wattenberg has written a fine memoir of the late Tom Kahn, who for two decades here in Washington carried on the struggle against world communism from the perspective of the democratic socialist parties of the West. This is a tradition too little understood in our own country, save perhaps in cities such as New York and within the international labor movement. It was altogether appropriate that Tom Kahn in his last years was head of the International Affairs Department of the AFL–CIO. Earlier he had been an aide to our beloved former colleague "Scoop" J. Jackson. Always and everywhere he was a witness for truth in the struggle with totalitarianism.

It has saddened me that since coming to the Senate after a campaign in which Tom Kahn's great friends Penn Kemble, Carl Gershman, and others were indomitable and indispensable supporters, our views seem thereafter to have diverged. I would hope that with time this divergence might be better understood. For my part there is a record of sorts. In 1977, on entering the Senate, I became a member of the Intelligence Committee. Reading intelligence briefs on the Soviet Union I came to the conclusion—which I resisted at first—that the U.S.S.R. was not just a failed society, but that it was a fissile society as well. That it was going to break up along ethnic lines. And that this breakup would most likely happen in the 1980's. I first spelled out this view in Newsweek in 1979. Thereafter I found myself with little sympathy for the evil empire rhetoric of the Reagan years. Not that the empire was not evil, but rather that it was going to cease to be an empire at any time and that was the eventuality for which the West need to prepare. In matters ranging from arms control to emergency relief.

But nothing can detract from the shining example of Tom Kahn. That the Young People's Socialist League of the Lower East Side of the 1920's should have finally found a foreign policy home in a conservative Republican administration in Washington of the 1980's is a vast irony. But also and not least, a credit to all concerned. Rest in peace.

Mr. President, I ask unanimous consent that the text of Ben Wattenberg's tribute to Tom Kahn be printed in the RECORD.

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

[From the New York Post, Apr. 21, 1992]

A MAN WHO MADE A DIFFERENCE

(By Ben J. Wattenberg)

Because ideas have ancestors, and because ideas have consequences, let me tell you about my friend Tom Kahn. He died recently, too soon, at age 53. But he lived an important life.

I met Tom in 1971 when he came to Washington to be a speechwriter on the presidential campaign of Sen. Henry "Scoop" Jackson. At the scribbler's trade, he was the best. He had the two qualities great speechwriters need: He could write in American, and he had thought-out ideas.

I used to kid Tom that he and his activist friends were a cabal, ingeniously trying to bury the Soviet Union in a blizzard of letterheads. It seemed that each of Tom's colleagues—Penn Kemble, Carl Gershman, Josh Muravchik and many more—ran a little organization, each with the same interlocking directorate listed on the stationery. Funny thing: The Letterhead Lieutenants did indeed churn up a blizzard, and the Soviet Union is no more.

I never did quite get all the organizational acronyms straight—YPSL, LID, SP, SDA, ISL—but the key words were "democratic," "labor," "young" and, until events redefined it away from their understanding, "socialist." Ultimately, the umbrella group became "Social Democrats, U.S.A." and Tom Kahn was a principle "theoretician."

They talked and wrote endlessly, mostly, about communism and democracy, despising the former, adoring the latter. It is easy today to say "anti-communist" and "prodemocracy" in the same breath. But that is because U.S. foreign policy eventually became just such a mixture, thanks in part to those "Yipsels" (Young People's Socialist League), with Tom Kahn as provocateur-at-large.

On the conservative side, foreign policy used to be "anti-communist," but not very "pro-democracy." And foreign policy liberal-style might be piously "pro-democracy," but nervous about being "anti-communist." Tom theorized that to be either, you had to be both.

It was tough for labor-liberal intellectuals to be "anti-communist" in the 1970s. It meant being taunted as "Cold Warriors" who saw "Commies under every bed," and being labeled as—the unkindest cut—"right-wingers."

The parentage of ideas is complex; they often emerge from many places simultaneously. In Washington, Tom's idea-mongers found a hospitable environment in both the labor movement and the "Scoop Jackson wing" of the Democratic Party.

In George Meany and Lane Kirkland of the AFL-CIO the Yipsels found heroes. In national union offices some of them found jobs, as Tom did at the AFL-CIO. By the early 1980s, when the Solidarity labor union challenged Polish communism, Yipsels were already in place in Washington as labor's foreign policy shock troops.

Tom Kahn saw the future early. He wrote in 1981 that the events in Poland should be seen as part of a process that could "dismantle" communism. Later, he headed the AFL-CIO International Affairs department.

The AFL-CIO did the most to keep Solidarity alive (with help from the Pope and Ronald Reagan). Ultimately, Solidarity broke the legs of communism, and the great ugly beast fell, just as Tom said it would.

Tom was in character as one of Scoop's Troops in the fight for human rights and the promotion of democracy. He had cut his teeth in the civil-rights movement, and in 1963, as Bayard Rustin's assistant, he drew up the conceptual plan for the March on Washington.

The Labor/Jackson combine started "the democracy movement." It was boosted by Jimmy Carter's human-rights push and sent into orbit by a profound irony: Many conservative Republicans made common cause with some union Democrats, who were their arch-adversaries on domestic matters.

That marriage was made in part by "neo-conservatism," which had some roots in Yipsel-think, and came to influence Reagan's foreign policy, which, not-so-strangely, often sounded Kahnish: anti-communist, pro-democracy, hard-line.

Tom died too young, of AIDS. In the modern war of ideas he was a player, a founder—and a winner. That is some solace for his many admirers in the democracy movement who will continue the work in a quite new era that his consequential ideas helped create.

SHARON PERCY ROCKEFELLER: PUBLIC TELEVISION'S CHAMPION

Mr. HOLLINGS. Mr. President, I passed up my usual cup of coffee this morning. Who needs caffeine when you can substitute a feisty op-ed piece by Sharon Percy Rockefeller in the morning Post?

In her column, "Big Bird: Someone Didn't Do His Homework," Mrs. Rockefeller very eloquently sends George Will to the principal's office for his schoolyard bullying of public television. In an earlier column, Will had beat up on Big Bird and other PBS heroes as elitist indulgences, undeserving of public subsidy. Of course, this is nonsense, and this morning's column does a fine job of setting the record straight.

The fact is that Members of Congress are as hooked on WETA and MacNeil-Lehrer as our kids and grandkids are hooked on "Sesame Street" and "Reading Rainbow." And when you think that only 6.2 percent of WETA's $43 million budget comes from the Federal Treasury, I just cannot imagine a better value for the dollar in Government today.

I give a lot of the credit for this success to Sharon Percy Rockefeller, the president of WETA Television and Radio since 1989, and a leader of public television dating back to 1977—both back home in West Virginia and here in Washington as a member of the Corporation for Public Broadcasting's board of directors.

Mr. President, Members of this body know and admire Sharon Percy Rockefeller. One Senator was lucky enough to marry her. We respect her enormous talents and energy in so many endeavors—first and foremost as a dedicated mother of four children. As president of WETA, she works to enrich our lives in a very direct way and on a daily basis. She has earned not just our admiration, but our gratitude.

Mr. President, I ask unanimous consent that Mrs. Rockefeller's column from this morning's Post be printed in the RECORD at this point.

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

BIG BIRD: SOMEONE DIDN'T DO HIS HOMEWORK

(By Sharon Percy Rockefeller)

George Will's column "Who Would Kill Big Bird?" [op-ed, April 19] portrays public television as an example of the "welfare state gone awry"—a vehicle for entertaining the rich and powerful at the expense of the ordinary taxpayer. While it is refreshing to see Mr. Will in his guise of a populist, he has neglected to do his homework. His statements about public television are often distorted, often just plain wrong. Some examples:

Citing "The Civil War" to point out the "ample cable, broadcast and home video markets . . ." available to public television is like using Thomas Alva Edison as an example of why all inventors should make money. It is also 20/20 hindsight. Where were all those potential investors when a young, unknown filmmaker came to public television and proposed 11 hours of photographs buttressed by music and voice? They were salivating over "Roseanne." WETA—and public television—believed in "The Civil War" and Ken Burns, and supported him from the moment he began his research. Furthermore, we supported him not because his program looked good on a financial forecast but because we felt that what he had to say was important. Our yardstick was good programming, not profit.

A more apt question for Mr. Will to consider: Would private investors fund the hundreds of hours of extraordinary television on PBS that are not potential blockbusters but nonetheless inform, enrich, educate and delight viewers? Of course not.

Is WETA's audience "an advertiser's dream"? Perhaps, if we sold advertising; but we don't. We tried once: In the early 1980s, public television conducted an FCC and congressionally authorized 10-market advertising experiment. It confirmed that our programming could not generate enough advertising revenue to support the system, and concluded that continued government funding was essential.

The fact is that public television remains the only place a viewer can watch operas, ballets symphonies or public affairs documentaries the way they were designed to be watched—without commercial interruption. Public television stations need public support precisely because their value lies in producing and broadcasting high-risk programs of quality that do not necessarily make money. Just ask the networks.

Mr. Will believes that because of cable television, the audiences once served by public television will be served by the expanding marketplace. He is wrong. More outlets do not necessarily mean more choices; an increase in quantity does not automatically result in more diversity or higher quality.

Radio offers an example. Dozens of stations dot the dial; yet they complete for audiences with a few formats: talk, news, rock and roll, country, some classical. There is nothing like National Public Radio's "All Things Considered" or "Morning Edition" anywhere in commercial radio. Why does Mr. Will assume that the television environment without PBS would be any different? Perhaps he should examine the British system, where recent efforts to force broadcasters to rely on advertising for funding threaten to push documentaries and cultural programming right off the air.

Mr. Will selectively quotes statistics to imply that public television is an elitist activity. In fact, the demographics of public television closely mirror the demographics of the American population. A third of public television households have annual incomes of less than $20,000, and 60 percent earn less than $40,000. Recent surveys of the "Sesame Street" audience show that the program reaches nearly a quarter of all U.S. households with incomes under $10,000 over half of the Hispanic households that have children, and over 40 percent of African-American households with children. "Sesame Street" is also shown in thousands of day care centers. This is elitist?

Mr. Will's statistics are distorted partly because he fails to distinguish between viewers and members—between those who watch and those who contribute to public television. His failure is disingenuous: It stands to reason that members are most likely to be drawn from the more affluent viewers. Like all other institutions that rely on contributions, public television has a membership that is more skewed to the higher income groups than its viewership.

But the most troubling part of Mr. Will's column is his extraordinarily crabbed view of the role of our government. He concludes that government should consign public broadcasting—and by extension other cultural institutions—to the forces of the marketplace.

Yet, as he has often reminded us, our government was formed to promote not just life and liberty but also "the pursuit of happiness." In this effort it assists all sorts of institutions: public schools, universities, libraries, hospitals, museums, symphonies and national parks. Historically the province of the elite, these institutions have now become available to everyone. We spend a tiny portion of the federal budget on them; in fact, only 6.2 percent of WETA's $43 million budget comes directly from the federal government via the Corporation for Public Broadcasting.

The idea behind this support is always the same—that promoting access to education, the arts and the outdoors enriches the whole society. Far from being elitist, it is one of the great unifying themes of our country. By giving everyone access to Beethoven and Dickens, Alvin Ailey and Leonard Bernstein—and, yes, to Ken Burns and Big Bird too—we improve ourselves.

Is Mr. Will against all such support—or just that for public television? Does he deny that government has a role in perpetuating the cultural vitality of society? If so, he should come out and say it. If so we differ.

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

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BRYAN). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. If the Senator will suspend, the Chair informs the Senate that morning business is now closed.

WHITE HOUSE COMMEMORATIVE COIN ACT—CONFERENCE REPORT

The PRESIDING OFFICER. The Senate will now proceed to the consideration of the conference report on H.R. 3337, with the time from 10:30 a.m. to 12:30 p.m. equally divided and controlled under the previous order. The clerk will report.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3337) to require the Secretary of the Treasury to mint a coin in commemoration of the Two-Hundredth Anniversary of the White House, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

(The conference report is printed in the House proceedings of the RECORD of April 7, 1992.)

Mr. RIEGLE. Mr. President, I thank the Presiding Officer, the Senator from Nevada. The legislation we are now considering is the second conference report to H.R. 3337, the White House Commemorative Coins Act. This legislation contains not only the 1992 White House commemorative coins, but other coins including the 1992 Christopher Columbus Commemorative Coins Act, the 1992 Persian Gulf Veterans Silver Medal Act, the 1993 James Madison Commemorative Coins Act, and the 1994 World Games Commemorative Coins Act.

Each of these provisions, which I will describe a little bit later, enjoys wide bipartisan support in both the Senate and the House. All of these bills have been introduced separately. However, because of time considerations they were packaged together into H.R. 3337.

It is important that this conference report be passed now in order to give the Mint sufficient time to begin to design and otherwise begin the production processes for the two 1992 commemorative coin programs, which of course come first, and where time is truly of the essence.

Surcharges from the sales of the White House commemorative coins would go to the White House Preservation Fund, and that is used for the upkeep of the public rooms in the White House that millions of visitors to Washington see each year. In fact, people going through the White House and visiting the public rooms is one of the main things that tourists do here in Washington.

This is a modest program in this area and one which the Mint has indicated that it can execute and that they have sufficient time to do so. But time in that area is, as I say, running out. The 1992 Christopher Columbus Commemorative Coins Act would set up a foundation and establish a scholarship program to encourage and support research and study designed to produce new discoveries in all fields of endeavor, for the general benefit of mankind.

The third coin, the 1992 Persian Gulf Silver Medal Act, would authorize the Secretary of the Treasury to present a unique silver medal to all of the brave men and women who served in the Persian Gulf conflict. Then, bronze duplicates would also be authorized for sale to the general public. We all know it has been over a year since the Persian Gulf conflict ended and I believe it is appropriate for us to take this step, to honor the service of those military and civilian personnel who performed so well for our country.

The surcharges for the 1993 James Madison commemorative coin program will ensure that the foundation can provide at least 1 and possibly 2 scholarship programs for eligible teachers in each and every one of the 50 States, so they in turn are better equipped to be able to teach their students about our U.S. Constitution.

And, finally, the 1994 World Cup Commemorative Coins Act will celebrate the first time that the United States has ever hosted the World Soccer Games. The House overwhelmingly passed it in August 1991. This soccer competition, the World Soccer Games, means millions of dollars in tourist business, not only to the host cities in the United States but to a large segment of our retailers and manufacturers and others, who would be involved in carrying this out here in the United States.

There are a variety of host cities. They include: Washington, DC; East Rutherford, NJ; Orlando, FL; Foxborough, MA; Chicago, IL; Pontiac, MI; Pasadena and Palo Alto, CA; and finally, Dallas, TX. So this will have a very material economic impact in our country, radiating out from those cities, and obviously will be generally helpful to the national economy.

I should add that these soccer games are the most watched sporting event in the entire world, with an audience surpassing those who watch the Super Bowl, which of course is also a very popular sporting event. It would be a shame for the United States not to be able to celebrate such an event with commemorative coins. And of course the surcharges raised from U.S. and international sales would fund putting the games in the sponsoring cities and provide scholarships to amateur athletes.

All of these commemorative coin programs that I have just outlined, all five, are to be implemented at no net cost to the Government. These are self-financing initiatives, the way they are set up.

The sticking point on the House side during both conferences has been the inclusion on the Senate side of the Coin Redesign Act. That is a proposal to take and undertake a redesign of some of the basic coins that are generally in circulation in our country.

I certainly know, and it is well known by my colleagues, that Senator

CRANSTON has worked tirelessly to persuade House Members of the merits of coin redesign. I have voted for this legislation twice now in the past.

Senator CRANSTON has made many compromises to this legislation to assure everyone that some of the mistaken notions that were circulating were answered directly. For example, there is an assurance that the eagle will not be taken off any coins, nor will the phrase "In God We Trust." There were rumors circulating to that effect in the past. He has addressed those issues.

I commend his efforts to work with Members of both the House and the Senate to accommodate concerns, those and others that have been expressed, with regard to coin redesign. However, despite the fact that some of us are supportive of that effort, the House has twice acted to reject the coin redesign portion of this legislation.

It is my view, without in any way prejudicing Senator CRANSTON's strongly held position, that we do now need at this time to proceed with these other commemorative coins. I say that because time truly is of the essence. I do not think we can allow these other coin programs to suffer.

The Acting Director of the Mint has written to Senators MITCHELL and DOLE just this past April 8 urging expeditious passage of the conference report to H.R. 3337 because of two particularly time-sensitive commemorative coin programs in the bill. These are the 1992 White House Commemorative Coins Act and the 1992 Christopher Columbus Commemorative Coins Act. Lead time is required by the mint to select designs, produce dies, conduct trial strikes—as they are called in the early stage of the minting process—before these programs can be implemented.

According to Mr. Essner, "If enactment is not forthcoming very soon, the mint will be severely limited in its ability to fully produce and market these coins."

Another provision in this bill, the 1994 World Cup Games commemorative coins, will suffer if not enacted very soon. It is hoped that the sales of the World Cup coins could be advertised when ticket sales for the soccer games actually begin this July.

Again, sufficient lead time is required to design the coins in order for solicitations to be included in ticket sales.

Surcharges from the James Madison commemorative coin sales would enable the James Madison Fellowship Program to fund scholarships for at least one eligible person in each and every one of the 50 States. However, because of the coin's limited selling period, even this program could be in jeopardy if we do not act now.

Therefore, I do urge my colleagues to pass the conference report on H.R. 3337 before us.

I ask unanimous consent to print in the RECORD the letter from Mr. Essner that I have just cited.

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

DEPARTMENT OF THE TREASURY,
U.S. MINT,
Washington, DC, April 8, 1992.

Hon. GEORGE J. MITCHELL,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR MITCHELL: This is to request your assistance in obtaining expeditious passage of H.R. 3337, the "1992 White House Commemorative Coin Act." There are two time-sensitive commemorative coin provisions in the bill (1992 programs) that require your immediate attention. It is our understanding that there is broad support for this measure in both Houses.

The White House Commemorative Coin provision and the Columbus Commemorative Coin provision both provide for 1992 programs. Therefore, lead-time is required by the Mint to select designs, produce dies, conduct trial strikes, procure presentation boxes, etc. If enactment is not forthcoming very soon, the Mint will be severely limited in its ability to fully produce and market these coins. These programs are self-sufficient and the bills provide that the programs will result in no net costs to the Government.

Furthermore, by not passing H.R. 3337, recipient organizations will be denied the potential to receive significant revenues in surcharges.

Sincerely,

EUGENE H. ESSNER,
Acting Director of the Mint.

Mr. RIEGLE. Mr. President, second, I want to read into the RECORD a second letter sent to GEORGE MITCHELL as majority leader dated April 15 of this year on this subject. This letter, I might say, is signed by the majority leader of the House, RICHARD GEPHARDT, by the majority whip, DAVID BONIER, and by the chairman of the subcommittee of jurisdiction in the House, ESTEBAN TORRES. The letter reads as follows:

On April 8, 1992, the House agreed to the conference report to accompany H.R. 3337, the Omnibus Commemorative Act of 1992 by a vote of 414–0. As you are aware, this vote on the conference report came after an intense struggle and two votes in the House in which an amendment to redesign the "tail" of our circulating coinage was rejected.

While the first vote may have been influenced by rumor and innuendo, the inaccuracy that characterized the debate was largely absent prior to the second vote. Moreover, the second vote was a rejection of a compromise redesign proposal that had been sharply limited. The second vote on this compromise clearly demonstrated the unwillingness of the House to approve coin redesign in any form.

We worked hard, as did the sponsor of the amendment, Senator Cranston, to get the House to accept the provision. In fact, all the outside interest groups whose bills were part of this package also worked hard to convince House members to support the redesign provision. Unfortunately, a majority of the House, on two occasions, rejected our views and the House and Senate conferees agreed to drop the redesign provision in order to expedite passage of the remainder of the package which is time sensitive.

Two of the programs included in H.R. 3337, The Christopher Columbus Quincentenary and the White House Commemorative Coin Act, are 1992 programs. The U.S. Mint has indicated that "If enactment is not forthcoming very soon, the Mint will be severely limited in its ability to fully produce and market these coins."

It is our judgment that despite our best efforts, a majority of the House will not support the redesign provision as part of this package. We believe that any efforts to reopen the conference will only serve to further delay passage of the time sensitive bills in the package and will effectively kill the legislation for this year.

Again, signed sincerely, GEPHARDT, BONIOR, and TORRES, the three leaders in the House just cited.

Mr. President, let me say that I know there will be Members coming over to speak. I have indications that Senator GRAHAM of Florida, Senator BOND, Senator HATCH, the Presiding Officer himself—Senator BRYAN—and possibly others are intending to make comments in the course of the time that is set aside this morning for debate on this conference report. I know, of course, Senator CRANSTON, who is on the floor, will want to address this issue. In view of that, Mr. President, I have finished my opening comments. I am prepared to either yield time to Senator CRANSTON, should he wish to speak now, or I will otherwise put in a quorum call and await speakers.

Mr. CRANSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from California [Mr. CRANSTON] is recognized. As the Chair understands the previous order, the Senator from California controls time in his own right. Is the Chair correctly informed?

Mr. CRANSTON. I thank the Presiding Officer. Mr. President, I have quite a few remarks to make on the matter now before us. Before doing so I would like to suggest the absence of a quorum so I can speak briefly to a Senator who just came on the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CRANSTON. I will delay the remarks I was about to make and some questions that I intended first to pose to the chairman of our committee, Senator RIEGLE, in order to permit Senator ROTH to speak on another matter at this time.

The PRESIDING OFFICER. If the Chair is correctly informed, is there a unanimous-consent agreement to set aside the matter that is presently before us, or is this to be charged to the distinguished Senator from California?

Mr. CRANSTON. That is fine. I accept that.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. I thank the Chair. I express my appreciation to the distinguished Senator from California for his assistance.

NATIONAL BOXING CORPORATION

Mr. ROTH. Mr. President, on February 8, 1992, David Tiberi fought James Toney for the International Boxing Federation middleweight title in Atlantic City. I, along with thousands of others, watched that fight on national television.

Tiberi was not expected to win against Toney, who was the reigning middleweight champion. Tiberi was a true underdog. But someone forgot to tell Dave Tiberi that he could not beat the reigning champion. Those who watched the fight saw an incredible performance by the underdog Tiberi. It was hard not to get caught up in the excitement as Tiberi, a native of Delaware, fought the fight of his life.

What happened next was shocking to say the least. In a split decision, Tiberi was judged to have lost the fight. I was outraged by this very questionable decision. I was not alone in my outrage. The ABC announcer pronounced the outcome, and I am quoting, "the most disgusting decision I've ever seen." Donald Trump, whose casino had sponsored the match, called the decision one of the worst he had ever seen.

My office received calls and letters from across the country expressing outrage.

After some initial inquiries, I found that despite the wide-ranging calls for an investigation, neither the New Jersey State Athletic Control Board nor the International Boxing Federation had chosen to investigate the match.

Shortly after the fight, I met with Dave Tiberi and his manager. After hearing Dave Tiberi tell his story, I decided that the February 8 fight had to be looked into. I directed my staff to fully investigate the matter.

What my staff found is contained in a report, and I ask unanimous consent that a copy of this report be placed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. ROTH. Mr. President, this report documents how Dave Tiberi was a victim of a system where the regulated have been allowed to rule the regulators. This report also shows that, although the State of New Jersey appears to have a superficially adequate boxing regulatory structure, those regulations were not enforced in the Toney-Tiberi match.

For example, in apparent contravention of the New Jersey boxing rules, the judges who officiated at the Toney-Tiberi match were selected not by the body that regulates boxing in New Jersey, but by the IBF, a supposedly regulated organization. In fact, two of the judges officiated without a license to do so in New Jersey.

Moreover, one of the unlicensed judges scored two rounds for the champion, even though he believed the rounds were even, because of an IBF policy discouraging the scoring of even rounds and dictating that close rounds should be scored for the champion. This IBF policy is, however, contrary to the New Jersey boxing rules requiring that even rounds be scored evenly.

The referee who officiated at the match lacked experience and had been poorly evaluated in a previous fight. His penalizing of Tiberi for alleged low blows, and his failure to direct Toney to a neutral corner while Tiberi's gloves were being replaced—thereby giving Toney a 5-minute rest—were questionable exercises of a referee's discretion.

All of these facts, as well as a documented history of corruption in boxing in New Jersey, make it difficult to have faith in the fairness of the outcome of the Toney-Tiberi match.

As a U.S. Senator, I do not have the power to give Dave Tiberi the title that I believe he deserves. What I can and will do is send this report to the International Boxing Federation and the New Jersey Athletic Control Board, the two bodies who, in my opinion, should have done something about this matter a long time ago.

What I can also do is try to make sure such a travesty will not happen again.

Unfortunately the Toney-Tiberi fight is by no means an aberration of the world of professional boxing, a world where the real power often lies with private sanctioning bodies and promoters who operate on national and sometimes international levels. These promoters and sanctioning bodies take full advantage of a system where if the one state regulates too well, the promoters and sanctioning bodies will simply take their boxing matches, with their substantial revenues, to other jurisdictions that regulate less well.

Moreover, there have been repeated allegations of corruption and organized crime influence in professional boxing over the years. As the staff report indicates, allegations of such influences still exist.

I have become convinced that the only way to do anything about this situation is to establish a national body that will set and enforce rules and regulations for professional boxing. Such a body will insure fairness in professional boxing and protect the health and safety of boxers.

I, therefore, plan to introduce legislation to establish a nonprofit corporation to be known as the National Boxing Corporation that will be totally self-funding, thereby costing the taxpayer nothing.

My proposed National Boxing Corporation will not attempt to micromanage the sport of professional boxing. Nor will the National Boxing Corporation take the place of the currently existing state boxing commissions. But the National Boxing Corporation will establish a national data base to assist the State commissions. It will establish national rules and guidelines for professional boxing in this country to protect the health, safety, and welfare of the boxers and to guard against corruption and unfairness.

It is past time to eliminate corruption and unfairness in professional boxing. It is past time to effectively protect the health and welfare of professional boxers. It is past time to restore the public's confidence in boxing. It is time for a National Boxing Corporation. I hope my colleagues will join me in supporting this legislation.

Mr. President, I yield the floor.

EXHIBIT 1

REPORT OF RESULTS OF INVESTIGATION—TIBERI V. TONEY

INTRODUCTION

On February 8, 1992, at the Taj Mahal's Mark G. Etess Arena in Atlantic City, New Jersey, David Tiberi of Delaware fought James Toney of Michigan for the International Boxing Federation (IBF) middleweight title. Tiberi, who at the time was the number 10 ranked IBF middleweight, was not favored to win against the reigning champion, Toney.

The match lasted the scheduled 12 rounds with neither fighter scoring a knockout. Toney was judged to be the winner by split decision. There was a wide discrepency in the scores of the judges, with judge Frank Brunette of New Jersey scoring the match 117–111 for Tiberi, judge Bill Lerch of Illinois scoring the match 116–111 for Toney and judge Frank Garza of Michigan scoring the match 115–112 for Toney.

The outcome produced widespread protest. The ABC announcer and boxing analyst, Alex Wallau, pronounced the outcome, "the most disgusting decision I've ever seen." The owner of the Taj Mahal, Donald Trump, was quoted by several newspapers as stating that the Toney-Tiberi decision was one of the worst he had ever seen.

Despite wide-ranging calls for an investigation, neither the New Jersey State Athletic Control Board (SACB) nor the IBF chose to investigate the match.

Citing his concern about the fairness and legitimacy of the Toney-Tiberi match, as well as concern about the integrity of boxing in general, Senator William V. Roth, Jr. directed his staff to look into the Toney-Tiberi title fight. Noting that the United States Congress has no authority to overturn or alter professional boxing decisions, Senator Roth nevertheless felt that the Toney-Tiberi fight, as well as general allegations of corruption in boxing, were a legitimate concern of Congress.

SUMMARY OF CONCLUSIONS

Dave Tiberi was, in several ways, a victim of a system where the regulated have been allowed to rule the regulators.

Although the State of New Jersey has what appears on paper to be an adequate boxing

regulatory structure, those regulations were not enforced in the Toney-Tiberi match.

In apparent contravention of New Jersey boxing regulations, the judges who officiated at the Toney-Tiberi fight were selected by the IBF. Two of the three judges officiated without a license to judge, or in anyway participate in, professional boxing in New Jersey. These two out-of-state judges were not knowledgeable about New Jersey boxing rules and, in fact, were under the impression that only the IBF rules were in effect during the Toney-Tiberi fight. Moreover, one of the unlicensed judges advised that two of the rounds which he in fact judged to be even rounds, he actually scored for Toney because of his understanding that the IBF rules do not permit the scoring of even rounds and that, in championship fights, it is IBF policy that even rounds are to be scored in favor of the champion.

The referee who officiated at the Toney-Tiberi fight lacked any experience in refereeing world championship fights. He was selected as a referee despite having been poorly evaluated for his performance in a previous fight. His penalizing of Tiberi for alleged low blows, and his failure to direct Toney to a neutral corner while Tiberi's gloves were being replaced were questionable exercises of a referee's discretion.

The lax enforcement of licensing requirements by New Jersey boxing authorities and their deference to private sanctioning bodies, and the failure of either New Jersey boxing authorities or IBF authorities to investigate the Toney-Tiberi match, combined with a documented history of corruption in boxing in New Jersey, make it difficult to have faith in the fairness of the outcome of the Toney-Tiberi match. In professional boxing today, the real power too often lies not with the state regulators, but with the sanctioning bodies and promoters who operate on a national and sometimes international level. If the regulators regulate too well, the sanctioning bodies and promoters can take boxing matches, with their substantial revenues, to other jurisdictions that regulate less well.

Background

In late fall of 1991, representatives of ABC Sports and Top Rank, Inc., a company that promotes professional boxing, began discussing the possibility of a televised professional boxing match. ABC's primary requirement was that the match be a title fight. Boxing promoter Bob Arum, president of Top Rank Inc., suggested that an IBF middleweight title defense by the reigning champion James Toney would be appropriate.[1]

Top Rank's east coast matchmaker, Ron Katz, advised that he selected Dave Tiberi as a suitable challenger for James Toney, due to Tiberi's boxing style and career history. (As the name implies, the job of boxing matchmaker is to determine suitable boxing components.) Katz asserts that the IBF was not involved in his initial selection of a challenger for the IBF title fight.

In early December, Katz approached Toney's manager, Jackie Kallen, with the suggestion that Tiberi challenge Toney for the IBF middleweight title in Atlantic City in February. Kallen agreed to the fight. Katz then approached Tiberi's manager, Mark Kondrath, who also agreed to the proposed fight. The boxers and their managers signed bout agreements with Top Rank, obligating them to fight one another on February 8, 1992.[2]

The agreement stated that Tiberi would be paid $22,500 plus $3,500 training expenses. The agreement also obligated Tiberi to grant the promotion rights for four championship defenses, if he were to obtain the title, to Top Rank. Toney agreed to compensation of $90,000 plus $10,000 in training expenses.[3]

The promoter, Top Rank, was responsible for raising the money to finance the match and for selling the match to the public through ticket and media related sales. Much of the local promotion for the match was handled by Atlantic City boxing promoter Frank Gelb of Frank Gelb Productions.

Scope of investigation

Persons Interviewed

In the course of its investigation, the staff sought to interview all relevant individuals and to review all relevant documents and materials.

Staff along with Senator Roth, interviewed Dave Tiberi and his manager Mark Kondrath. Staff also interviewed James Toney's manager Jackie Kallen.

Staff also met with officials from the New Jersey State Athletic Control Board (SACB), including Commissioner Larry Hazzard, Sr., and Gary Shaw, an SABC board member. Hazzard and Shaw were both present at the Toney-Tiberi fight. Hazzard, in addition to observing the match, was present in his official capacity. Staff also conducted a separate interview of the SACB Chairman, Charles Gromly, who was also present at the Toney-Tiberi match.

Representatives of the IBF were interviewed at IBF headquarters in East Orange, New Jersey, including Robert W. Lee, the founder and current president of the IBF, and his executive assistant Marian Muhammad. Ms. Muhammad served as the IBF supervisor at the Toney-Tiberi match. Lee was also present at the match.

Staff also interviewed at length all three of the judges of the match, including Frank Brunette of New Jersey, Frank Garza of Michigan and Bill Lerch of Illinois. Robert Palmer, the New Jersey referee who referred the match, was also interviewed.

Staff also attempted to contact each of the 12 SACB inspectors assigned to the fight on February 8th. The chief inspector was Sylvester Cuyler. Inspector Robert Levy was assigned to the Toney corner and Inspectors Robert Kimbrough and Fred Johnson were assigned to the Tiberi corner.[4] All of the inspectors were assigned by the SACB and are from New Jersey.

Staff spoke with the promoter Bob Arum who is president of Top Rank, Inc. Staff also spoke with Ron Katz, the Top Rank matchmaker responsible for selecting Tiberi as a challenger for Toney and Frank Gelb, the local promoter of the Toney-Tiberi fight. Finally, staff also interviewed a variety of other individuals knowledgeable about boxing in general.

Documents and Materials Reviewed

Staff requested and reviewed all relevant documents and materials relating to the match. No parties refused to provide any requested documents. These documents included copies of the original score cards, the agreements between the boxers and the promoter (bout agreements), the rules and regulations of the IBF and SACB as well as correspondence from the IBF to its judges regarding scoring. We were, however, unable to locate the first set of boxing gloves worn by Dave Tiberi that were replaced in the 6th round after tearing.

SELECTION AND PERFORMANCE OF THE FIGHT OFFICIALS

New Jersey boxing regulations prohibit any one from participating in boxing bouts in the state without first having obtained a license from the State Athletic Commissioner.[5] The regulations further provide that boxing judges "shall be selected, licensed and assigned by the Commissioner".[6]

In apparent contravention of New Jersey regulations, the three judges who officiated at the Toney-Tiberi fight were selected by the IBF and two of the three judges officiated without a license to judge, or in any way participate, in professional boxing in New Jersey. These two out-of-state judges were unfamiliar with New Jersey boxing rules and, in fact, were under the impression that only the IBF rules were in effect during the Toney-Tiberi fight. Moreover, one of the unlicensed judges advised that two of the rounds which he believed to be even rounds, he actually scored for Toney because of his understanding that IBF policy does not permit the scoring of even rounds and that, in championship fights, it is IBF policy that even rounds are to be scored in favor of the champion. This is in contrast to the New Jersey judge who judged, and scored, one even round.

The referee who officiated at the Toney-Tiberi fight lacked any experience in refereeing world championship fights. He was selected as a referee despite having been poorly evaluated for his performance in a previous fight. His penalizing of Tiberi for alleged low blows, and his failure to direct Toney to a neutral corner while Tiberi's gloves were being replaced are questionable exercises of a referee's discretion.

In New Jersey, professional boxing matches are scored by three judges. Under New Jersey rules, the referee is deemed the "chief ring official." The referee does not score the fight, but can penalize a fighter by imposing scoring penalties, and has the authority to stop a fight. Each boxing match is

[1] Through a previously signed "bout agreement" James Toney was contractually obligated to fight a number of Top Rank promoted fights.

[2] At the time of the December negotiations, Tiberi was the middleweight champion of the Florida-based International Boxing Council (IBC). In order to challenge Toney for the IBF middleweight title, Tiberi had to be ranked by the IBF. Although previously ranked number 10 by the IBF, Tiberi had lost his ranking after being ranked number one by the IBC. The IBF policy is to refuse to rank a boxer ranked by the IBC. In order to be ranked by the IBF, and to be eligible to challenge Toney for the IBF middleweight title, the IBF requested that Tiberi relinquish his IBC title. Tiberi relinquished his IBC title in December 1991 and communicated that fact to the IBF. The IBF then reevaluated Tiberi's record and returned him to his previous IBF ranking of number 10. The IBC is one of several small, lesser-known sanctioning bodies. The most well-known sanctioning bodies are the World Boxing Council (WBC), headquartered in Mexico, the International Boxing Federation (IBF), headquartered in New Jersey, and the World Boxing Association (WBA) headquartered in Venezuela.

[3] A footnote to the bout agreement stated that Toney and Top Rank had previously executed a title defense agreement and that that agreement remained in full force and effect. The footnote went on to state that the Toney-Tiberi match shall not constitute a title defense as referred to in the previous agreement. The footnote concluded by stating that Top Rank shall have the rights in two remaining title defenses, the first having been utilized in connection with Toney's 12/13/91 bout against Mike McCallum.

[4] Although the SACB typically assigns two inspectors per boxer, the SACB has no records, and no one at the SACB has any memory of whether or not if a second inspector was assigned to Toney.

[5] S. 13.45–8(a), New Jersey Administrative Code.

[6] S. 13.46–41, New Jersey Administrative Code.

also supervised by a number of boxing inspectors. At least four inspectors are assigned to a given fight with two inspectors assigned to each fighter. The inspectors are present in the locker room before the fight and in the boxer's corner during the bout. Inspectors are also present at the pre-fight weigh-in as well as when the gloves are selected. The inspectors watch for rule violations and equipment failures such as torn gloves.

New Jersey rules do not delineate any criteria for how officials should be chosen for an individual boxing match, but does provide that they must be selected, licensed and assigned by the Commissioner.

Selection process

Although New Jersey rules require that the Commissioner of the SACB select the officials for a boxing match, in the case of title fights involving a sanctioning body such as the IBF, the New Jersey SACB Commissioner has generally deferred to the sanctioning body in the selection of fight officials. Commissioner Hazzard indicated in an interview that sanctioning bodies are permitted to select two of the three judges but that the remaining officials are selected by the SACB. However, IBF Commissioner Bob Lee said it is extremely rare for the New Jersey SACB to override IBF selection of fight officials.

For the Toney-Tiberi match, IBF president Bob Lee selected Frank Brunette, Bill Lerch and Frank Garza as the judges and Randy Newman as referee. While accepting the judges, Commissioner Hazzard did not accept Randy Newman but instead chose Robert Palmer as the referee. Hazzard offered no reason for selecting Robert Palmer other than the fact that Hazzard felt it was time to give Palmer a chance.

IBF President Lee stated that he selected Lerch and Garza for no particular reason except that, according to Lee, they were well respected judges and that it was their turn to judge a title fight. Lee flatly denied that Lerch and Garza were selected because they are from the Midwest, as is Toney. Lee said that it is a coincidence that these two judges were from the same region of the country, and one from the same state, as the reigning champion.[7]

Commissioner Hazzard and Bob Lee both deny that anyone representing Toney or Top Rank had any input in the selection of the officials. Toney's manager, Jackie Kallen, and representatives of Top Rank also denied any input in the selection of officials. Both Lee and Hazzard told staff that it would be wrong for a boxer or his representatives to have any input in the selection of officials. Both Lee and Hazzard did acknowledge, however, that a boxer or his representatives do occasionally object to a particular official. No one reported having made or received any such objection regarding officials involved in the Toney-Tiberi match.

Lerch and Garza each told staff that they are not licensed, and have never been licensed, to judge boxing in New Jersey. Garza stated that the Toney-Tiberi match was the first and only match he has judged in New Jersey. At the rules meeting prior to the match, he asked the IBF supervisor, Marian Muhammad, whether he needed to obtain a New Jersey license to judge the Toney-Tiberi match. Garza has been required to be licensed, or at least present his Michigan license, in other states in which he has officiated except in Colorado which does not have a state boxing commission. According to Garza, Muhammad replied that she did not think Garza needed a New Jersey license but that she would check. Garza was never asked to present his Michigan license. Although Garza had never judged Tiberi, he had judged Toney on several previous occasions.

The Toney-Tiberi match was the first match that Lerch had judged in New Jersey. Lerch stated that he did not ask anyone if he needed a New Jersey license and no one said anything to him about the matter. This was the first time that Lerch had judged either Toney or Tiberi.

The staff requested from the SACB a copy of the license for each individual involved in the Toney-Tiberi match. The SACB produced a current license for each relevant individual, except Garza and Lerch. Commissioner Hazzard subsequently asserted that Garza and Lerch did not have to be licensed in New Jersey since they were licensed in their home states and by the IBF. However, this assertion seems contrary to the requirements of New Jersey boxing regulations. In any event, there was no effort by the SACB to confirm that these officials were indeed licensed in their home states. The SACB appears to have deferred totally to the IBF in evaluating the qualifications and competence of the out of state judges.

The referee

As previously mentioned, SACB Commissioner Hazzard selected Robert Palmer as the referee for the Toney-Tiberi match despite the fact that he had never before refereed a world championship fight.

While the New Jersey SACB does not systematically evaluate the boxing officials it licenses, the IBF does record the performance of its officials. After each IBF or USBA (the national affiliate of the IBF) sanctioned match, the IBF or USBA supervisor completes a "Referee and Judges Report."

A Referee and Judges Report regarding Robert Palmer, evaluating his performance at a December 12, 1991 match held in Atlantic City, New Jersey, noted that, "Palmer was put in at last minute and he did not perform on the level as our good officials do. It was a "personal" thing with the commission and the referee that was originally assigned. I wouldn't suggest him for one of our upcoming bouts no time soon. Green." Commissioner Hazzard stated he was unaware of the IBF's unfavorable review of Palmer's past performance when he designated Palmer as referee for the Toney-Tiberi match.

Low blow penalty

At the end of the 6th round, Referee Robert Palmer penalized Tiberi one point for low blows. It has been alleged that the penalty was uncalled for in that Tiberi was not given an appropriate warning prior to being penalized, or, even if Tiberi was warned, that Palmer erred in deducting a point due to Palmer's inexperience about procedures in world title fights.

Several individuals present at the match have stated that Palmer did in fact warn Tiberi about low blows and a review of the tape recording of the match confirms that a warning apparently was given. In any event, neither the New Jersey boxing rules nor the rules of the IBF require a referee to warn a boxer prior to deducting points for low blows, as is the case in amateur boxing.

The decision as to whether or not to deduct points for a low blow is within the sound discretion of the referee. However, most witnesses interviewed indicated that while warnings for low blows are not unusual in title fights, actual deduction of points is unusual unless the low blows are more egregious than they appeared to be in the Toney-Tiberi match.

Neutral corner dispute

There have been allegations that the referee acted unfairly when he allowed Toney to sit in his corner and receive assistance and coaching, instead of standing in a neutral corner, while Tiberi's torn gloves were being replaced. Neither the New Jersey nor the IBF rules specifically address where a boxer should go when his opponent's gloves are being inspected or changed.

It does, however, appear to be a general practice in professional boxing that when the action is stopped, at a time other than the normal time between rounds, the boxer or boxers are directed by the referee to neutral corners. In fact, the practice of sending a boxer to a neutral corner when the action stops is mandated by the rules in certain situations. For example, under the New Jersey boxing rules, when a boxer has fallen out of the ring, the other boxer must at once be ordered by the referee to a neutral corner. (N.J.A.C. 13:46-8.20)

It is clear from the videotape of the match as well as from reports of witnesses that Toney was allowed to rest by sitting in his own corner and receiving assistance from his handlers during the entire break in the action of approximately 5 minutes while Tiberi's gloves were being changed. In contrast, Tiberi was standing for the vast majority of this time.

Commissioner Hazzard stated that although there is no written rule that boxers must go to neutral corners when a boxer's gloves are being changed, it is often the practice to do so. Bob Lee of the IBF stated that sending a boxer to a neutral corner during such a break in action was within the discretion of the referee. Palmer, the referee, stated that his understanding of the rules is that a boxer should be sent to a neutral corner only when his opponent is knocked down. Palmer stated he did not understand it to be the practice to send a boxer to a neutral corner when the other boxer's gloves are being inspected or changed. However, in the 12th round, during a momentary break in the action while Tiberi's glove was being inspected due to a loose piece of tape, a review of the videotape indicates that Palmer did direct Toney to a neutral corner. When interviewed, Palmer did not recall whether he directed Toney to a neutral corner in the 12th round, but stated that he may have done so due to the short length of that break.

It was clearly beneficial for Toney to be allowed to sit and rest in his corner and receive assistance and coaching while Tiberi was having his gloves inspected and changed. By the 5th round, Toney appeared to be slowing down and, in fact, all three judges scored the 5th round for Tiberi. After his five-minute rest, Toney fought with more energy and, according to all three judges, won the 6th round.

OTHER ISSUES

Scoring

Professional boxing in New Jersey is scored on what is known as a "10 point must system." Under the 10 point must system, as delineated in the New Jersey Administrative Code (N.J.A.C.13:46-8.19), the judges must award the winner of any given round 10

[7] At the press conference after the match, Lee was asked why the three judges were not from New Jersey. Lee, while not directly answering the question, stated, "You have a fighter from Delaware and you have a fighter from Michigan and we have judges from all over the U.S. . . ." Lee's press conference statement at least implies that geography was a factor considered in the selection of the judges.

points. The loser is awarded some score less than 10 points. If a boxer is slightly superior to his opponent in any given round, the winner must receive 10 points and the loser must receive 9 points. If a boxer wins a round decisively, he must receive 10 points and his opponent must receive 8. A boxer can be awarded as low as 7 points if he is knocked down during a round. When a boxer is penalized by the referee, a point is deducted from the penalized boxer's score. If neither boxer can be judged the winner of a round, 10 points must be scored for each boxer.

At the conclusion of each round, the judges submit their scorecards to the commissioner or his representative. Judges are not permitted to maintain a running tabulation of their score and scores are not announced after each round. At the conclusion of the bout, the points are tallied by the Commissioner or his representative. At the Toney-Tiberi bout, it appears that Lawrence Wallace, an assistant to Commissioner Hazzard, tallied the score cards as did Marian Muhammad, the IBF supervisor for the bout. Muhammad appears to have been the one to physically collect the score cards after each round.

The New Jersey boxing code does not address what specific factors a judge must consider when scoring. However, the *practice* in New Jersey, as well as boxing in general, is that four factors are considered in scoring a boxing match. These four factors are: clean punches, effective aggressiveness, defense and ring generalship. Although these factors are not listed in the New Jersey boxing rules, Commissioner Hazzard told staff that the four factors are taught to New Jersey licensed officials in SACB training sessions. In addition, the official New Jersey SACB scoring card, lists the four scoring factors.[8]

The IBF has its own separate guidelines for scoring by judges.[9] It is important to note that, while there are many similarities, some differences do exist between the IBF guidelines and New Jersey state rules on scoring. For example, a single knockdown would likely result in a 10/7 score under New Jersey State rules while it would likely require multiple knock downs to result in a 10/7 score under IBF guidelines. More importantly, New Jersey rules require that "If neither boxer can be judged the winner of a round, 10 points must be scored for each boxer" (N.J.A.C. 12.46-8.19(b)(4)). In contrast, the IBF guidelines state that a judge "should very rarely have an even round, if ever. Challenger should be expected to take title from champion and not win by default."[10] This standard was emphasized in an IBF press release dated October, 1991 which stated that the scoring of even rounds "irks" IBF president Bob Lee. The release quotes Lee as stating, "[w]e have endeavored to discourage the scoring of even rounds," and that "[t]his appears to be a cop-out by officials who are paid good money to perform their duties." According to Lee, when a round is extremely close the challenger must take the title from the champion—and scoring officials should bear that in mind when scoring IBF title fights.

In addition to being inconsistent with New Jersey regulations, which require that even rounds *must* be scored 10-10, the IBF antipathy to even rounds has been criticized by knowledgeable individuals in boxing as being very unfair to challengers.

One of the unlicensed out of state judges, Bill Lerch, told staff that he, in fact, judged two rounds of the fight to be even rounds, but scored these rounds for Toney because of his understanding that IBF rules did not permit the scoring of even rounds in championship fights. These rounds were the 2nd and 12th rounds, according to Lerch. The other out of state judge, Frank Garza, while not conceding that he mistakenly scored any rounds in the Toney-Tiberi match, did state that he had scored only one even round in all of his career as a professional boxing judge.[11] The New Jersey licensed judge, Frank Brunette, did judge and score one round (the 10th round) even. It appears that New Jersey licensed judge followed New Jersey rules on scoring of even rounds, while the unlicensed out of state judges followed IBF rules instead.

Torn gloves

During the 6th round of the match, referee Palmer stopped the fight for approximately five minutes so that Tiberi's gloves could be replaced. Palmer stated that one of the corner inspectors first noticed that one of Tiberi's gloves had torn and notified him of this fact. After inspecting the torn glove, Palmer stopped the action and ordered the glove replaced. While the glove was being replaced Palmer noticed that Tiberi's other glove had a similar torn seam. Palmer ordered that glove replaced also.

The two torn gloves raised suspicions for two reasons. First, everyone interviewed agrees that it is highly unusual for two gloves to tear at about the same time. Several experienced boxing officials stated that they had never seen two gloves, on the same boxer, tear during the same round. Second, due to Toney's apparent physical condition (he appeared to be tired and was treated for dehydration after the fight), it has been suggested that the gloves tore at a time in the fight particularly fortuitous for Toney, i.e., when he needed a rest.

Staff questioned those who were in any way involved with the gloves used in the Toney-Tiberi match. We found no witness with any evidence that the gloves had been tampered with. Staff was unable to locate and examine the actual gloves that were replaced so therefore cannot comment on the potentially useful physical evidence the actual gloves could have provided. Although the promoter was responsible for providing the gloves, no one assumed responsibility for doing anything with the gloves after the fight. In light of the controversy surrounding the match and the unusual nature of the two gloves tearing in the same round, it would have been prudent for the IBF or the SACB to have secured the damaged gloves.

There has been no investigation by the SACB, the IBF or Top Rank concerning the tearing of the gloves. At the post-match press conference, Bob Lee, president of the IBF, stated that Tiberi's gloves could have come from a "bad batch."

Tampering with boxing gloves for advantage of some type is not unheard of in boxing. Intentionally cutting gloves has allegedly been utilized in the past as a means to give a boxer a rest. Individuals knowledgeable about boxing, however, are of the opinion that it would be far more likely for a boxer to have his own glove torn or cut in order to get a rest. It would be logistically very difficult to arrange for an opponent's gloves to tear or rip at an opportune moment.[12]

At a pre-fight meeting, Tiberi and Toney each selected their gloves from four sets supplied by the promoter. Toney, because he was the reigning champion, was given first choice. After the boxers chose their gloves, they marked their gloves for identification and left them in the care of the promoter, or his representatives. The boxers were given their previously selected gloves shortly before the match.

No evidence of foul play regarding the damaged gloves was discovered. As previously stated, no mechanism has been suggested which would have caused Tiberi's gloves to split at an opportune time for Toney.

FAILURE OF IBF OR NEW JERSEY SACB TO INVESTIGATE THE TONEY V. TIBERI FIGHT

The two entities in the best position to investigate the Toney-Tiberi bout where, without doubt, the IBF and the SACB. The IBF and the SACB received numerous complaints and requests for an investigation of the Toney-Tiberi bout, yet neither conducted an investigation. The IBF and the SACB take the position that the bout did not, and does not, warrant an investigation of any type.

IBF president Bob Lee, nevertheless, felt that the fight was controversial enough to contact Bill Brennen, the chairman of the IBF championship committee, shortly after the fight. The Championship Committee determined that a mandatory rematch between Toney and Tiberi should be ordered. The IBF officially announced that a mandatory rematch had been ordered through a later press release. The effect of a mandatory rematch was that Toney would not be allowed to defend his title until he fought Tiberi a second time.

In addition to not investigating the Toney-Tiberi fight, the IBF publicly denounced any suggestion of an investigation and publicly pressured Tiberi to accept a rematch with Toney that was being offered by promoter Bob Arum of Top Rank. Sy Roseman, public relations director for the IBF was quoted as stating that "[s]omebody is awfully stupid in the Tiberi camp to turn down $125,000 . . ." in reference to Top Rank's offer to Tiberi for a rematch. (Wilmington News Journal, p. D-1, 2/13/92)

HISTORY OF BOXING CORRUPTION IN NEW JERSEY

A brief review of the history of past investigations of corrupt practices relating to boxing in New Jersey bears relevance to the current investigation. In February 1983, after reviewing a preliminary New Jersey State Police assessment of boxing in New Jersey, then Attorney General of New Jersey, Irwin I. Kimmelman, requested that the New Jer-

[8] New Jersey SACB scoring cards were not used in the Toney-Tiberi match. Instead, IBF scoring cards were used. These cards do not list the four factors and have no designated space for written comments, as do the New Jersey SACB scoring cards.

[9] These guidelines are set out in "IBF/USBA Ring Officials Guide and Medical Seminar Outline."

[10] IBF/USBA Ring Officials Guide, page 7.

[11] Garza told staff that "even" spelled backwards is "neve" and that is as close to "never" as possible without a flat rule that says there never will be an even round.

[12] The boxing gloves, as is the practice in professional boxing, were supplied by the promoter Top Rank. Top Rank supplied Mexican manufactured gloves with the brand name "Reyes." Although not as widely used as "Everlast" brand boxing gloves, Reyes brand gloves are sometimes used in professional boxing. At least one employee of Top Rank remembers that someone representing the Toney camp requested that Reyes gloves be supplied. Jackie Kallen, Toney's manager, stated that she could not recall if she requested a specific brand of glove for this match, but that she, and Toney, generally prefer Reyes gloves. Several of the inspectors at the fight stated that while Reyes gloves are of the same weight as Everlast gloves, Reyes gloves have a somewhat different weight distribution and have a reputation as "knock out" gloves which reputedly hard punchers such as Toney favor.

sey Commission of Investigation conduct an inquiry into the regulatory structure of professional boxing in New Jersey. At that time, boxing in New Jersey was experiencing rapid growth. The growth of boxing in New Jersey was due partly to the fact that Atlantic City gambling casinos were increasingly hosting boxing matches as a promotional device.

In an interim report released on March 1, 1984 (Interim Report), the Commission of Investigation concluded that the regulatory structure for boxing in New Jersey was inadequate. The Commission found that under the then existent regulatory structure, boxing contests could not be conducted in New Jersey without "breaking the law at worst or bending the rules at best . . ." (Interim Report at p. 1). The Commission found that the Office of State Athletic Commissioner (OSAC), the predecessor agency to the SACB, was either unwilling or unable to obey the law pertaining to professional boxing in New Jersey (Interim Report at p. 12). Many of the problems uncovered by the Commission on Investigation stemmed from the OSAC's extremely lax licensing practices (Interim Report at p. 1).

The Commission on Investigation's Interim Report recommended substantial changes to the regulatory structure of boxing in New Jersey. By January 7, 1985, a law was enacted to improve tax procedures and collections relating to boxing and, by March 15, 1985, a more comprehensive statute was enacted to impose more stringent regulatory controls on boxing in New Jersey. In the case of the Toney-Tiberi match, however, the regulatory controls were not always enforced by the SACB.

In 1985, the Commission of Investigation released its final report entitled "Organized Crime in Boxing." The Commission's final report details the substantial intrusion of organized crime members and associates into boxing in New Jersey. The Commission concluded that its report documented the presence of organized crime in boxing to an extent that warranted aggressive official reaction. For these and other reasons, the Commission recommended that boxing in New Jersey be banned, or in the alternative, that a program of reforms be implemented. It is significant to note that New Jersey's current SACB Commission advised staff that the SACB was primarily concerned with the safety and welfare of boxers and was not, in his view, responsible for controlling organized crime influence in boxing. The SACB sometimes does background checks on applicants for licenses, but only on rare occasions.

The FBI's "Crown Royal" investigation in the mid-1980s of corruption in professional boxing also touched on New Jersey, according to former FBI agent Joseph Spinelli.

At the time of the Crown Royal investigation, IBF president Bob Lee was deputy commissioner to then New Jersey boxing commissioner Joe Walcott. Spinelli maintains that Lee received a $3,000 payment for Walcott from an individual seeking a New Jersey promoter's license. Walcott and Lee are also alleged to have later received $1,000 each in connection with the promoter's license.

Walcott has denied receiving any payments from individuals involved in the Crown Royal investigation. Although Lee denies receiving the $3,000 payment for Walcott, he admits to receiving $1,000 from one of the Crown Royal participants. Lee maintains, however, that the payment was to help finance his unsuccessful 1982 campaign for the presidency of the World Boxing Association.

During the later part of 1990, the New Jersey Attorney General's office referred an investigation to the New Jersey Ethics Commission regarding an allegation that state officials involved in boxing had been receiving complimentary tickets to professional boxing matches. The Ethics Commission concluded that several state officials, including current SACB Commissioner, Larry Hazzard, his deputy Lawrence Wallace and the SACB's chief inspector, Sylvester Cuyler, had received numerous complimentary tickets from several promoters. Under New Jersey law it is illegal for a regulator to take anything of value from those regulated.

Hazzard, Wallace, Cuyler and several other SACB employees admitted to receiving complimentary tickets from promoters, and they agreed to pay $3,500, $1,500 and $150, respectively, into the state's general fund. The Ethics Commission did not pursue the investigation further.

The New Jersey Public Advocates Office is currently investigating complaints involving the renewal of licenses for certain New Jersey boxing officials. At this time there appears to be no formal review and appeal process for New Jersey boxing officials who are denied license renewal.

GENERAL PROBLEMS IN BOXING

This inquiry, in addition to uncovering specific problems regarding the Toney-Tiberi fight, also has revealed other more broad-based, systemic problems affecting professional boxing. Generally, these problems can be characterized as: exploitation of boxers; conflicts of interest; questionable judging; and organized crime influence. Taken together, these situations endanger the health, safety and welfare of boxers and undermine the sport's credibility in the public eye.

Exploitation of boxers

Boxers generally enjoy few, if any, of the protections and benefits accorded other professional athletes, e.g., health insurance coverage, pension plans, etc. While some experts estimate the number of professional boxers to be approximately 10,000, it is a universe which is difficult to establish with any certainty. What is obvious, however, is that for every boxer who steps into the spotlight in Atlantic City or Las Vegas for a multi-million dollar title fight, there exists a multitude of fighters scrounging to make a living on the club fight circuit, often times sacrificing their well-being in the process.

Exploitation in boxing occurs on a number of different levels. For example, a fighter usually has a manager, who is responsible for handling the boxer's business affairs, particularly negotiating fight deals with boxing promoters. In those negotiations, the manager and the promoter should maintain an arms-length, adversarial relationship, with the manager being responsible for the fighter's best interests. However, we received allegations that one of boxing's major promoters often requires fighters to agree to use his son as their manager in order for the promoter to handle their fights, creating an obvious conflict of interest.

It is also not unusual for a promoter to have long-term, option contracts with both fighters in a bout, meaning that the promoter comes out on top no matter who wins the fight. A small number of promoters basically control professional boxing. This oligopoly gives boxers very few options as they try to fight their way to the top; either the boxer plays the game according to the rules set by these promoters or he is denied the opportunity to advance. As a result, many fighters agree to sign these option contracts or agree to other onerous conditions because the boxer sees it as his only chance to have a legitimate shot at success.

Once a promoter and a manager are able to "tie up" a fighter under such an arrangement, there are many other ways these unscrupulous individuals are able to take advantage of the boxer. Duplicate contracts may be used wherein, for example, one contract is presented to the state athletic commission in which the percentage paid to the manager is consistent with the amount allowed by that state's regulations; however, the manager maintains a separate contract with the boxer in which the manager takes a higher percentage than the law allows. Also, most boxers are able to make arrangements to train at a resort hotel at no charge in exchange for the publicity their presence will bring to the resort. Promoters, however, may require a fighter under contract to them to train at the promoters training camp, while charging the fighter excessively for the privilege.

Another example of how professional boxing currently exploits fighters lies in the mismatches which promoters arrange between boxers of different skill levels. Mismatches occur partly because no central repository exists to verify the won-loss records of fighters, which permits the manipulation of fighters' records and rankings by the various sanctioning bodies. Often, mismatches are arranged to pad the record and hence the value of a fighter who a promoter considers to be a hot property. The promoter will arrange a fight between his hot fighter and a fighter of inferior skills, with the promoter often misrepresenting the record of the inferior fighter in order to have the fight appear as if it will be a competitive bout. In addition to being potentially fraudulent, mismatches can result in a potentially dangerous situation for the less skilled fighter, who is stepping into the ring with a boxer far his superior. We also heard allegations that there are certain individuals who run what are called "meat factories" which specialize in providing opponents for boxing cards all over the country. Often these boxers are not particularly skilled and are provided with the understanding that they will lose the fight.

Perhaps the worst example of such a mismatch occurred in 1983 when Korean boxer Deuk-Koo Kim, fighting in the U.S., was killed in the ring in a nationally televised bout. Kim was rated by the World Boxing Association (WBA) as the top contender for then-champion Ray Mancini's title. However, Kim was was not even rated in the top ten by any of Ring Magazine's (the so-called "bible of boxing") 50 experts, two of whom were Korean. Further, when Ring contacted the Korean Sports Federation (the government agency which supervises sports, including boxing, in Korea), to obtain a list of that country's top 40 fighters for the magazine's annual record book, Kim was not among them.

Boxing's many problems are fostered by the patchwork system of state regulation currently governing professional boxing. Forty-two states and the District of Columbia currently regulate or license boxing. In Kansas, North Carolina, Nebraska and Oregon (Portland only), city governments are authorized to assume that role. There is no governmental regulation of boxing in Colorado, Oklahoma, South Dakota or Wyoming.

Each state that regulates boxing has its own regulatory structure, usually consisting of a state athletic commission whose members are political appointees. The commission then establishes that state's rules and licensing requirements. It came as no surprise when we were told that the regulations

vary widely from state-to-state, as does enforcement of those regulations. For example, many states have rules which automatically suspend a boxer from fighting for anywhere from 45 to 90 days after he has been knocked out. For most fighters who are barely making a living, this amounts to being laid off without pay. Faced with that situation, boxers have been known to move to a neighboring state with less stringent regulations or else a boxer might simply fight under a different name. In one case, a fighter was found to have boxed despite having a heart pacemaker.

In addition, the national and international nature of professional boxing further diminishes the effectiveness of state regulation. Although most of the top professional boxers are American and most major fights are held in this country, the WBA and the WBC, two of the three leading sanctioning bodies in professional boxing, are based in Venezuela and Mexico, respectively. The WBA, in various forms, dates back to 1921, while the WBC was founded in 1963. The proliferation of these so-called "alphabet soup" organizations has resulted in a five-fold increase in the number of world boxing championships (from eight to more than 40) since each group establishes its own weight classes, title holders, and rankings of contenders. Accordingly, each sanctioning body also establishes and enforces its own regulations and plays a major role in selecting the judges and referees for its fights.

In exchange for sanctioning world title fights under their respective auspices, these sanctioning bodies require that fighters and promoters pay sanctioning fees, with the boxers' fees coming out of their purses for the fight. These sanctioning fees are either set as a percentage of the receipts or are negotiated as a fixed amount, which have been as high as $250,000 per fighter. We were informed that all of the services and costs necessary to stage a professional title fight are borne by the promoter and the state boxing commission where the bout is held and not by the sanctioning organization. As such, it is unclear what services these sanctioning bodies provide in exchange for these large sanctioning fees which they require boxers to pay.

Conflicts of interest

We received allegations that conflict of interest situations occur repeatedly in professional boxing, often to the disadvantage of the fighter. One of the worst examples is the situation described above where a promoter requires a fighter to use his son as his manager. Arguably, in that scenario, in the negotiations between the father/promoter and the son/manager, the manager's best interests may be at odds with those of the fighter whom he should be representing. Other of the exploitation examples described above similarly result from the conflicts inherent in these arrangements.

Another conflict of interest situation involves the system of state regulation of boxing. There appears to be an inherent conflict of interest in the mission of the state boxing commissions. On the one hand, these bodies are charged with attracting boxing to their state, promoting the sport and maximizing income to the state from these bouts. On the other hand, these organizations are also charged with regulating the sport in that state and protecting the boxers who fight there. That creates a tension wherein strict enforcement might lead the promoter to take the fight to a neighboring state which might be less restrictive thus resulting in lost revenue to the stricter state. On the whole, there appears to be little incentive for states to strictly regulate professional boxing.

Questionable judging

By its very nature, judging the outcome of a boxing match is a highly subjective exercise. Thus, in order for the sport to maintain its credibility with the public, it is essential that those individuals who determine the outcome of these bouts maintain the highest level of skill and competence. The system of state regulation does not always lend itself to the uniform application of that standard. Some states require judges and referees to be licensed in that state in order to officiate a fight there, while others may waive their own licensing requirements for officials licensed in other states, and there are other states with no licensing requirements at all. This situation is further complicated by the presence of the international sanctioning bodies which use their own officials for certain fights. Although many of those are also state licensed, some of those officials come from foreign countries. As a result, the skill level of boxing officials varies greatly.

Organized crime influence

Our inquiry has also produced allegations of organized crime influence in professional boxing, primarily on the part of La Cosa Nostra (LCN). New Jersey is one of five states where 85 percent of all American boxing matches occur. From 1983–1985, primarily because New Jersey was becoming a boxing center as a result of the Atlantic City casinos, the New Jersey Commission of Investigation conducted what perhaps is the most extensive inquiry to date into professional boxing. This investigation uncovered evidence of widespread corruption and organized crime influence in professional boxing.

Further, in the early 1980s, the FBI conducted an investigation titled Crown Royal, which uncovered links between Don King, who is probably boxing's most powerful promoter, and organized crime members. Although the investigation was shutdown prior to its completion, undercover FBI agents met with King and agreed to co-promote professional boxing matches. The meeting with King was arranged for the undercover agents through Michael Franzese, then a capo in the Colombo family, and the Reverend Al Sharpton, who allegedly had ties to the Gambino family.

Gambling, both legal and illegal, is widespread in professional boxing and organized crime allegedly uses its ties to promoters and other boxing officials in order to find out which fighter to bet on in particular fights. Organized crime figures also are alleged to "own" certain fighters. In those situations, organized crime makes money not only by controlling the outcome of their boxers' fights, but also by getting a percentage of the boxers' earnings.

We also heard allegations that organized crime profits from professional boxing through controlling the closed-circuit rights to major fights. Again, obtaining these rights is made easier by organized crime's connections with key promoters. Closed-circuit rights involve controlling the venues, generally movie theaters and arenas, in a particular geographic area which will be showing a particular fight. This is exactly the kind of activity most favored by organized crime because it is a lucrative cash payday since most people pay for their tickets in cash. As such, there is no paper trail to be concerned with in dividing the receipts.

Other alleged examples of organized crime influence in professional boxing include bribes paid to state boxing commission officials and fighters taking "dives," i.e., being instructed to purposely lose a particular fight.

CONCLUSION

Our investigation of the Toney-Tiberi match raises serious issues about the current status of professional boxing in the United States. Other, more generalized allegations about problems associated with professional boxing, including organized crime influence, conflicts of interest and gross exploitation of boxers, deserve further investigation and consideration.

WHITE HOUSE COMMEMORATIVE COIN ACT—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER (Mr. KOHL). The senior Senator from California is recognized, and controls 45 minutes.

Mr. CRANSTON. Mr. President, may I address some questions to the chairman of the Banking Committee? I am glad that he is returning to the floor.

I appreciate the opportunity to address some questions to my friend, the chairman of the Banking Committee.

First, he said, I believe, that he has voted for coin redesign at least twice and he supports coin redesign except under the present circumstances that affect this particular conference report at this particular time.

Mr. RIEGLE. That is correct.

Mr. CRANSTON. Is it true that the Banking Committee has reported coin redesign unanimously several times?

Mr. RIEGLE. That also is correct.

Mr. CRANSTON. Is it true that the Senate has passed the measure calling for coin redesign a good many times unanimously without any vote or speech against it?

Mr. RIEGLE. I know of no vote or speech against it, and it certainly has passed the Senate.

Mr. CRANSTON. The fact is that it has happened 13 times now.

Is the Senator also aware that the coin redesign measure makes very substantial money for the U.S. Treasury, moneys that would go to reduce the national debt, in contrast to the commemorative coins which do not make any significant money for the Treasury?

Mr. RIEGLE. On that point, the estimate that I think is the most reliable one indicates that the CBO has indicated that there would be a savings, therefore additional revenue to the Government, of about $358 million over a 6-year period based on a redesign of all five coins generally in circulation. There may be other estimates, but that one from CBO would certainly indicate that it would generate additional revenue for the Government, which, therefore, obviously would be available to reduce the deficit or for whatever other purpose.

Mr. CRANSTON. That is in contrast to the commemorative coins that are

in the conference report now before us that do not produce any substantial revenue, if any, for the Government.

Mr. RIEGLE. That is right. It would be fair to say, I think, that the commemorative coins have dedicated purposes. So they are designed to raise revenue, but it is to finance activities related to each purpose of those commemorative coins.

Mr. CRANSTON. That is my understanding. In regard to the amount of money that would be made by coin redesign, I grant that there is some ambiguity about the testimony that was received by the mint some time ago about the amount of revenue, but there is no question that very substantial money, running into figures in excess of $200 million, would be made by redesigning coins.

The ambiguity relates to some testimony that was given by the mint that I believe related to all five coins when that was before the body for redesign. I want to correct myself. I think the testimony related to one coin and it was for over $250 million, the figure the Senator has used over several years.

If I am correct in believing that the testimony related to one coin, the revenue coming from five would be well in excess of $1 billion. I believe that to be the case. However, I have not used that figure because of the ambiguity. But the current measure, presumably the measure that I would like to see adopted by first rejecting the conference report, would bring in a very substantial amount of money to the Treasury.

Is the chairman aware of the fact that the Post Office now makes approximately $250 million a year by redesigning stamps?

Mr. RIEGLE. Let me say with reference to the earlier point that the Senator from California just made, I think there is a clear consensus, in all of the analyses that I have seen, which indicate a coin redesign can generate a substantial amount of money for saving additional revenue for the Government. I have not heard that disputed. I think we can look at the varying estimates based on the number of coins redesigned, but I know of no one who has challenged that assertion.

With respect to the Postal Service, which has a different status within our Government as quasi-independent as opposed to the Mint, that does in its activities by producing stamps for collectors, principally, raise additional revenues on that basis. Certainly, that is part of why they do it and that is part of their history.

Mr. CRANSTON. The revenues raised last year by the Post Office were approximately $250 million by redesigning stamps, 24 times. It is my believe that the mint should follow suit, perhaps not changing that often, and could thereby make very substantial money, as the bill that I would like to see adopted once again by the Senate and by the House would produce very substantial revenues.

Mr. RIEGLE. If the Senator will yield, I say that I think that analogy is correct in the sense that the Postal Service has demonstrated that through redesign, additional revenues could be generated.

Within the law of course, the Secretary of the Treasury has the authority now, after a 25-year period of time, to be able to self-initiate a coin redesign. We are past the 25-year period when it was last done.

The Treasury Secretary, as I understand it, now would be in the position to take that initiative. For whatever reasons, he has, he has not done so.

But I think the point the Senator is establishing, that certainly chosen coin redesign can generate a savings to the Government, is an accurate statement.

Mr. CRANSTON. I thank the Senator. Is the Senator aware that we are about to enter the longest period of time in American history without any redesign of any coin?

Mr. RIEGLE. To the best of my knowledge, that is correct. As I say, we are now beyond the 25-year period of time set out in existing law since there has been coin redesign.

Mr. CRANSTON. That concludes the questioning I wanted to address to the chairman of the committee. I want to ask Senator GARN some similar questions. The ranking Republican member of the Banking Committee has been a sponsor of coin redesign and has supported it, as has the chairman of the committee.

Mr. RIEGLE. If the Senator will yield for one other observation from the chairman based on the questions he has just posed and the responses that I have given and my own earlier opening statement, it would be this: That the Senator is correct in noting that the committee has acted on this previously and the Senate as a whole has acted on it previously. The assertions that he has made just now are accurate in terms of the foundations of support.

Our problem here, in my view, has nothing to do with coin redesign, or the merits of the coin redesign. It is the issue that we have run into where the House has now, on two occasions, been unwilling to incorporate that into a package with these commemorative coins. We have now, as the Senator well knows, run into a situation that is stated, I think, quite accurately from the letters of the House that I read into the RECORD and the Senator is familiar with, that we are at the point now where, because of our inability to resolve the coin redesign issue between the House and the Senate, we are going to adversely impact these other commemorative coins which are entirely separate matters of an entirely different sort.

I want to stress again that it is my view that the need to move on the commemorative coins is in no way intended to be prejudicial to the issue that the Senator from California is raising, which he knows and which I affirm I have previously supported and continue to support.

Mr. CRANSTON. I appreciate that comment from the chairman. In other words, if the Senate unwisely, in my view, adopts the conference report and fails to make further reference to achieve the enactment of the coin redesign legislation, that is by no means a repudiation of the concept of coin redesign since all parties to this debate, so far as I know every single Senator, believes that coin redesign makes a great deal of sense, and should be done.

The only problem is, should it be done in connection with this particular bill at this particular time?

Mr. RIEGLE. That is correct. I would go even further than that. While I have reached the conclusion—as I have stated previously, and as the Senator knows, we have to move these other items—that I think the underlying facts laid out here with respect to coin redesign remain clearly there. I expect the Senator to continue to press ahead, should the conference report be adopted, as I hope it will, and he will have my support in so doing.

Mr. CRANSTON. I thank the Senator for his response to my questions. Before making some more general remarks, I want to comment on one point that was made by the chairman in his opening presentation, where he suggested that we need to act swiftly on the commemorative coins, because time is running out. The mint has taken the position—I think extraordinarily—that it takes a tremendous amount of time to redesign a coin, or to create a new coin of one sort or another.

Let me just offer a bit of history on how long it has taken and, in fact, how short the time required has been in the past to redesign coins or make new coins. The Kennedy half dollar was authorized by Congress on December 30, 1963, and circulation started on January 30, 1964. The total elapsed time was 1 month from the authorization to the coin appearing in circulation. The Lincoln Memorial reverse design was started on September 1, 1958. Circulation began January 3, 1959; time elapse was 4 months. The 1921 Peace Dollar competition was held November 25, 1921. The coin was put into circulation January 13, 1922; time elapse was 6 weeks.

The Susan B. Anthony dollar was something different, because that was a brand new coin, not just a redesign of a circulating coin on one side. That was enacted into law October 10, 1978, requiring that coin to be produced. The first coins were struck in the Philadelphia Mint on December 13, 1978. It took 64 days, including weekends and holidays, to put the Anthony dollar in cir-

culation after the Congress voted to authorize its production.

Changing the reverse on a coin is obviously not analogous to the Susan B. Anthony, in that that coin was totally new in size, shape, weight and denomination for coins.

The quarter and the half dollar, if they are redesigned, will be kept the same size, color, shape, content, weight, and the obverse—the head—will be unchanged. Therefore, with less than half of the amount of work to do, it could be done much more rapidly.

However, the commemorative coins are comparable to the Susan B. Anthony coin in that they are something brand new. To suggest that it would take a long, long time to get into production is nonsense. The mint has actually suggested that it needs 15 months—15 months—to redesign the tail side of a coin. In view of the speed with which coins have been redesigned in the past, that is hard to understand or to accept. If that is the best the mint can do now, the mint needs a serious management overhaul.

Mr. President, now going to the more general matters affecting the matter before us, I called for the defeat of the pending conference report for two main reasons. First, there are compelling institutional reasons for rejecting the conference report. Second, coin redesign—passed by the Senate repeatedly—is the only coin proposal that is of significant and measurable benefit to the whole United States. I am referring there to the commemorative coins that are in the conference report.

Let me explore both of these points in more detail. First, the institutional issue.

This is not a partisan issue. It is an issue between the Senate and the other body in this Congress. Coin redesign is supported, in the Senate, by Democrats, Republicans, liberals, moderates, conservatives. It is demonstrated in the questions I was posing to the chairman of the committee, and his responses, that the leadership of the committee, the chairman and the ranking minority member, Senator GARN, are both supporters of coin redesign.

Coin redesign has been reported out of the Banking Committee several times, always unanimously. It has been passed by the Senate 13 times without one word spoken or one vote cast against it. Once it was introduced by 67 cosponsors. Once it was introduced by Senator DOLE, the Republican leader, Senator SIMPSON, the Republican whip, Senator WALLOP, and myself.

The other body, however, has always ignored the Senate's actions. When we sent coin redesign over as a freestanding bill, it was never considered in the other body. When we sent it over attached to something else, like a housing bill, or in one case a reconciliation bill, when Chairman RIEGLE added redesign to a conference measure to cover a cost incurred by another unrelated item, when this has happened, the other body objected on the specious grounds that our procedure was improper.

The fact is that every Member of Congress knows that it is common practice to attach a measure by amendment to a measure others want for other reasons, whether it be something other Senators want or something the other body wants, or something that is veto-proof because the White House wants it, or a combination of such desires, as is the present case. Certain Senators and House Members want various commemorative coins that are authorized in the pending conference report. The White House wants its commemorative coin; the Senate wants redesign.

So the Senate attached redesign to the commemorative coin bill passed by the other body, but the other body still objected once again—this time for totally false and totally fallacious reasons. The other body obviously expects the Senate to back down. I say we should not back down. We should reject the conference report. We should send it back to conference. We should appoint conferees. We should instruct them to insist on adoption of the Senate's amendments calling for coin redesign.

If the Senate fails to do this, the Senate would be yielding to the other body on a matter about which we have no reason to be weak and acquiescing.

On the other hand, we have very compelling reasons to stand strong and stand firm. We met the other body much more than halfway, making compromise after compromise in the redesign title. I will summarize these compromises shortly. The other body has made no compromise at all. We have offered further compromises. The other body has refused even to consider them. It is time for the Senate to stand up for what it knows is right.

That leads to the second and more important issue: the merit of the Senate redesign proposal.

Mr. President, having discussed the institutional issues in regard to the pending matter, where I feel the Senate's responsibility is to stand up for what it believes, and what is important, I will now talk about the reasons for supporting coin redesign.

The fact is that the coin redesign provisions are the only part of the bill that benefits the whole American public in a measurable and very significant way. All the rest—allegedly so desperately needed right now—are proposals for semiprivate fundraising purposes that are not strictly Government business. They raise millions of dollars for sponsoring organizations.

Let's take a very brief look at each proposal. The White House commemorative coin will produce funds that can be used to refurbish and renovate the White House with new and antique furnishings and so forth. That will be very nice for the President and the White House staff, and it will impress the limited number of Americans and foreigners who manage to visit the White House.

The World Cup commemorative coin will produce funds that will benefit soccer fans, a great many of them foreigners, who will attend the World Cup soccer championships in 1994. And it will benefit a few American cities that will host the games.

The Christopher Columbus quincentennial coin celebrates the "discovery" of America and will please Italian-Americans, it will displease Native Americans. It will also please a Member of the other body in whose honor the Christopher Columbus title of the bill has been named. It will also raise money for a Christopher Columbus foundation that will be run by unnamed individuals and that will grant scholarships.

The Desert Storm medals will be produced so that one can be given to each veteran of the Iraq conflict. The first time we have ever given, incidentally, a medal to every veteran of a war. This will happen, provided a sufficient number of copper duplicates of the medals are purchased by collectors or gifts are received for this purpose from other sources.

The James Madison Bill of Rights commemorative coins will be $5 gold coins; $1 silver coins, and 50-cent silver-copper coins to be sold at a profit, with the profit to go to the James Madison Memorial Trust Fund to be used to promote teaching and graduate study of the Constitution.

The coin redesign provisions of the Senate-passed bill also commemorate the Bill of Rights; but do so in a way that actually produces huge revenues for the U.S. Treasury. The coin redesign provisions call for redesigning the reverse side—the tail side of two coins—the quarter and the half dollar, with designs celebrating the Bill of Rights and commemorating the 200th anniversary of the ratification of the Bill of Rights. This celebration and marking of the Bill of Rights is a good reason for insisting on the Senate's coin redesign amendment, but it is by no means the main reason.

The main reason for rejecting the conference report that is before us and insisting on the Senate amendments calling for coin redesign is that coin redesign will make, as we have already discussed, a great deal of money for the U.S. Treasury painlessly—without any increase in taxes or without any cutting of services. The U.S. Mint estimates that coin redesign will net the Government more than $250 million. That is more than a quarter of a billion dollars.

The Office of Management and Budget approved the revenue estimate and

CBO concurred. That $250 million-plus cannot be spent. It can only be used to reduce the national debt. Some Members of the other body may think that is a small amount, accustomed as we are around here to dealing with billions and even trillions of dollars. I do not think that reducing the horrendous national debt that plagues our economy and our society by more than $250 million is a trivial thing. That is more than $250 million we will not have to borrow and pay interest on in coming years.

There is another reason for not yielding to the other body in this matter. The principal reason for the rejection of coin redesign by the other body was that totally false rumors and charges were circulated about coin redesign. There have been two votes in the other body fairly recently. Just before the first vote, rumors somehow spread like lightening on the floor of the other body that to vote for coin redesign would be a vote against God because it would lead to taking "In God We Trust" off the coins. That is absolutely false. "In God We Trust" occurs on the face side, the head side of the coins, not on the reverse side, the tail side, that coin redesign would call for and, furthermore, present law requires that "In God We Trust" be and remain on all coins.

But that rumor terrified House Members, seeing themselves accused of voting against God and down went the measure. We dealt with that in conference. We specifically then added language stating what was already actually the fact, by stating in the bill that was going to be voted upon that "In God We Trust" had to remain on the coins.

It was also alleged that coin redesign would be costly, would cost taxpayers, would be a new burden of expense. That, too, as we have already discussed, was obviously, very, very false information. The Senate should not throw up its hands and give up because of blatant misrepresentation.

I have already mentioned the concurrence of the mint, OMB, and CBO that coin redesign would make more than $250 million for the U.S. Treasury. The fact is that coins have been redesigned 68 times in American history. Every single time redesign has produced revenues painlessly for the U.S. Treasury—every single time.

Redesign is profitable for three reasons: One is something called seigniorage. That is the difference between the cost of producing the coin and what people pay for it. Example: It costs 2.5 cents to mint and put into circulation a quarter; it is bought for 25 cents. That is a net profit of 22.5 cents for every quarter.

Second, there is interest earned on seigniorage.

And third there are earnings on sales to collectors of proof sets and uncirculated sets of coins. That is where the revenues come from.

There are 10 million coin collectors in America—many in every State of every U.S. Senator. There are also millions of foreign coin collectors and all of these people are looking for the day when there will be a redesign of American coins for them to collect.

The post office, as we mentioned a bit ago, redesigns stamps with great regularity and makes approximately $250 million every year from the new designs. Last year, that was the net profit to the Treasury as a result of redesigning 24 stamps.

We dealt with this cost issue in the conference and amended bill to provide that there would be no redesign if there would be any cost to the Federal Government which obviously was not really needed. But it was put there to placate and to make plain to people who fell for the false rumor that there would be a cost, that there would be no cost.

It was also suggested in the other body that redesign would confuse the American people in this time of economic crisis in our country. I say that is an insult to the American people. They have dealt regularly with stamp changes, Zip Code changes, area code changes, and a myriad of other innovations. Surely, they have the capacity to tell one coin from another.

The question might be asked, what about the Susan B. Anthony dollar? It failed. It failed for a very good reason. It was exactly the same size as a quarter and that did lead to confusion. But there will be no such confusion when a coin is simply redesigned. The Senate redesign bill, I emphasize, will not change the size, shape, weight, color, or metallic content of any coin.

It was also suggested in the course of debate in the other body that coin redesign would be destabilizing in this time of economic difficulty in our country. Yet, many of our worst economic problems stem from our huge national debt and our towering deficits. How can a measure that would reduce the havoc-wreaking national debt by a quarter of a billion dollars, thereby reducing Federal borrowing, possibly be destabilizing? The fact is coin redesign occurred in the middle of the Great Depression in 1932, to be precise. It was accepted; there was no confusion and no destabilization.

I ask unanimous consent that a table be printed in the RECORD showing the years in which various coins have been changed.

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

YEARS VARIOUS COINS HAVE BEEN CHANGED

$.01: 1793, 1794, 1794, 1798, 1857, 1859, 1860, 1909, 1959 rev.

$.02: 1867.

$.03: 1830, 1843, 1855, 1861.

$.05: 1866, 1883, 1913, 1938.

$.10: 1796, 1798 rev., 1809, 1837, 1892, 1916, 1946.

$.25: 1796, 1804 rev., 1815, 1838, 1892, 1916, 1932, 1975–6 rev.

$.50: 1793, 1794, 1796 obv., 1798, 1801 rev., 1807 total, 1838, 1839, 1865, 1888, 1892, 1913, 1916, 1938, 1948, 1964, 1975–6 rev.

$1: 1793, 1798, 1834, 1840, 1840, 1840, 1873, 1878, 1921, 1971, 1978.

$2.5: 1840, 1908.

$5: 1795, 1820, 1908,

$10: 1795, 1820, 1908.

$20: 1795, 1820, 1908.

SUMMARY OF YEARS COINS REDESIGNED

1793, 1793, 1793, 1794, 1794, 1794, 1795, 1795, 1795, 1796, 1796, 1796, 1798, 1798, 1798, 1801, 1804, 1807, 1809, 1813, 1820, 1820, 1820, 1834, 1837, 1838, 1838, 1839, 1840, 1840, 1840, 1840, 1855, 1857, 1859, 1861, 1864, 1865, 1873, 1878, 1882, 1892, 1892, 1892, 1908, 1908, 1908, 1908, 1913, 1913, 1916, 1916, 1916, 1921, 1932, 1938, 1938, 1946, 1948, 1959, 1964, 1975–6, 1975–6, 1975–6, 1978.

The present time is one of the longest periods this country has gone without a redesign change.

Mr. CRANSTON. Mr. President, the fact is we are about to go into the longest period than we have ever gone in American history without a coin change. It is time for a change, time for a change here, and it is time for a change in many other aspects of our society and the doings of our Federal Government.

When we dealt with the God issue and the cost issue, a new false issue was dreamed by. The Senate conferees, in the spirit of compromise that is often the mark of a successful conference, had proposed reducing from five circulating coins to two the number of circulating coins that would be redesigned. The Senate has repeatedly passed a measure calling for redesign of all five circulating coins.

Accordingly, in conference, we dropped redesign of the penny, the nickel and the dime, leaving only the quarter and half dollar to be redesigned. That led to a new false charge that was hurled concerning the American eagle that presently appears on the reverse side, the tail side of the quarter and the half dollar. It was alleged untruthfully that it would be unpatriotic to vote for redesign because the bill mandated taking the eagle off the quarter and the half dollar.

The bill did no such thing. But down the bill went again, but this time only by the narrow margin of 7 votes; only 7 votes caused it to go down and there were something like 30 absentees.

The Eagle issue, like the God issue, can be dealt with. So I urge that the matter go back to conference so we can make very plain by new language that the eagle shall remain on the reverse of the quarter and the half dollar.

Incidentally, we have had 25 different versions of the quarter and the half dollar in our Nation's history—some with one eagle or some other eagle and some with no Eagle.

There is an interesting story about the particular Eagle—now on the back of the quarter—that Members of the

other body believe should be preserved exactly as presently designed, even if that preservation costs our country $250 million. The quarter was to be redesigned back in 1931. The Commission of Fine Arts conducted a design contest. The contest was won by a woman, a great artist named Laura Garden Fraser. However, Secretary of the Treasury Mellon overruled the Fine Arts Commission, rejected Laura Garden Fraser and chose an eagle designed by a man. It turned out that the Secretary felt that artistry was a man's work, not a woman's work.

Unemployment was huge then in the Depression and men needed jobs, while the woman's place, the Treasury Secretary felt, was in the home. The Secretary felt all this was particularly true when it came to designing coins for the world of commerce which was surely, in his view, the realm of men, not women.

The current Senate's redesign proposal might, in this more enlightened age, lead to an eagle on the quarter designed—of all things—by a woman. If, that is, the Senate stands by its convictions.

I feel very strongly, Mr. President, that the Senate should not succumb to wild rumors and false charges, particularly when a $250 million painless reduction in the horrendous national debt is at stake.

The manager of the bill in the other body complained about what he called the misrepresentation of facts by opponents of redesign. We should not be bullied and pushed around by misrepresentations and specious arguments.

Coin redesign will be economically beneficial to our country at a time when our economic needs are very great. I fail to see the urgency of dropping a pain-free 250 million-plus profit for the U.S. Treasury simply because of the complaints of semiprivate groups that they need their commemorative coins right now. That is why I urge rejection of the conference report and recommittal.

If we stand proud, if we stand fast, if we stand firm, we can knock $250 million-plus off the deficit painlessly. By making passage of the White House, Christopher Columbus, and the other commemorative coins contingent on passage of coin redesign, we can attain coin redesign. If we yield to the other body, the other body will get what it has passed, but we will not get coin redesign and we will not get reduction of the deficit by more than $250 million.

There are other reasons, valid and important reasons, for coin redesign: educational, cultural, artistic, and technological.

Coins travel the world and will reflect our society for thousands of years to come. Coins reflect the evolution of civilization. In many countries, a person's only contact with America is by holding in one's hand one of our coins. Our coins should represent our best contemporaneous art and the ideals of which we are most proud, like the Bill of Rights.

Witness after witness has testified at Senate and House Banking Committee hearings that it is time for change and that we can do better with the coins of the greatest Nation on Earth by using the work of living artists of today.

For all these reasons and more, Mr. President, I urge rejection of the conference report and resubmittal with instructions to stand by the Senate coin redesign measure.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Who yields time to the Senator?

Mr. GRAHAM. I yield 5 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 5 minutes.

Mr. BOND. I thank my colleague from Florida.

Mr. President, I rise today to urge my colleagues to support passage of the conference report. The House has already passed this conference report by a vote of 410 to 0. As we all know, the saga of this coin package is amazingly long and drawn out, with most of the debate centering around the coin redesign bill.

I happen to think that our colleague from California makes a very good point. I think he has a strong argument. The Senate has passed the coin package with coin redesign included twice, and twice the House has rejected the package because of the inclusion of coin redesign. We have tried to convince the House to accept coin redesign. We have done everything we can. But they have repeatedly refused. They appear adamant not to accept a coin package if it contains coin redesign.

