The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. Hayworth].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, September 21, 1995.

I hereby designate the Honorable J. D. Hayworth to act as Speaker pro tempore on this day.

Newt Gingrich,
Speaker of the House of Representatives.

PRAYER

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

Let us pray using the words of St. Francis:

Lord, make us instruments of Your peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy.

Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love.

For it is in giving that we receive: it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life. Amen.

MESSAGE FROM THE SENATE

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

S. J. Res. 20. Joint resolution granting the consent of Congress to the compact to provide for joint natural resource management and enforcement of laws and regulations pertaining to natural resources and boating at the Jennings Randolph Lake Project lying in Garrett County, Maryland and Mineral County, West Virginia, entered into between the States of West Virginia and Maryland; and

S. Con. Res. 27. Concurrent resolution correcting the enrollment of H.R. 402.

THE JOURNAL

The SPEAKER pro tempore (Mr. Hayworth). 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 pro tempore. The gentlwoman from New York [Mrs. Maloney] will lead the membership in the Pledge of Allegiance.

Mrs. MALONEY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain ten 1-minute from each side.

SALMON FLUSH MODEL

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

Mr. METCALF. Mr. Speaker, salmon rehabilitation on the Columbia River is required by the Endangered Species Act. In Washington State, a computer model called the flush model is being used by Federal agencies as the basis for Columbia River salmon recovery efforts. While this model is used to justify reservoir drawdowns and spend hundreds of millions of dollars of expenditures, its scientific base has never been made public nor subject to peer review.

Despite months of repeated requests, I have not been able to obtain this model. The Resources Committee, under Chairman Young, will issue a formal request for a copy of this model, but this information should have been available for public and peer review before the planning and costs of salmon recovery began.

But I have to ask: What do they have to hide?

MEDICARE CUTS FOR TAX CUTS

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

Mr. PALLONE. Mr. Speaker, today is Thursday, September 21, and we still have no Medicare plan from Speaker Gingrich and the House Republican leadership.

As you know, we were supposed to have it yesterday, and today was supposed to be 1 day of hearings before the House Committee on Ways and Means on the plan. Instead, the meeting was delayed. It is now scheduled for tomorrow, and we still have no Medicare plan to outline how the Republican leadership is going to cut $270 billion from Medicare over the next 7 years.

The Democrats feel very strongly there should be at least 4 weeks of hearings on Medicare and Medicaid. We tried to bring that up in the House yesterday and were denied that by the Republican majority. Instead, we are going to have to have our own alternative hearings starting tomorrow and going into next week just so that the
American people can find out what the Republican plan is for cutting Medicare and Medicaid, how they are going to implement it, and how they are going to figure out what they are going to do to prevent the fact, to prevent all the tax cuts for Medicare cuts.

**SPEAK OUT AGAINST VIOLENCE**

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

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. The gallery is reminded they must refrain from applause or other editorial comments during the course of proceedings.

**MEDICARE IS THE REAL CONTRACT WITH AMERICA**

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

**THE AMERICAN PEOPLE NEED JOBS, NOT DEBATE**

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

**THE LEGAL SERVICES CORPORATION**

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)
Mr. Speaker, the Constitution says we are all entitled to equal protection under the law, but in today's society some of us seem to be more equal than others. You see, in this country if you have the money to hire a good lawyer, you can make your way through our legal system. If you are poor, new to this country, or don't understand the legal system, however, you will lose regardless of whether you are right or wrong. That's why the efforts of the Legal Services Corporation are so important. They are in over 900 communities, working to make sure that those who need help have a fighting chance.

I urge my colleagues to support the efforts of the LSC. Let us show the American people that there are still Members in Congress willing to fight for those in need of a helping hand.

DEAL WITH THE FACTS ABOUT MEDICARE

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

Mr. RIGGS. Mr. Speaker, our liberal colleagues on the other side of the aisle have a very distorted view of politics. They equate leadership with scaring people, and they figure the only way they can shape events is by fear, by intimidation, and by denying reality. This has had a fraudulent approach to politics, and it ultimately cheats the American people out of good government, does a disservice to our whole country.