Today we have another opportunity to pass the coin bills. I fear it is our last opportunity, and that is why I say that we should pass the conference report.

The House majority leader, Mr. GEPHARDT, the House minority leader, Mr. MICHEL, the House majority whip, Mr. BONIOR, the minority whip, Mr. GINGRICH, the chairman of the House Subcommittee on Consumer Affairs and Coinage, Mr. TORRES, and the ranking Republican, Mr. MCCANDLESS, have written letters to our majority and minority leaders expressing their strong belief that if the Senate does not pass the conference report as it stands, without coin redesign, there will be no coin legislation at all this year.

This conference report, as we know, does not contain coin redesign. It simply contains five coin bills for which time is quickly running out.

I had the honor of playing an active role in the White House coin bill. It is designed to commemorate the 200th anniversary of the laying of the cornerstone of the White House, which is this October. That only gives the mint 6 months to mint the coin and get it ready for circulation. That is barely enough time. We will not have time unless we move expeditiously.

Contrary to what has been said earlier, the White House coin bill will not raise money to refurbish the White House with new furnishings and artwork. The money is to keep the current artwork and furnishings in repair for which there is no Government money.

Mr. President, I imagine that all of my colleagues are besieged, as I am, with requests from our constituents for tickets to visit the White House. Certainly one of the preeminent stops of any tourist, American or foreign, is the White House. We believe the White House is a national treasure, and this bill would enable us to support that national treasure.

I also have here a letter from Mrs. Lady Bird Johnson to the chairman of the White House Endowment Fund urging support of this measure. She says:

When Lyndon was in Congress and later the White House, I still remember the excitement and delight countless school children and visitors took in touring the mansion. The restoration and presentation of the public rooms of that great House and the expansion and maintenance of its fine arts collection deserve wide citizen support, which I believe will be helped immensely by the sale of the commemorative coin.

I ask unanimous consent that this letter also be printed in the RECORD.

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

STONEWALL, TX,
April 22, 1992.

Mrs. EARLE M. CRAIG, Jr.,
Chairman, the White House Endowment Fund, Midland, TX.

DEAR MRS. CRAIG: It was a great pleasure to learn that the House and the Senate are moving forward on the White House Commemorative Coin Act. It is very appealing to me, and I strongly support its authorization.

When Lyndon was in Congress and later the White House, I still remember the excitement and delight countless school children and visitors took in touring the Mansion. The restoration and presentation of the public rooms of that great House and the expansion and maintenance of its fine arts collection deserve wide citizen support, which I believe will be helped immensely by the sale of the commemorative coin.

These sales will provide funding needed to supplement private donations to the White House Endowment Fund, to which you have so ably given your leadership. I know the White House Historical Association's partnership has been invaluable, and as one citizen, I am deeply grateful to all of you for the care and dedication you bring to this outstanding effort.

With a large salute,

Sincerely,

LADY BIRD JOHNSON.

Mr. BOND. If we do not adopt the conference report today, there will be

no White House coin, which means that the White House Endowment Fund, founded by First Lady Barbara Bush, will lose $5 million of critical funding for the maintenance of the White House art collection, antique furnishings, and public rooms for which Government funds are not available.

There are other pressing measures included in this: The James Madison Bicentennial of the Bill of Rights coin, the Christopher Columbus coin. All of these are vital and hanging in the balance.

I have myself talked at great length with our former colleague, Senator Jim McClure of Idaho, who is working hard to get the World Cup commemorative coin bill passed, which is part of this measure.

Those of us who are soccer fans know that the World Cup is the largest single sport event in the world.

It is the first time in history the United States has been selected to host the games. The coin sales will generate between $30 and $40 million from this primary event, and will be used to help defray costs associated with hosting the games by the local host cities.

The World Cup coin must be enacted immediately to give the U.S. Mint sufficient time to design, produce, and market the coins. I think our U.S. Department of Commerce has estimated that about 1½ million visitors will be attracted by that event, and it will pour at least $1.5 billion in direct tourism revenue into the Treasury.

All of these coins are vital. I am not here to argue against the merits of the coin redesign. I am simply stating the facts as they appear, as the lineup is between this body and the other body.

It is clear that the House will not accept the coin redesign bill. Therefore, I urge my colleagues, in the strongest possible terms, due to the time sensitivity of these other measures, to support the conference report to the White House Commemorative Coin Act as it was passed by the House.

I thank the Chair. I yield the floor.

Mr. GRAHAM. Mr. President, I yield myself such time as is required.

Mr. President, it is unfortunate, bordering on the embarrassing, that we are having this debate this morning. In a nation with so many concerns—from the economic well-being of our people, to the desire for reform in our health care system, to the need to restructure our education system to assure that we will be competitive in the world of the future, and so many other urgent national priorities—that we should be devoting 2 hours this morning to debating a bill on the minting of various coins and the proposal for redesign of two of our existing coins borders on a waste of valuable Senate time.

In order to reduce that waste to just that which has already been committed, I urge my colleagues to do as the Senator from Missouri has just suggested: Adopt this conference report and let us end this debate today. The consequence of not adopting this conference report will be further stalemate on this issue. It will, in my opinion, be that none of the measures contained in the conference report will be adopted in 1992. At a minimum, it will be that further effort of this Congress is devoted to this subject, which deserves no further commitment of our time or our energy.

I am here primarily because I was the sponsor of one of the five measures contained in the conference report, the measure which would strike a coin in commemoration of the World Cup. As the Senator from Missouri has already indicated, this event, which will take place in 1994, is the largest single sporting event in the world; 140 countries will compete for the opportunity to host these games, and to support our role as host, this legislation has been suggested.

Already there has been a price paid for delay. Many American cities wanted to host, to provide the venue for the World Cup games. It had the original expectation that 12 cities would be selected. A premise of that number 12 was that this legislation would be enacted, the proceeds of which will be used to support the efforts at the local community level.

In some instances, stadiums which are primarily designed for other sports—baseball, football—will require some refurbishment in order to be able to accommodate world-class soccer. Other modifications or support for the events will be funded by the proceeds raised from the sale of this World Cup coin.

Because of the vacillation and delay in the passage of this legislation, the International Federation, instead of selecting 12 cities, has in fact selected only 9. Boston, Detroit, Orlando, Los Angeles, Dallas, Washington, San Francisco, Chicago, and the Meadowlands of Rutherford, NJ, are the selected sites. Three American cities have been denied the opportunity to share in this enormous event, an event which the U.S. Department of Commerce estimates will generate $1.5 billion in tourist revenue.

So there has been a price paid already for delay in the passage of this legislation. Further delay will make it more difficult for these selected cities to carry out there responsibilities, and for the Nation to take full benefit of this important activity.

As has been previously mentioned, the issue here is not whether we should or should not redesign the 25- and 50-cent coins of the United States. The Senate has already twice passed legislation that would direct such redesign. The issue now is purely pragmatic; that is, will we pass legislation to authorize the five coins which have thus far received the support of both the House and the Senate, or shall the entire program of coin minting for these commemorative purposes, as well as coin redesign, be consigned to the legislative ash heap for 1992?

I will submit for the RECORD a letter dated April 15 of this year, signed by the majority leader of the House of Representatives, the majority whip of the House of Representatives, and the chairman of the Subcommittee on Consumer Affairs and Coinage, which concludes with this paragraph:

> It is our judgment that despite our best efforts, a majority of the House will not support the redesign provision as part of this package. We believe that any efforts to reopen the conference will only serve to further delay passage of the time-sensitive bills in the package and will effectively kill the legislation for this year.

Mr. President, I ask unanimous consent to have printed in the RECORD this letter dated April 15 to the Honorable GEORGE J. MITCHELL, Senate majority leader.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, April 15, 1992.

Hon. GEORGE J. MITCHELL,
Senate Majority Leader,
Washington, DC.

DEAR MAJORITY LEADER MITCHELL: On April 8, 1992, the House agreed to the conference report to accompany H.R. 3337, the Omnibus Commemorative Act of 1992 by a vote of 414–0. As you are aware, this vote on the conference report came after an intense struggle and two votes in the House in which an amendment to redesign the "tail" of our circulating coinage was rejected.

While the first vote may have been influenced by rumor and innuendo, the inaccuracy that characterized the debate was largely absent prior to the second vote. Moreover, the second vote was a rejection of a compromise redesign proposal that had been sharply limited. The second vote on this compromise clearly demonstrated the unwillingness of the House to approve coin redesign in any form.

We worked hard, as did the sponsor of the amendment, Senator Cranston, to get the House to accept the provision. In fact, all the outside interest groups whose bills were part of this package also worked hard to convince House members to support the redesign provision. Unfortunately, a majority of the House, on two occasions, rejected our views and the House and Senate conferees agreed to drop the redesign provision in order to expedite passage of the remainder of the package which is time sensitive.

Two of the programs included in H.R. 3337, The Christopher Columbus Quincentenary and the White House Commemorative Coin Act, are 1992 programs. The U.S. Mint has indicated that "If enactment is not forthcoming very soon, the Mint will be severely limited in its ability to fully produce and market these coins."

It is our judgment that despite our best efforts, a majority of the House will not support the redesign provision as part of this package. We believe that any efforts to reopen the conference will only serve to further delay passage of the time sensitive bills

in the package and will effectively kill the legislation for this year.

Sincerely,

Richard A. Gephardt, Majority Leader; David E. Bonior, Majority Whip; Esteban E. Torres, Chairman, Subcommittee on Consumer Affairs and Coinage.

Mr. GRAHAM. Mr. President, if there is merit in the coin redesign—I suggest that there is merit—it is merit which should be considered singularly. There is no rational reason why the coin redesign measure must be linked to these other five bills, other than the political rationale that it requires the healing of the uplift of these five bills, each of which has some degree of time urgency in order for it to be politically viable.

The fact is that instead of rising with the updraft of the other five bills, from the letter that has just been submitted for the RECORD, it appears as if the coin redesign is an anchor which drags all of these proposals, including those that would commemorate the 500th anniversary of the great expedition of Christopher Columbus legislation, important to the refurbishment of the White House for scholarship programs, as well as the World Cup coin bill—all of those would be lost as a result of the failure of this conference report.

Mr. President, let me conclude with the comments that I began with; that is, the fact that the Senate of the United States should not be trivializing itself by continuing this debate. We have already spent too much time on the issue of commemorative coins and redesign of existing coins.

There is great public disdain about the operations of this Federal Government. There are many reasons for this public negative attitude. I believe it is our responsibility to commence the process of reversing that public attitude, and the place to start is by dealing with those issues that the public is genuinely concerned with.

Americans understand that we are in a new era. They understand that the end of the cold war has caused not only new obligations internationally, but also new standards to be set in terms of our domestic public policy. The American public wants this Congress to be dealing with things that are important to them. The American public loses trust when they see us spending time on issues that they consider to be trivial in their importance, marginal to their lives, and to be unimportant in terms of America's position in the world.

Mr. President, I suggest we bring this chapter, which has already consumed too many pages, to a conclusion. We should do that by voting yes on the conference report.

Mr. HATCH. Mr. President, I appreciate the remarks of the distinguished Senator from Florida.

Mr. President, I support the conference report to H.R. 3337. Many of us have been working on the passage of these commemorative coins programs for more than a year. We are voting today on the results of the Senate-House conference, and no one objects to the commemorative coins; the issue that remains controversial is Senator CRANSTON's coin redesign proposals.

Senator CRANSTON has been successful in passing the redesign language several times in the Senate, but the House has refused to accept these proposals. In fact, in the past several months, the House has specifically voted twice against the coin redesign proposals, even after Senator CRANSTON personally called nearly 100 House Members to persuade their votes on this issue.

Senator CRANSTON would tell us that coin redesign failed due to false rumors and, to a certain degree, he is right. The Senator from California never intended to take the words, "In God We Trust" off the coins. He did, however, insert language in the first conference report that would have technically allowed the American eagle to be removed from the tail side of a half-dollar and quarter-dollar coins. Senator CRANSTON has indicated that he would correct that language. But in my view, even that is not the primary problem. The House vote to recommit this legislation to conference was, in fact, a vote against coin redesign.

I have been notified by House leaders that passage of coin redesign in the House does not seem possible this year. I have to tell you that I have been over there a number of times working to try to get a coin bill through. They are very strong in their opinions of what needs to be done. Unfortunately, they are unwilling to satisfy the desires of Senator CRANSTON. In fact, some House Banking Committee members have said that a conference committee will not be reconvened if this conference report is rejected today.

This is not a partisan issue. House Democrats and Republicans both voted for and against coin redesign. I understand the frustration of the Senator from California. We are all frustrated from time to time around here. There may well be merits to coin redesign. Quite honestly, I wish we did not need to debate this matter today. But when the House refuses to accept coin redesign, returning this matter to conference happens to be a futile effort. It is a waste of valuable Senate time. I believe that the distinguished Senator from California understands the need for passage of these commemorative coins, and I am sorry that we, the sponsors of the commemorative coins, are being put in a position of opposition to Senator CRANSTON and his position. But I find it distressing that these coin bills, all with great merits of their own, are being held hostage to coin redesign. Our primary concern today is to get these commemorative coins passed so that these programs may finally begin.

If we do not accept this conference report, the Christopher Columbus coins and the White House coin will never be minted, because there is not enough time left in 1992. The Persian Gulf silver medal is long overdue, and it should be minted. It should be awarded to our courageous men and women of the military.

The Madison coin design competition should be under way now so there is adequate time for minting and marketing of these coins next year. Senator KENNEDY and I have worked for well over a year on this in and of itself. We met with people of the House and Members of the Senate, and we have worked hard. We believe the Madison Foundation is extremely important, and this is one of the best ways of funding it. It is critical to us. Yet, that will help high school kids all over this country. It would be one of the best things for education we could possibly do. We need the Madison coin.

The U.S.A. World Cup Soccer Organizing Committee has not been able to make responsible commitments to either the World Soccer Federation or the host venue cities here in the United States. The World Cup committee needs to know it can count on the revenue that these coins will raise. I am treasurer of the James Madison Memorial Fellowship Organization, the beneficiary organization of the Madison coins. TED KENNEDY, our colleague, is chairman of the foundation. I have to say that I have never seen anybody work harder on an issue that nobody really disagrees with to get this coin through. In an effort to fully endow this Foundation, we have been determined to pass this coin legislation, which calls for the minting of 300,000 gold $5 coins, 900,000 silver dollar coins, and 1 million silver half-dollar coins.

Our program calls for very low mintage. In fact, we have even lowered the traditional surcharges added to these coins in an effort to offer the coin collectors of this Nation a reasonable and a valuable collector's item.

The James Madison Memorial Fellowship Foundation was established by Congress in 1986. We have been trying to move it forward ever since that time. The Foundation was created to encourage outstanding current and future high school teachers of American history, American Government, and, of course, social studies, to undertake graduate study of the roots, framing, principles, and development of the Constitution of the United States. What more of a humble purpose can you have? It is a bipartisan effort. Senator KENNEDY and I have worked side by side with other Members of Congress to push this through. The Foundation commemorates the bicentennial of the Constitution and is one of the few things that honors James Madison, the fourth President of the United States, and generally acknowledged to be the

father of the Constitution. It is about time we did something for him.

The Foundation is an independent establishment of the executive branch of the Federal Government. Its trust fund is preserved in a special account in the Treasury of the United States. All funds raised in the sale of these coins will be deposited in this trust fund for the single purpose of educational fellowships. Support for awards and administrative expenses comes from interest on the trust, as well as from the funds the Foundation raises from individuals, corporations, foundations, and other public sources.

The strength and the integrity of our American Government depend upon the citizens' knowledge of their Government and of their rights and their responsibilities under it. Yet, as has been repeatedly demonstrated, their knowledge is sorely lacking today. Even many teachers—those who bear a heavy responsibility for imparting civic spirit to our young people—are not deeply versed in the knowledge of the Constitution to impart to the thousands of American students who, as adults, will govern the Nation, its communities, and its institutions. In particular, some of these teachers lack knowledge of the Constitution's history, principles, and development of the Government formed under it.

The foundation, therefore, provides support for master's degree level graduate study to a select number of experienced and aspiring secondary teachers from all parts of the Nation. The premise of its programs will be that constitutionally learned teachers will convey their own strength and knowledge to thousands of American children who, as adults, will govern the Nation and its communities and institutions.

No other foundation or program currently addresses and meets this need, nor does any other foundation make meeting this need its sole mission. None other has the capacity through stable and continuing programs to offer support for study of the Constitution by both experienced and would-be teachers across the land. None other aims to broaden and deepen teachers' knowledge of the founding principles of the Constitution and to educate them in diffusing that knowledge. The foundation conducts an annual nationwide-competition to select its fellows, who are selected for their academic achievements and their desire to be more knowledgeable secondary school teachers. Fellows must have demonstrated interest in pursuing a course of study that emphasizes the Constitution, and they must exhibit a willingness to devote themselves to civil responsibility.

Each year, at least one Madison fellow is selected from each State, the District of Columbia, the Commonwealth of Puerto Rico, and the combined U.S. territories. All James Madison fellows must agree to teach full time in secondary schools for at least 1 year for each year of assistance. If this requirement is not met, the recipient must reimburse the foundation for all assistance plus interest. The foundation strongly encourages all fellows to return to their home States to teach.

Mr. President, the foundation has just awarded 48 fellowships to teachers across this Nation. We would like to double that number next year. With the financial help from these coins, that will certainly be possible. It is time to end this long delay in passing H.R. 3337. I have to tell you that it is critical to the Madison Foundation and to all who have asked for coins at this time.

I feel sorry about my friend from California, that his wishes cannot be met here. I think those of us in the Senate would normally love to meet those wishes. But to be honest with you, the House is not going to take that, no matter what we do, and it may kill this bill forever. If that is so, these organizations lose, and the country does as well. It is time to end the long delay in passing this. I ask my colleagues to vote yes on the conference report. I hope we can get these organizations and these coins minted, pressed, and out to the public at large.

Mr. President, I yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. RIEGLE. Does the Senator from New York seek time on this issue?

Mr. MOYNIHAN. I do. I would like 10 minutes, if that is possible. I see the Senator from Alaska is here.

Mr. RIEGLE. The Senator from Alaska is here. He needs 4 minutes.

Mr. MOYNIHAN. Why do I not take 5.

Mr. RIEGLE. I will be happy to yield 5 minutes.

Mr. CRANSTON. I yield whatever time is needed not to intrude on the time of the Senator from Alaska.

The PRESIDING OFFICER. The Senator from California controls 1 minute, 17 seconds.

Mr. MOYNIHAN. Mr. President, I stand in support of a measure that has passed the Senate 13 times. I stand in support of Senator CRANSTON's view, his proposal, which is singular in these times. He proposes to earn the Treasury a quarter of a billion dollars, add to the happiness of millions of American coin collectors, advance the arts, and give employment to those rarest of workers, the engravers. Such a combination of wonderful things you could only associate with the senior Senator from California.

Mr. President, I am the Senator from New York, which happens to be the headquarters of the American Numismatic Association, which is very much in favor of the Cranston measure. The Numismatic Association museum is an absolute treasure. You have to go in it to get some sense of the history of coins and what they mean to the world. They are, perhaps, our oldest art form, certainly the oldest art form associated with the State. They tell you so much. They tell you, for example, how sacred these things have been. It was not until Alexander the Great that a Greek dared to put his own face on a coin of his realm. Even then he was represented as Pericles with a lion's head. Not even the worst of the tyrants would dare defy the gods by putting his own visage on a coin. Coins have always been mythic, representative, and evocative.

My heavens, this Chamber shook and rattled for two generations on the subject of the free coinage of silver. My golly, did we not orate on that. And it was felt in the most recent example, the coinage of the Susan B. Anthony dollar. I would have to say we are all disappointed with it. We New Yorkers are. People who live in Rochester especially so. Susan B. Anthony lived in Rochester.

The Anthony dollar designed without wide enough participation. It came out of the mint without congressional involvement, without enough participation to say is this going to look different from all other coins. I can tell you, no place throughout the State is there greater interest, in coinage, perhaps, than in Rochester. The Rochester Democrat and Chronical, not long ago, had a competition. If we had some new coins, what would the readers have them look like? The mails were filled. They loved this. It is part of the joy of Government.

I think of our neighbors, the Canadians, what wonderful coins they have produced in recent years, which is very important to them because when they speak of Canada, they speak of unity. And they found a symbol of unity in the loon. And the Canadians love their loonies, as they call them. And they know they have done something they feel good about. We will feel good about this, too.

Coin collecting—if ever there was a source of innocent merriment it is collecting coins. It is teaching, learning, conserving. The millions of coin collectors across the country would appreciate the redesign of our coins.

We could use a quarter of a billion dollars, Mr. President. Is there anybody here who thinks we do not need a quarter of a billion dollars? I see no Senator has risen in opposition to that point of view. I simply hope we will have the good sense to return this matter to conference. It will come back quickly. I thank the Chair. I congratulate my friend from California.

Mr. RIEGLE. Mr. President, the Senator makes a typically wonderful statement full of history and insight. It is just a pleasure to hear him speak.

Does the Senator wish additional time? Let me, then yield 4 minutes to the Senator from Alaska.

Mr. STEVENS. I do thank the Senator. I support the conference report and I do wish to go on record to that effect and I am grateful to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 4 minutes.

Mr. STEVENS. Mr. President, I support this conference report and urge the Senate approve it as the other body has. I am particularly concerned about a couple of the items in here.

Obviously, the Senate knows there are five new coins that the mint will create pursuant to this legislation. In terms of the White House I do not think there is any place that Alaskans like to go when they come down here, more than that—to visit the White House. I think this coin that is authorized to commemorate the 200th anniversary of the White House will be very popular with all Americans. Certainly, this will give us a new source to help maintain and renovate the house that the Nation provides to the President.

I am hopeful that the Senate will not find any objections.

Having been a Member of the Bicentennial Commission, I am also most interested in the coin honoring James Madison and commemorating the Bill of Rights. This happens to be a subject that I will cover in what we call a capital exchange program with schoolchildren in my State the next time that we have that program.

Americans exercise the rights guaranteed them by the Bill of Rights every day, but sometimes we take that Bill of Rights for granted. And I do believe the bicentennial celebration regarding the Bill of Rights is restoring its vitality, reminding Americans that it is a living, breathing document that means a great deal to our Nation. I support that coin also.

As has been already stated here, the proceeds from that coin will be used to train teachers who are interested in constitutional studies.

Another coin is the coin honoring the Persian Gulf veterans. There are hundreds of thousands of men and women who left their homes to defend the interests of our country and to help liberate the people of Kuwait. We had a series of Alaskans who fought in that engagement. Only one of them, Sgt. David Douthit, laid down his life for our country.

I urge the Senate approve this coin so that those whose fathers and husbands who sacrificed their lives for our country will have a tangible reminder of that engagement, and honor all of those who served.

The coin honoring the 500th anniversary of Christopher Columbus' discovery of the New World will bring funds for scholarships. We have, in addition to that, the World Cup coin.

Mr. President, I ask unanimous consent that a letter sent to Senator GARN by the Under Secretary for Travel and Tourism of the Department of Commerce be printed in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. STEVENS. This coin, too, is part of the whole package that will raise a sizable amount of money. I am told the CBO stated to the Appropriations Committee, by a letter of April 8, that this measure will reduce outlays of the Federal Government by $26 million. That is a substantial amount of savings. It ought not to be ignored as the Senate addresses this conference report.

I am hopeful it will be readily approved today when we vote upon it.

I thank the Senator from Michigan for his courtesy and yield the floor.

EXHIBIT 1

DEPARTMENT OF COMMERCE,
Washington, DC, April 23, 1992.

Hon. JAKE GARN,
Ranking Minority Member, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR MR. GARN: This is to request your assistance in obtaining expeditious passage of H.R. 3337, the "Omnibus Commemorative Coin Act."

Included in the bill is "the World Cup USA 1994 Commemorative Coin Act" which would authorize the sale of World Cup commemorative coins, the revenue from which would offset some of the expenses associated with America's hosting, for the first time, the World Cup international soccer championship in the Summer of 1994.

As you may know, the U.S. Travel and Tourism Administration (USTTA) works to develop tourism in the United States and promote our country as a prime destination for international business and leisure travelers. Last year the tourism industry generated receipts of $327 billion, with international visitation to the U.S. accounting for nearly $40 billion in receipts, creating a $10.5 billion trade surplus.

In two years, the World Cup game will be played in nine U.S. cities and generate approximately $1.5 billion in tourist revenue. Also, because nearly two-thirds of our 42 million international visitors last year were repeat visitors, we expect to reap a very positive economic impact—beyond 1994—from a successful World Cup.

However, the World Cup Organizing Committee, along with the nine host cities, will bear heavy costs for promotion and security for the games. It is estimated that sales of the World Cup commemorative coin will generate an estimated $40 million to offset these costs. These revenues will go a long way toward ensuring success for this historic event for the United States.

In short, the World Cup needs the support that can be provided by enactment of H.R. 3337, the "Omnibus Commemorative Coin Act." And I respectfully request that you support its expeditious passage.

Sincerely,

JOHN G. KELLER, Jr.,
Under Secretary for Travel and Tourism.

Mr. CRANSTON. Mr. President, I have only 1 minute. If the Senator from Michigan will yield me some additional time, I would be grateful.

Mr. RIEGLE. Of course.

The PRESIDING OFFICER. The Senator from Michigan has 7 minutes remaining.

Mr. RIEGLE. Mr. President, I will keep 1 minute. Why do I not yield 6 minutes to the Senator from California.

Mr. CRANSTON. I appreciate that very much.

The PRESIDING OFFICER. The Senator from California is recognized for 6 minutes.

Mr. CRANSTON. Mr. President, let me say I do not view this as a trivial matter. I do not view garnering a quarter of billion dollars painlessly to the Federal Government to reduce the national debt as a trivial matter that we should not spend an appropriate time considering.

I want also to say that I appreciate those who have called this my bill. It is not my bill alone. Senator WALLOP from the Republican side has been a cosponsor with me of this measure repeatedly. Senator DOLE, the majority leader and Senator SIMPSON, the minority whip, have been among the principal sponsors of this measure.

Of those who have spoken against coin redesign today, although they are supporters of coin redesign generally, let me cite the fact that Senator STEVENS of Alaska, Senator HATCH of Utah, Senator BOND of Missouri, have all been cosponsors of the measure calling for coin redesign as has Senator GARN, the ranking Republican member of the committee.

They have all worked for coin redesign several times, as has Senator GRAHAM of Florida, who also spoke. The point is that they feel that we should not proceed with coin redesign at this time because of the circumstances in the House of Representatives. They support coin redesign very strongly in principle.

I would like to read into the RECORD, a letter addressed to all Senators by Beth Deisher, who is the editor of Coin World. Her letter reads as follows:

On behalf of U.S. coin collectors and as editor of the world's largest numismatic collectibles news weekly with circulation in all 50 states and 39 foreign countries, I ask you to join Senators Alan Cranston and Malcolm Wallop in their effort to have the Senate-House Conference Committee Report on H.R. 3337 recommitted to the conference committee with instructions to Senate conferees to reinstate coinage redesign.

The U.S. Senate has approved legislation 13 times since 1988 calling for new designs on the reverses (tails sides) of our circulating coins. Coinage redesign was added last fall as one of the titles to the omnibus coin bill, H.R. 3337. However redesign opponents in the House of Representatives, using confusion and outright falsehoods, succeeded in removing coinage redesign from the Senate-Conference report.

We ask you to stand firm and support restoration of coinage redesign. Initially the coin redesign title called for new designs for all five circulating coins. Senate conferees compromised in good faith and are now seek-

ing redesign of the reverses of only the half dollar and the quarter dollar.

New designs for circulating coins is a WIN-WIN for everyone.

New art on our coins could be seen and appreciated by every American in their daily lives. New designs would draw attention to our nation's ideals and aspirations, as interpreted by artists of our time. New designs could return us to an American tradition—enacted into law by Congress in 1892 but lost sight of by Treasury bureaucrats in the latter part of the 20th century—of changing designs every 25 years.

New designs would generate significant revenue for the government because each new coin saved as a souvenir of the design change earns money which could be used to pay against our mounting national debt. It is extremely important to understand that coin redesign is the only part of the omnibus coin proposal which serves the national interest by substantially reducing the national debt at no cost to taxpayers. Four other titles in H.R. 3337 call for issuance of commemorative coins for special interest groups that seek the money generated by surcharges (taxes on the coins) as a means of funding their endeavors. The people who have been buying the commemorative coins—and paying the hefty surcharges (taxes)—are the coin collectors in the numismatic community, who have never benefitted from the surcharges.

Coin collectors of this nation, which by some estimates number as high as 10 million, are the advocates of coin redesign because they realize that coin redesign will draw the public's attention to coins. If the U.S. government expects to expand its sales of commemorative coins, it must become involved in and take some responsibility for maintaining the vitality of the hobby of coin collecting. Redesigning circulating coins is a much needed step toward that worthy goal.

It is our understanding that Senators Cranston and Wallop will lead a Senate floor debate April 28 before you are asked to vote on this important issue. I urge you to listen to them and to support them in their quest to reinstate coin redesign in H.R. 3337.

Sincerely,

BETH DEISHER,
Editor, Coin World.

Mr. President, I would also like to briefly read from a speech made in the other body when this matter was being considered; the speech made by Congressman KOLBE of Arizona, who very eloquently first touched upon the commemorative coins: Columbus, White House, World Cup, James Madison, and also the silver medal.

Then he asked:

I ask, who actually will pay these surcharges? The answer is coin collectors and dealers. It's no secret that this is an easy way to fund a pet project: Circumvent the appropriations process and let this tiny sector of the economy pick up the costs.

Opponents say there is no support for the coin redesign measure. Let me remind my colleagues that there is very strong support for coin redesign from the coin collecting community—the very people who are funding all these special projects.

So here we have a situation where we are asking coin collectors to pay all these surcharges. But when they ask for a minor change in the appearance of our coins in order to maintain the vitality of their hobby, we say they are asking too much.

I disagree.

Opponents say there is nothing wrong with the designs on our coins. That is true. But let me offer another perspective. Fifty years ago, Toscanini recorded the nine Beethoven symphonies in performances that are still hailed as brilliant. Yet major symphony orchestras continue to record Beethoven symphonies—not because there is anything wrong with the Tosconini performances or because they can improve on the artistic quality. New recordings are made because different people have their own idea about what beauty is.

What opponents of coin redesign seem to be saying is that there are no artists or sculptors alive today who are capable of designing a beautiful coin. They claim there is nothing more to be said about the aesthetics of our coins—it was done 50 years ago.

Let me emphasize—There is nothing wrong with current coin designs. But I think that among 250 million Americans, there is an artist capable of designing another beautiful quarter and half-dollar. And I, for one, would like to see the work of a living American artist on circulating coins.

That is Congressman KOLBE of Arizona.

Mr. President, I reiterate my urgent recommendation that the Senate defeat the conference report and send this matter back to conference so we can get coin redesign and save for our Government $250 million.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. RIEGLE. Mr. President, in the moments I have left, let me say I think it is very important we pass this conference report, notwithstanding the points made by the Senator from California.

We have two separate and good purposes that canhot be reconciled at this particular time, as we have been told by the House of Representatives.

The coin redesign can go forward on its own track at an appropriate time and manner, and should. But today I think we have to approve this conference report so these five commemorative coins that are ready to go, can go. And we had the debate.

I am going to ask now for the yeas and nays on the conference report when the Senate comes back.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BRYAN. Mr. President, I rise today to urge my colleagues to support H.R. 3337, the Omnibus Commemorative Coin Act. The measure contains several important bills that must be acted on expeditiously.

This act commemorates the 1994 World Cup soccer games, James Madison, and the 200th anniversary of the Bill of Rights, the 200th anniversary of the laying of the first cornerstone of the White House, the quincentary of the discovery of the Americas, and the service of our Nation's Armed Forces in the Persian Gulf.

The act authorizes the minting of coins to commemorate these historic events. The proceeds from the sale of the coins will be used to fund significant programs. Proceeds from the World Cup commemorative coin will be used to promote and stage the 1994 World Cup Soccer games in the United States.

Proceeds from the White House commemorative coin will be used for furnishings and maintenance of the public rooms of the White House.

Proceeds from the Christopher Columbus commemorative coin will be used to provide scholarships for research and exploration.

Proceeds from the James Madison/Bill of Rights commemorative coin will be used to provide scholarships for the teachers for advanced studies in U.S. history and the Constitution.

I would like to take special note on the inclusion in this act of S. 1774, the silver medal for Persian Gulf veterans, which I sponsored and was cosponsored by 65 of my colleagues.

S. 1774 authorizes the Secretary of the Treasury to design and strike a silver medal for eligible medal for eligible members of the Armed Forces, and authorizes the striking of a replica medallion for the sale to the public.

The striking of the silver medallion would be at no cost to the taxpayer, as proceeds from the sales of the publicly sold replicas would fund the minting of the silver congressional medallions for our troops.

Mr. President, last year Congress authorized gold medals for Generals Powell and Schwarzkopf.

Having recognized these two great generals, it is only fitting that we pay similar respects to the troops who served under them in the Persian Gulf.

This legislation will authorize a silver medallion for the military men and women without whom the efforts of our Generals could not have succeeded.

Operations Desert Shield and Desert Storm confirmed the U.S. military to be the best trained, best equipped, most fully capable armed forces in the world.

The American men and women who performed in the Persian Gulf served their country well and made us proud.

However, the sacrifices they endured were many and must not be forgotten. Indeed Mr. President, 141 Americans were killed in the Gulf conflict, paying the ultimate sacrifice to their country, and another 357 were wounded in action.

The long, exhausting hours in unfamiliar desert battle conditions, the trying period away from family and loved ones, and the ultimate sacrifice paid by our fallen and casualties deserve our acknowledgment.

Mr. President, the men and women of our Armed Forces are deserving of recognition and honor for their gallant efforts in the Persian Gulf conflict.

The offering of a commemorative silver medallion is one small way of demonstrating our national gratitude for their courageous service.

Let me close by emphasizing that if we defeat the conference report today we will be ending any chance we have of passing these commemoratives.

These commemoratives have already been delayed for over a year.

I support coin redesign and have tried to assist the senior Senator from California in his efforts to pass it.

However, it is clear that the House is not favorably inclined towards coin redesign at this time.

Having recently tried to pass it three times, the House Leadership has indicated it would "only serve to further delay passage of the time sensitive bills in the package and will effectively kill the legislation for this year.

I am hopeful that the House will reverse this position in the future, but we cannot delay acting on these important commemorative coins in the meantime.

I urge my colleagues to support the conference report on H.R. 3337.

Mr. GARN. Mr. President, I rise in support of the conference report to H.R. 3337, the White House commemorative coin bill. This bill has been debated for the last 6 months. It is time we pass this report and allow the mint to strike, produce, and market these coins. The White House Bicentennial commemorative and Christopher Columbus Quincentenary Commemorative coin programs are time sensitive. The Mint needs adequate leadtime to properly produce and market these coins in calendar year 1992 to mark these milestones.

According to a congressional Budget Office report, the coin programs in H.R. 3337 will result in a profit of $26 million to the government between 1992-95. Surcharges from the World Cup coin alone would generate between $30-40 million. These surcharges will be used to defray costs associated with hosting the games. The cities need the coin revenue to prepare the playing fields and stadiums for international competition, promote the games, and provide the necessary security for the players and the fans. The U.S. Department of commerce estimates that the tourism revenue to the United States from the world cup games at $1.5 billion. The delay in passing this legislation, has already forced the organizing committee to decrease the number of host cities from 12 to 9. These three cities have already lost out in sharing those tourism dollars. If this legislation is not enacted, these nine remaining host cities will be required to shoulder a larger burden of the cost, which could mean millions of dollars will be diverted from the city budgets that could be used for other worthwhile programs.

The World Cup coin bill along with the James Madison Foundation coin bill and the Christopher Columbus coin bill provides money for scholarship funds and educational programs. Many Americans will benefit from these different programs.

There have already been two conferences on this bill. The House passed the second conference report by a vote of 414-0. The House leadership has made is clear that they will not participate in a third conference. A vote by the senate to recommit this bill to conference is a vote to kill the coin package all together. It is uncertain whether other commemorative coin packages will be passed this Congress. This is not a partisan issue; billions of Americans will benefit from these programs, whether it is visiting the White House, attending any World Cup events, or receiving one of the numerous scholarships.

I, along with many of my colleagues, have been a supporter of coin redesign in the past, but that is no longer the issue with this bill. If we do not pass this conference report as is, then these five worthwhile programs will die and any pending coin bills are likely to be held up until the next Congress. The other body has made it clear that it will not consider coin redesign in any fashion and recommitting this legislation back to conference is saying that the senate wants to see these measures die. We can't let that happen.

Mr. SEYMOUR. Mr. President, I rise to support the White House Commemorative Coin Act, H.R. 3337, which will direct the U.S. Mint to strike five commemorative coins.

This legislation will commemorate five very important endeavors or events: First, the White House Bicentennial Commemorative Coin Act to commemorate the 200th anniversary of the White House. Proceeds from coin sales will be used for furnishing and maintenance of the White House. Second, Christopher Columbus quincentenary—these coins will commemorate the 500th anniversary of the discovery of America and proceeds will be used to finance scholarships for research and exploration. Third, the James Madison/Bill of Rights Bicentennial—these coins will commemorate the 200th anniversary of the Bill of Rights. Proceeds from the sales of these coins will be used to provide scholarships for teachers interested in pursuing constitutional studies. Fourth, the Persian Gulf Veterans Medals—silver medals will be minted to honor the men and women who served in the Persian Gulf conflict. The medals will be presented to the veterans. Fifth, the World Cup USA 1994 Commemorative Coin Act.

Everyone of these commemorative coins are very important and deserving of minting but there are two very important reasons why this legislation should be passed without delay: First, is the long overdue recognition to our Persian Gulf heroes. It has now been over a year since the Persian Gulf conflict ended and the Persian Gulf Veterans Medals honoring these men and women who served in the conflict have not been minted and bestowed upon these brave individuals. Second, the World Cup commemorative coin bill. This final coin is particularly important to California.

The United States was chosen for the first time in the history of the World Cup soccer games—the largest single sport event in the world—to host the games. These coins will commemorate this historic event and the proceeds from coin sales will be used to finance the games, help defray the costs of the local host cities and provide academic scholarships. This single event is estimated to increase direct tourism expenditures in the United States by $1.5 billion.

California has been fortunate as it has two sites—Stanford Stadium and Pasadena's Rose Bowl—which have been selected for the games. Alan Rothenberg, chairman of the World Cup organizing committee has estimated that this legislation will raise $40 million to help stage the World Cup in the United States.

Delay in passing the World Cup coin bill has cost U.S. cities millions in lost revenue. Due to uncertainty over passage of the World Cup coin bill, the World Cup USA Organizing Committee was forced to reduce from 12 to 9 the number of cities selected to host soccer games. This resulted in millions of dollars in lost economic activity to those cities not selected and will further cost the selected cities millions in operational costs unless revenues from the coin sales are realized.

I urge my colleagues to support this legislation, and pass it without delay.

Mr. SIMPSON. Mr. President, I rise in support of the conference report to H.R. 3337, and it is my hope that we can pass this today and allow these efforts to go forward.

The bill before us would mint coins to commemorate our hosting of the 1994 World Cup in soccer, the quincentenary of Christopher Columbus' voyage to the Americas, the 200th anniversary of the Bill of Rights, and the 200th anniversary of the White House. It would also mint long overdue medals to honor the men and women who served with such historic distinction in the Persian Gulf war.

It is my hope that these measures can be quickly passed. The commemoratives themselves are not controversial, and we are running out of time to get some of these coins minted. The Acting Director of the U.S. Mint has already written us to state that "if enactment is not forthcoming very soon, the mint will be severely limited in its ability to fully produce and market these coins"—that statement in particular refers to the White House coin and the Christopher Columbus coin.

These programs are 1992 programs we are almost in the fifth month of 1992,

and Columbus Day itself is only 5½ months away. So we do need to act promptly to pass this essentially noncontroversial legislation.

When I say noncontroversial I refer of course to the substance of the bill. I am of course well aware that there is a point of contention over whether we should include language in this legislation calling for a redesign of the tail sides of our circulating coinage.

I do not mean to take issue with those who are working for coin redesign. I admire them—each and every one. I have been a strong supporter of coin redesign, I would also note that many other supporters of coin redesign are nonetheless asking us to promptly pass this conference report. Our majority leader recently received a letter from House democratic leaders DICK GEPHARDT, DAVID BONIOR, and ESTEBAN TORRES, all advocates of coin redesign, which testified to the "unwillingness of the House to approve coin redesign in any form." Their letter continued, "it is our judgment that, despite our best efforts, a majority of the House will not support the redesign provision as part of the package. We believe that any efforts to reopen the conference will only serve to further delay passage of the time-sensitive bills in the package and will effectively kill the legislation for this year."

I do not think that anyone here wants to kill this legislation outright—rather, there is merely an honest, good-faith effort to enact legislation to redesign our coins. But the clear reality right now at the moment is that these worthy commemoratives, including among them silver medals to honor our distinguished veterans of the gulf conflict, will be jeopardized if we do not pass this legislation. That is the judgment of the Director of the U.S. Mint, and of the House leadership, and all of those in the best position to know.

I therefore ask my colleagues to lay aside their other valid concerns about coinage and to pass this conference report. By doing this we will get in just under the wire and have our beautiful coins minted in time for Columbus Day and these other national celebrations. I thank my colleagues and I yield the floor.

Mr. MACK. Mr. President, I rise today to voice my support for the conference report to H.R. 3337, the Omnibus Commemorative Coin Act. This conference report contains a number of bills which, if enacted, would commemorate special events and help a number of worthwhile causes.

For the first time in history, the United States has been chosen to host the World Cup soccer games, the largest single sports event in the world. The city of Orlando will be one of these host cities. This event is estimated to increase direct tourism expenditures in the United States by $1.5 billion.

One provision of the conference report would authorize the Mint to design and produce coins commemorating this event. The proceeds from the World Cup coins authorized by this legislation would be used to finance the games, help defray the costs of the local host cities and to provide academic scholarships.

Congressional delay and uncertainty concerning the fate of the World Cup coin bill has already caused the World Cup USA Organizing Committee to reduce the number of host cities from 12 to 9. While Orlando still receives the benefits of being a host to the World Cup, other Florida cities may have lost their chance to host an event when the field was reduced from 12 cities to 9. This delay and uncertainty cost the cities not selected millions of dollars in lost economic activity, and will further cost the selected cities millions in operational costs unless revenues from the coin sales are realized.

We must not delay passage of this bill any longer. I urge my colleagues to join me, without delay, in supporting this bill.

Mr. RIEGLE. Mr. President, we have had our debate on this issue. The time for debate has expired.

I ask unanimous consent to proceed for as much as 10 additional minutes on a separate subject.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE ECONOMY

Mr. RIEGLE. Mr. President, in light of the fact that both parties will be meeting for caucus purposes shortly, I will try to use less than the full amount of time I just asked for, but I want to take note of some important economic data that has come across the news wires this morning.

Let me begin by noting an item from the AP news wire that the U.S. economy grew. I am going to quote the first few paragraphs of this wire story this morning.

> The U.S. economy grew at a modest 2 percent annual rate during the first three months of the year boosted by the return of buyers to auto showrooms, * * * the government said today.
>
> Economists warned that the growth in the gross domestic product which followed a near economic standstill in the fourth quarter of last year, was not vigorous enough to budge the Nation's unemployment rate from a 6.5-year high of 7.3 percent in March.
>
> Separately, the Commerce Department reported a worrisome 14.8 percent seasonally adjusted drop in new home sales in March; the steepest in 10 years. It followed a 7 percent decline in February.

Now dropping down in that story, it says that in terms of this modest 2-percent growth rate in the first quarter that:

> The January-March rise was aided by a boom in mortgage refinancings, which put hundreds of dollars in many consumers' pockets and by an increase in early Federal tax refunds, the result of a rise in computerized filings.
>
> However, analysts warned that the economic upturn will not last unless employers have enough confidence in the future to start rehiring laid-off workers.

I think that is the critical issue, getting people back to work in this country.

I have not seen a later stock market update as the day has gone along, but the one I am now going to cite is the early one this morning, during the first half hour of trading which was the initial response of the stock market to this economic news. Obviously, there will be other news during the day and the market will rise and fall for whatever reasons. After digesting the initial economic news, however, the market was off and it indicated in the analysis—I will not read it—that the economic data just was not that strong.

The President was asked about it. I have just one other AP news item here. I am going to assume this is an accurate quotation, although sometimes these quotations are put together very rapidly and so sometimes they are accurate and sometimes they are not.

Assuming this one is accurate today also from the AP wire, when the President was quizzed by news people this morning about whether the recession was over, he said:

"Most people would say that 2-percent growth is not recessionary. There are some areas that are still hurting. But clearly, this is a good sign and there are a lot of other good signs" said Bush at a meeting with Republican law makers. "Most people that I talk to * * * feel that things are getting better." Then he concludes: "I just hope it continues."

I read that and thought to myself about the problems we are dealing with, unemployment, 9.3 percent in Michigan, and new home sales down, the steepest drop in 10 years. I have all kinds of people in my State and the other 49 States who cannot find work now who are unemployed. I got a letter from a fellow the other day who has been through three different job retraining programs and still cannot find a job. Even though he has been trained in three different areas, he still cannot find work, and that is a problem throughout the country and what this news story indicates.

It is not enough for the President, a friend of mine now over a quarter of a century, and I prize the friendship and want to maintain the friendship, but it is not enough for the President to say, "I just hope it continues." That is like a spectator; that is like somebody who is sitting up maybe 70, 80 rows in the stadium watching something that is going down on the field and saying, "I hope things go a certain way."

The President is the quarterback of the economic team of America. It is his

job to see that things get stronger, not to hope that they get stronger, but to call the signals to see that it will get stronger. We recently passed an economic recovery program and a tax program designed to get this economy moving faster. We sent it down to the President not very long ago. It passed the House and the Senate. We sent it down to the White House and the President vetoed that bill.

In that bill were a number of things that the President, himself, had asked for to try to stimulate the economy. There has not been anything since that time. And so we are missing the stimulative economic effect that could help create jobs in America, from the tax bill that we did pass that the President vetoed. So we have to have more action. We have to have more leadership. We have to get going in terms of a strategy that can get America moving at a faster rate.

The administration is certainly willing to take the initiative for other countries. They have come in here with an economic plan for Mexico called the fast track trade effort with Mexico designed to create jobs in Mexico. They have come in here with a plan to help Kuwait. They came in here the other day with an economic plan for, of all countries, Communist China. They were in here for the most-favored-nation trading status to help the Chinese, if you can believe it, to increase their economic performance. Of course the Chinese are shipping a lot of their goods to the United States. They have a huge trade surplus with us. They are draining billions of dollars out of the United States. And so the President and his people were working day and night to get the Congress to agree to give most-favored-nation trading status to, of all people, Communist China.

But is there an economic plan for America? None to be seen. What are the elements that ought to be in it? We need a national health insurance plan to get health costs under control for companies, businesses, individuals, families, and also make sure that people out there can have some manner of health insurance coverage so we do not have 40 million people who have no coverage at all.

Is there a Presidential plan on health care? None to be found. None to be seen. No plan in that area. That is a way to help the economy. We have all this cost shifting going on today, tremendous inefficiency in that system, and that is an area where it is not a question of hoping that things will get better. That is an area where only direct and forceful action will make things get better.

The same thing in the trade area. Japan continues to cheat us in trade. They are taking out of the United States over $40 billion a year. They took out $43 billion last year, a lot of it with trade cheating. They keep their market closed in Japan. They dump goods in the United States below cost, and they end up sucking $43 billion last year out of the United States. They are taking out an additional $3½ billion every month.

The President could do something about that. He likes foreign policy. He could pick up the telephone and tell the Japanese Prime Minister that that has to change. Apparently, we cannot muster that kind of an initiative within the administration. It is regrettable because that phone call needs to be made and that would help this economy, and then we would be able to see stronger growth numbers in the United States and we would see more Americans going back to work.

These are some of the areas where we need a response. We need a more aggressive economic strategy.

I must say, I saw the polling data the other day down in the State of Texas—very interesting. In Texas, the President is running second in the Presidential polling data. Who is he running second to? Another Texan, in this case Ross Perot. What is Ross Perot saying? He is saying we ought to try to do something about getting the economy going, that we ought to work day and night to try to get the job base growing.

The other candidate for President, in the Democratic Party, Governor Clinton, is saying the same thing. And down there in that particular State people who presumably know President Bush very well, because it is his home State, and Mr. Perot very well are saying they are so dissatisfied with the leadership they are willing to cash in the President and take Mr. Perot.

Now, these are just the folks in Texas. Why are they saying that? Because there is no economic plan for America. Yes, there is an economic plan in the administration for Mexico, for parts of the old Soviet Union, for Communist China, for Kuwait. You name the country, the administration has a plan.

They were in here the other day with a plan for Thailand. No plan for America. America needs a plan. We have veterans of Desert Storm today, people who were being honored with parades, and justly so, a year ago, who are now unemployed and homeless.

There was a story the other night on national television of two Desert Storm veterans living in cardboard boxes because they cannot find work. That is not right. We do not have to have our country in that situation.

But the President, with all due respect, has to do more than say I just hope the economy gets stronger. He has to get out of the stands, come down on the field, put on a uniform, and start calling the signals. This is what the country wants. If he is not prepared to do that in an aggressive way, that puts people back to work and really gets this economy humming, then he is going to be out of work. He is going to be out of work because people want change and they want this economy to get moving, and rightly so.

I thank the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

The Senator from North Carolina should be advised that all time has expired. There is a previous order to recess.

Mr. HELMS. I ask unanimous consent that I be allowed to proceed for 2 minutes.

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

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, inasmuch as we are talking about who is to blame for what, let me make a few comments. I make these comments every day updating the statistics. So here we go.

Mr. President, the Federal debt run up by the U.S. Congress stood at $3,879,888,608,005.53, as of the close of business on Friday, April 24, 1992.

As anybody familiar with the U.S. Constitution knows, no President can spend a dime that has not first been authorized and appropriated by the Congress of the United States.

During the past fiscal year, it cost the American taxpayers $286,022,000,000 just to pay the interest on spending approved by Congress—over and above what the Federal Government collected in taxes and other income. Averaged out, this amounts to $5.5 billion every week, or $785 million every day.

On a per capita basis, every man, woman, and child owes $15,105.13—thanks to the big-spenders in Congress for the past half century. Paying the interest on this massive debt, averaged out, amounts to $1,127.85 per year for each man, woman and child in America—or, to look at it another way, for each family of four, the tab—to pay the interest alone—comes to $4,511.40 per year.

What would America be like today if there had been a Congress that had the courage and the integrity to operate on a balanced budget?

I thank the Chair and I yield the floor.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, at 12:43 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. ADAMS].

WHITE HOUSE COMMEMORATIVE COIN ACT—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. The business of the Senate is the question on agreeing to the conference report on H.R. 3337. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Arizona [Mr. MCCAIN] and the Senator from Pennsylvania [Mr. SPECTER] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 75, nays 22, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—75

Akaka	Domenici	Mack
Baucus	Durenberger	McConnell
Bentsen	Ford	Mikulski
Biden	Garn	Mitchell
Bond	Glenn	Murkowski
Boren	Gore	Nickles
Bradley	Gorton	Nunn
Brown	Graham	Packwood
Bryan	Gramm	Pressler
Bumpers	Grassley	Riegle
Burdick	Hatch	Robb
Burns	Hatfield	Roth
Byrd	Heflin	Rudman
Chafee	Helms	Sarbanes
Coats	Jeffords	Sasser
Cochran	Kassebaum	Seymour
Cohen	Kasten	Shelby
Conrad	Kerrey	Simpson
Craig	Kerry	Smith
D'Amato	Kohl	Stevens
Danforth	Lautenberg	Symms
Daschle	Leahy	Thurmond
Dixon	Levin	Wallop
Dodd	Lott	Warner
Dole	Lugar	Wirth

NAYS—22

Adams	Hollings	Reid
Bingaman	Johnston	Rockefeller
Breaux	Kennedy	Sanford
Cranston	Lieberman	Simon
DeConcini	Metzenbaum	Wellstone
Exon	Moynihan	Wofford
Fowler	Pell	
Harkin	Pryor	

NOT VOTING—3

Inouye	McCain	Specter

So the conference report on H.R. 3337 was agreed to.

Mr. RIEGLE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, was leaders' time reserved this morning?

The PRESIDING OFFICER. Leaders' time was reserved.

SYRIA LIFTS RESTRICTIONS

Mr. DOLE. Mr. President, I want to join President Bush and others in welcoming the decision by the Government of Syria to lift longstanding restrictions on the Jewish population of Syria.

These onerous restrictions—which effectively precluded freedom of travel, and the holding of property—represented gross violations of the human rights of Syrian Jews. They were offensive to anyone who believes in freedom and fairness. They were a blot on the face of the Syrian regime.

This is an issue that many of us in the Congress have been working on for a long time. Two years ago in Damascus, I raised this matter directly with President Assad.

At long last, the Syrian regime has done what is right.

Hopefully, this decision will have a positive impact not only on those directly affected, but will also improve the atmosphere for the ongoing Middle East peace negotiations.

Peace and justice in the Middle East is still a long way off. But this decision represents one more small but important step forward in pursuit of that goal.

Mr. President, I reserve the remainder of my leader time.

The PRESIDING OFFICER. The Senator reserves the remainder of his leader time.

Mr. BOREN addressed the Chair.

SENATE ELECTION ETHICS ACT—CONFERENCE REPORT

Mr. BOREN. Mr. President, I submit to the Senate a report of the committee of conference on S. 3, the Congressional Campaign Spending Limit and Election Reform Act of 1992 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of April 8, 1992.)

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. BOREN. Mr. President, I am extremely pleased to bring to the floor the conference report on S. 3, the Congressional Campaign Spending Limit and Election Reform Act of 1992. For almost a decade now, each Congress has come a step closer to enacting meaningful campaign finance reform. Many said that such a sweeping campaign reform bill would never make it this far. Clearly, they were wrong.

The outstanding leadership of many individuals in this Chamber, an effort that began, as I indicated, almost a decade ago, involving at that time, along with current Members of the leadership, bipartisan leadership of Members like Senator Goldwater, Senator Stennis, and others, continuing on with the leadership in this Chamber of majority leader Senator MITCHELL; Senator FORD, the chairman of the Rules Committee; the distinguished President pro tempore, Senator BYRD; and many others, we now have the opportunity to send to the President the most comprehensive campaign finance reform measure passed since Watergate. This bill will replace the power of the pocketbook with the power of the American voter. We have traveled a long journey. But the end of the journey is finally in sight. We must succeed.

The conference agreement, almost without exception, maintains the strong provisions of the campaign finance reform bill that passed this Chamber nearly a year ago. In every important way, we meet the goals propounded in the Senate bill. These goals include reforming the system to encourage citizen involvement at the grassroots level, reforming the system to encourage and promote political competition with a focus on the issues and on substance rather than on rewarding only those who can raise the most money.

It is time for us to have competition in American politics based upon ideas, based upon which candidate is best qualified, based upon the proposals of the candidates for solving the serious problems facing this country instead of having elections fought more and more on the question of which candidate can raise the most money in his or her campaign fund.

Third, this proposal will reform the system by crafting a comprehensive solution which guarantees that the millions of special-interest dollars spent on campaigns are eliminated from the system for good, instead of just popping up somewhere else in the political process after being squeezed out of one area that we might target.

The conference agreement is in line with the Senate-passed bill and achieves these goals. First, the agreement is premised on a set of benefits that will be provided if a candidate ac-

cepts voluntary spending limits. The current system has made us part-time Members of Congress, part-time Senators, and full-time fundraisers. To win a seat in the Senate today, you need to spend nearly $4 million. That is exactly the average spent by candidates who won U.S. Senate races in the last election cycle: $4 million, on the average; not in the largest States, but an average-size State. It means that a successful candidate has to raise an average of almost $15,000 each week, each and every week for 6 years, in order to come up with the average amount of money that a winning candidate spent in the last election cycle.

In the 1990 election, Senate candidates raised almost a quarter of a billion dollars to run successfully for office. Mr. President, enough is enough. With the serious problems that we have facing this country, it is time to allow the Members of Congress to concentrate on solving those problems, on doing the job that the people elected them to do, instead of forcing them to spend so much time raising more and more and more money in order to run successful election campaigns.

Moreover, this expensive system not only takes the attention of Members and candidates for office off the issues and away from solving the problems to the need to raise money, it also favors incumbents and discourages new candidates who can bring fresh ideas to Congress. In race after race, incumbents outspend challengers.

In the 1990 senatorial election, only one challenger defeated an incumbent, the lowest number of successful challengers since 1960. The only lasting and effective way to fix this system is to place reasonable limits on how much money those running for office may spend. The American people overwhelmingly favor spending limits in elections. In recent surveys, between 77 and 85 percent of all Americans—all Americans of both political parties, Democrats and Republicans alike—favor spending limits. The conference committee agreement mirrors the Senate bill in accomplishing this objective of imposing spending limits.

In accordance with the U.S. Supreme Court decision, which requires that any spending limit system be voluntary, it establishes a voluntary system under which expenditures are capped based on the voting age population of a candidate's State.

Opponents of this bill cry that spending limits would hurt challengers. This unsupported statement does not reflect the realities of this bill. We must look at facts and not fiction. For example, if spending limits imposed in S. 3 had been in place in the 1990 Senate election, 82 percent of the incumbents who ran last time would have exceeded the spending limit by an average of almost $2 million, compared with only 32 percent of the challengers, who have exceeded the limit by an average of only $400,000.

The facts are clear. Incumbents, time after time, again without regard to whether those incumbents are Democrats or Republicans, can simply raise more money than challengers. They occupy positions of authority and have the ability to influence important policy decisions which affect powerful interest groups in this country. And because they occupy those positions and because those interest groups want access to those incumbents, they are in a better position to raise money if money is going to be the determining element in the outcome of campaigns in this country.

And so it is not surprising that on the average, incumbents were able to outspend challengers in Senate races by about 3 to 1 and in House races by about 8 to 1 in the last election cycle. It is not surprising, therefore, that incumbents would have exceeded the spending limits, 82 percent of them, if S. 3 had been in effect in the 1990 election cycle.

The truth is that with spending limits, challengers will now finally have a chance to compete in the election process. And as long as we have no spending limits—runaway spending without control—it is going to be the rare challengers, indeed, who will have a chance to raise even close to as much money as a sitting incumbent in any election campaign.

Mr. President, spending limits are not just important to campaign finance reform; they are fundamental to campaign finance reform. Campaign reform without spending limits is like telling the doctor you can examine the patient, but you certainly cannot cure the disease or treat the disease.

Second, the conference agreement eliminates the disproportionate influence of political action committees. In 1990, PAC's contributed more than $130 million to campaigns. These PAC's know how to play the Washington power game. They gave $16 to House incumbents for every $1 given to challengers, and they gave to Senate incumbents versus challengers by more than 8 to 1; $16 by the political action committees given to incumbents for every $1 that they gave to challengers.

This margin for Senate incumbents has risen for the 1992 election to more than 15 to 1, and the ratio so far in this election cycle for House races is 25 to 1. So instead of the problem becoming less serious, the problem grows worse by the day. How long, Mr. President, are we going to wait until we do something about it? Already political action committees, giving $16 to incumbents in the House versus $1 to challengers, is now increasing to $25 to $1. Are we going to wait until it is $50 to every incumbent to every $1 to a challenger; $100? How long are we going to wait, Mr. President? How long are we going to wait to curb special interest influence in American politics? How long are we going to wait, Mr. President, to bring campaign spending under control? How long are we going to wait?

When I first came to U.S. Senate in the election cycle of 1978, the average winning candidate for the U.S. Senate spent $600,000 getting elected. That was only 14 years ago; $600,000. The last election cycle was $4 million. Are we going to wait until it is $8 million; $16 million? Where is it going to end, Mr. President? How long are we going to let this situation continue before we act?

The conference report on S. 3 gives us a chance to take that historic step. We are the trustees of this institution. We have an opportunity to vote on this legislation. We are the only ones who have an opportunity to vote on this legislation, and therefore it gives us a heavy responsibility to do what is right as trustees of the process for the American people.

It is time for us to seize this opportunity to put our own house in order, to begin to reform this institution, and there is nothing more fundamental to the reform of the institution of the U.S. Congress than assuring we have an election process that belongs to the people instead of to the power of the dollar contributed by special interest groups.

Clearly, the disproportionate influence of political action committees must be eliminated to allow incumbents and challengers to compete on a level playing field. Conferees, recognizing the constitutional limitations on a complete political action committee ban—that is a matter that has been raised during debate when we had the bill before us before. It is a matter also raised by the White House in making some of their proposals.

I think there has been broad understanding of the potential constitutional issues on both sides of the aisle. In light of that, the conference committee decided not to prohibit entirely the ability of political action committees to contribute, but instead curtailed strictly the ability of PAC's to give in congressional elections. The conference agreement provides that a candidate would be limited to receiving no more than 20 percent of the election-cycle limit in aggregate political action committee contributions, and the maximum political action committee contribution or PAC contribution for Senate candidates will be cut in half, from $5,000 to $2,500 per election.

These measures would significantly decrease the disproportionate influence of PAC's on Senate candidates. If the 20-percent aggregate PAC limit without the individual PAC limit had been in effect in 1990, the amount of money incumbents could have raised from political action committees would have been cut by more than half, 53 percent.

And so, Mr. President, this bill goes a long way in the right direction to reduce by more than half the amount of money that political action committees did pour into the process in the election cycle just ended in 1990.

Third, the conference agreement adopts the Senate language and stops the flow of what has been called soft money, or sewer money, into American politics. The sewer money comes from huge contributions from wealthy individuals and organizations, such as unions and corporations and others, funneled through political parties. This distortion of the political process must be stopped. As we approach the upcoming Presidential election, we will likely see over $100 million or more in soft money pumped into the system to alter the course of Federal elections.

Mr. President, we have seen this happen in the Presidential system, for example, where we have adopted a system that supposedly was going to squeeze special interest money out of the process. And now, through the loophole of allowing people to pass money through the political parties, State party organizations, for example, in a move to influence Federal elections without spending limits, have actually had fundraisers where people have given up to $100,000 each to be funneled through this loophole for the purpose of influencing Federal elections, including Presidential elections, under a system that was supposed to totally remove special interest funding and funding from wealthy individuals in an undue amount.

Mr. President, it is time to stop it. People across this country who have studied the election system have called for stopping it. And this conference committee, once and for all, has adopted a proposal that will do just that.

Fourth, the conference agreement would also halt another abuse, bundling, for example, the object of many recent press reports, even in the last few days. Special interest groups are skirting the law through so-called independent expenditures.

Further, the conference agreement follows the Senate-passed bill in improving the quality of the debate. The benefits for accepting the voluntary spending limits include broadcast vouchers which can be used for television and radio. On all such advertisements, candidates must claim responsibility to ensure the presence of clear fingerprints on negative attack advertising.

Mr. President, nothing has been more discouraging or disgusting than to see the course of recent campaigns during which time we have seen a large number of advertisements carried in the media, 30-second spots attacking other candidates, not trying to talk about what a candidate wants to do to help the country, but making negative personal attacks on the opposition and then not even claiming credit for these attacks. Actors are usually used in these broadcast spots so that the candidate himself or herself can avoid responsibility for making such negative attacks on the opposition.

So under this bill, Mr. President, no longer will a candidate be able to hire actors to make personal attacks on 30-second spots without having to assume responsibility himself or herself. The candidate will have to be shown on the end of the advertisement claiming responsibility for the ad.

And hopefully, Mr. President, there is enough sense of personal honor and integrity that there will be enough hesitation on the part of candidates to keep them from wanting to assume responsibility for such negative advertising, and they will again turn back to discussing the issues, to talking about what they want to do to serve their country, instead of wasting the voters' time on negative attacks on the opponents that they face during an election campaign.

Contrary to the statements of a few Members of Congress, this bill does not commit any public resources to financing any part of the congressional campaign.

Because the conference vehicle is a Senate bill, it cannot provide funding until subsequent funding legislation is passed. However, the conference agreement also provides for a resolution that subsequent funding legislation shall not provide for any general revenue increase, reduced expenditures for any existing Federal program, or an increase in the Federal budget deficit in order to fund those incentives necessary to a bill under the Supreme Court decision to impose spending limits.

The conference agreement contains almost all of the Senate bill that was the product of extensive debate on both sides of the aisle. I recall that Senators, including Senator DANFORTH, the Senator from Missouri, proposed the broadcast voucher system, a system of broadcast vouchers be included.

Many Senators on the other side of the aisle have targeted the cost of campaigns as a goal of true reform. Through our reduced mailing and broadcast rates we have incorporated this concern. In fact, it was Senator RUDMAN who convinced me that we should not only allow candidates to receive the lowest unit broadcast rate, they should be able to buy advertisements at less than that rate, half that rate, as provided in the bill.

Although the conference agreement, like the Senate bill preceding it, surely will not please all 100 Members of our Chamber, it is a program for real reform. What is certain is that we must quickly press forward with this solid reform bill. We cannot afford to sit and watch our system decay further while the American people continue to lose faith in this institution.

Mr. President, this agreement is real reform. The conference agreement reflects the Senate-passed bill in every substantive area of reform. Writers and public interest groups who have worked to reform the process have unanimously heralded this bill as fundamental reform. The New York Times calls it landmark legislation and suggests that the President should sign it. The Los Angeles times dubbed it "the best chance the country has had in years to pull itself back from the brink of political despair."

These are just a sample of the dozens of editorials in newspapers from all parts of the country that uniformly emphasize the need for true campaign finance reform.

Mr. President, I ask unanimous consent that a series of editorials from the Washington Post, the New York Times, the Los Angeles Times, and many others, the Sacramento Bee; Fort Worth Star-Telegram; San Jose Mercury News; the Huntington, WV, Herald Dispatch; the Wichita Eagle, of Wichita, KS; the Plain Dealer, of Cleveland; and several other newspapers, the Miami Herald, Miami, FL; the Hartford Courant, Hartford, CT; and the Reno Gazette-Journal, of Reno, NV, among others be printed in the RECORD.

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

[From the Los Angeles Times, Apr. 8, 1992]

WHY VETO THIS TERRIFIC REFORM?

Some time before the end of this month, the most important campaign reform legislation in a generation will be offered to President Bush for his signature. Bush has sworn to veto the reform. In our judgment, a veto would harm both parties and, worse, would wreck the best chance the country has to turn the current, almost suicidal pessimism of the electorate into a renewal of hope.

The real political news of the last six months has not been the rising and falling and rising fortunes of Bill Clinton or Jerry Brown or Pat Buchanan or George Bush. It has been the falling, falling and further falling level of popular interest in the nation's electoral process itself. The cure for democracy cannot be less democracy; but less democracy is just what you get when so many eligible voters just give up and stay home. Past a certain point, non-participation becomes a crisis of legitimacy for American democracy itself.

Root of Evil: The candidates accuse one another of bringing the nation to this crisis, but notice how the accusation is framed. The term of accusatory art is special interests as in "my opponent is captive to the special interests." What makes special interests bad, of course, is that they are pursued against the general interest, but how does a candidate fall into this special-interest captivity?

The bars of the cage are made of money. Buying votes is bribery, and illegal, but buying access, buying influence, buying returned phone calls—all this is "politics as usual." What the candidates say about their opponents guilt is the unpleasant truth. What they imply about their own innocence is a stinking lie, and that's a good part of the reason Americans are tuning out their own

political system. The whole thing is starting to stink.

A generation ago, with the foul aroma of Watergate still on our presidential politics, the United States instituted limits on presidential fund raising. The reform consisted, in broad terms, of a limit on contributions by individuals and political action committees joined to a program of public funding. As a result of this reform, President Bush has received a total of $145 million in public funds for his campaigns for the vice presidency and the presidency.

Root of Reform: The legislation the President has sworn to veto extends this reform to House and Senate races. The reform does not, as he claims, favor incumbents over challengers. Under the present, unreformed system, incumbents raise vastly more money than challengers. A Times study found, moreover, that only 80 House candidates in 1990 spent more than the $600,000 limit that the reform permits. The reform does not increase taxes. Though it limits PAC contributions it does not eliminate them. It improves on the reform of presidential campaign spending by strictly limiting so-called soft-money contributions to political parties.

It is, in short, the best chance the country has had in years to pull itself back from the brink of political despair. President Bush should not just sign this legislation, he should applaud it. We are cheered by the rumor that a group of junior Republicans may soon give him the same advice.

[From the Washington Post, Apr. 6, 1992]

MR. BUSH ON CAMPAIGN FINANCE

President Bush made another selfserving speech the other day about the need for congressional reform just as the Democrats were wrapping up the year's most important reform bill—which the president has promised to veto. The bill would shift the debate from the entertaining subjects of the House Bank, House Post Office and which branch has the most egregious perks to the fundamental issues of how much it costs to get to Congress, and who pays.

The price of office has been allowed to rise too high. The average Senate seat now costs about $4 million; the average House seat, about $375,000. To raise what it needs to run for reelection, Congress as a whole now collects an average of more than $2.7 million in campaign contributions every week of every year. Seats are bought in this system, even if members are not. Members spend too much time begging; too much money comes from PACs, the giving arms of the interest groups with business before the members whom they choose to support. In the House the system is worse in that, thanks to the PACs, many senior members particularly are easily able to raise more than they spend; the carryover is used to discourage future challengers.

In most recent years this system has produced Democratic majorities; the Democrats would nonetheless change it. Their bill, which not all of them like, would establish voluntary spending limits, provide partial public funding or its equivalent in kind to candidates (challengers as well as incumbents) who comply with them, make some other healthy changes in the mix of funds to reduce the influence of PACs and try to prevent evasions, particularly in the form of "soft money"—campaign contributions meant to support federal candidates but laundered through state parties to avoid the federal ceilings.

Our own notion is that the bill would help challengers (and thereby Republicans) more than incumbents. The Republicans nonetheless resist in part on grounds that challengers must often outspend their rivals to win. The president says that he will veto a bill combining spending limits and partial public finance. He professes to be opposed to both features in part on principle, even as he himself is about to become the all-time leading recipient of public funds in federal elections. As vice presidential candidate in 1980 and 1984 and presidential candidate thereafter, he will have accepted some $200 million in public funds in return for abiding by spending limits. What rubbery principle is that?

The president wants it understood that, whatever the nation's accumulation of problems during the past 12 years, the executive branch was not at fault. If it's bad, the corpulent Democratic Congress did it; that's the theme—and Congress has rarely been an easier target than now.

But as this very bill again attests, that's only a partial picture. Mr. Bush has been a reactive president; Congress has often been the forcing branch. He is trying here to create a self-fulfilling prophecy: to blame the Congress even as he blocks the reform. The Democrats are right to pass this bill. If he vetoes it, the corrupting system that it seeks to replace is at his doorstep.

[From the New York Times, Apr. 6, 1992]

DEMOCRACY AND HYPOCRISY

President Bush, seizing on the public's contempt for Congress, now casts himself as an ardent government reformer, committed to cleaning up a "broken" political system. But that's a stretch, even for a politician caught with his polls down in the midst of a tough re-election fight. Beyond the partisan posturing, Mr. Bush shows little real interest in fixing things.

He rightly calls for streamlining the Congressional committee system and its budget process. But Congressional leaders are already pushing to create a partisan committee to examine such changes. And on the central reform issue facing Congress—its corrupt system of campaign financing—Mr. Bush is the main obstacle to fundamental change.

Landmark legislation that would finally slow the endless pursuit of favor-seeking money by the nation's top lawmakers and the special treatment it buys has cleared a House-Senate conference committee and is headed for the House floor.

The measure, backed by the Senate majority leader, George Mitchell, and House Speaker Thomas Foley, would create a less incumbent-protective system of spending limits, new curbs on special-interest political action committees (PAC's) and sensible public financing.

The bill isn't perfect. But it would be a breathtaking departure from the discredited business-as-usual that keeps lawmakers beholden to favor-seekers and keeps challengers at bay. Mr. Bush says he wants a cleaner, more competitive system. Yet he threatens to veto the bill when it arrives on his desk because it contains spending limits and public financing.

Mr. Bush, like most Congressional Republicans, resists spending limits, saying they would hurt challengers. But the argument simply doesn't hold when few House challengers can raise enough money to run a realistically competitive race.

The President's opposition to public financing is even more troubling. In a speech Friday at Philadelphia's Independence Hall, Mr. Bush asserted that "Federal funding of Congressional elections would only make the problem worse." But how? The President doesn't say.

If the influence of favor-seekers is to be reduced, and the playing field leveled for challengers, candidates need access to clean resources. The constitutionally dubious step Mr. Bush proposes, abolishing the corporate and union PAC's that give predominantly to Democrats (but not "ideological" PAC's that tend to favor Republicans), won't do the job. Nor is a 12-year term limit a good answer. It would purge good legislators and bad while inflating the influence of staff and lobbyists.

Mr. Bush's opposition to public financing is awkward and ungrateful. Mr. Bush will have run in four publicly financed Presidential campaigns by November. He will have received the benefit of more than $200 million in public campaign money—making him the nation's all-time public-financing champ. That alone ought to give Mr. Bush pause before lifting his veto pen.

Among its other big advantages, the Congressional campaign finance bill would close the loophole in the Presidential system that saw Mr. Bush's 1988 campaign hustle $100,000 contributions from some of the nation's wealthiest people to help the national campaign.

The President who's trying to woo voters by wearing the cloak of reform would look a lot less selfish, and a lot more sincere, if he changed his mind and signed the bill.

[From the Sacramento Bee, Apr. 9, 1992]

TONIC FOR AN AILING CONGRESS

Salivating over the House check-writing scandal, his moistened finger lifted bravely to the wind, President Bush, like so many others in this election season, is running against Congress. In that vein, he has endorsed the dangerous congressional quick fix of term limits. At the same time, the president promises to veto the one good piece of legislation that has a chance of reducing the special-interest grip on Congress and making the institution more responsive to the electorate.

A campaign-finance reform bill designed to slow the congressional money chase cleared a House-Senate conference committee last week. Its key elements are voluntary spending limits and limited public financing of congressional campaigns. Under the legislation, candidates for the House of Representatives who accepted public financing could spend no more than $600,000 per election cycle. Spending limits for Senate candidates who accepted public funds would vary from $1.5 million to $8.2 million, depending on the size of the state.

The bill was approved on a straight party-line vote, with all Republicans voting "no." They fear that spending limits will hurt challengers, most of whom are Republicans, while helping better-known incumbents, mostly Democrats. It's a groundless fear: The history of political campaigns has shown that challengers don't need huge amounts of money to win, just enough to run credible campaigns. Practically every incumbent defeated in the last congressional election cycle spent more than his opponent.

Congressional Republicans and Bush also object to public financing, dismissing it derisively as "welfare for the politicians." It's an odd objection coming from a politician who, as a two-time candidate for vice president and a three-time candidate for president, has received nearly $150 million in public campaign funds.

The bill approved last week is not the perfect remedy for what ails Congress, but if it

becomes law it can reduce the obscene sums spent on election campaigns. And it would give those candidates who wish to avoid both the appearance and the reality of being bought and paid for by wealthy special interests a clean source of campaign funds. What's wrong with that?

[From the Fort Worth Star-Telegram, Mar. 31, 1992]

THE REAL PROBLEM: NOT PERKS, BUT CAMPAIGN-FINANCE ABUSE

Ah, those congressional perks—perquisites of office, defined as things expected but incidental to employment. In the case of the House, it means free reserved parking where others pay, free prescription drugs, a low-cost private gym and discount haircuts. It used to mean the freedom to write bad checks.

The public is right to demand an accounting, and an end, to these privileges of office. For that matter, it is also right to review and kill some perks (limousine service, for instance) enjoyed by executive-branch functionaries. Arrogant and assumed privilege is questionable whether it is enjoyed by an elected representative, an assistant secretary of something or the president's chief of staff.

But no revelations about House members' abuse of privilege, or even needed efforts to trim back those privileges, should be allowed to obscure the real iceberg—of money—that threatens our system of representative government.

This week, House and Senate conferees start work sorting out slightly different versions of campaign-finance reform bills. Each house wrote its own, not presuming to tell the other how to act. The House-Senate conference hopes to produce one bill acceptable to both before the spring congressional recess April 10.

This work is much more important than the flap about perks. It is more important than all the jingoism about term limitations.

Money really is the mother's milk of politics. No member of Congress ever voted against the public interest because he had gotten a cheap haircut or because she had written a bad check at the House bank, but such votes are bound to occur when representatives and senators spend most of their time cultivating campaign contributions and kowtowing to backers with deep pockets.

Conferees may come up with different rules for House and Senate in order to free candidates from begging for money. The conferees may recommend public financing of campaigns. They surely will try to set some caps on campaign spending.

Wish them luck, and hope the president doesn't veto the product without excellent and non-partisan reason. This really is important work—important not just to the politicians but to every American citizen.

[From the San Jose Mercury News, Dec. 2, 1991]

HOPE FOR REFORM

Approval in the House of Representatives of campaign finance reform last week offers more hope that Congress may kick its addiction to special-interest money.

Earlier this year, the Senate passed a strong campaign reform measure. Now the two versions must be reconciled in conference committee.

One impediment to reform will be President Bush, who has said he will veto any measure that includes spending limits and public subsidies.

Without them, there will be no meaningful reform.

The Supreme Court has ruled that spending limits are unconstitutional, except when made a condition of receiving public funding for campaigns.

Spending limits are essential, because the fear of being outspent is what drives incumbents to raise money throughout their terms in office. The wallets they reach into usually belong to businesses and interest groups with a major stake in the outcome of legislation.

Campaign reform without spending limits becomes an endless attempt to limit contributions, which, by itself, is doomed to fail. If candidates feel they need more money and they are allowed to spend it, they will find it someplace.

The House bill has three major provisions. Total spending would be voluntary limited to $600,000. Candidates could receive only $200,000 from political action committees. And candidates who agree to the spending limit would be eligible for $200,000 in public funds.

Republicans claim the bill would cripple challengers. The argument is baffling. Incumbents—and in Congress, most incumbents are Democrats—enjoy huge fund-raising advantages. Spending limits and public funds blunt that advantage.

The Senate approach to reform is similar to the House's, with one important addition. The Senate would ban so-called "soft money," contributions in amounts as high as $100,000 given to parties, not directly to candidates. Especially in presidential and senatorial contests, where the party has only one candidate, this is a loophole big enough to accommodate a Charles Keating.

Public funding of campaigns is often criticized as forcing the public to pay for yet another congressional perk. That criticism is foolishly shortsighted.

Campaigns will be financed somehow. The current method is that agricultural interests disproportionately underwrite the campaigns of representatives and senators on agricultural committees, and banking and savings and loan interests contribute heavily to members on the banking committees.

Compare the hundreds of billions of dollars spent bailing out savings and loans with the cost of subsidizing campaigns.

[From the Huntington (WV) Herald-Dispatch, Jan. 4, 1992]

CAMPAIGN GIFTS: IT'S TIME FOR A STRONG REFORM LAW

When the bills are added up, the near-collapse of the nation's savings and loan industry seems a cinch to be the largest financial scandal in American history. It's estimated that the S&L debacle will cost U.S. taxpayers about $500 billion—or $4,600 for every taxpayer.

Let there be no mistake about it: The S&L scandal never would have taken place if the federal government's regulatory machinery had been allowed to function. But powerful congressmen put enough pressure on regulators that they couldn't do their jobs.

That pressure didn't just happen. It was a direct result of the $11 million in campaign contributions that financier Charles Keating and others in the S&L industry funneled to key lawmakers in Washington.

Now that the S&L mess has been exposed to the light of day, members of the public have no problem seeing the obvious connection between the big-bucks donations by Keating and others and failure of the federal government to properly police the industry.

Little wonder that a recent New York Times/CBS News Poll indicated 57 percent of those surveyed said they believe at least half the members of the Senate and House are "corrupt."

There's no quick, easy way for Congress to prove that discouraging assessment wrong. But there's one important step which, if taken, could work wonders at changing things: curb the flow of special-interest money into the campaign coffers of our lawmakers.

During 1991, for the first time since Watergate, both the Senate and House passed serious campaign finance reform legislation that would limit overall campaign spending and reduce the role of special-interest contributions. A major challenge for Congress in 1992 is to meld these differing Senate and House bills into a single piece of strong legislation.

President Bush has threatened to veto any campaign reform bill that contains public financing. Yet, as Fred Wertheimer, president of Common Cause points out, "Bush has already run twice for the presidency under the very same kind of system and is about to do so for a third time."

It's time for Congress to clean up its campaign finance mess—and time, too, for President Bush to stop standing in the way.

[From the Wichita (KS) Eagle, Mar. 30, 1992]

NEXT: CONGRESS IS MOVING TO STOP PERKS, SO, NOW IT NEEDS TO GO FOR CAMPAIGN FINANCE REFORM

Congress is moving toward getting rid of some perks. That's good. The recent flap about the House bank has pushed members to "just say no" to some of the most egregious privileges. But angry voters won't be mollified by higher charges for representatives to use the House gym and or higher prices for senators to eat in the Senate dinning room. The voters want more to assure them that there really is an attitude adjustment on Capitol Hill.

And the next step toward change—beyond that additional perk purging needs to take place—is for Congress to pass meaningful campaign finance reform legislation. The House and the Senate passed such legislation last session but no final action was taken before Congress recessed for the 1991 holidays. Now conferees are finally appointed and conference committee work to reconcile the two bills could begin as early as Tuesday.

There are two compelling reasons to change the way congressional campaigns are financed. The first is to make sure there's a level playing field for incumbents and opponents. That will never happen as long as political action committees pour millions of dollars each year into the campaign coffers of sitting members of Congress. Of the more than $108 million that PACs contributed to House candidates in 1990, for example, only 6 percent went to challengers. And the 31 senators seeking re-election in 1992 have more than $81 million in the campaign chests. The 46 candidates currently challenging the incumbent senators, in contrast, average $441,583 in campaign resources.

The second reason for passing true campaign reform legislation is the growing understanding that special interest contributions too often lead to special interest legislation. The health care industry—physicians, insurers, hospital and pharmaceutical administrators—have plowed millions of PAC dollars into undermining meaningful health care legislation. Heavy-hitter pesticide promoters have stalled environmentally sound

agricultural policy. Bankers have too much self-serving say in what limited banking reform legislation there is. The list goes on and on.

It's time for the next step in cleaning up Congress. Now that congressional leadership has moved on correcting the problem of bounced checks, it needs to move forward to correct the problem of PAC checks. Both actions would set the stage for further control over perks and privileges that have enraged voters and limited the institution's effectiveness.

[From the Cleveland (OH), Plain Dealer, Apr. 7, 1992]

CLEAN UP THE FILTHY CASH

Corruption strains the way America elects its lawmakers and makes its laws—corruption that rewards special interests and shortchanges the public interest. But this week, Congress seems ready to approve a campaign-finance reform package that would help break Washington's incumbent-protection racket.

As Congress crafted its worthy reform package, the White House last week raced to get ahead of the parade, yet offered only a half-hearted diversion from meaningful action. If President George Bush is serious about enacting realistic reforms, he must drop his threat to veto Congress' sensible cleanup plan.

The package, dubbed the most important anticorruption reform since the Watergate years by the Common Cause watchdog group, correctly targets the way special interests use campaign cash to manipulate lawmakers. The reform plan, while not perfect, includes the two essential elements of workable change. The first is reducing the amount of money spent by political action committees; the second is limiting overall spending for congressional races.

As Bush rightly notes, today's insidious PAC dominated system protect incumbents and discourages challengers. PACs subvert voters' demand for change by pouring money into the coffers of incumbents whose re-election seems threatened. With newcomers starved for cash, PAC donations keep incumbents beholden to special interests largesse and stifle ideas that might threaten the status quo.

PAC donations would be limited under the House and Senate plan. But Bush would merely wink at the problem, outlawing PACs run by business and labor (which tend to donate much of their money to Democrats) while putting no restrictions on single-issue ideological PACs (which funnel most of their money to Republicans).

To put challengers and incumbents on a fair footing, overall spending limits are essential. Congress' reform package would induce candidates to accept realistic spending limits. But the White House shuns spending caps, thus perpetuating weather candidates advantage.

Reinforcing the wisest post-Watergate reform—the public financing mechanism that has started to purge special pleaders' money from presidential elections—the reform package would offer congressional candidates incentives to accept spending limits. It would foster public participation by matching small-scale donations to House candidates; it would offer reduced-rate broadcasting time to Senate candidates and postage to House contestants. This package marks the first time both the House and Senate have moved simultaneously toward the ideal of public financing for all federal campaigns.

Best of all the reform plan would close the "sewer money" loophole that now allows $100,000 donors to purchase privileged access to presidential candidates. Such tainted donations undermine the post-Watergate structure.

Public outrage at lawmakers money-and-ethics scandals must propel the drive for comprehensive campaign-finance reform. If voters hope to win back control of their government from monied interests, they must insist that Bush join Congress in cleaning up Washington's filthy cash.

[From the Miami Herald, Apr. 14, 1992]

REFORM CAMPAIGN FUNDING

Just look at what a little scandal will do: After years of Congress's self-serving procrastination, a House-Senate conference finally has gotten around to clearing campaign-finance legislation. It's the first of many badly needed reforms that can change the way Washington conducts its business.

This feat has been accomplished in the year of the check-overdraft scandal. Apparently the outcry from the scandal has pushed Capitol Hill toward passage of campaign finance reform.

The House has passed the revised bill, whose fate now rests with the Senate. The legislation does not provide for the profound changes that groups such as Common Cause rightly advocated. Still, it's as good as any reform that Congress is likely to pass. The last time it tried its hand at significant campaign finance reform, in 1974. Congress tried to diminish the influence of slush funds and "fat cats." Alas, it ended up replacing them with "fat PACs."

This bill changes the way that political action committees do business, thereby limiting their influence. It also encourages public financing of campaigns, provides for voluntary spending limits, and eliminates "soft money" from federal elections.

President Bush awaits, veto pen in hand, should the Senate pass this bill. This is the same president who has criticized Congress in the harshest terms and has called for deep changes in how legislators conduct their affairs.

Mr. Bush says that he opposes "public financing" of elections. But his opposition has not prevented him from accepting millions of dollars in public funds for his own presidential campaigns.

Congress should force his hand on campaign finance reform. If the President doesn't sign the bill, he is going to face more damaging accusations of passive-aggressive leadership in the fail.

As former Sen. Barry Goldwater, an elder statesman of the president's party, said some time ago: "PAC money . . . creates an impression that every candidate is bought and owned by the biggest givers." Without campaign finance reform, it will be hard to change that impression. The electorate, however, will know where to place the blame.

[From the Hartford (CT) Courant, Apr. 18, 1992]

A CLEANUP OF CAMPAIGN FINANCING

The campaign-spending measure passed by the U.S. House of Representatives doesn't go far enough, but it represents the most comprehensive reform in nearly 20 years. It would help to reduce the influence of special-interest money on elections. Now the Senate should pass it.

Unfortunately, President Bush's veto threat probably means there will be no political reform. Mr. Bush has yet to be overridden by Congress on any veto.

Reform-minded members of Congress—including Rep. Sam Gejdenson of Connecticut, who was the major force behind change on the House side—deserves credit nonetheless. Until now, Congress had refused to change a system that generously rewarded incumbents. Political action committees rarely pump a lot of money into the campaigns of challengers.

Here's what the bill would do:

Establish voluntary spending limits of $600,000 for House races per election cycle and a sliding scale for Senate races depending on the size of the state. House and Senate candidates would get public funds if they agreed to the voluntary spending limits. This would help challengers.

The public resources would be in the form of vouchers for free or discounted television time for Senate candidates, substantial postage discounts for candidates for both chambers, and matching payments for small contributions from individuals to House candidates.

Ban so-called soft money contributions that have been laundered through political parties in support of presidential campaigns.

Limit PAC contributions to no more than 20 percent of the Senate campaign spending limit and no more than one-third of the House limit. The total of large individual contributions to House candidates would be similarly limited. These aggregate limits would be a first. In addition, the amount that a Senate candidate could accept from an individual PAC would be cut in half, to $2,500.

The influence of special-interest money on government probably will never be eliminated, but it can be limited substantially. These proposals would help in cleaning up government.

Mr. Bush promises a veto because he does not like spending limits and the use of public funds in congressional elections. His aversion to public financing of elections is ironic, considering that, according to Common Cause, the president probably will have used a total of more than $200 million in public funds by the end of this year to run for president and vice president.

Mr. Bush has had a field day denouncing Congress as a broken institution in need of improvements. But on the question of campaign-financing reform, the president, not Congress, prefers the cozy status quo.

[From the Reno (NV) Gazette—Journal, Apr. 7, 1992]

CAMPAIGN FINANCE CHANGES ESSENTIAL

It has become traditional for campaign finance reform to become a key topic in an election year. Yet, year after year, very little seems to get done.

Perhaps this time, with voters in an anti-incumbent mood for a variety of legitimate reasons, comprehensive reform is possible. House and Senate conferees have crafted compromise legislation that merits approval. It would:

Impose reasonable campaign spending limits for congressional elections.

Ban huge "soft money" contributions.

Place restrictions on political action committee contributions.

The spending limits for those seeking a House seat would be $600,000. The Senate limit in an election year varies depending on the size of the state—$1.6 million to $8.3 million.

A "soft money" prohibition would end the practice of the wealthiest people in the country gaining special access and influence. Traditionally, these contributions have been as much as $100,000 per donor.

The legislation would also limit PAC contributions to no more than 20 percent of the total campaign spending limit for a Senate candidate. The House limit would be no more than one-third of the limit. Also, the amount a Senate candidate could accept from a PAC would be cut from $5,000 to $2,500.

President Bush has threatened a veto. This would be unfortunate. The measure does not constitute the sweeping changes that are perhaps needed, but they are an excellent start in restoring public confidence to a system in desperate need of being cleaned up.

Mr. BOREN. Mr. President, these editorials have been written because all across this country people realize the low esteem in which Congress is now held is in part traced back to a feeling that this institution no longer belongs to the people; that it is no longer serving the interests of the American people; that it is too much serving the interests of those narrow special-interest groups that are providing more and more and more of the money necessary to run political campaigns. The American people have come to wonder whether or not they really count for much of the political process anymore. They have become increasingly disillusioned as they have noted that in virtually 100 percent of the cases, actually 99 percent of the cases, those candidates with the most money in their war chests are those candidates that win elections. Therefore, the American people become disillusioned in the process. They sit back and they think about the pressures that a Member of Congress must be under, a Member of the Senate faced with raising almost $15,000 a week every week for 6 years to come up with the $4 million necessary to run for election, and they understand that, if a Member has a very short amount of time available and if there are several people waiting in the waiting room waiting to see him or see her, there will be a strong temptation to see that person who might be in the best position to make a campaign contribution as opposed to that person who would not be in such a position.

(Mr. WOFFORD assumed the chair.)

Mr. BOREN. Mr. President, our constitutional system was not set up to enhance the influence of people who could make contributions or interest groups that could make contributions. It was not set up to have a system in which access was granted mainly to those who had the ability to make large campaign contributions. The system was set up to assure the American people at the grassroots across this country, in the rural areas, the small communities, the cities, urban areas, that this Government would belong to them and that they would know it was theirs, that we would fight out the issues on the basis of what is best for our country, and that we would elect people in the course of campaigns who put forward the best ideas.

Mr. President, we are at a turning point for this country. We have not yet prepared this country for the next century. When we look back at the last decade and we consider what has happened in this country, when we consider that the average jobs lost to the American people in the last decade averaged $440 a week, and we consider that the average jobs added in the last decade in this country averaged $280 a week, and we think about the future opportunities that our children and our grandchildren will have, when we think about what we are going to pass on to them it is clear we ought to be fighting elections based upon the vision for the future, a substantive, real debate about the issues and not based upon which candidate can raise the largest amount of money to put on the airways the largest number of 30-second negative campaign spots to try to win an election.

Mr. President, when you consider that the real incomes of the American people from 1950 to 1976 doubled, in a period of a little more than 25 years the real incomes of the American people doubled during that period of time in which the cold war was beginning, and you consider that at the rate of economic growth of the last decade as the cold war has been coming to a close, that our growth rate has been so low and in some years negative that it will take 4,600 years at the rate of economic growth in the last decade for the incomes, the real incomes, of Americans to double again, Mr. President, we cannot afford politics as usual.

We cannot afford a political system dominated by special interest money, where special interest groups give 25 times as much to incumbents who sit here as to challengers who are trying to get here with new and fresh ideas. We cannot afford a political system that imposes no limits on runaway campaign spending. We cannot afford at this moment in our Nation's history, when we must be grappling with fundamental decisions about its future course of action, we cannot afford a money chase taking our time and effort when we need to be devoting our time, our effort, our best intellectual focus and the courage, the moral courage, of our convictions to decide the future course of action for this country in a way that will hand on something to the next generation. We cannot afford a demeaning money chase which continues to dominate American politics. Public-interest groups that have been fighting for reform of the political process for years have hailed this bill as an important step toward limiting the money chase that has replaced the debate with the dollar.

Mr. President, the American people are watching. Indeed, as democracy continues to spread from Central America to Eastern Europe, with our system serving as a model for the rest of the world, it is no exaggeration to say that the entire world is watching. Not only is the strength of our own democracy at stake, but the legitimacy of our democratic system as an example to others in the world as a moral force in the world is also at stake.

We must not fail to meet our responsibilities as trustees of this great institution. we must act to restore the faith of our people in our democratic institutions. We must remove the stain of tainted money from the political process and, by doing so, tell Americans that one person-one vote can still make a difference; that an idea is still more important in the political process than a dollar; that an honest commitment to good government and the future of our country is more important than financial influence in our political system; that this institution, that this Senate, belongs not to those who are in a position to finance our reelection campaigns but that it belongs to all of the American people.

Mr. President, we will never be able to reassure the American people until we adopt a system that does something to stop runaway campaign spending, that puts the lid on it, that puts a limit on it, that finally brings it under control. There can be no real reform of our campaign system until we do something to stop the flow of money into the system in unlimited amounts.

Mr. President, I ask again how much is enough? How much is enough? If $600,000 was not enough for the average winning candidate to spend when I first came here some 14 years ago, is $4 million, which was the amount in the last election, enough or do we need to wait until it is $10, $20, or $50 million?

When we speak to the graduation classes of high school and college students this year, and we challenge them to go into the political process, step into the political arena themselves, to bring their best judgments and their talents, to give back to their country, and to commit themselves to the country as our generation was challenged by idealistic leaders in our time, will we also have the heart to tell them not only must they be thinking about how they want to make this country a better place? Not only must they be educating themselves so they will have the soundest concepts to assure our future, not only must they be willing to make the personal sacrifice in terms of their time for themselves, their time with their families, to devote more of themselves to their communities and the well-being of this Nation, they must also figure out how they are going to find the $4 million necessary to run for the U.S. Senate.

Or, if we are talking about their running 12 years from now or 15 or 20 years from now, how will they find the $10 or $20 or $50 million that will be necessary to run if the rate of increase in campaign spending continues as it has in the past? Will we have the heart to tell them that? Can we really tell them

that without believing it will have no impact on how they feel about their country? Can we really think that we can tell them that we want to leave and hand on to them a system in which there is no limit on the amount of money that will be required to run for public office in this country? There is no limit on the amount of money that special interest groups can pour into this political process.

Is that what we want to hand on to our children and our grandchildren? Is that what contributed to the greatness of this institution? Is that the kind of system that made this country the greatest democracy on the face of this Earth?

No, Mr. President. We have a higher responsibility than that. There are those that have said that the finest days of this institution are behind it, that an institution that was filled with giants that made it the greatest deliberative body in the world, that those are only times of history, that we have come into a period of time in which we have become too mediocre, too obsessed with our own individual interests, too committed to a system that favors incumbents—and of course this system does favor incumbents—too committed to a system that allows special interests to give $25 to every incumbent versus $1 for every challenger; a system in which money makes the difference and in which incumbents can raise money, $8 to $1?

Mr. President, is that what has become of this institution? Is that what has become of us? Are we no longer capable of being the trustees for the American people of this institution? Are we no longer capable of putting the interests of our country ahead of interests of ourselves?

Mr. President, this bill, this landmark legislation which imposes voluntary spending limits in keeping with Supreme Court decisions, which allows us to end the money chase in American politics, which reduces by more than half the ability of special interest groups to pour money into the American political system, gives us a unique opportunity to prove to ourselves and to prove to the American people that we have the moral courage and the vision and the long-range concern for the health of our political institutions necessary to meet the test?

Mr. President, the people have said to me how in the world are you so naive as to believe that this Congress which is so favored by the current system, that a group of people who have so much more ability to raise money than anyone else who is going to run against them, that a group of people who benefit so much more from special interest money than any candidates who run against them, would ever vote to change a system so tilted in their own direction? Why would a group of people, who are incumbents in Congress, who are so favored by this current system which distorts American politics, ever give up the advantage that they have?

Mr. President, let us hope that that group of people would give up that special benefit, that special advantage, because they might care about their country more than they care about their own political survival. Let us hope that there are enough members of this institution to realize that in the long run this institution is more important than any of us.

It has been said very often that what really gives satisfaction to any human being is to be a part of a process or a cause or an institution or an ideal bigger than oneself. We are all privileged to be a part of that. This Senate is bigger than any of us. Its health and its vitality is more important than the political career of any of us. Our country, our system, the legacy to be passed on to the next generation and America's role in the world is a cause far bigger than any of us.

Mr. President, like very few pieces of legislation that come before us, this piece of legislation tests who we are. This piece of legislation tests our reason for being here. It is not a matter of political party. It is not a matter of which side of the aisle we might find ourselves. It is a matter of our commitment to the future of this country and keeping its institutions strong.

So, Mr. President, we have come a long way over the last 10 years. We have come from a very small beginning with a handful of Members of this body supporting this effort now to passage of a bill through both Houses of Congress that will begin to address this problem.

A perfect bill? Absolutely not. Can flaws be found in it? Certainly. Flaws can be found in any piece of legislation, particularly any compromise that has to be worked out between two parties in two different branches of government and two different bodies within the Congress itself. But an important step in the right direction? Yes. An important step toward restoring the political process that has been so badly damaged and eroded over the past two decades? Yes. A step worth taking? Most certainly.

So, Mr. President, let us meet the challenge. Let us show that we are prepared to make sacrifices in order to further our country, to revitalize the political process, and to make it a process open to our best and brightest and our most committed especially those in the next generation, who will sit here 10, 20, 30 years from now in the seats that do not belong to us, the seats that we simply temporarily occupy as trustees for them, having benefited so much from the courage and vision of those that have come before us. Let us meet the test by passing with an overwhelming bipartisan majority the conference report on S. 3.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, many important issues come before the Senate each year. We debate legislation that affects millions of Americans in their daily lives. One issue broadly important to all that we do is how we finance election campaigns for Federal office. The way we finance Federal election campaigns legitimizes our governmental responsibilities. The financing of election campaigns can determine who is elected to office, how legislation is considered, and the degree to which the public supports our decisions.

The conference report before the Senate today represents a truly historic opportunity to enact legislation that will fundamentally reform the way Federal elections are financed. It is a bill that directly attacks the most serious problem in the election process: the dominant role of money in Federal election campaigns.

For 10 years, I have advocated legislation to reform our campaign finance system. I have introduced legislation in every Congress since my first election to the Senate in 1982. Many other Members of this body have worked for years in support of campaign finance reform legislation. No one has done more than the distinguished senior Senator from Oklahoma [Mr. BOREN]. He has been, indisputably, the national leader in the effort to reform the process by which Federal election campaigns are financed and conducted.

Senator BYRD, Senator FORD, and others, have also been leaders. But I believe they would agree with me in acknowledging that we have gotten this far because of Senator BOREN's efforts. I thank him for those efforts.

Mr. President, we have all been motivated by a concern for the effect the current system has on the operation of Congress, and on public attitudes toward this institution and the Federal Government. Unfortunately, our greatest fears have been realized. There has been a significant change in the way the public views this institution and the way in which we run for election.

The American public holds Congress in low esteem. They also believe their President does not care about their concerns. What has historically been a healthy dose of skepticism among the American people toward their Government has, unfortunately, given way to an alarming degree of cynicism about the ability of Government to deal with our Nation's problems.

There is far greater public scrutiny of the campaign finance process today. Most Senators are demeaned by the extent to which we must search for money to fund our campaigns. The process is even more distasteful to the American people.

They see a campaign finance process that with each election cycle is becom-

ing even more reliant on money—in congresional elections, and in Presidential elections. Increasingly, the American people have come to see their Government as no longer responsive to their needs. They believe their Government acts to fulfill commitments to campaign contributors, rather than to serve the interests of the people. They believe we have created a campaign finance system that is stacked against challengers and designed especially to keep incumbents in office forever.

In large part, this is due to the overwhelming role of money in the American election process, and none of this is surprising, even the huge cost of running for office today; the thousands of political action committees that have organized to fund campaigns; the scores of wealthy individuals and corporations that line up to make contributions of $100,000 and more to the President of the United States.

In recent years, money has come to dominate the Federal election campaign process. This has provided protection to incumbents. It has dissuaded many able persons from seeking election. It has favored wealthy office seekers who can finance their own campaigns, and at the same time, it has increased the influence of wealthy special interest contributors and severely undermined public confidence in our Government.

Any person who cares about this great Nation, who cares about our system of government, must deplore this situation. It is clear that we must change our campaign finance laws.

This conference report offers that opportunity. It will make dramatic changes in the way Federal election campaigns are financed. The conference report will substantially reduce the role of money in the election process and help restore public confidence in our political process by making elections more competitive. This legislation includes the fundamental reform necessary to clean up the current system and restore public trust in our election process: limits on campaign spending. That is the essence of reform. Limits on spending.

The bill also limits the role of political action committees, cleans up the soft money mess, prohibits bundling of campaign contributions, encourages less negative campaign advertisements, and gives challengers the resources to mount effective campaigns.

The only meaningful way to reform the Senate election finance system is to limit campaign spending. Anything less avoids the real issue and simply creates the illusion of reform.

Since 1976, congressional election spending has increased almost fourfold, requiring that Members of Congress devote a far greater amount of time to fundraising activities. This trend toward ever-higher costs has favored incumbents over challengers. In the most recent Senate elections in 1990, incumbents spent $138 million, almost three times as much as the $51 million spent by challengers. Winning Senate incumbents spent, on average, almost $4 million for their reelection campaigns. That requires raising $13,000 a week, 52 weeks a year, for each of the 6 years of a Senate term.

Spending will continue to escalate still higher until reasonable limits are placed on campaign spending. No matter what other changes are adopted, without spending limits, we will not have addressed the real problem. This conference report establishes on alternative campaign finance system for candidates who agree, voluntarily, to limit their spending for House and Senate campaigns. Senate candidates will be encouraged to agree to such limits by having available to them broadcast vouchers, lower broadcast rates, and discounted mail. House candidates will be encouraged to agree to such limits by having available to them matching funds and discounted mail.

In addition, contingent public financing will be available to Senate candidates who agree to a spending limit if their opponent exceeds the limit.

The participation of PAC's in Federal election campaigns will be curtailed. House candidates will be limited to raising $200,000 an election cycle from political action committees. Senate candidates will not be permitted to raise more than 20 percent of their election limit from PAC's, and the maximum PAC contribution to a candidate will be cut in half. If these rules had been in effect for the 1990 election, PAC contributions to Senate incumbents would have been reduced by 53 percent.

The conference report includes tough new rules prohibiting the use of soft money to affect Federal elections and severely limiting the practice of bundling. In recent years, our campaign finance laws have been undermined by the practice of raising large sums of money from individuals, corporations and labor unions not otherwise permitted under Federal law. A large portion of these funds have been used by party committees to fund activities that support Federal elections.

The use of soft money has been a particular problem in Presidential races. In the last Presidential election both candidates raised tens of millions of dollars in campaign contributions not permitted under Federal law. Although they participated in the publicly financed Presidential campaign system and agreed not to raise private contributions for their general election campaigns, their agents were in fact out raising enormous sums of money.

There has been a return to the pre-Watergate, Presidential campaign finance era. Wealthy individuals and corporations contribute enormous sums of money to fund Presidential candidates. In 1988 alone, 249 individuals and corporations contributed at least $100,000 each to the campaign of George Bush. Some of those contributors were awarded with ambassadorships. Some were beneficiaries of legislative initiatives proposed by the President. Most of them have been given special access to Cabinet members and other important Government officials. All of the $100,000 contributors were invited to the White House to receive a thank you from their President.

These practices continue today. The Bush campaign has been embarrassed by recent reports on fundraising techniques that involve avoidance of the contribution limits of the law through the practice of raising soft money and bundled contributions. Corporations were listed as sponsors of a fundraising event in Michigan even though corporations have been prohibited from giving to Federal election campaigns since 1907. The Bush campaign pointed out that the listed corporations did not make direct contributions but instead contributions were bundled on behalf of the executives of the corporation.

But whether the corporations were contributing soft money directly or making bundled contributions indirectly through their employees, there is no question they have been involved in an effort to legally avoid the requirements of Federal election laws. And it must be said openly and candidly that Democrats also use these tactics to raise campaign funds. This is not a problem that is limited to one party. It involves both parties. It infects the entire system.

The legislation we are debating today closes down these loopholes. Under this conference report, political party committees would be prohibited from using soft money on activities that affect a Federal election. Federal candidates and office holders would be prohibited from raising soft money. Bundling of contributions in order to avoid the contribution limits of the law would be prohibited as well.

This is tough legislation that would dramatically change the way Federal elections are financed. It is good legislation that directly responds to the public's anger about Federal election campaigns.

And most importantly, it is balanced legislation that treats Republicans and Democrats alike and, fairly, while leveling the playing field to give challengers a better opportunity to mount effective campaigns.

This legislation is not perfect. Like all legislation, it is the product of compromise. If there were my bill alone, I would have done some things differently. But it is a major achievement that we have gotten this far with a bill that changes so much.

We will hear from those who oppose real reform of our campaign finance

laws. They will advance all kinds of arguments against this legislation. That it is too costly. That it protects incumbents. That it does not go far enough.

Let us face reality. No matter what legislation is proposed to reform the Federal election finance laws, opponents of reform will attack it. In truth, they oppose changing the current campaign finance system with it heavy reliance on money.

The position of President Bush is the most transparently inconsistent. He has run in four Presidential elections under a system of voluntary spending limits and public funding. By the end of this year President Bush will have received $200 million in public funds to run for Federal office; more than any person in the history of this country. Yet President Bush says that he opposes this legislation because it includes voluntary spending limits and partial public financing of elections. In all of American politics there is not a more clear example of saying one thing and doing another.

We in public life must take stands on many issues and we are often accused of being inconsistent. But the President's position on this issue goes well beyond that. President Bush says he opposes this bill because it includes spending limits and public benefits. At the same time, he is running for election and voluntarily participating in a system which involves spending limits and public benefits. In fact, in the same week in early April, this month, in the same week, the President asked the Federal Election Commission for $2 million of public funds and then turned around and promised a veto of this bill because it includes some public funds.

The President cannot have it both ways. He cannot voluntarily accept public benefits and spending limits while vetoing this legislation because it provides what he has been accepting. And I emphasize his acceptance is voluntary. The President does not have to participate in a system of spending limits and public benefits. He has chosen to do so voluntarily and as a consequence of which before this year is out he will have received $200 million in taxpayers' funds for his campaigns, more than any person in history.

Mr. President, what are the opponents of this legislation afraid of? That we might clean up the system; that we might distance wealthy interests from the political process? This legislation would create an alternative campaign finance system that is voluntary. If they do not like it, they do not have to participate in it. But do not penalize the system and our representative democratic government by standing in the way of reform.

Probably the most common complaint from opponents of campaign finance reform is that spending limits inherently benefit incumbents. But that argument is wrong. It is contradicted by the facts. This conference report represents an unprecedented proposal from incumbent Members of Congress to make it easier for challengers to mount effective campaigns.

This is accomplished in several ways. First, the spending limits in this bill help challengers by largely serving as a restraint on spending by incumbents. Second, the reduced broadcast costs in this bill facilitate the ability of challengers to advertise their message to the voters. Third, the broadcast vouchers enable challengers to purchase advertising time. Fourth, the limitations on PAC contributions limit a fundraising source that is far more accessible to incumbents than to challengers.

One need only look at the most recent elections to see the overwhelming advantage that incumbents have over challengers under the current system. In the 28 races where an incumbent faced a challenger in the 1990 elections, challengers were outspent in all but two races.

In the 28 races, the incumbent outspent the challenger 26 times out of 28. And the total margin was almost 3 to 1.

Since 1986 there have been 83 Senate elections between an incumbent and a challenger. Incumbents have outspent their challengers in 93 percent of those elections, winning 85 percent of them. For the most part, this legislation limits the spending of Senate incumbents, not Senate challengers, because in almost all races it is only incumbents who spend more than the limits in the bill.

Obviously, limits could benefit incumbents, if they were set so low as to prevent challengers from communicating to the public. But this legislation does just the opposite. It provides generous spending limits which are in reality higher than they appear because the cost of airing broadcast ads will be cut by more than 50 percent in the same legislation.

Another argument opponents of reform will make is that this legislation does not go far enough because it does not eliminate political action committees. But that is a phony argument because it is quite clear that cannot legally be done.

The bill as it passed the Senate did propose the elimination of political action committees. But there was a great deal of discussion at that time as to the constitutionality of that provision, and the legislation therefore included a backup provision anticipating the possibility that an outright ban would be unconstitutional. This backup provision was proposed by both Republicans and Democrats.

Since then we have received a good deal more advice that the Constitution will not permit a ban on PAC's. In the Buckley decision the Supreme Court clearly said the right to associate is a basic constitutional freedom that cannot be denied through legislation. The constitutional scholars who advised us recommended instead that we impose stringent overall limits on PAC contributions, which we have done.

Although I expect we will hear speeches suggesting the opposite, it should be clear that the President has never advocated eliminating PAC's. Instead he has only proposed the elimination of some PAC's; those connected to a labor union, corporation or trade association.

But, under the President's proposals, unconnected political action committees would continue to thrive. The problem with this approach is that it does nothing to effectively limit the role of PAC's in election campaigns. Instead, those existing PAC's banned under the President's proposal would simply disband and reorganize as ideological PAC's. In fact, the current situation is likely to be made much worse as PACs representing a common economic interest proliferate as so-called ideological PAC's.

The only effective way to limit the role of PACs is to impose an aggregate limitation on the amount that any one candidate may receive from political action committees. This legislation does that. It is tough legislation that will cut in half the overall amount of PAC contributions to Senate incumbent candidates.

We have heard it often said that Congress lacks the ability and the will to pass tough legislation that is for the good of the Nation; that Congress cannot pass legislation because it bends to the will of special interests; that we cannot act because Members of Congress are too worried about reelection to support needed legislation that may be politically unpopular for some.

This is the perfect opportunity to disprove those allegations. If you want to take on special interests, vote for this conference report. If you want to stand up for something that you know is the right thing to do, vote for this conference report. If you believe in our democratic system of government and are genuinely disturbed by public attitudes about our Federal Government, vote for this conference report.

The American people have lost confidence in the Federal election campaign process. They question the very integrity of this institution and of its Members. Every Senator, without regard to party, deplores this situation. Almost every Senator agrees that our campaign finance laws must be rewritten.

We must not let those who are opposed to real and genuine reform stand in the way of this important legislation. Now is the time to enact campaign finance reform legislation to restore the integrity of this institution and its Members.

This is good legislation that must be enacted into law. I urge my colleagues to vote for the conference report.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, it is my understanding that the Republican leader is on the way to the floor to speak on this legislation. Let me just say, in anticipation of his arrival, that criticizing the President of the United States for opposing this legislation is about like saying because the House has a bank, the Senate ought to have a bank.

Nothing—I repeat, nothing—could possibly symbolize the American public's disillusion with Congress more than this bill. This really sums it up. It does nothing about PAC's. It does nothing about sewer money. It reduces the influence of parties, the one entity out there, Mr. President, in the American political system, that will support challengers—that we all profess to have interest in—who are nailed by this.

And of course, the final outrage, it calls upon the taxpayers to pay for it at a time when we have an enormous deficit, a growing deficit. Our response: Create another entitlement program for us. I have called it food stamps for politicians, Mr. President. I think that pretty well sums it up.

The other thing, it is pretty safe to say, Mr. President, as has been said by my good friend on the other side of the aisle, Senator BOREN, with whom I have debated this issue now for some 5 years, I think the one thing we can say we probably agree on, on this issue, is we are sorry nothing is going to happen. It is too bad. But nothing symbolizes or sums up the differences between the two parties more than this legislation.

My good friends on the other side of the aisle look out at the American public and they see what they perceive to be all these corrupting influences out there who want to participate in our campaigns; these organizations of American citizens who want to participate by contributing, in most instances, a relatively small and fully disclosed contribution to our campaign.

My good friends on the other side of the aisle find that corrupting, but yet find it somehow cleansing to reach into the treasury and pull out tax dollars to fund our campaigns. To insulate us from what? To insulate us from all these American citizens who would lie to become involved in our campaigns? Mr. President, I do not find that offensive. I think they ought to have a right to participate in the way that people do participate these days. In a country of 250 million people in the television age, the way people participate in campaigns today is to make contributions.

I will have the specific statistics later, but Republicans this year have collected a substantial amount of money from a whole lot of donors, averaging about $45 apiece. We do not find that corrupting. We find it appropriate for all of these people out there to participate in the political process.

Mr. President, I will have more to say about that later. I see that the Republican leader is here and would like to speak to this measure, and I will yield the floor.

The PRESIDING OFFICER. The Republican leader, the Senator from Kansas.

Mr. DOLE. Mr. President, I thank my colleague from Kentucky. I want to commend him for his work, and for diligence and knowledge with reference to this subject matter, as well as my friend from Oklahoma.

I think we have a difference of opinion on this particular conference report, but I am still convinced there are enough of us here who really want to have campaign finance reform because sooner or later it is going to happen and the sooner the better.

We are returning to Congress today after the so-called Easter recess to an institution which has never been held in lower esteem by the American people. Yesterday's Gallup poll confirmed that lowest esteem showing 80 percent of Americans polled think the Government is run by a few big interests looking out for themselves. No doubt about it, the House check-bouncing scandal seems to be the straw that broke the camel's back, but the seeds of discontent had been planted long ago, planted right here by Congress. Just as the American people suspect, Congress has been more interested in protecting the status quo and guaranteeing incumbency rather than opening up itself to more and more political competition.

So that brings us to the debate today which I think is an issue as much as any other issue that I can think of that is going to determine what happens around here and who is really for the status quo and incumbency and who might be for competition and change. I think we ought to make one point clear: No one person, no one party has a monopoly on campaign reform, and no one person and no one party has all the answers either.

The Democrats have a bill on the floor, developed in a conference committee without any real Republican participation, which will place limits on spending and use tax dollars to fund congressional campaigns. The President—not only the President, I would guess the great majority of the American people, if they think about it—know that both these things are bad ideas. I read a letter today from the ACLU—I do not often read letters from the ACLU—where they are complaining about spending limits, about caps on spending.

So I think there are a lot of people who are not particularly interested in the Republican Party who believe this is the wrong approach. We want to broaden participation, not limit participation. We want more competition, not less. And one way to protect incumbents is to put a limit on what you can spend, and then some challengers will have very little opportunity.

So the President believes, and I share the view, that limits will only hurt challengers and ensure the election of more incumbents. As I have said, the ACLU, the American Civil Liberties Union, is not exactly a Republican think tank, and they came out against the bill for precisely the same reason. They question its constitutionality and argue that limits "impinge directly on freedom of speech and association and will not solve the problem of fairness and financial equity that the legislation is intended to remedy."

Furthermore, if anything is clear to all of us, if we have been home, if we have talked to people, if we read our mail, it is that the American people are frustrated. They are frustrated with the Republicans, they are frustrated with Democrats, they are frustrated with Independents. Some are so frustrated they are going to get active in politics, which I think is one good thing, because for too long about half the people have been on the sidelines thinking they cannot make a difference. We have the Ross Perot factor and all the other factors. Nobody is certain how it will play at the Presidential level or congressional races. If Ross Perot will be a plus or minus for Democrats, Republicans, running for the Congress, for the Senate, we do not know. But I do not believe this is a very good time to advocate another program that helps Members of Congress get reelected—public funding. I get very few letters these days saying we ought to do more for Members of Congress. In fact, I have not received any saying we ought to do more for Members of Congress. Most people think we ought to do less.

I want to commend the Senator from Oklahoma, who is going to join with the Senator from New Mexico in trying to change this system so we can stop some of the spiraling spending in Congress for staff and other things. So it just seems to me that whether we are Republicans or Democrats, this is not the year to go out and suggest to people who are out of work, whose business may be bad, who may be Republicans, Democrats, Independents, who do not even care, and say, "Boy, have we got a plan for you, have we got a plan for you. We have a plan, we are going to get Federal money to run our campaigns—your money." I do not think that is really what the American people believe will bring about more competition.

Why not make the party stronger? Why not let the parties do this? This is an idea we have on our side and maybe eventually it will end up in a bill we pass and is signed by the President. We

want to make the party stronger, not the political action committees stronger, not the special interests, but the parties stronger. When we make the parties stronger, more people will be attracted to the Democratic Party and the Republican Party and it will be better for all of us.

But the thing that we really sort of choke on with this conference report is we have two bills. We have one for House Members and one for Senators which indicates—and I was not at the conference and I do not want to denigrate anyone who was—it indicates they took everything the House wanted and everything the Senate wanted and said, "This is our bill." So the House looks after its interest. They have a different rule on PAC's than the Senate bill and different limits and all those things.

It just seems to me there is no reason why this bill should become law. It is not going to become law. I have said to the majority leader, I have said it publicly, I have said it privately, and we have made bona fide efforts, I think some on each side, including the two who are on the floor now managing this conference report, to have meaningful campaign reform. The problem is that in the U.S. Senate and in the House of Representatives, we are dealing with something that affects us directly and it is pretty hard to get a meeting of the minds. So we end up too often looking out for our own interests.

I want to suggest that I think we have a blueprint for reform on the Republican side. We think that the objective ought to be making elections more competitive, not making incumbents safer. That means helping challengers, reducing the interests of the so-called special interests and slowing down the fundraising money chase and strengthening the role of political parties. I do not see anything wrong with that. We need stronger parties. We need more people participating in politics. We need to give the people a reason to participate in politics because there are a lot of views out there that are fairly cynical about politics and politicians, and we need to change those where we can.

We can take a big bite out of the biggest cost of campaigning by requiring discounted and free television time. I do not know what the percentage is. I know the managers know, what is it, 60, 70 percent of the money we raise in a campaign goes to the media, radio or television? So when people give you $100, $70 is going to go back to TV advertising. People say you spend too much money in your campaign. Again there some TV people who do not like that provision, but I do think there is a certain amount of public service that ought to be directed toward providing competition in politics.

We can cut the individual limit for out-of-State donors. In other words, I am from Kansas; we cut the limit that somebody in Indiana, Michigan, or New York, or California can give to a Kansas candidate and you can cap the amount of out-of-State contributions. But I do not think I want to stand up in my State and say, "You cannot contribute to my campaign, I have already reached the limit," if there are spending limits. "You cannot contribute $1, $10, $100, or $500 to my campaign."

I am not certain it is constitutional anyway. And we have to face the facts. We are political parties. People say, "Oh, there is too much politics." The bottom line is we are political parties. And we are in the business of defeating incumbents and electing our own candidates. Democrats do that; Republicans do that. That is the way the system works. That is the way it probably should work. That is why we need to boost the parties' ability to financially support cash-strapped challengers by increasing what political parties can give to their candidates.

If we are really serious about improving competition in politics, we ought to be strengthening, not continually weakening, the one institution that has a vested interest in removing incumbents, the Democrat and the Republican parties.

We are having a little event tonight here in town, nothing spectacular, medium sized. And the thrust of that little party tonight is to raise money to defeat Democrats. We are proud of that. We like Democrats. We like them when there are not as many as there are right now in the Senate, like them better. And then they are going to have a dinner and do the same thing. They like Republicans. They like it a lot better when there are fewer of us. That is the way the system works. That is called politics.

(Mr. DIXON assumed the chair.)

Mr. DOLE. Some people do not like politics. I do not fault people who do not like politics, but I do not know of any other system that works better anywhere in the world than the American system.

One thing that I think—I think it may have been Senator MCCONNELL's idea, the Senator from Kentucky who knows more about campaign financing than anyone on this side on the aisle and I think as much as anyone in this body—one innovative way we can level the playing field is by creating a seed money fund allowing party committees to match early in-State contributions to challengers, give contributions to challengers to give these candidates the jump start they need to wage a credible campaign.

I do not care where you are from; if you are from my State or the State of Oklahoma or the State of Kentucky, the State of Illinois, wherever, you have an incumbent and you have a good challenger and you look at how much each has raised, it is going to be almost the same across the country. The challenger might be a better candidate, maybe raised $30,000 in a close race, where the incumbent has $180,000, $200,000, $300,000 already in the bank. So we need to figure out some way to give these challengers in the Democratic Party and the Republican Party some kind of seed money to give them a jump start so they can get a credible campaign going.

None of these ideas are brand new. They were debated in the Senate last year. But the political atmosphere in America is new. That is the new thing. These ideas are not new but the political atmosphere is new. The American people are going to demand more of us whether we are Democrats or Republicans, and these are common sense reforms that I believe the American people would embrace if they were fully understood.

That is not going to happen in this debate. We are voting on a conference report. Unfortunately, the bill will pass, probably on party lines. I do not think there is going to be an effort to block a vote. I have not had a discussion with the Senator from Kentucky on that. But there will not be enough votes to override a veto, which means that there is not going to be any campaign finance reform, or probably not going to be any this year. So then we are going to come back again next year. We will get into another election cycle and it will not be effective until 1996, 1998, 2000—2000 might be the goal—but in the meantime we maintain the status quo.

It is no wonder why many might agree with the editorial in yesterday's Roll Call:

> Our own rather cynical take on the campaign finance story is that reform keeps dying because most incumbents want it to die. Both sides have valid points to make but what makes us cynical is that there has been no serious effort to reach a compromise.

Mr. President, I would take exception to one line of that statement. Back in 1990 there was a serious effort to reach a bipartisan compromise, and there are going to be serious efforts after this to reach a compromise. Senate Majority Leader MITCHELL and I appointed a six-member bipartisan panel of campaign finance experts, and we asked them to come up with suggestions on ways to fix the system. And in their report the panel suggested a flexible approach to limiting campaign spending whereby so-called bad money such as PAC contributions and large out-of-State contributions would be severely limited while good money—you have bad money and good money. Bad money to some is out-of-State contributions coming to somebody in Kansas. Bad money is political action committees coming to anybody, any candidate for the Senate or the House—while good money, good money is money you raise in your State from your constituents,

from Democrats, Republicans and independents in your State. That is good money. And small out-of-State donations. We put a limit on how much you could raise out of State. You would not limit small out-of-State donations, but you would have a cap.

So Republicans have incorporated many of the bipartisan panel recommendations in our own reform proposal. But again I think it is painful to some that the meaningful reforms proposed by this bipartisan group—I am not even certain of the politics of the six members. I am not certain there were more Democrats or Republicans or what. There may have been more independents. But their proposals, along with other proposals, advanced by Democrats and Republicans, are not covered in the conference report before us.

So I want to suggest that what we are debating today is not going to fix the system. It is not going to pass. And I know that this being an election year, there is an effort to pass it so the President has to take a look at it and veto it.

But it may not be too late. I said several months ago on the Senate floor we are not going to have campaign finance reform until the leaders in the House and the Senate are part of the group that negotiates any conference or anything else. Until the leaders are involved, you are not going to have campaign finance reform. And so maybe it is not too late.

Maybe the first thing we ought to do is regain the people's confidence and trust and that is not too late. Probably the best thing that could happen would be if we just took this bill off the floor, say we know this bill is not going anywhere, it is an effort to embarrass President Bush and put the Republicans on the spot, or give the Democrats a vote and keep them in the majority. They have that right. But just pull this bill off the floor and maybe call together these experts again and others the House leaders might want to bring in, and see if we could not do something on campaign financing that would be real reform.

I do not think it would take all that much time. There are some in this body who are never going to be satisfied. They are not going to vote for any campaign finance reform, I do not care how good it might be. There are some who are just not going to do it. They like the present system, or they think in an effort to fix it we might make it worse. So there are some on both sides of the aisle who would not be satisfied with a true compromise.

So let us give the American people the reform they are demanding. And I think though a lot of people do not directly participate, the Senator from Kentucky has pointed out, tonight, for example, we have 14,000 donors participating in this event we are having—14,000. I read about a couple in some of the newspapers, I cannot remember which ones, but there are thousands of others who are participating. I have read the editorials in the New York Times and the Washington Post and the others who grasp every liberal idea as if they invented it and say, boy, this is a great idea; I wish we would have thought of it. We are for it because the Democrats are for it. That is not reform either. So I believe if you ask most American voters in both parties or either party or the independents who are rushing to Ross Perot's banner, they will indicate they do not want public financing. Particularly this year they do not think we deserve it. And I must say as a Republican I have looked at it from time to time. Say maybe the public financing is what we need. We are the minority party. Maybe we ought to have it for 4 years and sunset it. If it works, and we take over the place, then we can terminate it after 4 years.

I am not sure that will pass, but it is an idea. But that probably will not happen either. But there are a lot of good young men and women across America looking at the congressional races and willing to dedicate their time and their effort, and it will take a lot of effort because in nearly every case they are not going to have any money, or enough to make a credible challenge.

So I hope after we go through this effort after the bill is passed—and I assume there will be a vote on it, maybe sometime tomorrow or Thursday. It will be vetoed, and the veto will be sustained. But it is still not too late. I yield the floor.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas yields the floor. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I thank the Republican leader for his interest in this issue from the beginning and his keen insight into this whole problem. He has been around here for a while and gets a prudent understanding of the direction we ought to take.

Mr. President, nobody is more frustrated with this issue than myself, with the possible exception of my friend from Oklahoma. There is not anybody in here advocating the status quo.

There is a way, as the Republican leader pointed out, to get bipartisan campaign finance reform. We had a group of eight, four on each side, appointed when Senator BYRD was majority leader. We knew then, and we knew in each of the subsequent years, the areas we could agree on but unfortunately—and this is the kind of thing that drives the American people right up against the wall—rather than reach out for a common ground among which we could agree, for example, doing something about the cost of health benefits, strengthening the parties, reducing the influence of special interests. Instead the temptation—and I do not blame the majority. It is an enormous temptation when you have the votes to try to draft the rules in a way that benefits you. Of course, when that happens, it is to be anticipated that the minority will not go along with it. It is axiomatic that he who writes the rule can control the game. With all due respect to my friends on the other side of the aisle, the majority has crafted here both for the House and for the Senate the perfect set of rules to perpetuate the majority in power.

So let us get away for a moment if we can from the issue of what the Democrats think about this bill and what the Republicans think about this bill. The Republican leader mentioned the American Civil Liberties Union, not exactly a subsidiary of the Republican Party activities. The ACLU makes the point about the Constitution.

Mr. President, let me say this bill will not last for a minute in the courts; not a minute. There is nothing voluntary about this spending limit. If you are so brash as to accept the notion put forward in Buckley versus Valeo, about spending and speech, you cannot, consistent with the first amendment, dole out speech in equal quantities.

If you are so brash as to say I want to speak as much as I can, you get punished. Bad things happen to you. You lose your broadcast discount. The taxpayers subsidize your opponent when you go above the limit and choose to speak too much.

The bill does not stop there. If the group wants to engage in independent expenditures protected under Buckley versus Valeo, something neither side here likes by the way, neither Republicans nor Democrats particularly like independent expenditure, particularly because we are always afraid that somebody who is trying to help us is going to hurt us, and somebody who is trying to hurt us is really going to hurt us, we are all nervous about independent expenditures. Completely aside from how we may feel about it, the Supreme Court has said that you cannot constitutionally restrict it.

What this bill before us purports to do is to counter independent expenditures out of the Treasury. Let me give you a hypothetical. Let us say that B'nai B'rith was offended by David Duke. I think that is a reasonable assumption. B'nai B'rith headquartered outside of Louisiana decided to make independent expenditures within Louisiana to counter offensive speech by David Duke. What would happen under this bill? David Duke would get taxpayers' money to respond to B'nai B'rith under this bill.

This is not campaign finance reform, Mr. President. This is craziness. This

does not make any sense. First we are going to trash the first amendment. Second, we are going to have taxpayers involuntarily opposing excess speech. We are going to reward crackpot candidates like we have under the Presidential system of Lyndon LaRouche who have gotten millions from the taxpayers. Are we going to doll this up and call it reform?

Mr. President, you cannot applaud this bill. Reasonable people do not applaud this bill. The ACLU does not applaud this bill.

David Broder, probably the most respected political reporter in America, wrote about this bill last summer. This bill has not changed much from last summer. "Bogus Campaign Finance Reform." What did David Broder say? He said this bill nails the parties, the one entity out there in the political landscape that will support challengers, and it nails the parties.

Mr. President, I ask unanimous consent that the ACLU letter dated April 27, 1992, and the David Broder piece that I just referred to appear in the RECORD at this point.

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

ACLU WASHINGTON OFFICE,
April 27, 1992.

DEAR SENATOR: The American Civil Liberties Union opposes the campaign financing legislation that will be considered this week by the Senate. The limitations on campaign contributions and expenditures contained in the conference bill impinge directly on freedom of speech and association and will not solve the problems of fairness and financial equity that the legislation is intended to remedy. Moreover, in our view, the legislation's imposition of contribution and expenditure caps in return for partial public financing amount to an unconstitutional condition on freedom of speech. In essence, it amounts to government buying an agreement from candidates that they will not speak as freely and frequently as they otherwise might and that they will impose additional limits on the expressions of support they will accept from others.

It is true that the current system of private campaign financing does cause disparities in the ability of different groups, individuals, and candidates to communicate their views on politics and government. However, the appropriate response in keeping with our nation's constitutional commitment to civil liberties is to expand, rather than limit, the resources available for political advocacy. Public financing can play a powerful role in expanding political participation and understanding, but it should not be used as a device to give the government a restrictive power over political speech and association.

We urge you to reject the campaign finance package that emerged from the conference and instead focus on meaningful reforms that would facilitate the candidacies of those who might not otherwise run and broaden the spectrum of campaign debate.

Sincerely,

MORTON H. HALPERIN.
ROBERT S. PECK,
Legislative Counsel.

[From the Washington Post, June 2, 1991]

BOGUS CAMPAIGN FINANCE REFORM

(By David S. Broder)

In 1990, the Ford Motor Co. sold more than 3.5 million vehicles in the United States and spent $735 million on advertising—an average of about $208 per customer. General Motors and Chrysler appear to have spent at least as much—maybe more.

I tell you this not to make some point about auto advertising but to provide the context for the debate about political campaign financing. When I asked Washington Post researcher Mark Stencel to run these numbers, I had just finished reading the five days of debate that preceded last week's Senate passage of a campaign finance bill. That bill was designed to curb what one Democrat after another called "the money chase" that now supposedly makes a misery of senators' lives.

Sen. David Boren (D-Okla.) repeatedly warned that "the amount of money [needed] to run successfully for the House and the Senate has been escalating at an alarming rate. . . . Spending per voter [in Senate races] last year continued to climb, going up from the rate of $1.41 per voter spent in 1988 to $1.87 per voter in 1990."

Even at that higher figure, it is less than 1/100th of what any of the Big Three auto companies spends on persuasion for each sale. The comparison is not irrelevant. One reason the cost of campaigns is rising is that candidates are competing, not just with each other, but with all the other products and services being marketed to the American public. Why should a society that tolerates an avalanche of auto, soft drink, beer and cold remedy advertising choke on a relatively small amount of political persuasion?

The answer, we are told, is that senators are forced to engage in a nonstop pursuit of contributions, diverting them from their real work as legislators. Well, as Sen. Mitch McConnell (R-Ky.) pointed out, more than $80 of every $100 senators raise is collected in the final two years of their six-year terms. They could, with minimal risk, give themselves a complete vacation from fund-raising for two-thirds of their terms. If they don't, it's because they don't want to, not because they have to.

I dwell on these points to illustrate what is so maddening about the way Congress deals with campaign finance reform. The bill the Senate passed and the one the House is likely to pass in the next couple months are based on public perceptions the members of Congress know to be false. They are tailored to satisfy an agenda set largely by editorial writers and by Common Cause. The members of Congress use the camouflage provided by these well-meaning reformers to skirt the most serious problem in the way campaign funds are raised and distributed.

The Senate bill caps campaign spending and (in a move of very doubtful constitutionality) abolishes political-action committees (PACs), the convenient symbol of special-interest influence. It was passed amid knowing winks, after being loaded with other feel-good "reforms," like a purported ban on virtually all outside income. Senators were read a letter from President Bush saying he would certainly veto it because of his objection to spending limits and public financing.

Bush can match anyone when it comes to phony arguments on this issue. Although he has happily accepted taxpayer financing in his past presidential campaigns, he argues that it would be indecent for congressional races to enjoy a similar subsidy.

There is a widespread view on Capitol Hill that the provisions of the House and Senate bills don't matter, because the real measure—if there is to be one—will be written in a House-Senate conference, with the bipartisan leaders of both bodies negotiating with each other and with the president.

One has to hope so. The bills taking shape deal unsatisfactorily with the crucial problem. That problem is the financial starvation of challengers, especially in the House but significantly in the Senate as well.

Competition—the lifeblood of democracy—is drying up, because challengers have been almost shut out of the fund-raising game.

The Senate bill addresses this crucial problem only indirectly. It uses voluntary spending ceilings to rein in free-spenders, who are mainly incumbents. It also offers candidates who accept spending limits partial public financing and reduced TV rates. But it distributes these goodies with fine impartiality, evenhandedly rewarding cash-starved challengers and cash-rich incumbents—with their government-paid staffs, offices and mailings, and their easy access to contributors. It does not give challengers one compensatory break.

The House bill will also likely rely on a combination of ceilings and subsidies. But on neither side of the Capitol are the Democrats prepared to do the one thing that might really help challenges—ease the restrictions on fund-raising and spending by the political parties, the only institutions in America that have an intrinsic interest in electing non-incumbents to office.

Indeed, the Senate bill (and likely the House version as well) threatens new restrictions on state parties, limiting the contributions they can accept for coordinated registration and get-out-the-vote campaigns. These efforts are at the heart of electoral democracy, but Congress is threatening to clamp down on them. To call this an improvement takes a greater leap of faith than I can muster.

Mr. MCCONNELL. Mr. President, in addition to that, there are some other people that ought to be referred to that do not have a stake in this. They are not Republicans, and they are not Democrats. These are the scholars out across America, the people who teach and the people who write, the experts. I have searched high and low for a number of years. I am having a hard time finding any academics who support spending limits.

They are troubled not only about the constitutional aspect of it. But even if you can make it constitutional, and you can, the Presidential system is constitutional, but you do not get punished if you choose to speak too much—they say it does not work. It is like putting a rock on jello, and it oozes out to the side in undisclosed and unlimited amounts.

Herbert Alexander, John Bibby, Joel Gora, Michael Malbin, Jonathan Moore, Richard Neustadt, Norman Ornstein, Larry Sabato, Richard Scammon, and on and on—all the top academics in America think spending limits do not work. Some of these people are in favor interestingly enough of public funding as a floor and not as a ceiling. But none of them think that spending limits are a good idea, because they never work.

Mr. President, I ask unanimous consent that the list of scholars that I have prepared appear in the RECORD at this point.

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

SCHOLARS AGAINST SPENDING LIMITS

Herbert Alexander—Professor, University of Southern California; Director, Citizens' Research Foundation; Director, President Kennedy's Commission on Campaign Costs.

Christopher Arterton—Dean, Graduate School of Political Management, New York. Chair, Campaign Finance Study Group, John F. Kennedy School of Government, Harvard University. Assoc. Professor of Political Science, Yale University. Member, Presidential Nomination and Party Structure of the National Democratic Party.

John Bibby—Professor of Political Science, University of Wisconsin.

Joel Fleischman—Vice Chancellor, Duke University. Chair, Department of Public Policy Studies, Duke University. Member, Committee on Election Reform and Voter Participation, American Bar Association.

Joel Gora—Associate Professor, Brooklyn Law School Assistant Legal Director, American Civil Liberties Union Winning Counsel, Buckley v. Valeo (1976).

Gary Jacobsen—Associate Professor, University of California, San Diego.

Xandra Kayden—Research Associate, John F. Kennedy School of Government, Harvard University. Director, Women's Advisory Council, McGovern-Shriver Campaign.

Susan King—Assistant to the Commissioner, Federal Election Commission. Chair, U.S. Consumer Product Safety Commission under President Carter.

Michael Malbin—Assistant Director, House Republican Conference Committee. Resident Scholar, American Enterprise Institute Editor and Co-author, Money and Politics in the United States.

Nicholas T. Mitropoulos—Assistant Director, Institute of Politics, Harvard University. Senior campaign staffer for George McGovern, Jimmy Carter and Charles Robb.

Jonathan Moore—Director, Institute of Politics, Harvard University.

Richard Neustadt—Lucius N. Littauer Professor, Harvard University. Founding Director, Institute of Politics, Harvard University. Consultant to Presidents Truman, Kennedy, and Johnson. Chair, Platform Committee, 1972 Democratic National Convention.

Gary Orren—Professor, Institute of Politics, Harvard University. Member, Democratic Commission on Presidential Nominations. Director, Polling and Survey Research, Kennedy for President Committee, 1980.

Norman Ornstein—Resident Scholar, American Enterprise Institute.

Nelson Polsby—Professor, University of California, Berkeley.

Austin Rammy—Professor, University of California, Berkeley.

Larry Sabato—Associate Professor of Government, University of Virginia.

Richard Scammon—Professor, American University.

Frank Sorauf—Professor, University of Minnesota.

Mr. McCONNELL. They know that spending limits do not work. Of course we have experienced that in the Presidential race. The one big race where we had spending limits by the way, had limiting spending, spending has gone up dramatically in a race with spending limits.

What has happened where we do not have spending limits? Actually, we have had a downward spiral. Spending from 1986 to 1988 in the congressional races where there are no spending limits went down 5 percent. From 1988 to 1990, again congressional races where there are no spending limits, spending declined 10 percent. That is in races without spending limits. In races with spending limits, I think it was roughly a 50-percent increase between 1984 and 1988.

We have heard it said on the floor time and time again over the last 4 or 5 years and again today, about the money chase. And an effort is made to portray Members of Congress as doing nothing but raising money from the day they are sworn in until the day they are defeated or reelected. This is not true, Mr. President. We have studied the cycle. It is just not true. Let us take the class of 1986, the people that will be running this year.

Of the money raised to date, 4 percent was raised in the first 2 years of the 6-year term; 10 percent in the second 2 years of the 6-year term; 6 percent in the last 2 years.

Mr. President, it is pretty clear that in the class of 1982 almost no Senators are spending every day raising money from the beginning of their term. Was 1986 an isolated year, Mr. President? I think not.

Let us look at the class of 1986, those who ran that year. In the first 2 years of that 6-year term they raised 6 percent of the total money that they raised. In the second 2 years, they raised 11 percent; and in the last 2 years, 83 percent.

The class of 1980, those who ran then, going back that 6 years, 9 percent the first 2 years, 11 percent the second 2 years, and 80 percent the last 2 years. No money chase by incumbents, Mr. President. No money chase. Incumbents do raise a lot of money, particularly if they think they are going to have a race. Some incumbents do not raise much money and do not have a race. Some raise a lot of money because they want to win. If they do that, they do it in the last 2 years.

So it is simply incorrect to stand up here year after year and make the argument, which is not supported by the facts, that U.S. Senators serving here in a 6-year term do nothing but go out and raise X amount of money every day, every week. They do not do it.

Mr. President, before I address the conference report before us, I want to talk a minute about where we have been on this issue. Four years ago, in the 100th Congress, Republicans weathered a record eight cloture votes to block a partisan incumbent protection bill that is strikingly similar to the conference report we have before us here today: In all, a third of the Senate's legislative days during that Congress were spent debating this issue.

In the 101st Congress, Republicans allowed the debate to proceed on the Democrats' partisan incumbent-protection bill, hoping that roadblocks to reform, like taxpayer financing and spending limits could be removed and that real campaign reform would finally be achieved. But, unfortunately, the majority did not want that to happen, so it did not happen.

Nearly 1 year ago, early in the 102d Congress, Republicans once again allowed debate to proceed on a partisan taxpayer-funded incumbent protection bill, in the hope that roadblocks to reform could be removed and real reform finally enacted. Once again, on sharply partisan votes, those roadblocks guarded by Democrats and the road to campaign reform was effectively barricaded.

We heard the same tired old cliches: the myth of the money chase I just made reference to the siren song of special interests, and salvation through so-called clean resources—a code word for taxpayers' pocketbooks.

We also saw the same old tired Democratic proposals: spending limits and taxpayer financing. These proposals were destined to go nowhere and the majority knew it when they recycled them again in this Congress.

We have gone around and around and around on this issue for the last three Congresses. We have wasted months and months of legislative time when we could have been addressing issues that America really cares about, like the economy, crime, health care, or certainly the deficit.

We could have passed a campaign reform bill years ago. We knew that in 1988, 1989, 1990, and 1991, and we know it this year. Unfortunately, the temptation of the majority, because they have the votes, is to craft the perfect set of rules for them.

If the majority really wanted reform, they would sit down with Republicans, make a list of the areas we can agree on—and we almost did this several years back—like independent expenditures, broadcast discount, like special interest money. We could write a bill that would pass this body almost unanimously.

On the other hand, the majority prefers the status quo. We keep wasting the Senate's time with wornout proposals that most experts on the issue—and I submitted a list of them for the RECORD, Democrat and Republican—rejected as terrible public policy.

This is a truly awful bill, Mr. President. I am embarrassed to think that we are going to pass this thing.

Unfortunately, the majority appears to have chosen the path of posturing, not progress. In the wake of the House check-kiting controversy, the Democratic leadership ran for cover under the campaign finance reform issue.

The majority met together. The Republican leader mentioned a conference a while ago. It was not much of a conference. Basically, the majority met and decided to pass out a bill that had no bipartisan input or cooperation, put together widely differing House and Senate campaign finance bills, dusted them off, and quickly cobbled together a patchwork conference report.

Why? To get something down to the President and try to embarrass him.

Well, the President is eagerly awaiting this bill. His veto pen is full of ink and ready to go. If a political game is what we must play, it seems to me that the politics are clearly on the side of not establishing a new entitlement program for all of us in these times.

My impression, Mr. President, is that the majority really prefers the status quo. They have done well with it. They are in the majority here. It is far better, from their point of view, to pass a bill that has no chance of becoming law, knowing full well that George Bush will take care of it.

Even so, it is faintly humorous that the majority sees their bill as the answer to all of their political problems. The voters are up in arms about check bouncing, congressional perks, the deficit, excessive taxes, and, certainly, contempt for all of us, and insulated incumbents.

So what does the bill do? Mr. President, it writes a check, a rubber check, if you will, to pay for all of our campaigns. The American taxpayers beyond the Beltway get to pay us. We are not quite sure how much, but we know it is going to be a lot. Down here on this line, food stamps for politicians, signed by the majority party.

That is the response. That is the response in this atmosphere.

Mr. President, this is the biggest rubber check in history—to be paid for either through higher taxes, or a bigger deficit in order to fund our campaigns? To fund our campaigns. And to pour a little extra gasoline on the blaze, the bill throws in some choice incumbent protection provisions like spending limits and restriction on support by political parties.

The bill makes it tougher for the parties to support challengers.

As a response to the crisis and public support for this institution, the majority conference report is a little like General Custer showing up early for the Battle of the Little Big Horn. Or Napoleon, selling tickets to Waterloo.

If voters are angry now over political featherbedding and Government waste, just imagine what will happen when congressional taxpayer finance hits the radio talk shows.

I think the other side has really figured it out, because they have blocked our efforts to provide full disclosure to the taxpayers about the public financing perk.

In this body last year, during the debate on S. 3, I offered an amendment requiring that all campaign ads paid for by tax dollars include the following simple disclaimer: "The preceding political advertisement was paid for with taxpayer funds." Concise, honest. I called it "the truth in taxpayer-funded advertising amendment."

I thought it also might appeal to my colleagues across the aisle as a deterrent to negative advertising. You can imagine how voters who already dislike negative ads would feel, knowing they were paying for these ads with their own tax dollars.

Yet my amendment was tabled by a part-line vote. What does that tell you, Mr. President? It says not only did we want to pay for the campaigns with tax dollars; we did not want anybody to know it. We were unwilling to have this truth-in-labeling amendment applied. We are going to take your money out of the Treasury; we are going to pay for political advertising; but we are not going to tell you that you paid for it.

What can you say about that, Mr. President?

So not only did the majority vote to make taxpayers pay for their campaigns; they also voted to hide the fact from the taxpayers. The majority on the House side even invented a nice little euphemism for taxpayer financing, calling it the "Making Democracy Work Fund"—the Make Democracy Work Fund. As Dave Barry says: I am not making this up.

The Democrats plan might be more accurately called a "Make Taxpayers Work Harder Fund" because they are going to have to work a lot harder to pay for these communication vouchers, matching funds, benefits, and the army of bureaucrats required to administer this entitlement program for all of us.

As I have said on frequent occasions, and I say again, Mr. President: You extend something like the Presidential system to 535 additional races, and the FEC is soon going to be the size of the Veterans' Administration—the Veterans' Administration—crawling all over, trying to audit all these tax dollars, used not only for Republicans and Democrats, but for every kook in America who got the newspaper this morning, and while shaving, looked in the mirror and said: By golly, I think I see a Congressman; I think I see a Congressman.

We are going to pay for that. This is our response, at a time when 80 percent of the public is down on Congress? What could sum it up better, that we would think that in this atmosphere, the appropriate response is a measure like this? It is truly astounding.

There are plenty of constituents leaning out windows and saying they are mad as hell at Congress, and they are not going to take it anymore.

I have not heard from the first one—and the Republican leader mentioned this, too—I have not gotten the first letter from anybody at home saying: Sign me up for using my tax dollars to pay for your reelection campaigns. I have not gotten the first letter from anybody saying that. I do not see a groundswell out there for this.

In my own State, we have had some corruption; grand juries investigating members of the Kentucky General Assembly, this kind of thing is quite highlighted. The Kentucky Legislature has recently passed legislation very similar to this which will soon be struck down by the courts.

And yet, in surveys taken by the statewide newspaper, in spite of all the press, on this issue in Kentucky these days, 65 percent of the people—and this is a lot lower than in most States—65 percent of the people said: Do not use my tax dollars for your campaigns. Please do not do that. Please do not reach into the Treasury and use tax dollars for your campaigns. It is the ultimate outrage. You have done everything to us; now you are going to do this to us, too. We are already working to sometime in May to pay the tax bill, and your response to our frustration is to now pay for your campaigns out of the Treasury? They must think we are crazy. "They must be kidding," they are thinking.

But I am sure the majority will say: Well, we would rather not have the food stamps for all of us, but we have to do it in order to have spending limits. That is like saying we need to pass a new spending program in order to raise taxes. The fact is that spending limits are a terrible idea. This may come as a surprise, but spending tax dollars on a terrible idea really does not make it a better idea. Some argue we do that all the time. But it is not a terrific idea.

First of all, spending limits protect incumbents by restricting the ability to challengers to mount effective campaigns. Winning challengers rarely ever outspend the incumbent. In fact, even the successful ones are usually outspent by a wide margin. The incumbent's financial edge is not the decisive issue.

That is always going to be the case.

The key is the challengers must be able to spend enough to compete with the incumbent's established name, legislative record, franking privileges, and other advantages. Not only that, but challengers also have to convince voters it is time for a change. That is an expensive undertaking. Spending limits unavoidably handicap the challenger's ability to do that.

Mr. President, I teach a class on American political parties in elections every week. I am pretty familiar with this subject. There is a lot written about spending on behalf of incumbents and whether or not it helps.

It is pretty clearly a trend of scholars that say beyond a certain point, spending for incumbents just is not

that effective. So it is not in and of itself significant when you say incumbents outspend challengers. Of course, they do. The critical component part is whether the challenger has enough to get his message across. Of course, he or she will be outspent. Of course. But spending beyond a certain point for an incumbent does not make any difference. The critical element is whether challengers have enough.

Spending limits do not level the playing field between incumbents and challengers. You may as well put Pee-wee Herman and Evander Holyfield in the boxing ring together, and then try to make it equal by tying one arm behind each of their backs. It just does not work that way.

The truth is the most expensive elections are those in which the incumbent faces serious competition. Both the incumbent and the challenger raise a lot of small donations from the supporters and spend it trying to reach and persuade the voters.

What is wrong with that? What is wrong with that, Mr. President? That is competition.

Almost invariably, high-spending races generate high turnout. I am having a hard time finding out what is wrong with that.

In competitive races, the parties jump in and spend a lot of money, usually to boost the challenger. I am having a hard time trying to figure out what is wrong with that.

These are all signs of a healthy, robust democracy. We are not members of the House of Lords. We do not own these seats. Nobody gave us a lifetime tenure, and we ought to have to fight for them. But the majority apparently wants to clamp down on competitive challengers and robust political parties through spending limits on campaigns.

What is truly misguided about the Democrats' agenda, however, is that, of course, spending limits do not work. Even if it were sound public policy to limit spending in political campaigns, and it is not, spending limits do not limit spending. They do not limit spending at all. And there is ample proof of this in the Presidential system.

We are wasting valuable legislative resources, and potentially a lot of taxpayer money, on an idea that is totally discredited. The Presidential Election Campaign Fund and the spending limits it props up are a failed Government program. Every reputable scholar—and I have already submitted the list; liberal or conservative, Republican or Democrat—who studied the system concluded it is an unmitigated disaster; unmitigated disaster.

Spending has gone up in every single Presidential election. The rate of growth has now far exceeded the growth of spending in congressional races. As a matter of fact, it has gone down in congressional races.

In other words, campaign spending, under spending limits, goes up faster than campaign spending without spending limits.

If that is hard to fathom, remember what prohibition did to the proliferation of drinking establishments. What has happened in the Presidential system is that individual fat cats and well-organized special interests have figured out loopholes in the limits.

While we are talking about the Presidential system, the President, of course, is always criticized for being against this bill. As I said a couple of hours ago when we started, criticizing the President for saying he is going to veto this bill because he has accepted public funding in the Presidential races is like saying because the House has a bank, the Senate ought to have a bank.

Now, the truth of the matter is all candidates under the Presidential system have accepted the public funds except one. And the reason they did it is because it is a very generous subsidy. And, or course, that is what would happen here. It would become an enormous, generous subsidy, and it would really cost a lot of money as we funded not only Republicans and Democrats but crooks and crackpots all across America right out of the taxpayers' pockets.

Instead of cleaning up politics, spending limits have encouraged off-the-books, unreported, unlimited campaign spending the special interests. Most important, all of the devices used to evade the limits favor the well organized and powerful over smaller, unsophisticated participants.

Michael Malbin, of the Rockefeller Institute, is one of the outstanding experts on this issue. He said:

> [Spending limits] encourage the powerful to engage in subterfuge and legal gamesmanship. It is giving them an incentive to increase their influence in ways that are poorly disclosed. As a cure for cynicism or corruption, this seems bizarre.

Frankly, there is no better word to describe spending limits than "bizarre."

What is even more bizarre, however, is the majority's obsession with replicating the billion-dollar boondoggle of the Presidential system in all 535 congressional races.

Fringe candidates like Lenora Fulani and Lyndon LaRouche—who have milked the taxpayers for millions of dollars—would sprout like kudzu in congressional races all over the country. Free taxpayer dollars to put your face on TV. They would be lining up all across America. The line begins outside the Treasury.

Maybe David Duke had a little trouble qualifying for matching funds under the Presidential system. He got started a little late. He would have made it if he started a little sooner because it is pretty easy. But this conference report, if it ever became law, would put old David Duke right back in business again and provide public subsidies for him to combat anybody who dared criticize him. What a terrific idea. The American people are going to really applaud this bill once they figure out what is in it.

But, even if you were convinced that the world was flat and that spending limits were a good idea, this report, this conference report, contains only pseudo-spending limits. Unlike the Presidential system where the lawyers had to work hard to find all the loopholes, this package comes with the loopholes already built in.

For example, there is a provision allowing a special, unlimited exemption for all legal and compliance costs in House races. That loophole is big enough to drive a truckload of lawyers and accountants through—a truckload of lawyers and accountants. They are going to welcome this bill if it ever becomes law. Fortunately, it will not, but, boy, would they love it. In fact, the lawyers and accountants would make a fortune exploiting all the nooks and crannies of this bill. Maybe this is the majority's idea of an economic recovery package. Start with the candidates themselves and then sort of trickle down to the lawyers and accountants.

Further, while the Democrats' bill virtually padlocks the political parties, restricting every form of party soft money, it does absolutely nothing—nothing—about special interest soft money. Special interest soft money, otherwise known as sewer money, is flatly ignored by this conference report. The millions of dollars that labor unions and tax-exempt corporations spend every year to influence elections are not touched at all in this bill.

Presumably, this is not a drafting error. I do not think this was an unintentional omission. It could not be an oversight. Senator HATCH made an extraordinary appeal to the Democrats last year to deal with this scandalous problem.

Mr. President, what we have before us is a bill that turns a blind eye to the hundreds of millions of dollars labor unions spend to influence Federal elections. This is sewer money, and it is stinking up the political process. Perhaps my colleagues across the aisle are suffering from hay fever and cannot smell it, but every Republican candidate would get a big whiff in November.

The cynic in me suspects there is a partisan motivation behind this glaring loophole, a hole so big you could drive the Teamster semi-truck that sometime parks down at the AFL-CIO headquarters right through it.

And the majority purport to call this a spending limit bill? This bill, a spending limit bill, with this kind of loophole in it?

Mr. President, this is a "limit Republican spending bill." It is a "limit chal-

lenger's spending bill." This is not a "limit Democrat's spending bill." This is not a "limit special interest labor union spending bill."

Mr. President, with all due respect to my colleagues on the other side who believe, apparently strongly, in this bill, this bill is indeed a sham. You cannot constitutionally force spending limits. We cannot force them. You cannot, practically, limit spending. You can make candidates go through all kinds of hoops to get their message out; you can force interested participants in our Nation's political process to devise all kinds of creative means to circumvent the limits.

Mr. President, in the end, when all is said and done, whether this bill passes or does not pass, people are going to participate in politics. They insist on it. It is their government. They have a right to it. Whether or not you spend the entire peace dividend on taxpayer-funded political campaigns, people will participate. They will spend money over and above the limits set forth in this campaign finance bill. This is, after all, a democracy. The first amendment to the Constitution protects political speech. The American spirit dictates that it will ever be thus.

Mr. President, taxpayer-financing and spending limits are areas Republicans and Democrats have never agreed on and never will. PAC contributions was an issue that, for a time, Senate Democrat and Republican bills did concur about.

Some years ago, I was the first, along with some other Republicans, to propose a unilateral ban on PAC contributions. PAC's, really, personify special-interest influence. They are a tool of incumbents who receive virtually all the PAC contributions. As the public has learned more about the ways PAC's operate, their disdain for this special-interest machine has intensified.

After getting beat up by the press and Common Cause, the majority, a couple of days before the debate was scheduled to begin in 1990, adopted the Republican PAC-ban. Frankly, it was a change that I welcomed, having first proposed it, and took some satisfaction in forcing. From then on the majority railed against PAC's and parade their get-tough PAC provision. It appeared we were in harmony on an issue.

But, Mr. President, a sour note was struck last week when the Democrat's conference report was unveiled. Voila, the PAC-ban had disappeared. The PAC's were back. In its place were PAC-protected provisions for Senate Democrats and for House Democrats. It appears some Democrats envisioned a PAC-less future and did not like what they saw.

To be honest, Mr. President, I almost had to laugh.

Everyone knew 2 years ago the Democrats had adopted the PAC-ban with a wink and with a nod. Last week when crunch time came, the majority blinked. Now, Mr. President, there is not a chance in a million this bill is going to become law. Yet the majority did not want to take even the smallest risk—not even the smallest risk—presumably out of fear that the President might wake up and have a change of heart on this issue, would not even take the smallest risk that they would lose the political lifeline, the political action committees.

In addition, Mr. President, the height of hypocrisy was reached when the conferees could not even bring themselves to draft a report that has the same rules for the Senate as for the House. What do we have conferences for? Anyone can paste two bills together and call it a conference report. It does take some effort, however, to reconcile differences and to mold a cohesive report. This conference report certainly fails on that point. This bill is a lawyer's dream. It sets up a byzantine array of separate rules for the House and for the Senate.

What happens, for example, when House Members run for Senate seats? Who knows. Fortunately, Mr. President this bill is not going to become law. My suspicion is if there had been any real thought it would become law it would not look like this, would not look like this at all.

I just outlined the reasons why this is a horrible bill. And those are the reasons that President Bush is going to veto it. During the debate a year ago on S. 3, I entered into the RECORD several times a letter from the President to me, which is still operative and covers this conference report. I highlighted a particular passage that the President wrote, and this is what he said:

> I intend to veto any campaign finance reform legislation which features spending limits or taxpayer financing of congressional campaigns.

Further, the President said:

> I am deeply opposed to campaign finance legislation that proposes different rules concerning political action committees for the House and for the Senate. We must not further Balkanize ethics in election reform.

That was the President on a similar piece of legislation last year.

This bill is going to be vetoed, thank goodness, and I know there will be great sighs of relief from a clear majority on the other side that it is. This bill is a cynical attempt to seize the mantle of reform, knowing full well its failure assures the status quo.

What is a mystery to me, Mr. President is that anybody thinks voting for this bill is good politics. Since this is entirely a political exercise, unfortunately, and not a serious exercise, not an exercise to design legislation to become law, then we can only judge it on political terms, since it is a totally politically exercise.

I find it astonishing that anybody would think that voting for this would be a smart thing to do politically. Eighty percent of the American people think the Congress is a mess and in our zeal to confirm their judgment, we are going to write a blank check to pay for our political campaigns and the political campaign of every nut and crackpot in America who wants to reach into the cookie jar called the Federal Treasury and go out and have an ego trip paid for at public expense.

I think, Mr. President, that if the American people had any idea what was in this bill—and certainly I think since this is a totally political exercise there is nothing wrong with our side making efforts, as great an effort as it can, to make sure the word does get out—the American people would be outraged. If it is possible to fall any lower in their esteem, I would venture that we would; that if every voter were fully informed of what this bill is about, the esteem for Congress would fall even lower, and you would not think you can go beyond 80 percent disapproval. I think that is probably unparalleled in the annals of polling. It is astonishing to think it could fall any lower, but I am confident, Mr. President, that if they knew what this was all about, they would dislike us even more.

And they certainly would say this sums it up. I can hear them saying out there, all across America, you want to limit my opportunity to participate on behalf of a candidate of my choice voluntarily, and you want to take my money involuntarily and give it to people that I do not approve of, and you think that is the way to restore my confidence in Congress? It is an astonishing development.

Fortunately, the President of the United States is going to save the people from this monstrosity and, frankly, if Republicans had an opportunity, I think a clear majority of them would repeal the Presidential system. It has been a disgrace and a disaster. But at the very least as a result of divided Government, the fact the people in their wisdom chose a President of one party and a Congress of another, at the very least, we do not have to take this madness any further. We can confine this idiocy to one race, the Presidential race, and not spread it any further, and not spend public money on 535 additional races at a cost of millions and millions of dollars to the American taxpayers.

So, Mr. President, at some point in the next couple of days, we will have our vote largely along partisan lines, and there will be plenty enough support for the President to sustain his veto comfortably. It is a vote that in my view Republicans can feel good about. We fought the good fight now for 5 years. We tried very, very hard to have responsible reform that did not tilt the playing field either way, the kind of bipartisan campaign finance re-

form bill that we knew 5 years ago we could have passed. It would not have helped the Democrats at the expense of the Republicans or helped the Republicans at the expense of the Democrats.

But, no, we chose not to do that, Mr. President. We chose not to do that. We chose to ram through, on a partisan basis, a new entitlement program for us that attempted to quantify and limit speech inconsistent with the first amendment, attempted to push people out of the political process in the one way that most people participate these days, other than voting, and that is by making a small and disclosable contribution to the candidate of their choice, and substitute in lieu thereof tax dollars, an astonishing reaction to the current dilemma in which Congress finds itself.

And so, Mr. President, I hold out no hope that any minds are going to be changed at this late date. We have hashed this out for 5 years now. I am disappointed. I do not like the status quo. I know Senator BOREN is disappointed. We see this issue somewhat differently, but both of us, I think, would like to see something some day become law. Unfortunately, the temptation when writing the rules of the game in which we all participate, is for the majority to write the rules in a way that will benefit them. I do not blame them for trying, but it is not going to work. This is not ever going to become law.

I go beyond that, Mr. President, in closing, for the moment, and say even if by some quirk something similar to this became law, it would not be law very long. This bill would not have a snowball's chance in hell of surviving the Federal courts. It is dead on arrival. The Supreme Court is not going to allow this kind of trashing of the first amendment.

So I hope, no matter who is President, no matter who is in the majority of Congress, at some point we will get down to the serious business of writing a bipartisan campaign finance bill that is constitutional. This one clearly is not.

Madam President, I yield the floor in honor of your arrival.

The PRESIDING OFFICER (Ms. MIKULSKI). The Senator from Oklahoma.

Mr. BOREN. Madam President, I have listened with interest to my colleague from Kentucky. As he has said, we have been debating this issue now for a few years and are certainly familiar with the arguments that each one of us would raise in the course of this debate. But I think we really need to get to the heart of the issue.

The heart of the issue, in spite of the check that has been brought to the floor and used as a prop today by my friend and colleague on the other side of the aisle, it is not a question of public financing. The Senator from Kentucky knows that this Senator is not a person who is enthusiastic about the subject of public financing. He also knows that this Senator is not motivated by some desire to gain a partisan advantage for one particular side of the aisle over the other in terms of reforming the way we finance campaigns in this country.

In fact—and I believe it was a year before the Senator from Kentucky came to the Senate—I joined with the distinguished Senator at that time, Senator Goldwater, in offering a bipartisan proposal to try to change the way that we finance campaigns in this country by reducing the influence of special interests, political action committees, known as PAC's, in the process. And since that effort began the situation has gotten worse and worse and worse, with over half the Members of Congress receiving more than half of their total campaign contributions not from people back home, not from the participants at the grass roots that the Senator from Kentucky has described, but from political action committees, special interest groups, most of them located outside of the Senator or Congressman's home district and home State to raise money to influence elections; more than half of all the money not coming from the people back home but coming from the special interest groups located elsewhere.

Madam President, I remember a meeting that I attended not too many years ago where a group of managers of political action committees, PAC's were together in a meeting, I believe about 200 managers of political action committees.

And I recall one of them from the floor challenging my suggestion it would be healthier for the political process in this country if we had limits on campaign spending and if the contributions raised to finance campaigns came not from the lobbyists and lobbying groups in Washington but from the people back home. This manager of a political action committee got up and purported to quote a Member I believe at that time of the House of Representatives by saying: "Senator, don't you think it would be better if we could just raise all the money here?" He said, "I was talking to a Member of Congress the other day who said, 'You know, I like raising all the money for my campaign here. We can have a big fund raiser here in Washington and raise several hundred thousand dollars and that way I don't have to go back home to my friends and neighbors in my home State and in my home district and embarrass myself and inconvenience my own constituents back home by asking them to contribute money to finance my campaign. I don't have to hit them up for contributions or ask them to give money to my campaigns because I would raise it all here in Washington from the political action committees." don't you think," he said, "that is a lot better way of raising campaign funds than to have to go back to your home State and your home district and raise contributions that way?"

It would appear a number of people seemed to agree with that since more than half the money is coming from such special interest groups in Washington instead of from the people back home.

Madam President, my answer to him was: "Thank God the Constitution requires us to inconvenience the people back home to vote in the elections or we could just do it all with the special interest groups here in Washington, DC, and not bother or inconvenience the people back home by asking them to participate in the process at all."

Madam President, that indicates just how far we have come in terms of distorting the political process of this country. There is really but one difference of opinion between us, one difference of opinion that we have not been able to reconcile on two sides of the aisle.

It is not the constitutionality of a system that would put in place voluntary spending limits. As has already been indicated by the distinguished majority leader, there is such a system in the Presidential election process and it is a system that has been accepted by candidates on both sides of the aisle including, and I say this not in criticism but simply as a matter of fact, the current President of the United States, President Bush, who has accepted those voluntary spending limits under the Presidential system and who has accepted some $200 million in matching funds from the Public Treasury under that system. So there seems to be no difference of opinion about that. There could be a constitutional system that would put in place voluntary spending limits.

Nor, Madam President, do I think it would be impossible to work out some sort of system that would hold to a minimum any exposure to the taxpayers. In fact, this bill, in spite of the check that was brought to the floor signed "the Democrats," new perk for Members of Congress, in spite of that prop which was brought to the floor, the language of this bill, if our colleagues from the other side of the aisle would read the conference report, says in black and white that we would not use general revenues from the taxpayers to fund any of the benefits provided in this bill.

There are alternatives. There is a voluntary checkoff system that we can hope the American people voluntarily would care enough about cleaning up the political system, that that itself would be sufficient to finance any incentives that are necessary to get people to accept spending limits. I, for one, think we all too often underestimate the patriotism and the desire of

the American people to make a contribution back to their own political system.

But, Madam President, the real difference of opinion exists on one and only one subject. We can work out the rest.

We can work out how much political parties could give to the individual candidates. That is not insurmountable. On numerous occasions in negotiations we have indicated a willingness to allow a greater role by the political parties.

We can hold to a bare minimum the amount of incentives that would be given, whether it is lower mailing rates which have been supported by those on the other side of the aisle, or lower broadcast rates mentioned by the Senator from Kentucky with approval, which is also provided in this conference report.

We could work out a series of incentives for voluntary spending limits that would hold to a bare minimum, virtually to very little if any at all, none coming from general revenues, sufficient incentives to bring about voluntary spending limits. It is the spending limits, Madam President, if you listen to the discussion that has occurred on the floor over the last hour, it is the spending limits that are the issue, the spending limits referred to by my colleague from Kentucky as an effort to trash the first amendment.

Madam President, there is simply an honest difference of opinion on this issue. It is obvious that there are those on the other side of the aisle, including my colleague from Kentucky, who believe that it is good and healthy and an excellent form of political participation for people to pour more and more and more money into the political election process. They define participation as the contribution of money to the process.

Madam President, there is simply a difference of opinion as to this matter. I for one, and I would believe many of my colleagues on this side of the aisle, and I suspect, had this not become a polarized issue somewhat along party lines, there are many on the other side of the aisle as we would tell you in private conversation that they are disturbed by the amount of money that it takes to run for office in this country today.

Is it a good thing? Madam President, is it a good thing that the cost of successfully running for the U.S. Senate has gone from $600,000 14 years ago to $4 million today? Is that a good thing?

I do not think it is a good thing. I do not think it is good for the political process in this country. If it is not a good thing, if it is destructive of the political process in this country that more and more and more elections are being determined by who can raise the most money, that more and more of the energy in political campaigns must go into the raising of money instead of into the debating of issues and qualifications of candidates, then we must try to do something to stop it.

To those who believe that we can, who say let us go ahead and let us have campaign finance reform, let us go and write a bill on those things that we can agree about. I am pleased that there is greater agreement about reducing the influence of PAC's.

I point out to my good friend from Kentucky, as I have already pointed out in introducing the conference report on the floor, that if he wants to reduce the influence of political action committees and PAC's, join us: vote for this conference committee report. If the limits of this conference committee report had been in place in the 1990 election cycle, the amount of money the political action committees, PAC's, could have given would have been reduced by 5 percent, more than cut in half.

So we have an opportunity to do something about it. If we are interested in shutting off the sewer money, as it has been referred to—and I agree with that designation 100 percent—the so-called soft money, there is an opportunity to do something about it: Vote for this conference report.

If it takes every single contribution made for the purpose of influencing a Federal election, whether it is run by a State party under the guise of a get-out-the-vote effort or some other guise when it influences the Federal election campaign and defines it as an expenditure to influence a Federal election, bringing that under the contribution limits of Federal law of so many pennies per voter, so it stops it; there would be no more soft money under this bill. All contributions would be defined under one standard and the loophole would be closed.

But, Madam President, where I cannot agree is that we could go ahead and pass real campaign finance reform by drawing up a list of 10 or 12 things we could agree about, and passing them into law, say now we have done it, and omit any limit on spending.

How in the world can we say that we had genuine campaign finance reform when we do nothing to stop the increasing amount of money pouring into American politics? To me that is like the mother who said to her daughter, "Yes, dear you may go swimming, but you may not go near the water." There is simply no way in the world to deal with this problem until we deal with the heart and soul of it: Too much money pouring into American politics, corrupting the system.

The distinguished Senator from Kansas, the minority leader, for whom I have the greatest respect in talking about the latest Gallup poll which showed that 80 percent of the American people have lost confidence in the Congress, said he thought that many people had lost confidence in the Congress because they believed that the special interest groups control this institution instead of the people. That that was the perception.

Why is it the perception? It is because we have come to define participation in our politics not by voting, not by discussing the issues, not by knocking on doors, not by talking to our neighbors, not by advocating the causes in candidates that we believe in, but because we have come to define participation as the giving and conveying of money. And, therefore, those who have greater amounts of money to give and to convey and to pour into the system have more influence than those who do not.

That is at the heart of it. That is why the American people believe that the special interests have more sway in this institution than they have. That is why middle-income Americans believe that they are getting shortchanged, that their numbers are shrinking. That is why they believe that in the past decade the incomes of the top 1 percent in this country have gone up substantially by more than 20 percent in real terms while the incomes of middle-income Americans have shrunk.

That is why they believe that they continue to have to struggle to send their children to college with tax bills passed through this institution that give further tax cuts to those who need them least while middle-income families are not even allowed to deduct the interest on college loans that they have to take out to struggle to send their children to college.

Why do they think, Madam President, that the special interests have more influence in this institution than they? Everyone has an equal vote in this country. If elections were decided principally on the basis of the ability of people to get out and campaign, vote, debate, and knock on doors, we all have an equal opportunity to do that—no. It is the perception that money is the determining the outcome of the elections. Why not? We heard the figures earlier. In 93 percent of the elections there is a correlation. The candidate with the most money wins.

Madam President, the figures speak for themselves. There was an argument raised a moment ago that to put a limit on spending—this is something I really do not understand—would be disadvantageous to the challengers, that if we pass a bill like this bill that puts in place according to limited spending by candidates that will hurt challengers.

If those on the other side of the aisle really believe that, I am concerned about the analytical method that they are using to examine this issue, if they really believe that.

Let us just think for a moment. If incumbents when you do not have spending limits, here we have a system with

no limits—incumbents last time raised eight times as much money in the House as challengers. There is a 93-percent correlation between those who win and those who raise the most money. How in the world can a system of unlimited spending be said to favor challengers when incumbents can raise eight times as much as they can? How can a system with unlimited spending be said to favor challengers when the special interest groups this year, the political action committees, are pouring in $25 into the campaign funds of incumbents for every dollar they are putting into the campaign funds for challengers?

Let us look at the facts. I have to say again that I do not understand and I sometimes have to convince my colleagues on our side of the aisle where we are in the majority, that I am not in league with those on the other side of the aisle in advocating spending limits because they also know the figures. You would think that any party that was in the minority in Congress today with the apparent fact that an incumbent, not a Democrat, not a Republican, it does not matter whether they are a Democrat or a Republican.

They were asked specifically, "Do you favor the Boren bill?" Eighty-two percent said "yes," a vast majority of Republicans and Democrats. This is not an issue on which Republicans and Democrats differ. The vast majority of both favor spending limits.

It is hard for me to understand why those who happen to be Republicans and are now serving in Congress depart in their thinking so completely from their own constituents and their own party members back home. Maybe it is because they are incumbents, also, and deep down, they understand the fact that they have a great advantage, whether they are Republicans or Democrats, in that they are incumbents. Maybe that is at the heart of their reluctance to change.

There are some Republicans who do want to change. A very interesting news release put out by the group Public Citizen, dated Monday, April 20 said: "Thirty-two past and present Republican challengers from 22 States today called on President Bush to sign landmark congressional campaign finance reform legislation recently passed by the House," and now pending in the Senate.

The money chase is not going away, as my colleague seems to want to indicate. He said it slowed down somewhat in 1990, the increase in spending. That is not true. It might have appeared to have slowed down in the aggregate because more of the elections in 1990 were in smaller States, where lesser amounts of money are usually spent than was the case in the two preceding election cycles.

But when you look at the amount spent per voter in the States where elections were held in 1990, that amount went up by 40 cents from 1988 to $1.70 per voter; this was campaign spending. In 1980, candidates were spending 60 cents per voter to run successful races. In 1990, it rose to $1.70, up from $1.30 per voter in 1988. So it continues to spiral. It continues to go up.

Madam President, is it a good thing? That is the essence of the debate. Is it a good thing that more and more money is being poured into the process? I think with all sincerity—and I wish I could change the Senator's mind—I believe my friend from Kentucky believes it is a good thing. He believes it indicates more participation in political campaigns.

I do not think it is a good thing. I do not think pouring more and more money into campaigns is the kind of political participation we want to encourage. Yes, we want to encourage voting. A serious debate of the issues, yes; we want to encourage that. Volunteering one's time and caring enough about the political process to knock on doors on the road where a person lives, or in the block or neighborhood where a person happens to live, to convince friends and neighbors to support a candidate—that person might be supporting himself or herself—yes, we want to encourage that kind of participation. Putting yard signs in our front yards, we want to encourage that kind of participation. But runaway campaign spending is not the kind of participation that is helping the American political process.

Can we really say that the fact that we have gone from $600,000 to $4 million to run a U.S. Senate campaign has helped the quality of American politics? Can we say that in the last two or three elections, we have had a better discussion of the important issues and more involvement of the American people and of the important decisions affecting this country than we had when campaigns cost a lot less to run successfully? Can we really say we have encouraged more good, new, young people with fresh ideas to come into politics?

How in the world can we think it would encourage new people to come into politics when they have to face the fact that they have to raise millions of dollars to get in the front door? How in the world does it encourage new people to get into politics when they know that while they might be able to go out successfully in their home States and communities at the grassroots and raise some money from small contributors up and down the streets of their home communities, but be faced with the fact that at the last minute a flood of money could come in from Washington at the rate of $25 to every $1 from the political action committees located here, from those multi-million-dollar fundraisers that can be held on a single night, and will be held again tonight in Washington? When we read the morning paper, we will probably read that the fundraiser held tonight here may break all records. Perhaps it will set the record for American politics.

Every time I read a headline that says this year they raised more than last year, particularly in Washington, particularly from the special interest groups, it is simply a message to me that it is a further distortion of the political process and further discouragement to the average American from participating, because they think the dollars are going to add up more than the votes, when all is said and done.

So, Madam President, that is the nub of it. That is the difference of opinion we have not been able to get over. We could work out a bundle of incentives that would keep the American taxpayer from having to dig down in his or her pocket and finance the incentives that would be sufficient to get candidates to accept voluntary spending limits. We have discounted broadcast time. We have disclaimers under our bill that would require candidates that do not accept spending limits to so state on their advertising.

These are the kinds of things that would encourage candidates, without cost to the taxpayers, to accept voluntary spending limits. There are ways of devising bills to do that. We have simply not been able to get an agreement on the basic concept that the money chase is bad for American politics, that too much money is pouring into the system, that too much time is being spent raising it.

The Senator from Kentucky said, well, it is not as serious as you say, because after all, most Members do not sit down and raise $13,000 every single week for 6 years. So it really does not take that much of their time. They usually wait and raise most of it in the last 2 years.

If you do that, to put the arithmetic to that, you find, if they wait until the last 2 years and in panic try to raise nearly all of it at that time, then they may not raise it for the first 4 years, but they have to raise $43,000 a week for the last 2 years to come up with the amount of money. Maybe that is not so bad. Well, I do not see how it is good.

Madam President, it is just human nature, and I go back to the point that if a Member of the Senate of the United States or a challenger, indeed, for a Senate seat has 5 minutes to give to a constituent to discuss a problem or to hear their opinion, and that candidate is desperate to raise the money it takes to get on television or radio and buy advertising, desperate to raise that money because it takes $4 million, and that person has 5 minutes to spare and there are 10 people lined up to give their views to that candidate or that Senator or that Congressman, or one of them, human nature being what it is, there is someone sitting there that has

the capacity of giving the candidate $1,000 or perhaps holding a fundraiser in their home where they might raise $50,000, or better yet, putting together a committee in Washington that might raise that candidate $300,000 or $400,000, and there is someone who works for a living with their hands on an assembly line or who sits on a tractor in the hot Sun on a farm, that if they really made a sacrifice might be able to contribute $10 or $5 to the campaign instead of $5,000 or $10,000, and has no ability to organize a committee to raise $300,000, human nature being what it is, and thinking they are not going to win the election if they do not raise the $4 million, with which person are they going to spend that 5 minutes?

Madam President, I think we all know the answer. It is not a matter of being bought and paid for. It is not a matter of anyone consciously sitting down and saying, "I am going to sell myself to the highest bidder," but it is a process that nobody feels good about. The sensitive, caring Member of Congress who came here because he or she wanted to make a difference to this country does not feel good about the pressure placed upon them to raise the amount of money that it now takes, and the citizen obviously does not feel good about it either. That is why that citizen, when queried by the Gallup poll or the Harris poll or some other polling organization, says, "I do not have confidence in Congress anymore. I believe they belong to the special interests and not to me." And which one of us, in all honesty, as long as we allow runaway campaign spending and that pressure to be put on every candidate, whether they are in office or out, man or woman, Democrat or Republican, liberal or conservative, as long as that pressure is there to raise $4 million to run a successful race to the U.S. Senate, can look that constituent in the eye, that disillusioned citizen in the eye, and say, "Money does not matter. The opinion of a person without a dime to contribute to a campaign matters as much to a candidate as a person that can raise $1,000 or $10,000 or $100,000." Madam President, we cannot do that. And we all know it.

So that is the difference of opinion. There are those of us who do not believe it is healthy that it takes $4 million on the average to win a U.S. Senate race. That is the difference of opinion. There are those of us who believe that the heart of reform is to limit runaway campaign spending, to squeeze the excess money out of the system and put competition back in the arena of ideas and qualifications where it belongs. That is the issue. And that is the reason the American people, 82 percent of them, Democrat and Republican alike, have said, "We favor limits on campaign spending." Madam President, let us not shirk our duty. Let us not let the people down.

The PRESIDING OFFICER. The distinguished majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I ask unanimous consent that the vote on adoption of the conference report accompanying S. 3, the Senate Election Ethics Act, occur at 3:30 p.m., Thursday, April 30; that on Thursday, the Senate resume consideration of the conference report at 1 p.m., with the time from 1 p.m. until 3 p.m. equally divided and controlled between Senators BOREN and MCCONNELL, the time from 3 p.m. until 3:15 p.m. under the control of the Republican leader, and the time from 3:15 p.m. until 3:30 p.m. under the control of the majority leader; that at 3:30 p.m., without intervening action or debate, the Senate proceed to vote on the adoption of the conference report accompanying S. 3, the Senate Election Ethics Act.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Mr. DOLE. No objection.