Let us look at Medicare. We have been hearing these constant complaints. We saw this ranting and raving yesterday in the Halls of Congress regarding our proposal to protect and save and strengthen Medicare.

Where is the Democratic plan? One can only deduce by the lack of any plan from the Democrats they are prepared to vote for a drastic increase in payroll taxes or to ration health care benefits or even worse, to bankrupt Medicare.

Mr. Speaker, saving Medicare means dealing with the facts and leading, not denying the facts and scaring Americans.

SLOW DOWN ON MEDICARE

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

Mr. GUTIERREZ. Mr. Speaker, with all the charges the Republicans are making, we should put some new signs to warn everybody.

Like the new highway bill, your State could have a new speed limit, not 65 miles an hour, but 65 plus.

There is another new limit that people should know about. Take a look, it is the Republican health care limit, 65 years old. That is right. When the Republicans raid Medicare, there is going to be a limit on affordable health care for every senior citizen, so if you depend on your car, you are going over 65, do not worry about it, you are safe. But if you depend on Medicare and you are over 65, watch out, the GOP has in mind to pull you over, hand you a big ticket, just so that they can pay out the powerful few who paid for this victory last November. That is why there is a new health limit in America, but there is no limit on how low the Republicans will stoop. They will add to the wealth of the upper class and destroy the health of the middle class.

So, slow down, Mr. Speaker, because you are going too fast.

SAY IT AGAIN, SAM

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

Mrs. SCHROEDER. Mr. Speaker, the gentleman from Florida [Mr. GIBBONS] is one of the authentic heroes of this body. This man was a paratrooper in World War II. He exclaimed from the Nazi blitzkrieg. He has served the public interest from the day he was old enough to do anything. He loves that flag more than anyone.

As ranking member on the Committee on Ways and Means, he has served there longer and knows more about Medicare and Medicaid than anyone in this body, and yesterday he had every right to blow up because he found there were no facts, there was no plan, there were no details, and that is very troubling.

We are being accused of trying to scare senior citizens. Well, if their plan is so non-scary, why can they not show it? The best assurance he got was if they ever get a plan, they will give 1 whole day of hearings to that plan. That is wrong.

Say it again, SAM; say it again, SAM; and say it again, SAM.

INTRODUCTION OF THE CONGRESSIONAL PAY ACCOUNTABILITY ACT OF 1995

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

Mr. BUNN of Oregon. Mr. Speaker, as we come to the end of the fiscal year, many of my colleagues on the other side of the aisle seem more concerned about their salaries rather than the important issue of balancing the budget.

My Republican colleagues and I are committed to delivering on our promise of balancing the budget, and now is the time to show how serious we are.

That is why I introduced H.R. 2391, the Congressional Pay Accountability Act. This bill will show the American people that we are serious. H.R. 2391 requires that Congress return to appropriating Members of Congress each year just as they used to do. It is simple. If the appropriations bills do not pass, we do not get paid.

Yesterday, I met with Federal employees from my district who said, “We are scared. We have to pay rent. We have to buy car payments to pay. We have food to buy for our families, and Congress playing with our lives.” I said, no; we are going to put ourselves in the same position that you are in and expect the same kind of treatment that you receive. We have to get behind balancing the budget, and take it seriously. We have to show that we are serious and will not get paid until the job is done.

My bill will prove just how serious we are. I ask my colleagues to join me by cosponsoring this important piece of legislation to show the American people that we are willing to put our money where our mouth is.

WHY ALL THE CRITICISM ON THE PROPOSED $245 BILLION TAX CUT

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

Mr. DUNCAN. Mr. Speaker, there has been so much political criticism of the proposed $245 billion tax cut—but what are the facts?
First, this tax cut is spread over 7 years and averages about $35 billion a year. This is just 2 percent of Federal spending over that period. Federal spending has risen almost 300 percent over the last 15 years. Do you really think we cannot give just 2 percent back?