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

The text of the agreement is as follows:

Ordered, That at 1 p.m., on Thursday, April 30, 1992, the Senate resume consideration of the conference report accompanying S. 3, the Senate Election Ethics Act.

Ordered further, That the time from 1 p.m. to 3 p.m. be equally divided and controlled by the Senator from Oklahoma (Mr. Boren) and the Senator from Kentucky (Mr. McConnell); the time from 3 p.m. to 3:15 p.m. be under the control of the Republican Leader; and that the time from 3:15 p.m. to 3:30 p.m. be under the control of the Majority Leader.

Ordered further, That at 3:30 p.m. without intervening action or debate, the Senate proceed to vote on adoption of the conference report accompanying S. 3.

Mr. MITCHELL. I thank my colleagues, and I thank the distinguished Republican leader for his courtesy.

Senators should now be aware, then, that the vote on this conference report will occur at 3:30 p.m. on Thursday. There will be a full day for debate tomorrow. Any Senator who wishes to debate, to address the subject in any way should be present tomorrow for that debate.

On Thursday, there will be 2½ hours of debate equally divided and controlled. Senators BOREN and MCCONNELL will control 1 hour each between 1 and 3 p.m., Senator DOLE will control 15 minutes from 3 to 3:15 p.m., and I will control 15 minutes, from 3:15 to 3:30 p.m. and have the vote at that time.

I thank my colleagues. And, Madam 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. WELLSTONE. Madam 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. WELLSTONE. Madam President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. 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 which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT—PM 230

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with the provisions of the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(b)), I am pleased to transmit herewith the 25th Annual Report of the National Endowment for the Humanities for fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

ANNUAL REPORT OF THE FEDERAL COUNCIL ON THE AGING—MESSAGE FROM THE PRESIDENT—PM 231

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I hereby transmit the Annual Report for 1991 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

JOB TRAINING 2000 ACT—MESSAGE FROM THE PRESIDENT—PM 232

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the Job Training 2000 Act. This legislation would reform the Federal vocational training system to meet the Nation's work force needs into the 21st century by establishing: (1) a network of local skill centers to serve as a common point of entry to vocational training; (2) a certification system to ensure that only high quality vocational training programs receive Federal funds; and (3) a voucher system for vocational training to enhance participant choice.

Currently, a myriad of programs administered by a number of Federal agencies offer vocational education and job training at a cost of billions of dollars each year. This investment in the federally supported education and training system should provide opportunities to acquire the vital skills to succeed in a changing economy. Unfortunately, the current reality is that services are disjointed, and administration is inefficient. Few individuals—especially young, low-income, unskilled people—are able to obtain crucial information on the quality of training programs and the job opportunities and skill requirements in the fields for which training is available.

The Job Training 2000 Act transforms this maze of programs into a vocational training system responsive to the needs of individuals, business, and the national economy.

Four key principles underlie the Job Training 2000 Act. First, the proposal is designed to simplify and coordinate services for individuals seeking vocational training or information relating to such training. Second, it would decentralize decisionmaking and create a flexible service delivery structure for public programs that reflects local labor market conditions. Third, it would ensure high standards of quality and accountability for federally funded vocational training programs. Fourth, it would encourage greater and more effective private sector involvement in the vocational training programs.

The Job Training 2000 initiative would be coordinated through the Private Industry Councils [PIC's] formed under the Job Training Partnership Act [JTPA]. PIC's are the public/private governing boards that oversee local job training programs in nearly 650 JTPA service delivery areas. A majority of PIC members are private sector representatives. Other members are from educational agencies, labor, community-based organizations, the public Employment Service, and economic development agencies.

Under the Job Training 2000 Act, the benefits of business community input, now available only to JTPA, would enhance other Federal vocational training programs. PIC's would form the management core of the Job Training 2000 system and would oversee skill centers, certify—in conjunction with State agencies—federally funded vocational training programs, and manage the vocational training voucher system. Under this system, PIC's would be accountable to Governors for their activities, who in turn would report on performance to a Federal vocational training council.

The skill centers would be established under this act as a one-stop entry point to provide workers and employers with easy access to information about vocational training, labor markets, and other services available throughout the community. The skill centers would be designated by the local PIC's after consultations within the local community. These centers would replace the dozens of entry points now in each community. Centers would present a coherent menu of options and services to individuals seeking assistance: assessment of skill levels and service needs, information on occupations and earnings, career counseling and planning, employability development, information on federally funded vocational training programs, and referrals to agencies and programs providing a wide range of services.

The skill centers would enter into written agreements regarding their operation with participating Federal vocational training programs. The programs would agree to provide certain core services only through the skill centers and would transfer sufficient resources to the skill centers to provide such services. These provisions would ensure improved client access, minimize duplication, and enhance the effectiveness of vocational training programs.

The Job Training 2000 Act also would establish a certification system for Federal vocational training that is based on performance. To be eligible to receive Federal vocational training funds, a program would have to provide effective training as measured by outcomes, including job placement, retention, and earnings. The PIC, in conjunction with the designated State agency, would certify programs that meet these standards. This system would increase the availability of information to clients regarding the performance of vocational training programs and ensure that Federal funds are only used for quality programs.

For the most part, vocational training provided under JTPA, the Carl D. Perkins Vocational Education Act, postsecondary only, and the Food Stamp Employment and Training program would be provided through a voucher system. The voucher system would be operated under a local agreement between the PIC and covered programs. The system would provide participants with the opportunity to choose from among certified service providers. The vouchers would also contain financial incentives for successful training outcomes. By promoting choice and competition among service providers, the establishment of this system would enhance the quality of vocational training.

This legislation provides an important opportunity to improve services to youths and adults needing to raise their skills for the labor market by focusing on the consumers's needs rather than preserving outmoded and disjointed traditional approaches. Enactment of this legislation would make significant contributions to the country's competitiveness by enhancing the opportunities available to our current and future workers and increasing the skills and productivity of our work force.

I urge the Congress to give this legislation prompt and favorable consideration.

GEORGE BUSH.

THE WHITE HOUSE, *April 28, 1992.*

MESSAGES FROM THE HOUSE RECEIVED DURING THE RECESS

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 1991, the Secretary of the Senate, on April 15, 1992, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 4572. An act to direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the medicare or medicaid programs in order to enable the Dayton Area Health Plan, Inc. to continue to provide services through January 1994 to individuals residing in Montgomery County, Ohio, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act; and

H.J. Res. 402. Joint resolution approving the location of a memorial to George Mason.

Under the authority of the order of the Senate of January 3, 1991, the enrolled bill and joint resolution were signed on April 15, 1992, during the recess of the Senate, by the President pro tempore [Mr. BYRD].

MESSAGES FROM THE HOUSE

At 3:17 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, an-

nounced that the House agrees to the amendments of the Senate to the bill (H.R. 2454) to authorize the Secretary of Health and Human Services to impose disbarments and other penalties for illegal activities involving the approval of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

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-3017. A communication from the Chairman of the Farm Credit Administration, transmitting, pursuant to law, a report on the FCA's 1992 salary range structures, performance-based merit pay matrix, and a description of recently adopted compensation policies and practices; to the Committee on Agriculture, Nutrition and Forestry.

EC-3018. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget recissions and deferrals dated April 8, 1992; pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition and Forestry, the Committee on Armed Services, the Committee on Banking, Housing and Urban Affairs, the Committee on Commerce, Science and Transportation, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, the Select Committee on Indian Affairs, and the Committee on Labor and Human Resources.

EC-3019. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on one proposed rescission of budget authority, one new deferral, and revised amounts of one deferral previously reported; pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Foreign Relations, the Committee on Agriculture, Nutrition and Forestry, and the Committee on Banking, Housing and Urban Affairs.

EC-3020. A communication from the Assistant Secretary of the Air Force (Acquisition), transmitting, pursuant to law, a report on Air Force intentions to conduct a cost comparison of Air Training Command's Base Operating Support function at Laughlin Air Force Base, Texas; to the Committee on Armed Services.

EC-3021. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, the annual report on United States Costs in the Persian Gulf Conflict and Foreign Contributions to Offset Such Costs; to the Committee on Armed Services.

EC-3022. A communication from the Acting General Counsel, Department of Defense, transmitting, a draft of proposed legislation to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes; to the Committee on Armed Services.

EC-3023. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the annual report on progress on HUD's Program Monitoring and Evaluation Initiative; to the Committee on Banking, Housing and Urban Affairs.

EC-3024. A communication from the General Counsel, Department of the Treasury, transmitting, a draft of proposed legislation to authorize the Secretary of the Treasury to adopt distinctive counterfeit deterrents for exclusive use in the manufacture of United States securities and obligations, to clarify existing authority to combat counterfeiting, and for other purposes; to the Committee on Banking, Housing and Urban Affairs.

EC-3025. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report entitled "Final Evaluation of the Neighborhood Development Demonstration Program"; to the Committee on Banking, Housing and Urban Affairs.

EC-3026. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report entitled "State and Local Pension Fund Financing of Housing"; to the Committee on Banking, Housing and Urban Affairs.

EC-3027. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the annual report of the Board of Governors of the Federal Reserve System; to the Committee on Banking, Housing and Urban Affairs.

EC-3028. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on a transaction involving United States exports to Venezuela; to the Committee on Banking, Housing and Urban Affairs.

EC-3029. A communication from the Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, an annual report on implementation of the Community Reinvestment Act; to the Committee on Banking, Housing and Urban Affairs.

EC-3030. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to provide for the continued improvement and expansion of the Nation's airports and airways, and for other purposes; to the Committee on Commerce, Science and Transportation.

EC-3031. A communication from the Inspector General, Department of Commerce, transmitting, pursuant to law, a report on the Department of Commerce International Trade Administration's management of its Foreign Service Personnel System; to the Committee on Commerce, Science and Transportation.

EC-3032. A communication from the Assistant Secretary of Defense (Production and Logistics), transmitting, pursuant to law, a report on the Department of Defense Metric Transition Plan for fiscal year 1991; to the Committee on Commerce, Science and Transportation.

EC-3033. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the results of the Port Needs Study; to the Committee on Commerce, Science and Transportation.

EC-3034. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to amend subtitle IV of title 49, United States Code, to eliminate economic regulation of motor carriers and interstate water carriers, to sunset the Interstate Commerce Commission, and for other purposes; to the Committee on Commerce, Science and Transportation.

EC-3035. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to clarify inspection and enforcement authority over foreign passenger vessels and align inspection authority with the International Convention for the Safety of Life at Sea, and for other purposes; to the Committee on Commerce, Science and Transportation.

EC-3036. A communication from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, an annual report for fiscal year 1991; to the Committee on Commerce, Science and Transportation.

EC-3037. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report of the Maritime Administration for fiscal year 1991; to the Committee on Commerce, Science and Transportation.

EC-3038. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on the findings and recommendations of the North Carolina Environmental Sciences Review Panel; to the Committee on Energy and Natural Resources.

EC-3039. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3040. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3041. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3042. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3043. A communication from the Secretary of Energy, the Secretary of the Interior, and the Director of the National Science Foundation, transmitting, pursuant to law, an annual report on the United

States Continental Scientific Drilling Program; to the Committee on Energy and Natural Resources.

EC-3044. A communication from the Executive Director of the Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to law, an annual report for fiscal year 1991; to the Committee on Environment and Public Works.

EC-3045. A communication from the Chairman of the Inland Waterways Users Board, transmitting, pursuant to law, an annual report on the activities of the Board during the past year and its recommendations with respect to construction and rehabilitation priorities on the inland waterways of the United States; to the Committee on Environment and Public Works.

EC-3046. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on a proposed environmental restoration project for Kissimmee River, Florida; to the Committee on Environment and Public Works.

EC-3047. 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 fourth calendar quarter of 1991; to the Committee on Environment and Public Works.

EC-3048. A communication from the President of the United States, transmitting, pursuant to law, a report on the termination of the application of title IV of the Trade Act of 1974 to the Czech and Slovak Federal Republic and the Republic of Hungary; to the Committee on Finance.

EC-3049. A communication from the Secretary of Labor, transmitting, pursuant to law, an interim report entitled the "Massachusetts UI Self-Employment Demonstration"; to the Committee on Finance.

EC-3050. A communication from the President of the United States, transmitting, pursuant to law, an annual report on Soviet Noncompliance with Arms Control Agreements; to the Committee on Foreign Relations.

EC-3051. A communication from the Assistant Secretary of State (Legal Adviser for Treaty Affairs), transmitting, pursuant to law, a report on international agreements other than treaties, entered into in the sixty day period prior to April 9, 1992; to the Committee on Foreign Relations.

EC-3052. A communication from the Acting General Counsel, Department of Defense, transmitting, a draft of proposed legislation to amend section 3401 (a) of title 39, United States Code, to permit essential civilians supporting military operations, in an area overseas designated by the President, to mail at no cost letters or recorded communications of a personal nature; to the Committee on Governmental Affairs.

EC-3053. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report concerning the claim of Mr. Terrill W. Ramsey to be reimbursed full relocation expenses; to the Committee on Governmental Affairs.

EC-3054. A communication from Manager of the Federal Crop Insurance Corporation and the Under Secretary for Small Community and Rural Development, transmitting, pursuant to law, a report of the Federal Crop Insurance Corporation entitled "Federal Managers' Financial Integrity Act for FY 1991"; to the Committee on Governmental Affairs.

EC-3055. A communication from the Secretary of the United States Senate, transmitting, pursuant to law, a report of the Advisory Committee on the Records of Congress; to the Committee on Governmental Affairs.

EC-3056. A communication from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, an annual report on the Commission's compliance with the requirements of the Government in the Sunshine Act; to the Committee on Governmental Affairs.

EC-3057. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on a financial management status and government-wide 5-year financial management plan; to the Committee on Governmental Affairs.

EC-3058. A communication from the Director of Housing and Urban Development, transmitting, pursuant to law, a report entitled "Feasibility of Expanded Use of Section 8 Vouchers by Indian Housing Authorities"; to the Select Committee on Indian Affairs.

EC-3059. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, an annual report of the Federal Open Market Committee of the Federal Reserve System covering the implementation of its administrative responsibilities under the Freedom of Information Act for calendar year 1991; to the Committee on the Judiciary.

EC-3060. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled "Notice of Final Funding Priorities—National Institute on Disability and Rehabilitation Research for calendar years 1992-1993"; to the Committee on Labor and Human Resources.

EC-3061. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled "Final Regulations—Educational Partnerships Program"; to the Committee on Labor and Human Resources.

EC-3062. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Effectiveness of State Programs and Technical Assistance; to the Committee on Labor and Human Resources.

EC-3063. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation to amend title 38, United States Code, to ratify the Department of Veterans' Affairs' interpretation of the provisions of section 1151 of title 38, United States Code; to the Committee on Veterans' Affairs.

EC-3064. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation to amend title 38, United States Code, to clarify the authority of the Chief Medical Director or designee regarding review of the performance of probationary title 38 health care employees; to the Committee on Veterans' Affairs.

EC-3065. A communication from the Director of the Office of Personnel Management, transmitting, a draft of proposed legislation to amend title 38, United States Code, to modify certain eligibility requirements for veterans' readjustment appointments in the Federal service, and for other purposes; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ADAMS:

S. 2623. A bill to authorize the release of restrictions and a reversionary interest in certain lands in Clallam County, Washington; to the Committee on Energy and Natural Resources.

By Mr. GLENN (for himself, Mr. BURDICK, Mr. AKAKA, Mr. RIEGLE, Mr. JOHNSTON, Mr. DECONCINI, Mr. GORE, Mr. PRYOR, and Mr. DASCHLE):

S. 2624. A bill to authorize appropriations for the Interagency Council on the Homeless, the Federal Emergency Management Food and Shelter Program, and for other purposes; to the Committee on Governmental Affairs.

By Mr. LAUTENBERG:

S. 2625. A bill to designate the United States courthouse being constructed at 400 Cooper Street in Camden, New Jersey, as the "Mitchell H. Cohen United States Courthouse"; to the Committee on the Judiciary.

By Mr. CRANSTON (by request):

S. 2626. A bill to amend title 38, United States Code, to increase, effective as of December 1, 1992, the rates of and limitations on disability compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of certain disabled veterans; and to lengthen the period of wartime service required to qualify for improved pension; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself, Mr. WARNER, Mr. BIDEN, Mr. BURDICK, Mr. CHAFEE, Mr. COATS, Mr. COHEN, Mr. CONRAD, Mr. CRANSTON, Mr. DODD, Mr. GRASSLEY, Mr. JOHNSTON, Mr. KENNEDY, Mr. KERRY, Mr. METZENBAUM, Ms. MIKULSKI, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. RIEGLE, and Mr. SASSER):

S.J. Res. 294. Joint resolution to designate the week of October 18, 1992 as "National Radon Action Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. D'AMATO:

S. Con. Res. 111. Concurrent resolution authorizing the 1992 Special Olympics Torch Relay to be run through the Capitol Grounds; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ADAMS:

S. 2623. A bill to authorize the release of restrictions and a reversionary interest in certain lands in Clallam County, WA; to the Committee on Energy and Natural Resources.

PORT ANGELES MEMORIAL HOSPITAL

• Mr. ADAMS. Mr. President, I wish to introduce legislation that will provide long-term benefits for the Port Angeles Memorial Hospital in Port Angeles, WA.

In 1941, officials established a land grant for the Memorial Hospital in Port Angeles, WA. Included in this grant was a reversionary clause that reverted the land back to the Federal Treasury if the land was not used for

the hospital. While at the time this seemed a logical stipulation, it has proven now to have bound the hospital to an impractical situation.

My bill would release the land from the reversionary clause. It would allow the hospital to sell the land it sits on and use the proceeds to relocate or expand the hospital. If the proceeds do not go toward the hospital, it would be paid to the Federal Treasury. This flexibility will allow the hospital to plan for the future. It will ensure that the hospital will be able to use the land for its long-term plans to best serve the people of Port Angeles and Clallam County.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2623

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

SECTION 1. AUTHORITY TO RELEASE REVERSIONARY INTEREST.

(a) GENERAL AUTHORITY.—If the entity to whom the United States patented the lands described in subsection (b) enters into an agreement as specified in subsection (c), the Secretary of the Interior is authorized to release the restrictions contained in patent numbered 1123694, concerning the lands described in subsection (b), and to relinquish the reversionary interest of the United States in such lands.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are those lands, amounting to approximately 7.64 acres in Clallam County, Washington, conveyed by the patent referred to in subsection (a) to the Public Hospital District Numbered 2 (Hereafter in this Act referred to as the "Hospital District").

(c) AGREEMENT.—The agreement referred to in subsection (a) is an agreement which provides that the Hospital District agrees—

(1) to determine, through appraisal, the fair market value of the lands; and

(2)(A) that after such release and relinquishment, the Hospital District will sell such property for not less than fair market value; and

(B) either to apply all the proceeds of such sale to the construction and operation of a new hospital facility meeting all applicable requirements of law or to pay all such proceeds to the Secretary of the Interior, on behalf of the United States.●

By Mr. GLENN (for himself, Mr. BURDICK, Mr. AKAKA, Mr. RIEGLE, Mr. JOHNSON, Mr. DECONCINI, Mr. GORE, Mr. PRYOR, and Mr. DASCHLE):

S. 2624. A bill to authorize appropriations for the Interagency Council on the Homeless, the Federal Emergency Management Food and Shelter Program, and for other purposes; to the Committee on Governmental Affairs.

REAUTHORIZATION OF INTERAGENCY COUNCIL ON THE HOMELESS AND THE FEDERAL EMERGENCY MANAGEMENT FOOD AND SHELTER PROGRAM

● Mr. GLENN. Mr. President, the legislation I am introducing today would reauthorize the Emergency Food and Shelter National Board Program and the Interagency Council on the Homeless, both of which were created under the Stewart B. McKinney Homeless Assistance Act, and both of which are under the jurisdiction of the Committee on Governmental Affairs, which I chair. This bill would reauthorize the Emergency Food and Shelter National Board Program funding level at $180 million for the first year and $200 million for the second year. In addition, it would fund the Interagency Council on the Homeless at an authorization level of $1.5 million and $1.7 million in each of the next 2 years, respectively.

The first of these programs, the Emergency Food and Shelter National Board Program, is chaired by the Federal Emergency Management Agency [FEMA] and includes representatives of various national nonprofits. The National Board Program is intended to aid nonprofit organizations in thousands of counties around the country to purchase food, supply shelter, and to supplement and extend current available resources in order to meet emergency needs of homeless and hungry people. As chairman of the Committee on Governmental Affairs, I well know the importance of this program. The National Board brings Federal agencies, State entities, and local nonprofit groups together in a unique and highly successful effort to assist those most in need. This program's funds are distributed on a formula basis, straight to emergency shelters, soup kitchens, and other nonprofit groups in every State. And, unlike what happens in most programs, a negligible percentage of the National Board's funds are spent on administrative costs. Each nonprofit organization raises almost all of its own funds for administration.

For fiscal year 1993, the administration has requested $100 million for the Emergency Food and Shelter National Board program, which is $34 million below the program's appropriation in 1991. The administration explains its request below this level as "a shift of resources away from emergency programs towards programs that provide longer-term and more comprehensive approaches to the problems faced by the homeless." Mr. President, I agree that we need to develop longer term solutions which will help the homeless out of their plight. That is why I am proposing an increase in this and the Council's funding levels, so that we might buttress and improve current approaches that look like they ultimately will work in the long term. But what about those who have just lost their jobs and their homes? What about those who stand on the brink of homelessness? Must they wait until they become homeless before they receive any help?

The simple fact is that not only do these programs actually address longer term concerns, they also are a necessity in facing the national emergency of homelessness now, an emergency which not only persists but has grown. In a 28-city survey, the U.S. Conference of Mayors found that as of December 1991, requests for emergency food assistance have increased by 26 percent. Requests for emergency shelter have grown by 17 percent over the year before. Since that survey, the recession has only worsened. Many States, including my own State of Ohio, have cut their general assistance programs. Thousands in Ohio will lose benefits, in many cases, their only benefits, at the beginning of April. I have had it reported to me that some people in Ohio have stated that they are going to take their last benefit check and buy a gun with it. Such, Mr. President, is the level of frustration and desperation on the streets of our cities in these times. Providers are crying out for our help. Members of the National Board have told my staff that even if this program's funding were tripled, it still would not be enough to meet the need. Perhaps this administration can simply dismiss the real emergency in our midst—we simply cannot afford to look the other way.

The second program my bill reauthorizes, the Interagency Council on the Homeless, was established to coordinate Federal homeless programs and provide information about these programs and homelessness generally on a national level. The Council brings together all Federal agencies to coordinate and direct Federal homelessness efforts, in addition to providing support to State, local, and private programs. Since its inception, the Council has made great improvements in its operations. Many local providers in my home State of Ohio have expressed praise for its programs and workshops.

Mr. President, my bill proposes modest increases in both of these very valuable programs. At a time when people are facing crises unimagined in their own lives and when the very services we have provided so far are, in some cases, the only hope they see for survival, we cannot and must not turn our backs and do nothing. Increased funding for these programs admits and attempts to address the desperate realities of this recession, while at the same time supporting some well-begun efforts to find long-term solutions to the daunting and persistent problems of chronic homelessness. I urge my colleagues to join with me in cosponsoring and passing this vital legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2624

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

TITLE I—INTERAGENCY COUNCIL ON THE HOMELESS

SECTION 101. AUTHORIZATION OF APPROPRIATIONS.

Section 208 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11318) is amended to read as follows:

"SEC 208. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title $1,500,000 for fiscal year 1993, and $1,700,000 for fiscal year 1994.".

SEC. 102. EXTENSION OF INTERAGENCY COUNCIL.

Section 209 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11319) is amended by striking out "October 1, 1992" and inserting in lieu thereof "October 1, 1994".

TITLE II—FEDERAL EMERGENCY MANAGEMENT FOOD AND SHELTER PROGRAM.

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Section 322 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11352) is amended to read as follows:

"SEC. 322. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title $180,000,000 for fiscal year 1993, and $200,000,000 for fiscal year 1994.".●

By Mr. LAUTENBERG:

S. 2625. A bill to designate the U.S. courthouse being constructed at 400 Cooper Street in Camden, NJ, as the "Mitchell H. Cohen United States Courthouse"; to the Committee on the Judiciary.

MITCHELL H. COHEN UNITED STATES COURTHOUSE

● Mr. LAUTENBERG. Mr. President, I rise today to introduce legislation to designate the U.S. courthouse under construction at 400 Cooper Street, Camden, NJ, as the Mitchell H. Cohen United States Courthouse.

Mitchell Cohen dedicated over 50 years of his life to public service. He was born in Philadelphia, PA, in 1904 and later moved to New Jersey. From 1922 to 1924, Judge Cohen attended Temple University. He received his law degree in 1928 from Dickinson Law School in Pennsylvania.

Judge Cohen began his career as a solicitor for the Camden City Welfare Board in 1936. Over the years, his experience as a public servant varied greatly, serving as Camden city prosecutor, Camden city freeholder, special deputy attorney general, and serving as judge of New Jersey Superior Court. In 1962, President John F. Kennedy appointed him to the U.S. district court for the District of New Jersey. Judge Cohen became chief judge in 1973. Judge Cohen was also assigned temporarily to the U.S. Court of Appeals for the Third Circuit in Philadelphia, PA.

Beyond his various judicial positions, Judge Cohen was appointed to serve on the character and fitness committee for the Camden County Bar Association. Despite his heavy workload, Judge Cohen still found time to be active in several philanthropic organizations, including serving as chairman of the Allied Jewish Appeal, as a member of the board of directors of the Federation of Jewish Charities, as member of the board of trustees for the Child Care Center and as Camden County Chairman of the Sister Kenny Foundation. Judge Cohen was also a member of the American Bar Association, the New Jersey State Bar Association, the Camden County Bar Association, the American Judicature Society, the American Legion, and Jewish War Veterans.

Mr. President, Judge Mitchell Cohen passed away on January 7, 1991, and is greatly missed. He dedicated most of his life to public office, community service, and charitable organizations. It would be most fitting for the new courthouse to be named after an individual who dedicated his entire career to the pursuit of justice for all Americans. Mitchell H. Cohen was a man of noble character who distinguished himself to his colleagues, community, and many organizations. He is worthy of such a tribute.

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

S. 2625

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

SECTION 1. DESIGNATION.

The United States courthouse under construction at 400 Cooper Street in Camden, New Jersey, shall be known and designated as the "Mitchell H. Cohen United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the courthouse referred to in section 1 shall be deemed to be a reference to the "Mitchell H. Cohen United States Courthouse".●

By Mr. CRANSTON (by request):

S. 2626. A bill to amend title 38, United States Code, to increase, effective as of December 1, 1992, the rates of limitations on disability compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of certain disabled veterans; and to lengthen the period of wartime service required to qualify for improved pension; to the Committee on Veterans' Affairs.

VETERANS COMPENSATION RATES AND PENSION ELIGIBILITY REFORM ACT OF 1992

● Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I have today introduced, by request, S. 2626, the proposed Veterans' Compensation Rates and Pension Eligibility Reform Act of 1992. The Secretary of Veterans Affairs transmitted this legislation by letter dated March 27, 1992, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, together with the transmittal letter and enclosure.

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

S. 2626

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

SECTION 1. SHORT TITLE AND REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Compensation Rates and Pension Eligibility Reform Act of 1992."

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASES

SEC. 101. INCREASE IN RATES AND LIMITATIONS.

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs shall, as provided in paragraph (2), increase, effective December 1, 1992, the rates of and limitations on Department of Veterans Affairs disability compensation and dependency and indemnity compensation.

(2)(A) The Secretary shall increase each of the rates and limitations in sections 1114, 1115(1), 1162, 1311, 1313, and 1314 of title 38, United States Code, that were increased by the amendments made by the Veterans' Compensation Rate Amendments of 1991 (Public Law No. 102-152). This increase shall be made in such rates and limitations as in effect on November 30, 1992, and shall be by the same percentage that benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) will be increased effective January 1, 1993, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(B) In the computation of increased rates and limitations pursuant to subparagraph (A), amounts of any fraction of a dollar shall be rounded to the nearest dollar amount.

(b) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857, 72 Stat. 1263 (1958), who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 102. PUBLICATION REQUIREMENT.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act, 42 U.S.C. 415(i)(2)(D), are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1992, the Secretary shall publish in the Federal Register the rates and limitations referred to in subsection (a)(2)(A) as increased under this section.

TITLE II—WARTIME SERVICE REQUIREMENT FOR PENSION

SEC. 201. (a) Section 1521(j) of title 38, United States Code, is amended to read as follows:

"A veteran meets the service requirements of this section if such veteran served in the active military, naval, or air service—

"(1) for one hundred eighty days or more during a period of war;

"(2) during a period of war and was discharged or released from such service for a service-connected disability; or

"(3) for an aggregate of one hundred eighty days or more in two or more separate periods of service during more than one period of war."

(b) The amendments made by subsection (a) shall apply only to veterans who first enter active military service after the date prescribed by Presidential proclamation or by law as the ending date of the Persian Gulf war.

(c) In the case of a claim filed by a veteran who first entered active military service on or before the ending date of the Persian Gulf War, as prescribed by Presidential proclamation or by law, (including a claim with regard to which eligibility has been finally determined), the Secretary of Veterans Affairs shall apply section 1521(j) of title 38, United States Code, as it existed on the date prior to the date of enactment of this Act.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, DC, March 27, 1992.

Hon. DAN QUAYLE,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill entitled the "Veterans' Compensation Rates and Pension Eligibility Reform Act of 1992." I request that this bill be referred to the appropriate committee for prompt consideration and enactment.

Title I of the draft bill would provide a cost-of-living increase, effective December 1, 1992, in the rates of compensation for service-disabled veterans and of dependency and indemnity compensation (DIC) for the survivors of veterans who die as a result of service. Under this proposal, the rate of increase would be the same as the cost-of-living adjustment that will be provided under current law to veterans' pension and Social Security recipients. In computing increased rates, fractions would be rounded to the nearest dollar.

Compensation under title 38, United States Code, is payable only for disabilities resulting from injuries or diseases incurred or aggravated during active service. Payments are based upon a statutory schedule of rates which vary with the degree of disability assigned by the Department of Veterans Affairs (VA), and additional amounts are payable to veterans with spouses and children if the veteran's disability is rated 30-percent or more disabling. DIC benefits are payable at statutorily directed rates to the surviving spouses or children of veterans who die of service-connected causes, or who die of other causes if they suffered service-connected total disability for prescribed periods immediately preceding their deaths. This proposed cost-of-living increase will serve as a hedge against inflation for these most deserving beneficiaries.

Based on a contemplated increase of 3.0 percent, enactment of this legislation would result in estimated additional costs of $313 million in fiscal year 1993 and $1.8 billion over the five-year period fiscal year 1993 through fiscal year 1997.

Title II of the draft bill would amend section 1521(j) of title 38, United States Code, to require generally 180 days of service during wartime in order to qualify for improved pension. This amendment would be effective only as to veterans who first enter active service after the end of the Persian Gulf War. In order to meet the service requirements for pension under current law, a veteran at minimum must generally have served ninety consecutive days at least one day of which must have been during a period of war. This amendment would ensure that, in the future, pension benefits are better targeted to those veterans who had more significant periods of wartime service. No costs or savings are anticipated for fiscal years 1993 through 1997 as a result of enactment of this legislation.

The effect of this draft bill on the deficit is:

FISCAL YEARS
[In millions of dollars]

	1992	1993	1994	1995	1996	1997	1992–97
Outlays	.....	.....	.....	.....	.....	.....	.....

Section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, requires that the baseline for veterans' compensation assume a cost-of-living adjustment (COLA) equal to the veterans' pension program COLA. We currently estimate a 3.0 percent COLA for veterans' pensions. The COLA increase in this draft bill is also 3.0 percent. Since this draft bill implements the policy assumed in the baseline, the Office of Management and Budget scores zero pay-as-you-go costs for this draft bill.

We urge that the House promptly consider and pass these two legislative items. In addition, we urge the House to promptly consider and pass certain legislation introduced or proposed by the Department of Veterans Affairs (VA) during the first session of the 102d Congress. These legislative items are described in the enclosure to this letter.

We have been advised by the Office of Management and Budget that there is no objection to the submission of the draft bill to Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

EDWARD J. DERWINSKI.

THE VETERANS' BENEFITS REFORM ACT OF 1991

RENOUNCEMENT OF RIGHTS TO BENEFITS

On July 2, 1991, we recommend legislation to amend what is now 38 U.S.C. §5306 to provide that when a new claim for an income-based benefit is filed within a year of a renouncement of the benefit, benefits will be payable as if the renouncement had not occurred. This proposal was introduced in the Senate on July 22, 1991, as Title III of S. 1516, 102d Congress, the "Veterans' Benefits Reform Act of 1991."

Under current law, a claimant has the right to renounce pension, compensation, or DIC and, following such renouncement, has the right to file a new application for the benefit, which application is treated as an original application. Under current law, a claimant receiving a need-based benefit, i.e., pension or parents' DIC, may renounce the benefit in anticipation of receipt of nonrecurring income and then, following the receipt of such income, reapply for pension benefits. Such a claimant, who renounces the benefit and then reapplies within a year of the renouncement, can effectively avoid having the income received during the interval between the renouncement and the new application considered for income-computation purposes. Existence of this "loophole" is inconsistent with the objective of the improved-pension program that benefits be provided on the basis of actual need.

Title III of S. 1516 would eliminate this "loophole" in section 5306 by providing that a new application for pension or parents' DIC filed within one year after a renouncement shall not be treated as an original application and that benefits will be payable as if the renouncement had not occurred. This will ensure that income received during the interval between the renouncement and the filing of the new application will be considered for income-computation purposes.

Enactment of this legislation would result in estimated pay-as-you-go savings of $50 thousand in fiscal year 1993 and $1.45 million for fiscal years 1993 through 1997. These savings are incorporated in the President's fiscal year 1993 Budget.

COMMUNICATIONS CONCERNING BENEFITS

On July 2, 1991, we also recommended legislation to authorize VA to suspend benefit payments if the payee fails to keep VA informed of the payee's current mailing address or cooperate in the establishment of another method of communication concerning benefits. This proposal was introduced in the Senate on July 22, 1991, as Title IV of S. 1516.

Section 5120(f) of title 38, United States Code, provides that, if a payee does not have a mailing address, payments will be delivered under methods prescribed by VA. This provision addresses the problems that the lack of a mailing address causes recipients in receiving their benefits. However, an amendment is necessary to address the problems that the lack of a mailing address causes VA in fulfilling its responsibilities to assure that veterans' benefits are provided in accordance with law. In the absence of a current mailing address or other arrangements, VA cannot contact beneficiaries in order to provide notice or information about benefits, request verification of continued entitlement, and investigate possible fraud.

Title IV of S. 1516 would amend what is now 38 U.S.C. §5120(f) to authorize the Secretary to prescribe an appropriate method or methods for communicating with beneficiaries and would authorize suspension of payments to payees who fail or refuse to provide the Secretary with a current mailing address or cooperate in establishing another appropriate method of communication for provision of notices concerning benefits and verification of continued eligibility. The regulations would ensure that payments will be resumed promptly once a current mailing address or other appropriate means of communication with the payee is established. The amendment will assist VA in obtaining evidence in support of claims while reducing fraud, waste, and abuse. VA believes that it is not unreasonable to require that recipients of VA benefits make themselves available to provide information and to receive notices concerning benefits provided to them. VA estimates that there are no administrative or benefit costs associated with this proposal.

CONFORMING TIME LIMIT ON SUBMISSION OF EVIDENCE

On July 2, 1991, we further recommended legislation to amend what is now section 5110(h) of title 38, United States Code, to provide that when an award of pension has been deferred or paid based on anticipated income, the effective date of entitlement or increase in pension shall be in accordance with the facts found if evidence is received before the expiration of the next year. This proposal was introduced in the Senate on July 22, 1991, as section 303 of S. 1518, 102d Congress, the "Veterans' and Survivors' Com-

pensation and Pension Improvement Act of 1991."

Under current law, pensioners have until the expiration of the next calendar year to submit such evidence, resulting in wide variations in limitation periods under the improved pension program, which, unlike previous pension programs, does not operate on a calendar-year basis. For example, a pensioner with a reporting period which happens to begin January 1 would have until December 31 of the following year to revise the income report, some 24 months, while a pensioner with a reporting period which begins December 1, who would also have until December 31 of the following year, a period of only 13 months. VA believes that such inequities and inconsistencies, which the improved pension program was intended to avoid, should be eliminated. VA estimates that there are no administrative or benefit costs associated with this proposal.

MANILA REGIONAL OFFICE

VA also urges passage of legislation to extend VA's authority to maintain and operate a regional office in the Republic of the Philippines. This authority expired September 30, 1991. Section 501 of H.R. 2280, 102d Congress, the "Veterans' Programs Amendments of 1991," would amend section 315 of title 38, United States Code, to extend this authority through March 31, 1994. Title VI of S. 1518 would extend this authority through September 30, 1996.

VA administers programs providing compensation, pension, and education benefits through a regional office in Manila to Filipinos who were in or attached to the United States Armed Forces during World War II. During fiscal year 1989, more than $123 million in benefits were paid through the Manila regional office. Operating a regional office in the Philippines is the most cost-effective means of administering VA programs for Filipino beneficiaries.

DEFINITION OF MINOR CHILD

Finally, VA urges passage of section 701(a) of S. 127, 102d Congress, the "Veterans Benefits and Health Care Amendments of 1991," which would clarify the eligibility of veterans' children for burial in our national cemeteries. Pursuant to 38 U.S.C. §2402, the minor children of veterans and certain others are eligible for national-cemetery burial. However, the term "minor child" is not further defined in the statute.

When Congress enacted the National Cemeteries Act of 1973, transferring from the Department of Army to VA the responsibility for operating national cemeteries, it reenacted without change the prior title 24 provisions regarding eligibility. The Department of Army, in exercising its authority, had interpreted the provision in title 24 referring to "minor child" to include children under age 21. Because Congress indicated an intent that similar eligibility rules should apply under VA's stewardship of the cemetery system, this Department employs in its regulation, 38 C.F.R. §1.620(g), the same definition as that previously used by the Army, but with one exception. Our regulation includes as minor children those who are under age 23, if they are attending approved educational institutions. This is in keeping with the general definition of "child" for title 38 purposes.

Codification of this definition, as contemplated in section 701(a) of S. 127, would avoid confusion regarding eligibility of minor children. The definition of "child" found at 38 U.S.C. §101(4) is in one significant respect more restrictive than our definition of "minor child" for purposes of burial eligibility. Under section 101(4), an individual is generally not considered to be a "child" after reaching age 18 unless, as indicated above, the individual is pursuing an education (in which case age 23 is the upper limit). We do not believe Congress intended to so limit burial eligibility. VA estimates that there are no administrative or benefit costs associated with this proposal.●

By Mr. LAUTENBERG (for himself, Mr. WARNER, Mr. BIDEN, Mr. BURDICK, Mr. CHAFEE, Mr. COATS, Mr. COHEN, Mr. CONRAD, Mr. CRANSTON, Mr. DODD, Mr. GRASSLEY, Mr. JOHNSTON, Mr. KENNEDY, Mr. KERRY, Mr. METZENBAUM, Ms. MIKULSKI, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. RIEGLE, and Mr. SASSER):

S.J. Res. 294. Joint resolution to designate the week of October 18, 1992, through October 24, 1992 as "National Radon Action Week"; to the Committee on the Judiciary.

NATIONAL RADON ACTION WEEK

● Mr. LAUTENBERG. Mr. President, Senator WARNER and 19 other Senators are joining me today in introducing a Senate joint resolution which would designate the week of October 18, 1992, as "National Radon Action Week."

Radon exposure poses a serious health risk to the people of our Nation. The EPA estimates that the number of deaths per year due to radon exposure is approximately 14,000. Fortunately, elevated radon levels can be reduced successfully at relatively low cost.

Testing in homes and schools and educating people about the risks associated with radon exposure are the first steps we can take to protect ourselves and our children from the harmful effects of radon. Our resolution calls for the establishment of a National Radon Action Week to encourage these activities.

Last year, the Congress approved Senate Joint Resolution 132 to establish National Radon Action Week in 1991. The resolution, which was signed by President Bush, resulted in a wide range of activities sponsored by EPA and other organizations to encourage radon testing and remediation. These included a weekly reader supplement to over 3 million students, the distribution of an American Medical Association radon brochure to several hundred thousand physicians, public service announcements, outreach to over 2,000 grocery stores, radon awareness messages on NFL scoreboards displaying the radon hotline phone number, and stories in the media about radon.

This resolution has been endorsed by a broad range of groups and associations including the American Lung Association, the American Cancer Society, the National Congress of Parent-Teachers Associations, the National Education Association, the Consumer Federation of America, and the State and Territorial Air Pollution Control Administrators.

I encourage my colleagues to cosponsor this resolution and I ask unanimous consent that a copy of the resolution appear in the RECORD.

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

S.J. RES. 294

Whereas exposure to radon poses a serious threat to the health of the people of this Nation;

Whereas the Environmental Protection Agency estimates that lung cancer attributable to radon exposure causes approximately 20,000 deaths a year in the United States;

Whereas the United States has set a long-term national goal of making the air inside buildings as free of radon as the ambient air;

Whereas excessively high levels of radon in homes and schools can be reduced successfully and economically with appropriate treatment;

Whereas only about 2 percent of the homes in this Nation have been tested for radon levels;

Whereas the people of this Nation should be educated about the dangers of exposure to radon; and

Whereas people should be encouraged to conduct tests for radon in their homes and schools and to make the repairs required to reduce excessive radon levels: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 18, 1992, through October 24, 1992, is designated as "National Radon Action Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that week with appropriate ceremonies and activities.●

ADDITIONAL COSPONSORS

S. 130

At the request of Mr. PRESSLER, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 130, a bill to amend the Low-Level Radioactive Waste Policy Act to prescribe that no State may allow a low-level radioactive waste facility to be constructed within 50 miles of another State's border without the approval of that State's legislature.

S. 240

At the request of Mrs. KASSEBAUM, the names of the Senator from Hawaii [Mr. AKAKA] and the Senator from Ohio [Mr. GLENN] were added as cosponsors of S. 240, a bill to amend the Federal Aviation Act of 1958 relating to bankruptcy transportation plans.

S. 551

At the request of Mr. BOND, the name of the Senator from Indiana [Mr. COATS] was withdrawn as a cosponsor of S. 551, a bill to encourage States to establish Parents as Teachers programs.

S. 847

At the request of Mr. BURNS, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 847, a bill to limit spending in-

creases for fiscal years 1992 through 1995 to 4 percent.

S. 1013

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 1013, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the earned income tax credit for individuals with young children.

S. 1100

At the request of Mr. KERRY, the names of the Senator from Hawaii [Mr. AKAKA] and the Senator from Ohio [Mr. GLENN] were added as cosponsors of S. 1100, a bill to authorize the Secretary of Housing and Urban Development to provide grants to urban and rural communities for training economically disadvantaged youth in education and employment skills and to expand the supply of housing for homeless and economically disadvantaged individuals and families.

S. 1130

At the request of Mr. KASTEN, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1130, a bill to amend the Internal Revenue Code of 1986 to provide for rollover of gain from sale of farm assets into an individual retirement account.

S. 1198

At the request of Mr. LEVIN, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1198, a bill to provide that the compensation paid to certain corporate officers shall be treated as a proper subject for action by security holders, to require certain disclosures regarding such compensation, and for other purposes.

S. 1381

At the request of Mr. GRAHAM, the name of the Senator from South Carolina [Mr. HOLLINGS] 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. 1423

At the request of Mr. DODD, the names of the Senator from New Jersey [Mr. BRADLEY] and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of S. 1423, a bill to amend the Securities Exchange Act of 1934 with respect to limited partnership rollups.

S. 1622

At the request of Mr. KENNEDY, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 1622, a bill to amend the Occupational Safety and Health Act of 1970 to improve the provisions of such act with respect to the health and safety of employees, and for other purposes.

S. 1704

At the request of Mr. WALLOP, the names of the Senator from Montana [Mr. BURNS] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 1704, a bill to improve the administration and management of public lands, National Forests, units of the National Park System, and related areas by improving the availability of adequate, appropriate, affordable, and cost effective housing for employees needed to effectively manage the public lands.

S. 1729

At the request of Mr. KENNEDY, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 1729, a bill to amend the Public Health Service Act to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes.

S. 1731

At the request of Mr. MCCONNELL, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1731, a bill to establish the policy of the United States with respect to Hong Kong after July 1, 1997, and for other purposes.

S. 1786

At the request of Mr. BAUCUS, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of S. 1786, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment.

S. 1827

At the request of Mr. BOND, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1827, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the White House.

S. 1830

At the request of Mr. WOFFORD, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor 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.

S. 1838

At the request of Mr. PRYOR, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 1838, a bill to amend title XVIII of the Social Security Act to provide for a limitation on use of claim sampling to deny claims or recover overpayments under Medicare.

S. 1866

At the request of Mr. KENNEDY, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1866, a bill to promote community based economic development and to provide assistance for community development corporations, and for other purposes.

S. 1962

At the request of Mr. ADAMS, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1962, a bill to amend the Civil Rights Act of 1991 to apply the act to certain workers, and for other purposes.

S. 1996

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1996, a bill to amend title XVIII of the Social Security Act to provide for uniform coverage of anticancer drugs under the Medicare Program, and for other purposes.

S. 2089

At the request of Mr. NICKLES, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 2089, a bill to repeal exemptions from civil rights and labor laws for Members of Congress.

S. 2093

At the request of Mr. GRAMM, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 2093, a bill to insure that any peace dividend is invested in America's families and deficit reduction.

S. 2109

At the request of Mr. BAUCUS, the names of the Senator from Wyoming [Mr. SIMPSON] and the Senator from Montana [Mr. BURNS] were added as cosponsors of S. 2109, a bill to amend the Internal Revenue Code of 1986 to permit certain entities to elect taxable years other than taxable years required by the Tax Reform Act of 1986, and for other purposes.

S. 2116

At the request of Mr. JOHNSTON, his name was added as a cosponsor of S. 2116, a bill to improve the health of children by increasing access to childhood immunizations, and for other purposes.

S. 2160

At the request of Mr. GRASSLEY, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 2160, a bill to amend the Internal Revenue Code of 1986 to allow taxpayers to elect a deduction or credit for interest on certain educational loans.

S. 2244

At the request of Mr. THURMOND, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2244, a bill to require the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate U.S. participation in that conflict.

S. 2277

At the request of Mr. COHEN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a co-

sponsor of S. 2277, a bill to amend the Public Health Service Act to facilitate the entering into of cooperative agreements between hospitals for the purpose of enabling such hospitals to share expensive medical or high technology equipment or services, and for other purposes.

S. 2319

At the request of Mr. NICKLES, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 2319, a bill to require analysis and estimates of the likely impact of Federal legislation and regulations upon the private sector and State and local governments, and for other purposes.

S. 2327

At the request of Mr. HATFIELD, the names of the Senator from Arkansas [Mr. PRYOR], the Senator from Maryland [Mr. SARBANES], the Senator from Nebraska [Mr. EXON], the Senator from Alabama [Mr. SHELBY], the Senator from Illinois [Mr. SIMON], the Senator from Oregon [Mr. PACKWOOD], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 2327, a bill to suspend certain compliance and accountability measures under the National School Lunch Act.

S. 2328

At the request of Mr. BROWN, the names of the Senator from New Hampshire [Mr. SMITH], the Senator from Idaho [Mr. SYMMS], the Senator from Utah [Mr. GARN], the Senator from Utah [Mr. HATCH], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 2328, a bill to provide that for taxable years beginning before 1980 the Federal income tax deductibility of flight training expenses shall be determined without regard to whether such expenses were reimbursed through certain veterans educational assistance allowances.

S. 2384

At the request of Mr. COATS, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 2384, a bill to amend the Solid Waste Disposal Act to require the owner or operator of a solid waste disposal facility to obtain authorization from the affected local government before accepting waste generated outside of the State, and for other purposes.

S. 2409

At the request of Mr. D'AMATO, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 2409, a bill to amend the provisions of the Omnibus Trade and Competitiveness Act of 1988 with respect to the enforcement of machine tool import arrangements.

S. 2411

At the request of Mr. MCCAIN, the names of the Senator from Indiana [Mr. COATS], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 2411, a bill to approve the President's rescission proposals submitted to the Congress on March 20, 1992.

S. 2509

At the request of Mr. NICKLES, the names of the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 2509, a bill to provide grants to establish an integrated approach to prevent child abuse, and for other purposes.

S. 2517

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 2517, a bill to amend title 10, United States Code, to rename the Defense Advanced Research Projects Agency as the National Advanced Research Projects Agency, to expand the mission of that agency, and for other purposes.

S. 2531

At the request of Mr. ROTH, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 2531, a bill to establish a Commission on Project Government Reform.

S. 2537

At the request of Mr. KENNEDY, the names of the Senator from Delaware [Mr. BIDEN], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 2537, a bill to support efforts to promote democracy in Peru.

S. 2538

At the request of Mr. HOLLINGS, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 2538, a bill to establish a comprehensive program to ensure the safety of fish products intended for human consumption and sold in interstate commerce, and for other purposes.

S. 2540

At the request of Mr. GRAMM, his name was added as a cosponsor of S. 2540, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of individual medical savings accounts to assist in the payment of medical and long-term care expenses and other qualified expenses, to provide that the earnings on such accounts will not be taxable, and for other purposes.

S. 2554

At the request of Mr. ROCKEFELLER, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 2554, a bill to expand the technology extension activities of the National Institute of Standards and Technology in support of technical skills enhancement.

SENATE JOINT RESOLUTION 18

At the request of Mr. SIMON, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of Senate Joint Resolution 18, a joint resolution proposing an amendment to the Constitution relating to a federal balanced budget.

SENATE JOINT RESOLUTION 35

At the request of Mr. HOLLINGS, the name of the Senator from South Dakota [Mr. DASCHLE] 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 166

At the request of Mr. DOLE, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of Senate Joint Resolution 166, a joint resolution designating the week of October 6 through 12, 1991, as "National Customer Service Week."

SENATE JOINT RESOLUTION 182

At the request of Mr. KASTEN, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of Senate Joint Resolution 182, a joint resolution proposing a Balanced Budget Amendment to the Constitution of the United States.

SENATE JOINT RESOLUTION 247

At the request of Mr. DOLE, the name of the Senator from Tennessee [Mr. SASSER], the Senator from Michigan [Mr. LEVIN], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Joint Resolution 247, a joint resolution designating June 11, 1992, as "National Alcoholism and Drug Abuse Counselors Day."

SENATE JOINT RESOLUTION 248

At the request of Mr. CONRAD, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from California [Mr. SEYMOUR], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of Senate Joint Resolution 248, a joint resolution designating August 7, 1992, as "Battle of Guadalcanal Remembrance Day."

SENATE JOINT RESOLUTION 252

At the request of Mr. DIXON, the names of the Senator from Florida [Mr. GRAHAM], the Senator from Idaho [Mr. SYMMS], the Senator from South Carolina [Mr. THURMOND], the Senator from Montana [Mr. BURNS], the Senator from Kansas [Mr. DOLE], the Senator from Indiana [Mr. COATS], the Senator from New York [Mr. D'AMATO], the Senator from Virginia [Mr. WARNER], the Senator from Minnesota [Mr. WELLSTONE], and the Senator from Oregon [Mr. PACKWOOD] were added as cosponsors of Senate Joint Resolution 252, a joint resolution designating the week of April 19–25, 1992, as "National Credit Education Week."

SENATE JOINT RESOLUTION 258

At the request of Mr. RIEGLE, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of Senate Joint Resolution 258, a joint resolution designating the week commencing May 3, 1992, as "National Correctional Officers Week."

SENATE JOINT RESOLUTION 263

At the request of Mr. SARBANES, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of Senate Joint Resolution 263, a joint resolution to designate May 4, 1992, through May 10, 1992, as "Public Service Recognition Week."

SENATE JOINT RESOLUTION 266

At the request of Mr. THURMOND, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Maryland [Mr. SARBANES], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Maine [Mr. COHEN], the Senator from Maryland [Ms. MIKULSKI], the Senator from Alabama [Mr. SHELBY], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Illinois [Mr. SIMON], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Nevada [Mr. REID], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Joint Resolution 266, a joint resolution designating the week of April 26–May 2, 1992, as "National Crime Victims' Rights Week."

SENATE JOINT RESOLUTION 277

At the request of Mr. D'AMATO, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of Senate Joint Resolution 277, a joint resolution to designate May 13, 1992, as "Irish Brigade Day."

SENATE JOINT RESOLUTION 280

At the request of Mr. CHAFEE, his name was added as a cosponsor of Senate Joint Resolution 280, a joint resolution to authorize the President to proclaim the last Friday of April, 1992, as "National Arbor Day."

SENATE JOINT RESOLUTION 289

At the request of Mr. D'AMATO, the names of the Senator from Virginia [Mr. WARNER] and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of Senate Joint Resolution 289, a joint resolution designating the period beginning April 9, 1992, and ending May 6, 1992, as "Bataan-Corregidor Month."

SENATE CONCURRENT RESOLUTION 17

At the request of Mr. HATCH, the names of the Senator from Michigan [Mr. LEVIN] and the Senator from Missouri [Mr. BOND] were added as cosponsors of Senate Concurrent Resolution 17, a concurrent resolution expressing the sense of Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE CONCURRENT RESOLUTION 97

At the request of Mr. WARNER, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from North Dakota [Mr. CONRAD], the Senator from Colorado [Mr. BROWN], the Senator from Alabama [Mr. HEFLIN], the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Iowa [Mr. GRASSLEY], the Senator from Hawaii [Mr. INOUYE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from California [Mr. SEYMOUR], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of Senate Concurrent Resolution 97, a concurrent resolution to commemorate the 50th anniversary of the Battle of Midway.

SENATE RESOLUTION 66

At the request of Mrs. KASSEBAUM, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of Senate Resolution 66, a resolution to amend the rules of the Senate to improve legislative efficiency, and for other purposes.

SENATE CONCURRENT RESOLUTION 111—AUTHORIZING THE 1992 SPECIAL OLYMPICS TORCH RELAY TO BE RUN THROUGH THE CAPITOL GROUNDS

Mr. D'AMATO submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 111

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF SPECIAL OLYMPICS TORCH RELAY THROUGH CAPITOL GROUNDS.

On May 15, 1992, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may designate jointly, the 1992 Special Olympics Torch Relay may be run through the Capitol Grounds, as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics spring games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such action as may be necessary to carry out section 1.

SEC. 3. CONDITION RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event authorized by section 1.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., on Wednesday, May 6, 1992, in SR–301, to hold a hearing on Senate Joint Resolution 221 and 275, providing for the appointments of Hanna Holborn Gray and Wesley Samuel Williams, Jr., respectively, as citizen regents of the Board of Regents of the Smithsonian Institution. Witnesses scheduled to testify are Secretary of the Smithsonian Robert McC. Adams, Dr. Gray, and Mr. Williams.

For further information regarding this hearing, please contact Carole Blessington of the Rules Committee staff on 224–0278.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources.

The hearing will take place Thursday, May 7, 1992, at 9:30 a.m. in room SD–366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to receive testimony from Linda Stuntz, nominee to be Deputy Secretary of Energy, Department of Energy.

For further information, please contact Rebecca Murphy at (202) 224–7562.

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

A hearing will take place on Thursday, May 14, 1992 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC. The purpose of the hearing is to receive testimony on S. 2607, a bill to authorize regional integrated resource planning by registered holding companies and State regulatory commissions.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Attention: Bill Conway.

For further information, please contact Bill Conway of the committee staff at 202/224–7149.

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The purpose of the oversight hearing is to receive testimony on the Department of Energy's program for environmental restoration and waste management.

The hearing will take place on Thursday, May 21 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Attention: Mary Louise Wagner.

For further information, please contact Mary Louise Wagner of the committee staff at 202/224–7569.

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small

Business Committee will hold a full committee hearing to consider the President's nomination of Thomas Kerester to be Chief Counsel for Advocacy for the Small Business Administration. The hearing will take place on Tuesday, May 5, 1992, at 9:30 a.m., in room 428A of the Russell Senate Office Building. For further information, please call Patricia Forbes, Counsel, Small Business Committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON ANTITRUST, MONOPOLIES AND BUSINESS RIGHTS

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Monopolies, and Business Rights, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, April 28, 1992, at 10 a.m. to hold a hearing on "Life/Health Guaranty Funds: Can They Live Up to Expectations?"

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

SUBCOMMITTEE ON READINESS, SUSTAINABILITY AND SUPPORT

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the Subcommittee on Readiness, Sustainability and Support of the Committee on Armed Services be authorized to meet on Tuesday, April 28, 1992, at 10 a.m., in open session, to receive an overview of Department of Defense operations and maintenance programs in review of the amended Defense authorization request for fiscal year 1993.

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

COMMITTEE ON FINANCE

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 28, 1992, at 9:30 a.m. to hold a hearing on simplifying the tax treatment of intangible assets acquired in business purchases.

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

SUBCOMMITTEE ON STRATEGIC FORCES AND NUCLEAR DETERRENCE

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces and Nuclear Deterrence of the Committee on Armed Services be authorized to met on Tuesday, April 28, 1992, at 2:30 p.m., in open session, to receive testimony on the onsite inspection agency [OSIA] in review of the amended Defense authorization request for fiscal year 1993 and the future years Defense plan.

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

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Productivity of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Tuesday, April 28, 1992, at 10 a.m., for a hearing on Oversight of the Equal Employment Opportunity Commission.

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

ADDITIONAL STATEMENTS

CHRISTOPHER IANNELLA

• Mr. KERRY. Mr. President, I want to pay tribute today to one of the most venerable elected officials ever to serve the city of Boston. Christopher A. Iannella has spent 40 years of his life in public service, first as a State representative from Boston and then on its city council. He is presently serving his eighth term as president of that body, establishing a Boston record.

Chris is a living example of enthusiasm, vigor, and vibrancy which immigrants have always brought to this country. Born in San Sossio Baronie, Province of Avellino, Italy, he emigrated to the United States at the age of 8. He was educated in the Boston public schools, Boston English High School, Boston College, and Harvard Law School, and was one of the first Italian-Americans to graduate from that institution.

He lost his first election for State representative in 1948 by three votes, but he learned from that experience, and in 1950, he was elected by an overwhelming margin. Having worked as a fruit peddler in Boston's famous Haymarket Square, as a State representative he initiated legislation creating the Haymarket District, a unique and vibrant open-air market of pushcarts and stalls. Chris is not afraid of controversy, and one of the accomplishments of which he is proud is his authorship, while he was a member of the Boston City Council, of the city of Boston Residency Law. He created the Code Enforcement Division of the city which enforces city environmental codes, and he wrote the Urban Homestead Act, enabling residents to purchase abandoned property from the city for 1 dollar in order to rehabilitate the property for housing and other productive uses.

In this day when many politicians are held in very low esteem, Chris is one who has the people's admiration and respect. "Such a gentleman," they say of him, "Such class!" Senior citizens are especially appreciative of his work on their behalf, and everyone who calls upon him unfailingly is treated with the utmost respect and courtesy. Is it any wonder that when he tells his volunteers, "You're not just a volunteer—you're my friend," that they redouble their efforts on his behalf?

Chris Iannella has served his neighborhood, his city, his Commonwealth, and his adopted country well. I am proud to honor his 40 years in public life.•

WISCONSIN SPECIAL OLYMPICS

• Mr. KASTEN. Mr. President, I rise today to call the attention of my colleagues to a truly special event that will take place in Wisconsin on June 4, 5, and 6—the Wisconsin Special Olympics summer games in Stevens Point, WI.

This event is a terrific opportunity for disabled Wisconsinites to compete, to excel—and to have fun. And it reminds the members of the community who don't have disabilities that disabled people have the same hopes, dreams and joys as the rest of us.

The Wisconsin Special Olympics are a valuable reminder that we need to do more to bring down the social and economic barriers to disabled people. I ask all my colleagues to join me in extending our thanks to organizers Cheri A. Karch, Julie Greycarek, and Sara Brandl-Reaves—and our warmest best wishes for a successful event.•

S. 2116, THE COMPREHENSIVE CHILD HEALTH IMMUNIZATION ACT

• Mr. JOHNSTON. Mr. President, I am pleased to join as a cosponsor legislation introduced by the senior Senator from Michigan in November, S. 2116, the Comprehensive Child Health Immunization Act.

This bill, which codifies a number of important recommendations made by the National Vaccine Advisory Council, is very important and proposes a truly comprehensive strategy to deal with the serious problem we face. Nationwide, it is estimated that two-thirds of U.S. 2-year-olds are not immunized against such deadly and sadly preventable diseases as measles, mumps, rubella, and polio. In Louisiana, the Office of Public Health estimates that statewide between 30 and 40 percent of our 2-year-olds do not have up-to-date vaccinations and are at risk. In New Orleans, however, only 40 percent of the city's 2-year-olds are up to date leaving 60 percent of the city's young children at risk.

We have made progress, Mr. President, in large part because of the almost doubling in funding for immunization programs between 1989 and 1992. I am pleased to note that this year's budget request contains an 18-percent, $52 million increase for immunization programs which will help continue this trend.

But we can and should do more. According to the Children's Defense Fund, 16 nations had better immunization rates for 1-year-olds fully immunized against polio than the United States in the latest reported year [1988]. For nonwhite babies, 55 countries were

doing a better job, including developing nations like Albania, Botswana, and Sri Lanka. And although measles eradication seemed attainable in the late 1970's, and we reached an all time low in numbers of reported measles cases in 1983, in 1988 we faced an epidemic as immunizations declined, and reached 25,000 cases in 1990, most of which were among pre-school age children and could have been prevented had timely immunizations occurred.

This bill will enable us to do more with existing resources. Increasing outreach efforts, redoubling information dissemination efforts, and helping establish a nationwide registry to provide for comprehensive tracking of our children's immunization status are very important to helping us improve our record. In addition, the incremental financial assistance authorized in this bill is critical if we are to improve our record. Many private insurance plans in Louisiana do not cover routine immunizations which can cost up to $100 per visit. Although the Office of Public Health offers this service, because of limited staff and facilities they can only reach about 70 percent of Louisiana's children, and are hard-pressed to maintain the level of services they currently provide. Hopefully, the technical and financial assistance authorized by this bill will enable them to do more for those kids who are now at risk.•

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 principle 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 Senator MCCONNELL and Brian Riendeau, a member of Senator MCCONNELL's staff, to participate in a program in Jakarta, Taipei, and Hong Kong, sponsored by the Republicans Abroad, a domestic organization, the Chinese National Association of Industry and Commerce, a private foreign organization, and the U.S. Government from April 18–24, 1992.

The committee has determined that participation by Senator MCCONNELL and Mr. Riendeau in this program, at the expense of the Republicans Abroad, the Chinese National Association of Industry and Commerce, and the United States Government is in the interest of the Senate and the United States.

The select committee received a request for a determination under rule 35 for Brian Riendeau, a member of the staff of Senator MCCONNELL, to participate in a program in Hong Kong, sponsored by the Hong Kong General Chamber of Commerce, from April 12–18, 1992.

The committee has determined that participation by Mr. Riendeau in this program, at the expense of the Hong Kong General Chamber of Commerce, is in the interest of the Senate and the United States.•

JOHN W. CASEY TO LEAD WORLD ALLIANCE OF YMCAS

• Mr. SIMON. Mr. President, I would like to make my colleagues aware of the outstanding accomplishment of John W. Casey of La Grange, IL, who was recently elected Secretary General of the World Alliance of YMCAs. I am pleased that he is the first American in 35 years to fill this important position.

Since 1982, Mr. Casey has served as president of the Chicago chapter of the YMCA. He has done a marvelous job of refocusing YMCA's efforts to help at-risk youth and expand community development activities by setting up support and service networks.

His challenges ahead at the World Alliance of YMCAs include exercising responsibility for refugee relief service and natural disaster relief. In addition, Mr. Casey will have the opportunity to fulfill his goal of helping improve understanding between people of many diverse cultures.

I am certain that my colleagues join me in commending him for his devotion to public service, thanking him for his invaluable contribution to people of Chicago, and wishing him the best at the World Alliance of YMCAs.

Mr. President, I ask that an Illinois State Senate resolution honoring Mr. Casey appear in the RECORD at the conclusion of my remarks.

The resolution follows:

SENATE RESOLUTION NO. 974

Whereas, John W. Casey, the President of the YMCA of Metropolitan Chicago since 1982, was recently elected to the post of Secretary General of the World Alliance of YMCAs, the first American in 35 years to fill that position; and

Whereas, With nearly 70% of the world organization's local YMCAs located in emerging nations, Mr. Casey will be facing a challenging assignment in which he will be responsible for refugee relief service and natural disaster relief; and

Whereas, As the new Secretary General for the international organization, Mr. Casey will be responsible for uniting national YMCAs around common issues; and

Whereas, As President of the Chicago YMCA chapter since 1982, Mr. Casey has improved the organization's financial picture and refocused the YMCA's efforts on youths at risk, and in addition, he has expanded community development activity by setting up support and service networks to confront issues affecting certain neighborhoods; and

Whereas, John W. Casey, who lives in La Grange with his wife, Patricia, and family, has two business degrees from Loyola; before joining the YMCA as an assistant director of personnel in 1968, he marketed industrial chemicals; and

Whereas, From 1979 to 1982, John Casey served as Executive Director of the Legislative Advisory Committee on Public Aid which provided support services to the bipartisan joint committee of the Illinois General Assembly; and

Whereas, Mr. Casey served in the U.S. Army Reserves from 1960 to 1966, with six months of active duty; and

Whereas, In his new position, John W. Casey will be able to fulfill his goal of helping to develop better understanding between the many cultures and peoples of the world; and

Whereas, Mr. Casey's appointment to this prestigious position reflects well upon his Chicago colleagues and upon the YMCA of Metropolitan Chicago; therefore, be it

Resolved, by the Senate of the Eighty-Seventh General Assembly of the State of Illinois, that we congratulate John W. Casey on his election to the post of Secretary General of the World Alliance of YMCAs; that we commend him for his devotion to public service; and that we thank him for the services he has rendered to the Chicago community and the State; and be it further

Resolved, That a suitable copy of this preamble and resolution be presented to John W. Casey.

Adopted by the Senate, January 16, 1992.•

YOUTH AWARENESS DAY

• Mr. KASTEN. Mr. President, I rise today to honor the efforts of a truly outstanding group of Wisconsin young people—those involved in creating the event known as Youth Awareness Day.

On May 15, the second Youth Awareness Day will be held in Wisconsin Rapids, WI. This is a valuable meeting focusing on drug and alcohol abuse issues—featuring guest speakers who will inform young people about the value of self-esteem and strong personal relationships in preventing drug and alcohol addiction.

This is a terrific message—and what makes this Youth Awareness Day event especially impressive is that it is a student-administered program. These young people are showing some terrific leadership, and they give the rest of us cause for hope when it comes to the prospects for building a happy, drug-free next generation.

I ask my colleagues to join me in extending our wishes for a successful event to organizers Andrea Grygo and Mandy Enerson, and to all the others who have worked to make this event a reality.•

REGARDING MURPHY LECTURE ON ARTS AND PUBLIC POLICY

• Mr. DURENBERGER. Mr. President, I rise today to bring to the attention of my colleagues an important recent statement on a topic we are asked to address all too frequently in this body—governnment funding for the

arts and the role of the National Endowment for the Arts.

My colleagues know my views on this subject—views that are based on more than a quarter century of experiences in State government, private industry, and the U.S. Senate. My views also reflect the experiences of my State which is known all across the country for its leadership in virtually every aspect of arts activity—from several of the Nation's leading orchestras, theaters and museums to outstanding community-based arts organizations and thousands of individual artists.

And, finally, Mr. President, my reviews reflect a sincere appreciation and awareness of the important role that art plays in our local communities, in our States, in our country as a whole, and in the continual pursuit of an ever more civilized society which we as a nation aspire to achieve.

Few people could disagree with the notion that art plays a fundamental role in the great societies and movements in history which we deem valuable to study. What we are less likely to achieve a consensus over, is what we define as art, and what role government should play in supporting art, however it might be defined.

This debate over what art is, or what is "good art," or what art is worthy of public funding, has recently diverged from a healthy and productive discourse to very serious questioning of an institution which is and should remain an important and respected part of our Government, the National Endowment for the Arts.

Unfortunately, this questioning has provoked a degree of polarization on these questions which is neither healthy nor contributes to sound policymaking.

That's why I was so pleased to note that one of the Nation's arts leaders, Dr. Franklin Murphy, offered an insightful and thought provoking lecture on the issue of Federal support of the arts. Dr. Murphy, who is chairman of the board of the National Gallery of Art, offered his comments as the annual Nancy Hanks Lecture on Art and Public Policy. The lecture is sponsored by the American Council of the Arts.

Dr. Murphy's lecture is a refreshing voice of reason in a chorus of heightened political rhetoric. He points out, for example, that the vast majority of grants made by the NEA are noncontroversial and clearly in the public interest.

In my home State of Minnesota, since 1986 over $35 million has been awarded to a wide range of the arts including everything from support through the Minnesota State Arts Board with technical assistance programs for rural and inner-city local arts agencies to workshops to Native American artists to grants for numerous theaters, dance companies, and museums throughout the State.

These grants are an essential part of the continued development and strength of the arts all over Minnesota. And, I would guess, Mr. President, that if each Member of the Senate were to research NEA grants awarded to their own States, they would find the same thing: wholly noncontroversial grants going to many different Members and groups of their State's arts community.

Mr. President, because of its balanced, rational perspective on Government funding for the arts and the role of the NEA, I would ask that the concluding portion of Dr. Murphy's lecture be printed at this point in the RECORD. In this time of intense scrutiny of the NEA, reasoned voices are few, and should be awarded careful attention.

The concluding portion of the lecture follows:

PUBLIC FUNDING AND THE NEA

First, in summary, let me repeat that the vast percentage of cultural projects fully or partially funded by the federal government have not only been noncontroversial, but have enormously enriched the lives of Americans from coast to coast. The Congress in funding the National Gallery, the Smithsonian Museums (happily about to be joined by the Museum of the American Indian), and by providing the arts indemnity has permitted these mainly Washington-based institutions to receive and enrich the lives of the millions of Americans who visit their nation's capital every year. It has permitted the showcasing of the arts of Asia, Africa, and soon of the native American, thus enhancing the image and self-confidence of these ethnic groups which make up much of the mosaic which is our country today.

And, finally, in one of its finest hours, the Congress established the two National Endowments, one for the Arts and one for the Humanities. Now there was provided the opportunity to leave Washington and touch people in their own communities all across the country. Individual artists have been helped, the raising of private funds for the arts has been greatly stimulated, little theaters and dance groups have been established, and museums invigorated. Most heartening is that a number of ethnically based cultural groups or centers have been created or assisted. In short, there has been an explosion of arts activity in the United States in the last twenty years, and the National Endowment of the Arts deserves a major share of the credit.

However, in spite of an enormous amount of constructive activity, the Endowment has made a mere handful of grants, the reaction to which has all but eclipsed the great good brought by the vast majority of grants. Frankly, in my view the subjects of these few grants such as the exhibition of explicity sadomasochistic photographs and the publication of a book entitled "Live Sex Acts" have been understandably offensive in the extreme to the vast majority of Americans. Let me add that the right of artists to create such works is beyond question in our society; this controversy has nothing to do with artistic freedom. It has only to do with the expenditure of public funds in which the taxpayer has a very proper interest.

As you know, because of shrill attacks on the Endowment by people with different but all-destructive agendas, the Congress led by Congressmen Yates authorized a bipartisan commission charged with reviewing the grant-making procedures of the Endowment.

This twelve-person commission chaired by two distinguished and thoughtful Americans, John Brademas and Leonard Garment, and made up of a broad spectrum of highly competent people rendered a unanimous report in September 1990. In general the Commission called for a modest but important reform which in general called for greater scrutiny of proposed grants, avoidance of conflicts of interest on the part of panel members, and made clear the right and obligation not to slavishly follow the recommendation of each panel automatically, leaving genuine choices to the chairperson of the Endowment following review by the National Council members. Most important, the Commission unanimously recommended "against legislative changes to impose specific restrictions on the content of works of art supported by the Endowment."

So where are we at present in the matter of government and the arts and, more particularly, the National Endowment? I might start this set of conclusions by suggesting that we follow the lines of Kipling's poem If:

"* * * if you can keep your head while all about you others are losing theirs * * *."

I thought of these lines as I read a recent exchange in the Los Angeles Times: Christopher Knight, art critic, in an article headlined "Cloud of Politics Spreads Ominously Over Arts Grants Process" suggested that the nation's artists are about to be brought under the heavy hand of some kind of government control because the National Council had turned down a handful of 128 panel recommendations for funding (including two sexually explicit projects). My old friend, Charlton Heston—artist himself, tireless worker on behalf of the arts, and one-time member of the National Council of the Arts—responded referring to Knight's "hyperventilated prose" and suggesting that a 1.7% rejection rate is certainly less than Draconian. Heston then makes a point worth listening to:

"If enough constituents of enough congressmen feel their tax money is spent irresponsibly, Congress will deny the relevant funding; that's the simple reality. The First Amendment guarantees wide protection of public expressions. It does not guarantee public money to pay for it."

It is an indelible mark of our democracy that when public monies are expended on a thing, the public will expect to have its say. Politically, it is as practical to suggest that only artists should have a say about federal arts funding as it is to suggest that only the Department of Defense should have a say about defense spending. The federal government cannot be a totally disinterested patron of anything; the dollars it contributes to the arts, and everything else, have been extracted through the compulsion of civil law from the pockets of the people. The voices of the people and their government thus have their places in this process and this debate.

Alas, that debate has gone on too long and taken too high a toll. In spite of the enormous good the Endowment has brought millions of Americans, it is in trouble. It has just lost its head—a decent, intelligent, moderate man—to political expediency. A presidential candidate has called for its offices to be closed and fumigated. Some artists and art administrators—who deny the reality of accountability in the expenditure of public funds—continue to insist that artists be given public money to spend as only they see fit. Their attitude is that if the art offends

people and is contrary to generally accepted and reasonable standards, so be it. People don't have to look at or listen to it, they just have to pay for it. This proud posture crosses the line into arrogance and unreality, and plays into the hands of the demagogues of the right. Thus, discussions of the work of the Endowment are concentrated on minor and spurious issues—but such is the technique of the demagogue.

RECOMMENDATIONS FOR FUTURE OF NEA

So what are we, who admire the National Endowment and are profoundly grateful for its accomplishments, to do? I propose a compromise. Like most compromises, the only thing certain is that no one will like it at first. But like the best compromises, the logic of it may emerge over time. In essence, I propose that we strengthen our positions where we agree and moderate our positions where we disagree.

First, we must stop insisting on moral absolutes in a public, political environment which by its very nature cannot deal with moral absolutes on so subjective a subject. Let's all calm down.

Second, we must not forget that there are too many out there who think the arts are not very important and peripheral to their lives and interest. Therefore, those of us who understand the importance of the arts in enriching the spirit must work with ever greater vigor to personally support the arts and communicate our strong belief in these matters to our elected representatives. We can with quiet, polite, and persistent logic more than match reactionary bombast.

Third, I would ask my friends in the arts community to recognize that artistic freedom has never been at issue in this controversy. The expenditure of public funds has. Those who will condemn the Endowment if it doesn't make a certain few grants must be careful lest they sound just like those who will condemn it if it does. We are reaching the dangerous but familiar point where the misguided on both sides of an issue have taken up what is, in essence, the same chant.

Fourth, and most important of all, the National Council and the chairman and his staff must not fear to exert their fiduciary responsibility not only to support traditional art forms but also to encourage experimentation at the cutting edge. But I urge them to reconsider the use of public funds to support art that is overwhelmingly offensive to the mores of a large majority of the citizenry, else such support bring the whole temple down. There is too much at stake to risk all on what would prove to be a Pyrrhic victory. It might be well to remember the parable wherein, at the end, the kingdom was lost for want of a horseshoe nail.

Finally, let us agree that a strong, reasonable, and committed person must soon be appointed to succeed John Frohnmayer, and he or she must have unreserved support.

In conclusion, I do not believe it is asking too much of anyone, including those in the arts community, just to use good common sense. One thing I remember is that, with all of her other attributes, one thing Nancy Hanks possessed in abundance was common sense.•

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE ANAHEIM FAMILY YMCA

• Mr. SEYMOUR. Mr. President, I rise today in recognition of an event that took place on April 17, the 25th anniversary of the Anaheim Family YMCA Annual Prayer Breakfast. As you know, the YMCA has instituted Christian principles through quality community programs that instill healthy minds, bodies, and spirits.

Since the inception of the Anaheim Family YMCA in 1911, they have worked to achieve the goals of the association worldwide. They have also strived to identify the specific needs of the Anaheim community. The Anaheim Family YMCA works with outside agencies, ranging from a gang prevention organization, local and county hospitals, a family counseling agency to three local churches and a group home for girls, all of which help to meet those needs of community.

The Anaheim YMCA also provides exceptional programs for families, such as child care, preschool, before and after school care, quality exercise programs and services for at-risk youths. The Anaheim YMCA works with the city of Anaheim on Project S.A.Y., a program that diverts at-risk youths from crime, gangs, and drug abuse.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to the Anaheim Family YMCA for the vital role which it has played in the quality of life for the Anaheim community.•

IRVING J. SELIKOFF ARCHIVES AND RESEARCH CENTER DEDICATION

• Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to an extremely dedicated individual, Prof. Irving J. Selikoff, M.D. On May 1, 1992, Mount Sinai Medical Center will honor Dr. Selikoff at a dedication ceremony of the Irving J. Selikoff Archives and Research Center. Irving is a dear friend of mine and I have learned a great deal about life, ethics, and public policy from him. His commitment to making the world a better place to live has been an inspiration to me and has further spurred my efforts to improve the public health.

Irving is a man of unparalleled commitment to the prevention, treatment, and cure of disease. During his years at Mt. Sinai, he gained distinction first as an expert in the diagnosis and treatment of tuberculosis and later as one of the world's leaders in occupational and environmental medicine.

Dr. Selikoff's career began with training and experience as a physician treating ailments of the chest. He specialized in the treatment, clinical management, and prevention of tuberculosis. Irving's most important achievement in this field, in collaboration with Dr. E.H. Robitzek, was his discovery of the value of isoniazid therapy in the treatment of tuberculosis. This finding opened up an effective new cure for treating this chronic disease. Drs. Selikoff and Robitzek were recognized for their work in developing isoniazid therapy and were awarded the Albert Lasker Award of the American Public Health Association in 1955. The Albert Lasker Award is the highest recognition given for achievement in public health in the United States.

Irving then went on to pursue a new challenge which would again change the way Americans live. His new interest was in the study of occupational medicine, specializing in the entire spectrum of the diseases caused by asbestos, including carcinogenicity. In 1954, Irving first encountered patients with asbestos-induced disease. He found an unexpectedly high incidence of unusual lung disease in persons who worked at a rubber and asbestos company in New Jersey. After studying the findings in these patients, Irving found a correlation between the disease and the patient's occupational exposure to asbestos. In 1962, Irving began a study with the members of Locals 12 and 32 of the Asbestos Workers Union in New York City and in Newark, NJ. This study led to the recognition of the spectrum of disease due to the occupational exposure to asbestos.

The results of his research were first made public at the landmark 1964 conference of the New York Academy of Sciences, "Biological Effects of Asbestos," which was organized and chaired by Dr. Selikoff. He and his colleagues provided evidence that proved that three major diseases—asbestosis, lung cancer and mesothelioma—were caused by exposure to asbestos.

In association with the American Cancer Society, Irving began a comprehensive evaluation of the epidemiology of asbestos disease in all of the 17,800 members of the AFL-CIO International Union of Heat and Frost Insulators and Asbestos Workers throughout the United States and Canada. This study has provided the most detailed knowledge of the chronic health effects of exposure to asbestos available anywhere in the world.

In addition, his contributions to the prevention of asbestos related disease, Irving has researched occupational disease caused by other hazardous materials. He examined tens of thousands of workers exposed to materials including dioxins, mercury, fluorides, vinyl chloride, and lead. Irving has organized and chaired conferences in the United States, Canada, Europe, South Africa, and Japan. These meetings have provided scientists from around the world with information on the prevention of diseases caused by minerals, dusts, chemicals, solvents, and other physical or chemical agents. Irving's interests also led him to contribute to the study of AIDS. He chaired one of the earliest conferences in the United States discussing the tragic health effects of AIDS.

In addition, Irving organized a convocation held under the sponsorship of an organization which he founded in 1983 called the Collegium Ramazzini, an international assembly of scientists involved in the prevention of occupational disease. This conference demonstrated conclusively that asbestos in buildings across the United States posed a significant hazard to building occupants and to the public and emphasized the need for national action to control exposure. The results of the conference will soon be published and will represent the Eleventh Annals of the New York Academy of Sciences. This publication was edited by Dr. Selikoff.

Mr. President, Irving's research on the link between asbestos exposure and lung cancer paved the way for new standards of occupational safety. His work stands as a cornerstone for researchers around the world in the study of occupational disease. His selfless and tireless efforts to improve the safety of Americans who work in hazardous workplaces is an inspiration to us all.

Mr. President, I know what it means to lose a loved one to an occupational disease. My father died of cancer after years of working in a silk mill in my home town of Paterson, NJ. Irving's work has prevented so many families from having to experience such a loss.

The Irving J. Selikoff Archives and Research Center at Mt. Sinai stands as living testimony to Irving's uncompromised dedication to medical research and education. I extend to him my heartiest congratulations and warmest wishes on this occasion. He is a valued friend and it is an honor knowing him.•

IN RECOGNITION OF RESIDENT AGENT IN CHARGE CHARLES PRATT

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Resident Agent in Charge Charles Pratt of the Bureau of Alcohol, Tobacco and Firearms upon his recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers Luncheon which was held on April 21, 1992.

Agent Pratt is to be highly commended for his extraordinary efforts above and beyond the call of duty. On June 18, 1991, Resident Agent in Charge Pratt and Special Agents Michael Dawkins, John Carr, and Patrick Leahey, found themselves in a shootout initiated by Darryl Mason, a convicted felon who had a history of narcotic trafficking, assault with a deadly weapon, robbery, burglary, and carrying a concealed weapon.

During a surveillance and planned "buy-bust," the ATF had planned to execute an outstanding Federal arrest warrant for Mason. All ATF personnel involved in the operation were informed of the intended surveillance of an undercover meeting between a confidential informant and Mason for the purchase of one kilogram of "rock" cocaine.

After the informant made the initial contact, he informed the agents that Mason and the other suspects were getting the drugs and that the deal would proceed momentarily. A short time thereafter, two suspects were observed entering the garage beneath the apartment complex approaching two Mustang convertibles which were parked side by side in the garage. The agents observed Mason open the trunk of one of the vehicles. Fearing that the suspects were going to try to leave the area, the arrest team called for the execution of the Federal arrest warrant on Mason.

As the arrest team entered the garage, they announced "Federal Officers with a warrant," and yelled, "Police, get down." The other suspect, Victor Pugh, although armed, immediately dropped his weapon and complied with the agents' instruction. Upon entering the garage, they observed that Mason had removed a large weapon from the trunk of his vehicle and began to fire on the agents. Dawkins, who was in the center of the garage, without cover, returned fire with his shotgun. After being bombarded with gunfire, Dawkins sustained a gunshot wound to his foot. He tried to keep moving but fell to the ground as his foot could no longer support him. He dropped his shotgun in the fall but immediately drew his handgun and continued to fire at Mason.

Upon realizing that Dawkins was wounded and still being fired upon, Agents Pratt, Carr, and Leahey, seeking to draw the gunman's attention away from Dawkins, moved their positions and continued to fire upon Mason.

Despite warnings to "freeze and get down," Mason failed to heed the instructions and continued to fire upon the agents. He then turned and fired on Agent Pratt. Pratt responded by firing two rounds from his shotgun, which hit the suspect, causing him to fall to the floor and was immediately handcuffed.

If it were not for the quick response of Agents Pratt, Carr, and Leahey, without concern for their personal safety, it is possible that the gunman could have advanced on the unprotected Agent Dawkins, thereby causing much more serious injuries to the exposed agent.

Mr. President, I would ask that the members of the Senate join me today in extending our deepest gratitude and highest commendations to Resident Agent in Charge Pratt upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.•

WORKERS MEMORIAL DAY

• Mr. HARKIN. Mr. President, I rise to recognize Workers Memorial Day which is being observed today. Workers Memorial Day, sponsored by the AFL-CIO, is being held to remember those workers who have been killed, paralyzed and injured due to unsafe and hazardous working conditions.

Each year over 6 million workers are injured on the job and 60,000 workers are permanently disabled; 10,000 workers are killed every year by workplace hazards. That's one worker every hour every day. Many workers are either not trained or poorly trained to operate potentially dangerous equipment. Furthermore, hundreds of thousands of American workers are exposed to dangerously high levels of toxic substances. Many employees are afraid they will lose their jobs if they complain about unsafe conditions to their managements.

We all remember the tragedy that occurred on September 3, 1991, just a day after Labor Day, in Hamlet, NC where 25 workers died in a fire at a poultry processing plant because they were trapped behind locked doors. In all the 11 years the Hamlet plant had been in operation, it was never once visited by State or Federal Occupational Safety and Health Administration inspectors. This much change.

The horror at Hamlet is not an isolated incident. It is no surprise that it was never inspected. With only 1,200 OSHA inspectors to inspect 5 million workplaces, a workplace can expect to be inspected only once every 79 years.

Twenty-two years ago, when Congress passed the Occupational Safety and Health Administration Act, it promised every worker a safe place to work. Progress has been made because of the OSHA Act, but more needs to be done to make that promise of a safe job a reality for America's workers. If we value our American workers we must train them well and retrain them as new equipment and methods come into use. We must also hire more OSHA inspectors, set more specific inspection guidelines, and initiate stiffer penalties on OSHA violators.

We can make some sweeping changes if we pass S. 1622, a bill to reform the OSHA Act of 1970. S. 1622 requires joint employer-employee health and safety committees at every worksite with more than 10 employees. In addition, S. 1622 provides confidentiality to workers who complain about dangers on the job and mandates that OSHA provide services to the 7 million public employees currently not covered.

We must ensure that every worker's legal right to a safe worksite becomes a reality, not just a promise. I hope you will join me today in thinking of those who have been harmed by unsafe workplaces and in trying to reform OHSA to prevent more senseless tragedies in the future.•

SISTER CITIES: CHINO VALLEY, AZ, AND SONORA, MEXICO

• Mr. DECONCINI. Mr. President, I rise today to recognize a partnership between two countries—not a partnership of political dignitaries, but a partnership of communities, a community in Arizona and a community in Sonora, Mexico.

The town of Chino Valley has entered into an agreement with the Sister City Program to establish ties with Papalote (Ejido Desierto) Sonora, Mexico. This partnership is intended to develop unity between the two cities by promoting the understanding of cultures and the exchanging of ideas.

The concept of Sister City was founded by the President of the United States in 1956 to establish friendships and understanding between the citizens of the United States and people from around the world by means of personal contact.

The town of Chino Valley, by a vote of the council, has chosen to participate in this program with the hope of furthering unity between two nations and two cities, one person at a time.

Mr. President, I commend the leaders of these towns. This Nation was established by the people and for the people. These towns are the people—citizens building friendships and improving understanding between countries, one person at a time.•

AMERICAN TEXTILE MANUFACTURING INSTITUTE'S ENCOURAGING ENVIRONMENTAL EXCELLENCE

• Mr. HOLLINGS. Mr. President, I rise today to honor four South Carolina companies for their leadership in protecting the environment. These four companies: Inman Mills, Inman, SC; Milliken & Co., Spartanburg, SC; Mount Vernon Mills, Inc., Greenville, SC; and Springs Industries, Inc., of Fort Mill, SC, are charter members of the American Textile Manufacturers Institute's Encouraging Environmental Excellence Program. The program requires participating companies to follow a 10-point plan which includes developing a corporate environmental policy, conducting environmental audits, establishing company goals, developing employee and community education programs, working closely with Government policymakers and establishing outreach programs with suppliers and customers to encourage recycling and environmentally efficient processing.

I want to commend these four companies for their work. They have displayed an admirable commitment to a clean world. It is particularly noteworthy when you consider that these businesses face foreign competitors who operate without regard to the environment.•

IN RECOGNITION OF SPECIAL AGENT PILOT ALAN HOWARD WINN

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent Pilot Alan Howard Winn of the Drug Enforcement Administration upon his posthumous recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers luncheon which was held on April 21, 1992.

Agent Winn is to be highly commended for his extraordinary efforts above and beyond the call of duty. On August 13, 1991, Special Agent Pilot Winn died at the age of 37 while piloting a DEA helicopter. Special Agent Winn had made an emergency crash landing in a remote and rugged area north of Hilo, HI. At the time of the crash, Special Agent Winn, while piloting the helicopter, was able to bring the three other officers safely to the ground. The helicopter then rolled over and Agent Winn was knocked unconscious. The helicopter struck the ground abruptly, bursting into flames. Special Agent Winn died when the fire and explosion kept the others from rescuing him.

Special Agent Winn was an exemplary member of the DEA who died bravely in the line of duty. He knew the danger of being a law enforcement officer and that being a helicopter pilot certainly added to that danger. In this instance, in order to save the lives of three other officers, he made the supreme sacrifice by giving his life to his country. He was a true hero in his efforts to fight international drug trafficking.

The following quote was from his father, Howard Winn:

> One of Alan's ambitions was to be a pilot, and he did that. Another was to serve his country as best he could, and he did that. He was aware of the inherent risks involved with the duty he was performing, but he wanted to serve in this manner, and he was proud to do so. And each of us is justifiably proud of him and the life he lived and gave for all of us.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude, condolences, and highest commendations to Special Agent Pilot Alan Howard Winn upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.•

CONGRATULATING MOUNTAIN VIEW HIGH SCHOOL ACADEMIC TEAM

• Mr. DECONCINI. Mr. President, it is with great pleasure and pride that I come to the floor to congratulate Mountain View High School which represented Arizona in the recent annual Academic Decathlon held in Boise, ID. The team of Dan Arai, Nat Clarkson, Paul Hlavacek, Andrea Jackson, Renee Larson, Gina Parizek, Soren Ragsdale, Tyson Rogers, and Christy Roorda coached by Mary McGovern placed second in the Nation. The theme for the competition this year was Environmental Science, and the team from Arizona scored 49,475 points out of a possible 60,000, covering 10 subjects from math to science to the social sciences, just 235 points behind Texas. Their team score of 49,475 is the second highest ever recorded in the history of the national competition. Not only did Arizona place second in the overall competition, but it placed well in the individual competitions and finished with a total of 46 medals.

This is the third year in a row that the team from Mountain View High School in Mesa, AZ, has won the State competition and advanced to the nationals. In the past, the nine-member teams have been predominately made up of seniors and male students; however, this year's team had four juniors and four females. I am confident that next year's team will come back experienced and hungry for first place when they compete on their home turf in Phoenix, AZ, where the 1993 Academic Decathlon will be held.

These nine students, together with all those who competed in the Academic Decathlon, represent a bright spot in our public school system during a time when, as a Nation, we are struggling to compete academically. I know my colleagues join me in wishing all the students who competed in the Academic Decathlon continued success in their educational pursuits. Mr. President, I ask that a Mesa Tribune article of Thursday, April 23, 1992, be inserted at this point in the RECORD.

The article follows:

[From the Mesa Tribune, Apr. 23, 1992]

A CAPITAL TRIP: MOUNTAIN VIEW TEAM GOES TO WASHINGTON FOR BUSH VISIT

(By Patricia Likens)

After placing second in the national Academic Decathlon, even meeting President Bush isn't such a big deal.

"We're not sure that we're going to get a chance to talk to him," said team member Paul Hlavacek of Mountain View High School in Mesa.

After months of preparation—studying after school and during weekends—Hlavacek and his teammates placed second in the nation at the annual Academic Decathlon in Boise, Idaho.

The team flew to Washington on Wednesday to meet the president and tour the city.

In the past 10 months, the students worked two hours almost every day after school and most weekends preparing for the decathlon.

"We watched our social lives go up in flames," said Hlavacek as his teammates laughed and agreed.

The newfound friends learned to work together preparing for the decathlon, which demanded knowledge of 10 subjects including math, science and the social sciences.

"The people on this team never would have met if it weren't for the decathlon," said senior Gina Parizek. "We've become buds."

They often worked together in study groups and looked to one another for their various areas of expertise.

"There's really no way to prepare for it," said senior Renee Larson.

It was the third year in a row that a Mountain View academic team won the state competition and made it to the nationals.

"The team either comes together or it doesn't," said Coach Mary McGovern. "They have to learn to share and help each other, especially in math and science."

Perserverance and an edge of competitiveness also help along the way, she added.

And then there's luck.

When junior Christy Roorda was given seven seconds to decide in which direction—clockwise or counter-clockwise—water flows down the drain in the northern hemisphere, she said she "thought of a bathtub and got it right." The answer is counter-clockwise.

J. Frank Dobie High School, an all-male team from Pasadena, Texas, won the nationals with a score of 49,710 to Mountain View's 49,475.

The nine-member team's makeup was unique this year, McGovern said.

"In the past the teams have been largely males and seniors. This year, we had four juniors and four girls on the team," she said.

Many of the students said they learned more than can be found in books.

"I learned how to interview and how to put my best self forward," Larson said.

Other team members were juniors Dan Arni, Andrea Jackson, and Soren Ragsdale, and seniors Tyson Rogers and Nat Clarkson.

Rogers took first place in the nation in the competitor's honors category, Jackson won second place in the same category and Larson took second place in the scholastic division.•

IN RECOGNITION OF SPECIAL AGENT JOHN CARR

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent John Carr of the Bureau of Alcohol, Tobacco and Firearms upon his recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers Luncheon which was held on April 21, 1992.

Agent Carr is to be highly commended for his extraordinary efforts above and beyond the call of duty. On June 18, 1991, Resident Agent in Charge Pratt and Special Agents Michael Dawkins, John Carr, and Patrick Leahey, found themselves in a shootout initiated by Darryl Mason, a convicted felon who had a history of narcotic trafficking, assault with a deadly weapon, robbery, burglary and carrying a concealed weapon.

During a surveillance and planned buy/bust, the ATF had planned to execute an outstanding Federal arrest warrant for Mason. All ATF personnel involved in the operation were informed of the intended surveillance of an undercover meeting between a confidential informant and Mason for the purchase of 1 kilogram of rock cocaine.

After the informant made the initial contact, he informed the agents that Mason and the other suspects were getting the drugs and that the deal would proceed momentarily. A short time thereafter, two suspects were observed entering the garage beneath the apartment complex approaching two Mustang convertibles which were parked side by side in the garage. The agents observed Mason open the trunk of one of the vehicles. Fearing that the suspects were going to try to leave the area, the arrest team called for the execution of the Federal arrest warrant on Mason.

As the arrest team entered the garage, they announced "Federal officers with a warrant" and yelled, "police, get down." The other suspect, Victor Pugh, although armed, immediately dropped his weapon and complied with the agents' instruction. Upon entering the garage, they observed that Mason had removed a large weapon from the trunk of his vehicle and began to fire on the agents. Dawkins, who was in the center of the garage, without cover, returned fire with his shotgun. After being bombarded with gunfire, Dawkins sustained a gunshot wound to his foot. He tried to keep moving but fell to the ground as his foot could no longer support him. He dropped his shotgun in the fall but immediately drew his handgun and continued to fire at Mason.

Upon realizing that Dawkins was wounded and still being fired upon, Agents Pratt, Carr, and Leahey, seeking to draw the gunman's attention away from Dawkins, moved their positions and continued to fire upon Mason.

Despite warnings to "freeze and get down," Mason failed to heed the instructions and continued to fire upon the agents. He then turned and fired on Agent Pratt. Pratt responded by firing two rounds from his shotgun, which hit the suspect, causing him to fall to the floor and was immediately handcuffed.

If it were not for the quick response of Agents Pratt, Carr, and Leahey, without concern for their personal safety, it is possible that the gunman could have advanced on the unprotected Agent Dawkins, thereby causing much more serious injuries to the exposed agents.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to Special Agent Carr upon his receipt of the Federal Bar Association's Metal of Valor for exemplary service above and beyond the call of duty.•

U.N. CONFERENCE ON THE ENVIRONMENT

• Mr. SIMON. Mr. President, a few weeks ago, the Senate approved Senator KERRY's bill, Senate Concurrent Resolution 89, calling on the President to attend the U.N. Conference on the Environment and Development. I applaud Senator KERRY for his leadership in this area. In view of the approaching Conference in June, I would like to make a few remarks.

It will take courage, vision, and leadership on the part of all nations of the world to make the changes that we need. One of the worst legacies of the Reagan administration was the abandonment of environmental issues, and we are now paying for that neglect. The responsibility to preserve and protect our natural resources for the enjoyment of future generations should be one of our highest priorities. To reverse the damaging changes we are seeing in our atmosphere will be difficult, of great cost, and achieved only over a long period of time.

President Bush says he will attend the Conference only if it is "in the best interest of the United States." Mr. President, how could this conference to promote global agreement and awareness to protect the Earth, not be in our best interest? Our Nation is not exempt from what we preach is in the best interest of all.

If we are going to ask other countries to change their ways, we must set an example. It is unacceptable for the President to ignore his duty to represent the United States at this important gathering of world leaders.

Much of our environmental deterioration is caused by patterns of production and consumption, especially in the industrialized countries. Although industrialized nations only represent about 25 percent of the world's population, we account for three-quarters of global CO_2 emissions associated with energy production and use.

A healthy environment and a healthy economy are not mutually exclusive. It is possible that we can reduce greenhouse emissions in a way that will actually benefit the economy. Based on a recent study by four U.S. environmental groups, by the year 2030 policies to encourage energy efficiency and use of renewable energy sources could cut the Nation's energy requirements by half, petroleum by two-thirds, and carbon dioxide emissions by 70 percent, with net savings to the U.S. energy consumers of $2.3 trillion. Clearly, we need to be doing more.

I urge President Bush to reconsider his position and represent our Nation at the upcoming Conference.•

IN RECOGNITION OF SPECIAL AGENT EDWARD FOLLIS

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent Edward Follis of the Drug Enforcement Administration upon his recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers Luncheon which was held on April 21, 1992.

Agent Follis is to be highly commended for his extraordinary efforts above and beyond the call of duty. Special Agent Follis initiated an undercover investigation in August 1990 of a Nigerian drug trafficking organization.

This international drug ring was importing China-white heroin, Persian-brown heroin and Southwest African marijuana from Nigeria to Los Angeles.

Follis, in his undercover role, was able to ultimately meet the head or the kingpin of this organization, gained his confidence, and gathered solid evidence which ultimately led to the dismantling of this organization and the arrest of its chief executive officer. During the course of this undercover assignment, Special Agent Follis was introduced to other organizational members located in the Los Angeles area who were documented as extremely dangerous and violent.

This investigation culminated with the arrest of 16 defendants. It also resulted in the seizure of 1 metric ton of marijuana, 3 machine guns, 32 silencers, 7 hand-grenades, stolen bearer bonds valued at one-half million dollars, counterfeit money, and the seizure of 7 automobiles. Follis, through highly skilled and tireless undercover work, was able to penetrate this organization at the highest level, and completely dismantle this complex international heroin and marijuana smuggling organization. He frequently met suspects while they were heavily armed and the threat of violence was ever present.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to Special Agent Edward Follis upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.•

RECOGNITION OF DR. EUGENE SMITH

• Mr. BUMPERS. Mr. President, I rise today to honor a man who devoted his entire professional career to improving one of Arkansas' institutions of higher education.

Dr. Eugene Smith began his professional career at Arkansas State University in 1958 after completing his doctor of education degree at the University of Mississippi. He will end his professional career at Arkansas State University at the end of this academic year.

Although Dr. Smith's career began and will end at the same institution, the ASU of 1992 is far different from the ASU of 1958. Some of the changes at ASU would undoubtedly have occurred without Eugene Smith, but many of them are directly attributable to his hard work and dedication.

Dr. Smith could have chosen an easier professional route than the one he followed. He has served in almost every administrative position imaginable in a university, from director of graduate programs to president. While I was Governor, Dr. Smith was vice president for administration and I enjoyed an excellent working relationship with him. In every position, with every promotion, during every day of his career, his commitment to the university he served never wavered. When he first applied for the position of president of the university, someone else was selected. Others might have been so personally disappointed that they would have left, but Dr. Smith stayed. The institution was more important to him than his personal ambition. In fact, it would be fair to say that his personal ambition and the welfare of the institution are one and the same.

In 1984, Dr. Smith became the eighth president of the university and announced that he had three goals: to expand the library; to elevate the football program to 1A status; and to create a doctoral program for the university. The library was expanded, the football team is 1A, and when the university received approval to grant doctoral degrees 2 weeks ago, his third and final goal was met.

It is difficult for me to imagine an ASU without Dr. Smith. He probably comes about as close to being irreplaceable as anybody could be. The alumni association at Arkansas State University has a slogan, "Alumni—the Heart of ASU." If alumni are the heart of ASU, Eugene Smith must be its soul.•

WORKERS MEMORIAL DAY

• Mr. BINGAMAN. Mr. President, as you are aware, today is "Workers Memorial Day." The purpose of this memorial day is to bring to the Nation's attention the unacceptably high number of workers who are seriously or fatally injured each year. The number of work-related accidents and illnesses is unacceptable not only because it is a significant drain on our economy, but, more importantly, because it results in significant human tragedy. Each day, thousands of workers are injured. More than 10,000 Americans die from job-related injuries and illnesses each year.

It was with the intent of reducing work-related injuries and illnesses that Congress enacted the Occupational Safety and Health Act more than 20 years ago. The act was supposed to increase the safety of the American worker. Unfortunately, OSHA has not been as successful as hoped. Although some progress has been made, there are still far too many workers getting hurt.

Perhaps just as importantly, the people who rely on OSHA, both employers and employees, have lost faith in the system established by the OSH Act of 1970. Employees and employers alike no longer believe that the labyrinth of current OSHA regulations and enforcement efforts can succeed in protecting America's workers effectively.

Mr. President, it appears to me that we are at an important crossroads in worker safety. We can either continue down a path that many believe is ineffective and incomprehensible, or we seek out new, innovative ways to impact worker safety.

I am encouraged by what I believe to be a sincere effort within Congress and elsewhere to explore new alternatives to reduce work related accidents. One of the most exciting experiments I am aware of is underway in my home State of New Mexico. Labor, management, and public sector leaders there have joined forces to form the Safety Resource Council of New Mexico.

The Safety Resource Council of New Mexico is a volunteer effort. Its members include representatives from the State of New Mexico, the New Mexico Federation of Labor, the Rio Grande chapter of the American Industrial Hygiene Association, the New Mexico chapter of the America Society of Safety Engineers, and the private sector.

Together, these professionals are determined to identify safety resources within New Mexico that employers and employees can draw on to improve safety. The Safety Resource Council of New Mexico also hopes to sponsor industry-specific projects to reduce injuries and illnesses. Although the safety resource council is a new organization, it is already working on a safety conference for employees in the entertainment industry, and has plans for safety projects in retail grocery and oil and gas industries. The safety resource council believes its efforts will result in greater initiative by citizens to reduce accidents and injuries experienced by individual and businesses in their communities. This initiative will also result in improved productivity, an enhanced economy, and renewed pride New Mexicans feel for their communities and their State.

What I find most exciting about the safety resource council's effort, however, is not the specific projects it will initiate. Instead, I am excited about the attitude of those involved. Safety resource council members firmly believe that the interests of management and labor are not to be in conflict where safety is concerned; they realize that all parties gain when work related injuries and illnesses are reduced. Furthermore, the safety resource council is committed to the idea that all parties can and should work as a team to improve work place safety.

Mr. President, I believe that the rest of the Nation can learn from what the Safety Resource Council of New Mexico is doing in my home State. It is a shining example of what can be achieved when management and labor set aside differences to pursue common goals. It is hard to imagine a better goal to pursue than the increased safety of America's workers.•

IN RECOGNITION OF SPECIAL AGENT JAMES B. SNOW II

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent James B. Snow II of the Federal Bureau of Investigation upon his recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers luncheon which was held on April 21, 1992.

Agent Snow is to be highly commended for his extraordinary efforts above and beyond the call of duty. Since November 24, 1988, Special Agent Snow has been one of the primary undercover agents investigating drug trafficking activities of the Bloods and Crips street gangs. The Bloods and Crips street gang account for numerous violent crimes including homicides, assaults, drive-by shootings, and robberies. They are heavily involved in crack cocaine drug trafficking and have expanded their trafficking activities beyond the borders of California. Experts estimate that the Bloods and Crips street gangs are responsible for one-third of the U.S. crack cocaine market.

For 1 year, Special Agent Snow was an undercover agent in an investigation code named "Urban Siege." He frequently associated with various street gang members in neighborhoods where violence is the norm. He purchased quantities of drugs from violence prone gang members and acquired, on a daily basis, significant information for operational analysis. At great risk to his personal safety, Agent Snow obtained relevant information for utilization in affidavits to support electronic wire intercepts. These intercepts revealed inside information regarding the size, scope, and nature of the drug organization. "Urban Siege" culminated with the execution of 11 search warrants, seizure of assets valued in excess of one million dollars and the arrest of 20 street gang members and associates. All the arrested individuals have since been convicted and sentenced to Federal prison.

Since December 1989, Special Agent Snow has been the principal undercover agent in two other FBI street gang drug investigations. These investigations involved dangerous gang members who have amassed millions of dollars in assets and managed a very complex and sophisticated nationwide drug organization, which far exceeds the "Urban Siege" statistics.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to Special Agent James B. Snow II upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.•

TRIBUTE TO CARMEN DELGADO VOTAW

• Ms. MIKULSKI. Mr. President, I rise today to pay tribute to a Maryland woman who was recently inducted into the Maryland Women's Hall of Fame. Carmen Delgado Votaw has spent her life working for the advancement of Hispanics and women. A native of Puerto Rico, Ms. Votaw has become a national and international civil rights advocate and I am proud to recognize her achievements here today.

Ms. Votaw has served on and presided over several commissions which reflect her contributions to women in Maryland, the Nation, and indeed to women worldwide. Through her involvement with the overseas education fund of the League of Women Voters, Ms. Votaw sought to spread the empowerment of U.S. women to women in other nations. Her leadership abilities are evident in her service on the Commission on the Observance of International Women's Year [IWY Commission]. Ms. Votaw received two Presidential appointments; as the U.S. delegate of the IWY Commission and as cochair on the National Advisory Committee for Women. Also, Ms. Votaw remains a powerful advocate for her native Puerto Ricans. She served as national president of the National Conference of Puerto Rican Women and on their national board for several years and worked for years on the Hill representing Puerto Rico.

Indeed, Ms. Votaw has gone beyond her professional duties to ensure that the voices of women and minorities do not go unheard. Ms. Votaw regularly attended the General Assembly and other branches of the Organization of American States, as well as three world conferences of women in Mexico, Denmark and Kenya. Meeting with heads of state and other world leaders, Ms. Votaw has been a strong and vocal force in the movement to ratify international covenants which protect women's rights.

In addition to these many worthy activities, Ms. Votaw has authored several books to increase awareness of Hispanic contributions and women's contributions worldwide. In 1982 Hood College in Frederick, MD, awarded to Ms. Votaw the degree of doctor of humanities honoris causa. Currently, Ms. Votaw lends her gifts and powerful voice of advocacy to young women as the Washington representative for Girl Scouts of the United States of America.

I am honored today to recognize the outstanding accomplishments of Carmen Delgado Votaw and I commend her on her hard work for others and on her place of honor in the Maryland Women's Hall of Fame. For over 20 years of service to women and Hispanics, I say thank you to Carmen Delgado Votaw.•

DOUGLAS' TAIWAN DEAL GOUGING AMERICAN TAXPAYERS

• Mr. D'AMATO. Mr. President, bad enough that McDonnell Douglas brushed aside American partners in favor of a Taiwanese sugar daddy to bankroll its next commercial airliner, the MD-12, but teaming with a foreign investor also guarantees another gouging of the American taxpayer to the tune of $350 million. Why? Because, by splitting Douglas into separate commercial and military divisions, overhead costs for the C-17 will increase.

I ask that the full text of the Los Angeles Times article: "Costs of Douglas' Taiwan Deal Cited," be printed in the RECORD immediately after my remarks.

Is there no way to stem the hemorrhaging of taxpayer dollars into McDonnell Douglas' coffers?

The article follows:

[From the Los Angeles Times, Apr. 8, 1992]

COSTS OF DOUGLAS' TAIWAN DEAL CITED

(By Ralph Vartabedian)

Aerospace: A fleet of C-17 jets would cost the U.S. Government an estimated $350 million more if the firm sells a stake to a Taiwanese group, the Air Force says.

The government would pay an estimated $350 million more for its fleet of McDonnell Douglas C-17 cargo jets as a result of the firm's plan to sell a stake in its commercial aircraft business to a Taiwanese group, Air Force officials said Tuesday.

McDonnell—by splitting its Douglas Aircraft unit into separate commercial and military divisions as part of the deal—would increase "overhead" costs on the 120-plane C-17 program by about $3 million per aircraft, according to a study by the Air Force and the Defense Contract Management Command.

While McDonnell officials have testified in recent congressional hearings that the sale to Taiwan Aerospace Corp. would protect American technology and jobs, the question of how the deal would affect the Pentagon's costs never was raised, members of Congress and their staffs said Tuesday.

The $350-million figure is the government's "best estimate" of the potential cost impact, representing about 1% of the C-17 program's total $35 billion cost, according to a spokesman for the Air Force Aeronautical Systems Division in Dayton, Ohio. The added costs could rise to about $1 billion in the worst case or total less than the $350 million in the best case, he added.

McDonnell signed a preliminary agreement last November to sell Taiwan Aerospace up to 40% of its troubled commercial aircraft business in Long Beach for $2 billion. The deal may yet be restructured or scaled back, as officials in Taiwan weigh the findings of a comprehensive review of the transaction. A McDonnell spokesman declined to comment Tuesday on the Air Force cost estimates.

The increase in overhead costs on the huge cargo jets apparently would include facility costs, certain staff salaries and other costs that up to now have been pooled with the firm's commercial programs. The government would bear the additional overhead costs on future C-17 production contracts, which are negotiated annually.

In addition, some work performed by the commercial operation for the C-17 would have to be negotiated between the two organizations, according to Brig. Gen. Kenneth G. Miller, the Air Force's C-17 program manager.

The potential for a cost increase evoked a loud reaction from some members of Congress, who have expressed concern that the Taiwan deal would harm American interests.

Sen. Jeff Bingaman (D-N.M.), chairman of the Joint Economic Committee, said that after two hearings by his panel on the Taiwan deal, he was left with the impression that McDonnell's strong defense business historically had subsidized its weak commercial aircraft business—not the reverse.

"I have trouble squaring that notion with this conclusion by the Air Force," Bingaman said. "I have real trouble getting that to compute."

Rep. John Conyers Jr. (D-Mich.), chairman of the House Government Operations Committee and one of the firm's harshest critics, issued this statement: "We have long suspected that the C-17 would feel the impact of the McDonnell Douglas sale to the Taiwanese. The American taxpayers should not and will not foot the bill for this transfer." Meanwhile, Miller, the Air Force's C-17 program manager, said in a wideranging interview last week that McDonnell is making good progress in improving its efficiency on the C-17 program.

But the improvements had been anticipated, and Miller said the firm is still likely to incur an $850-million cost overrun on the first six planes. McDonnell has insisted that it will break even.

Miller said the firm is building each subsequent C-17 with just 75% of the labor hours of the previous aircraft—a measure of McDonnell's learning process.

Although Miller said that rate is about average compared to other programs, it apparently is not enough to save McDonnell from huge losses looming on the C-17. Rather, that learning curve confirms Air Force estimates that it will cost $7.45 billion to complete the initial C-17 contract.

Still, Miller was upbeat about the aircraft itself.

"We know their manufacturing process has more refinements that need to be made, but the product that is coming out the door is magnificent." the general said.

"Could they do it more efficiently? Yes. Is it perfect as it comes down the production line? No. But between their quality assurance folks and the [defense] quality assurance folks, what actually comes out the door and what is delivered to the Air Force, the taxpayer is a magnificent flying machine," he said. "And we are thrilled to death with its performance so far in the test program. It is really more than anybody would reasonably hope for when you look at any airplane that has come along in the past 50 years in the Air Force."

Still, the Air Force and McDonnell have had to postpone flying the first production model C-17 until mid-April after a C-17 test model had to be grounded three times since Oct. 31 at Edwards Air Force Base because of concerns about fuel leaks.

After intensively looking at the problem, Miller said it appears that the company's procedures and worker training need improvement.

The firm has already produced six or seven sets of wings, and there are concerns that those too might have fuel leaks. Miller said the cost of fixing those wings will be borne by McDonnell.

TRIBUTE TO IRVING J. SELIKOFF, M.D.

• Mr. HARKIN. Mr. President, I rise to give tribute and honor to a remarkable American physician, Dr. Irving J. Selikoff of the Mount Sinai School of Medicine in New York. Dr. Selikoff has made an enormous contribution to the field of medicine through his half century of dedicated research, through his teaching of hundreds of young physicians, and through his courageous leadership in formulation of health policy. As his career draws to a close, it is right and fitting that the U.S. Senate, on behalf of the millions of Americans who have benefited from Dr. Selikoff's many contributions, give praise and honor to this man.

Mr. President, Dr. Selikoff has made internationally recognized contributions to medical science in two distinct areas. Together with his colleague Dr. E.H. Robitzek, Dr. Selikoff was the first to show the efficacy of INH in the treatment of tuberculosis. Utilization of INH continues to be the drug of choice in the global war on tuberculosis. Indeed, the disease recognition and treatment approach pioneered by Dr. Selikoff provided dramatic gains in prevention of millions of cases of tuberculosis worldwide. It is unfortunate that this treatment plan so carefully developed by Dr. Selikoff has not been adequately pursued over the last two decades. As a result, we are now faced with significant increases in tuberculosis rates, a serious problem with multidrug resistant tuberculosis, and a rising epidemic of AIDS-related tuberculosis. The recurrence of tuberculosis related to AIDS was also forecast by Dr. Selikoff who sponsored one of the first AIDS conferences in the United States.

Mr. President, Dr. Selikoff's second internationally significant contribution was his recognition and research on asbestos related diseases, and many other occupationally related diseases. Dr. Selikoff's extensive research on asbestos over three decades has unequivocally established that asbestos causes lung cancer, mesothelioma and asbestosis wherever asbestos is mined, milled, processed, or applied and that asbestos remains a hazard after it is in place. Through his work with asbestos and other occupational toxins, Dr. Selikoff has greatly advanced our understanding of occupational and environmental exposures in the causation of cancer and chronic lung disease. This research has lead directly to regulation of asbestos, to medical screening programs for early detection of these often fatal diseases, and to development of methods and procedures for recognition, evaluation and control that have served as the models for many other occupational diseases. Thousands of American workers have been helped through this pioneering work.

Mr. President, perhaps Dr. Selikoff's greatest legacy to medicine will be through the hundreds of young physicians he has trained and influenced over his 51-year career at the Mount Sinai School of Medicine. Physicians and worker representatives who have worked with Dr. Selikoff tell me that he embodies all of the finest qualities of a physician. That he is a physician who is dedicated first and foremost to his patients and to the workers whose exposures he worked so hard to control. That he is a physician who is passionate about the need for good science and the use of science to address medical and public health issues. That he is a physician who is compassionate in all of his dealings with his patients and the many thousands of workers he has counseled. That he is a physician who is courageous in confronting the very powerful forces that seek to diminish and discount the importance of occupational and environmental exposures in the causation of disease. And that he is a physician who has been both innovative and tireless in all of these pursuits. It is through example that Dr. Selikoff trained hundreds of young physicians, and influenced thousands more, over a period of two generations. Because of the physician he is, the practice of preventive medicine and occupational medicine is immeasurably richer.

Mr. President, while Dr. Selikoff has made remarkable contributions in the areas of medical research and teaching, it is in the area of public policy that he has had his greatest influence, for he always sought the means to transit and implement his and others' research findings into meaningful public policy. While he was a pioneer in research on the treatment of tuberculosis and the recognition of asbestos-related diseases, his greatest contribution was in formulation and dissemination of his research findings to other scientists and to policymakers. There is little doubt that his extensive work with organized labor made occupational safety and health a critical issue for the working men and women of this country. Organized labor in turn, and with the support of Dr. Selikoff, has greatly influenced passage of all occupational and environmental legislation over the last two decades. Other major contributions Dr. Selikoff has made to public health policy include fathering of two important occupational and environmental health journals and founding two important medical societies. Both of these enterprises greatly promoted the use of scientific communication in for the advancement of science.

Mr. President, largely because of Dr. Selikoff the field of occupational and environmental health has made very significant advances over the last two decades. In recognition of Dr. Selikoff's life's work, the Irving J. Selikoff Foundation for Workers and Environmental Health has been established and the Irving J. Selikoff Asbestos Archives and Research Center is being established at the Mount Sinai School of Medicine. I know many of my colleagues join me in giving tribute and honor to Dr. Selikoff for all that he has done for the Amer-

ican people and in congratulating him on the formation of the Selikoff Foundation and the dedication of the Irving J. Selikoff Asbestos Archives and Research Center which will continue, for the decades to come, his vision and dedication to public health and the health of the American worker.•

IN RECOGNITION OF SPECIAL AGENT PATRICK LEAHEY

• Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent Patrick Leahey of the Bureau of Alcohol, Tobacco and Firearms upon his recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers Luncheon which was held on April 21, 1992.

Agent Leahey is to be highly commended for his extraordinary efforts above and beyond the call of duty. On June 18, 1991, Resident Agent in Charge Pratt and Special Agents Michael Dawkins, John Carr, and Patrick Leahey, found themselves in a shootout initiated by Darryl Mason, a convicted felon who had a history of narcotic trafficking, assault with a deadly weapon, robbery, burglary, and carrying a concealed weapon.

During a surveillance and planned buy/bust, the ATF had planned to execute an outstanding Federal arrest warrant for Mason. All ATF personnel involved in the operation were informed of the intended surveillance of an undercover meeting between a confidential informant and Mason for the purchase of 1 kilogram of rock cocaine.

After the informant made the initial contact, he informed the agents that Mason and the other suspects were getting the drugs and that the deal would proceed momentarily. A short time thereafter, two suspects were observed entering the garage beneath the apartment complex approaching two Mustang convertibles which were parked side by side in the garage. The agents observed Mason open the trunk of one of the vehicles. Fearing that the suspects were going to try to leave the area, the arrest team called for the execution of the Federal arrest warrant on Mason.

As the arrest team entered the garage, they announced "Federal Officers with a warrant" and yelled, "Police, get down!" The other suspect, Victor Pugh, although armed, immediately dropped his weapon and complied with the agents' instruction. Upon entering the garage, they observed that Mason had removed a large weapon from the trunk of his vehicle and began to fire on the agents. Dawkins, who was in the center of the garage, without cover, returned fire with his shotgun. After being bombarded with gunfire, Dawkins sustained a gunshot wound to his foot. He tried to keep moving but fell to the ground as his foot could not longer support him. He dropped his shotgun in the fall but immediately drew his handgun and continued to fire at Mason.

Upon realizing that Dawkins was wounded and still being fired upon, Agents Pratt, Carr, and Leahey, seeking to draw the gunman's attention away from Dawkins, moved their positions and continued to fire upon Mason.

Despite warnings to "freeze and get down," Mason failed to heed the instructions and continued to fire upon the agents. He then turned and fired on Agent Pratt. Pratt responded by firing two rounds from his shotgun, which hit the suspect, causing him to fall to the floor and was immediately handcuffed.

If it were not for the quick response of Agents Pratt, Carr, and Leahey, without concern for their personal safety, it is possible that the gunman could have advanced on the unprotected Agent Dawkins, thereby causing much more serious injuries to the exposed agents.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to Special Agent Leahey upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.•

FAREWELL, DR. EUGENE W. SMITH

• Mr. PRYOR. Mr. President, Arkansas State University in Jonesboro will bid farewell soon to its eighth president, Dr. Eugene W. Smith. Gene Smith's departure as president caps a 34-year career at ASU.

Eugene Smith is a native of Forrest City, AR, where his father was superintendent of schools for 40 years and his mother was a public school teacher. He received his B.A. degree from Arkansas State in 1952. He pursued and completed his master of education and his doctorate in education from the University of Mississippi, with a stint as a commissioned artillery officer in the Korean conflict between degrees.

He came to Arkansas State University in 1958 and has served that fine institution in my State in a number of capacities. He has been instructor, associate professor, and professor of education; he also has administered ASU's graduate programs. From 1959–69, Eugene served as executive assistant to the president. He became vice president for administration in 1969 and then was named dean of the graduate school in 1971. He became senior vice president in 1980.

Gene Smith was installed as ASU's eighth president on February 15, 1984. He has led Arkansas State through some of its finest years.

Though presiding over a university is a full-time job, Gene Smith has also found time to be a force in his local community. He is president of the Jonesboro Industrial Development Corp. and in 1983 was named Arkansas' Volunteer Industrial Developer of the Year. He serves on the Arkansas State Council for Economic Development and was appointed by Gov. Bill Clinton to serve on the State Committee for Employer Support of the National Guard and Reserve.

A past member of the City Council of Jonesboro and an active member of the Greater Jonesboro Chamber of Commerce, including stints as vice president and president, Gene is also a member of Rotary International and numerous academic fraternities.

Mr. President, this man's energy is never ending. He runs a major university, is active in all the major pursuits of his local community, and is a devoted husband and father.

Dr. Eugene Smith has devoted his life to the pursuit of higher education in Arkansas. We owe him a debt of gratitude. He has attained a well-deserved retirement the old fashioned way—he earned it.

I am proud to call Gene Smith my friend. I wish he and Ann a long and relaxing retirement.•

THE AMERICANS WITH DISABILITIES BROADCAST

• Mr. COHEN. Mr. President, as employers and State and local agencies move to implement the Americans With Disabilities Act, the most sweeping legislation ever to provide greater access to persons with disabilities, I would like to bring to the attention of my colleagues, the fine achievements and outstanding community service of a local radio and talk show in Bangor, ME.

"The Americans With Disabilities Broadcast," aired on Maine Talk Radio and Bangor Cablevision Channel 36, has been providing an invaluable service to Mainers for the past 2 years. The show, staffed and run by persons with mental health and physical disabilities, has supported those with disabilities through an insightful format. The program offers current and useful information about support systems available to its listeners and works to shatter the stigma too commonly associated with persons with disabilities. The program addresses such issues as alcohol and drug abuse, mental illness, blindness, and other physical disabilities.

Recently, the program was recognized by President and Mrs. Bush and has been getting international attention due to its innovative approach.

I am sure that my colleagues will agree that "The Americans With Disabilities Broadcast" program serves as a national model. Through education, this program combats discrimination and tears down misperceptions that are all too often the greatest obstacle to persons with disabilities. I commend

their work and wish them continued success as they inspire and educate their audiences.

The article follows:

[From the Bangor Daily News, Feb. 24, 1992]

BANGOR TALK SHOW A RESOURCE FOR DISABLED

(By Nancy Garland)

A Bangor radio talk show known as a resource of information for people interested in mental-health or substance-abuse issues may have its format adopted in the international radio circuit, according to Jeff Hamm, the program's creator.

The "Americans With Disabilities Broadcast" airs at 8:05 a.m. Saturdays on Maine Talk Radio (AM 620). It is a program with a unique twist because it is put together by about 12 clients with mental-health problems who research the topics and talk on the air about various issues.

The issues range from advice on prostheses—artificial arms, legs or other body parts—to the problems of people who have the disease of alcoholism or drug addiction.

The talk show also airs at 5:30 p.m. Tuesdays and Thursdays on Bangor Cablevision Channel 36. It also has featured national experts who have talked on the problems of dual diagnosis clients—people who have both mental illness and alcoholism or drug addiction.

Chuck Harmon, spokesman for the National Alliance for the Mentally Ill, has talked about the stigma of mental illness in American society.

In its second year, the show, once aired on college radio stations in Bangor and Orono, switched to commercial radio about five months ago to reach a wider audience. It also expanded its format to include substance abuse problems, according to Hamm, the program's host.

Hamm also is president of the Radio Mental Health Corp., a local organization that was the show's original sponsor.

The program has gained some high-level attention in recent months. President George Bush and first lady Barbara Bush wrote a letter to congratulate Hamm and the staff on their efforts. Some Canadian and Belgian broadcasters have questioned Hamm about using the program's format in their respective countries.

President Bush's signing of the Americans with Disabilities Act last summer gave the program a new lease on life, according to Hamm.

The disabilities act is important because it will improve the lives of handicapped people. It also will provide the backdrop for future programming and community activities for the local radio and its staff, Hamm said.

Hamm and friends are working to make the physical setting at their radio station more accessible to handicapped people.

According to Hamm, plans are under way to provide the station with a ramp to enhance access for disabled and wheelchair-bound people. The ramp completion may be marked with a local parade, a ribbon-cutting ceremony, and a national broadcast by satellite of the disabilities-issues program, Hamm said.

Future plans are exciting, but Hamm said it's important to keep focused on the important service the program provides.

"We need to inform people on issues surrounding disabilities. People need to know what support systems are out there for them," said Hamm.

The program also tries to project the human side of being disabled, Hamm said.

Disabled people "don't want to be hand held," said Hamm. "They want an opportunity to work, to be loved, to be viewed as normal human beings."

The station was formerly owned by writer Stephen King under the call letters WZON.●

THE 100-YEAR ANNIVERSARY OF CONGREGATION B'NAI DAVID

● Mr. RIEGLE. Mr. President, I rise in commemoration of the May 1992 centennial anniversary of the establishment of Congregation B'nai David of Southfield, MI. For 100 years, this synagogue has served as a center of faith for the Jewish community of southeast Michigan.

At this special time, I pay tribute to the first congregation leaders who worked so diligently to create this place of worship. With a devotion to G-d and a true belief in the importance of preserving and safeguarding Jewish culture and heritage, the founders of B'nai David labored to establish this historic religious center. At the same time, they assured that the synagogue would exist for use by succeeding generations of their community.

The membership of Congregation B'nai David has contributed profoundly to the well-being of Michigan and continues to give generously of itself. As a testament to this reality, many of its members are community leaders in fields such as education, business, government, and social work and have given generously of their time and resources to community endeavors. The congregation has been heavily involved in encouraging understanding among different ethnic and religious groups in the Detroit metropolitan area and participates in numerous philanthropic activities to promote social responsibility.

I offer the entire membership of Congregation B'nai David my best wishes for the future. Through B'nai David's commitment to the Jewish faith and its dedication to the community, I am sure that the synagogue will exist as a citadel of inspiration for at least another 100 years.●

THE UNNECESSARY NEED OF THE MEDIA FOR SELF-FLAGELLATION

● Mr. D'AMATO. Mr. President, what is this need the media has for self-doubt, for self-flagellation? Every American victory is buried in criticism, every initiative buffeted by second-guessing. "Gulf War Failures Cited," a Washington Post story that appeared on April 11, 1992, stands as a glaring, but hardly unique, example.

As anyone who has even glanced at the thousands of pages of the report, "Conduct of the Persian Gulf War," knows, it is hardly an exercise in hand-wringing over failures. The coalition wrought unprecedented havoc, and suffered extraordinarily few casualties. The gist of the report parallels impressions of the time: That our equipment worked better than our wildest expectations, that our troops are the best trained in the world, and that our tactics were vastly superior to that of our opponents. If confirms that the "treasure for blood" tradeoff the American public has always insisted on was the right one.

The Post saw things differently. The passage that caught my eye, and prompted this statement, was the following:

> The Pentagon's acknowledgement of severe unintended damage contradicted previous official assertions that 43 days of intensive bombing had spared the generators, and renewed questions of responsibility for thousands of civilian postwar deaths.

Renewed questions of responsibility? What questions? Does the Washington Post not know who is responsible? I will tell you who is responsible for Iraqi civilian casualties: Saddam Hussein. Not President Bush, not General Schwarzkopf, not the Air Force, not Captain So-and-So or Commander Such-and-Such, but Saddam Hussein. Saddam Hussein is also responsible for butchering his own Kurdish and Shiite populations, killing Kuwaiti and Israeli civilians, all coalition losses, whether in combat or in accidents, and even the decimation of his own military.

Saddam Hussein is a monster who shot his way into power, launched an 8-year war that was little more than a meat grinder, gassed Kurdish civilians, and raped Kuwait. The deaths, the sorrow, the misery, that each of these actions caused is his responsibility, and his alone. Yet, the media goes into tortured convolutions to lay the blame squarely at our own door.

Desert Storm has been over for more than a year, and yet the press is still finger-pointing over misguided diplomacy, friendly fire, and weapons gone awry. And, admittedly, I am embarrassed to say that, for political reasons, Congress and the administration have only added fuel to the fire.

There is something sick going on, something very neurotic about all this self-abuse. Was the war perfect? No. Were mistakes made? Yes. But where is the balance? Where's the reason? Why is it that, no matter what the issue, the 90 percent that goes right is ignored, and the 10 percent that goes wrong is trumpeted with almost perverse glee? People have lost faith in education, in the police, in government, in labor, in everything, and when I read what I read, and I see what I see, in the news, I do not wonder why.●

IN RECOGNITION OF SPECIAL AGENT MICHAEL DAWKINS

● Mr. SEYMOUR. Mr. President, I rise today in recognition of Special Agent Michael Dawkins of the Bureau of Alcohol, Tobacco and Firearms upon his

recognition by the Federal Bar Association at their Third Annual Salute to Federal Law Enforcement Officers Luncheon which was held on April 21, 1992.

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During a surveillance and planned buy/bust, the ATF had planned to execute an outstanding Federal arrest warrant for Mason. All ATF personnel involved in the operation were informed of the intended surveillance of an undercover meeting between a confidential informant and Mason for the purchase of one kilogram of rock cocaine.

After the informant made the initial contact, he informed the agents that Mason and the other suspects were getting the drugs and that the deal would proceed momentarily. A short time thereafter, two suspects were observed entering the garage beneath the apartment complex approaching two Mustang convertibles which were parked side by side in the garage. The agents observed Mason open the trunk of one of the vehicles. Fearing that the suspects were going to try to leave the area, the arrest team called for the execution of the Federal arrest warrant on Mason.

As the arrest team entered the garage, they announced "Federal officers with a warrant" and yelled, "Police, get down!" The other suspect, Victor Pugh, although armed, immediately dropped his weapon and complied with the agents' instruction. Upon entering the garage, they observed that Mason had removed a large weapon from the trunk of his vehicle and began to fire on the agents. Dawkins, who was in the center of the garage, without cover, returned fire with his shotgun. After being bombarded with gunfire, Dawkins sustained a gunshot wound to his foot. He tried to keep moving but fell to the ground as his foot could no longer support him. He dropped his shotgun in the fall but immediately drew his handgun and continued to fire at Mason.

Upon realizing that Dawkins was wounded and still being fired upon, Agents Pratt, Carr, and Leahey, seeking to draw the gunman's attention away from Dawkins, moved their positions and continued to fire upon Mason.

Despite warnings to "freeze and get down," Mason failed to heed the instructions and continued to fire upon the agents. He then turned and fired on Agent Pratt. Pratt responded by firing two rounds from his shotgun, which hit the suspect, causing him to fall to the floor and he was immediately handcuffed.

If it were not for the quick response of Agents Pratt, Carr, and Leahy, without concern for their personal safety, it is possible that the gunman could have advanced on the unprotected Agent Dawkins, thereby causing much more serious injuries to the exposed agents.

Mr. President, I would ask that the Members of the Senate join me today in extending our deepest gratitude and highest commendations to Special Agent Dawkins upon his receipt of the Federal Bar Association's Medal of Valor for exemplary service above and beyond the call of duty.●

DEDICATION OF THE HOWARD R. SWEARER CENTER FOR PUBLIC SERVICE AT BROWN UNIVERSITY, PROVIDENCE, RI

● Mr. CHAFEE. Mr. President, on April 10 the Brown University community honored Dr. Howard R. Swearer, a former Brown University president who passed away last year, by dedicating the Howard R. Swearer Center for Public Service on the university's campus. I was invited to participate in the dedication ceremonies. Unfortunately, the Senate continued its debate on the budget resolution into the late afternoon, and I was unable to attend. I would like to take a moment now to deliver the remarks I prepared for that evening.

When I was invited to speak, I began to think about the principles upon which the Brown University was founded. The original incentive was the desire to perpetuate an educated ministry, but the broader purpose was declared in the charter of 1764 as, "* * * preserving in the community a succession of men, duly qualified for discharging the offices of life with usefulness and reputation."

What makes a person duly qualified? Of course, there are tangible qualifications—the classes one takes, the degree one receives, and the academic honors one may achieve.

Beyond that, though, are the intangibles—respect for oneself and others, and a sense of civic responsibility causing one to reach out to the community and to assist those who may be less fortunate.

Howard Swearer personified these qualities, and was a role model as a public servant. His career included working with the first Peace Corps group that went to Africa and South America, a year as an American Political Science Association congressional fellow, and a number of community and public advocacy organizations in Rhode Island.

During his presidency at Brown, Howard worked to promote a greater understanding between people of different cultures and backgrounds. He expanded Brown's international studies and student exchange programs, an effort reflecting Howard's academic specialty in the politics of the Soviet Union. Howard also was deeply devoted to diversifying the university's student body.

Howard believed that an undergraduate education should include learning the practice of citizenship through personal efforts to improve the lives of others. And by establishing the Center for Public Service in 1987 and forming the campus compact, Howard helped renew an ethic of public service in students at Brown and at universities across the country.

At one time, public servants were held in high regard by their fellow citizens. Unfortunately, that does not seem to be the case today. The young people involved with the Swearer Center and the recipients of the Swearer scholarships, by their example of excellence and their commitment to serving their communities, are just what is needed to bring about a renewal of trust and confidence in public figures.

I do hope, and I believe it was also Howard's dream, that many of them will consider running for public office within our city, State, or Federal Government. That certainly would be a splendid way to honor Howard and his efforts to perpetuate the invaluable traditions of volunteerism and community service.

Those who come through the center will, I am confident, proceed to discharge their, "offices of life with usefulness and reputation."●

CHANGE IN STATUS AND CREDIT FOR CERTAIN SERVICE OF CERTAIN MILITARY PERSONNEL

Mr. WELLSTONE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 446, S. 2569, a bill to provide for certain military promotions; that the bill be deemed read for the third time; passed; and that the motion to reconsider be laid upon the table.

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

The bill (S. 2569) to amend title 10, United States Code, to make the Vice Chairman of the Joint Chiefs of Staff a member of the Joint Chiefs of Staff; to provide joint duty credit for certain service; and to provide for the temporary continuation of the current Deputy National Security Adviser in a flag officer grade in the Navy, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 2569

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

SECTION 1. VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

(a) DESIGNATION AS A MEMBER OF THE JOINT CHIEFS OF STAFF.—Section 151(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) The Vice Chairman.".

(b) CONFORMING AMENDMENTS.—(1) Section 154 of such title is amended—

(A) in subsection (c), by striking out "such" and inserting in lieu thereof "the duties prescribed for him as a member of the Joint Chiefs of Staff and such other";

(B) by striking out subsection (f); and

(C) by redesignating subsection (g) as subsection (f).

(2) Section 155(a)(1) of such title is amended by striking out "and the Vice Chairman."

SEC. 2. JOINT DUTY CREDIT FOR EQUIVALENT DUTY IN OPERATIONS DESERT SHIELD AND DESERT STORM.

(a) IN GENERAL.—(1) The Secretary of Defense, upon a recommendation made in accordance with paragraph (3), shall credit an officer of the Armed Forces of the United States who has completed service described in paragraph (2) as having completed a full tour of duty in a joint duty assignment for the purposes of chapter 38 of title 10, United States Code.

(2) Paragraph (1) applies to any officer who, after August 1, 1990, and before October 1, 1991, performed service in an assignment in the Persian Gulf combat zone that—

(A) provided significant experience in joint matters; or

(B) involved frequent professional interaction of that officer with (i) units and members of any of the armed forces other than the officer's armed force, or (ii) an allied armed force.

(3) The Secretary shall take action under paragraph (1) in the case of any officer if that action is recommended, with the concurrence of the Chairman of the Joint Chiefs of Staff, by the Chief of Staff of the Army (for an officer in the Army), the Chief of Naval Operations (for an officer in the Navy), the Chief of Staff of the Air Force (for an officer in the Air Force), or the Commandant of the Marine Corps (for an officer in the Marine Corps).

(b) INAPPLICABILITY OF CERTAIN REPORTING AND POLICY REQUIREMENTS.—Officers for whom joint duty credit has been granted pursuant to subsection (a) shall not be counted for the purposes of paragraphs (7), (8), (9), (11), or (12) of section 667 of title 10, United States Code, and subsections (a)(3) and (b) of section 662 of such title.

(c) INFORMATION ON EXERCISE OF AUTHORITY TO BE INCLUDED IN FISCAL YEAR 1993 ANNUAL REPORT.—The annual report submitted to Congress by the Secretary of Defense for fiscal year 1993 under section 113(c) of title 10, United States Code, shall include the following information:

(1) The total number of officers granted joint duty credit pursuant to subsection (a).

(2) The total number of such officers for each armed force.

(3) The total number of officers in each grade and each occupational specialty who have been granted joint duty credit pursuant to subsection (a).

(4) For each armed force, the total number of such officers in each grade and each occupational specialty who have been granted such credit.

(d) DEFINITIONS.—In this section:

(1) The term "joint matters" has the meaning given such term in section 668(a) of title 10, United States Code.

(2) The term "Persian Gulf combat zone" means the area designated by the President as the combat zone for Operation Desert Shield, Operation Desert Storm, and related operations for purposes of section 112 of the Internal Revenue Code of 1986.

SEC. 3. GRADE OF THE CURRENT DEPUTY NATIONAL SECURITY ADVISOR WHILE PENDING RETIREMENT IN THE NAVY.

(a) TEMPORARY CONTINUATION IN GRADE.—Notwithstanding the period of limitation contained in section 601(b)(4) of title 10, United States Code, the person who began service in the position of Deputy Assistant to the President and Deputy for National Security Affairs on December 5, 1991, shall continue to hold the grade of admiral while awaiting retirement in the Navy, except that such person may not continue to hold that grade under the authority of this section after the earlier of—

(1) the date on which he terminates service in that position; or

(2) June 4, 1992.

(b) EFFECTIVE DATE.—This section shall take effect as of December 5, 1991.

ORDERS FOR APRIL 29 AND APRIL 30, 1992

Mr. WELLSTONE. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m., Wednesday, April 29; that following the prayer, the Journal of Proceedings be deemed approved to date, and that the time for the two leaders be reserved for their use later in the day; that there be a period for morning business, not to extend beyond 12 noon, with Senators permitted to speak therein for up to 5 minutes each; that during morning business there be a total of 75 minutes under the control of Senators KERRY and SMITH; that Senators MACK, DOLE, and METZENBAUM be recognized for up to 15 minutes each; Senator GRAMM for up to 10 minutes and Senator LEVIN for up to 5 minutes; that at 12 noon, the Senate resume consideration of S. 3, the Senate Election Ethics Act conference report; that when the Senate completes its business on Wednesday, April 29, it stand in recess until 9:30 a.m., Thursday, April 30; that following the prayer, the Journal of Proceedings be deemed approved to date and the time for the two leaders reserved for their use later in the day; that there then be a period for morning business, not to extend beyond 10:40 a.m., with Senators permitted to speak therein for up to 5 minutes each; with the time from 9:30 a.m. to 10:30 a.m., under the control of the majority leader or his designee; that at 10:40 a.m., Thursday, the Senate stand in recess until 1 p.m.

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

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. WELLSTONE. Madam President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess until 9:30 a.m., Wednesday, April 29, 1992.

There being no objection, the Senate, at 5:50 p.m., recessed until Wednesday, April 29, 1992, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 28, 1992:

DEPARTMENT OF STATE

DENNIS P. BARRETT, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF MADAGASCAR.

RICHARD GOODWIN CAPEN, JR., OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SPAIN.

ROGER A. MCGUIRE, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU.

WILLIAM LACY SWING, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

WILLIAM CLARK, JR., OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE, VICE RICHARD H. SOLOMON.

JAMES P. COVEY, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS. (NEW POSITION)

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

JAMES THOMAS GRADY, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 1994. (REAPPOINTMENT)

U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY

PAMELA J. TURNER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 1995. (REAPPOINTMENT)

DEPARTMENT OF COMMERCE

JAMES D. JAMESON, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE TIMOTHY JOHN MCBRIDE, RESIGNED.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CLARENCE H. ALBRIGHT, JR., OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE FRANCIS ANTHONY KEATING II.

THE JUDICIARY

NATHANIEL M. GORTON, OF MASSACHUSETTS, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

COMMODITY FUTURES TRADING COMMISSION

STEVEN MANASTER, OF UTAH, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE TERM EXPIRING APRIL 13, 1997, VICE FOWLER C. WEST, TERM EXPIRING.

FEDERAL LABOR RELATIONS AUTHORITY

TONY ARMENDARIZ, OF TEXAS, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF 5 YEARS EXPIRING JULY 29, 1997. (REAPPOINTMENT)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PHILIP BRUNELLE, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 3, 1994, VICE PHYLLIS CURTIN, RESIGNED.

DEPARTMENT OF ENERGY

LINDA GILLESPIE STUNTZ, OF VIRGINIA, TO BE DEPUTY SECRETARY OF ENERGY, VICE W. HENSON MOORE.

DEPARTMENT OF DEFENSE

G. KIM WINCUP, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE JOHN J. WELCH, JR.

IN THE COAST GUARD

THE FOLLOWING OFFICERS OF THE U.S. COAST GUARD RESERVE FOR PROMOTION TO THE GRADE OF REAR ADMIRAL:

FRED S. GOLOVE GEORGE R. MERRILEES

THE FOLLOWING OFFICER OF THE U.S. COAST GUARD RESERVE FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF):

ROBERT E. SLONCEN

IN THE FOREIGN SERVICE

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 ONE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

ANNE H. AARNES, OF WASHINGTON
CURTIS W. CHRISTENSEN, OF MARYLAND
ALFRED M. CLAVELLI, OF NEVADA
MICHAEL S. GOULD, OF NEW JERSEY
LINDA RAE GREGORY, OF VIRGINIA
ROBERT PAUL MATHIA, OF FLORIDA
LOUIS MUNDY III, OF FLORIDA
WILLARD J. PEARSON, JR., OF INDIANA
DONALD L. PRESSLEY, OF VIRGINIA
HOWARD J. SUMKA, OF MARYLAND

FOR REAPPOINTMENT IN THE FOREIGN SERVICE AS A FOREIGN SERVICE OFFICER OF CLASS TWO, A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

WILLIAM A. EATON, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

STEPHEN K. CRAVEN, OF NORTH CAROLINA

AGENCY FOR INTERNATIONAL DEVELOPMENT

HILDA MARIE ARELLANO, OF TEXAS
THOMAS C. ASMUS, OF TEXAS
GERALD ANTHONY CASHION, OF VIRGINIA
JAMES R. CUMMISKEY, OF MARYLAND
ANTHONY NICHOLAS DELEO, OF PENNSYLVANIA
CORWIN VANE EDWARDS, JR., OF MARYLAND
TIMOTHY J. FRANCHOIS, OF VIRGINIA
RODGER D. GARNER, OF OREGON
H. PAUL GREENOUGH, OF VIRGINIA
DAVID HUNTER STOCKTON HOELSCHER, OF MARYLAND
JAMES L. JARRELL, OF OHIO
DREW WILLIAM LUTEN III, OF MISSOURI
ALFRED NAKATSUMA-VACA, OF CALIFORNIA
ROBERT LEONARD GEORGE O'LEARY, OF VIRGINIA
SALLY JO PATTON, OF THE DISTRICT OF COLUMBIA
SANATH KUMAR REDDY, OF ALABAMA
CURTIS A. REINTSMA, OF VIRGINIA
JOHN WAYNE SCHAMPER, OF NEVADA
MARILYNN ANN SCHMIDT, OF VIRGINIA

U.S. INFORMATION AGENCY

LARRY A. MOODY, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF AGRICULTURE

LEANNE HOGIE, OF SOUTH DAKOTA
ALAN HRAPSKY, OF MICHIGAN
ROSS KREAMER, OF KENTUCKY
S. ROD MCSHERRY, OF NEW MEXICO
WAYNE MOLSTAD, OF WISCONSIN
EUGENE PHILHOWER, OF NEW JERSEY
JOHN B. REYNOLDS, OF KENTUCKY
SCOTT R. REYNOLDS, OF PENNSYLVANIA
LAURA SCANDURRA, OF VIRGINIA

AGENCY FOR INTERNATIONAL DEVELOPMENT

MARY BETH ALLEN, OF MASSACHUSETTS
HAWTHORNE AIDA MATEO ANGELES, OF VIRGINIA
DENISE A. AWAD, OF PENNSYLVANIA
FELIX N. AWANTANG, OF MARYLAND
TERRY G. BASKIN, OF NEVADA
CAROL R. BECKER, OF CALIFORNIA
DAN WILLIAM BLUMHAGEN, OF WASHINGTON
ALFREDA MAE BREWER, OF OHIO
PAULA J. BRYAN, OF PENNSYLVANIA
ALBERT L. CATES, OF NEW MEXICO
ENRIQUE FRANCISCO CELAYA, OF FLORIDA
SUSAN A. CLAY, OF VIRGINIA
TULLY R. CORNICK, V, OF NEW YORK
CHARLES J. CRANE, OF NEW MEXICO
SHARON L. CROMER, OF NEW YORK
GERARD M. CUSTER, OF NEVADA
KIRK M. DAHLGREN, OF CALIFORNIA
DULAL C. DATTA, OF TEXAS
PAUL DAVIS, OF NEW HAMPSHIRE
CARL BRANDON DERRICK, OF FLORIDA
ALEXANDER DICKIE IV, OF TEXAS
BRENDA A. DOE, OF MINNESOTA
VIRGULINO L. DUARTE, OF MAINE
JIMMY D. DUVALL, OF LOUISIANA
PATRICK CHILION FINE, OF NEW YORK
JANA P. CONSON, OF CALIFORNIA
RICHARD S. GREENE, OF CALIFORNIA
S. ELAINE GRIGSBY-ARNADE, OF FLORIDA
SHANKAR GUPTA, OF MARYLAND
MATHIAS MUZA GWESHE, OF FLORIDA
KAREN LOUISE RUFFING HILLIARD, OF FLORIDA
NANCY L. HOFFMAN, OF PENNSYLVANIA
PENELOPE L. HONG, OF TEXAS
NANCY L. HOOFF, OF WEST VIRGINIA
CLAIRE J. JOHNSON, OF FLORIDA
PATRICIA L. JORDAN, OF OHIO
YASHWANT KAINTH, OF VIRGINIA
JOHN L. KATT, JR., OF FLORIDA
SHERYL KELLER, OF CONNECTICUT
ROBERT KIRK, OF INDIANA
S. PETER KLOSKY IV, OF FLORIDA
BARBARA JEANNE KRELL, OF LOUISIANA
RICHARD A. LAWRENCE, OF MARYLAND
JON DANIEL LINDBORG, OF INDIANA
JAMES M. LOCASTE, OF TEXAS
DAVID J. LOSK, OF CALIFORNIA
CECILY L. MANGO, OF NEW HAMPSHIRE
WILLIAM B. MARTIN, OF FLORIDA
TEJ S. MATHUR, OF CALIFORNIA
DELBERT N. MCCLUSKEY, OF OREGON
CHRISTOPHER MCDERMOTT, OF MAINE
KATHLEEN S. MCDONALD, OF WISCONSIN
RAYMOND HEROLD MORTON, OF VIRGINIA
RANDALL G. PETERSON, OF WISCONSIN
LEONEL T. PIZARRO, OF CALIFORNIA
IQBAL QAZI, OF CALIFORNIA
THOMAS Y. QUAN, JR., OF TEXAS
R. THOMAS RAY, OF NEW YORK
RAY R. REDDY, OF CALIFORNIA
RAYMOND Z.H. RENFRO, OF OKLAHOMA
KURT A. ROCKEMAN, OF MONTANA
DENISE ANNETTE ROLLINS, OF MICHIGAN
DAVID H.A. SCHRODER, OF MISSOURI
MARY P. SELVAGGIO, OF ILLINOIS
CARINA L. STOVER, OF CALIFORNIA
DAWN A. THOMAS, OF NEW YORK
GARY W. VANDERHOOF, OF CALIFORNIA
DANA MARIE VOGEL, OF CALIFORNIA
ELZADIA WASHINGTON, OF ARKANSAS
LEON STEPHEN WASKIN, JR., OF MICHIGAN
LINDA D. WHITLOCK, OF NEW YORK
JOSEPH CRAWFORD WILLIAMS, OF TENNESSEE
SARAH W. WINES, OF CALIFORNIA
MICHAEL LOUIS WISE, OF WEST VIRGINIA
RICHARD J. WOMACK, OF WASHINGTON
ANDREA J. YATES, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

ROBERT A. ARMSTRONG, OF KANSAS
DANIEL P. BELLEGARDE, OF NEW HAMPSHIRE
GREGORY DEAN CHAPMAN, OF GEORGIA
EDWARD JOHN FENDLEY, OF ILLINOIS
LAWRENCE J. GUMBINER, OF CALIFORNIA
RUSSELL J. HANKS, OF NEW MEXICO
ROBERT F. HANNAN, JR., OF MASSACHUSETTS
THOMAS J. HUSHEK, OF WISCONSIN
KATHERINE MARIE INGMANSON, OF WASHINGTON
KAREN ELIZABETH JOHNSON, OF TEXAS
JAMES MARX LEVY, OF WASHINGTON
PHILIP N. LOHRE, OF COLORADO
MARTHA L. MELZOW, OF CALIFORNIA
WILLIAM F. MOONEY, OF MARYLAND
R. BRUCE NEULING, OF CALIFORNIA
LAWRENCE PATTERSON NOYES, OF NEW JERSEY
JOHN OLSON, OF CALIFORNIA
BLOSSOM N. S. PERRY, OF VIRGINIA
RICHARD G. ROSENMAN, OF CALIFORNIA
PHILIP NYE SUTER, OF MASSACHUSETTS

DEPARTMENT OF AGRICULTURE

LESLIE BERGER, OF NEW HAMPSHIRE

DEPARTMENT OF COMMERCE

DANIEL THOMPSON, OF CALIFORNIA

U.S. INFORMATION AGENCY

WILLIAM HINTON COOK, OF TENNESSEE
JOHN ANDREW CORTEZ-GREIG, OF CALIFORNIA
SOPHIE L. FOLLY, OF THE DISTRICT OF COLUMBIA
JENNIFER ZIMDAHL GALT, OF COLORADO
OLIVIA P. L. HILTON, OF NEW YORK
KELLY ANN KEIDERLING, OF CALIFORNIA
BARTON WILLIAM MARCOIS, OF CALIFORNIA
CHRISTOPHER MIDURA, OF TENNESSEE
CHRISTOPHER F. SCHARF, OF NEW YORK
KENNEY LECHMAN VEAL, OF MISSOURI
VIVIAN S. WALKER, OF CALIFORNIA
STACY E. WHITE, OF TEXAS
ROBERT ANTHONY WOOD, OF NEW YORK

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF STATE AND COMMERCE AND THE UNITED STATES 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:

C. PATRICIA ALSUP, OF FLORIDA
KENNETH R. ANDERSON, OF VIRGINIA
SANDRA L. ASHBY, OF VIRGINIA
DEBORAH A. BARIBEAU, OF VIRGINIA
ANTONIA JOY BARRY, OF PENNSYLVANIA
PAMELA MARIE BATES, OF OHIO
ROBERT A. BAXTER, OF VIRGINIA
DON J. BENNETT, OF VIRGINIA
MARCIA PATRICIA BOSSHARDT, OF TEXAS
LAURA A. BUCKWALD, OF VIRGINIA
DEBORAH M. CARNEY, OF VIRGINIA
THEODORE E. CARRICK, OF VIRGINIA
MICHAEL S. CATT, OF OHIO
MARK A. CAUDILL, OF VIRGINIA
MARK DANIEL CLARK, OF ARIZONA
STEVEN COATS, OF ILLINOIS
DAVID C. CONNELL, OF THE DISTRICT OF COLUMBIA
ANA CORONA, OF VIRGINIA
GINA M. CORTESELLI, OF VIRGINIA
KATHLEEN L. CUNNINGHAM, OF IOWA
ELINOR ANN DE MENDONCA, OF VIRGINIA
MICHAEL DETAR, OF NEW YORK
RODGER JAN DEUERLEIN, OF CALIFORNIA
DANIEL A. DONZE, OF ARIZONA
WILLIAM HUIE DUNCAN, OF MARYLAND
BRADLEY JAMES DUNN, OF VIRGINIA
SCOTT L. EDER, OF FLORIDA
DIANE M. EGAN, OF VIRGINIA
MARK CHRISTOPHER ELLIOTT, OF MARYLAND
JESSICA ELLIS, OF WASHINGTON
KIMBERLY K. EVERETT, OF VIRGINIA
MELISSA G. FORD, OF CALIFORNIA
THOMAS F. FORT, OF VIRGINIA
JERRY J. FOTHERINGILL, OF THE DISTRICT OF COLUMBIA
ELEANORE M. FOX, OF CALIFORNIA
SUSAN H. FROST, OF NORTH CAROLINA
GREGORY D.S. FUKUTOMI, OF NEW YORK
SANDRA HAMILTON GAYTON, OF ARIZONA
MARY F. GERARD, OF CALIFORNIA
JOANNE L. GIESS, OF VIRGINIA
REBECCA ELIZA GONZALES, OF TEXAS
STEFAN GRANITO, OF FLORIDA
PETER X. HARDING, OF MASSACHUSETTS
SUSAN HEBERT-CLEARY, OF NEW YORK
GARY RUSSELL HOBIN, OF GEORGIA
JAMIE P. HORSLEY, OF CALIFORNIA
RANDALL WARREN HOUSTON, OF CALIFORNIA
RICHARD W. HUCKABY, OF SOUTH CAROLINA
COLLEEN ELIZABETH HYLAND, OF NEW HAMPSHIRE
JILL JOHNSON, OF CALIFORNIA
LESLIE A. JOHNSON, OF VIRGINIA
MARGARET F. JUDY, OF MARYLAND
TIMOTHY B. KANE, OF VIRGINIA
DIANE M. KAUFFMANN, OF VIRGINIA
COLLEEN M. KEELEY, OF VIRGINIA
LISA C. KENNEDY, OF CALIFORNIA
GREGORY S. KEOUGH, OF MARYLAND
ERIC R. KETTNER, OF WISCONSIN
ALLEN H. KUPETZ, OF TEXAS
FREDERICK B. KURTZ, OF NEW JERSEY
RANDALL J. LABOUNTY, OF MISSOURI
BRIAN LIEKE, OF TEXAS
NICOLE LISE, OF NEW YORK
CAROLINE B. MANGELSDORF, OF CALIFORNIA
DAVID H. MARTINEZ, OF VIRGINIA
JAMES M. MCCARTHY, OF MARYLAND
BRIAN F. MCCAULEY, OF VIRGINIA
FRED C. MCKINNEY, OF VIRGINIA
KATHLEEN M. MCQUAID, OF VIRGINIA
DAVID SLAYTON MEALE, OF VIRGINIA
REGINALD A. MILLER, OF CALIFORNIA
STEPHEN H. MILLER, OF MARYLAND
THOMAS E. MOORE, OF TEXAS
ROBERT M. MURPHY, OF WASHINGTON
DONALD E. MUTH, OF VIRGINIA
ROSALEEN A. O'TOOLE, OF VIRGINIA
JAMES M. PEREZ, OF FLORIDA
PETER G. PINESS, OF VIRGINIA
MIRA PIPLANI, OF VIRGINIA
SARA ELLEN POTTER, OF VIRGINIA
EMILIA A. PUMA, OF PENNSYLVANIA
JAMES E. REESE, OF VIRGINIA
RICHARD T. REITER, OF CALIFORNIA
JOHN D. RUBIO, OF PUERTO RICO
SUSAN LAURA RUFFO, OF WASHINGTON
JULIE ANN RUTERBORIES, OF THE DISTRICT OF COLUMBIA
HEIDI ANNE SCHARADIN, OF INDIANA
ALBERT C. SCHULTZ, OF INDIANA
MILLICENT H. SCHWENK, OF VIRGINIA
LARRY G. SEALS, OF VIRGINIA
KENT C. SHIGETOMI, OF WASHINGTON
LILLIAN A. STEELE, OF CALIFORNIA
GREGORY D. STOLP, OF VIRGINIA
MARGARET L. TAMS, OF COLORADO
LISA L. TEPPER, OF CALIFORNIA
KENNETH A. THOMAS, OF OREGON
KATHERINE VAN DE VATE, OF NEW JERSEY
ROBERT C. WARD, OF VIRGINIA
MELISSA A. WELCH, OF VIRGINIA
JENNIFER K. WESTON, OF VIRGINIA
WENDY FLEMING WHEELER, OF WASHINGTON
LYNN MARIE WHITLOCK, OF PENNSYLVANIA
JOCK WHITTLESEY, OF FLORIDA
KAREN L. WILLIAMS, OF MISSOURI

THE FOLLOWING-NAMED PERSON OF THE DEPARTMENT OF STATE, PREVIOUSLY APPOINTED AS FOREIGN SERVICE OFFICER OF CLASS FOUR, A CONSULAR OFFI-

CER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA MAY 15, 1989, NOW TO BE EFFECTIVE APRIL 28, 1988.

DANIEL RICHARD RUSSEL, OF CALIFORNIA

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL ON THE RETIRED LIST UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. DONALD J. KUTYNA, [redacted] U.S. AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be general

LT. GEN. CHARLES A. HORNER, [redacted] U.S. AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. VERNON J. KONDRA, [redacted] U.S. AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. CLIFFORD H. REES, JR. [redacted] U.S. 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. MICHAEL A. NELSON, [redacted] U.S. 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. ROBERT L. RUTHERFORD, [redacted] U.S. AIR FORCE.

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:

To be lieutenant general

MAJ. GEN. MALCOLM B. ARMSTRONG, [redacted] U.S. AIR FORCE.

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:

To be lieutenant general

MAJ. GEN. BUSTER C. GLOSSON, [redacted] U.S. AIR FORCE.

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:

To be lieutenant general

MAJ. GEN. JAMES L. JAMERSON, [redacted] U.S. AIR FORCE.

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:

To be lieutenant general

MAJ. GEN. ARLEN D. JAMESON, [redacted] U.S. AIR FORCE.

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:

To be lieutenant general

MAJ. GEN. WALTER KROSS, [redacted] U.S. AIR FORCE

IN THE ARMY

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. JOHN R. GALVIN, [redacted] U.S. ARMY.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, FOR REASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY AS FOLLOWS:

To be lieutenant general

LT. GEN. HENRY C. STACKPOLE, III, [redacted] USMC.

THE FOLLOWING NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, FOR ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY AS FOLLOWS:

To be lieutenant general

MAJ. GEN. NORMAN E. EHLERT, [redacted] USMC.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTIONS 601 AND 5035:

To be Vice Chief of Naval Operations

To be admiral

VICE ADM. STANLEY R. ARTHUR, U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be admiral

VICE ADM. HENRY H. MAUZ, JR., U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. JERRY O. TUTTLE, U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. JERRY L. UNRUH, U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. EDWARD M. STRAW, SUPPLY CORPS, U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. TIMOTHY W. WRIGHT, U.S. NAVY, [redacted]

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. (SELECTEE) JOSEPH W. PRUEHER, U.S. NAVY, [redacted]

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN A HIGHER GRADE THAN THAT INDICATED.

MEDICAL CORPS

To be colonel

ROBERT T. KINDLEY [redacted]
CARLOS A. LAVARREDA [redacted]

To be major

EDWIN C. TELFER [redacted]

DENTAL CORPS

To be lieutenant colonel

DAVID R. COOLEY [redacted]
JAMES M. DUNBAR [redacted]
ALAN L. FAHNDRICH [redacted]
TIMOTHY M. FRANK [redacted]
DONALD P. GIBSON [redacted]
JOHN W. HOFMAN [redacted]
JOHN S. HORNBURG [redacted]
THOMAS W. MITCHELL [redacted]
TODD A. SNEESBY [redacted]
MICHAEL D. ZOLLARS [redacted]

To be major

CHARLES H. DEAN, JR. [redacted]
PAUL W. HAAG [redacted]
JUDITH G. HILL [redacted]
GLORIA J. HOBAN [redacted]
RICHARD E. RUTLEDGE [redacted]
PHILLIP R. SANDEFUR [redacted]

To be captain

DIANE J. FLINT [redacted]
TIMOTHY J. HALLIGAN [redacted]
MICHAEL A. MOSUR [redacted]

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITES STATES CODE, SECTION 593, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be lieutenant colonel

ANTONIO P. CABREIRA [redacted]
EDWARD J. FALESKI [redacted]
ROBERT J. GRANT [redacted]
EDWARD I. MELTON, JR. [redacted]
JOHN T. NUCKOLS [redacted]
WEN HAN. TSUNG [redacted]
JOSEPH W. WOLFE [redacted]

THE FOLLOWING AIR FORCE OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, IN ACCORDANCE WITH TITLE 10, UNITED STATES CODE, SECTION 624 AND 1552, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be major

MARILYN P. MARTINETTO [redacted]
ROBERT W. PATRICK [redacted]

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 SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICERS IDENTIFIED WITH AN ASTERISK ARE ALSO BEING NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

ARMY

To be lieutenant colonel

FRANCISCO B. IRIARTE [redacted]

JUDGE ADVOCATE GENERAL

To be lieutenant colonel

MICHAEL R. MCMILLION [redacted]

ARMY

To be major

*JAMES M. GORHAM [redacted]
DUNCAN M. LANG [redacted]

JUDGE ADVOCATE GENERAL

To be major

*ALETHA H. BARNETT-FRIEDEL [redacted]
*DANIEL L. HOSSBACH [redacted]

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

DAVITT, WILLIAM F., III [redacted]
JOHNSTONE, ROBERT E. [redacted]
MULCHIN, NICK J. [redacted]
PERNICE, CHARLES A. [redacted]
PISARELLO, JUAN C. [redacted]
ROSS, HERBERT E. [redacted]
SNEAD, JOSEPH A. [redacted]

IN THE NAVY

THE FOLLOWING NAMED REGULAR OFFICER TO BE REAPPOINTED PERMANENT LIEUTENANT IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(A):

To be lieutenant

DAVIS, WILLIAM K.

THE FOLLOWING NAMED LINE OFFICERS TO BE REAPPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE)

IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be lieutenant (junior grade)

COYLE, PHILIP L.
LAMONT, DONALD J.
STCLAIR, JOHN H.
HOFMEISTER, ERIC R.
LEE, TODD R.

THE FOLLOWING NAMED LINE OFFICERS TO BE REAPPOINTED PERMANENT ENSIGN IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be ensign

CONE, MICHAEL J.
HARAN, GERALD B., JR.
SMALLWOOD, MACEO L.
GRAULICH, DAVID G.
HUNTER, EDWARD S.

THE FOLLOWING NAMED LINE OFFICER TO BE REAPPOINTED PERMANENT LIEUTENANT IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be lieutenant

ARROYO, ERICK A.

THE FOLLOWING NAMED LINE OFFICERS TO BE REAPPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be lieutenant (junior grade)

KNIGHT, JOHN A.
STAUNTON, DOUGLAS A.
LEWIS, BRIAN J.
YORK, SAMUEL R.

THE FOLLOWING NAMED LINE OFFICERS TO BE REAPPOINTED PERMANENT ENSIGN IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be ensign

MCCUTCHEN, DOUGLAS E.
WILLMORE, CHARLES S.
SHELDON, GERALD E.
WYDAJEWSKI, KENNETH J.

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:

JUDGE ADVOCATE GENERAL'S CORPS

To be major

MARK S. *. ACKERMAN, xxx-xx-x...
RICHARD J. *. ANDERSON, xxx-xx-x...
DONNA L. *. BARLETT, xxx-xx-xx...
FRIEDEL A. *. BARNETT, xxx-xx-xx...
WILLIAM T. *. BARTO, xxx-xx-x...
EDWARD E. *. BEAUCHAMP, xxx-xx-x...
NICHOLAS *. BETSACON, xxx-xx-x...
MICHAEL C. *. BOBRICK, xxx-xx-x...
ALAN M. *. BOYD, xxx-xx-x...
JEFFREY L. *. CADDELL, xxx-xx-xx...
JAMES P. CALVE, xxx-xx-xx...
*. CASTIGLIONECATALDO, xxx-xx-x...
STEPHEN E. *. CASTLEN, xxx-xx-xx...
MEREDITH *. CHARBULA, xxx-xx-x...
AMAURY *. COLONBURGOS, xxx-xx-x...
MARK *. CREMIN, xxx-xx-x...
MICHAEL J. DAVIDSON, xxx-xx-x...
JEFFREY J. *. DELFUOCO, xxx-xx-xx...
KENT D. *. DUNCAN, xxx-xx-x...
ANNE *. EHRSAMHOLLAND, xxx-xx-x...
MAX W. *. ERICKSON, xxx-xx-x...
GEORGE A. *. FIGURSKI, xxx-xx-x...
RAFE R. *. FOSTER, xxx-xx-xx...
AMY M. *. FRISK, xxx-xx-x...
CHRISTOPHER GARCIA, xxx-xx-x...
SUSAN S. *. GIBSON, xxx-xx-x...
RODNEY A. *. GRANDON, xxx-xx-x...
JILL M. *. GRANT, xxx-xx-x...
SARAH S. *. GREEN, xxx-xx-x...
DAVID P. *. GUERRERO, xxx-xx-x...
ROBIN L. *. HALL, xxx-xx-x...
JULIE K. *. HASDORFF, xxx-xx-xx...
JAMES M. *. HEATON, xxx-xx-x...
STEPHEN R. HENLEY, xxx-xx-xx...
DAVID T. *. HENRY, xxx-xx-x...
CHARLES B. *. HERNICZ, xxx-xx-x...
DAVID C. *. HOFFMAN, xxx-xx-x...
DANIEL L. *. HOSSBACH, xxx-xx-x...
ANDY K. *. HUGHES, xxx-xx-x...
JOHN K. *. HUTSON, xxx-xx-x...
JOHN V. *. IMHOF, xxx-xx-x...
WINSTON J. *. JACKSON, xxx-xx-x...
KEVAN F. *. JACOBSON, xxx-xx-x...
KAREN L. *. JUDKINS, xxx-xx-x...
JOHN *. KASTENBAUER, xxx-xx-x...
SCOTT L. *. KILGORE, xxx-xx-x...
LAUREN B. *. LEEKER, xxx-xx-x...
JON L. *. LIGHTNER, xxx-xx-x...
JACQUELINE *. LITTLE, xxx-xx-xx...
JAMES K. *. LOVEJOY, xxx-xx-x...
TIMOTHY W. *. LUCAS, xxx-xx-x...
EVERETT *. MAYNARD, JR, xxx-xx-x...
DOUGLAS K. MICKLE, xxx-xx-x...
LESLIE A. *. NEPPER, xxx-xx-xx...
RICHARD B. *. OKEEFFE, xxx-xx-x...
STEPHEN M. *. PARKE, xxx-xx-xx...
TIMOTHY *. PENDOLINO, xxx-xx-x...
ALLISON A. *. POLCHECK, xxx-xx-x...
WENDY A. *. POLK, xxx-xx-x...
MARK C. *. PRUGH, xxx-xx-x...
HOWARD J. *. REVIS, xxx-xx-x...
TIMOTHY P. *. RILEY, xxx-xx-x...
MARK A. *. RIVEST, xxx-xx-x...
MARITZA S. RYAN, xxx-xx-x...
KATHRYN *. SOMMERKAMP, xxx-xx-x...
BRADLEY P. *. STAI, xxx-xx-x...
MICHAEL I. *. STUMP, xxx-xx-x...
BEDARD M. *. TALBOT, xxx-xx-x...
LAWRENCE J. *. WILDE, xxx-xx-x...
JOHN I. *. WINN, xxx-xx-x...

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF MAJOR UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

EDUARDO ACOSTA, xx...
SCOTT R. ADAMS, xx...
WILLIAM T. AKANA, xx...
MARTIN S. ALMQUIST, xx...
KENNETH W. AMIDON, xx...
ROBERT V. AMIRANTE, xx...
DONALD J. ANDERSON, xx...
MICHAEL B. ANDERSON, xx...
TRUMAN D. ANDERSON, JR, xx...
STEVEN J. ANDREWS, xx...
PHILLIP J. ANTONINO, xx...
LYLE O. ARMEL, III, xx...
TERRY R. ARMSTRONG, xx...
JOEL K. ASHINHURST, xx...
PATRICK E. BAILEY, xx...
LAURENT O. BAKER, xx...
MICHAEL L. BAKER, xx...
STEPHEN C. BAKER, xx...
STEVEN J. BAKER, xx...
MARK D. BALLINGER, xx...
THOMAS M. BANE, xx...
TIMOTHY M. BARNES, xx...
MAUREEN A. BASHAM, xx...
GREGORY D. BATES, xx...
MITCHELL A. BAUMAN, xx...
FRANK C. BAYNARD, JR, x...
ROBERT K. BEAUCHAMP, xx...
JOHN S. BENNETT, xx...
PAUL D. BENNETT, xx...
DAVID H. BERGER, xx...
MICHAEL A. BERMUDEZ, xx...
KENNETH D. BESJ, xx...
STUART C. BETTS, xx...
KENNETH L. BEUTEL, xx...
WILLIAM D. BEYDLER, xx...
DONALD F. BIEDERMANN, JR, xx...
WAYNE W. BIEMOLT, xx...
WILLIAM L. BLAIR, II, xx...
CHRISTOPHE E. BLANCHARD, xx...
MARK C. BLAYDES, xx...
JOSHUA J. BOCCHINO, xx...
PAULA M. BOGDEWIC, xx...
JEFFREY W. BOLANDER, xx...
ROBERT G. BONSIGNORE, xx...
CHRISTOPHE M. BOURNE, xx...
JOHN H. BOWER, JR, xx...
GREGORY A. BOYLE, xx...
DARLENE A. BRABANT, xx...
JAMES R. BRADEN, xx...
THOMAS C. BRADEN, xx...
MARK A. BRILAKIS, xx...
JAMES M. BROCKMANN, xx...
DAVID E. BROOKS, xx...
LORIN K. BROWN, xx...
MARLON F. BROWN, xx...
RONALD E. BROWNING, xx...
DONALD S. BRUCE, xx...
RONALD J. BUIKEMA, xx...
STEVEN W. BUSBY, xx...
NEIL K. CADWALLADER, xx...
JAMES E. CALLAWAY, xx...
STEPHEN J. CAMERON, xx...
ERIC H. CARLSON, x...
THOMAS P. CARMODY, xx...
JOHN M. CARRETTI, xx...
DANIEL D. CARY, xx...
PAUL C. CASTO, xx...
EDWARD R. CAWTHON, xx...
KERRY A. CERNY, xx...
ROBERT H. CHASE, JR, xx...
DANIEL J. CHOIKE, xx...
MARK G. CIANCIOLO, xx...
LISA M. CICCHINI, xx...
GREG R. CLARE, x...
MARK A. CLARK, xx...
ROBERT D. CLINTON, xx...
RAYMOND E. COIA, xx...
TODD COKER, x...
PETER B. COLLINS, xx...
RICHARD D. COLVARD, xx...
CHRISTOPHE C. CONLIN, xx...
MARSHALL I. CONSIDINE, xx...
CHARLES J. COOGAN, x...
CHRISTOPHE M. COOKE, xx...
ALAN D. COPELAND, xx...
ROBERT A. CREEDON, II, xx...
ANN L. CRITTENDEN, xx...
JOHN P. CROOK, x...
KENNETH E. CROSBY, JR, xx...
STEPHEN W. CROWELL, xx...
FRANCIS X. CUBILLO, xx...
JAMES C. CUMMISKEY, xx...
RICHARD D. CURRAN, xx...
MARK R. CYR, xx...
JOSEPH H. DAAS, xx...
MARTIN E. DAHL, xx...
PETER K. DAHL, xx...
DOUGLAS J. DAILY, xx...
JAMES R. DALEY, xx...
MICHAEL G. DANA, xx...
MICHAEL R. DARNELL, xx...
PAUL S. DAUGHTRIDGE, xx...
JOSEPH D. DAUPLAISE, xx...
CARL E. DAVIS, xx...
PETER B. DAVIS, xx...
STEPHEN W. DAVIS, xx...
JAMES A. DAY, xx...
RODNEY L. DEARTH, xx...
ENRICO G. DEGUZMAN, xx...
GERALD A. DEPASQUALE, xx...
WILLIAM J. DEVLIN, xx...
KEVIN M. DEVORE, xx...
JAMES A. DIXON, xx...
BRUCE D. DONOVAN, xx...
DEREK J. DONOVAN, x...
BRENT A. DOUGLAS, xx...
STEVEN W. DOWLING, xx...
GARY C. DOWNEY, xx...
JOHN D. DOWNEY, xx...
THOMAS B. DOWNEY, xx...
EDWARD J. DUFFY, xx...
JOHN D. DULLE, xx...
CHARLES R. DUNLAP, xx...
CHARLES S. DUNSTON, xx...
WILLIAM E. DYE, xx...
BASCOM D. EAKER, x...
CHRISTOPHE M. EKMAN, xx...
JOHN K. ELDER, xx...
CHRISTOPHE H. ELLIS, xx...
THOMAS D. ELLIS, xx...
OWEN W. ENGLANDER, xx...
LEO A. FALCAM, JR, xx...
LESLYE J. FALCAM, xx...
JOSEPH L. FALVEY, JR, xx...
JOHN M. FARLEY, xx...
RONNIE J. FARMER, xx...
ALLAN M. FAXON, JR, xx...
GREGORY S. FERRANDO, xx...
PETER J. FERRARO, xx...
TIMOTEO R. FIERRO, JR, xx...
DEAN E. FISH, xx...
JOHN A. FORQUER, xx...
DAVID G. FRITZ, xx...
DAVID C. FUQUEA, xx...
STEVEN H. FUTCH, xx...
DANIEL P. GANNON, xx...
JOHN C. GAUTHIER, xx...
BART R. GENTRY, x...
STEVEN J. GOTTLIEB, xx...
JAMES L. GOUGH, xx...
WILLIAM R. GRACE, xx...
GLEN C. GRAHAM, xx...
JACOB L. GRAHAM, xx...
DAVID S. GREENBURG, xx...
PATRICK J. GREENE, xx...
KENNETH C. GRENIER, xx...
PAUL D. GRENSEMAN, xx...
JUDY A. GRETCH, xx...
RAYBURN G. GRIFFITH, xx...
ERIC W. GUENTHER, xx...
CARL A. GUMPERT, JR, xx...
ELLEN K. HADDOCK, xx...
KEVIN J. HAGENBUCH, xx...
JAMES E. HALL, xx...
JEFFREY A. HALTERMAN, xx...
STEVEN P. HAMMOND, xx...
SCOTT P. HANEY, xx...
DONALD K. HANSEN, x...
JOHN D. HARRIGAN, xx...
DANIEL F. HARRINGTON, xx...
KATHLEEN V. HARRISON, xx...
GUY F. HARTMAN, xx...
RICHARD M. HASEY, xx...
KIP J. HASKELL, xx...
MICHAEL G. HAWKINS, xx...
DALE B. HAYWARD, xx...
DAVID J. HEAD, xx...
BRIAN J. HEARNSBERGER, xx...
MICHAEL R. HENDERSON, xx...
JOHN E. HICKEY, III, xx...
PAUL K. HILTON, xx...
MARK P. HINES, xx...
RANDALL A. HODGE, xx...
DEBRA L. HOFSTETTER, xx...
STEVEN D. HOGG, xx...
JOLENE L. HOLLINGSHEAD, xx...
STEVEN E. HOLMES, xx...
ERIC C. HOLT, xx...
DAVID K. HOUGH, xx...
KIRK W. HOWARD, xx...
JERRY D. HOWELL, xx...
CHARLES L. HUDSON, xx...
TIMOTHY H. HUETE, xx...
CHARLES G. HUGHES, III, xx...
DAVID W. HUNT, xx...
THOMAS R. HUNT, xx...
ROBIN R. HYDE, xx...
RONALD P. IRICK, xx...
CHARLES H. JAY, xx...
ERIC P. JOHNSON, xx...
ROBERT E. JOHNSON, xx...