Second, some of this tax cut will go to upper income citizens—but most of it will go to lower and middle income people. Somehow, we never hear about that.

Third, Dick Armey, our Republican majority leader, has introduced a flat tax proposal that totally excludes from Federal income taxes the first $26,000 of income for a single person and the first $38,000 for a married couple. This would do a whole lot more for poor people than all the political rhetoric coming from those who do not want to cut taxes at all. The people of this Nation need some of their money back—the bureaucrats have taken too much for far too long.

TRUE INTENT OF THE REPUBLICANS’ PLANS FOR MEDICARE

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

Mr. RICHARDSON. Mr. Speaker, how can we preserve, protect, and save Medicare, as the Republicans claim to do, by cutting $270 billion out of Medicare and drastically increasing premium fees and payroll taxes for 37 million elderly Americans? We cannot do it, and that is why Republicans are hiding the details of their Medicare plan and holding no hearings. I ask, can you blame them?

Mr. Speaker, they do not want to talk about it. They are setting up the American people and the Congress for a railroad of their plan in less than 10 days, hoping everyone will forget. They hope that no one will know the true intent of this plan, and that is to give a tax cut for America’s wealthiest.

Mr. Speaker, that is not right. Let us be open. Let us see the light of day of this Medicare plan, and let us debate it openly.

Democrats have an alternative, and Democrats want to protect Medicare.

THE REPUBLICANS’ IGNORANCE-IS-BLISS WAY OF MAKING DECISIONS ON HOUSING PROGRAMS

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

Ms. ROYBAL-ALLARD. Mr. Speaker, the House Committee on Banking and Financial Services cut $2.4 billion in banking and housing services for poor and communities. These draconian cuts eliminated the RTC and FDIC affordable housing programs, the FHA Mortgage Assignment Program, the Multifamily Property Disposition System, and neutralized the Community Redevelopment Agency, among others.

Mr. Speaker, these cuts were not based on facts and insights from expert testimony or those impacted by those decisions. Why? Because not one public hearing was held regarding these programs.

During the bill’s markup, Mr. Speaker, Republicans and Democrats asked questions that could not be answered, forcing members to make decisions on communities and their housing needs with little understanding of their impact. With these cuts, Mr. Speaker, far too many will suffer before we all realize the painful consequences of the committee’s actions.

It is tragic Republicans have applied the same ignorance-is-bliss in determining key policy issues for America.

RAMMING THE MEDICARE PLAN THROUGH CONGRESS REPRESENTS A NEW LOW

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

Ms. WOOLSEY. Mr. Speaker, I have said before that the new majority is going too far, too fast, and now I add the words, “too low.” Yes, the way they are trying to ram their Medicare plan through the Congress represents a new low in backroom attacks on our seniors.

Let us make it clear; The new majority is allowing only 1 day of hearings on their Medicare plan. I repeat 1 day of hearings.

As a former city council member, I can tell you that we had more debate on sidewalk improvements than Speaker Gingrich will allow on Medicare which affects millions of seniors and their families. But, you know, if I was in the new majority, I’d be hiding their Medicare plan, too, because it increases premiums on seniors and takes away their choice of doctor for one reason, and for one reason only: to pay for one of the most outrageous and unfair tax giveaways in American history.

Mr. Speaker, let us see the full details of your Medicare plan. Let us have public hearings. Let us get it out in the open, because as far as I am concerned, a plan that cannot withstand the bright light of day simply is not good enough for the seniors and families of this country.

THE DEMOCRATS’ WAY TO ECONOMIC PROSPERITY IS NONSENSE

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

Mr. WALKER. Mr. Speaker, it is fascinating to listen to the parade of people from the minority party come before this Congress and tell us why they are in the minority. They are in the minority in large part because they hate the idea of tax cuts. Giving tax cuts to the middle class is an absolute anathema to them, and so, therefore, they come to the floor day after day and suggest that the idea of giving tax cuts to the middle class is exactly the wrong national policy and we ought to do nothing in terms of a budget that would get us to tax cuts for the middle class, because after all, they know that if we simply give a bigger and bigger Federal Government more money, that is the way to economic prosperity.