RONN C. JOHNSON, xx...
MATTHEW D. JONES, xx...
RAY JONES, xx...
STANLEY J. JOZWIAK, xx...
DANIEL P. KAEPERNIK, xx...
PATRICK J. KANEWSKE, xx...
BILLY D. KASNEY, xx...
JAMES A. KAZIN, xx...
CHRISTIAN J. KAZMIERCZAK, x...
MICHAEL J. KEEGAN, xx...
ROBERT G. KELLY, xx...
PARRY P. KEOGH, xx...
BRUCE G. KESSELRING, xx...
CAROL A. KETTENRING, xx...
TIMOTHY J. KIBBEN, xx...
DOUGLAS M. KING, xx...
EDWIN T. KING, xx...
MARK A. KING, xx...
DAVID M. KLUEGEL, xx...
JAMES M. KNELL, xx...
EDWIN L. KOEHLER, JR., xx...
RICHARD W. KOENEKE, xx...
ROGER L. KRAFT, JR., xx...
DONNA J. KRUEGER, xx...
MARCIA A. KUEHL, x...
JOHN B. LANG, xx...
JAMES K. LAVINE, xx...
STEPHEN G. LEBLANC, xx...
WILLIAM P. LEEK, xx...
WILLIAM G. LEFTWICH, III, xx...
MICHAEL E. LEWIS, xx...
FREDERIC W. LICKTEIG, x...
DANIEL E. LIDDELL, xx...
BRADLEY C. LINDBERG, xx...
STEPHEN J. LINDER, xx...
CHARLES E. LOCKE, JR., xx...
GREGORY E. LOCKE, x...
JOHN P. LOPEZ, xx...
PETER J. LOUGHLIN, xx...
JUERGEN M. LUKAS, xx...
KENNETH C. LYLES, xx...
JACK A. MABERRY, xx...
BRUCE D. MACLACHLAN, xx...
MYRON J. MAHER, JR., xx...
DAVID A. MAHONEY, xx...
JAMES C. MALLON, xx...
GARY W. MANLEY, xx...
MICHAEL J. MANUCHE, xx...
MARK E. MAREK, x...
LESLIE C. MARSH, xx...
NICHOLAS J. MARSHALL, xx...
JONATHAN W. MARTIN, xx...
JAMES B. MARTINEZ, JR., xx...
ROBERT A. MARTINEZ, xx...
DAVID E. MARVIN, x...
TIMOTHY P. MASSEY, x...
PETER D. MATT, xx...
JAMES C. MATTIE, xx...
CAROL A. MCBRIDE, xx...
FRANKLIN F. MCCALLISTER, xx...
PETER T. MCCLENAHAN, x...
JEFFREY T. MCFARLAND, xx...
RONALD E. MCGEE, xx...
MARK D. MCMANNIS, xx...
PETER B. MCMURRAN, xx...
JEFFREY G. MEEKS, xx...
DANNY L. MELTON, xx...
LAWRENCE D. MEYER, xx...
MICHAEL G. MILLER, xx...
PAMELA D. MILLER, xx...
RALPH F. MILLER, xx...
RICHARD A. MINOR, xx...
JAMES G. MITCHELL, JR., xx...
WILLIAM R. MITCHELL, x...
STEVEN B. MOLINE, xx...
JOSEPH MOLOFSKY, xx...
ROBERT L. MOORE, JR., xx...
MICHAEL F. MORGAN, xx...
EDWARD J. MOSS, x...
DENIS P. MULLER, xx...
KEVIN P. MURPHY, xx...
MARK S. MURPHY, xx...
KEVIN J. NALLY, xx...
DONALD G. NEAL, xx...
DAVID A. NEESEN, xx...
RONALD G. NEILSON, xx...
WALTER L. NIBLOCK, xx...
DANNY P. ODOM, xx...
JAMES D. ODWYER, xx...
JAMES G. OHAGAN, xx...
JOHN C. OKEEFE, xx...
DAVID P. OLSEN, xx...
ISMAEL ORTIZ, JR., xx...
JOHN M. OWENS, xx...
KURT S. OWERMOHLE, xx...
STANLEY A. PACKARD, x...
STEVEN J. PARKER, xx...
WILL J. PEAVY, xx...
DINO PEROS, xx...
JOSEPH M. PERRY, xx...
DANIEL J. PETERS, xx...
STEVEN R. PETERS, xx...
CHARLES A. PETERSON, xx...
ILDEFONSO PILLOTOLIVE, II, xx...
MARK W. PLACEY, xx...
JAMES J. POLETO, JR., xx...
RICHARD S. POMARICO, xx...
CARL R. PORCH, xx...
MICHAEL D. PORTER, x...
RAY D. PRATHER, xx...
RUSSEL O. PRIMEAUX, xx...
JOSEPH D. PROVENZANO, III, xx...
FRANCIS R. QUIGLEY, xx...
THOMAS A. QUINTERO, xx...
LOUIS N. RACHAL, xx...
JACKY E. RAY, xx...
JOHN P. RAYDER, xx...
RICHARD M. RAYFIELD, x...
JON W. REBHOLZ, xx...
MATTHEW D. REDFERN, x...
TIMOTHY J. REEVES, xx...
RAYMOND G. REGNER, JR., xx...
MICHAEL F. REINEBERG, xx...
JAMES A. REISTRUP, xx...
HARRIET S. REYNOLDS, xx...
GREGORY J. RHODES, xx...
THOMAS H. RICH, x...
LARRY J. RICHARDS, xx...
DAVID M. RICHTSMEIER, xx...
JEFFREY S. RINGHOFFER, xx...
NEIL R. RINGLEE, xx...
DAVID R. ROBB, xx...
HERBERT M. ROBBINS, xx...
JAMES A. ROBERTS, xx...
JOSEPH M. ROCHA, x...
MICHAEL J. RODERICK, xx...
DANIEL S. ROGERS, xx...
THOMAS C. ROSKOWSKI, xx...
JAMES E. ROSS, xx...
JOSE D. ROVIRA, xx...
DAVID D. ROWLANDS, xx...
ROBERT R. RUARK, xx...
MICHAEL E. RUDOLPH, xx...
JOSEF E. RYBERG, xx...
ROBERT G. SALESSES, xx...
DONALD W. SAPP, x...
BRADFORD M. SARGENT, xx...
HIDEO SATO, xx...
RICHARD A. SCHAFER, xx...
CLARKE J. SCHIFFER, xx...
RICHARD W. SCHMIDT, JR., xx...
ALAN D. SCHROEDER, xx...
SUE I. SCHULER, xx...
ROSS H. SCHWALM, xx...
MARK E. SCHWAN, xx...
VERNON C. SCOGGIN, xx...
JOHN C. SEIBEL, xx...
JEFFREY M. SENG, xx...
JOHN M. SESSOMS, xx...
SCOTT E. SHAW, xx...
TERENCE E. SHEAHAN, xx...
ROBERT E. SHELOR, xx...
JEFFREY R. SHERMAN, xx...
JOHN L. SHISSLER, III, xx...
JOHN E. SHOOK, xx...
MICHAEL A. SHUPP, xx...
GREGORY P. SIESEL, xx...
DOUGLAS S. SIMMANG, x...
MARK A. SINGLETON, xx...
JAMES R. SINNOTT, xx...
GEORGE S. SLEY, JR., xx...
GARY E. SLYMAN, xx...
BRENT A. SMITH, xx...
JAMES C. SMITH, xx...
MICHAEL J. SMITH, xx...
TIMOTHY R. SNYDER, x...
ROBERT G. SOKOLOSKI, x...
ALFRED C. SOTO, xx...
VICTOR F. SPLAN, xx...
DUANE T. SPURRIER, xx...
DAVID F. STADTLANDER, xx...
THOMAS A. STAFSLIEN, xx...
JAMES L. STALNAKER, xx...
GLENN T. STARNES, xx...
TIMOTHY B. STARRY, xx...
TERRY D. STEELE, xx...
THOMAS N. STENT, xx...
VINCENT R. STEWART, xx...
DOUGLAS M. STILWELL, xx...
JOHN P. STIMSON, xx...
ARNOLD E. STOCKHAM, xx...
ANTHONY J. STOCKMAN, xx...
CHRISTOPHE L. STOKES, xx...
JAY A. STOUT, xx...
JOHN C. STRADLEY, JR., xx...
PETER J. STRENG, xx...
DARRYL STRINGFELLOW, xx...
MARK H. STROMAN, xx...
JOSEPH A. SUGGS, xx...
JOHN M. SULLIVAN, JR., xx...
JOSEPH L. SULLIVAN, xx...
STEVEN S. SUTZ, xx...
CALVIN F. SWAIN, JR., xx...
GREGORY H. SWAIN, x...
ELIZABETH A. SWEATT, xx...
ROLAND C. SWENSEN, xx...
TIMOTHY N. SZENDEL, xx...
NATHAN C. TABBERT, xx...
TERRENCE S. TAKENAKA, xx...
RORY E. TALKINGTON, xx...
MARK H. TANZLER, xx...
JAMES J. TAYLOR, xx...
LLOYD G. TETRAULT, xx...
ROBERT A. THIBERVILLE, xx...
JOHN D. THOMAS, JR., xx...
WILLIAM H. THOMAS, xx...
MICHAEL D. THYRRING, xx...
JEFFREY P. TOMCZAK, xx...
JAMES R. TRAHAN, xx...
BRADLEY R. TRIEBWASSER, xx...
RONALD E. TUCKER, xx...
ROBERT E. TURNER, JR., xx...
GREGORY S. TYSON, xx...
ERIC J. VANCAMP, xx...
MARK W. VANOUS, x...
EDWARD E. VAUGHT, xx...
PETER S. VERCRUYSSE, xx...
WILLIAM J. VIETS, xx...
SUSAN C. VISCONAGE, xx...
ANDREW L. VONADA, xx...
TIMOTHY J. WAGAR, xx...
DONALD A. WALTER, xx...
ERIC M. WALTERS, x...
PETER M. WALTON, x...
TROY A. WARD, xx...
LEAH B. WATSON, x...
JOHN M. WEBB, xx...
KEVIN W. WEBER, xx...
NATHAN O. WEBSTER, xx...
JOHN F. WEIGAND, x...
TIMOTHY C. WELLS, xx...
DAVID H. WESSNER, xx...
JOHN R. WEST, xx...
DAVID L. WHITE, xx...
MARK E. WHITED, xx...
SAMUEL T. WIDHALM, xx...
GARY D. WIEST, xx...
JOHN R. WILKERSON, x...
KEITH R. WILKES, xx...
FIELDING L. WILLIAMS, xx...
JOHN N. WILLIAMS, JR., xx...
MARTIN J. WRIGHT, xx...
GORDON D. YATES, xx...
KEN YOKOSE, xx...
PAUL R. YORIO, xx...
MONTE R. ZABEN, xx...
FRANCIS S. ZABOROWSKI, xx...
ROBERT S. ZAK, xx...
STEVEN R. ZESWITZ, xx...

IN THE NAVY

THE FOLLOWING–NAMED COMMANDERS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF CAPTAIN, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS OFFICERS

To be captain

MYRON DAVID ALMOND
MARY ALICE ANDERSON
STEPHANIE KAY BRODINE
MARK D. BROWNING
KATHRYN SLOMINS BUCHTA
JOSE FRANCISC CALDERON
ROBERT S. CARNES
MARK F. CLAPPER
PETER MICHAEL CLEMONS
WILLIAM THOMAS COLLINS
DAVID W. CORBETT
NICHOLAS ANT DAVENPORT
JAMES KENNETH DOLNEY
RONALD L. FOREHAND
JAMES R. FRASER
MICHAEL ROY FREDERICKS
KIM FRICKE GIBSON
BECKY LORETTE GILL
MARSHALL P. HANSEN
RICHARD G. HIBBS, JR
ELAINE CAMPBELL HOLMES
ROBERT R. JOHNSON
DAN MICHAEL JONES
BYUNG JIN MIN KIM
HAROLD BRANSFORD LAMB
GARY R. LAMMERT
URIEL ROMEY LIMJOCO
MICHAEL JAMES LOGUE
RODERICK F. LUHN
DAVID CURTIS MCLELLAN
MARK EDWIN MURPHY
JOHN HENRY NADING
JAMES JOSEPH J. NORCONK
RAYMOND PAUL OLAFSON
FRED PETER PALEOLOGO
PETER BENHAM PLATZER
JOSEPH N. RAGAN
MANUEL EN RIVERAALSINA
DAVID WAYNE ROBERTSON
JERRY WADE ROSE
DENNIS ALAN ROWLEY
JOHN MICHAEL RUSSELL
LEO B. SIMMONS, JR
JAMES R. SOWELL
JAMES WARREN STEGER
RICHARD STOCK
STEVEN R. WARLICK
ROBERT J. WELSCH
NATALIE A. WILLENBERG
WILLIAM M. YARBROUGH
THADDEUS RIC ZAJDOWICZ

SUPPLY CORPS OFFICERS

To be captain

JAMES SAMUEL ANDERSON
MAX FRANCIS BAUMGARTNER
WILLIAM RONALD BELL
THOMAS ALLEN BUNKER
ROBERT NORMAN BURTON, JR
KEVIN ROSS CARMAN
JAMES EDWARD COOK
WYNN LEWIS COON
HAROLD THOMAS CRONAUER, JR
MARY ELLEN DAVIDSON
JAMES CLIFTON DAVIS, III
MARK EDWARD EASTON
MICHAEL LEROY ERNO
MICHAEL EDWARD FINLEY
CHRISTOPHER GEORGE HAUSER
GERALD FRANK HESCH
JOHN JOSEPH HUND
WILLIAM ANDREW JACKSON
WILLIAM JAMES MCMICAN
ROBERT LEE MILLIGAN
RICHARD E. PAUL MORRISON, JR
TIMOTHY OLIN MUNSON
STEWART ALBERT NELSON
WILLIAM DAVID ORR
EDWARD WESLEY PINION
JAMES SUMNER ROUNTREE
DAVID ALBERT SONA
JOHN HAROLD STEPHENS
RONALD FRANCIS VEROSTEK
CHARLES MAYS VINSON
CLIFFORD HOLLOWAY WAITS, JR
DAVID WINFIELD WALTON
KENNETH EDMUND WENZEL
WILLIAM ARTHUR WRIGHT
MARK ALAN YOUNG

CHAPLAIN CORPS OFFICERS

To be captain

JEFFERSON D. ATWATER
DONALD G. BELANUS
THOMAS C. CARTER
MELVIN RAY FERGUSON
LOY BLANE HAMILTON
MARSHALL ROY LARRIVIERE
GARY VEIL LYONS
PETER ANDREW ODDO
EUGENE E. OLESON
ROGER W. PACE

GEORGE W. PUCCIARELLI
ARNOLD E. RESNICOFF
STEPHEN BRENNAN ROCK
MOSES L. STITH
GERALD S. VINTINNER

CIVIL ENGINEER CORPS OFFICERS

To be captain

LEE LAWRENCE ANDERSON, JR
JAMES HENRY AUGUSTIN, JR
THOMAS MATTISON BOOTHE
PAUL LEROY CLOUGH
JAMES THOMAS CORBETT
STEPHEN WILLIAM DAIGNAULT
JOHN RAYMOND DOYLE
DAVID WILLIAM GORDEN
RICHARD FREDRICK HAAS, JR
DONALD BRUCE HUTCHINS
JAMES BRUCE KENDALL
COURTNEY CRAIG KLEVEN
JOSEPH CARL KNOLL
MICHAEL WALLACE PRASKIEVICZ
DAVID GERARD ROACH
RICHARD LEONARD STEINBRUGGE
BURTON LOYAL STREICHER
PETER MARTIN VANDYK
ROBERT ENRIQUE YBANEZ

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be captain

WESTON D. BURNETT
WILLIAM A. DECICCO
GLENN NELSON GONZALEZ
CHARLES RONALD HUNT
GERALD JOS KIRKPATRICK
TIMOTHY L. LEACHMAN
SALLY JEAN MCCABE
RONALD VICTOR SWANSON
THOMAS PETER TIELENS

DENTAL CORPS OFFICERS

To be captain

CHARLES ALA BOOKWALTER
JOHN D. BRAMWELL
WILLIAM M. DERN
WILLIAM B. DURM, IV
MARION COLUMB ELDRIDGE
ALFRED W. FEHLING, JR
TIMOTHY J. FLANIGAN
ROBERT K. FLATH
JOSEPH A. GLORIA
ROBERT E. HUTTO
LAWRENCE D. KISELICA
GREGORY G. KOZLOWSKI
FRANK JAMES KRATOCHVIL
THOMAS O. MORK
ALBERT CHAR RICHARDSON
PAUL EDWARD SCHMID
CHARLES WILLIAM TURNER
ROBERT JEFFREY TURNER
RICHARD C. VINCI
JOHN A. WEISENSEEL
JOSEPH C. WHITT
DALE E. WILCOX
PAUL MARSHALL WILEY

MEDICAL SERVICE CORPS OFFICERS

To be captain

JERRY THOMAS ANDERSON
JERRY WAYNE BRICKEEN
WILLIAM GLENN BROWN
DENNIS RALPH BROZOWSKI
TOMMY WAYNE COX
THOMAS RICHA DEFIBAUGH
ROBERT LAWRENCE EDMONS
MELVYN ADAMS ESTEY, JR
PETER PAUL GARMS
DAVID ROYAL GERVAIS
ERNEST RICHARD GHENT
DEAN F. GLICK
DAVID ALLEN HARGETT
LAYTON OSCAR HARMON
RODNEY DALE HICKEY
RUDOLPH JONES
RALPH ALVIS LOCKHART
JUDITH ANNE MCCARTHY
AARON MCCLERKLIN
GERARD VINCENT MESKILL
THOMAS DALTON NUNN, JR
STEVEN DUANE OLSON
VERNON MELVIN PETERS
CHARLES JOSEPH ROSCIAM
CARL WILLIAM STEIN
FREDERICK RIC TITTMANN

NURSE CORPS OFFICERS

To be captain

ELIZABETH R. BARKER
MARY ALICE BOWDEN
JOHN FREDERICK BOYER
JUDITH CO BRINCKERHOFF
MARY ANN CRONIN
GARY R. HARMEYER
ELIZABETH K. KOZERO
ROSALIE DAY LEWIS
SHIRLEY DEA LEWISBROWN
DAVID STEWART LOOSE
GEORGE LAWRENCE MARSH
LINDA UNGVARSK MCMAHON
PATRICIA JEANNE OHARE
DONNA JEAN VAN OHLMAN
CHRISTINE ANNE PICCHI
LESLIE ELIZAB ROBINSON
EVELYN RUTH SHAIA
JACQUELINE ELAI SHARPE
CATHERINE ANN SWAN
JANE WESTMOREL SWANSON
RONALD LAWRENC VANNEST

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANT COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR TO AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be commander

RONALD LEE AASLAND
THOMAS ABERNETHY
MARK THOMAS ACKERMAN
ALLAN ARTHUR ADELL
DONALD W. AIKEN
STEVEN PATRICK ALBERT
JOHN D. ALEXANDER
BERT R. ALGOOD
MARTIN ROBERT ALLARD
DAVID LEE ALLEN
SHERRIE SUSAN ALY
JOHN MICHAEL AMICARELLA
KEVIN S. AMOS
JOHN P. ANDERSON
MARK ALLEN ANDERSON
THOMAS ROBERT ANDRESS
NEAL EDWIN ANDUZE
MICHAEL DENNIS ANHALT
SCOTT TIMOTHY ANHALT
DANNY WAYNE ARMSTRONG
DAVID SPENCER ARMSTRONG
JACQUELYN MARIE YO ARROWOOD
ROBERT BRYANT ASMUS
GREGORY FRANCIS ATCHISON
DOUGLAS ELLIOTT ATKINS
STACY SETSUMI AZAMA
DAVID A. BABCOCK
ROBERT B. BADGETT
STEVEN MALLARD BAGBY
RODNEY LEE BAKER
MARK W. BALMERT
BENJAMIN HIRAM BANKSTON
STEVEN B. BARNES
THOMAS DAVENPORT BARNS
WELROSE ERNEST BARTLEY, II
LARRY STEVE BARTON
MICHAEL STEPHEN BASFORD
DALE R. BATEY
KENNETH JOSEPH BITAR
ROBLEY JAMES BLANDFORD
WILLIAM MICHAEL BLASCZYK
MARK STEPHEN BOENSEL
ROBERT A. BOGDANOWICZ
JOEL E. BOHLMANN
BRUCE STANLEY BOLE
HARRY P. BOLICH
ROBERTA BESS BOLYARD
NORMAN B. BOSTER
KENNETH DWANE BOWERSOX
JOHN L. BOWLES
JOHN HARRISON BOWLING, III
AUSTIN WALKER BOYD, JR
MICHAEL EDWARD BOYD
JANE DENISE BOYER
CEDRIC ANTONIO BRADFIELD
THOMAS HENRY BRADY, JR
TED N. BRANCH
BOB ALLAN BRAUER
CARL WILLIAM BRAUN
STEVEN LEET BRIGANTI
JAMES E. BROCKINGTON
DENNIS NMN BROSKA
DAVID P. BROWN
ROBERT MARTIN BROWN
THEODORE HAROLD BROWN
DAVID W. BRUCE
DALE ALLEN BRUETTING
ROBERT A. BUEHN, JR
FREDERICK M. BUESSER
RICHARD WARREN BUMP
DAVID AUSTIN BURDINE
WILLIAM R. BURKE
DAVID ALAN BURKHARD
WILLIAM JOHN BURROWS
DAVID H. BUSS
WARREN RUSSELL BYRUM
JAMES KENDALL CAMPBELL
JEFFREY REID CAMPBELL
WILLIAM HENRY CAMPBELL
JOHN MICHAEL CARAM
KENDALL L. CARD
JO ANNE CARLTON
PATRICK BRENDAN CARMODY
LARRY IRVIN CARPENTER
JAMES M. CARR
NELSON MARZAN CAYABYAB
VICTOR LEE CERNE
BARBARA JEAN NEL CHADBOURNE
RICHARD CHAPMAN
JAMES R. CHEEVER
KEVIN R. CHEEZUM
PATRICIA ANN CHMIEL
JACK CHRISTENSEN
PETER HUGH CHRISTENSEN
DAVID WILLIAM CHRISTIE
LEWIS JOSEPH CIOCHETTO
JAMES P. CLAGER
BRIAN GORDON CLARK
JANEEN WEST IGOU CLEMENS
JANEL DEE COBERY
DARRELL L. COFSKY
JOHN E. J. COHOON
ROBERT EDWARD CONNERY, JR
JOHN G. COOKE
RUTH ANNE COOPER
MAUREEN T. COPELOF
MIMI NMN CORCORAN
ANTHONY THOMAS CORTESE
RALPH R. COSTANZO
JOHN M. COSTELLO
JERRY WAYNE COUFAL
CRAIG H. COWEN
WILLIAM R. COY, JR
CLINTON HARRISON CRAGG
DONALD CARR CRAWFORD
STEPHEN MICHAEL CRAWFORD
MICHAEL D. CRISP
WILLIAM THOMAS CROOKS, JR
MICHAEL KERBIE CROSBIE
THOMAS D. CROWLEY
ROBERT KEITH CRUMPLAR
GREGORY STEVEN CRUZE
SHELLEY JO CRUZE
ROBERT L. CULLINAN
ROBERT MICHAEL CURTIS
STEPHEN P. CURTIS
STEVEN WILLIAM DAILEY
MICHAEL V. DANIEL
MARSHALL DEAN DAUGHERTY
CINDY MARIE DAVIDSON
JEFFREY J. DAVIS
SHARON ANN DEEMS
NANCY LAMBERT DEITCH
EDWARD J. DEMARTINI, JR
WILLARD EUGENE DENTON
KATHRYN LOUISE DESTAFNEY
KENNETH WILLIAM DEUTSCH
HOWARD SHELEY BAYES
GERALD ROGER BEAMAN
DEBORAH ANN BECKER
RICHARD CARLTON BEDFORD
BRIAN EUGENE BENNETT
RICHARD SCOTT BENNETT
THOMAS A. BENNETT
SCOTT ALAN BERG
STEVEN M. BERGER
DAVID DWIGHT BIGELOW
THOMAS J. BILY
CARL DAVID BINDMAN
JEFFREY DAVID DEVONCHIK
JEFFREY KENT DICKMAN
ANDREW LAWRENCE DIEFENBACH
CRAIG M. DIFFIE
KATHRYN ANNE DIMAGGIO
MARY CHARLOTTE DIMEL
DONALD R. DITKO
JAMES M. DOHERTY
KEVIN C. DONLON
CARL W. DOSSEL
MARTIN A. DRAKE
ROBERT WAYNE DRASH
CLIFFORD DALE DRISKILL
DENNIS D. DUBARD
RICKEY LYNN DUBBERLY
LEE JOSEPH DUCHARME
JOHN T. DUGENE
MICHAEL FRANCIS DULKE
WILLIAM M. DUNKIN
NAN BERYLL DUPUY
MICHAEL A. DURNAN
GARY BRYAN DYE
WILLIAM JEFFREY EARL
DONALD LEWIS EBERLY
VICTOR ANTHONY EDELMANN, JR
CATHERINE ELIZABETH EDWARDS
RICHARD THOMA EGAN
GERARD T. EGLER
JOHN F. EHLERS
DAINE E. EISOLD
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IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CARDIN. Mr. Speaker, I rise to pay tribute to Walter Schwarz and his late wife Edith Schwarz, the founders of the Bolton Street Synagogue in Baltimore. On April 30, 1992, the synagogue will dedicate a stained glass window in their honor.

Walter and Edith were able to escape Nazi-occupied Austria in the late 1930's. They came to the United States and made Baltimore their home. One of Walter's greatest achievements was the work he did on the American Space Program while working for Bendix Corp., which included involvement in the landing of the first man on the Moon.

Walter and Edith were members of the Chizuk Amuno congregation and later, Beth Am Synagogue; both of which were in Baltimore. Having seen so many synagogues in Europe turned into churches or burned to the ground by Hitler, Walter was enthralled by the idea that the Bolton Street Synagogue would be created from what was an old church building on Bolton Street. Hence, he joined and inspired the newly created Bolton Street Synagogue.

Well into his seventies, Walter learned how to make stained glass windows at the Jewish community center in order to help him design his own stained glass windows. He had never worked with stained glass before, but it is a tribute to his always present genius that he mastered the art and created for us not simply an artifact of beauty, but a story that we must remember and pass on to our children, and to their's.

It is fitting that during the week of remembrance of the Shoah, Jews and non-Jews share in the dedication of this great achievement by a man whose dream has been fulfilled and whose memories will live forever.

FOR HEALTH CARE REFORM: CONGRESS SHOULD LOOK CLOSE TO HOME

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MAZZOLI. Mr. Speaker, the health care town forum I held in Louisville in January indicated more than ever that health care reform must be addressed by Congress. Although comprehensive reform may not be possible during the 102d Congress, this does not change the consensus among health care providers, administrators, and consumers in Louisville and Jefferson County that an overhaul of the health care system is in order.

As we deliberate over the variety of policy options available—some from far distant countries—let us not overlook a health care system very close to home: the Federal Employees Health Benefits Program [FEHBP].

I recently came across two articles describing the FEHBP. One—published in the April 2, 1992 edition of the Wall Street Journal—details the FEHBP's strong points: consumer choice and competition. The second—from the April 1992 edition of Government Executive—outlines some of its drawbacks.

I commend to the attention of my colleagues these articles, which I hope will contribute to the ongoing health care reform debate.

[From the Wall Street Journal, Apr. 2, 1992]

SURPRISE! A GOVERNMENT HEALTH PLAN THAT WORKS

(By Robert E. Moffit)

Amid all the talk of health care reform in Washington, you rarely hear a mention of the excellent and efficient health plan serving federal employees, including every member of Congress and the executive branch. Nearly one out of every 25 Americans, more than nine million current and retired federal employees and their families, obtain medical coverage under the Federal Employee Health Benefits Program. And while FEHB isn't perfect, it has worked relatively well. Employees typically can choose from dozens of different plans; this, in turn, has created the kind of vigorous competition that restrains cost increases.

When Congress created the federal employee health care system in 1959, it based the new system on two economic principles normally absent from government programs: choice and competition. Rep. Richard Gephardt (D., Mo.) noted more than a decade ago that the federal employee system was unique in this respect: "I think the more diversity we have with regard to decision making on health care, the more cost efficient and better the whole outcome is."

Truer words were never spoken. But in the ensuing 10 years, the lesson seems to have been forgotten. Indeed, while the government employee system is based on market competition, most private-sector plans look more like government monopolies. The only choice most get is made for them by somebody else.

Under FEHB, employees of Congress, the White House and the various departments and agencies of government, including civilian employees of the Pentagon, get to choose their own health plans. Nationally, federal employees have some 400 plans from which to choose—from traditional large insurance carriers, such as Blue Cross-Blue Shield, to more than 310 managed care plans, such as Kaiser-Permanente. Most private sector workers have just one "choice": whatever their employer chooses for them.

Costs to the employees of the various plans offered range from $350 to $2,000 a year for single employees, and from $700 to more than $4,000 a year for employees with family coverage. (The government generally pays about 60% of the premium.) By carefully shopping and comparing price and value, federal employees can save hundreds of dollars each year. Compared to the double-digit increases that are common elsewhere, premiums for federal employees average just 8% more this year over last year, according to the U.S. Office of Personnel Management, the federal agency that administers the program.

While in ordinary times the federal employee health benefits program would go unnoticed outside Washington, these aren't ordinary times. Americans spent in excess of $738 billion last year on health care, more than 13% of GNP. And costs continue to rise rapidly. Something needs to be done to slow the inflationary spiral, and the federal employee program might just provide the model we need for a universal health care system that relies on the free market to protect all Americans while simultaneously controlling costs.

This could be accomplished by changing the regressive and inefficient tax laws upon which the current system is based. It is the tax code, not the beneficence of U.S. business, that has turned the place of employment into a health-benefits clinic.

We could move to a more efficient, consumer-based system similar to the federal employee program by replacing the tax breaks now given company-based insurance plans with individual tax credits. Armed with such credits, each individual (or family) would thus have the money to purchase health benefits and the incentive to shop for the best buy, as federal employees do.

The major objection to a national, consumer-based system seems to be this: that too many people are not intelligent enough to make an informed decision on their own health care needs (or, conversely, that the subject is just too complicated even for a well-educated person).

But the experience with the federal system proves this just isn't so.

Most of the people covered by the federal employees health benefits program are not medical experts, nor do they understand all of the small print in insurance policies or possess Harvard Ph.Ds. The federal employee program provides benefits to more than 1.8 million clerical and professional employees, 365,000 blue-collar workers, and more than 750,000 postal workers—and their families—and to some two million retirees and spouses. Every federal employee, from messenger to cabinet secretary, shops from the same menu, though the less costly managed care plans offered by hospitals and health-maintenance organizations may differ from city to city.

Choosing a plan has become one of Washington's annual rituals, conducted during a time of the year known as "open season." During this season federal employees are given a month or so (open season last year was Nov. 12 to Dec. 9) to select the health care plan of their choice. They can stick with what they have if they're satisfied, or they can switch to another plan, if they think it offers a better buy or is better suited to their needs. These plans are marketed by insurance companies, local hospitals, HMOs and seven different unions, including

the American Postal Workers Union, the National Association of Letter Carriers, and the National Treasury Employees Union. The union plans, incidentally, are often open to and popular among non-union members.

Employees don't have to guess about what the plans offer. They are given plenty of help—both in the form of advertising from the providers of these plans, and in expert advice on the best buys for employees in specific circumstances—singles, families, retirees, etc. There are even detailed guides comparing the pluses and minuses of the various plans: "Open Season Guide," published by the National Association of Retired Federal Employees, for instance, or "Checkbook's Guide to Health Insurance Plans for Federal Employees," published by Washington Consumers Checkbook, a consumer organization that also steers Washington-area shoppers to the best deals on furniture, appliances, personal computers, electronics and other consumer goods.

In other words, federal employees have more than enough information to eliminate the guesswork. And since all of the plans must meet a basic standard established by the government, employees really can't go wrong.

If Washington is serious about doing something about America's health care system, with its soaring costs and gaps in coverage, it would do well to look in its own backyard. The benefits of consumer choice and market competition should not be confined to Congress and the federal bureaucracy. A modified version of FEHB could work equally well for all of us.

[From the Government Executive, April 1992]

CHOICE IN HEALTH BENEFITS: TOO MUCH OF A GOOD THING?

(By Rita Zeidner)

As negotiations over reform of the Federal Employees Health Benefits Program get under way this year, choice will be one of the key bargaining chips.

A large selection plans traditionally has been a mainstay of FEHBP. During open season last fall, most federal workers and retirees could select from more than a dozen traditional fee-for-service indemnity plans and several health maintenance organizations—a far larger choice than the typical private-sector worker has. Premiums for family coverage ranged from $720 a year to more than $4,000. But as proposals are floated to change the program—the Bush Administration, several lawmakers and unions all agree that reforms are needed—a number of critics are questioning whether choice guarantees enrollees the greatest bang for their buck.

Three years ago, the Congressional Research Service answered that question with a resounding "no." In a landmark study, CRS analysts concluded that the wide variety of choices offered through FEHBP did little to create a quality program. CRS pointed out that despite the large number of plans participating in FEHBP and the vast difference in their premiums, there was actually very little difference in the benefits they offered.

The difference in premiums, analysts found, was due to some plans' high concentration of certain types of enrollees—generally the elderly or others with costly medical conditions—and the tailoring of other types of plans to younger and generally less costly enrollees. This phenomenon, known as "risk segmentation," has driven up the cost of such plans as Blue Cross and Blue Shield's high option and Aetna's now defunct federal plan, while allowing other plans to keep their rates low by tailoring their benefits to low-risk enrollees.

To understand the profound impact of risk segmentation, one has only to compare the plans heavily used by retirees with those that have relatively few annuitants. Retirees, because they are older and more prone to health problems, tend to choose higher cost plans. Last year, for instance, 84 percent of enrollees in the Blue Cross high-option plan were retirees. At $169 for biweekly family coverage, that plan is now the second most expensive in FEHBP. By contrast, the Mail Handlers high option package—one of the most popular plans in FEHBP—had a biweekly premium of only $35.94, largely because only 19 percent of the people who chose the plan were retirees.

The vast difference in premiums among FEHBP plans that have only subtle differences in coverage has troubled policy makers. One Office of Personnel Management official criticizes the program for offering "too many flavors of vanilla." And Rep. Gary Ackerman, D-N.Y., chairman of the Post Office and Civil Service Subcommittee on Compensation and Employee Benefits, says he has received more letters complaining about the plethora of choices around open season than on any other pay and benefits issue. Ackerman has proposed legislation that would scale back choices to only one high and one low option, with rates set by Congress. OPM indicated a similar inclination in a draft legislative proposal it released two years ago.

"It makes no sense to have so many choices of the same thing," says an Ackerman staffer. "It's very confusing and study after study shows that the competition among plans does nothing to improve benefits for enrollees or to lower costs."

Administration officials also say that the plethora of choices is a problem, but their recent efforts have focused not on lessening the number of options, but on strengthening price competition by eliminating the often narrow distinctions between those options. A recent General Accounting Office study, based on 1988 data, concluded that the government could save between $35 million and $200 million by making benefits more similar among the various plans. OPM tried to do just that last spring, telling FEHBP carriers, who were in the process of designing their 1992 plans, that they all had to offer a similar package of benefits. That plan, however, was dropped after it met fierce opposition from carriers, employee groups and Congress.

A legislative proposal the administration will unveil later this year, though, will again attempt to heighten competition between the various plans, according to Curtis Smith, associate administrator for retirement and insurance at OPM.

But not everyone agrees that reducing choices would make FEHBP better. On the contrary, Robert Moffit of the Heritage Foundation, a right-of-center think tank, argued in a recent position paper that as Congress considers national health insurance reform, it would do well to use FEHBP as a model. "This system gives consumers a wide choice of health plans and 'user-friendly' advice on how to choose among rival plans. It promotes intense competition among health insurance carriers. It controls costs. It incorporates excellent benefits." Moffit also contends that "those who are enrolled in it are pleased with the system."

"I don't think that people want other people making decisions for them," he says. "Choice is what distinguishes us from controlled economies."

The one major adjustment Moffit recommends is creating a separate risk pool for active employees and retirees. While doing so would increase costs for retirees and decrease costs for active workers (who would no longer be sharing the risk of the retirees), the higher cost could be mitigated through a tax subsidy.

FEHBP carriers also argue against less choice. They do not agree with those who say that FEHBP plans are so similar that choice is illusory. Jim Morrison, a former OPM insurance division chief who now lobbies for a major insurer, says, "If I can get the same thing at one department store that I can get at another, does that mean the government should come along and arbitrarily abolish one of the choices?"

Morrison agrees that some enrollees could reduce their health insurance costs without reducing benefits simply by switching plans, but he says the choice should be left to the consumer. "It's just like the person who puts a third lock on the door when two will do. It's not up to me to say they're crazy."

Critics of Ackerman's proposal, which would set premiums somewhere in the middle of current FEHBP rates, say the plan would force many enrollees who are happy with their current plan and its coverage to begin paying more.

As the cost of medical care continues to rise, health insurance expenses will undoubtedly take an increasingly large bite from the wallets of workers and retirees. And as the debate over health insurance—both within FEHBP and nationally—gets under way, federal employees and retirees should be braced for a battle over choice.

A SECOND CHANCE FOR LIFE

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. SLAUGHTER. Mr. Speaker, during the week of April 19–25, 1992, we recognize Donor Awareness Week, a moment in time that is motivated by the theme, "Offer a Second Chance for Life". This public awareness effort takes on a life of its own when one considers the number of people who are anxiously and hopefully waiting for that second chance. In the February issue of the National Organ Procurement and Transplantation Network newsletter, the figures speak for themselves. Over 25,000 requests are on the national waiting list, the majority of which are from patients between the ages of 19–45 and waiting for a kidney transplant. Past records indicate that in 1990, only about 15,000 patients actually received a transplant. Thus the demand far outweighs the ability of the medical community to meet those requesting and eligible for a transplant. In my district in upstate New York, the University of Rochester–Syracuse Organ and Tissue Procurement Program indicated that over 300 new candidates desiring a liver transplant are added each month to the registry list, yet 24 percent of those candidates will die before an organ becomes available.

The National Organ Procurement and Transplantation Network is launching a series of public service announcements this spring to highlight the need for donations and to educate the community regarding the process and satisfaction involved in such a gift of life. As

Members of Congress we have the opportunity to support such efforts and to educate ourselves and our constituents regarding the value of this program. The words of one recipient summarize the importance of this effort:

It was like I got a whole new set of batteries * * * I remember shortly after the heart transplant brushing my teeth, and it suddenly occurred to me that I did not need to stop and rest. Then I turned and looked out the window and saw the sun, and it was like a whole new beginning.

LOURDES AQUILA, DR. LUIS VILLA, AND LA LIGA CONTRA EL CANCER HELP VICTIMS OF CANCER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to express my gratitude for the unselfish work done by the Liga Contra El Cancer, the League Against Cancer, and bring attention to its upcoming telethon. When the indigent face the terror of cancer, the Liga provides for those who might not otherwise receive the necessary care. Over the past 17 years, the Liga has eased the burdens of over 23,000 Florida residents. This patient population reflects the diversity of Florida with over 45 countries of origin represented. The Liga's good work makes no distinction on the basis of race, creed, sex, or national origin.

The Liga Contra El Cancer drew its inspiration from an earlier Liga formed in pre-Castro Cuba in 1925. The earlier Liga provided the same sort of charitable aid and eventually included an internationally respected center for oncology. The current Liga is supported by the volunteer efforts of over 166 Miami area physicians plus over 200 health care workers and other concerned people.

Even with donated time and reduced rates from area hospitals, the Liga carries a crushing financial burden. Last year alone, the Liga spent nearly three million dollars to aid the suffering poor. This year, the Liga is attempting to cope with a nearly 30-percent increase in patients.

Against that backdrop the Liga will be holding is 16th annual telethon on Sunday, May 3 from 10 a.m. to midnight. The telethon will originate from the Miami Jai-Alai Fronton and be broadcast by television station WTLV 23.

Mr. Speaker, I wholeheartedly commend the efforts of the Liga Contra El Cancer in its struggle against human suffering. Many lives have been saved or final days made more bearable by the actions of this group.

I also wish to note for the RECORD the leadership given the Liga by Harvard graduate Luis Villa, M.D., president, and longtime volunteer and general coordinator Lourdes P. Aquila. Dr. Villa is, in addition to being an oncologist, a hematologist, and pathologist. Ms. Aquila has devoted countless hours to providing the framework that draws the best efforts from so many other volunteers.

A TRIBUTE TO KAUFMAN AND BROAD

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Kaufman and Broad, the largest builder of single family homes in California. The company has joined forces with Palmdale and Lancaster, California residents to confront two of southern California's most pressing issues—congested traffic and air pollution—through the first-ever vanpool program conceived and sponsored by a home developer for residents of its communities.

In February, 2 vans began operating carrying 28 Palmdale and Lancaster commuters to their jobs in Burbank, San Fernando, and Los Angeles. More than 200 area Kaufman and Broad homeowners, and their neighbors, in the Antelope Valley expressed interest in vanpooling when a questionnaire was distributed earlier in the year. The vans help reduce traffic and smog by removing more than 25 cars from the freeway each day.

In addition to reducing air pollution and traffic, vanpool riders enjoy considerable savings by leaving their cars at home. Vanpools not only save wear and tear on vehicles, but also help reduce auto insurance premiums. California offers tax credits for vanpool riders of 40 percent of commuting costs, up to $480 per year. As a result, a commuter driving 80 miles a day can cut annual transportation expenses from $5,645 to only $395 by taking advantage of the lower commuting cost of vanpools, tax credits, rider rebates, and lower insurance premiums.

While companies of a certain size are required by law to encourage car and vanpooling of their employees, Kaufman and Broad is offering the program as a public service. I am confident and hopeful that other companies will follow the leadership demonstrated by this fine company.

Mr. Speaker, I urge you to join me, colleagues, and friends in recognizing the leadership demonstrated by Kaufman and Broad. Their vanpool program is paving the way for cleaner air and less congested roads in southern California. More importantly, they are setting a worthy example that is certainly worthy of recognition by the House of Representatives.

ANALYSIS OF NAVY WORK BEING DONE AT FOREIGN SHIPYARDS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. ANDREWS of New Jersey. Mr. Speaker, I would like to submit for the RECORD an analysis of the economic effects of Navy repair work that is currently being done at foreign shipyards. Based on the preliminary findings of the General Accounting Office, my staff has calculated that the United States Government could save approximately $2.2 million per year, while employing 500 United States workers, if planned maintenance work were moved from the shipyard at Yokasuka, Japan, to United States yards on the west coast. For this reason, I have introduced H.R. 4222, the American Shipyard Worker Protection Act. This legislation would prevent the Navy from contracting with foreign shipyards unless the work is of an emergency nature, or unless there is a compelling economic or national security reason for the work to be done abroad:

UNITED STATES NAVY WORK IN JAPAN AND THE PACIFIC THEATER: AN ECONOMIC ANALYSIS OF PAST AND PROJECTED COSTS AND EMPLOYMENT

TAX SAVINGS FROM U.S. NAVAL SHIP REPAIR COMPLETED IN THE UNITED STATES

The federal government will save approximately $2.2 million per year and create approximately 500 American jobs by performing in the United States the work projected to be completed at the Yokosuka Shipyard in Japan for Fiscal Years 1993 to 1997.

The projection is based on limited and incomplete information produced by the U.S. Department of the Navy and using General Accounting Office (GAO) cost estimates, and does not include other shipyards of ship repair providers in Japan and other Pacific and Atlantic Surface Fleet ports.

Using the GAO's example of the public Long Beach Naval Shipyard (LBNSY) and a private shipyard under the jurisdiction of the U.S. Navy Superintendent of Shipbuilding (SUPSHIP) in San Diego, California, the following information can be estimated:

The total man-days—or the amount of employees needed per day to perform the assigned U.S. Navy work—at the Yokosuka Shipyard for FY 1991 was 142,000. It is projected that for FY 1993 to FY 1997 the man-days required will be at least 120,000 man-days per year. From FY 1993 to FY 1997, the Navy is projected to spend approximately $161.3 million for work completed at Yokosuka. If the work is completed at LBNSY, the cost is approximately $409.4 million, and if completed at the private SUPSHIP yard, approximately $238.2 million.

Using the 120,000 man-day estimate for FY 1993 through FY 1997, the U.S. Treasury would receive in direct tax revenues more than $81.88 million if all work performed at Yokosuka is instead completed at LBNSY. If the work is completed at a private SUPSHIP yard, the work generates approximately $47.64 million in tax revenues. No U.S. tax revenues are generated for work completed at Yokosuka.

Again using the 120,000 man-day estimate for FY 1993 through FY 1997, the LBNSY and the SUPSHIP yard would generate approximately $163.89 million and $95.28 million respectively in indirect tax revenues from the regional economic "ripple" effect. No U.S. economic "ripple" effect is created for work at Yokosuka.

By projecting the ship work proportionately between the LBNSY and the private SUPSHIP yard—using the Navy's standard 70-30 split[1]—a savings of approximately $2.2 million per year between FY 1993 and FY 1997 is realized.

[1] The U.S. Navy assigns 70 percent of all of its ship work to public shipyards. Private shipyards, under the jurisdiction of the Superintendent of Shipbuilding, receive 30 percent of all ship work.

MISSING U.S. NAVY DOCUMENTS: THE GAO INVESTIGATION

As part of their study, the General Accounting Office (GAO) has requested that the U.S. Navy provide them with specific contract information for all repair work performed in Japan, Guam, and the Philippines over the last five years.

Currently, the GAO has received extremely limited data on the work performed at Subic Bay in the Philippines. The GAO has received roughly 85 percent of the raw data regarding work performed in Guam, but this data is so unorganized that it is basically useless. Furthermore, the GAO has received complete data for only two of five years for the work performed at the Yokosuka Shipyard, Japan.

There are also some questions as to whether the U.S. Navy is complying with current laws that govern foreign ship repair. Section 7309 of Title 10 of the United States Code prohibits the Navy from sending any ship homeported in the United States to a foreign country for a planned repair. The U.S. Navy has admitted to the GAO that it has not yet incorporated Section 7309 of Title 10 USC into its written policies. The U.S. Navy claims that it nonetheless complies with Section 7309 in principle, although it has not produced the documentation to support this assertion.

It has been 10 years since Section 7309 was enacted into law and yet the U.S. Navy has not fully complied with its provisions.

SOURCES OF INFORMATION

The General Accounting Office—"Preliminary Analysis of Projected Ship Repair Costs, Fiscal Years 1992-1998." March 20, 1992.

Chief of Naval Operations—"OPNAVNOTE 4700; Subject: Notional Durations, Intervals, and Repair Man-Days for Depot Level Availabilities of United States Navy Ships." February 27, 1992.

"U.S. Navy Depot Level Maintenance Schedule from FY 1989 to FY 1998." May 21, 1991.

5 YR COST/SAVINGS PROJECTIONS FOR UNITED STATES NAVAL WORK COMPLETED AT YOKOSUKA, JAPAN; LONG BEACH NAVAL SHIPYARD; AND, A PRIVATE YARD UNDER SUPSHIP SAN DIEGO JURISDICTION

[In millions of dollars]

Component	Yokosuka [1]	Shipyard [2]	Supship [3]
Direct cost:			
Labor	161.30	373.4	202.2
Fuel	0	31.9	31.9
Family separation	0	3.6	3.6
PCS	0	.5	.5
Total direct cost	161.30	409.4	238.2
Return to U.S. economy:			
U.S. taxes	0	−74.68	−40.44
Economic multiplier at 200 percent	0	−163.8	−95.3
Total return to U.S. economy	0	−238.48	−135.74
Cost for ship work prior to Navy apportions	161.30	170.92	102.46
U.S. Navy percentage multiplier		.7	.3
Cost for ship work using Navy apportions	161.30	119.6	30.7
Less U.S. cost	150.34		
Total savings for ship work in United States	[4] 10.96		

[1] Yokosuka Shipyard—Yokosuka, Japan.
[2] Long Beach Naval Shipyard—Long Beach, CA.
[3] Superintendent of Shipbuilding—San Diego, CA.
[4] Over 5 years, or $2.2 million per year, 1993–97.

Note.—Composite of Naval work: 70 percent public, 30 percent private. The US Navy apportions 70 percent of all ship work to public shipyards like LBNSY. Private shipyards, under the jurisdiction of the Superintendent of Shipbuilding, receive 30 percent of all work.

TRIBUTE TO LENNY AND ELAINE CIOE

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. REED. Mr. Speaker, I rise today to pay tribute to two outstanding Rhode Islanders, Lenny and Elaine Cioe who have dedicated their time, talent, and special efforts to the Rhode Island Parkinson Support Association.

Since 1983 they have been devoted members of RIPSA. Lenny has served as treasurer since 1986, and has contributed his computer skills and expertise to the organization, they have been particularly involved with the Young Parkinson's Support Group. The Cioe's are truly dedicated to the mission of the Parkinson Support Group which is to "Ease the Burden * * * Find the Cure."

This special couple have been an example to many who are afflicted with this disease. Lenny and Elaine have risen above the challenges that they personally face to unselfishly effect, in a positive way, the lives of others who similarly face the daily struggle of living with Parkinson disease.

Their warmth, compassion, and source of strength has made a difference in the lives of many and I applaud their commendable efforts to provide assistance, encouragement, and support.

It gives me great pleasure to commend Lenny and Elaine Cioe for providing inspiration to those who cope with this disease and to honor them for the courage and compassion that they impart to others through their service to this outstanding organization.

TRIBUTE TO JAMES A. GILMARTIN

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to a truly remarkable and gifted man from Hamburg, PA. It is an honor for me to take to the floor of the House of Representatives to tell my colleagues about a longtime friend who is retiring after 30 years of devoted public service in the Hamburg Area School District.

Mr. Speaker, for the past three decades, Mr. James A. Gilmartin has targeted his professional energies to improving the quality of education in Hamburg. He began his career as a teacher and basketball coach in his hometown of Pittston, PA and in 1967 became an assistant high school principal in the Hamburg Area School District. Just 4 years later he was promoted to the assistant superintendent's position and in 1978 Jim Gilmartin was elected superintendent, where he served until earlier this year. Over the years, one could not speak of Jim's career without having the words dedicated, impressive, successful, and formidable enter into the conversation.

Jim Gilmartin is also an active citizen. He is a member of the board of directors of the Berks County Chamber of Commerce, past president of the Rotary Club of Hamburg, and a member of the board of directors of the Public Education Foundation for Berks County. He also served as assistant fire chief in Pittston, worked with the Ambulance Association in Hamburg, and gives his time to Crime Watch and Meals on Wheels.

To sum up Jim's life would be impossible. Suffice it to say that he is a perfect example of a concerned and active citizen dedicated to improving the quality of life of those in his community. His presence will be sorely missed and his enthusiasm and devoted efforts will be impossible to replace. Jim Gilmartin has blessed his community and friends with a life of inspired service and special camaraderie, and I for one feel honored to have known him. I know that my colleagues here in the House of Representatives join me in thanking Jim for all that he has done for his family, friends, and community.

TRIBUTE TO SUNBURY ROTARY CLUB UNITS 75TH ANNIVERSARY

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to the Sunbury Rotary Club, of Sunbury, PA, on the occasion of its 75TH anniversary.

The core of the Rotary Club's philosophy is service to others, and in 1917, several of Sunbury's prominent business and professional leaders wanted to spread that philosophy to their community. The Sunbury Rotary Club, No. 272, was established in 1917, and since then has worked diligently to better their community and to help those in need.

In its first years, the Sunbury Rotary Club worked to sell war bonds and raised money for the local hospital, the American Red Cross, and the YMCA. Over the years, the club worked diligently for the construction of the local YMCA building, the establishment of the regional chamber of commerce, the formation of the local youth and community center, and the purchase of a headquarters for the Susquehanna Valley Area Council of the Boy Scouts. Other significant contributions made by the Rotary Club include helping raise funds for the Sunbury Community Hospital's building program, the construction of a new YMCA, and the placing of American flags on the Veterans' Memorial Bridge.

Many charities have benefited from the Sunbury Rotary Club's hard work and dedication over the years, such as PolioPlus, which is aimed at eliminating the scourge of polio and other childhood diseases throughout the world. Other organizations, from the Salvation Army to the American Heart Association, and numerous high school programs have been beneficiaries of the Rotary Club's goodheartedness.

The Sunbury Rotary Club has been a shining example of what defines community service. For three-quarters of a century, members of this club have given of themselves tirelessly to improve their community and give a hand to those who need a little help. Thankfully, the

future of this club looks as bright as the past, with an active, hard working membership dedicated to service.

Mr. Speaker, I ask all of my colleagues to join me in honoring the Sunbury Rotary Club, and congratulating them for 75 years of outstanding service to the community. I know we all wish them the best for another 75 years of that same kind of service.

CHARLIE SHEPARD, 50 YEARS OF PUBLIC SERVICE

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, I take this opportunity to pay tribute to Mr. Charles "Charlie" Shepard. Mr. Shepard has dedicated his life to public service and has been an inspiration to all those who have worked with him over the past 50 years. His longstanding political service deserves recognition.

In the early 1940's, Mr. Shepard began his service as the Massachusetts State representative from the fourth district in Worcester. After some time getting to know the ropes of State ways and means committee in 1947. He stayed at that position until 1965, when he took over as the deputy commissioner and then the commissioner for the fiscal affairs office for administration and finance. He continued with this job until 1970. His interest in politics, particularly in tax legislation, did not end there. Since leaving the position of commissioner, Mr. Shepard has served as a consultant for the Massachusetts Tax Payers Association. Today, at the age of 90, he still dedicates his time to tax consulting.

Along with all of his political activities, Mr. Shepard has been a member and past master of Quaboag Masons Lodge for over 50 years. He also served as past president of a local bank and served on the board of a local hospital. His commitment to his community is remarkable.

Mr. Shepard garnered success and respect while serving in all of these positions. The people of Warren started to display their appreciation when they selected Mr. Sheperd as the grand marshal for both the 200th and 250th anniversary parades of the town. The dedication of the Warren town report is an uniquely fitting touch to commemorate his devoted political career. I wish Charlie Sheperd all the best in the years to come. He has created a truly amazing record of public service and plans to continue to serve in the years ahead.

FLORA GREEN PUTS HER GREEN THUMB TO WORK FOR SOUTH FLORIDA'S NEEDY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Ms. Flora Green, co-owner of Foliage by Flora, a plant rental and landscaping company in Miami's West Kendall area, who was recently featured in the Miami Herald. The article "Old office foliage grows into fund-raising marvel," by Manny Garcia, tells how Ms. Green has donated used plants from her business to many nonprofit groups and schools to raise money for worthwhile causes:

When children at Campbell Drive Elementary School needed money to buy dictionaries, teachers turned to Flora Green, one of Kendall's most charitable green thumbs.

Green, co-owner of Foliage by Flora in West Kendall, a plant rental and landscaping company, gave the school two truckloads of plants for its fund-raiser. Teachers netted $1,700, enough to buy dictionaries and maps of the United States and the world for 500 students.

"We never would have done it without Flora," said Dorothy Ridge, a teacher at Campbell Drive Elementary, 15790 SW 307th St.

For the past two years, Green has been donating used plants to nonprofit groups, schools and companies. Money raised has gone toward AIDS awareness, bought toys for abused children and purchased medical equipment for the pediatric intensive care unit at Jackson Memorial Hospital.

"If I can help people, it makes me feel good," said Green, who founded the company at 14260 SW 136th St. 17 years ago with partner Jo Gillman.

Green said she got the idea for the giveaway two years ago when friends asked her for used plants they could sell for their temple.

"For so many years, we were just throwing them out," Green said. "That's when we realized we could do more."

Soon, she was giving plants to customers such as John Alden Life Insurance Co., which recently raised more than $5,000 during AIDS Awareness Week. Green then started getting calls from organizations and people who learned about her program through word of mouth. More than 25 groups have received plants.

Green said she donates her plants from "recycled stock," meaning plants that are returned from offices because they are either old, overgrown or have fungus—nothing, she said, that someone with a green thumb can't cure. Plants recently donated include peace lilies, corn plants, Chinese evergreens, ficus trees and bromeliads. Plants have been sold for 50 cents to $50.

"These are all quality plants, but they've been at sites for a while and no longer meet our standards," she said.

Students at Booker T. Washington Middle School in Overtown recently earned $600 from a plant sale. Corris Phillips, and occupational specialist at the school, said students were so thrilled by the program they want to build a greenhouse where they can rehabilitate and sell the plants.

"This is a beautiful program," he said. "We've used the money for field trips."

I am happy to commend Ms. Green by reprinting this article from the Miami Herald. Her generosity has helped countless numbers of good causes in south Florida over the last 2 years. She is truly one of the brightest of south Florida's thousand points of light which through their hard work has helped make our community and Nation a better place to live for everyone.

A TRIBUTE TO CAPT. ERNIE GILILLAND, 1992 CHINO FIREMAN OF THE YEAR

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of Capt. Ernie Gililland. Gililland is retiring following 27 years of service with the Chino Fire Department. He will be honored, along with his colleague, William Harris, as the 1992 Chino Fireman of the Year on May 12, as the city of Chino celebrate Public Safety Day.

Ernie's record with the fire department is well known. He began his career in 1966, was promoted to engineer in 1972, and moved up to become captain in 1978. Over the years, he has played a critical role in battling some of the major fires in the Chino Valley. In addition, he has been responsible for the inventory and purchasing of departmental fuel.

Along with his firefighting duties, Ernie also enjoys golfing, fishing, and hunting. He has been married for 32 years and has three children and two grandchildren.

Mr. Speaker, I ask that you join me, family, and friends in recognizing the outstanding contributions of this firefighting professional. His dedication to public safety over the years, and commitment to the community, is certainly worthy of recognition by the House of Representatives.

HONORING ALFRED F. HERRERA ON THE OCCASION OF HIS RETIREMENT AS CITY MANAGER OF IRWINDALE, CA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. TORRES. Mr. Speaker, I rise today to ask the House of Representatives to recognize a dedicated and accomplished man, Alfred Fraijo Herrera, city manager for Irwindale, CA. Alfred retired on September 12, 1991, from the city of Irwindale after 32 years of dedicated service. He will be honored at a testimonial dinner on May 8, 1992.

A lifetime resident of the city of Irwindale, Alfred attended Merwin Grammar School and graduated from Covina High School. He also served as a sergeant in the U.S. Army from 1957–59. Married for over 32 years, Alfred and his lovely wife Esperanza Guerrero, have two children and two great-grandchildren.

Alfred began his tenure with the City of Irwindale in 1959, and has held numerous positions, including, youth leader and park groundsman, traffic motorcycle officer, license and zoning officer, personnel director, assistant city manager, assistant executive director of community redevelopment, and most recently served as the city manager and director of the community redevelopment agency.

His accomplishments and community work are varied. He has served as president of the

Irwindale Chamber of Commerce Board of Directors, board member for the American Red Cross, Irwindale Quarry Rehabilitation Committee, blue ribbon committee for senior citizen building, the San Gabriel Valley Association of City Managers, and the Association of City Personnel Directors for the State of California.

Mr. Speaker, on May 8, 1992, the Irwindale Chamber of Commerce, family, friends, and civic leaders will gather to honor Alfred Fraijo Herrera for his dedication to the advancement and betterment of the city of Irwindale and the San Gabriel Valley. I ask my colleagues to join me in saluting my friend and a true community asset, Alfred Fraijo Herrera, for his outstanding record of public service to the people of Irwindale, and to wish him well with his future endeavors.

TRIBUTE TO THE SACRAMENTO CHAPTER OF THE JAPANESE-AMERICAN CITIZENS LEAGUE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MATSUI. Mr. Speaker, I am honored to rise today to bring to my colleagues' attention the work of a distinguished public service organization, the Sacramento Chapter of the Japanese-American Citizens League.

Over the years, the league has dedicated itself to improving the quality of life for all members of the Sacramento community. Through their commitment, the league has assisted many young students in furthering their education by offering scholarships to distinguished college-bound students.

The Japanese-American Citizens League is most deserving of our thanks and our praise for their efforts and compassion. There are few causes more worthwhile than encouraging our young people in their efforts to enhance their education and contribute in a meaningful way to society. Given the unprecedented challenges arising from the vast and significant changes which are taking place in our society, the importance of an advanced education is greater now than ever before.

I wish to commend the league on this act of public service, and extend my personal congratulations to each of these students for their academic excellence. Being honored with scholarships are: Mary Sadanaga of St. Francis High School, Karin-Elizabeth Ouchida of Rio Americano High School, Jolene Nakao of John F. Kennedy High School, Kimberly Takahashi of John F. Kennedy High School, Beverly Asoo of C.K. McClatchy High School, Julie Tollefson of Del Campo High School, Peggy Hirai of Hiram Johnson High School, Ayume Matsunaga of Capitol Christian High School, Tami Sekikawa of C.K. McClatchy High School, Jennifer Morita of Mesa Verde High School, Ryan Nakamura of John F. Kennedy High School, Karen Hamamoto of Del Campo High School, Matthew Nishio of C.K. McClatchy High School, Anne Kato of Hiram Johnson High School, Devon Marlink of Valley Hi High School, Ryan Matsuo of John F. Kennedy High School, Valerie Okubo of C.K. McClatchy High School, Todd Imada of John F. Kennedy High School, Linda Cox of Center High School, Felicia Hashimoto of C.K. McClatchy High School, Eric Takahashi of John F. Kennedy High School, Brett Shibata of John F. Kennedy High School, Renee Kawamura of John F. Kennedy High School, Kent Matsuoka of C.K. McClatchy High School, Shelly Abe of Encina High School, Rose Howerter of Sacramento City College, Joy Kashiwagi of American River College, and Pati Futaba of Sacramento City College.

Mr. Speaker, I know my colleagues join me in wishing these students continued success in their academic endeavors.

MICHAEL LIPPMAN AND JEFFREY BENNETT, DADE COUNTY ENTREPRENEURS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize today two of my constituents, Mr. Michael Lippman and Mr. Jeffrey Bennett, who recently were featured in the Miami Herald for their successful Coral Gables food-delivery service, "Entree Express, Inc." The article, "Fresh-From-College Entrepreneur Sees a Future in Food Deliveries" tells how they started a successful new business and opened up a new market for area restaurants by offering door-to-door delivery from 10 restaurants in Coral Gables and Coconut Grove:

FRESH-FROM-COLLEGE ENTREPRENEUR SEES A FUTURE IN FOOD DELIVERIES

You've had a long day at the office. You want your dinner hot, and you want it now. But you don't want to go get it.

And you definitely don't want to order in pizza for the third time this week. What to do?

Enter Entree Express Inc.

Majority owner Michael Lippman and partner Jeffrey Bennett operate a 7-month-old Coral Gables-based food delivery service that Lippman says has taken off in recent months.

The business, which delivers from 10 restaurants in Coral Gables and Coconut Grove, is negotiating with four others that could be under contract as soon as the end of this week, Lippmen said.

"You need strong restaurants for this business," Lippman said. "Maybe the strongest in the country are in Coral Gable. There are 46 within a one-mile radius, and there are also wealthy residents in the area."

Entree Express also delivers to Coconut Grove, South Miami and Key Biscayne and the Brickell area.

The company was formed in August 1991 in an office on Coral Gables' Miracle Mile. Lippman said he was sleeping on a pull-out couch in the office three to four nights a week, so he decided to buy a condo and move the business into his new home.

Today, doing business out of his two-bedroom condo with three phone lines, a fax, a two-way radio system and a computer, Lippman and Bennett employ five drivers and two sales people.

The sales people sell advertising for a quarterly magazine the company distributes to 15,000 people with incomes of $100,000 or greater within Entree's sales district. The magazine lists the companies Entree does business with and their menus.

"It's almost like two separate businesses," Lippman said. "The magazine is paid for by the money we make through advertising."

Lippman, who graduated last spring with a degree in business from Boston University, decided to start the company after studying the Orlando and Miami markets. Last August, the company was doing between 10 and 15 deliveries a week, he said. Now it's up to more than 100, with sales in excess of $25,000 a month.

"When I started the business, I made a huge mistake because I limited myself to five-star restaurants," Lippman said. "People told me that they'd order from me every night if I expanded my restaurant list."

Pietro Venezia, owner of Buccione Italian Ristorante in Coconut Grove, said he gets 25 to 30 orders a week through Lippman's company. He said some of his regular customers order Entree Express when they can't pick up their food.

"It's wonderful, and the customers are very satisfied," he said.

Entree Express charges the customer restaurant prices, but tacks on a 15 percent surcharge, generally considered the going rate for a tip. Lippman said he makes a profit because the restaurants sell him the dishes at a lower cost.

Fabio Feuermann orders through Entree Express almost every night to his office near Coral Gables.

"I stay late working in my company, South Beach Packing Corp., and ordering my food is great," Feuermann said.

I am pleased to pay tribute to Mr. Lippman and Mr. Bennett by reprinting this article from the Miami Herald written by Charles B. Rabin. Their story is typical of the many successful entrepreneurs who have achieved their dream through hard work and determination.

A TRIBUTE TO BARRY M. SPERO—THE OUTSTANDING ADMINISTRATOR OF MAIMONIDES MEDICAL CENTER

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SOLARZ. Mr. Speaker, I rise today to recognize one of the outstanding public servant's residing in the Brooklyn community which I am proud to represent. Mr. Barry Spero has been the president of the Maimonides Medical Center in Boro Park since 1990. This remarkable medical facility serves and provides quality care and immediate health services to hundreds of thousands of Brooklynites each year.

Barry Spero has been a terrific influence and source of new ideas for the medical center and the community. On numerous occasions, I have had the pleasure of visiting the facility and have witnessed first-hand the dedication and drive that Barry Spero has brought to his job. He has made himself readily accessible to the entire staff and the patients. He is also quite active in the greater community. For example, Barry developed and implemented a patient relations department which has improved provider/patient relationships and restored a greater trust of medical personnel in the community at large.

After receiving an undergraduate degree in science from the University of Richmond, Barry went on to receive a master of hospital administration in 1961 from the Medical College of Virginia. Before taking over as president of Maimonides in 1990, Barry was the president of the Newton-Wellesley Hospital in Massachusetts and president of the Newell Health Care System. Among his other professional posts was his successful service as the president of the Mt. Sinai Medical Center in Cleveland, OH, from 1977 to 1985.

Barry has not only been committed to health care, but also to the community in which he serves. He is a member of the Temple Beth Avodah and the Rotary Club. Furthermore, while in Ohio, he was appointed by the Governor to the Governor's Commission on Health Care Cost in 1984. Today, he is the chairman of the board for the Villa Maria Nursing Center/Bon Secours Hospital and sits on the Greater New York Hospital Association Board of Governors.

Barry Spero has truly made a difference every place he has been. I am proud and pleased to represent such an outstanding citizen before my colleagues.

IN HONOR OF IRENE KOKOCINSKI FOR WOMAN OF THE YEAR

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, it is a pleasure for me to honor Mrs. Irene Kokocinski of Webster, MA, who will be recognized as "Woman of the Year" at the Patriot Newspaper's 14th Annual Women's Recognition Night. The list of her accomplishments is self explanatory in justifying why she was chosen.

A native of Webster, Mrs. Kokocinski is a graduate of Bartlett High School and Lasell Junior College is Newton and Annhurst College in Woodstock. She did her graduate studies work at Worcester State College and Nichols College. Her heart was at Bartlett High though, for after completing her graduate work, she went back there to teach and eventually become the business department head. She served there for 26 years.

She also applied her business incitive and knowledge to her business, the Back Door Pub. As owner and manager for 5 years, she found numerous opportunities to apply the things she taught her students to creating a successful business.

Mrs. Kokocinski has been a long-term member of the Democratic town committee and is presently serving as the chairman. She recently was chosen as the first woman from Webster to be the Democratic State committee woman and is serving her first term. Her dedication to the Democratic Party is greatly appreciated.

Along with all of these accomplishments, Mrs. Kokocinski has been very busy in civic service. Currently, she is serving a second term on the local school committee. She is also serving her second term as the trustee of the Chester C. Corbin Public Library and is the vice chairman of the board of trustees.

She is also a member of the executive board of directors of the Hubbard Regional Hospital and a member of the Guild at the hospital as well.

Finally, Mrs. Kokocinski has been an advocate for the improvement of women's roles. When she was asked how she viewed a woman's role in today's society, she said, "The challenges facing the women of today are the same challenges that have always faced women. If there is a difference, it is today the challenges are more numerous. Also I feel we are finally receiving the recognition and hopefully the appreciation we deserve from the male population of our society for the many roles that we perform." With this list of extraordinary accomplishments, Mrs. Kokocinski speaks from experience as well as concern.

Mrs. Kokocinski still resides in Webster. She is the wife of Edward Kokocinski, another active member in the town and is the mother of 4 and the grandmother of 7 children.

For all of these reasons, it is easy to see why Mrs. Kokocinski is the choice for "Woman of the Year" and once again I commend her for all she has done.

CELEBRATION OF THE JUNIOR LEAGUE OF ANNAPOLIS

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to recognize and honor the Junior League of Annapolis on its 10th anniversary and for the outstanding contributions the league has made on behalf of the citizens of Anne Arundel County.

In a decade of service, the Junior League of Annapolis is a group that exemplifies all of the many wonderful things that can be accomplished through active citizen involvement for the benefit of needy individuals in our community.

I speak on behalf of all of the citizens of Anne Arundel County in thanking all of those people that are a part of the Junior League of Annapolis for making our county a better place. We wish you continued success in your future endeavors and, as a Member of Congress, I am looking forward to working with you to make a difference on behalf of the citizens of Anne Arundel County.

U.S. ROLE IN THE ALBANIAN ELECTORAL PROCESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. HAMILTON. Mr. Speaker, on March 2, 1992, I wrote to Secretary of State Baker concerning a letter I had received from Dr. Kastriot Islami, Speaker of the Parliament. Dr. Kastriot claimed that the American Embassy, the American Ambassador, and American groups had intervened in the Albanian electoral process. Albanian elections were held on March 22.

On April 10 I received a reply from the Department of State.

I would like to draw the attention of my colleagues to Dr. Kastriot's letter and attached memo, my letter to the Department of State, and the State Department's reply. The texts follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 1992.

Hon. JAMES A. BAKER III,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY: I write with respect to a recent letter I received from Dr. Kastriot Islami, Speaker of the Parliament of the Republic of Albania.

Dr. Kastriot says that the American Embassy, our Ambassador and some American groups are, through their actions and statements, intervening in the Albanian electoral process. I attach the Speaker's letter.

I would appreciate answers to the following questions:

How do you answer the criticism that the United States is, in its strong support of one group, intervening in Albania's internal electoral process?

Is it accurate that the American Ambassador or other American officials in Albania are making speeches or taking actions that identify the United States with a single political party, rather than limiting our role to support for free and fair elections and a democratic process?

Why do such perceptions arise in Albania about the actions of the American Embassy?

What steps are you taking to insure that we are not seen to be picking winners and losers in the electoral process and that the American Embassy in Albania is seen as neutral in the electoral process?

I appreciate your attention to this issue and I look forward to your reply.

With best regards,
Sincerely,

LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East.

REPUBLIC OF ALBANIA,
PEOPLE'S ASSEMBLY,
Tirana, Feb. 20, 1992.

Hon. LEE HAMILTON,
U.S. House of Representatives, Washington, DC

DEAR CONGRESSMAN HAMILTON: As the Speaker of the Parliament of the Republic of Albania, I want to express my personal appreciation and that of our Parliament for the interest you have shown in our country.

The Parliament recently passed a new election law, providing for free and open pluralistic elections in Albania. We will have a system of proportional representation which will guarantee representation of all political viewpoints in the Parliament.

There has been a general election called for March 22, 1992 and the many parties are active beginning their campaigns. I would hope that you could personally come to Albania to observe the campaign and election process. It would be my great pleasure to greet you and accommodate your visit.

As you may know, I am not a member of any of the parties. I was elected as an independent candidate and I have remained independent of the parties while presiding over the Parliament. From this unique vantage point, I have been able to observe the development of our political system and our par-

ties. I can assure you that we have many viable and democratic parties, representing every political point of view. We even have a Communist party, quite small and not very popular.

I have been concerned that the American observers of Albanian politics have looked only at the labels of the parties than at the people within them. There are many intellectual political leaders who are democrats in the various parties besides the Democratic Party members. And the democratic history of many Democratic Party members is not so strong as leaders in other parties.

The support for the one party by so many of your political groups and by the statements of your Ambassador can lead to resentment by the Albanian people who will not appreciate intrusion into our political system and who might hold views different from those of your representatives.

I do hope that you will plan to visit Tirana for our election. Democracy is alive and well here. Our economic situation is most difficult, but the people are genuinely enthused about the new freedoms of our reformed system.

With best personal regards.

Sincerely,

Dr. KASTRIOT ISLAMI.

THE UNITED STATES AND THE ALBANIAN ELECTIONS

The President of the People's Assembly of Albania, Kastriot Islami, tells a political joke that is making the rounds of his parliament. It goes like this:

"Can there be free and open elections in the United States?

Yes, because there is no American Embassy in the United States."

Islami is not a member of any of the parties in Albania. He was elected to the Parliament as an independent and chosen to lead the group because of his even-handed and independent posture. He expressed in this joke the concerns of many political and public observers of the situation in Albania today.

The Ambassador of the United States has been speaking out in support of the Democratic Party of Albania, in speeches to public forums across the country, and in private gatherings.

Important intellectuals in Albania express concern over America's intrusion into their election process. They see the Ambassador's position being expressed. They see USIA supplies of paper going to only anti-government newspapers. They see our international political institutions supporting the Democratic Party exclusively.

There are two fears expressed:

1. There will be a backlash against the United States from those who are resentful of the influence being made.

2. The eventual government, most probably a coalition of Democrats and Socialists, being denied proper relations from the United States.

Until last year, all of the important party politicians in Albania were Communists, active members of the Party of Labor. It is difficult to determine, on the basis of past performances who is more democratic. The leaders of all of the parties, including the Democrats, were all important Communists. Today, the platforms of each of the parties is similar, supporting democracy and a free market economy for Albania.

U.S. DEPARTMENT OF STATE,
Washington, DC.

Hon. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, House of Representatives.

DEAR MR. CHAIRMAN: Thank you for your letter of March 2, 1992, referring to the letter of Dr. Kastriot Islami, former chairman of the recently dissolved Albanian People's Assembly, in which he alleges that our Ambassador and his staff in Tirana have engaged in partisan activities. I am very grateful to you for having forwarded both a copy of the letter and the paper entitled "The United States and the Albanian Election."

The activities of the United States in support of Albanian democracy are by no means limited to a single entity such as the Democratic Party of Albania. U.S. assistance to Albanian political parties has been extended through several election organizations. The National Democratic Institute for International Affairs has conducted programs with all political parties in Albania and with the Albanian Peoples' Assembly, and has most recently given substantial aid to the fledgling Albanian Society for Free Elections and Democratic Culture, a domestic, nonpartisan election observer group. The International Republican Institute, has also worked directly with several opposition parties on their organization and the importance of truly democratic procedures within those fledging parties. The International Media Fund has helped to provide training to journalists in the use of modern tools (including use of computers and desk top publishing) and is procuring a new printing plant for the use of independent journalists. Similarly, we are providing technical assistance to Albania to help support the process of political and economic reform, including the running of free and fair elections. The International Federation for Electoral Systems (IFES), a U.S. government funded organization, provided the Albanian Central Election Commission with such assistance for the March 22 elections.

Prior to the national election, Ambassador Ryerson made public statements in several cities in Albania supporting pluralism and democracy and urging people to exercise their responsibility to vote though without reference to a particular political party. He publicly stated that the United States would conduct relations with whatever government the Albanians selected for themselves, provided the government had been chosen in truly free and fair elections.

We were surprised by Dr. Islami's characterization of himself as independent. He served as Minister of Education in the Socialist government prior to the March 1991 elections. In that capacity, he was responsible for closing all the country's universities following a student protest aimed at dropping the name "Enver Hoxha" from the title of the University of Tirana. It is also worth noting that Dr. Islami was a Socialist Party candidate in the March 22 elections.

The experience of our representatives in Albania during this past year, including Secretary Baker's enthusiastic reception in Tirana last June, demonstrates that an overwhelming number of Albanians not only approve of, but welcome, our policy toward their country. They are extraordinarily appreciative of the support given over the years by the United States to those opposed to totalitarian communism. Indeed, the results of the recent Albanian national parliamentary elections reinforce this belief. The Albanian Central Election Commission has reported officially that the Democratic Party has won 79 out of 100 districts in the national parliamentary elections, while the Socialists have won only 6 districts. This result represents an overwhelming victory for the Democratic Party and its chairman Sali Berisha.

In the next few days, we expect to receive additional assessments from our Embassy and the reports of election observers, but from preliminary reports, the elections appear to have been conducted without serious incident or violence.

I hope this responds to your concerns. If I can be of further assistance to you in this matter, please do not hesitate to contact me again.

Sincerely,

JANET G. MULLINS,
Assistant Secretary for Legislative Affairs.

IN REMEMBRANCE: ERNESTO MONTANER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is my sad duty to note the passing of a good friend of mine Ernesto Montaner, who was known as the exile poet. Mr. Montaner came to this country some 33 years ago after a successful journalistic career in his native Cuba. Well known as a talk radio commentator, Mr. Montaner earned his title as "the exile poet" for a collection of poems that invoked the hurt and loss of those separated from their native land. His obituary, by Joel Gutierrez of the Miami Herald, recounts his life and accomplishments:

JOURNALIST ERNESTO MONTANER, "THE EXILE POET"

(By Joel Gutierrez)

Radio commentator Ernesto Montaner, know to many as The Exile Poet, died early Sunday morning of a heart attack. He was 77.

Montaner was an accomplished poet who touched the hearts of many exiles. He was also known for his sharply sarcastic verse couplets, which often lampooned people in the political arena.

"As a journalist in Cuba as well as here, he shone for his talent and his Cuban-ness," said longtime friend and fellow radio commentator Armando Perez Roura. "He was an excellent person."

Montaner was born in Havana. He studied at the Marquez Sterling Journalism School and later graduated from the University of Havana.

He worked for several Cuban magazines, including Bohemia. Some of his sharply-turned verses appeared in the "Relampagos" (Lightning) column published under the byline Vulcan.

In 1959, Montaner and his wife, Lourdes, came to the United States, where he soon formed a weekly newspaper called Patria (Homeland). In 1960, he published a book of poems, Under A Foreign Sun.

"In that book he gathered all the poems provoked by the pain of exile," said Perez Roura.

That and other works prompted the Miami Lions Club to christen Montaner as The Exile Poet. His poems have been read at numerous patriotic ceremonies in Little Havana.

In later years he hosted several talk programs on Spanish-language radio. He and his wife, who is a also a radio commentator, wrote songs together.

In addition to his wife, he is survived by three sons, Ernesto, Roberto and Carlos Alberto; a brother, Pedro Montaner; nine grandchildren and four greatgrandchildren.

A funeral Mass will be at 1 p.m. today at St. Raymond's Catholic Church. Burial will follow at Woodlawn Park North.

Mr. Speaker, I wish to extend my heartfelt condolences to Ernesto Montaner's widow, Lourdes, who is a dear friend of my family, and the entire Montaner family and assure them that someday soon his words will be heard in a free Cuba.

TRIBUTE TO TALMUDICAL ACADEMY OF BALTIMORE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CARDIN. Mr. Speaker, today I rise to pay tribute to Talmudical Academy of Baltimore as it celebrates its 75th anniversary. To celebrate, the academy will have the largest, most ambitious banquet in its history on Monday, May 25, 1992 at the Baltimore Convention Center.

Talmudical Academy is one of Baltimore's premiere schools. It is the oldest day school in the United States outside of New York City. From a beginning of only 6 students, it now boasts an enrollment of over 600 students.

For 75 years, Talmudical Academy has provided Jewish young men with a dynamic, ambitious and unique education. The school has a reputation for excellent Torah and secular studies which complements the students' other abilities and interests. TA strives to create a high scholastic atmosphere where each student develops his own unique qualities and becomes self-motivated, self-assured, and self-disciplined.

Mr. Speaker, I hope you and my colleagues will join me in recognizing the efforts of the educators and students at one of Baltimore's finest schools for secular teachings.

CELEBRATION OF THE ODENTON ELEMENTARY SCHOOL'S 100TH BIRTHDAY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to recognize and honor the administration, faculty, staff, and student body of Odenton Elementary School on its 100th birthday and for being an outstanding place of learning for all of its young students.

Throughout its century of existence, the Odenton Elementary School has been an institution that exemplifies all of the positive qualities of learning that our young students need.

I speak on behalf of all of the citizens of Odenton in thanking all of the faculty and administrators that have been and are a part of the Odenton Elementary School that have made and continue to make it a valuable addition to our community. As well, I would like to thank them for their contribution in expanding the minds and creativity of many generations.

As a Member of Congress, I am looking forward to continuing to work with the Odenton Elementary School to make a positive difference on behalf of the citizens of Odenton.

SOME BITTER MEDICINE FOR CONGRESSIONAL HEALTH

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MAZZOLI. Mr. Speaker, I submit for the attention and possible comment of my colleagues an article which I wrote for the Louisville Courier-Journal, and which was published on April 7, 1992.

[From the Louisville (KY) Courier-Journal, Apr. 7, 1992]

SOME BITTER MEDICINE FOR CONGRESSIONAL HEALTH

(By Romano L. Mazzoli)

WASHINGTON.—The U.S. House of Representatives has come under fire lately for failure to keep its own shop in order—namely, for member overdrafts at the House bank, mismanagement at the House Post Office, unpaid restaurant bills, and the proliferation of "freebies" that are not generally available to the public.

While I am not a check-bouncer, I am saddened by the erosion of public confidence in elected officials and in the institution of Congress. To restore this public confidence and to revitalize our institution will require real, fundamental change.

The growing wave of public cynicism and outrage over bad checks and Congressional perks is symptomatic of deeper concerns about Congress and government at all levels. Voters fear a loss of statecraft as well as moral compass in their leaders. The perception—real or not—is that government is for sale to the highest bidder, and that politicians in Washington are more concerned with self-preservation than with the public good.

I have a three-part prescription for what ails Congress and what troubles the people. It is strong medicine—perhaps even bitter—but in each case necessary.

First and foremost, we must radically reform our system of campaign finance.

People need to be put back at the heart of the political process. Elections should be about ideas and records, not about who has more money and more television commercials. The public, sadly, believes that Congressional decisions are more often based on money than on merits or demerits.

Since I gave up political action committee (PAC) funding in December, 1989, I have seen a renaissance in traditional grassroots politics in the Third Congressional District. Turning away from special interest funding has strengthened existing ties with hard-working everyday people, as has my more recent decision to limit contributions to not more than $100 per person, per election.

If more members of Congress listened to the folks at the grassroots, rather than to PACs, there would be greater personal and political accountability and a better brand of lawmaking.

Second, dramatic institutional changes must be made in Congress.

I have co-sponsored legislation to set up a bipartisan committee to give a stem-to-stern review of the way Congress operates. The result of this process should be a reduction in the number of congressional committees and subcommittees and the burgeoning staffs assigned to these committees.

The House leadership has undertaken some internal institutional changes in response to the bank and restaurant scandals.

Some of the remaining so-called perks are reasonable and sensible—comparable to employee benefits and opportunities available to most Americans in private as well as public employment. Other perks are excessive and abusive and should be eliminated. I have co-sponsored legislation to this end.

Further changes must be made in the use of the "frank," the free mailing privilege for members of Congress. Every member should have postage funds to correspond with all constituents who write or call. However, I don't believe members of Congress should spend hundreds of thousands of dollars for postal patron mailings that go to each and every mailbox in the district, nor should taxpayers foot the bill for large-scale targeted direct mailings. (My most recent postal patron mailing was a combination newsletter and town-hall meeting notice sent last summer; now, I have decided to drop these mailings entirely.)

Another needed reform: Laws passed by Congress should apply to Congress. We started in the right direction several years ago when we put Congress under Social Security. Last year we placed Hill employees under the Fair Labor Standards Act and the Americans with Disabilities Act. But, we and our employees should be brought under all the laws which cover individuals and businesses. I have legislation to do just that.

My third Rx is a strong and distasteful potion for members of Congress and constituents alike: We must drop pork—not the meat, but the unnecessary, wasteful federal spending programs—from our diet.

Unless elected officials say no to their constituents on a selective, thoughtful basis about issues and projects, the noose over Congress and the executive is tightened and the deficits grow. We must make "tough love" decisions for the good of the nation and for the good of the generations to come.

In all cases, members must "lay it on the line" to their colleagues and constituents despite political risk. The stakes for the nation are too high, and growing daily, for us to do less. Honest and clear speaking will also raise the level of debate on the issues of the day, and will activate and energize the voters as nothing else will.

People who have a voice in the system, and who feel that their real problems are being addressed honestly and forthrightly by the political system, will accept their duty to cast a thoughtful ballot and bear the burdens which solving our national problems carry.

This three-part prescription will not be easy to swallow.

Real reform is a foxhole-by-foxhole fight. Destroying our "firearms"—political action committee contributions, franked mailings, favorite spending programs for our constituents—and telling citizens the unvarnished truth is a lot harder than calling in the media mavens, the pollsters and the spin doctors to devise a 30-second, feel- good, free-lunch message designed to divert or distract but not to educate.

But for this nation to move confidently and commandingly into the third millennium, we must change the way we look at government, at money, and at ourselves. It is the only decent and right thing to do. I hope we get on with the task.

FIU WOMEN'S BASKETBALL TEAM A WINNER UNDER COACH RUSSO

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Florida International University Coach, Cindy Russo, for winning the Trans America Athletic Conference championship. This victory marks the third conference win in the past 5 years. When you have to share media attention with a national athletic powerhouse such as University of Miami, it is hard to get your proper share of respect. As Miami Herald reporter Todd Hartman points out, the FIU team has earned its time in the spotlight. The article, "FIU Women Deserve Spotlight, Not UM's Shadow," follows:

The news media have been heaping well-deserved praise on the University of Miami women's basketball team, a wonderful group that won hearts with a Big East Conference championship and a No. 6 national ranking.

In the process, though, the best Division I basketball program—men's or women's—in South Florida over the last decade, the Florida International University women's team, has once again been left shaking its collective head amid the dust of anonymity, wondering what it must do to get anyone to look its way.

The FIU women finished 22–8 this season and won the Trans America Athletic Conference championship—FIU's third conference title in five years. The 22 wins marked the seventh time in eight seasons that FIU coach Cindy Russo has guided the program to 20 or more wins—the benchmark for college basketball excellence.

Nevertheless, the FIU women are seemingly locked out of the media mainstream. They are perhaps the best-kept sports secret in Miami. Trouble is, they don't want to be.

"I do feel bad for myself and the coaching staff, but I feel worse for the players," Russo said. "We deserve more recognition, but we try not to dwell on it."

She tries not to. This season, after seeing the media to go gaa-gaa over the UM women, it's getting harder for Russo not to feel jilted. She's first in line to marvel over the achievements of UM coach Ferne Labati, but Russo, who four times in 10 seasons has won conference coach-of-the-year honors, is beginning to wonder what FIU has to do to get noticed.

She has a great lineup of players, including three from Eastern Europe. Freshman Andrea Nagy, a 5–7 Hungarian, is the top point guard in the conference and among the best in the country. She has shattered the school's assist record and finished second in the country in that category, averages more than 14 points a game and was selected to three conference all-star teams.

FIU's conference, the TAAC, showcases excellent basketball. Two players—Mercer's Andrea Congreaves and College of Charleston's Denise Hogue—led the nation in statistical categories. Congreaves led the country in scoring with 33 points a game (second all-time), and Hogue blocked 5.3 shots a game, also best in the country and second all-time.

Things are still moving forward at FIU. Russo has the full support of the athletic administration, and the reputation of the women's basketball program continues to spiral upward. But, reminds an increasingly frustrated Russo, "It just seems like in this community it's not enough to be good."

It should be noted also that this was the 11th season in a row that FIU finished with a winning record. Only twice in 15 seasons have the FIU women finished under .500. UM comes close, but it can't match that record.

It's more evidence that South Florida's best Division I basketball program isn't necessarily in Coral Gables but inside FIU's Golden Panther Arena.

The women at FIU just wish somebody realized it.

Mr. Speaker, I commend coach Russo and her players for their hard work and competitive spirit. South Florida has the right to be proud of the achievements of all its universities in general and the FIU women's basketball team in particular.

A TRIBUTE TO THE COMMUNICATION ARTS GROUP AND THE PRINTING TECHNOLOGY GROUP

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SOLARZ. Mr. Speaker, I take great pleasure in rising today to pay tribute to the Communication Arts and Printing Technology Group of Cavallaro Junior High School.

On May 21, 1992, the youngsters from Cavallaro Junior High School will visit Washington, DC, and tour the historic sites that are so integral to our country's heritage. These students are participants in a special Cavallaro Junior High School program which teaches democracy and American ideals. I truly believe that programs of this kind are the best way our country can reinforce and continue to develop the values for which our country stands. By actually seeing the workings of democracy in action, these youngsters are sure to develop an appreciation for the process and become active participants in its future.

I am truly proud to congratulate the Communication Arts and the Printing Technology Group for its trip to Washington, DC, and its active pursuit of the democratic ideals that make our country great. I am also proud to acknowledge the wonderful people who make these trips work, Rose Molinelli, principal, and Stephen Porter, administrative assistant, and I wish them continued success in their contribution to the community and, more importantly, to our children. These young people are our future. Their education, experiences, and values are our future.

RECOGNITION OF WORKERS MEMORIAL DAY

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. REED. Mr. Speaker, I am joining many of my colleagues and thousands more across this great country in taking time today to recognize Workers Memorial Day, a day in recognition of the hundreds of thousands of American workers who suffered and die from workplace hazards.

This is a great nation. We should not, in 1992, still be faced with such situations as the fire at the poultry plant in Hamlet, NC; 25 people died in that fire working in conditions that should have been stamped out many years ago.

Why did this tragedy happen? In the 11 years it was operating, that plant has never been inspected by Federal or State safety officials. The death of those workers, the day after Labor Day, should, at the least, send a wakeup call to this Congress and to Federal and State safety officials everywhere.

As a member of the House Committee on Education and Labor, I have been examining the causes of the Hamlet fire. This fire was no accident. It was the result of lax regulations and casual—at best—oversight.

On this Memorial Day, I will be joining hundreds of thousands of others in observing a moment of silence for the workers lost in that tragic fire.

But the time for silence is over; it is time for action.

The statistics on workplace deaths and injuries are terrifying. According to research compiled by the AFL–CIO, every year more than 10,000 workers are killed by workplace hazards; more than 6 million workers are injured on the job; 60,000 workers are permanently disabled; and as many as 100,000 workers die from the long-term effects of occupational diseases.

The Occupational Safety and Health Act of 1970 was designed to guarantee American workers the right to a safe and healthy workplace. And yet, since this act was passed, more than 245,000 workers have been killed on the job; more than 100 million work-related injuries have occurred; and as many as 2 million workers have died from occupational diseases.

This year I will be working with our chairman, Representative BILL FORD, and the other members of this committee to strengthen workplace safety laws so that next year, on Workers Memorial Day, we can remember those we lost but also, hopefully, recognize the steps we have taken to protect American workers.

I pledge today, Workers Memorial Day 1992, to do what I can to make the workplace safer. I urge all my colleagues to join me in this promise.

TRIBUTE TO GEORGE LAURENT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CARDIN. Mr. Speaker, today I rise in honor of George Laurent, who pioneered a career that involved him in one of the major social issues facing this Nation—relations between African-Americans and white Americans.

For 25 years, Mr. Laurent has been the executive director of Baltimore Neighborhoods, Inc., a nonprofit fair housing agency. The agency, and the greater Baltimore community have benefited from his extraordinary energy, creativity, and commitment to the struggle against discrimination. The challenge has been to change the way business is done, and to change the way people think.

George Laurent nurtured BNI from its early days through years of expanding activity, easing racial tensions in neighborhoods, monitoring and reporting on housing industry practices, educating the community about rights and obligations under the fair housing laws, responding to complaints of discrimination, and assisting with tenant-landlord disputes.

Today, BNI is considered one of the Nation's most effective fair housing organizations. It has a wonderfully dedicated, able, eight-person staff and a large corps of volunteers. However, it is the vision, commitment, intellectual grasp, and moral strength of George Laurent—plus his intense visceral conviction that each person should be treated fairly as a human being—that has nourished and shaped BNI and has inspired so many others whose paths he has crossed.

CARLOS FERNANDEZ: TURNING HIS DREAMS INTO REALITY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Carlos Fernandez, who recently was featured in the Miami Herald after purchasing Purity, Inc., a Miami maker of food and cleaning products for institutions. The article, "Executive Finds a Company To Call His Own," by Derek Reveron, tells how the 46-year-old entrepreneur plans to expand the company's market from Florida to throughout the Nation:

A maxim from Carlos Fernandez: Don't become an executive unless you plan to run your own business empire.

Fernandez, a Cuban American with no college degree, has set out to do just that.

Backed by Mesirow Financial Holdings, a Chicago investment firm, the former Borden Inc. executive purchased Purity Inc., a Miami maker of food and cleaning products for institutions. Fernandez plans to extend the company's reach from Florida to throughout the South and then nationwide.

Is Fernandez dreaming? Would-be conglomerate builders are as common as movie star wannabes. But Fernandez separates himself from the pack. It's one thing to dream, he said. It's another to back it up with cash.

Yet, he wouldn't be specific about the amount of capital available from Mesirow to expand the company and make acquisitions. "I feel very comfortable with the amount they're giving me," he said.

ONE-THIRD OWNER

Mesirow, which specializes in buying small- to mid-size firms, funded the Purity acquisition in September. Terms were not disclosed. Now, Mesirow owns 66 percent of Purity, and Fernandez the remaining 33 percent.

Mesirow spokesman Michael Smith said that the company's partners have known Fernandez since he was a Borden executive in Chicago. The deal "took a lot of selling" because Purity didn't have financial audits by an outside accounting firm, Smith said. After an independent audit, he said, Mesirow's interest peaked.

Founded in 1934, Purity was a family-run firm until its sale. The company was 84 employees. Sales in 1991 were $22 million, up from $18 million the previous year. Earnings rose 10 percent.

Purity makes 200 different food products and more than 150 cleaning compounds and supplies. Food products account for 85 percent of sales. The company's primary customers are large companies, such as Sysco, that distribute food and cleaning products to institutions.

All of Purity's U.S. customers are in Florida, mostly south of Orlando. Exports, mostly to the Caribbean, account for about one-fourth of the company's sales.

If anybody can mold Purity into a big money maker, it's Fernandez, according to those who know him.

"He's a natural entrepreneur," said Bob Hughes, who was vice president of sales for a Borden division headed by Fernandez. "He's warm but street-wise and tough, from living in Chicago when he was young."

When Fernandez took over the division, it was losing about $2 million a year, Hughes said. Within 18 months, the division had net income of $1 million a year, he said.

CAME FROM CUBA

Fernandez, 46, arrived from Cuba in 1962 at the age of 16. He came with his mother to join his father in Chicago. He worked in the food-service industry all of his adult life. When he was 18, he landed a job as a laborer in a Borden food-production facility. A year later, he became a shift supervisor. He went on to become general manager of two of Borden's institutional food-service divisions.

He climbed the management ladder without a college degree. He took a handful of courses in finance at a local junior college.

"I took just what I had to know to do my job," he said.

Such attributes could take Fernandez only so far in a major corporation. And, he thought, why struggle up the corporate ladder when he was ready to run his own company?

In 1990, he left Borden to seek a company to buy, and the financing with which to buy it.

He hired a business broker, who recommended Purity.

Fernandez researched the company. He found a tasty takeover target: Steady revenue and profit growth. Lack of marketing aggressiveness. An unwillingness to expand beyond Florida.

"They were successful with what they were doing and content with it," Fernandez said.

Purity's owners, brothers Bart and Daniel Jaffe, wanted to sell. They were approaching retirement age and were weary of the business.

NO OUTSIDE AUDITORS

Fernandez needed capital. He contacted Mesirow, which arranged financing through a Canadian bank. Before the deal could be made final, Fernandez and Mesirow needed the detailed financial information that comes in an audit. However, Purity didn't have outside auditors.

Then the Jaffes agreed to an unusual arrangement. They would pay Fernandez to run the company so he could learn the details of the company's operation and make a final decision on the purchase.

Fernandez became general manager of Purity in December 1990. The deal was signed in September 1991.

Now, Fernandez plans to make Purity the core of a budding conglomerate. Here's what he has done so far:

Boosted the sales force from 9 to 11.

Fired the president of the cleaning compound division. The reason: Fernandez could handle the job, making the highly paid position unnecessary.

Hired a marketing and public relations firm.

Changed the name of the company, from Purity Condiments to Purity Inc., to reflect the company's broadened product range.

When you start making such moves, building a conglomerate "is no longer a dream, but a reality," Fernandez said.

I am happy to pay tribute to Mr. Fernandez by reprinting this article. After arriving from Cuba in 1962 at the age of 16, Mr. Fernandez worked his way up in the food-service industry to run his own company. Mr. Fernandez' story is typical of the many successful political refugees who have helped make America what it is today.

A TRIBUTE TO ENGINEER WILLIAM FERRIS 1992 CHINO FIREMAN OF THE YEAR

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of Engineer William Ferris. Ferris is retiring following 30 years of service with the Chino Fire Department. He will be honored, along with his colleague, Ernie Gililland, as the "1992 Chino Fireman of the Year" on May 12 as the city of Chino celebrates Public Safety Day.

Bill attended South Park Grammar School and Samuel Gompers Junior High School in Los Angeles and graduated from Chaffey High School in Ontario. He started his career with the El Monte Police Department as a photo clerk and pursued his police training at the Los Angeles City Police Academy. Following his training, Bill pursued a career with the fire department, finding it more suitable to his long-term interests.

Ernie's record with the Chino Fire Department is well known. He began his career in 1962, was promoted to apparatus engineer in 1964, and has been actively involved in the training of new apparatus engineers.

Along with his firefighting duties, Ernie also enjoys fishing and working on his home. He

also enjoys traveling and antique shopping with his wife, Betty, and their two sons.

Mr. Speaker, I ask that you join me, family, and friends in recognizing the outstanding contributions of this firefighting professional. His dedication to public safety over the years, and commitment to the community, is certainly worthy of recognition by the House of Representatives.

THE HOSTAGE CHAPTER IS NOT CLOSED

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues some correspondence three colleagues and I had with the President and the Department of State regarding Ron Arad, an Israeli airman missing in Lebanon since 1986 and known to have been held by captors for some time.

Ron Arad and others are still held and not accounted for in Lebanon and we must continue to work for the release of all those held outside the legal process in the region and for the accounting of all those missing in action.

The correspondence follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, February 20, 1992.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We are writing you today on strictly a humanitarian purpose. We have all recently been contacted by Tami Arad, wife of Captain Ron Arad, the Israeli navigator who has been missing in action since October 16, 1986.

Mrs. Arad's passionate plea for her husband has moved us to write you on her husband's behalf. She has asked that the United States government raise the plight of her husband in whatever contacts we might have with the Government of Iran.

Now that all the U.S. hostages are home from the Middle East it is indeed easy to forget that there are others whose fate is unknown. If the Iranians or other parties have or can obtain any information about the fate of Captain Arad we should do whatever we can reasonably do to insist that it be made known to her.

We understand the limitations that the U.S. has in this situation but urge that you make every possible effort.

With kindest regards for your efforts, we remain

Sincerely yours,

DANTE B. FASCELL,
Chairman.

LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East.

WILLIAM S. BROOMFIELD,
Ranking Minority Member.

BENJAMIN A. GILMAN,
Ranking Minority Member, Subcommittee on Europe and the Middle East.

THE WHITE HOUSE,
Washington, February 26, 1992.

Hon. LEE H. HAMILTON,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN HAMILTON: Thank you for your recent letter to the President, cosigned by three of your colleagues, requesting that the Administration seek information on the whereabouts of Captain Ron Arad in any discussions with Iranian officials.

We appreciate your contacting us on Mrs. Arad's behalf. In an effort to be of assistance, I have shared your letter with the President's national security and foreign policy advisors for their review.

Thank you again for writing.

With best regards,

Sincerely,

NICHOLAS E. CALIO,
Assistant to the President for Legislative Affairs.

U.S. DEPARTMENT OF STATE
Washington, DC April 6, 1992.

Hon. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, House of Representatives.

DEAR MR. CHAIRMAN: Thank you for the letter of February 20 regarding Israeli Airman Ron Arad. I have been asked to reply on the President's behalf.

Captain Arad has not been forgotten. On February 18, Ambassador Peter Burleigh, Coordinator for Counter-Terrorism, met with Mrs. Arad and assured her that the United States does not consider the hostage chapter closed.

The U.S. Government has called repeatedly for the release of all those held outside the legal process in the region as well as an accounting of all those missing, including Ron Arad. We fully support the efforts of the United Nations Secretary General to secure the release of the remaining captives.

Please be assured that, as we pursue all of our foreign policy goals in the Middle East, the fate of Ron Arad and the other captives is not forgotten.

Sincerely,

JANET G. MULLINS
Assistant Secretary, Legislative Affairs.

SAN BERNARDINO VALLEY COLLEGE CELEBRATES 65TH ANNIVERSARY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. BROWN. Mr. Speaker, it is with great pride that I recognize the anniversary of a fine institution of higher education in the 36th District of California. San Bernardino Valley College is celebrating its 65th anniversary this year.

San Bernardino Valley College was established in 1926, initially serving 140 students taught by a faculty of 17 situated in 4 buildings. Since its inception, it has grown dramatically. Over 13,500 students now attend classes taught by a faculty of 200 in 20 major buildings. In addition, the library boasts over 125,000 volumes.

As those numbers indicate, Valley College's curriculum has expanded greatly over the years. Its original primary mission was to provide 2 years of undergraduate courses in preparation for a transfer to upper division work at a 4-year institution. During World War II a number of technical courses were added to the curriculum in conjunction with military needs. The vocational-technical offerings have rapidly expanded and continue to occupy an important part of the college.

A real source of pride for Valley College is the Public Broadcasting Services [PBS] affiliate KVCR–TV. This PBS facility went into operation in 1962 and was one of the first television stations owned by a community college in the Nation. In addition to providing quality programming, it has become a leader in the development of instructional television and has given students the unique opportunity to train at a functioning television station.

I especially want to commend the people who have worked for the past 65 years to make San Bernardino Valley College the great college that it is today—college presidents. Dr. John Lounsbury and Dr. Arthur Jensen, who provided leadership for over half of the college's history. Although J.W. Daniel only served as president for 1 year, his 25 years at the college developing the instructional program and faculty personnel practices made Valley College a model for other community colleges throughout the State of California. The present president, Dr. Donald Singer, came to the college in 1990. For 65 years San Bernardino Valley College has enriched the lives of its students and I'm sure that it will continue to be a vital part of the community.

TRIBUTE TO SGT. MAJ. GARY A. BECTON

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MATSUI. Mr. Speaker, I rise today to salute the many achievements of a good friend and an outstanding American, Sgt. Maj. Gary H. Becton. Sergeant Major Becton is retiring after nearly 28 years of service in the U.S. Army, the last 4 of which have been at the Sacramento Army Depot in Sacramento, CA. It is a special honor to pay tribute to such a remarkable leader who has made such a great contribution to the Sacramento community.

Sergeant Major Becton distinguished himself by exceptionally meritorious service during his 4 years as the Sergeant Major, Sacramento Army Depot. Sergeant Major Becton excelled as a noncommissioned officer and manager, bringing a special vitality and concern for the soldier into his every action. In addition to fulfilling his mission goals, he made significant improvements in the quality of life of his soldiers and their families.

Sgt. Major Becton believes you get to a man through his stomach. To that end, his dining facility was named best in the Army in 1988 and was honored in 1989 for having the best field mess. Also in 1988, the Sacramento Army Depot won the Army Community Excellence Award for small installations.

Although he certainly did not confine his contributions at the depot to soldier matters, he definitely excelled there. Sergeant Major Becton has prodigious expertise in the field of

property accountability and supply management. He established and personally conducted the depot physical training program with superb results. During operations Desert Shield and Desert Storm, he ensured that a working and effective chain of command existed at the depot not only for deployed depot soldiers, but on an area basis for all of northern California.

On countless occasions, Sergeant Major Becton supported the local community, enhancing the standing of the depot and endearing Sergeant Major Becton to the local citizenry. He conducted ceremonies, helped with charitable events such as Operation Santa Clause, and was an active and visible supporter of the Association of the U.S. Army and the Armed Forces Communications-Electronics Association.

Sergeant Major Becton's distinguished performance throughout his career, and particularly during the past 4 years, clearly represents accomplishment equalled by only the best of the best. His exemplary service is in the most cherished traditions of the U.S. Army and reflects utmost credit upon him, his various units, and the military service.

Mr. Speaker, it is with great pride and enthusiasm that I speak on behalf of Sergeant Major Gary H. Becton. His dedication to the citizens of Sacramento has been a true inspiration and his contributions will not soon be forgotten. I ask my colleagues to join me in congratulating him and in wishing him happiness in his retirement.

FIU'S COACH PRICE EARNS 500TH VICTORY FOR GOLDEN PANTHERS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is indeed my great pleasure to have the opportunity to recognize Coach Danny Price of the Florida International University Golden Panthers' baseball team for leading his team to their 500th victory. The special victory came during his 13th year as an FIU coach during a balmy Florida evening at the Golden Panther's home field.

In those 13 years, FIU fans and supporters have seen many different faces come and go on the Golden Panthers' field, but Coach Price and Assistant Coach Rolando Casanova are individuals whose names and faces have become synonymous with FIU baseball. Their commitment and dedication to FIU baseball and athletics has earned them the respect of their colleagues and members of the community as well as of the coaches and players who have competed with the Golden Panthers.

Miamians have witnessed the growth of FIU baseball as the players and coaches have advanced their way through tough schedules and tournaments and earned their reputation as a competitive team. The Golden Panthers certainly have come a long way since their 1973 opening game when Coach Price was not the coach, but a player on the team. In the last 19 years, the FIU baseball team has worked diligently and persistently to become one of south Florida's most respected ball clubs.

Mr. Speaker, I commend Coach Price and Coach Casanova as well as the players who have made FIU baseball the terrific organization that it is today. Their hard work during the last two decades of FIU baseball has, without a doubt, been proven to result in a tremendous success. May they continue to have winning seasons, and may their sensational coaching staff continue to provide the team and our community with strong leadership.

HONORING THE ARTISTIC ACHIEVEMENTS OF ANDRZEJ BAK

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SOLARZ. Mr. Speaker, this Nation's history and its culture have always been enriched by the vision and talent of its diverse immigrant communities. Nowhere has this been more evident than in the vibrant communities of Brooklyn which I represent. In neighborhoods like Greenpoint, new immigrants and long established families work side by side, building businesses and promoting artistic creativity.

One such artist is Andrzej S. Bak, a master restorer of historic buildings. Mr. Bak came to America from his native Poland 27 years ago and fell in love with the neoclassical style of New York's many historic buildings. He founded his company, Artenova of New York, 20 years ago to preserve and restore these long neglected buildings.

Throughout the Northeast, from Claremont, NH, where he was named an honorary citizen for his work restoring the city hall and opera house, to New York City, where he is painstakingly restoring the exterior of the Polish Consulate, Mr. Bak has strived to be true to the principles of excellence and devotion to historic accuracy which have always guided his work.

This devotion to excellence is clearly evident in Mr. Bak's complete renovation of the New York City national historic landmark "Little Church Around the Corner," and in his work on the 100-year-old Holy Trinity Church in Utica, NY.

In addition to his numerous professional accomplishments, Mr. Bak has given generously of his time and talents to the betterment of the Greenpoint community. He has volunteered countless hours to such worthwhile community service organizations as the Polish and Slavic Center, the Polish American Congress, and the Polish National Alliance.

Mr. Bak has been commended for his high artistic standards and devotion to historic preservation by President Reagan at a private White House dinner. A fund has also been set up in his name by the First Congregation of the Presbyterian Church in Springfield, NJ. The fund will be used to assist other artists working in the field of historic preservation.

Mr. Speaker, I am proud to recognize Mr. Andrzej S. Bak for his commitment to excellence and for devoting his life and extraordinary talents to the preservation of this nation's proud architectural heritage for future generations to learn from and enjoy.

HONORING JAMES J. SHERIDAN, PH.D. ON THE OCCASION OF HIS RETIREMENT AS SUPERINTENDENT OF THE EL MONTE UNION HIGH SCHOOL DISTRICT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. TORRES. Mr. Speaker, I rise today to recognize, Dr. James J. Sheridan, superintendent of the El Monte Union High School District. Dr. Sheridan is retiring from the El Monte Union High School District after 17 years of service and will be honored at a special ceremony on Friday, May 1, 1992.

Dr. Sheridan received his Bachelor of Arts degree from the University of Dayton, OH, and Master of Science degree from Hofstra University, Hempstead, NY. In 1970, he completed his Doctor of Education at the University of Southern California in Los Angeles, CA.

Dr. Sheridan has dedicated his 39-year career to the field of education. He has held a variety of positions including classroom teacher, assistant principal, principal, assistant superintendent and in 1975 began his tenure as superintendent of the El Monte Union High School District. Under his leadership, the district has implemented a myriad of successfully programs, including the academic decathlon, mentor-teacher program, summer workshops for curriculum and staff development, raised the passing score of the math proficiency exam and provided additional moneys for the purchase of textbooks and instructional materials. In addition, he secured funds enabling the district staff to attend various conferences which helped broaden their educational horizons.

He has been an active member of the Salvation Army, YMCA, El Monte-South El Monte Community Coordinating Council, Boy Scouts of America, United Way, and the Chambers of Commerce for El Monte-South El Monte and Rosemead. He has also served as the chair of the Bank of America Achievement Awards, President of the Society of Delta Epsilon, and has been a sought-after guest speaker at the UCLA School of Management, Pepperdine University doctoral program and the USC School of Education.

In addition, Dr. Sheridan was appointed chair of the State of California English as a Second Language Ad Hoc Committee, and a member of the State Superintendent's Committee on City Schools. He received the Abram Friedman Award from the California Council for Adult Education and the California Superintendent's Award for Distinguished Service to Vocational Education. Further, Dr. Sheridan has been recognized by the State of California as the superintendent whose school district has exceeded expectations on the California assessment program [CAP] test.

Mr. Speaker, on May 1, 1992, teachers, administrators, students and civic leaders will gather to honor Dr. James Sheridan for his tremendous contributions to the field of edu-

cation and the community. I ask my colleagues to join me in saluting this exceptional man for his outstanding record of educational service to the young people of my district and the State of California.

STATE DEPARTMENT VIEWS OF THE PEOPLE'S MOJAHEDIN ORGANIZATION OF IRAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues some correspondence I had with the State Department concerning United States views of the Iranian organization called the People's Mojahedin which is fighting the current Government of Iran.

Attached are: a State Department fact sheet on the organization written roughly 2 years ago; a February 27, 1992 letter of the organization rebutting that fact sheet; my letter to the State Department asking for further comments; and the State Department's reply of April 2, 1992. The State Department explains its concerns about the organization and its past involvement in terrorism and why the State Department will not meet with the organization.

The material follows:

FACT SHEET

THE MOJAHEDIN-E KHALQ (PEOPLE'S MOJAHEDIN ORGANIZATION OF IRAN)

The Mojahedin-e Khalq (MEK), a leftist revolutionary group, was formed in 1963.

Its founding principles included the creation of a Marxist-oriented Islamic government in Iran; opposition to "imperialism" as supposedly embodied by the United States; opposition to Zionism and Israel; and a close affinity to Third World radical movements.

Its political philosophy put the MEK at the forefront of those Iranian opposition groups advocating the overthrow of the Shah and led to the MEK's strongly opposing the involvement of the United States in Iran. The MEK publicly supported the seizure of our Embassy in Tehran in 1979.

To achieve its political objectives, the MEK almost from its inception has engaged in acts of terrorism and violence; the organization was responsible for fatal attacks on several Americans in Iran in the 1970s.

Since it fell out with the Khomeini regime in 1981, the MEK has been engaged in an armed struggle with the Iranian government, and has used methods of terrorism and political violence against Iranian officials.

The military wing of the MEK, the National Liberation Army, operates from bases in Iraq and received Iraqi support for offensives into Iranian territory during the Iran-Iraq war. It continues to receive Iraqi support and protection.

REPRESENTATIVE OFFICE OF THE NATIONAL COUNCIL OF RESISTANCE OF IRAN,

Washington, DC, February 27, 1992.

Hon. LEE H. HAMILTON,

Chairman, Subcommittee on Europe and the Middle East, Washington, DC.

DEAR REPRESENTATIVE HAMILTON, I have recently learned that the United States Department of State has been sending a text entitled "Fact Sheet: The Mojahedin-e-Khalq, People's Mojahedin Organization of Iran" to those senators and representatives who have requested information on the Mojahedin, a member organization of the National Council of Resistance of Iran. This fact sheet, which I have enclosed for your information (Enclosure 1), unfortunately contains incomplete and inaccurate information. To clarify any questions in this regard, I draw your attention to the following text:

1. With regard to the Mojahedin's revolutionary nature, if the American and French peoples' struggles for their nations' freedom, independence and democracy (1776 and 1789) are considered revolutions, the Mojahedin are also revolutionaries. They are fighting for their nation's liberation from one of the most hated dictatorships of the contemporary era, and seek to establish peace and democracy in their homeland. The Mojahedin are revolutionary in the same sense as the people of Italy, who took up arms to save themselves from Mussolini's fascism.

Revolution and armed struggle, when all peaceful avenues to realize the people's fundamental rights have reached an impasse, are recognized as the only resort by all religious authorities, as noted in the Universal Declaration of Human Rights, etc. In a noted press conference reported by the Vatican publication *L'Osservatore Romano* on April 5, 1986, Cardinal Joseph Ratzinger, President of the Pontifical Biblical Commission, introduced a document entitled "Christian Liberty and Liberation," wherein it is stated: "Armed struggle is the last resort to end blatant and prolonged repression which has seriously violated the fundamental rights of individuals and has dangerously damaged the general interests of a country."

2. The Mojahedin have consistently condemned terrorism (whether by groups or states) in the strongest terms; in particular, the Mojahedin have exposed the Khomeini regime's terrorism in the most documented and public manner at every possible opportunity. (Enclosure 2) In truth, the Mojahedin are victims of the Khomeini regime's terrorism within Iran and abroad. During the period when the Mojahedin were able to openly and officially conduct political activities within Iran, more than 70 of the organization's members and supporters were murdered by terrorists unofficially directed by the Khomeini regime. Abroad, Khomeini's diplomat-terrorists are responsible for the wounding or assassination of many representatives of the Mojahedin and National Council of Resistance to various countries. These victims include Professor Kazem Rajavi, the NCR Representative in Switzerland and brother of Mr. Massoud Rajavi, the Leader of the Iranian Resistance. Prof. Rajavi's murder was carried out, according to the Swiss Police and Investigations Magistrate, by 13 persons carrying official Iranian service passports. (Enclosure 3)

The Mojahedin were obliged to choose armed struggle as the last avenue of confronting the Khomeini regime—a right officially recognized by the Universal Declaration of Human Rights and all religious authorities—after exhausting all peaceful, democratic avenues to establish freedom and democracy in Iran; after all the organization's official, public centers had been closed down; after more than 70 Mojahedin supporters and members had been murdered for no reason, and 3,000 others arrested and subsequently executed without being charged; and finally, after the peaceful demonstration by 500,000 people, called by the Mojahedin on June 20, 1981, was turned into a bloodbath by the Khomeini regime, and groups of 50 and 100 of their supporters were subsequently executed *en masse* for the "crime" of possessing newspapers. (Enclosure 4)

This struggle is conducted only against the regime's officials—who are responsible for the murder of 100,000 people and the imprisonment and torture of 150,000, as well as for international terrorism and hostage-taking—and suppressive forces.

The terms "terrorist" or "terrorist methods" cannot be applied to this Resistance which, under no circumstances, targets ordinary citizens or innocent civilians. Furthermore, even regarding the regime's officials, the armed struggle is contained within Iran's borders. Outside of Iran, the Mojahedin have respected and respect the laws of the relevant countries, and confine their struggle to political activities and exposes. As per the positions and orders of their Leader, Mr. Rajavi, the Resistance's supporters and ordinary Iranians, despite their wrath at this regime, have controlled themselves outside Iran and have on no occasion responded to the regime's violence and bloodshed in kind. (Enclosure 5)

Mr. Rajavi has repeatedly declared that "from the Mojahedin's standpoint, no death—not even that of our suppressive enemies within the Khomeini regime—is to be welcomed in itself. It is even regrettable. Were it not for the Khomeini regime's blocking all avenues of peaceful political opposition and had it not responded to any call for freedom with execution, the Resistance would not have been necessary."

Furthermore, for years the Mojahedin's armed resistance has been carried out within the framework of the National Liberation Army of Iran, whose duty is to bring about the military overthrow of the Kohmeini regime. The specifics and methods of this army, consisting of tank, armored, artillery, mechanized and other units, are completely in line with the criteria outlined in the Geneva Conventions of August 12, 1949. The NLA is "commanded by a person responsible for his subordinates"; has "a fixed distinctive sign recognizable at a distance"; carries arms "openly"; and conducts its "operations in accordance with the laws and customs of war." These characteristics have been observed on numerous occasions by the international journalists and observers who have visited the NLA's garrisons.

Therefore, in accordance with the Geneva Conventions of 1949, the label "terrorist" cannot be rightfully applied to the NLA, and its warfare is categorized as classical. In accordance with the regulations of the International Committee of the Red Cross, Resistance prisoners qualify and should be treated as prisoners of war.

3. The regime of the Shah was the first to brand the Mojahedin "Marxist." A profoundly freedom-loving and democratic force, the Mojahedin fought against the Shah's regime only after perceiving that all avenues of peaceful political opposition had been closed. The label "Marxist" was applied to them for this reason, i.e. their opposition to the Shah. Of course, the Mojahedin were rightly known among a large sector of Iranian society as a Muslim force, and the Shah could not apply the label "Marxist" by itself. He therefore invented the label "Islamic Marxist" in reference to the Mojahedin.

Khomeini and his followers followed the Shah's lead, branding the Mojahedin "Islamic Marxists" in their propaganda for foreign consumption. Ironically, within Iran,

Khomeini, the Tudeh Communist Party (supporters of Moscow), and other communist party members and groups meanwhile labelled the Mojahedin "American agents." The latter label prompted these persons to adopt the position that hostility and warfare against the Mojahedin were their fundamental duties (Enclosure 6), even abroad, for example in France in 1986. (Enclosure 7) The Pasdaran ("Revolutionary Guards") wrapped Mojahedin corpses in the American flag prior to burial. Thousands of Mojahedin supporters and members were turned in to Kohmeini's executioners by communists supporting Moscow and other political currents. After savage torture, these Mojahedin were executed.

In response to the charge that the Mojahedin are Marxist, Mr. Massoud Rajavi, Leader of the Iranian Resistance, told Time magazine on September 14, 1981: "Every high school student knows believing in God, Jesus Christ and Muhammad is incompatible with the philosophy of Marxism. Everyone knows that, even Khomeini. But for dictators like Khomeini, 'Marxist Islamic' is a very profitable phrase to use against any opposition. If Jesus Christ and Muhammad were alive and protesting against Khomeini, he would call them Marxists too."

In another interview, with the Farsi section of "Voice of America" radio, December 20, 1984, Mr. Rajavi said: "As far as our economic and social views are concerned, we accept private ownership, national capitalism, free competition, and private investment." The program announced by Mr. Rajavi for the National Council of Resistance also states that the Provisional Government of the Democratic Islamic Republic of Iran, which will administer the country's affairs for a period of six months after the overthrow of the Khomeini regime, respects free competition, private ownership, and private investment.

The reapplication of these labels in the current international situation and subsequent to the collapse of the Soviet Union and Eastern Block, and in relation to a movement which has millions of supporters throughout Iran, doesn't stick. In fact, it is due to the Mojahedin's faith in the modern and democratic Islam that they have been able to deeply influence Iranian society throughout their 27-year history, and to grow on a daily basis despite the Khomeini regime's savage killings and suppression. The Mojahedin's resilience, moreover, coincides with the demise of all the Marxist groups in Iran, who were eliminated within the first two years of Khomeini's rule.

From another perspective, the Mojahedin are the only real solution to the spreading fundamentalism of the criminal mullahs ruling Iran. The experience of past years has shown that the other political trends and solutions were incapable of opposing this regime, which, after centuries, had seized religious and political power in one of the world's most strategic regions. In this region, which is profoundly Islamic in nature, only a democratic and modern Islam, represented in Iran by the Mojahedin, could and can counteract the spector of fundamentalism. In the name of Islam, this fundamentalist phenomenon perpetrates unprecedented bloodshed and killings. The Mojahedin's Islam, in contrast, bears a message of co-existence, democracy, peace, and mercy.

4. In specifically addressing the charge of being anti-American, or anti any country, contained in the fact sheet, I should state that the documents and declared programs of the Mojahedin and NCR are sufficiently clear. If the writers of this fact sheet had obtained these documents, they would perhaps have referred to them in their fact sheet. For example, Mr. Rajavi states in introducing the Program of the National Council of Resistance of Iran: "We have no enmity toward any country, and seek amicable and respectful mutual relations, provided that they recognize our country's independence, freedom and territorial integrity."

As for the current differences and conflicts in the Middle East, the NCR and all its members support the Peace Conference and are hopeful that the issue will be resolved, that peace and stability be established in the region, and that there remain no source of turmoil or crises, essentially because the Khomeini regime is the primary beneficiary of any regional war or unrest.

Elsewhere, Mr. Rajavi has said that contrary to Khomeini's regime, Iran's future government will not be anti-Western "since such hostility in reality embraces the backward ideas of the Middle Ages." Mr. Rajavi has also pointed out Iran's technical, economic, scientific, cultural, and artistic needs in relation to Western countries, adding that rather than being anti-western, the Mojahedin seek equal and independent relations.

The Mojahedin have maintained an active presence in the United States and most western European countries for more than a decade, where they have explained their economic and political programs on an extensive scale to relevant officials and parliamentarians. There is, moreover, significant support for these programs among various parliamentarians, including a significant number of members of Congress. (Enclosure 8)

However, with regard to the Shah's reign, the Shah was hated by the people of Iran for his dictatorship and his crimes. Unfortunately, the United States, due to its incorrect information on and analysis of the socio-political situation in Iran, actively supported the Shah until the last months of his reign. In consequence, anti-Americanism was widespread among the Iranian public. Under the circumstances, the Mojahedin naturally did not agree with such U.S. support, which was neither in the interests of Iran's people, nor of regional peace and stability.

Khomeini took advantage of the public sentiment to suppress and execute the Mojahedin, and his regime continues to do so. The Mojahedin, from the outset, had consistently declared that the primary enemies of the Iranian people were the Khomeini regime, fundamentalism and religious retrogression. In order to eliminate democratic freedoms, Khomeini and the supporters of Moscow were demagogically telling the people that their primary enemy was American imperialism.

It is regrettable that positions occasionally adopted by the State Department against this Resistance, which has sacrificed 100,000 execution victims for the freedom of its homeland, have thwarted our efforts to expose the suppressive objectives behind the Khomeini regime's anti-Americanism. Ultimately, the only result has been to enhance pessimism among the Iranian people.

The taking of American diplomats hostage in Tehran, an act which the fact sheet unfortunately claims the Mojahedin supported, had but one objective: the suppression of opposition, and in particular of the Mojahedin, under the guise of "struggle against America." Indeed, not only were the Mojahedin not supportive of or involved in the taking of American hostages, they were the primary victims of the incident.

In an interview recorded by ABC television on October 29, 1984, Mr. Rajavi said: "If we are a country, if we are a state, we have to be respectful and must not believe in the violation of diplomatic immunity. So, I can say that not only about this [hostage] crisis but also about the warmongering policy of Khomeini, international terrorist activities and also his suppressive measures, we wish they would not [have] happened. These are all against Iranians and against democracy."

As for the participation of the Mojahedin in the assassinations of several Americans in Iran, it should be recalled that the Mojahedin Organization had carried out no military operations prior to the arrest of all of its leaders in August 1971. All of the Mojahedin's leaders were executed by the Shah, with the single exception of Mr. Rajavi, who was sentenced to life imprisonment due to the international activities and intervention of Amnesty International and a number of Western public figures, including President Francois Mitterrand. Mr. Rajavi remained incarcerated, along with the other leading figures of the Mojahedin, until January 1979.

With regard to the members of the Mojahedin who did remain out of prison, a number of individuals, who subsequently revealed that they were Marxists and later took the name of "Peykar dar Rah Azadi Tabageh Kargar" ("Struggle in the Path of the Working Class's Freedom"), took advantage of the imprisonment of all leaders and most members of the Mojahedin to penetrate the organization. These individuals subsequently murdered many of the Mojahedin's members in a brutal fashion and staged an internal coup, temporarily destroying the People's Mojahedin Organization of Iran. (Enclosure 9)

After the anti-monarchic revolution which toppled the Shah, the Mojahedin, recently released from prison, were able to rebuild the organization. By exposing Khomeini's backward nature, the Mojahedin managed to attract widespread support among various sectors of Iranian society. Many of these supporters were later to become members of the organization, and currently are included on its 837-member Central Council.

5. The relations of the Mojahedin and National Liberation Army with Iraq are based on non-interference in each other's internal affairs. The NLA's primary aspiration is to be on Iranian soil, where it will be able to carry out a military operation and effect the overthrow of a regime which domestically has violated all fundamental, basic human rights, and has exported terrorism, fundamentalism, and warmongering abroad, thus disrupting the region's peace, stability and tranquility. (Enclosure 10)

The NLA is funded by the Iranian people. The executions of Iranian merchants for contributing to the Mojahedin, and the large demonstrations in various countries by the organization's supporters attest to this support. In addition, some of the movement's financial resources are obtained by means of the commercial undertakings of the National Council of Resistance. The NLA's weapons were essentially obtained in the war of liberation against the Khomeini regime, during which they were taken as booty. A great many members of the Khomeni regime's regular military have joined the NLA. Their allegiance to the Resistance, in addition to demonstrating the NLA's popularity and support among freedom-loving Iranian servicemen, has provided the force with needed personnel, weapons, and expertise.

Mr. Hamilton, I am hopeful that the above text has clarified and responded to the alle-

gations leveled in the enclosed fact sheet. I respectfully request that as Chairman of the Foreign Affairs Subcommittee on Europe and the Middle East, you forward a copy of this letter to the State Department in order to clarify these issues. I further request that this response be published in the Congressional Record to better inform members of the House and Senate regarding the Mojahedin and the Iranian people's Resistance. Particularly at this sensitive and decisive state, the unity of democratic freedom-loving, and anti-fundamentalist forces vis-a-vis the trend towards fundamentalism and Khomeini's medieval outlook in the Middle East and other Muslim countries, is essential.

Sincerely,

Dr. MASOUD BANISADR,
U.S. Representative.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, March 2, 1992.

The Hon. JAMES A. BAKER III,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY, I attach for your consideration a fact sheet I understand was prepared by the Department of State regarding the Iranian People's Mojahedin Organization of the National Council of Resistance of Iran as well as the organization's response to that fact sheet.

I would appreciate your detailed response to the comments of the organization as well as the State Department's policy today on meeting with representatives of this organization and the reason for that policy.

I asked the organization for their rebuttal to your fact sheet and they provided in addition to the attached letter backup documents which are available to you if you want or need them.

Thank you for your consideration of this matter.

With best regards,

Sincerely,

LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East.

U.S. DEPARTMENT OF STATE,
Washington, DC, April 2, 1992.

The Hon. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East.

DEAR MR. CHAIRMAN: Thank you for your letter of March 2, addressed to Secretary Baker, in which you asked for our response to claims by Dr. Masoud Banisadr of the People's Mojahedin Organization of Iran (PMOI) that a Department of State fact sheet on that organization contains inaccuracies. You also requested an explanation of the Department of State's policy of not meeting with representatives of the PMOI or its political arm, the National Council of Resistance.

We have carefully reviewed the fact sheet and found it to be an accurate description of the PMOI's history and ideology. Founded in 1963, the PMOI's platform blended Islamic ideology with Marxist tenets, including the collectivization of economic interests and opposition to capitalism. As described in Ervand Abrahamian's book The Iranian Mojahedin, the PMOI has "tried to synthesize the religious message of Shiism with the social science of Marxism." While any shorthand description of a complex ideology requires simplification, the generalization is reasonable.

Our opposition to the group, however, stems not from its political ideology *per se* but from its use of terrorism and its aim of seeking the violent overthrow of the current Iranian regime. Just as we deplore the excesses and harsh reaction of the Iranian regime to political opposition, we do not condone the use of terror and violence in turn by the Mojahedin or any other opposition group. Contrary to Dr. Banisadr's allegations, the PMOI has advocated the use of violence since its inception. In the 1970s, for example, the PMOI received training and support from the Palestine Liberation Organization, and current PMOI leader Masoud Rajavi fought alongside Palestinians in Jordan during "Black September" in 1970.

The historical record shows clearly that PMOI opposition to "imperialist" and "capitalist" forces associated with the Shah's government included direct and violent attacks against U.S. interests. In 1973, the PMOI assassinated Lt. Col. Lewis Hawkins, a U.S. military advisor in Iran. In 1975, PMOI terrorists shot and killed two U.S. Air force officers in Tehran. The same year, a PMOI attack against a U.S. Embassy van in Tehran resulted in the death of a local employee. And in 1976, the PMOI assassinated three American employees of Rockwell International working in Iran.

The PMOI's claim that the organization is not responsible for actions carried out while its leaders were incarcerated is a facile one. It is true that some of the assassinations were carried out by avowedly Marxist members of the organization, who in 1975 split from the "Muslim" wing which included current PMOI leaders. However, there is no indication that the incarcerated PMOI leadership objected to the terrorism carried out in its name. Given the organization's strong anti-U.S. sentiment at the time, it would have been uncharacteristic for its leaders to denounce acts against what the PMOI viewed as an "imperialist" power affiliated with the Shah. Only in the past few years has the PMOI sought to distance itself from these acts of terrorism.

In the same context, Dr. Banisadr's claim that the PMOI was a victim of the U.S. Embassy takeover in November 1979 overlooks the fact that the PMOI supported the holding of U.S. hostages. It was only in 1981 that the Mojahedin openly joined the opposition to Khomeini's regime. The split was due to ideological differences, and not over the question of U.S. hostages.

In 1984, the group's leaders fled to Paris, where they established a presence until expelled by French authorities in 1986. Since 1986, the PMOI and its military wing, the National Liberation Army, have been based in Iraq. The PMOI and NLA continue to receive support and financial assistance from Saddam Hussein's government.

We do not dispute Dr. Banisadr's assertion that the Islamic Republic has routinely tortured, executed, and assassinated PMOI members. We have made clear, in our public statements and in our annual human rights report, that such actions violate all norms of international behavior. Indeed, we have cited the assassination of political opponents abroad, including that of Dr. Kazem Rajavi, as an example of Iranian state-sponsored terrorism. This does not, however, justify the PMOI's own use of violence either against Iranian government officials or, as in the past, U.S. interests and citizens.

I hope this answers your questions. For further study of the history and ideology of the PMOI, I would refer you to Ervand Abrahamian's *The Iranian Mojahedin* (Yale University Press, New Haven and London, 1989).

Sincerely,

JANET MULLINS,
Assistant Secretary, Legislative Affairs.

VICE PRESIDENT QUAYLE ADDRESSES HOLOCAUST MEMORIAL CEREMONY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GILMAN. Mr. Speaker, this past Sunday Vice President DAN QUAYLE was the honored speaker at the annual commemoration in New York of the Days of Remembrance and Warsaw Ghetto Uprising Memorial Service. This year's commemoration took place at the Jacob Javitz Convention Center in New York City, with over 5,000 in attendance. Among those who addressed the gathering were Nobel Peace Prize Winner Elie Wiesel, Mayor David Dinkins and Governor Mario Cuomo.

During this solemn ceremony, we remembered the 6 million innocent Jewish victims of Hitler's insanity, and paid tribute to the valiant fighters who held off Nazi forces for so long during the Warsaw Ghetto Uprising. Those of us present at Sunday's ceremony found Vice President QUAYLE's remarks particularly appropriate and thoughtful. Accordingly, I would like to take this opportunity to insert his address at this point in the CONGRESSIONAL RECORD for the benefit of my colleagues:

REMARKS BY THE VICE PRESIDENT—49TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

It is a special honor to join you today. Today we mark the 49th anniversary of the Warsaw Uprising and participate in a solemn tribute to six million Jews killed during World War II.

Not quite a year ago, I stood at Auschwitz. My wife and two of our children were there beside me. A mother and father like to think that they can teach their children the ways of the world—how and why things happen as they do. But standing there, what does one say? Looking at the signs that say "Showerrooms," or the reassuring Red Cross symbols on the doors to the gas chambers, how does one explain what happened? Walking with your children through this huge complex called Auschwitz, how do you describe what it means?

I asked my children after leaving Auschwitz what they remembered the most. They hesitated a moment and gave their quiet responses. My son remembered the human hair used to make blankets. My daughter remembered the hundreds of shoes—kids' shoes. She remarked "Dad, they were so young * * *." Young, old, man, woman—they were all killed. For what?

Each time we think about the Holocaust—and I mean really think, long and hard—it's as if we're confronted anew with facts we can hardly believe. Somehow the enormity of the thing just won't sink in. How? How on God's good earth did such things happen? It was evil, horrendous, sickening, a tragedy we shall never, never, never forget.

To study the Holocaust is to discover how evil man can be; but to understand the Holocaust is also the realize how strong man's spirit can be—how strong men and women can be in resisting evil, in standing for what

is good and what is right. On the same day last year that we went to Auschwitz, we attended a ceremony in Warsaw, to commemorate the Warsaw Uprising. There we met with a delegation of Polish Jews, and stood together in memory of the Jewish resistance to the Nazis.

When we recall the Warsaw Ghetto Uprising, we recall tragedy; but we also recall honor and nobility in the face of death, innocence in the face of evil. The resistance was fierce. The Jews were proud people and ready to stand up—and, yes, die—for what was right. They resisted, they fought—and they died. As one historian pointed out, "Some European nations, with well-equipped armies, had not resisted the Nazis for so long."

Today, in Warsaw, marking this tragedy, is a slab of grey stone. But the memorial represents something much more than that. It reminds us of a people who said, "No, we will not go. We kneel to no man." And of course there are so many other places and memorials elsewhere, attesting to the same defiant faith, the same heroic faithfulness:

In Ebensee, where just before their liberation 30,000 Jewish prisoners refused to march into a deep tunnel rigged with explosives.

In Auschwitz itself, where on October 7, 1944, 250 Jews were massacred after an uprising in which they managed to destroy Crematorium III.

After four days of torture one of the participants, Rosa Robata, went to her execution saying to her friends, "Be strong and brave."

And in Holland, a hidden attic where 50 years ago a young Jewish girl could somehow retain her belief that: "Despite everything, I still believe that man is fundamentally good."

Whether or not man is fundamentally good, ladies and gentlemen, one thing is certain. Throughout history, the worst enemies of mankind have reserved a special hatred for the Jews.

One demagoque after another has strutted forward with his new agenda for reshaping the world. And always, there remain these stubborn people who will not bow down, whose allegiance is to God alone.

On this dais is a man who has never bowed down—a man who has always kept the faith. This man is Elie Wiesel—a courageous and peaceful man, and one I am proud to count as a friend.

Those who know Elie Wiesel can tell you that he has an extraordinary way of making you feel at ease, while at the same time getting you to express some of your deepest thoughts and convictions.

Over two years ago, at one of our meetings, he asked me an intriguing question. "How," he asked, "would you like to be remembered by Jewish history?" I admit that I hadn't given this question much thought. But I answered as forthrightly as I could: "I would like to be remembered," I said, "as a Christian who helped make Israel more secure, and who helped make the world a little more tolerant."

Israel was built upon the ashes of the Holocaust by courageous founders. She is a small country, but she has survived—and she has flourished. And she is our most reliable ally in the Middle East. And let me remind you, my friends: America has more than "interests" where Israel is concerned. We have shared values—cherished traditions—a true friendship.

In recent times, some have suggested that our relationship with Israel has weakened. Some have even said that "the case for Israel has increasingly become the almost exclusive preserve of American Jews."

That is not true. And speaking as a non-Jew, let me say this: as long as I am in public life, the cause for Israel will not become the "exclusive preserve of American Jews." After all, my friends, "never again" is more than the vow of Jewish survivors: it's the deep, unshakable resolution of the world's sole superpower, the United States of America.

Forty-nine years ago, watching his Warsaw neighbors disappear by the day, Chaim Kaplan sat down to record in his diary what he saw: "I have no words to express what has happened to us since the day the expulsion was ordered. Those people who have gotten some notion of historical expulsions from books, know nothing. We, the inhabitants of the Warsaw ghetto, are now experiencing the reality."

And his friends asked Chaim Kaplan: Why even keep a diary? All of them would surely die—soon; and almost certainly no one would ever read his words. The diary too would be cast into the flames. Why even bother?

And yet, Kaplan wrote, "in spite of all I refuse to listen to them. I feel that continuing this diary to the very end of my physical and spiritual strength is a historical mission which must not be abandoned."

Today, we can read his diary and the testaments of so many others. And reading them, we remember not only the great Lie, but the great truth that outlived it. Today we honor those who have suffered for the truth, those who have fought for truth and those who fight for it today, here in the United States, in Israel, and around the world.

Thank you. God bless America; God bless the Jewish people; and God bless Israel, a faithful ally and the bravest of friends.

INTRODUCTION OF LEGISLATION FOR A MORATORIUM ON THE PATENTING OF GENETICALLY ENGINEERED ANIMALS

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CARDIN. Mr. Speaker, today I am introducing a bill to provide for a 5-year moratorium on the granting of patents on invertebrate or vertebrate animals, including those that have been genetically engineered. The availability of patents encourages the creation of genetically engineered animals, in most cases, animals whose genetic compositions have been manipulated by genetic engineering techniques to contain foreign genes from other animals, including humans. The resulting animals have combinations of genes and traits not found in nature. We have little experience in assessing the economic, ethical, and environmental consequences of the creation, release, and patenting of such creatures. The moratorium provided for in this bill would simply give the Congress the time to fully access, consider, and respond to the issues raised by the patenting of such animals.

At the outset, I want to make it clear this legislation is not intended to halt the promising field of biotechnology. The various techniques of biotechnology, when used responsibly have enormous potential to benefit society in a number of areas, including the creation of important new pharmaceutical and agricultural products. However, with the new benefits of biotechnology come risks. Genetic engineering allows scientists to take human genetic traits and insert them into the permanent genetic code of animals. Biotechnology is also becoming increasingly adept at mixing and matching the genetic traits of animals, insects, and plants to create new and different species. To suddenly and unconditionally grant patents for any and all of these genetic creations without a strict Federal review process would be irresponsible and impudent.

The bill I am introducing, which was introduced in the Senate on June 13, 1991, by Senator MARK HATFIELD of Oregon, will provide Congress the time to examine the risks of animal patenting. Specifically, the bill provides that no animal shall be patented until the commercialization and release of such an animal has been subjected to a Federal review process established to impose "environmental, health and safety, economic and ethical standards."

If patents are to be issued, we must ensure the patenting of genetically engineered animals will not cause economic harm to the Nation's farmers and researchers. In economic terms the Patent Office decision provides Government authority for the genetic manipulation, and ownership of all animal species. The use, enjoyment, and protection of animals, long a public right and responsibility, could be turned over to the public sector. In years to come there could be increasing competition for corporate control and ownership of the gene pool of animal species. The most immediate economic effect of this policy could be felt in agriculture, where the major chemical biotechnology, and pharmaceutical companies could conceivably position themselves to take over animal husbandry. The Patent Office has confirmed farmers will have to pay patent fees every time they breed a patented animal or sell part of their herds which contain such patented animals. This will also be true for researchers using patented laboratory animals. The economic consequences of animal patenting on small farmers and research institutions need to be carefully examined.

Unlike most intellectual property issues, the patenting of animals also creates a wide array of ethical concerns. The patent policy creates the need to establish reasonable limits to man's right to manipulate and refashion the biotic community to meet his industrial requirements. This includes the necessity of carefully examining the ethics of transferring of human genetic traits into animals. The potential for patenting and owning animals with human traits bring up an important public policy need to decide on how many, and what kind of, human genetic traits should be engineered into animals. Currently, thousands of animals have been created with human genes engineered into their permanent genetic code. There is a real urgency in regulating these transfers prior to further creation, patenting, and dissemination of these animals with human genes.

It is important to note that the patent decision, by encouraging genetic manipulation, could indirectly cause suffering to genetically engineered animals and extend that suffering through generations of the offspring of those altered animals.

Moreover, it is important to remember that even patenting laws have an influence on the

way we think. Will future generations follow the ethics of this patent policy and view life as mere chemical manufacture and invention with no greater value or meaning than industrial products?

The patenting of animals could also indirectly cause environmental harm. The effect of species alteration could impact the delicate balance of the environment. The creation of new species and the effect of their release into their environment cannot be easily predicted, and should be carefully considered. Animals which are larger and have increased reproductivity could alter the depletion patterns of the ecosystem. Also, if the creation of new improved species leads to the popularization of that animal, valuable native gene pools could be lost. For example, salmon are currently being created with cattle genes to increase growth. When released into the environment these fish have the potential to invade new habitats and displace existing populations. If the genetically engineered salmon turn out to over populate or consume too much, they could cause irremediable damage to the environment. In addition, they could mate with native salmon and pollute the native gene pool forever. We must remember biological pollution cannot be recalled.

Despite the potential threat created by the release of genetically engineered animals, no Federal regulatory regime exists on the release of such animals. As long as this significant regulatory void exists, it is irresponsible to stimulate the creation of transgenic animals with the patent law. Moreover, this moratorium will provide the time and the incentive for industry, the public sector, and Congress to fashion appropriate safeguards.

The patenting of animals also brings up an important question about the role of Congress in extending patents into new areas of technology. In 1980 the Supreme Court opened the door to the patenting of animals with a 5 to 4 decision in Diamond versus Chakrabarty, which allowed the patenting of a genetically engineered microbe. In 1987, the Patent and Trademark Office [PTO], using a broad interpretation of the Chakrabarty case, announced it would consider applications for patents on genetically altered animals. One year later, in April 1988, PTO approved the first animal patent for the transgenic nonhuman mammals genetically engineered to contain a cancer causing gene (U.S. Patent No. 4,736,866). Presently, over 160 patent applications on animals are pending at the PTO.

It has been an established legal precedent for some time that Congress, not the PTO, makes decisions on extending patent coverage into the controversial areas. It is the duty of Congress, not the PTO, to determine whether living organisms, like plants and animals, are patentable. In the past, Congress actively participated in these types of decisions. For example, in 1930 Congress enacted the Plant Patent Act and, then, in 1970 enacted the Plant Variety Protection Act. In contrast, in 1987 with regard to the patenting of animals the PTO, not Congress, decided nonhuman animals constituted patentable subject matter.

As a result, one patent has been issued, the number of patent applications continues to grow, and no concrete progress has been made to ensure society will be able to deal with the unique ramifications of patenting genetically engineered animals. The economic, ethical, and environmental questions on animal patenting have been raised at a series of hearing conducted by the Intellectual Property and Administration of Justice Subcommittee. It is now imperative that Congress become more involved in this issue. A moratorium would provide the time necessary to conduct this vital public policy debate and to take regulatory steps needed to reap the benefits of this promising new technology, and avoid its risks.

Mr. Speaker, I am including for the record a list of organizations that support my bill, a letter from the Humane Society of the United States [HSUS], and a letter from the head of the Patent Office.

ANIMAL PROTECTION ORGANIZATIONS SUPPORTING HATFIELD MORATORIUM LEGISLATION

American Humane Association
The Humane Society of the United States
Massachusetts Society for the Prevention of Cruelty to Animals
Friends of Animals
Animal Welfare Institute
American Society for the Prevention of the Cruelty to Animals
American Anti-Vivisection Society
Animal Protection Institute of America
Humane Farming Association
Doris Day Animal League
Fund for Animals (New York)
National Alliance for Animal Legislation
Foundation on Economic Trends
National Wildlife Federation
National Farmers Union

THE HUMANE SOCIETY OF THE UNITED STATES,
Washington, DC, March 23, 1992.

Hon. BENJAMIN CARDIN,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN CARDIN: On behalf of The Humane Society of the United States and its 1.4 million constituents, we applaud your legislative initiative and fully endorse your bill to impose a 5-year moratorium on the granting of patents on invertebrate and vertebrate animals, including those that have been modified by genetic engineering.

In order for society to reap the full benefits of advances in genetic engineering biotechnology, the social, economic, environmental and ethical ramifications and consequences of such advances need to be fully assessed. Considering the rapid pace of developments in this field, which will be spurred on by the granting of patents on genetically altered animals, a 5-year moratorium on the granting of such patents is a wise and necessary decision. A moratorium will enable Congress to fully assess, consider, and respond to the economic, environmental, and ethical issues raised by the patenting of such animals and in the process, establish the United States as the world leader in the safe, appropriate, and ethical applications of genetic engineering biotechnology for the benefit of society and for generations to come.

Sincerely,

DR. MICHAEL W. FOX,
Vice President, Farm Animals & Bioethics.

U.S. DEPARTMENT OF COMMERCE,
Washington, DC, April 5, 1991.

Hon. BENJAMIN L. CARDIN,
U.S. House of Representatives, Washington, DC.

DEAR MR. CARDIN: Thank you for your letter regarding the current prospects for animal patenting in the United States. Set forth below are the answers to your specific questions. Although many of the questions you raise are difficult to answer with any degree of specificity, we have tried to be as responsive as possible. Because your letter was co-signed by Senator Mark Hatfield, we have also forwarded the same response to him directly.

Questions and Answers:

1. The current number of animal patents pending.

There are 145 pending applications for a patent that contain one or more claims directed to an animal.

2. The number of animal patents likely to be issued during the coming year and the next two years.

It is difficult to predict the number of animal patents that are likely to be issued in any given period. At the time the first animal patent was issued to the President and Fellows of Harvard College (U.S. Patent No. 4,736,866, issued on April 12, 1988), we identified 21 pending applications directed to an animal. Today, almost three years later, some of those applications are still pending, some of those applications have been abandoned but are the subject of continuing applications, and some of those applications have been abandoned and are not the subject of a continuing application. A continuing application is a new application filed by the applicant to retain the benefit of the filing date of the earlier application and, typically, to either add subject matter to the earlier application or to continue the prosecution of the same invention disclosed in the earlier application.

We can predict that some patents will be granted in the next two years, but we have no actual experience in this area to form the basis of a numeric prediction. In fiscal year 1990, 66% of all applications in which a final decision was rendered matured into a patent, whereas 38% of the applications in the biotechnology patent examining group that were finally disposed of matured into a patent. Clearly, our experience to date in the patenting of animal inventions has not followed either one of these patterns.

3. In general, the kinds of animal inventions for which patents are being sought. (For example, the approximate percentage of applications for patents on animals intended for use in either agriculture, aquaculture, the pet industry, or research. Where you are aware of patent applications for animals whose nature has already been disclosed to the public, please provide full information on the proposed animal invention.)

By statute (35 U.S.C. 122), applications for patents are kept in confidence by the U.S. Patent and Trademark Office (PTO) and no information concerning the same is given without authority of the applicant or owner. we estimate that about 80% of the applications are directed to animals that have utility in medical applications, and the majority of the remainder are directed to agricultural animals.

In most patent systems outside the United States, including Europe and Japan, applications which are filed in those countries are published eighteen months after they were first filed anywhere in the world. The PTO has not made an effort to collect patent applications directed to animals that have been published throughout the world. However, a report entitled "New Developments in Biotechnology: Patenting Life", issued by the Office of Technology Assessment (OTA) in April 1989, listed several animal applications that had been published by the European Patent Office. A copy of the OTA Report Brief is enclosed.

4. An explanation of the delay in issuing additional patents on animals.

The delay in issuing additional patents on animals can be attributed to a number of factors. First, some of the delay can be attributed to the general problem that the PTO has experienced in addressing the growing inventory of pending applications in the area of biotechnology. Second, due to the sensitivity of the issue of patenting of animals, both the PTO and applicants for animal patents are taking care in drafting claims and making decisions on patentability. Third, in some cases, it has been observed that while a claim to an animal is initially presented for examination, some applicants appear to decide that adequate protection can be obtained without a claim directed to the animal itself. Finally, it can be speculated that some applicants may not wish to have a patent granted until such time as regulatory approval for commercial marketing of the transgenic animal can be foreseen.

More than half of the 145 pending applications have been examined by the PTO, and the applicants have been informed of the results of that examination. Some of the remaining applications are continuing applications that claim inventions that were examined in earlier applications.

5. A discussion of any unique issues that patenting of animal inventions might pose under the Patent Law. These include, for example, disclosure requirements, methods of deposit, scope of patent claims, and distinctions between human beings and human genes as subject matter for patents.

The issues typically encountered in the examination of an application involving a claim to an animal are essentially the same as those that are addressed in the examination of inventions of other life forms such as microorganisms and plants. No issue has been encountered to date that is unique to the patenting of animal inventions.

6. Any analysis done by the PTO of alternatives to patents as means of protecting inventiveness in the area of animal engineering. These might include restricted patent holder's rights patterned on plant breeder's rights, use of copyright or trademark law, or direct research subsidies for biotechnology companies doing desired research.

The PTO has not considered or conducted any analysis of alternatives to patents as a means of protecting innovation in the fields of transgenic and other animals that are the products of human engineering.

7. Any efforts by the PTO, alone or in conjunction with other agencies, to press for the extension of patent rights to animals in countries outside of the United States.

The PTO, either alone or in conjunction with the efforts of other agencies such as the U.S. Trade Representative, has pressed for a broad range of protection for innovation throughout the world. This broad range of protection includes products and processes of biotechnology, including animals. As noted in the recent Report on National Biotechnology Policy issued by The President's Council on Competitiveness (February 1991), improvements in intellectual property laws in other countries are clearly needed: "The Administration is committed to pursuing the protection of intellectual property as a top priority in the Uruguay Round of the GATT negotiations." The United States is also supporting a provision in the proposed Patent Law Treaty now under consideration in the World Intellectual property organization that would make patent protection available in all fields of technology. In addition to these multilateral efforts, the United States is actively pursuing patent protection for biotechnological inventions in the context of all of our bilateral negotiations.

Although a study of the practices in other countries has not been undertaken by the PTO, we are aware that France has recently issued a patent to an animal. Japan also has recently completed examination of two patent applications directed to animals, and has published these examined applications for opposition—a step that precedes the granting of a patent under Japanese law. The Technical Board of Appeal of the European Patent Office has recently decided that the European Patent Convention that excludes animal varieties from patent protection does not exclude the patenting of animals as such.

I hope these responses adequately address the issues you raise. Please feel free to contact me personally if you desire additional information.

Sincerely,

HARRY P. MANBECK, Jr.
Assistant Secretary and Commissioner of Patents and Trademarks.

DADE COUNTIANS CONTINUE AMERICAN ART FORM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize the sixth annual Gables Quiltfest which took place in Coral Gables recently. While quilting has been around for centuries, it has developed into a distinctly American folk art form. The quiltfest served to raise money for church activities and to support the art and craft of quiltmaking. This activity was featured in a Miami Herald article entitled "Crazy for Quilting" which follows:

[From the Miami Herald, Feb. 20, 1992]

GABLES FEST SHOWS BEST OF AN INTRICATE CRAFT

(By Bea Moss)

Quilting, one of the oldest forms of needlework, has come a long way since great-great grandma sat before the fire and worked tiny stitches of family memories into scraps of material.

But quilts were in existence much further back than grandma's time.

"Some forms of quilting were found buried with Egyptian mummies," said Irene McLaren, a local quilting expert. "And the Crusaders in the 1300s wore quilted garments under their armor."

EXHIBITS AND RAFFLE

Many examples of quilting art, both old and new, made by hand and by machine, will be on display in next week's Gables Quiltfest at the Coral Gables Congregational Church.

Sponsored by the Women's Fellowship of the church and the Ocean Waves Chapter of the National Quilting Association, the show will include an exhibit of new and antique quilts, a quilt raffle and a competition in which cash and ribbons can be won. A quilt sale also will take place.

Members of the 180-member Ocean Waves chapter were preparing last week for the show and talking about the joys of quilting.

Gloria Hobbs delights in quilting because it's creative.

"You're doing something with your hands," said Hobbs, who lives in South Dade and teaches quilting. "But it's important to take lessons."

MANY TECHNIQUES

Quilting covers a wide range of techniques and it takes a knowledgeable person to explain it all, McLaren said.

"There's a difference between quilting and making a dress. The seams are different and you're dealing with multiple pieces," said McLaren, who lives in the West Miami area. "You can make a lot of lumpy quilts if you don't know what you're doing."

McLaren, one of a number of people who helped to organize the Ocean Waves chapter, said she grew up with quilting but decided in 1974 to take a class in the art.

"I found the difference between the mixed-up way and doing it successfully," said McLaren, who began teaching in 1975 and now travels throughout the country teaching at workshops.

FRIENDS IN QUILTING

Sue Balazs, who also teaches quilting, got interested in the craft through McLaren, who organized quilt shows at Sunset Congregational Church where Balazs was a member.

"She asked church members to help. I didn't like to work with needle and thread, but the show had a lot of camaraderie," said Balazs, a Dade County teacher who lives in West Kendall. "Now quilting is my life."

For LaVerne Johnson, quilting is release from the stress of her nursing duties at Doctors Hospital.

"It's a lot cheaper than a psychiatrist," said Johnson, who lives in South Dade.

A member of Ocean Waves since 1985, her first quilt was the result of a pattern she copied from something she saw in a magazine. The second was more complicated. It contained 2,281 pieces and took her three years to make.

"Quilting is addictive, an incurable disease," she said.

UNIQUE CREATIONS

Just one of the attractions of quilting, said the woman, is that quilts are usually one of a kind.

"Anyone can use the same pattern, but the quilt would be different because of the use of colors," Johnson said.

Quilts of many colors can be seen at the Quiltfest, which will feature an auction of miniature quilts, many with intricate designs. They'll range from six inches to 40 inches square, with bidding starting at $25.

Money raised through the auction and from the sale of quilts will go to the Women's Fellowship, which provides scholarships for women seminarians and other church outreach programs, and to the Ocean Waves chapter.

Mr. Speaker, I commend all the members of the Ocean Waves chapter of the National Quilting Association for their efforts in promoting this art. I also wish to recognize Irene McLaren, Sue Balazs, and LaVerne Johnson who continue to learn and teach this skill.

FUNDING FOR THE ONTARIO INTERNATIONAL AIRPORT GROUND ACCESS PROGRAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. BROWN. Mr. Speaker, I include my testimony before the Appropriations Subcommittee on Transportation:

TESTIMONY OF HON. GEORGE E. BROWN, JR.

I would like to thank Chairman Lehman for the opportunity to testify regarding the need for funding for the Ontario International Airport Ground Access Program currently underway in Ontario, California, which is located in my district.

The Ontario International Airport serves all of San Bernardino and Riverside Counties, the central and northern portions of Orange County and the eastern one-third of Los Angeles County. In the last decade, this region in Southern California has been one of the fastest growing areas in the country. The aviation needs of the region have expanded accordingly, far outdistancing the capabilities of the Los Angeles Airport, and other satellite airports—John Wayne, Burbank, and Palmdale. Ontario Airport is the only airport in the region that has the capacity to absorb this growth, but it cannot do so properly without adequate ground access.

According to airport officials, 5.8 million air travelers used the airport last year. That is a 6.9 percent increase from the previous year and continues a decade of growth rate of over 5 percent annually. The airport is also a major base for the Post Office Airmail, U.P.S., and Federal Express and is considered a significant air freight center. As a rapidly developing airport in one of the nation's most rapidly developing areas, it is essential that the needs of the community, region and nation continue to be met smoothly and efficiently.

In consideration of the above, the City of Ontario has been pursuing the procurement of funds to work on improving access to the airport. The Ontario Airport Ground Access Program essentially consists of five freeway interchange projects, four highway-railroad grade separation projects, and over 11 miles of major arterial highway construction around all sides of the airport. All projects are currently underway in environmental reviews, design or actual construction.

Other improvements are committed or planned within the limits of the airport itself. The City of Los Angeles is spending $230 million to build a new terminal at Ontario Airport. The terminal is expected to be completed by 1995 and will have enough space to handle 3 million passengers annually. This is a much needed addition to the existing terminal which has long been outgrown; however, this initiative must be coupled with the continued improvement of the roads surrounding the airport.

The City of Ontario has made every effort to secure local funding in order to implement the ground access program in the most cost efficient and timely manner possible. More than 60 percent of the funding has come from state, local and private funds. The City of Ontario, the Assessment District, developers, the Los Angeles Department of Airport, the railroads, the Ontario Redevelopment Agency, and the San Bernardino Association of Governments have all contributed toward matching federal funds.

On the federal level, we need your active support for this project. I appreciate your Subcommittee's help in the past in securing funding for Ontario Airport access road improvements. We have been working diligently with the authorizing committee for many years to procure funding and the project has had widespread bipartisan support.

Federal funding for the program began with the allocation of $4 million in Federal Continuing Resolution Funds, since reduced to $2.4 million. Additional funding with $14.5 million in Federal Demonstration Grant funds and $8.7 million of Secretary of Transportation Discretionary funds was obtained under the Transportation and Uniform Relocation Assistance Act of 1987. The Ontario Airport Ground Access program is included as a demonstration project in the Intermodal Surface Transportation Efficiency Act of 1991.

At this time, $10 million is needed to meet the project funding shortfall. This final request for appropriated funds from the Subcommittee would enable Ontario to complete the project by 1993.

I would like to thank you again for the opportunity to come before your subcommittee with this request. Your support for $10 million for the Ontario ground access project would be greatly appreciated.

TRIBUTE TO GLENN E. ATTICK

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to Glenn E. Attick, of Paxtang, PA, in recognition of his 20 years of service to the Metropolitan Harrisburg Home Builders Association of Harrisburg, PA.

Glenn serves as executive vice president of the association and has ably served its membership since 1971, promoting the work of an industry that is a backbone of our economy. Glenn's work with the organization started out of his dining room, then his family room, and eventually his garage. As the work outgrew that space, the association then became headquartered on Front Street in Harrisburg. Under Glenn's leadership, the association's membership has grown from 133 in 1971 to 800 today, and its budget has increased from $5,000 to nearly $1 million.

One of Glenn's most outstanding accomplishments was his instrumental work in organizing the first Pennsylvania Home Builders Show in 1975, which rented 78 booths to 60 exhibitors. The 1992 edition of the show rented 733 booths to 407 exhibitors, with 60,000 people attending the event. Glenn also helped bring the Home-A-Rama show to the Harrisburg area in 1990 and 1991. These shows, too, were successful, with 40,000 people in attendance over 2 years.

Young people also benefit from Glenn's hard work, as the association now awards eight $1,000 scholarships to area students every year.

Mr. Speaker, I ask all of my colleagues to join me in congratulating Glenn for his two decades of hard work and dedication to the Metropolitan Harrisburg Home Builders Association. The members of the association, as well as his family, friends, and colleagues, are appreciative of his many years of effort and will always remember his contributions.

BILL BAYER, A JOURNALIST INSTITUTION OF SOUTH FLORIDA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize Mr. Bill Bayer a practicing journalist for nearly half a century. For 43 years he has been practicing his trade in south Florida, often in the face of incredible difficulties. His career is best summarized by his fellow journalist Fred Tasker, of the Miami Herald, in the following article:

BILL BAYER RISES ABOVE ADVERSITY

(By Fred Tasker)

The way life treats Bunkie Bayer, at almost 70 one of South Florida's two or three longest-active political news hounds, one deduces that God is mad at him.

In 1941, when he was serving aboard a U.S. Navy minelayer in the Philippines, a big gun exploded, knocking him 28 feet through the air against a steel locker, putting him in the hospital for a year.

In 1957 a heavy plywood backdrop fell on his head during a live TV newscast.

In 1958 a small boat he was in exploded, burning him badly on the legs, arms, hands and face.

In 1986 his car, hip and pelvis were pulverized by a kid driving drunk on South Dixie Highway, putting him back into the hospital for seven weeks.

In 1988 he had heart surgery to unclog two arteries.

It didn't keep Bill "Bunkie" Bayer down. When the backdrop hit him, he held it up with an elbow and kept talking. After his car wreck, he ran phone lines around his plaster casts and continued his political commentary from his hospital bed. Three days after his heart operation, he checked out to moderate, from his home, a fractious, hour-long debate between U.S. Senate candidates Kenneth "Buddy" MacKay and Connie Mack.

"God must need some reason to stay irritated," Bayer says, "because he keeps me around."

Bayer is a true pioneer of South Florida news—or, as his friends put it—a sociological and historical dinosaur.

Which news anniversary he will celebrate this year depends on how you measure it. He wrote his first story for The Miami Herald in 1949. He became South Florida's third TV news anchor in 1953, for the old WITV-Channel 17 in Hallandale. That same year he voiced South Florida's first TV editorial—a nicely effective diatribe against potholes on Hallandale Beach Boulevard that had flattened a tire on his boss' brand-new Cadillac.

"HE'S A CHARACTER"

Today, South Floridians hear Bayer on his Straight Ahead political interview show at 6:30 p.m. Sundays on WINZ-AM 940.

He and his wife, Patricia, live in Coral Gables and have one daughter, Karen, 41.

"He's a character, he'll be the first one to brag about it," says Richard Rundell, a political PR man who worked with Bayer at The Herald in 1949.

"There's a certain mystique about Bunkie," agrees Phil Hamersmith, another political operative, "even if he is the main one who will tell you about it.

"He'll tell you how he invented electricity so there could be television. He'll tell you about his friend, Marconi. . . .

"But in a town like Miami, which has no history, Bunkie has reached the level that I call history. He may be a dinosaur. But he still often scoops everybody. He has inside sources. I don't know who they are. But people still talk to Bunkie Bayer."

To Bayer, it is the finest accolade: "What I'm most proud of is that I've had an exclusive, half-hour interview with every president since Herbert Hoover, except for Franklin Roosevelt."

After kicking around in the late 1940s with The Chicago Sun, The New York Daily News, The Honolulu Advertiser and United Press International, Bayer arrived in Miami from Indiana in 1949, as a Herald reporter. From 1953 to 1973 he was a TV news anchor and political commentator, first for Channel 17, later for Miami's original WPST-Channel 10, then its successor, WLBW-Channel 10, which today is WPLG.

STRAIGHT AHEAD

Bayer dropped out of news from time to time for PR work—with Pan Am, Everett Clay Associates, Americable—but always returned to politics.

His program changed names regularly—On the Spot, Important!, Miami Press Conference, One Man's Opinion, Straight Ahead—but always had the same flavor. It was, in the words of Miami Herald TV critic Jack Anderson in 1965, "a favorite arena for politicians eager to practice the half-Nelson on each other and for TV viewers who like their scraps unmolested by the Queensberry rules."

In 1961, Teamsters' Union president Jimmy Hoffa was asked why he submitted to a Bayer interview after years of avoiding him.

"I got so tired of Bayer asking me. If I came into town at 4 a.m., he would be there at the airport asking me."

Today U.S. Sen. Bob Graham, D-Fla, feels the same way: "When I first ran for the Legislature, he was there. He was also there last Saturday calling me at my home. You can never get away from Bill Bayer—chronologically, politically, personally. He's in your face all the time."

"Bunkie" Bayer, who earned the nickname as a bunkhouse leader in an Indiana YMCA summer youth camp, has never been smooth or subtle. His questions are political, not personal, but he never leaves his audience in doubt about his own position.

Graham: "Bayer, as a journalist, attempts to maintain a sense of distance and bipartisanship, but you know where he really stands when he turns over his lapel and discloses his Nixon button. He's the ultimate true believer."

Bayer has worn the button that way for decades.

WHERE HE STANDS

"I am an impartial, nonpartisan, middle-of-the-road, bigoted, biased Nixon Republican."

Bayer's early-days friends still remember his penchant for telling the news as he saw it. Rundell remembers 1951, when he was a Herald reporter and Bayer had gone on to Channel 17. One night Rundell was tracking a distant hurricane for the Herald.

"Bunkie came on the screen and said, 'Well, those forecasters say the hurricane isn't any where near here. But in my opinion it'll be at Flagler Street and Miami Avenue by tomorrow morning.'

"He scared the s-- out of the everybody in Miami," Rundell guffaws. "The hurricane was way over by Africa fercrissakes. The next morning Bunkie came on said, 'I was just kidding.'"

All through the 1960s, Bayer was the chief rival to WTVJ-Channel 4's legendary anchor Ralph Renick.

Renick's station was killing Bayer's in election coverage—with enough staff to station vote counters at every precinct.

Bayer, with no staff, simply copied Renick's results from the TV screen and, seconds later, reported them on Channel 10 as his own.

"He is not the epitome of dignity or purveyor of the image TV stations like to disseminate of themselves," a Miami News TV critic wrote at the time.

Deciding that Renick was a stuffed shirt, Bayer spent the decade playing practical tricks on him.

When the two were in Paris together on a story, Bayer passed out thousands of dollars worth of fake Confederate money to unsuspecting street prostitutes, luring 20 of them to Renick's hotel. He says Renick locked himself in the bathroom.

FROM FEUD TO FRIENDSHIP

When mobster Mayer Lansky opened the Riviera Hotel in Havana, Bayer says he persuaded Lansky to tell a gaggle of local streetwalkers that Renick was an American millionaire on the look-out for a good time.

Says Bayer: "He always used to say, 'I dread seeing you come in the door.'"

The feud gradually softened into friendship; Bayer gave a moving eulogy at Renick's funeral last July.

Bayer's political connections have remained as strong as his political convictions.

In 1982 President Reagan appointed Bayer to a commission forging policies for Radio Marti. In accepting, Bayer made it clear how he had qualified.

"In the years I did the five interviews with the fat SOB, 300-pound roly-poly Fidel," he said, "he's never given me a straight story."

Today, despite life's beatings, Bayer carries on, doing many shows by phone from his home. But he still thinks God may be picking on him—abetted now, he suspects, by Renick.

"I can just see Renick up there sitting beside God, saying, 'That's right. Get 'im. That's right.'"

Mr. Speaker, I commend Mr. Bayer for his dogged persistence in getting the story and his straight-ahead style of telling it. I wish him another, less painful, 50 years of chasing the truth.

COLUMBUS LANDED 500 YEARS AGO

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. FALEOMAVAEGA. Mr. Speaker, through Public Law 102–188 (S.J. Res. 217, H.J. Res. 342), Congress and the President designated 1992 as the Year of the American Indian. This law pays tribute to the people who first inhabited the land now known as the continental United States. Although only symbolic, this gesture is important because it shows there is sympathy in the eyes of a majority of both Houses of the Congress for those Indian issues which we as a Congress have been struggling with for over 200 years. In support of the Year of the American Indian, and as part of my ongoing series this year, I am providing for the consideration of my colleagues an essay written by Dorothy Guthrie and printed in the April 1992 edition of the American Indian Report published by the Falmouth Institute. The essay touches on the problems facing American Indians and the fears they still have.

500 YEARS SINCE COLUMBUS

(By Dorothy Guthrie)

I am proud to be an Alaska Native American Indian.

Our destruction began the day Columbus entered our land. Our parents were not allowed to speak their own language, or to dance their traditional dances, or to eat their own food. We were forced to learn the white man's ways or be punished.

Time has healed some of the wounds and returned some of what was taken from us. Today we are allowed to do the Indian dances, eat our own food and learn what we can of our own language. We learn what little we can from our aunts and uncles, but they can't teach us what they don't know themselves. The do the best they can.

This land was the land of our ancestors and it was taken away from us by the white man. The white man thought he was being generous by giving us bits and pieces of land here and there, but this was not his land to give away.

He gave us the land, and then told us we may do what we can to earn money and live on the land. He told us the profits are ours. Yet we still need the help of the white man to learn how to make money.

We are not as educated as the white man in how to earn good money and keep a business going. So we hire a white man to help us. We put all our trust in him and hope he won't betray us in any possible way.

I feel that sooner or later we won't even have the land that they gave us. Eventually they will offer us a so-called choice—our land for a lot of money. Then all that our grandparents worked for will be useless. The white man will have won again and the Indians will have nothing again.

Yes, we were deprived of our culture and our way of life, but we still have our pride. We don't give that up easily.

I am a proud Indian. It is in my heart. Everything I do and say comes from my heart.

THE TIME FOR COMPREHENSIVE OSHA REFORM IS NOW

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. DOWNEY. Mr. Speaker, April 28, 1992, marks the fourth annual Workers Memorial Day observed by the AFL–CIO. Today, unions across the country will remember the thousands of workers who have been killed and injured in the workplace. What better opportunity to focus attention on the importance of passing legislation aimed at ensuring the safety of the American workplace?

As a child growing up in New York, I remember my grandmother telling me the tragic story of the 1911 Triangle Shirtwaist Co. fire. On March 25, 1911, over 140 people, mostly women and young girls, were killed when a fire broke out on the top 3 floors of a 10-story building in New York City where the Triangle Shirtwaist Co. was located. Many of the vic-

tims jumped to their death trying to escape the fire. The others were burned or trampled to death inside the building. After the fire it was discovered that there was little, if any, firefighting equipment available, the stairways were regularly littered with trash, and many doors, through which the victims could have fled, were kept locked. Along with this tragic loss of life, the fire brought increased attention, and ultimately some reform, to the dangerous workplaces of early 20th century America.

Since that time, efforts have been made to ensure the safety of the workplace for all Americans. In 1970, Congress passed the Occupational Safety and Health Act of 1970, [OSHA], which guaranteed American workers a safe and healthy work environment. However, for too many Americans, the right to a safe workplace has not been realized. Last year's tragic fire in Hamlet, NC, bears a startling resemblance to the 1911 Triangle fire. At a poultry processing plant in Hamlet, 25 workers were killed and another 55 were seriously injured when a fire broke out. Once again, locked doors prevented employees from escaping.

Each year over 10,000 workers are killed on the job, another 50,000 to 100,000 die from occupational illness, over 6 million more are seriously injured in workplace accidents, and 60,000 are permanently disabled. In New York State alone, over the past 10 years there were over 1,500 workplace fatalities. That is a rate of over 2.5 deaths per 100,000 workers. This is totally unacceptable.

The time for comprehensive OSHA reform is now and that is why I have cosponsored H.R. 3160, the Comprehensive Occupational Safety and Health Reform Act. This legislation will take significant steps toward improving health and safety for American workers.

H.R. 3160 will ensure joint employer and employee participation in workplace health and safety programs, establish joint health and safety committees on the worksite, strengthen criminal penalties against employers in cases of death or serious injury, and require employers to have written safety plans. It will extend coverage to over 7 million State and local government employees who are not protected by OSHA. In addition, this legislation will ensure employees are trained to recognize workplace hazards and will enhance OSHA'S enforcement authority.

Last year's tragic accident in Hamlet, NC, once again brought increased attention to the need to ensure workplace safety for all Americans. Let's not wait for another Hamlet, before we do bring change, reform, and safety to the American workplace. I have heard from many of my constituents who want to see their right to a safe workplace realized. Today, as union members gather around the country to remember those employees who have died in their workplace, I urge my colleagues to join together and pass this much-needed legislation.

CONGRATULATIONS TO THE JOHNSTON CITY "JETS" TEAM

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. POSHARD. Mr. Speaker, I rise to congratulate Johnston City High School for winning the 1992 Illinois Division II JETS competition.

JETS stands for Junior Engineering and Technical Society, and the whiz kids from Johnston City recently won top honors among all Illinois schools with enrollments between 300 and 699 students.

JETS challenges students in a demanding set of tests and competitions across a broad range of subjects. A good JETS team is a good indicator of how well the school is doing at educating its students. JETS does not focus on memorizing trivia, but instead develops problem solving and thinking skills, which are useful in the classroom as well as in day to day life. And since it is a team effort, it promotes communication and cooperation.

At a time when the United States needs more bright young people to lead in the fields of math and science, this is welcome news. This achievement is especially noteworthy because Johnston City is not an affluent suburb of a major city, nor is it located near a high-technology industrial corridor. Instead, these students, their coach, and a supportive community have relied on natural ability and a lot of hard work. That's the way we get things done in southern Illinois and in Johnston City. And those qualities will help these young people continue their commitment to excellence in their chosen fields.

I am including the names of the team members in the RECORD so they might receive the recognition which comes with such a noteworthy achievement.

1992 JOHNSTON CITY JETS TEAM

Justin Todd, Scott Kissinger, Shawn Taylor, Cliff McReynolds, Matt Cox, Holli Smith, Dennis Russel, Robbie Howerton, Jeff Huntsman, David Morris, Amanda Curtis, Amy Gaddis, Christina Marlow, Alan Owens, Amanda Hill. Coach: Mr. Pete Moake.

A TRIBUTE TO DR. EDWARD RYAN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of Dr. Edward V. Ryan. Dr. Ryan, an assistant professor at USC's School of Education, is retiring after 42 years of distinguished service as one of California's finest educators. He will be recognized for his life's work at a reception in his honor on May 1.

Dr. Ryan has committed his professional life to education, spending many years in the Inland Empire as a teacher and a school district administrator. Among his many administrative accomplishments were serving for 26 years with distinction as district superintendent in the Arcadia Unified School District, assistant superintendent in the Rialto School District, principal at Eisenhower High School in the Rialto School District, and vice principal at Pacific High School in the San Bernardino School District. His expertise and service to the Inland Empire School Districts included providing field-based research studies relating to site selection plans, district master plans, faciities justification plans, and administrative organization plans.

In addition to his administrative duties, Dr. Ryan has served as an adjunct professor at institutions of higher learning including University of California at Riverside, California State Los Angeles, and Redlands University. Dr. Ryan played a leading role in supporting and guiding the students attending the off campus San Bernardino Educational Centers. His work was also instrumental in establishing the USC Off-Campus Education Centers for Graduate Studies.

Mr. Speaker, I ask that you join me, family, and friends in recognizing the outstanding contributions of this selfless educator. His dedication to students of all ages, and lifelong commitment to education, is certainly worthy of recognition by the House of Representatives.

A TRIBUTE TO THE ROTARY LITTLE LEAGUE

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to the Rotary Little League in Pottsville, PA. On May 2, 1992, the Rotary Little League will begin its 40th season of play. It has been an important part of the lives of boys and girls in the Pottsville area since its inception in 1952.

In 1952, the Pottsville Rotary sponsored the construction of Pottsville's first Little League field on land owned by J.H. Zerbey. Opening day on June 2, 1952, featured a fire engine parade and Mayor Heffner throwing out the first ball. There were four teams in the league and a league all-star team that played in the postseason against other leagues. The league expanded in 1956 with the addition of the minor league to include younger players. In 1974, the Pottsville Rotary purchased Rotary-Zerbey Memorial Park and then constructed a new, more modern field in 1975. The Rotary Little League All-Stars have been successful in postseason play including winning the District 24 Championships in 1968 and 1984.

Today the Rotary Little League has two leagues, the Little League and the Minor League, consisting of six teams each, with a total of over 150 players. A ceremony will be held on May 2, to commemorate the 40-year anniversary and to present 50 certificates of recognition to volunteers and supporters of the league.

I would like to congratulate the players, coaches, parents, sponsors, and everyone involved with the Rotary Little League. I would also like to commend Mr. Uzal Martz for com-

piling a history of the league. Although the names and faces have changed over the years, the Rotary Little League has remained an integral part of the Pottsville community and the upbringing of many Schuylkill County kids. In 1992, just as in 1952, the Pottsville Little League is dedicated to teamwork, self-improvement, and fun for everyone involved. I ask that all of my colleagues join me in honoring the outstanding accomplishments and contributions of the Rotary Little League and its participants.

CELEBRATION OF THE ARUNDEL HABITAT FOR HUMANITY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to recognize and honor the Arundel Habitat for Humanity on its fifth anniversary and for the outstanding contributions this organization has made on behalf of the citizens of Anne Arundel County.

In its work during the past 5 years, volunteers have worked with low-income families who have lived in substandard housing or no housing to achieve decent, affordable housing.

The Arundel Habitat for Humanity is a group that exemplifies all of the many wonderful things that can be accomplished through active citizen involvement for the benefit of needy individuals in our community.

I speak on behalf of all of the citizens of Anne Arundel County in thanking all of those people that are involved with the Arundel Habitat for Humanity for making our county a better place. We wish you continued success in your future endeavors and, as a Member of Congress, I am looking forward to working with you to make a difference on behalf of the citizens of Anne Arundel County.

SALUTING CLARENCE AND PHYLLIS JAMISON ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. STOKES. Mr. Speaker, I rise today to recognize two notable members of the Cleveland community, Lt. Col. Clarence C. Jamison, retired and Mrs. Phyllis Jamison, who are celebrating their golden wedding anniversary on April 30, 1992. On Saturday, May 2, 1992, family and friends will gather at Vernon's on Shaker Square in Cleveland for a grand reception highlighting this momentous occasion. I am proud to salute Lieutenant Colonel and Mrs. Clarence Jamison as they begin this special anniversary celebration. They have shared a lifetime of experiences together and I am proud to note for my colleagues today some of those experiences.

Mr. Speaker, it was in January 1941 that the War Department announced the formation of the 99th Pursuit Squadron, a black flying unit, to be trained at Tuskegee, AL. Lt. Col. Clarence Jamison, who was reared in the Cleveland area, completed his flight training at Tuskegee Airfield and became one of the first African-American pilots to be commissioned in the Army Air Corps.

The Tuskegee Flyers or "Lonely Eagles", as they called themselves, became a respected group of fighter pilots, proving to the world that blacks could fly in combat with the best of pilots from any nation. They began as the 99th Pursuit Squadron and later became the 99th Fighter Squadron.

As an orginial member of the 99th Pursuit Squadron, Lieutenant Colonel Jamison flew combat missions over North Africa and Italy during World War II. I am proud to report that as the bomber escort group that protected American bombers on their missions deep into Europe, the 99th Squadron never lost a bomber to enemy fighters. It was the 99th Pursuit Squadron that also helped to pave the way for other black Air Corps units, including fighter, bomber and composite squadrons, and groups.

During his distinguished military career, Jamison not only helped to dispel the myth that African-Americans were not qualified to fly military aircraft, but he assisted in this immigration of Air Force bases around the country. He served his country with distinction and is the recipient of numerous awards and honors for his military accomplishments.

Following his military career, Lieutenant Colonel Jamison returned to the Cleveland community. He continued his career in public service with the Social Security Administration, retiring in 1986 as manager of the University Circle Office.

Mr. Speaker, Mrs. Phyllis Jamison travelled with her husband on all noncombat military assignments throughout the United States and the world. She played an active role in the Officer Wives Club and often, as the wife of the senior black officer, she helped other African American wives adjust to military life.

Mrs. Jamison also enjoyed a career as a teacher and successfully earned her master's degree. During her career, she held teaching positions in Massachusetts and Michigan. She also served as a junior high school teacher and guidance counselor in the Cleveland Public Schools for nearly 20 years.

Both Lieutenant Colonel Jamison and his wife have been strong and positive role models for their family. They are the proud parents of two children, Michal J. Offutt of El Cerrito, CA, and Clarence Jamison, Jr., of Wilmington, DE. They are also the proud grandparents of four children.

Mr. Speaker, I am proud of my association with the Jamison family. I take this opportunity to extend my best wishes to Lieutenant Colonel and Mrs. Phyllis Jamison as they mark their golden wedding anniversary. They have much to celebrate and I wish them a lifetime of continued happiness and success.

JUAN MORALES: FROM CASTRO'S DUNGEONS TO WALT DISNEY WORLD

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Mr. Juan Morales, who was recently featured in the Miami Herald. The article, "Disney Job Is Dream Come True for Cuban Animator," by Phil Long, tells how through incredible determination and persistence, Mr. Morales became an artist in the world famous animation department at Walt Disney Studios in Orlando, after serving 7 years as a political prisoner in Castro's dungeons:

From the time he made his first doodle drawings as a toddler in Cienfuegos, Cuba, Juan Morales knew he wanted to be an artist. From the minute he saw Bambi, his first Disney cartoon feature, he knew he wanted to be a Disney animator.

And especially during the six years he was a political prisoner in Cuba, Morales rarely saw a star without remembering how much he longed to work for the man who made wishing on stars famous.

From his jail cell in the 1960s, it seemed like an impossible dream.

But persistence has made the dream a reality.

Today, at the close of his third year in the United States, Morales is an artist in the celebrated animation department at Walt Disney Studios in Orlando.

Morales, 47, has found a home in a studio that will more that double in size in the next three years, positioning itself to become the birthplace of a number of full-length animation movies in the next decade. It is a working studio that today employs 73 and by the end of 1996 will have jobs for 180 in its animation staff.

"Nothing could make me happier than to work here," Morales said. "It was a dream that came alive."

Between drawing his first cartoons in Cienfuegos at age 5 and his departure from Cuba almost 39 years later, Morales was for seven years a political prisoner, later a reluctant painter of political portraits and finally an architect remolding restaurants and cafeterias.

When he got the chance, he came to Miami in 1989.

By day, he worked in the laundry at the Grand Bay Hotel. By night, he refined his growing portfolio of cartoon characters.

In 1990, he sent his best work to Disney. Not quite what we're looking for, the Disney people said at first. So Morales studied Disney animation and adapted his style.

Determination paid off.

A persuasive letter and a new portfolio did the trick. In January 1991, Disney gave him a three-month internship, followed by a job.

"Juan is a super person, someone the others here look up to," said Max Howard, director of animation at the growing studio.

"There is such an incredible future here in Orlando for Disney animation," Howard said. "The next 10 years and beyond will be very exciting times."

If 1991 is any indication, Howard may be understating things.

As of March 23, "Beauty and the Beast," released late last year, had grossed a record $122 million. It is the first animated film in

history to be nominated for an Academy Award as "best picture."

At 47, Morales is twice the age of the average artist at Disney. They call him "the grandfather of animation."

"I am a little bit late." Morales said smiling. "But I am here."

I am happy to pay tribute to Mr. Morales by reprinting this article. Mr. Morales' life is truly an inspiration to us all. He has shown through hard work and determination how people can achieve their dream even against the most impossible odds. As he put it himself, "I am a little bit late, but I am here."

NORTHEAST DAIRY COOPERATIVES DONATE PRODUCTS TO MOSCOW SCHOOLCHILDREN

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mrs. JOHNSON of Connecticut. Mr. Speaker, America is known throughout the world for her generosity and humanitarianism. I would like to share with my colleagues the actions of five Northeast dairy cooperatives that epitomize this. Through their association, the Council of Northeast Farmer Cooperatives, 10 tons of dairy products have been donated to 27 schools in the Commonwealth of Independent States. The contributing cooperatives were: Agri-Mark, Inc., the Lawrence, MA, cooperative that serves the Sixth District of Connecticut, Cabot Farmers' Cooperative Creamery, Cabot, VT; Eastern Milk Producers Cooperative Creamery, Syracuse, NY; St. Albans Cooperative Creamery, St. Albans, VT; and Upstate Milk Producers Cooperative Creamery, Leroy, NY. I urge you all to read the announcement carried in the National Milk Producers Federation newsletter:

NORTHEAST DAIRY COOPERATIVES DONATE PRODUCTS TO MOSCOW SCHOOLCHILDREN

Five Northeast dairy cooperatives are donating ten tons of dairy products to schoolchildren in Moscow. Milk, butter and cheese is on its way to Moscow this week.

The Council of Northeast Farmer Cooperatives (CNFC) organized the donation, which includes condensed and powdered milk, butter, and cheddar and mozzarella cheese. Once the dairy products arrive in Moscow, the Russian Journalist Charity Foundation will distribute them to twenty-seven schools. CNFC Executive Director Bob Gray said, "We see this as an opportunity to show the world our support of a country struggling to create a democracy and a free economy."

NMPF Chief Jim Barr congratulated the cooperatives for their generosity. "It is a monumental task to coordinate the collection, transportation, contacts and distribution for this kind of donation," Barr said. "I am pleased to see our dairy cooperatives taking the lead on this humanitarian effort."

The dairy industry leader also said he hoped other cooperatives would follow their lead. "National Milk is willing to provide assistance to other member cooperatives interested in donating dairy products to the people of the newly formed Commonwealth of Independent States," he said.

The cooperatives that contributed to this donation are Agri-Mark, Inc., Lawrence, Massachusetts; Cabot Farmers' Cooperative Creamery, Cabot, Vermont; Eastern Milk Producers Cooperative Creamery, Syracuse, New York; St. Albans Cooperative Creamery, St. Albans, Vermont; and Upstate Milk Producers Cooperative Creamery, Leroy, New York. All are NMPF members.

A WALK FOR ALL OF US

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CARDIN. Mr. Speaker, today I rise to speak about one of the most devastating and debilitating disease this country has seen—AIDS.

AIDS has claimed the lives of over 124,000 Americans, and 2 million are currently infected. As much as $7.2 billion will be spent nationally on medical care alone for AIDS patients in 1992. In my State of Maryland, 30,000 Marylanders are presently infected with HIV. Nearly 4,000, including 751 teenagers, have been diagnosed with AIDS, and over 2,400 have died from AIDS-related causes. The numbers are staggering, and rising daily.

On May 31, 1992, an estimated 10,000 Marylanders will participate in the fifth annual Aidswalk to raise $500,000, sponsored by the Health Educational Resources Organization [HERO]. The walk is intended to raise continued awareness of HIV and AIDS. The walk, cosponsored by such organizations as Blue Cross and Blue Shield of Maryland, WJZ–TV, WXYV Radio, Patuxent Publishing Co., the Afro-American Newspapers, American Trading and Production Corp., Baltimore Business Journal, the Weinglass Foundation Inc. with Merry-go-Round Enterprises, Inc., is the most ambitious as of yet., The goals for this walk are far greater than in the past. As the rates of AIDS patients spread in the community, more public attention needs to be drawn to it.

Mr. Speaker, I would like you and my colleagues to join me in this most special day. This is "A Walk for All of Us."

HEATHER RAE OWEN IS CHOSEN AS THE KANSAS WINNER OF THE "MEETING AMERICA'S CHALLENGE" CONTEST

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. ROBERTS. Mr. Speaker, I rise today to recognize Heather Rae Owen, a senior in my district at Garden City High School. Her essay, "Meeting America's Challenge," was a winner in the 1992 Voice of Democracy broadcast script writing contest. She was also the recipient of the $1,000 Walter and Doris Marshall Scholarship Award. I am proud to submit her essay for reprint in the CONGRESSIONAL RECORD:

MEETING AMERICA'S CHALLENGE

(By Heather R. Owen, Kansas winner, 1991/92 VFW Voice of Democracy Scholarship Program)

A small boy is running through a peaceful meadow when suddenly he comes to a screeching halt—ahead of him lies a dark, haunting forest. Now, we may expect that such a young, helpless boy such as this might turn right around and forget about that scary forest.

Well, let's look at it another way. America, just as the child, has come to a dark forest of its own. The future lies in front of us, full of challenges and opportunities, and unless we meet these challenges head on we will be left behind standing in that meadow.

One huge challenge in America's future is dealing with the end of the cold war and the crumbling of communism in Eastern Europe. How we react toward the end of such an important time in history will affect our own generation as well as those generations to come. We must work together with the Nations of Eastern Europe to insure they stay out of the clutches of communism.

Now, with the cold war over, we must stay educated about the Soviet Union and realize that only through understanding and communication can we avoid another chapter in history such as the one coming to a close. As this chapter closes, however, another one begins. It's about a war, but not a war between countries. It's the war between man and the environment.

Yes, many people have already run to the other side of the war zone and joined in efforts to save the environment, but it will take the combined efforts of every last one of us to make a difference.

Because other countries look to America for leadership, we have an additional challenge. Not only do we need to preserve our own rivers, forest and oceans, but we must serve as an example to other nations. Through such practices as recycling and water preservation, we can show the world that this is not an American problem, but a global one.

Another global issue that needs America's attention is the turmoil and chaos in the Middle East. We must not let the lessons we have learned through hostage situations, the Gulf War, and events that followed be forgotten. America's challenge is to take a stand on issues concerning these nations and stick by it, and we must work to continue our tradition of insuring freedom around the world, and not just within our own borders.

America is also facing internal challenges. As we see more and more ethnic groups becoming important parts of this great nation, the need for cultural awareness and understanding is growing at a tremendous rate, not only in the big cities, but in small towns across the country. Our differences do not have to be a burden or a handicap, and in fact, our different backgrounds and ideas can enhance each other and make America truly the melting pot of the world. But in this pot there are many social challenges to be met.

One very large issue at hand is our homeless. Increasing at an alarming rate, they are America's fastest growing group of individuals. These people, detached from society, cannot even vote. To think that our ancestors have worked so hard through wars and revolutions to make this the land of democracy and yet millions of our citizens are left out in the cold and can't participate in their own government. America's challenge is to not ignore this problem, but react to it, and not only to the homeless but to other social issues such as AIDS and prison overcrowding.

Until we recognize all of our bad points and deal with them we cannot fully appreciate all of our good points. Whatever our challenges will be, America will be sure to meet them with the same drive and deter-

mination as in the past, and just like that small boy facing the dark wall of the forest, America won't have to think twice about running straight into the woods and meeting these challenges head on.

FAIRPORT, NEW YORK CELEBRATES 125TH ANNIVERSARY OF INCORPORATION

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Ms. SLAUGHTER. Mr. Speaker, it is my honor today to pay special tribute to my hometown village of Fairport on the 125th anniversary of its incorporation. Fairport, a village of 6,000 people, is located within the town of Perinton in New York State.

The beginnings of Fairport date back to the early 1800's when the village consisted of seven log cabins, a block house and a frame house. Originally known as Perrintonville, the village thrived as the Erie Canal was constructed through the area. For several years, the canal terminated near Fairport as the great embankment over the Irondequoit Creek basin was constructed.

Because of the Erie Canal, numerous travelers conducted business in Perrintonville and passed through the village. Many of these travelers described the village to others as a fair port and the name was eventually changed form Perrintonville to Fairport.

The shipping advantages offered first by the canal and later by the main line of the New York Central made Fairport an important industrial center. The DeLand Chemical Co., became one of the Nation's leading manufacturers of baking soda and baking powder. The substantial DeLand family homes are the nucleus of two Fairport landmarks: the Green Lantern Inn and the Fairport Baptist Homes.

Other firms contributing to Fairport's economic vitality have included the Certo Works, the R.T. French Co., the Cox Shoe factory, Crosman Arms, and the American Can Co.

By the time Fairport was incorporated on April 30, 1867, it had grown to ten streets and 1,000 people. Since that time, the village has continued to prosper and today it hosts a thriving residential and business community.

On its 125th anniversary, Fairport is working to recapture the atmosphere of the original canal town. Many businesses and houses have been restored in the Victorian style of the 19th century. Public parks and docking facilities have been constructed so the canal's beauty and recreational opportunities can be enjoyed by all. Today's village of Fairport reflects both its rich past and its current vitality.

Mr. Speaker, I congratulate the people of Fairport as they commemorate the village's 125th anniversary and extend my most heartfelt wishes for its continued prosperity.

THE FOREST HEALTH ACT OF 1992

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LAROCCO. Mr. Speaker, on April 9 I introduced H.R. 4980, the Forest Health Act of 1992, with 23 cosponsors including my colleague from Idaho [Mr. STALLINGS].

Mr. Speaker, I believe the health of our Nation's forests, like the health system of our country, has gone unwatched for far too long. That is why I propose an annual report from the Secretary of Agriculture to evaluate the overall health of trees in the national forest system.

Significant portions of our national forests have experienced serious health problems. Disease and insect epidemics are widespread. Wildfire potential is high, especially across the West which has undergone a prolonged drought. Yet, the U.S. Forest Service has no comprehensive system in place to evaluate the health of the Nation's forests.

It is now generally recognized that dead and dying trees are important components of the forest ecosystems. Snags and downed logs provide important habitat for birds and other wildlife. But, because harvesting trees is essential for building houses, milling lumber, and providing jobs, it makes good sense to harvest dead and dying trees that are destined to lose their value quickly.

As trees die, wood quickly begins to split, check, and to develop stain and rot. If the value of these trees is to be captured, decisions must be made quickly. Delay only serves to waste resources and lose revenue for the U.S. Treasury as well as State and local communities.

In addition to the forest health report, H.R. 4980 would also expedite procedures for salvage timber sales in national forests.

It is critical that citizens have an opportunity to review management decisions on public lands. But, I am troubled when the system for review becomes a system for delay. For salvage timber sales, if the delay is long enough, the decision becomes moot because the wood value is lost.

The current appeals process for reviewing forest service timber sale decisions applies also to salvage timber sales. But, the current appeals system can be so drawn out that a decision on a sale can take more than 8 months * * * and that does not include permissible extensions.

Because of the delay, I believe it makes good sense to put salvage sales on a faster timetable. While expedited judicial review is provided in my bill, it remains silent on administrative appeals pending the administration's final policy decision on appeals of timber sales, including salvage sales.

As to judicial review, my goal is to provide a window of opportunity for citizens to use the courts to review an agency decision (which is entirely proper) but not to allow the courts to be used solely for the purpose of delay. My bill is not the first to consider ways to expedite the judicial review process, and I view the judicial review provisions in H.R. 4980 as a starting point for discussion.

Congressman STALLINGS and I will join Congressman HAROLD VOLKMER, chairman of the Subcommittee on Forests at a planned hearing in late May in Coeur d'Alene, ID to address forest health issues. It is my hope that the issues of judicial review can be further discussed at this hearing.

H.R. 4980 expedites, but does not limit, judicial review by the courts. it sets a reasonable deadline of 30 days for petitioning the court to review an agency decision to harvest dead trees. It urges the district court to make every effort to render a decision within 60 days and the appeals court within 90 days.

H.R. 4980 permits the courts to set procedural rules, such as page limits on briefs and time limits on filing briefs and motions, which will expedite a final decision. It urges courts to assign all or part of the case to a master who can focus on the particular case.

H.R. 4980 removes ambiguity by specifying what environmental documentation is needed. On salvage sales in roadless areas over 5000 acres, my bill would require the Forest Service to prepare an Environmental Assessment as the sole decision document. On salvage sales in areas which are already roaded, a special decision document would be required which would analyze why the sale is needed, any environmental impacts anticipated, and ways to mitigate those impacts.

H.R. 4980 seeks to establish sensible limits on salvage sales. My bill stats that at least 60 percent of a stand of trees needs to be dead or presumed dead in two years to be considered salvage. The bill also sets limits on how much timber can be salvaged on a national forest over a 2-year period, where no limit now exists.

H.R. 4980 provides that salvage sales must still be consistent with other environmental laws including the Endangered Species Act and the Clean Water Act.

H.R. 4980 serves to expedite salvage efforts on lands of least controversy. Areas that are deemed unsuitable for timber production in forest plans, including those currently in the National Wilderness Preservation System, are excluded from the provisions of my bill. The bill also excludes Research Natural Areas, and land that has been formally withdrawn from timber production, such as Habitat Conservation Areas. Areas which the Forest Service has proposed to set aside as Wilderness are also excluded from the provisions of my bill.

H.R. 4980 also exempts roadless areas proposed as an addition to the National Wilderness Preservation System in any legislation that has passed one House of Congress for a period of 2 years.

Mr. Speaker, Theodore Roosevelt once said, "The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value."

Whether current problems stem from past management practices or nature, itself, we can no longer afford to ignore the health of our national forests. As stewards of the land, we need to face those problems and find sound management solutions. Accordingly, Mr. Speaker, it gives me great pleasure to introduce H.R. 4980, as a step toward those solutions.

GLYN JEWELL SELECTED TO REPRESENT WASHINGTON AT THE NATIONAL YOUTH FORUM

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SWIFT. Mr. Speaker, each year RespecTeen holds a Speak For Yourself contest. Over 11,000 students nationwide submit letters they have written to Members of Congress on issues of importance to them. One student from each State and the District of Columbia are then selected to lobby Congress on behalf of our Nation's youth.

This year I am pleased to announce that one of my constituents, Glyn Jewell, 14, of Everson, WA, has been selected to represent Washington State at the fourth annual RespecTeen National Youth Forum, April 27–30.

I am always encouraged to see young people take an active interest in issues of national concern. As chairman of the Committee on Transportation and Hazardous Material, Glyn's letter about hazardous waste dumping was especially intriguing to me.

I would like to offer my sincere congratulations to all of those who participated in this contest, especially to Glyn Jewell. I am submitting a copy of his letter to the RECORD, and hope that my colleagues will read the work of this talented young student.

SPEAK FOR YOURSELF,
Everson, WA 98247, February 3, 1992.

Representative AL SWIFT,
Washington, DC.

DEAR REPRESENTATIVE SWIFT: We, the American people, need action. We demand that something be done against the dumping of hazardous waste. It is destroying our environment. Hazardous waste has caused 2500 sites in the U.S. to become irreversible waste lands. This subject needs to be handled before we are no longer able to eat, drink, or even breathe.

About a week ago, I was watching the news and I saw something that scared me. The Navy in the 1950's supposedly dumped about 500 drums of toxic waste along the California coast. The scariest part is that the barrels are beginning to corrode and fall apart. That means the waste will begin to leak out soon, which will in turn, damage the ocean's ecological well-being and could possibly kill a few people. Some toxic waste has a half life of 500,000 years, so it will be there for a while.

I realize it is not only the government that is dumping hazardous waste but many private industries do as well. If a company produces such wastes they need to be responsible and deal with it safely and properly. Incineration is the best bet.

I have proposed a few solutions. Federal inspection should be required; the inspection should be done by a team and should occur on random and unannounced dates. If there are unsanitary facilities found there should be a severe fine. My final proposal is education. People sometimes are afraid of what they don't understand, so if we educate people and private industries this should hopefully attract public interest in the subject. The bottom line is we need government funding now. This is no longer a problem, it is a crisis.

Sincerely,

GLYN JEWELL.

SUPPORT FOR LEGISLATION SUPPORTING SKI AREAS

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. OWENS of Utah. Mr. Speaker, on April 9, Representative PAT WILLIAMS introduced H.R. 4970 to simplify the formula under which ski areas operating on national forest lands pay rental fees to the United States for use of these lands. This legislation will not in any way reduce the fees paid to the United States for use of national forest lands. Rather, it will simply replace an excessively complex and bureaucratic system for calculating rental fees with a clear and predictable formula. The Forest Service and the Utah ski industry will both benefit form this change. I am pleased to have been involved in the development of H.R. 4790 and to have been an original cosponsor of this much needed legislation.

For the past several years, ski areas in Utah which use national forest lands for their operations have experienced increasing difficulty reaching agreement with the Forest Service as to the fee the United States should receive for use of those lands. The problem lies in the existing Forest Service fee system, known as the graduated rate fee system [GRFS], which encompasses more than 40 pages of policy, definitions, and guidelines.

While originally intended to set forth simple rules for collecting the fee, over the years the GRFS has become so complex that it has become little more than a forum for endless debate, appeal, and litigation. With each passing year, the GRFS regulations are beginning to look more and more like the Internal Revenue Code. The result has been that both ski area operators and the Forest Service are spending inordinate amounts of time and effort to calculate what should be a simple rental proposition.

To alleviate this problem, I have joined my esteemed colleague, PAT WILLIAMS, and virtually all other Members who have National Forest ski areas located in their districts, in introducing a bill to establish a new, simple fee system for ski area use of national forest lands.

This issue is very important to Utah because we have one of the largest ski markets in the world, and many of our areas, including Alta, Brighton, Snow Basin, Snowbird, and Solitude are located on national forest lands. Indeed, statewide skiing is estimated to bring in $480 million to the State's economy, with some of these revenues used to help finance the school system. In addition, skiing and associated summer tourism in ski communities is exactly the type of industry that the State seeks to promote to diversify our economic base and attract out-of-State dollars into our economy. It behooves us, therefore, to ease the burden of unnecessary regulation on the ski industry wherever possible.

The current graduated rate fee system used by the Forest Service to determine ski area fees is fast becoming a classic example of overly and unnecessarily complex Federal regulation. It is poorly understood by both ski area operators and local Forest Service personnel, and is subject to widely varying interpretation and inconsistent application among the dozens of Forest Service districts, forests, and regions. There is no logical reason why charging rent for Federal land should require 40 pages of instruction.

Another compelling reason for changing the formula is that the Forest Service is becoming increasingly aggressive in attempting to charge ski areas for revenues generated not only from leased national forest lands, but also from businesses on nearby private lands. Not only is this a waste of everyone's time, but it must be noted that the revenue in concern is from private land activities. In my experience dealing with public land issues, it is unprecedented for the Government to assess fees for the use of Federal land by also including revenues from private land. Operations on private land are already subject to Federal income tax, local property tax, and other Federal, State, and local taxes. There is no excuse for the Forest Service to charge rent for privately owned land. Any attempts to do so are, frankly, outrageous.

The new fee formula in my bill, H.R. 4970, will make the future fee simple, predictable, and easy to calculate. And it will clearly state that the only revenues that can be assessed are those which result from the actual use of Forest Service land.

As a member of the Committee on Interior and Insular Affairs and the National Parks and Public Lands Subcommittee, which will receive referral of my bill, I will do my utmost to see that a hearing is quickly scheduled and this important measure moves forward at the earliest possible date. It is too important to Utah's ski areas to do otherwise.

THE ADVANCE FEE LOAN SCAM PREVENTION ACT

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SCHUMER. Mr. Speaker, I recently introduced legislation, H.R. 4954, the Advance Fee Loan Scam Prevention Act, to combat a growing problem for hard-pressed consumers and small businesses that is costing them millions of dollars. I would like to explain the problem this bill addresses and how my legislation would work. I would also note that a companion bill has been introduced by Senators LIEBERMAN, BRYAN, and DODD.

Recessions are fertile ground for con artists, and the current one seems to have brought out the worst of the lot. There just never seems to be a shortage of crooks, con artists, and swindlers to prey upon desperate and vulnerable people in recessionary times. The new scam artist is the so-called loan broker, who charges a stiff up-front fee to a consumer for a promised loan that he will never deliver.

The scam works as follows: First, the loan broker sets up a company that advertises guaranteed credit or guaranteed loans. The ads promise loans and credit to persons regardless of their credit history or credit rating and urge consumers to call "800" or "900" numbers to apply for the loans. Operators on

the other end of the line take all the necessary information from consumers and inform them—usually within an hour or two—that they have been approved for a loan and that they only need to send in a processing fee to receive their loan check. These processing fees range from $30 to thousands of dollars.

Unfortunately, the loans never materialize. Consumers' inquiries about their loans are rebuffed and consumers continue to be stalled until the loan broker can close up shop and move on to another location to start the cycle again. Consumers never see their advance fees again, much less the promised loan money.

The newspapers are filled with stories of loan seekers losing hundreds and thousands of dollars from these fly-by-night operations. The Council on Better Business Bureaus has estimated that consumers and small businesses are losing up to a million dollars a month through these scams.

The bill I have introduced would put an end to this type of scam by prohibiting unregulated loan brokers from charging advance fees to consumers. This bill is aimed at unscrupulous loan brokers who are robbing consumers and small businesses. Any legitimate loan brokers that are regulated by the Federal Government or the State in which the consumer lives won't be subject to the provisions of this bill.

For example, the bill exempts credit providers and loan brokers licensed and regulated by the consumer's State or by the Federal Government, including banks, savings and loans, credit unions, mortgage banks and servicers approved by Fannie May or Freddie Mac, consumer finance companies, real estate agents, and attorneys. Auto dealers and sellers of consumers goods also are exempted.

In addition, loan brokers can still charge legitimate processing fees—they just can't force consumers to pay the fees before receiving the loan. Brokers can only collect their fees at or after closing loans.

Persons who violate the law would be punished with fines and possible prison terms and could also be prosecuted for mail fraud.

We have modeled our bill on an effective Florida statute that has managed to drive down the number of these scam artists operating in that State by 85 percent. But many, if not most, of the operations in Florida moved out of the State after this law took effect. And, worse yet, most of these crooks operate on an out-of-State basis anyway, so State laws aren't as effective as we would like. For example, New York has some of the toughest laws on the books to prevent these loan scams. However, New York State laws won't stop an unscrupulous loan broker working out of another State from hoodwinking New Yorkers. We need legislation at the Federal level to fully combat this problem.

Swindlers who perpetuate these scams are taking advantage of some of the most vulnerable people in our society. They hit people when they are down and take what little money hard-pressed consumers and small businesses have in exchange for a worthless promise. People that prey on the desperation of others are among the lowest forms of criminals.

I urge my colleagues to support this legislation.

MEGAN ELIZABETH SEBASTIAN; WINNER OF VOICE OF DEMOCRACY CONTEST IN SOUTH DAKOTA

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. JOHNSON of South Dakota. Mr. Speaker, every year for over 30 years, the Veterans of Foreign Wars of the United States and its Ladies Auxiliary have sponsored the Voice of Democracy broadcast scriptwriting contest. This year's contest theme was "Meeting America's Challenge." More than 147,000 secondary school students participated in the contest, competing for the 22 national scholarships totaling $62,500. The top contestant from each State came to Washington, DC, for the final judging as a guest of the Veterans of Foreign Wars.

Ms. Megan Elizabeth Sebastian is the 1991–92 winner from Mitchell, SD. Ms. Sebastian attends Kimball High School where she is president of the Kimball chapter of the National Honor Society. She extends her interests by participating in several school organizations concerning her class yearbook and foreign languages.

Ms. Sebastian presents insight to the true meaning of democracy and freedoms in the United States of America. She recognizes our changing world in which people of varying degrees of background understand the need to have freedoms of choice whenever it is necessary. Megan Sebastian also recognizes the fact that the freedoms we hold dear must be protected and nurtured. While she recognizes the importance of individuality, Ms. Sebastian asserts her view that we must "unite as one people, to dream, to dare, and to do what has to be done."

I would like to take this opportunity to submit Megan Elizabeth Sebastian's award-winning script to the CONGRESSIONAL RECORD, for the benefit of my colleagues and other interested readers.

MEETING AMERICA'S CHALLENGE

(By Megan Elizabeth Sebastian, South Dakota winner, 1991/1992 VFW Voice of Democracy Scholarship Program)

In 1491, Christopher Columbus faced a challenge. He believed he could reach the east by sailing west. Everyone knew he was wrong because no one had been able to do what he hoped to do. Columbus dreamed, dared and did what had to be done. Because of his dream, a new world was discovered.

In 1620, the pilgrims faced a challenge. They believed that a man had the right to worship his God without interference from the government. Everyone knew they were wrong because the government had always controlled religion. The pilgrims dreamed, dared, and did what had to be done. Because of their dream, religious freedom became one of the self-evident rights of a new country.

In 1787, George Washington and Thomas Jefferson faced a challenge. They believed that the people of America could govern themselves. Everyone knew they were wrong because only the rich and powerful knew how to govern a nation. They dreamed, dared, and did what had to be done. Because of their dream, a democracy was created.

In 1860, Abraham Lincoln faced a challenge. He believed that a nation divided against itself could not stand. Everyone knew he was wrong because people had owned slaves for hundreds of years. He dreamed, dared, and did what had to be done. Because of his dream, a race of people was freed from slavery, and a nation preserved.

In 1933, Franklin Delano Roosevelt faced a challenge. He believed he knew how to raise a nation up out of a Depression. Everyone knew it couldn't be done because many before him had failed. He dreamed, dared, and did what had to be done. Because of his dream, America rose to become one of the most economically stable countries in the world.

In 1963, Martin Luther King faced a challenge. He believed he could change a nation's attitude about racial prejudice. Everyone knew he was wrong because it's impossible to change age-old beliefs and customs. He dreamed, dared, and did what had to be done. Because of his effort, we have seen the birth of a new understanding between men of different races.

In the late months of 1991, America faces many challenges. We believe we must solve the education crisis, eliminate the deficit, bring the nation out of the recession, win the drug war, and find homes for the poor and the homeless. Everyone knows these challenges cannot be solved. As we focus on them, it seems that each will mean the end of life as we know it. The sky is falling and there is no escape. We will all be crushed.

And yet amazingly we did not perish yesterday, are alive today, and in spite of all our problems, I know we will be here tomorrow. The secret strength of America is that at each moment of crisis, when things are darkest, a champion has emerged—a Washington, a Lincoln, a Roosevelt, and yes, even a Schwarzkopf. As welcome as these heroes have been, they did not solve the challenge they faced by themselves. It was the American people—the white, black, yellow, Irish German, Catholic, Jewish people—who for millions of individual reasons joined together to solve the problem.

That is the challenge of America: to unite as one people, to dream, to dare, and to do what has to be done.

NEW ENGLAND ARMY CORPS CELEBRATES 50TH ANNIVERSARY

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. STUDDS. Mr. Speaker, I rise today to congratulate the New England Division of the U.S. Army Corps of Engineers, which is celebrating its 50th anniversary on May 1 in Charlestown, MA.

Charlestown was chosen for the festivities because the Army corps was founded there on June 16, 1775, on the eve of the Battle of Bunker Hill. Although not as old, the New England Division of the corps—formed on May 1, 1942—has contributed immensely to the development and prosperity of the New England region.

The division has participated in the construction of military facilities and flood control measures, it has funded numerous navigation projects in our small harbors and waterways, it has managed 55,000 acres of land and

water for flood control and recreation, and successfully restored miles of beach front. In my own district, the corps has been responsible for maintaining the Cape Cod Canal, Boston's connection to other east coast seaports.

The New England Division can be proud of its 50 year record of accomplishment. I salute the 650 men and women of the New England Division and wish them many more years of continued success.

DEPARTMENT OF AIR FORCE'S SACRAMENTO AREA FEDERAL EXECUTIVE EMPLOYEE OF THE YEAR AWARDS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MATSUI. Mr. Speaker, I rise today to congratulate the recipients of the Department of the Air Force's Sacramento Area Federal Executive Employee of the Year Awards. The Sacramento area has over 20,000 Federal employees so these award winners represent truly outstanding commitment to their jobs, their community, and the Federal Government.

I would like to take this opportunity to share with you this year's winners. They are: Outstanding Professional Employee, Dr. Charles Smith, environmental coordinator, Mather Air Force Base; Outstanding Secretary, Jewel Van Dewerker, secretary, Mather AFB; Outstanding Supervisor, Janet Long, supervisory contract specialist, Sacramento Army Depot; Outstanding Technical Employee, Patricia Maggard, social service representative, Sacramento Army Depot; Outstanding Administrative Employee, Robin Pohl, personnel staffing specialist, Internal Revenue Service; Outstanding Clerical Employee, Geri Ryan, labor relations clerk, Internal Revenue Service; Outstanding Front-Line Employee, Roger Scott, administrative services specialist, McClellan AFB; Outstanding Manager, Robert Lamora, airway facilities sector manager, Federal Aviation Administration; Outstanding Trades and Crafts Employee, Kenneth Davis, telephone mechanic foreman, Mather AFB; Outstanding Employee Team, blanket purchase agreement process action team, Sacramento Army Depot; and Community Service Award, Brenda Bennett, group secretary, Internal Revenue Service.

Mr. Speaker, these Federal employees have shown remarkable skill and dedication and are truly worthy of our recognition. I ask you to join me in congratulating these outstanding individuals.

WORKERS MEMORIAL DAY

HON. CHARLIE ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. ROSE. Mr. Speaker, Workers Memorial Day is a particularly solemn occasion for those of us from North Carolina. You all remember that last year 25 workers died in a fire at the Imperial Food Products plant in Hamlet, NC. In its 11 years of operation, the Imperial plant had never been visited by either State or Federal safety inspectors. It was a tragic day not only for North Carolina but for the entire Nation.

I know that most businesses strive for a safe work place and would never knowingly place their workers in jeopardy. Unfortunately, there are businesses out there who are more interested in their bottom lines than in the safety of their employees. There are businesses out there, like Imperial Foods, who deal with employee theft by putting padlocks on fire exit doors and intimidate their employees into believing that if they speak out they will be fired.

Because of these bad operators we must recommit ourselves to improving workplace safety. A safe work environment is the right of every American citizen. Unfortunately for millions of Americans this is not a reality. It is estimated that last year 10,000 Americans died on the job and over 100,000 Americans die each year from job related injuries.

In the last 12 years some of my colleagues have come to this well to say that we cannot afford the trade off for tougher workplace standards. They say that these laws would be too great a burden on American business. But what we cannot afford is an atmosphere in this country where people are paralyzed by fear for their safety and fear of reprisal for speaking out.

We owe the men and women of this country who go to work everyday the security of a safe work place. If we have learned anything from the Hamlet fire it is that such tragedies can be prevented if we do not take workplace safety for granted.

THE MEDICARE BENEFICIARY ACCESS AND FINANCIAL PROTECTION ACT OF 1992

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. RHODES. Mr. Speaker, today I am introducing the Medicare Beneficiary Access and Financial Protection Act of 1992, which would implement the Physician Payment Review Commission recommendations concerning the maximum charges that a nonparticipating physician can charge a beneficiary. Limitations on maximum allowable actual charges were a part of the three-pronged initiative which Congress enacted under the Omnibus Budget Reconciliation Act of 1989. Under OBRA '89, nonparticipating physicians could not charge Medicare beneficiaries more than 125 percent of the recognized Medicare charge. This year the limit was lowered to 120 percent, and in 1993 the limit will be 115 percent of the recognized Medicare charge. However, due to technical flaws in the original OBRA '89 language, Medicare beneficiaries are still being overcharged and physicians are not required to reimburse their overcharges.

The Physician Payment Review Commission has made several recommendations which will close the loopholes in the law and fully implement this portion of Congress' overall physician payment reform plan. This bill would codify those recommendations, thus ensuring beneficiaries that the protection that Congress intended they receive will actually be forthcoming. First, the Medicare Beneficiary Access and Financial Protection Act of 1992 would limit beneficiary liability under the Medicare programs. Second, nonparticipating physicians would have to refund inappropriate overcharges, after an appeal if they choose. If the physician is found to be willfully or knowingly overcharging, the Secretary of Health and Human Services can institute fines against them.

In an effort to inform beneficiaries on their rights and legal protections, the annual explanation of benefits would include an explanation of the limitations on charges by nonparticipating physicians. Carriers would be required to conduct prepayment screening of services furnished by nonparticipating physicians, and the Health Care Financing Administration would be instructed to study the feasibility of sending an annual notice explaining charge limitations to nonparticipating physicians.

This bill will clear up the small but regrettable technical flaws in OBRA '89 which have stopped billing limitations from being implemented. Medicare beneficiaries will be protected as Congress originally intended. I ask my colleagues to cosponsor this bill and support it so we can quickly rectify this unfortunate situation.

ANNIVERSARY OF THE CATASTROPHE AT CHERNOBYL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. PALLONE. Mr. Speaker, I rise today to observe the sixth anniversary of the nuclear disaster at Chernobyl. The anniversary occurred on April 26, during our Eastern recess.

As the years pass, the tragedy of what happened at Chernobyl is not lessened. To the contrary, the magnitude of the disaster becomes more and more apparent each year. The 7.6 tons of over 200 different radioactive substances released into the atmosphere over Ukraine, Byelorussia, Russia, and the Baltic States are still causing sickness and misery.

I am especially concerned about the state of the millions of children who suffered and continue to suffer from the effects of radiation and who will probably suffer most of their lives from the long-term effects of radiation. Well over a million children in Ukraine and Byelorussia are ill due to radiation. Many are dying of leukemia.

Documents recently published in Russia indicate that Soviet officials engaged in an extensive coverup. These documents reveal that Soviet leaders, including Mikhail Gorbachev, concealed the extent of the danger from the affected population. Soviet authorities increased the officially acceptable level of radiation by a factor of 10, thereby denying medical treatment to the tens of thousands of people living in contaminated areas.

The complete truth about what happened at Chernobyl No. 4 reactor may never be fully known. But the suffering caused by the nuclear accident is apparent to all of us. As we observe this solemn anniversary, I urge my colleagues to join with me in doing all that we can, and urging the newly independent states of the former Soviet Union to do all that they can to assist those still living in contaminated areas and to take whatever steps are necessary to ensure that a disaster on the order of Chernobyl will never happen again.

IN HONOR OF WORKER'S MEMORIAL DAY

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. DELLUMS. Mr. Speaker, today we celebrate Worker's Memorial Day. It is a day set aside to remember those who have suffered and died because of workplace hazards.

There is a verse of an old song that says, "We come to work here, not to die here." Unfortunately, each day more than 20,000 workers are injured. Even more appalling is that each year more than 100,000 Americans die from job-related injuries and diseases.

On this day let us commit ourselves to strengthening the Occupational Health and Safety Act and demand full enforcement of applicable regulations and laws.

INTRODUCTION OF LEGISLATION TO HELP MAKE THE UNITED STATES MORE COMPETITIVE

HON. PETE GEREN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GEREN of Texas. Mr. Speaker, the Arms Export Control Act requires that a charge be assessed on foreign military sales [FMS] of major defense equipment to recoup the nonrecurring charges associated with the research, development, and production of military equipment.

The President, however, has been granted the authority to waive these costs to encourage the standardization of equipment among our NATO allies; Australia, New Zealand, and Japan.

Our friends in Finland will decide by late May who they will buy 67 foreign built fighters, worth over $2.2 billion from; the United States, France, or Sweden. However, the law as written excludes Finland from this waiver, tying our hands and limiting our ability to make this sale to them.

Since our competitors offer export programs to countries such as Finland and other European countries as an enticement to get such contracts, I am introducing legislation today to level this playing field. My bill—which enjoys the strong support of the Aerospace Industry Association—would expand the President's nonrecurring cost waiver authority to Finland and other friendly European countries.

Enactment of my bill will help make the United States more competitive, preserve our defense industrial base, and offset the disadvantage we now face.

WORKERS MEMORIAL DAY

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mrs. MINK. Mr. Speaker, today workers across the Nation will pause at the mills, presses, assembly lines, and factories where they work and observe a moment of silence for the thousands of workers who suffer and die each year because of hazards in the workplace.

Workers Memorial Day is a time of remembrance. A time to pay tribute to the hard-working men and women who fell victim to an unsafe workplace and hazardous duties. But it is also a time for action—safety in the workplace must be a national priority.

Over two decades ago the Congress sought to protect the rights of workers to a safe and healthy workplace by enacting the Occupational Health and Safety Act [OSHA]. While we have made much progress, we still have a long way to go in fulfilling our commitment to our Nation's workers.

Every year 10,000 workers are killed by workplace hazards, 6 million are injured on the job, and 60,000 are permanently disabled. An additional 100,000 workers die each year from the long-term effects of occupational diseases like asbestosis and brown lung diseases.

The shortcomings of OSHA and its enforcement were tragically illustrated during the fire at the chicken processing plant in Hamlet, NC, last August, which killed 25 employees behind locked doors.

This plant had never been inspected in 11 years of operations. Workers were not trained about safety hazards, most did not even know that the doors were kept locked.

Unfortunately the situation at the Hamlet plant is not unique. Lack of OSHA enforcement, a sluggish regulation process, and prevention of employee participation has kept OSHA from protecting workers against workplace hazards.

The Education and Labor Committee is currently considering legislation to strengthen OSHA, improve enforcement, and require joint employer-employee health and safety committees to work together to create and maintain a safe and healthy workplace.

Mr. Speaker, as we commemorate Workers Memorial Day, I urge my colleagues to take action to protect the rights of the working men and women of this Nation by supporting and cosponsoring H.R. 3160, the Comprehensive Occupational Safety and Health Reform Act.

CELEBRATING THE 125TH ANNIVERSARY OF THE FIRST PRESBYTERIAN CHURCH OF PASSAIC, NJ

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. ROE. Mr. Speaker, it is with the greatest pride that I rise today to pay special tribute to the First Presbyterian Church of the city of Passaic in my Eighth Congressional District in New Jersey which will celebrate the 125th anniversary of its founding on Sunday, May 3, 1992. This vibrant institution has a distinguished past of service to the community and continues to meet the changing needs of people of Passaic and the surrounding area.

Mr. Speaker, from its humble beginnings, this congregation has grown in size and importance continually striving to help those in need and support all those who sought comfort and spiritual guidance. The First Presbyterian Church is currently a beautiful gothic cathedral with elegant tiffany windows and a wonderful Skinner organ, but if I may take a moment I would like to enter into the record a brief historic sketch which tells the story of how this church has flourished and developed over the years.

During the year of 1866, a small group of families which had recently taken up residence in Passaic met from house to house in social prayer. Because of the crowded conditions of existing churches, they resolved, during frequent meetings, to organize their own church. The 22 founders held public worship for the first time on January 6, 1867, in the old Methodist Episcopal Church. At a service on March 6, 1867, the congregation was organized and ordained by the Presbytery of Newark as a New School Presbyterian Church. Rev. Dr. Philo French Leavens accepted a call to become Pastor and was installed January 17, 1868.

For several years thereafter church services were held in a number of small rented buildings including Spear's Hall, Howe Academy and the New School House. In 1871, the first church was built. It was a small two-story structure on River Street (now Park Place) and Exchange Place. Services at this church continued until 1886 when it was sold to purchase a site on the corner of Grove Street and Passaic Avenue.

This second church was called The Brownstone Church because of its exterior finish. It had an interior that was a combination of auditorium, school room, and parlor and its pews could hold 300 worshipers. Under the leadership of Dr. Leavens, the church continued to grow and at the time of his death in 1904 had reached 410 communicants. Dr. Leavens gave much of his time and efforts in the establishment of the Dundee Mission (1887—which later became the Grace Presbyterian Church), the Garfield Church, and the Wallington Chapel (1897—which later became the Wallington Presbyterian Church). The first official boards of these churches were members of the Passaic church on loan to them until they became firmly established. Dr. Leavens also preached regularly in Clifton and Delawanna and was a pioneer of christian work in these cities.

After the death of Dr. Leavens in 1904, Rev. Dr. James Dallas Steele became the second pastor and was installed May 8, 1906. It was

under the dynamic leadership of the third pastor the Rev. Dr. George Harold Talbott, installed May 18, 1923, it became obvious that with the continued growth of the congregation a much larger church would be needed to accommodate the membership.

The Brownstone building, therefore, was razed in 1929 and replaced by a magnificent Gothic cathedral structure, which remains the House of Worship for the First Presbyterian Church of Passaic. The church has been heralded by many as one of the finest examples of Gothic architecture in New Jersey. The sanctuary, with its 95 foot aisle and soaring cathedral ceiling 60 feet high seats 1,300 people. Its 110 foot tower accommodates a rank of 19 chimes and a Pastor's study. The church also has a fine chapel, three balconies in the sanctuary, a large hall, a social room (parlor), offices, Sunday School rooms, Aeolian-Skinner pipe organ, an Antiphonal Sustaining organ, large Tiffany stained glass windows, hand carved Appalachian white oak woodwork, and 22 Yellin ironwork hanging lanterns.

Dr. Talbott was succeeded by his assistant Rev. Ralph Boult, who was installed on April 12, 1970, and retired in June of 1988. Currently, the congregation is being served by Dr. Jeffrey Wood, who has been the interim pastor and stated supply since March 1990.

Mr. Speaker, this church has a rich past always playing an active role in the community and lending its support and best efforts to innumerable worthy causes such as helping to found and establish Passaic General Hospital and sponsoring ministries in China and Korea and very soon as Hispanic ministry as well. It is institutions such as the First Presbyterian Church which give life to our communities and add joy and hope to the lives of all those who are touched by its work.

Mr. Speaker, I am proud to represent the First Presbyterian Church of Passaic here in Congress, and I am sure that you and all my colleagues join with me in wishing them continued prosperity and God's speed on their path in the future.

DESPERATE PLIGHT OF THE ETHNIC ALBANIANS IN KOSOVA AND OTHER AREAS OF THE FORMER YUGOSLAV FEDERATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LANTOS. Mr. Speaker, Slobodan Milosevic, the last Communist dictator in Europe, continues to shock and horrify the civilized world as he directs his wanton campaign against the successor States of Yugoslavia.

Milosevic's wrath has caused incalculable human suffering. The Communist Serbian effort to dominate the freedom-seeking Republics of Croatia, Slovenia, Bosnia-Hertzegovia, Macedonia, and Kosova will continue until we in the United States take steadfast and decisive steps to stamp it out.

The violent means through which Serbian Communists seek to dominate the region were on display for all to see 12 years ago when, after the death of Tito, they opened a campaign of terror against the Albanians in the autonomous Republic of Kosova.

The efforts to isolate and vilify Albanians in Kosova were as revolting as they were comprehensive. The Communists in Belgrade purged the Kosovar Communists, closed the parliament in Kosova and persecuted its freely and fairly elected members, placed restrictions on the use of Albanian language and symbols, and ultimately imposed martial law on Kosova.

The dire situation in the former Yugoslavia requires that uncompromising attention be paid to the plight of Albanians in Kosova. As an historic whipping boy to the Communist Serbians, the ethnic Albanian population in Kosova is particularly vulnerable in these volatile times.

Dr. Ivo Banac, a professor of history and master of Pierson College at Yale University, has written an excellent paper on the serious plight of Albanians in Kosova, entitled, "Position Paper on the Question of Kosova and the Status of Albanians in the Successor States of Yugoslavia."

Dr. Banac's work highlights the importance of Congress' vigilance with respect to the situation in the former Yugoslavia. There is a clear need for aggressive action against the Serbian Communists who continue their brutal and deadly assault against the citizens of the freedom-seeking republics of the disintegrated Yugoslavia. I ask that his paper be placed in today's RECORD and I urge my colleagues to give it the thoughtful attention it deserves.

TRIBUTE TO BRIG. GEN. JOHN O. McFALLS III, USAF

HON. DAVID O'B. MARTIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MARTIN. Mr. Speaker, I want to recognize Brig. Gen. John O. McFalls III, for his dedicated service to this Nation as the Deputy Director of Legislative Liaison for the U.S. Air Force. Since first serving the House as the chief of the Air Force's House Liaison Office in 1984, General McFalls has provided the House of Representatives with outstanding service and commitment. His knowledge of the Air Force and the Congress has been a tremendous asset to the House and, in particular, the Armed Services Committee, as we have considered issues impacting on the Air Force and our national defense. During General McFalls' tour, his commitment to a free and open exchange of information and ideas provided a framework for deliberations on Air Force programs. He has served with distinction and has earned our respect and gratitude for his contributions to our Nation's defense. A fighter pilot, he is highly qualified for his new assignment as director of operations and plans for the Air Training Command where he will have responsibility for training and motivating those who will make up the air force of the future. All of us who have worked with General McFalls join in bidding him a fond farewell.

CLAY INTRODUCES THE DISPLACED FEDERAL EMPLOYEES ASSISTANCE ACT OF 1992

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CLAY. Mr. Speaker, today, I am being joined by Representative ACKERMAN and Representative KANJORSKI to introduce the Displaced Federal Employees Assistance Act of 1992 to alleviate the impact of the necessary reductions of Federal civilian employees.

The demise of the Soviet Union and the deterioration of our own domestic economy require us to reexamine our defense policies and reallocate Government resources to more productive and profitable pursuits. This restructuring is essential if America is to maintain its ability to complete successfully in an international economy. It also provides our country with an opportunity to address vital national concerns that have been neglected by the last three administrations, including education and infrastructure, and should serve as a unique opportunity to promote the wealth of our country and the standard of living of its citizens.

If we are to derive the full benefits available to us, steps must be taken to mitigate the immediate adverse consequences of dislocation on defense workers. The legislation that we are introducing today is intended to achieve this end by cushioning the impact of the downsizing of the Defense Department on Federal civilian employees.

The bill accomplishes this through three means. First, this legislation is intended to minimize the number of civilian employees who must be separated from Government service. Second, the legislation is intended to alleviate the immediate impact on those employees who are separated. Finally, the legislation is intended to enhance the ability of separated employees to find new positions. The legislation has been carefully crafted within the limitations imposed by the current deficit and the budget enforcement procedures.

Currently, just under 50 percent of all Federal civilian employees are employed by the Department of Defense. In recent years, the Department has reduced its civilian work force by 87,000 through hiring freezes and attrition. As the General Accounting Office has testified, however, the Department will not be able to achieve the reductions that will be necessary over the next 5 years by relying exclusively on such means, particularly in light of current economic conditions. By the Department's current estimates, 44,000 jobs will be lost in fiscal year 1992; 43,000 jobs will be lost in fiscal year 1993, and a total of 212,000 jobs will have been lost between 1989 and 1997. Many feel that the Department's current estimates may understate the dimensions of the problem.

The legislation we are introducing specifically authorizes the Secretary of Defense to establish a temporary program to offer separation bonuses to encourage eligible employees to accept retirement. Given the significant reductions in personnel that the Department of Defense is facing, steps must be taken to en-

courage voluntary separations. Lack of private sector employment opportunities has considerably diminished the attractiveness of existing early retirement programs. The reluctance of employees to accept retirement increases the number of employees who must be involuntarily separated, increases dependence on public assistance programs, exacerbates agency training and retraining costs, and increases average agency work year costs. The Displaced Federal Employees Assistance Act authorizes the Secretary of Defense to provide a one-time separation bonus, equal to 6 months' pay, to employees who agree to retire. Authorization for the program would expire at the end of fiscal year 1997. The costs of the program would be comparable to the agency costs of conducting a RIF, and would be paid for from appropriated funds out of the agency's salaries and expenses account.

While steps must be taken to increase the number of positions the Department of Defense will be able to absorb by attrition, steps must also be taken to mitigate the consequences of separations when they do occur. The Displaced Federal Employees Assistance Act includes several provisions to accomplish this.

First, the act codifies the existing regulatory requirement that all Federal employees receive 60 days specific notice of impending reduction-in-force [RIF] actions. Where RIF's are substantial or have a significant adverse impact on local economies, 60 days notice is usually insufficient. Many of the bases that have already been designated for closure are primary employers within their local areas. The loss of jobs associated with the closure will not be easily absorbed and is likely to have a profound impact on the local economy. In such circumstances, the Federal Government has a clear and unmistakable obligation to take all steps necessary to ease the transition. If States and communities are to be able to establish and carry out effective dislocation assistance programs, if local businesses are to be able to successfully adjust to the new conditions, and if employees are to be able to provide for their own future, earlier notice than 60 days must be provided. Therefore, the Displaced Federal Employees Assistance Act requires the Secretary of Defense to provide a minimum of 120 days specific notice to employees and community leaders of dislocations that may reasonably be expected to have a significant impact upon local communities.

Mass dislocations have a profound effect on health care costs. Increases in illness, accidents, and injuries are a well documented part of the trauma associated with dislocation. Health care costs are already out of control and the number of Americans without health insurance is growing daily. Currently, involuntarily separated Federal employees may continue coverage under the Federal Employees Health Benefits Program for up to 18 months, but only if they pay their share and the Government's share of the premium plus an administrative fee. At a time when they no longer have a regular income, the displaced employees find it impossible to assume this additional burden. If the administration is not yet ready to address the national health care crisis, the Federal Government, nevertheless, has an obligation to ensure that its acts do not contribute further to that crisis. In order to promote the continuation of health care coverage and reduce demands on public health care providers, the Displaced Federal Employees Assistance Act includes a temporary, 5-year requirement that the Department of Defense continue its FEHBP contributions for up to 18 months for any involuntarily separated employee choosing to retain such coverage. The cost of this benefit will be paid out of appropriated funds and absorbed by the agency's salaries and expenses accounts.

Finally, the Displaced Federal Employees Assistance Act seeks to promote the prospects of future Federal employment for separated civilian defense employees. First, the legislation requires OPM to develop, maintain, and publish a comprehensive list of current Federal job vacancies. Second, the legislation provides that Federal agencies must give full consideration to qualified displaced DOD civilian employees before hiring a new employee from outside the agency.

In order to ensure its prompt consideration, the Displaced Federal Employees Assistance Act has been drafted to be confined within the jurisdictional limits of the Committee on Post Office and Civil Service. As chairman, I look forward to working with other committees and with the administration to provide a more comprehensive assistance and retraining program for both Federal workers and workers in defense related industries. To date, however, the administration has been willing to tell us only what it does not want to do. The time has come to move forward. While, personally, I feel there is more that can and should be done, this is legislation that can be enacted now. Chairman ACKERMAN of the Subcommittee on Compensation and Employee Benefits and Chairman KANJORSKI of the Subcommittee on Human Resources already are planning joint hearings on this legislation. It is my intention to move forward on the Displaced Federal Employees Assistance Act in a timely manner.

SALUTE TO LAWRENCE SOUZA

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GALLEGLY. Mr. Speaker, I am pleased to inform my colleagues that a constituent of mine will be honored this week here in Washington as a 1992 distinguished inventor.

Lawrence Souza, of Thousand Oaks, CA, is being recognized this week by Intellectual Property Owners, Inc., a nonprofit association working to safeguard the patent laws that have helped America lead the world in technology. Dr. Souza is vice president of molecular and cellular biology for Amgen, the world-renowned biotechnology, company.

Dr. Souza is being honored for his invention of Neupogen, a new biotechnology drug used to decrease the incidence of infection in cancer patients. This drug is a breakthrough because it helps patients. This drug is a breakthrough because it helps patients better tolerate chemotherapy, thus significantly improving patients' quality of life.

Neupogen was named a product of the year in 1991 by Fortune magazine, and a runner-up for Science magazine's Molecule of the Year. With sales of $260 million since being approved by the FDA last year, it has helped solidify Amgen's growing reputation.

Dr. Souza is a native Californian, having been born in Oakland. He earned his undergraduate degree at UC—Berkeley, where he also played on the Cal football team. He earned his doctorate at UCLA, and has been a member of the Amgen team since 1981.

Mr. Speaker, Dr. Souza will be honored Thursday in a formal ceremony in the Russell Senate Office Building, and I ask my colleagues to join me in saluting him and Amgen for their outstanding achievements in the world of medicine.

ARMENIA'S TRAGEDY WILL NOT BE FORGOTTEN

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1992

Mr. ATKINS. Mr. Speaker, I join my colleagues today in solemn remembrance of a very dark day in human history. No words can hope to describe the brutality of the events which claimed the lives of 1.5 million Armenian men, women, and children.

In the years from 1915–1923, the Government of the Ottoman Empire sought to eliminate the culture, language, the entire race of Armenians from the face of the Earth. On April 24, 1915, government officials rounded up and brutally murdered over 200 Armenian community leaders. During the next 8 years, the Ottoman Government was responsible for the deaths and deportation of two-thirds of all Armenians in Anatolia. Armenian men who were conscripted in the Ottoman militia were disarmed, placed in labor camps, and eventually executed. The remaining men, women, elders, and children were forced on long death marches through the Syrian desert where hundreds of thousands were killed by execution or starvation. The few remarkable survivors of this genocidal campaign were expelled from the homeland they had inhabited for 3,000 years.

In 1939, in preparation for a genocide against the Jews, Adolf Hitler allegedly lamented, "Who now remembers the Armenians?" Well, Mr. Speaker, the American people remember. This genocide is fact. Its documentation is indisputable. In fact, there are thousands of documents and photographs in governmental archives around the world—including in the official memoirs of the U.S. Ambassador to the Ottoman Empire, Henry Morganthau. In his notes Morganthau said:

> When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well, and in their conversations with me, they made no particular attempt to conceal that fact.

We must recognize these inhumanities if we are ever to stop this vicious cycle of genocide that has plagued the 20th century. Only when the world becomes fully aware of the magnitude of genocide in 1915's Armenia, the Holocaust in 1940's Europe, the killing fields of

the 1970's Khmer Rouge, and the ethnic strife in present-day Yugoslavia and Azerbaijan, can we hope to end these unspeakable crimes. We must foster respect for what is truth—and speak out against man's inhumanity to man.

The survivors of the Armenian genocide who are still living are getting fewer and fewer in number. We observe this remembrance so that the truth outlives its victims—that this atrocity is never erased from the pages of history. If we deny its validity, the entire Armenian people, the survivors and their families, are denied the legitimacy of their suffering. Many of those who survived came to the United States and they and their descendants have become an integral part of the fabric of America. The pain and suffering of this culture must be recognized or their survivors are to become victims again.

HONORING DR. EUGENE SMITH, PRESIDENT OF ARKANSAS STATE UNIVERSITY

HON. RAY THORNTON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. THORNTON. Mr. Speaker, on June 30, 1992, Dr. Eugene Smith, president of Arkansas State University, will step down as the leader of the institution with which he has been associated for 38 years.

After 4 years as a student, Gene Smith left for military service and graduate studies, then returned to the university in 1958 as a member of the faculty, and in 1959 became executive assistant to the president of ASU. Dr. Smith served continuously as a member of the ASU faculty, and in leadership and administrative roles, until 1984 when he was chosen as president of the two campuses of the university.

At the time Gene Smith enrolled as a student at ASU, it was a small undergraduate college offering degrees in the liberal arts, agriculture, and teacher education. Now it is the second largest, and most rapidly growing, university in the State of Arkansas, with campuses in Jonesboro and Beebe. With Dr. Smith's leadership, ASU has become a comprehensive university, including professional and graduate programs, exemplary international programs, and recent approval to begin offering a doctorate degree in educational leadership.

Dr. Smith's emphasis on university excellence in teaching, research, and service has led to plans for a major expansion of the Dean B. Ellis Library, now in progress, as well as completion of several new academic facilities and a major convocation center. As president, he has also focused efforts toward advancing athletic programs at ASU to the highest levels of competition.

I have known Gene for many years—his wife, Ann, and my wife, Betty Jo, were college friends—and I had the pleasure of working directly with him during my own years as president of ASU from 1980 to 1984. One of my greatest joys was having Gene Smith as senior vice president of the university. Through Gene's sense of the history and culture of the institution, our visions for the future were shaped and implemented with a thorough understanding of the progress of the past.

We agreed then, as now, that the greatest strength of a university is found in its people—its faculty, students, support staff, and its graduates and friends.

Gene's Father, Milton Samuel Smith, was superintendent of the pubic schools of Forrest City, AR, for 40 years, and his mother was a schoolteacher. Perhaps as a result of their teaching and example, Gene has always been interested in people and has believed in the value of education.

His doctoral thesis on educational leadership became a foundation for his vision of educational excellence—but vision alone was not enough for Gene.

He has dedicated himself to the practical application of those ideas and goals and to the progress of one institution—the academic community which molded him and which, in kind, has been molded by him—through the transition from vigorous and enthusiastic youth to the judgment, strength, and maturity which measure the greatness of both individuals and institutions.

In this role, Gene Smith has been both a student and an architect, both a scholar and an engineer, both a leader and builder. Dr. Eugene Smith and ASU have grown up together, and Arkansas and our Nation are better because of their partnership.

GOODWILL WEEK, 1992

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. MURTHA. Mr. Speaker, I'd like to take a moment to recognize the people of Goodwill Industries, who will be celebrating National Goodwill Week, 1992, during the week of May 3 to 9.

I'd particularly like to recognize Goodwill Industries of the Conemaugh Valley, Inc., which has worked with the handicapped and disadvantaged in western Pennsylvania for many years. The handicapped and disadvantaged in our area in need of assistance know they have a source of support and assistance in Goodwill Industries, and the Goodwill staff and volunteers are always there to provide necessary vocational training and placement assistance.

The story of Goodwill Industries is really the story of the Goodwill volunteers, who give their time so willingly to assist the handicapped and disadvantaged in our area. Goodwill could not enrich the lives of the handicapped and disadvantaged without the unparalleled efforts of these volunteers, and they deserve our recognition and admiration for their work.

Goodwill continues to lead the way in providing vocational services to people with special needs and employing people with disabilities. I'd like to salute the people of Goodwill Industries of the Conemaugh Valley, and the staffs and volunteers of Goodwill Industries across the Nation, for their efforts on behalf of the handicapped and disadvantaged. I hope the celebration of Goodwill Week, 1992, shows how much the work of the people at Goodwill Industries contributes to the special spirit of volunteerism that makes the United States a unique and remarkable nation.

WHY SPEND MONEY ABROAD?

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. SMITH of Florida. Mr. Speaker, at a time when millions of Americans fear for their jobs, when millions more are struggling to house their families and educate their children, many of our constituents are asking: Why spend money abroad? Why continue foreign assistance, when our needs at home are so great?

My friend and colleague, Representative DANTE B. FASCELL of Florida, has devoted himself to these questions as chairman of the Foreign Affairs Committee. In the April 1992, issue of the Foreign Service Journal, he offers some thoughtful answers in an article entitled, "Foreign Aid: Don't Ask Why, Ask How and to Whom."

Mr. Fascell writes:

"America First" cannot mean focusing just on domestic issues. From drugs, to AIDS, to the environment, to jobs and competitiveness, there are no issues that are any longer solely "domestic." We must concentrate on doing our bit to help construct a world in which our values and commercial interests are accepted and can flourish.

Mr. FASCELL's article is essential reading for those interested in the future direction of our foreign assistance programs. I recommend it wholeheartedly to my colleagues.

I submit Mr. FASCELL's article to be printed in the RECORD.

FOREIGN AID: DON'T ASK WHY, ASK HOW AND TO WHOM

(By Dante B. Fascell)

Some Americans view foreign aid as a dead issue—one that is not in the U.S. interest and one that should be tabled in these tough economic times. I would like to think they are way off base.

But maybe this thinking more accurately reflects the current sentiments of the American people than I think it does. At the very least, in this political year of "America First," we need to take a hard look at U.S. foreign assistance programs and examine whether and how they are going to meet America's agenda over the next decade.

The U.S. foreign aid program grew and developed during the Cold War and played a definite role in the effort to contain communism. As a Cold War veteran myself, I've been explaining the necessity for foreign aid for more years than I care to remember. But I am the first to admit that there has been a dramatic revolution in world affairs in the last several years that forces us to take another look at why we are doing what we are doing with our aid program and how we can do it better.

Some 40 years ago, there were solid reasons for getting into the foreign aid business:

We believed democracy and human rights were values that ought to be accepted by governments and enjoyed by those governments' citizens.

We were certain that market-based economics could bring financial growth to other people and, in doing so, expand opportunities for U.S. trade and investment overseas.

We hoped that our humanitarian assistance would not only alleviate short-term suffering due to disasters in foreign countries but would also promote a long-term climb out of poverty for many nations.

To be truthful, we also had political objectives. These were concerned with promoting stability in certain regions of the world and rewarding the friends who stuck with us and our policy tenets. These four basic objectives, which directed U.S. assistance programs during the Cold War, are still valid principles and goals. But on reviewing U.S. assistance programs during that era, it is striking how often the last objective—short-term political goals—overrode our value-based objectives. Foreign policy objectives are perfectly legitimate and very important, but they should always be closely allied with basic American values.

As an example: in El Salvador we made sure that our short-term political objectives were tempered by our concern for democracy and human rights. We provided significant levels of assistance but demanded movements toward democracy and respect for human rights.

On the other hand, in Zaire we allowed our political objectives to roll over our values as a nation of free people. We continued support for a regime long after it became clear that the magnitude of corruption there kept our aid from serving the purposes for which it was intended.

Even though the Cold War has ground to a halt, I believe that the basic needs that drove us to set up our foreign aid programs 40 years ago are still valid. That is not to say that the U.S. foreign aid agenda doesn't need redesigning. Beyond a doubt, the altered world demands a new approach. We can start the redesign process by identifying the characteristics of our changed and changing world.

The new challenges include new types of global tensions, focusing on terrorism, nuclear proliferation, economic warfare, and regional and ethnic conflicts, rather than being predominately East-West tensions. Economic factors rather than military ones are coming to dominate world affairs, while the United States has encountered internal economic and social problems that require greater attention and resources. The distinction between a developed country and a developing one is becoming blurred, while the opportunities for cooperation and collaboration between such countries are growing. Foreign aid is becoming a marginal factor in our bilateral dealings with other countries. Finally, transnational threats, such as AIDS and other infectious diseases, and international environmental concerns, including global warming, are rising to the top of the international development agenda.

If foreign assistance is going to remain relevant in its most fundamental objectives, the changed international arena suggests that we need to revisit not the "why" of foreign aid, but the "how," the "what," and the "to whom."

The underlying principles and objectives of aid have not changed. What have changed are the specific problems that need to be addressed and the manner of doing so. While a complete answer to these questions requires a full-scale assessment of what has and has not worked with U.S. foreign aid, certain basic assumptions are clear.

The new emphasis on economic growth and market-based economics in developing nations offers the United States the opportunity to operate a foreign aid program that is more closely linked to American economic and commercial interests, including a wide range of trade and investment initiatives.

The magnitude of worldwide problems, such as global warming, requires a strategy that can be effective only when undertaken in conjunction with other nations. Multilateral cooperation is also the key to introducing democratic and market-based economic principles into the countries of Eastern Europe and the former Soviet Union. Multilateral accord worked in Operation Desert Storm and it must be the basis for support for aid to the former Soviet republics.

Transnational threats and development problems are too complex for a single U.S. development agency to handle. USAID must draw on the technical expertise of other government agencies, plus American business and industry. This is already the approach that is proposed in the new U.S.-Asia Environmental Partnership.

With the demise of the Cold War, some people would have us pull back our involvement in the world. While we have seen dramatic acceptance of the principles of democracy and free-market economics, all we have won is the initial battle. The war will not finally be won until those principles are instituted in practice.

The "America Firsters" would have us retreat inside our own borders. Geographically we may be somewhat isolated, but the modern world—of interdependent trade and financial relations, split-second telecommunications, and rapidly changing technology—prevents any country from truly being an island.

"America First" cannot mean focusing just on domestic issues. From drugs, to AIDS, to the environment, to jobs and competitiveness, there are no issues that are any longer solely "domestic." We must concentrate on doing our bit to help construct a world in which our values and commercial interests are accepted and can flourish.

Finally, we must be very clear on what we really expect from our assistance to other countries. If there is a basic failing, it is that foreign aid has been oversold to the American people and too often has resulted in unrealized expectations by the recipients and proponents. U.S. aid did not bring down communism and has not alone transformed developing countries into developed countries. However, aid has played a supporting role when it was intelligently employed in conjunction with competent host country policies. It has also relieved suffering for millions of victims of disasters, both natural and manmade, throughout the world.

U.S. assistance cannot guarantee that the principles of democracy and free enterprise will be institutionalized in any area of the world, but our aid can facilitate the acceptance of these principles and improve the likelihood that they will endure. It can do all this while reducing human suffering and benefiting U.S. commercial interests.

Foreign aid has never been entirely unselfish. We provide it in the long run because it benefits U.S. interests—and ultimately, the American public. With this in mind, we must get on with the task of revamping the mechanisms that will maximize the effectiveness of foreign aid.

Even with all the change in the world, we have not yet moved beyond the need for foreign aid. But, like so many other factors in American policy, we must adjust the program to meet the dynamics of the new world.

TRIBUTE TO THE POLISH-AMERICAN CITIZENS' HARMONIA AND OSWIATA CLUB

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. BORSKI. Mr. Speaker, I rise today in recognition of the 90th anniversary of the founding of the Polish-American Citizens' Harmonia and Oswiata Club.

On September 2, 1902, a group of people who loved songs of their native Poland met in the Polish Falcons Hall in Bridesburg, PA with the intention of organizing a choral society. This organization became known as the Harmonia Singing Society. It was chartered in Harrisburg, Pennsylvania's State capital, the same year.

In 1915 the organization united with the Towarzystwo Oswiata, Library Society, and changed its name to the Polish-American Citizens' Harmonia and Oswiata Club.

Today, the Polish-American Citizens' Harmonia and Oswiata Club is the oldest Polish-American club in the city of Philadelphia. That fact alone speaks highly of the club's accomplishments.

In the 90 years that members of this organization have devoted time and resources to upholding Polish traditions in America, the Harmonia and Oswiata Club has succeeded in becoming a positive force for the advancement and promotion of the Polish community.

As a Polish-American, Mr. Speaker, I take great pride in joining the Polish-American community in saluting the Polish-American Citizens' Harmonia and Oswiata Club of Philadelphia.

JOBS THROUGH EXPORTS ACT OF 1992

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. LEVIN of Michigan. Mr. Speaker, today I join Congressman GEJDENSON in introducing the Jobs Through Exports Act of 1992. I congratulate him for introducing this much-needed legislation, and for making U.S. commercial centers a central component of the bill.

This legislation marks the first of a series of House leadership-backed bills designed to foster economic growth, increase trade and create American jobs. We anticipate swift movement of this growth package through Congress this spring and summer.

Even since the fall of the Berlin wall, we've been talking about shifting gears in both foreign policy and trade policy, about capitalizing on the trillions we spent during the cold war so our workers and businesses can win in the increasingly competitive arena of world trade.

But we have been slow to adjust, to forge the type of Government-business partnership we need to compete in new markets such as Asia, the Baltic nations, the former Soviet Republics and Central America.

Our commercial centers program signals a new direction in export policy. For too long,

export promotion has been given back-room storage space at American Embassies around the world. The commercial centers program elevates export promotion to the level of diplomacy and creates separate facilities abroad where Government will give American businesses the first-stage assistance they need to pursue export opportunities abroad.

I originally introduced the commercial centers concept as separate legislation. The response—bipartisan sponsorship by some 70 House colleagues—demonstrated the widespread feeling that government and businesses must build a partnership when it comes to exporting—a partnership far beyond the limited programs that currently exist. Private businesses must be willing to make the investment, but our own Government must become an advance team for American businesses abroad.

The concept is simple. We will create separate commercial centers in key cities in important markets: One in the Baltics to serve all of Eastern Europe and the former Soviet Republics; one in Asia and one in Latin America.

The centers will provide visiting American business representatives with language and clerical services and telecommunications facilities, as well as temporary office and meeting space. Center personnel will provide information about the host country's industries, economy and markets—and a list of contacts in each industrial area.

For small and medium-sized American businesses, the centers will be an oasis in an unfamiliar environment.

I was first struck with the need for such a Government-industry partnership when I visited the teeming markets of Southeast Asia in 1989. Everywhere we went, American exporters told the same story. America is losing ground, they said, and unless something changes we will fall irreversibly behind within 5 years.

Their fears have proven true in a shorter period than that. As Japan and other Asian nations invest heavily in Thailand, Malaysia, Singapore and Indonesia, Americans fall further and further behind.

Too content to stick with old ways designed for a different era, our own Government's effort has lagged. In Indonesia, a nation of 180 million people, we have slots for only four Foreign Commercial Service officers, and have filled only three of them. In Malaysia, we have posted only three FCS officers.

The truth is, our export effort has fallen short of what our businesses need around the world.

After the fall of communism in Eastern Europe, my office asked American companies whether they were ready to do business in Poland and Czechoslovakia, and they said no. We asked whether our Government was helping, and they said no.

We heard the same thing when the Baltic nations tasted freedom late last summer. At the time, a Michigan food distributor wanted to sell food in the Soviet Union, but didn't know how. He received a busy signal at the one phone number the U.S. Government provided.

We asked businesses what they needed, and in bits and pieces they said they needed a commercial center.

Other nations, aware of the importance of separating trade and exports from diplomacy, have established similar programs. In Japan, the Canadians have turned a significant portion of their brandnew Embassy into a showcase for their businesses. Canadian firms can set up meetings in lavish offices framed by beautiful art; rent space for business dinners that give them the advantage of meeting clients in familiar, intimate settings.

The Canadian Government has set up a sophisticated computer network listing businesses according to their specialities; when a need arises for a particular export, the government matches the need with particular businesses—and it works. More than 100,000 Japanese citizens have come through the embassy for the exclusive purpose of conducting business with Canadians. Twenty commercial officers staff the Canadian Embassy. It is a true partnership between business and government.

It is time to create such a partnership in the United States, starting with commercial centers. Ultimately this partnership must extend beyond this pilot program—the foundation of a commitment of not just money—but of time, effort, sweat, and blood.

COMMENDING ROBERT WETHERBEE, CONSERVATION LEADER

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. PETERSON of Minnesota. Mr. Speaker, I rise today in recognition of one of our Nation's leaders in conservation, Robert Wetherbee.

Bob has always had a deep love for the land and agriculture. Bob operates a cash grain farm with his family in western Minnesota along the Red River Valley. Bob officially began his activities in the conservation movement in 1971, when he became a supervisor to the Wilkin County Soil and Water Conservation District. From 1978 to 1979, he served as president of the Minnesota Association of Soil and Water Conservation Districts. A few years later he was elected to the National Association of Conservation Districts Board of Directors. In 1985, he became vice president, and 1989, president of the national association.

Bob has spent a great deal of time over the years serving as a voice for the wise use and management of our Nation's natural resources. Bob was a key individual in bringing together a coalition of general farm organizations and commodity groups to advocate an economical, voluntary approach to environmental protection under the 1990 farm bill. Bob's work in Washington and in Minnesota has earned great respect for the work of America's conservation districts.

Mr. Speaker, today I commend Bob Wetherbee for his service as he retires from his duties as NACD's president.

TRIBUTE TO INDIVIDUALS HONORED BY THE EAST CHICAGO BRANCH OF THE NAACP

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. VISCLOSKY. Mr. Speaker, I rise today to recognize and congratulate the many individuals who were recently honored by the East Chicago Branch of the National Association for the Advancement of Colored People.

The East Chicago Branch of the NAACP was organized in 1942. Since then, the members of the East Chicago NAACP have been determined to achieve their primary objective—to establish "Justice, Equality and Dignity for all Americans." The East Chicago branch is dedicated to raising the level of consciousness on many important issues such as education, unemployment, and racism. This year's objective is to increase voter registration and voter awareness.

On April 24, 1992, the East Chicago Branch of the NAACP hosted its 19th Annual Freedom Fund and Awards Dinner. This year's theme was the "Spirit of the 90's: Tumbling Walls and Rising Hopes." The following individuals were honored for their service as role models within their field of specialty and the community: Mr. William Kelly, for his outstanding efforts in the labor movement; Mr. Henry Gillis for his outstanding service in education; Mr. Lugene Simeon Morgan, for his outstanding attitude, conscientiousness, and academic achievement; and Mr. Napoleon Brandfort, a broker, for his outstanding achievement in his field of specialty.

In addition, Rev. David Pugh, the associate minister at Friendship Baptist Church in East Chicago, was honored with the Church Award, and Rev. Howard T. Smith, pastor of New Starlight Baptist Church, as the recipient of this year's appreciation award.

I would also like to recognize the winner of the Robert "Bob" Love Award, the highest honor bestowed by the east Chicago NAACP for an individual's contributions to the civil rights movement. This years recipient was Mr. Andrew J. Nixon, Jr. He is the second vice-president of the branch and the chairman of the Fairshare Economic Development Committee. He has not only made great contributions to civil rights in East Chicago, but has also been active throughout the entire State of Indiana.

The East Chicago NAACP also recognized Ms. Susie Sheard and Mr. Homer Thornton for their lifetime dedication and contributions to the NAACP and to East Chicago community.

And finally, I would like to recognize and commend attorney Gordan L. Joyner, who was the keynote speaker of the event and who was honored with an Award of Appreciation. Attorney Joyner, a former Housing and Urban Development attorney from Atlanta, has won landmark decisions in housing that have greatly benefited the rights of minorities.

I commend the members of the East Chicago NAACP for their determination to protect and empower people of color in this country. Each and every indivdual has served as an outstanding role model, not only to the Afri-

can-American members of the community, but also to the community as a whole. They have shown a strong dedication to addressing the many issues which are important and intergral toward improving the quality of life for the people of northwest Indiana.

THE SAVINGS AND LOAN FRAUD PROSECUTION TASK FORCE ACT

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. DORGAN of North Dakota. Mr. Speaker, today Congressman ECKART and I are introducing the Savings and Loan Fraud Prosecution Task Force Act to direct the Attorney General to establish a savings and loan criminal fraud prosecution task force to prosecute, in an aggressive manner, those criminal cases involving savings and loan institutions [S&L's].

We've seen an almost unprecedented failure in financial institutions, but most especially in the area of savings and loans. We're told that up to 60 percent of the S&L failures involved fraud, and it's clear that fraud has drained the S&L industry of billions of dollars. However, it's also clear that most of the Justice Department's resources are not being devoted to savings and loan prosecutions, but rather to bank fraud and other financial institution prosecutions.

We think that we need to provide greater focus in the area of S&L prosecutions. By greater focus, we would like the Attorney General to establish a savings and loan criminal fraud task force to prosecute S&L cases in a most aggressive manner. It seems to us that the taxpayers—who are now bailing out the entire S&L industry at an estimated cost of $500 billion—deserve as much.

Between October 1, 1988 and December 31, 1991, only 992 defendants were charged in major S&L cases, with fewer convictions and only modest asset recoveries. Thousands of white-collar crooks still haven't been prosecuted in these S&L cases. We think that the Justice Department must put in place a vigorous program of criminal prosecution to better track S&L investigations and prosecutions, to put S&L crooks in jail and to recover the assets they've stolen from depositors before these assets are lost forever.

Many of us in Congress are concerned about Justice's failure to get the S&L job done quickly and decisively. That's why we believe that Congress must quickly pass this legislation to direct the Attorney General to establish a savings and loan criminal task force dedicated solely to the prosecution of savings and loan fraud cases.

Now, it may be argued that the Justice Department already has a financial institution fraud task force that deals with financial institution fraud cases. We understand that such a task force exists, but again it's clear that this task force has devoted most of its resources on bank fraud cases. This ignores the fact that at this point we're providing a $500 billion bailout only for the S&L industry, not for banks and other financial institutions.

It seems to us that we need to see at the Justice Department a kind of missionary zeal to put in jail those criminals who cheated the American people. We offer this legislation because we believe there ought to be a task force of greater clarity and focus to direct the Justice Department's efforts to prosecute savings and loan cases. We think that ought to be one of the highest priorities at the Justice Department, and we think that most of our constituents would agree.

ROY ORR CONTINUES TO SERVE HIS STATE

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. FROST. Mr. Speaker, Roy Orr is one of those people who has always been there. I can't remember a time when Roy was not a major participant in the political and civic life of Dallas County and the State of Texas.

I first met Roy in the early 1970's when I was a young attorney in Dallas. By that time Roy had already been mayor of DeSoto and had already been State chairman of the Democratic Party.

I met Roy about the time he started his career as Dallas county commissioner, serving Oak Cliff and the southwest quadrant of Dallas County. He held that job with great distinction and went on to become national president of the National Association of Counties. As a result of that service, there are people all over the United States who know Roy.

Roy continues to be a leader in our State and in his church to this day. Governor Ann Richards recently appointed Roy to the State Alcoholic Beverage Control Board, and his advice is often sought by other State and national leaders on a wide variety of public policy issues.

I personally call on Roy on a regular basis for advice and counsel on issues that affect my constituents and his opinions are always sound. I don't always follow his advice to the letter, but it's always good.

Roy has been a dedicated member of the Church of Christ and has been a major benefactor of its schools and other institutions.

I'm proud to consider Roy Orr my friend and I look forward to working together with him for many years to come.

INTRODUCTION OF THE JOBS THROUGH EXPORTS ACT OF 1992

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. GEJDENSON. Mr. Speaker, at a time when American workers are suffering their worst economic crisis since the Great Depression, it is essential that the Congress generate jobs through exports. The bill that I am introducing today, The Jobs Through Exports Act of 1992, will improve the effectiveness of the U.S. Export promotion program. It is part of a comprehensive effort by the House of Representatives to foster economic growth, thereby generating greater employment opportunities for U.S. workers.

The bill will significantly enhance the ability of the U.S. Government to carry out feasibility studies for capital projects overseas, will provide grants for capital projects using U.S. exports and services, will reauthorize legislation providing loans, loan guarantees, and risk insurance for U.S. investments overseas, and will create a partnership between the public and private sector to identify and aggressively pursue strategic export markets. I estimate that this bill will generate at least 127,000 jobs each year.

The first title reauthorizes the Overseas Private Investment Corporation or OPIC. OPIC offers U.S. investors assistance in finding overseas investment opportunities, insurance to protect those investments, and loans and loan guarantees to help finance projects. OPIC cannot insure or finance projects that would displace American workers. In fact, OPIC helped create over 13,000 U.S. jobs in 1991 alone.

This legislation updates OPIC's original language and eliminates outdated programs. We have amended the eligibility criteria for participating countries to reflect the changing structure of the current international environment. In the future, countries will be eligible to receive insurance, reinsurance, financing, or other financial support from the Corporation if they first, have established diplomatic relations with the United States; second, are a developing country or a country making the transition from a nonmarket to market economy; and third, respect internationally recognized human rights. The Corporation must give preference to countries with the greatest economic need.

The legislation also extends OPIC's program levels in order for the Corporation to work effectively in the new Republics of the former Soviet Union. In addition, the pilot equity program has been made permanent and its regional prohibitions have been repealed. The bill provides OPIC with a 3-year authorization as opposed to the traditional 4-year cycle. The administration had requested a 5-year bill in order to move the legislation away from its current election year cycle. While we were sympathetic to this argument, we strongly believe the international environment is changing at too rapid a pace to wait 5 years to review the legislation. We selected 3 years to accommodate the administration's election year concerns, and our own concerns about the rapidly expanding investment arena.

The remaining changes reflect compliance with the Federal Credit Reform Act of 1990. Under this legislation, OPIC will use its own earnings to pay for its programs, instead of drawing funds appropriated from the Treasury.

The Trade and Development Program is one of the most successful Government export promotion programs. Its purpose is to simultaneously promote economic development and the export of U.S. goods and services to developing countries. Title II doubles the size of the Trade and Development Program and renames it the Trade and Development Agency or TDA. By increasing its size, we are not only demonstrating our support for the program, but acknowledging the increased need for its services abroad.

The bill authorizes the Director of the Trade and Development Agency to provide funds for

feasibility studies and other activities related to development projects which use U. S. exports. This bill expands the mandate of the Agency to include architectural and engineering design to create a clear advantage in setting the standard for U.S. exports in overseas projects. The legislation also permits the Agency to provide technical assistance for project related activities.

We are providing an authorization of $55 million for fiscal year 1992 and $70 million for fiscal year 1993 for the programs of the TDA. The Agency has estimated that for every $1 it spends, it generates $70 in U.S. goods and services. If one uses the standard calculation that every $1 billion in exports creates 20,000 jobs, this legislation could well result in 100,000 new jobs for fiscal year 1993 alone.

Title III establishes an Office of Capital Projects within the Agency for International Development. This Office will enable U.S. exporters to more adequately compete with Japan and our European competitors. Working with the Trade and Development Agency, AID will periodically review the infrastructure needs of Eastern Europe and developing countries. It will directly support developmentally sound capital projects that utilize U.S. exports and services. The legislation is completely consistent with the international rules—OECD guidelines—for overseas capital projects.

This title was originally in the conference report from the International Economic Cooperation Act of 1991—Report 102–225. During that conference, my colleagues and I vigorously debated the issue of an Office on Capital Projects within AID. AID was ultimately chosen by Congress to play a role in capital project because, at present, AID has the funding.

The primary objective in introducing this language is to promote U.S. capital projects while we promote international development. This language is not intended to provide those forces within AID an outlet for their desire to create other duplicative export promotion agencies. The goal is to allow AID to contribute its expertise in development to other agencies' expertise in export promotion.

The bill authorizes $650 million for fiscal year 1992 and $700 million for fiscal year 1993 for these activities. All funding is to be drawn from AID's economic support assistance, assistance under the Multilateral Assistance Initiative for the Philippines, and assistance under the Support for East European Democracy [SEED] Act. It is not to be drawn from amounts made available for development assistance, as was put forth by the administration for this fiscal year. When the administration chose to use $100 million within the development assistance account for use in capital projects, it not only dramatically reduced the level of funding in the account traditionally set aside for the poorest of the poor, it further confused our exporters as to whether this administration is serious about the promotion of this Nation's exports. The $100 million dollars is not an adequate budget for a capital projects office. We cannot expect our exporters to compete internationally unless we provide the same support our international competitors are offering their own exporters. The administration should recognize that fact and follow the lead of Congress on this issue.

The last title involves a pilot program within the Department of Commerce. Title IV calls on the International Trade Administration to create commercial centers in Asia, Eastern Europe, and Latin American. The purpose of these centers is to provide additional resources for the promotion of U.S. exports and to familiarize our exporters with the industries, markets, and customs of the host countries. For the first time, the Department of Commerce may provide our exporters with first-stage legal advice, translation services, clerical assistance, and conference and exhibition space. While the Foreign Commercial Service already has a commercial presence in most markets, this legislation will allow them to bring in other executive branch officers and U.S. industry representatives to aggressively pursue market share in key industries.

This language calls on the Secretary of Commerce to implement fully the Market Development Cooperator Program which was established in the Trade Act of 1988. The Subcommittee on International Economic Policy and Trade has repeatedly urged the International Trade Administration to utilize this program which encourages the private sector to subsidize the public sector by providing additional staff expertise on key industries to our foreign commercial offices abroad. The U.S. Department of Agriculture already has a Cooperator Program which is funded at $40 million per year. Given that agricultural exports make up only 13 percent of all exports—the remainder are manufacturing exports—the administration should be consistent in its export policy and implement this legislation.

The Director General of the United States and Foreign Commercial Service will play a critical role in the implementation of this title. This Office has improved dramatically since undergoing its own strategic review. The subcommittee was disappointed, however, to see an almost $3 million decrease in the administration's budget for the United States and Foreign Commercial Service. At a time when the world has just experienced the creation of 14 new States in the former Soviet Union, the administration should be expanding our presence abroad by adding additional staff, not simply relocating current staff to new locations in the new States of the former Soviet Union. It is essential that the United States have a significant presence in all strategic markets overseas. Trying to cut budgets by cutting the United States and Foreign Commercial Service is not only shortsighted, it is poor international policy.

The bill provides $22 million for these centers for fiscal years 1993 through 1997. Much of the content in this last title was requested by the administration in its effort to work efficiently in the new States of the former Soviet Union. We expect, therefore, broad bipartisan support for this initiative.

This legislation is scheduled to move quickly through the Committee on Foreign Affairs. This is a bill that will help American workers when they are most in need of leadership. I hope my colleagues will support this measure.

TRIBUTE TO THE SECOND ANNUAL ACCORDION FESTIVAL

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. ORTIZ. Mr. Speaker, today I rise to pay tribute to the Second Annual Accordion Festival, hosted by KFLZ Radio in Bishop, TX, and KCCT Radio in Corpus Christi, TX.

In any country or society, music is always the common thread running throughout the fabric of the community. In America, we are all a special blend of cultures; but the gentle soul of the mestizo is exemplified by the Conjunto music groups. Conjunto takes that blend one step further by being a unique blend of Northern Mexico and southern Texas, indeed a mnicrocosm of both countries.

Conjunto can lift your spirit, or make your soul melancholy. We have been given a special gift by the Conjunto artists and the accordion players that give Conjunto that distinctive sound. Due to the importance of the accordion in Conjunto, I commend KFLZ and KCCT Radio for their efforts to stress the historical significance of both the accordion in particular, and Conjunto in general.

Hispanic Americans have a common legacy in music, language, gentility, and values. It is a heritage rich in cultures and diversity. From our many parts, we have formed the most unique society in the world; and it is best illustrated by the Conjunto music which keeps the symmetry alive in our soul.

Through the dedication of Conjunto artists, and the commitment of accordion players who add that pivotal flavor to the music, the beauty and splendor of Conjunto will carry on through the ages so that our children and grandchildren can experience the magnificence that is Conjunto.

TRIBUTE TO WILL SAMUEL

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. HEFLEY. Mr. Speaker, I rise today to pay tribute to one of Colorado's unsung heroes, Mr. Will Samuel.

Mr. Samuel, a civil engineer for the Bureau of Reclamation, has been involved with the Boy Scouts of America for over 20 years. He has unselfishly devoted his time, energy, and leadership and has inspired many young people with whom he has come in contact.

In appreciation for his distinguished service, the Denver Area Council of the Boy Scouts is presenting Mr. Samuel with its highest honor, the Silver Beaver Award.

Mr. Samuel began his Scouting career as an advancement chairman for Cub Scouts Pack 376 in Arizona in 1972 when his son entered the Cub Scouts. In 1975, the Samuels moved to Littleton, CO, where he became assistant scoutmaster with Troop 554 and then scoutmaster in 1979. From 1982 to 1988, he wore three hats: Assistant scoutmaster, assistant district commissioner, and member of the

district camping committee. For the past 3 years, he has continued to work on the camping committees as well as on the commissioner's college staff.

During his many years with the Boy Scouts, Mr. Samuel has received a number of distinguished awards, including the Scouter's Training Award, 1982, the District Award of Merit, 1983, and the Commissioner's Key and Arrowhead Honor, 1986. He also went through the Order of the Arrow in 1976 and was Woodbadge trained in 1978.

An avid sportsman, Mr. Samuel has led many hike and canoe outings for the Scouts and has taken a group of Scouts to Philmont Scout Ranch in New Mexico for 10–12 day excursions on four occasions.

Mr. Samuel is also very involved in other community and civic activities. He has been a church lector since 1979, picks up food for area food banks, and serves holiday meals to residents at the Mullen Home for the Elderly. He served on the board of directors of the Jefferson Symphony Orchestra for 10 years and has been active in Toastmasters for many years.

I extend my sincere congratulations to Mr. Samuel on receiving the Silver Beaver Award and my appreciation for all he has done on behalf of the community. He is truly one of Colorado's finest and an example of what the President is talking about when he refers to "a thousand points of light."

He and his wife, Nancy, have two grown sons, Michael and Joseph, both Eagle Scouts and college graduates.

TRIBUTE TO THE ROTARY ON THE OCCASION OF THE DISTRICT 6310 CONFERENCE, APRIL 25, 1992, IN MIDLAND, MI

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1992

Mr. CAMP. Mr. Speaker, I rise today to salute the outstanding efforts of the Rotarians of mid-Michigan.

On Saturday, April 25, the District 6310 Rotary Conference will be held in my hometown of Midland. This year's theme, "The Global Family," demonstrates the fraternal and family values that Rotarians symbolize. The organization is committed to the changing international business environment and the future leaders of tomorrow. As evidence of their unselfish commitment to international, as well as local concerns, the Rotarians are welcoming 40 exchange students this month. They also are hosting a German group-study exchange team of young professionals interested in learning more about the United States. They fully realize the value of sharing their own experience and learning from others.

From the organization's creation in 1905, to its current worldwide membership of over 1 million in 165 countries, Rotary International has always stood for civic leadership and community service. Its chapters are local collections of generous people from all professions who share a common goal of improving their community and helping others. Rotarians encourage community development, promote ethical business behavior, and foster international understanding, goodwill, and peace.

Mr. Speaker, I know you will join me in congratulating the unselfish work of the Rotarians from mid-Michigan. Their generous commitment and fellowship is what helps to keep our communities strong.