Mr. Speaker, it is nonsense. The American people understand that their entire concept is nonsense.

Now they are talking about Medicare. We have a program to strengthen Medicare in a way to assure that Medicare is there for people in the future. Otherwise in 7 years it goes broke. The Democrats have nothing. They are coming to the floor, and they have nothing. They have offered nothing, they are willing to debate nothing, they have no plan whatsoever. They are willing to countenance bankruptcy.

So understand what their budget policy is. Their budget policy is bankrupt the American family by taxing them to death, and bankrupt the Medicare system so that nobody has medical care in the future.

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT OF 1995

(The SPEAKER pro tempore [Mr. HAYWORTH]. Pursuant to House Resolution 225 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 927.)

OPEN IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 927) to provide international sanctuary for the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes, with Mr. DUNCAN in the chair.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, September 20, 1995, all time for general debate had expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of a substitute of H.R. 2367 is considered as an original bill for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

(a) SHORT TITLE.—This Act may be cited as the “Cuban Liberty and Democratic Solidarity Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:
Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purposes.
Sec. 4. Definitions.

TITLE I—SANCTIONS AGAINST THE CASTRO GOVERNMENT
Sec. 1. Statement of policy.
Sec. 2. Enforcement of the economic embargo of Cuba.
Sec. 3. Prohibition against indirect financing of the Castro dictatorship.
Sec. 4. United States opposition to Cuban membership in international financial institutions.
Sec. 5. United States opposition to ending the suspension of the Government of Cuba from the Organization of American States.
Sec. 6. Assistance by the Independent States of the former Soviet Union for the Cuban Government.
Sec. 7. Television broadcasting to Cuba.
Sec. 8. Reports on assistance and commerce received by Cuba from other foreign countries.
Sec. 9. Authorization of support for democratic and human rights groups and international observers.
Sec. 10. Withholding of foreign assistance from countries supporting nuclear plant in Cuba.
Sec. 11. Expulsion of criminals from Cuba.

TITLE II—ASSISTANCE TO A FREE AND INDEPENDENT CUBA
Sec. 1. Policy toward a transition government and a democratically elected government in Cuba.
Sec. 2. Assistance for the Cuban people.
Sec. 3. Coordination of assistance programs; implementation and reporting.
Sec. 4. Termination of the economic embargo of Cuba.
Sec. 5. Requirements for a transition government.
Sec. 6. Requirements for a democratically elected government.

TITLE III—PROTECTION OF PROPERTY RIGHTS OF UNITED STATES NATIONALS AGAINST CONFISCATORY TAKINGS BY THE CASTRO REGIME
Sec. 1. Statement of policy.
Sec. 2. Liability for trafficking in property confiscated from United States nationals.
Sec. 3. Determination of claims to confiscated property.
Sec. 4. Exclusivity of Foreign Claims Settlement Commission certification procedure.

TITLE IV—EXCLUSION OF CERTAIN ALIENS
Sec. 1. Exclusion from the United States of aliens who have confiscated property of United States nationals or who traffic in such property.

SEC. 2. FINDINGS.
The Congress makes the following findings:
(1) The economy of Cuba has experienced a decline of at least 60 percent in the last 5 years as a result of—
(A) the repeal of its subsidization by the former Soviet Union of between 5 billion and 6 billion dollars annually;
(B) 36 years of Communist tyranny and economic mismanagement by the Castro government;
(C) the extreme decline in trade between Cuba and the countries of the former Soviet bloc; and
(D) the stated policy of the Russian Government and the countries of the former Soviet

violation to conduct economic relations with Cuba on strictly commercial terms.
(2) At the same time, the welfare and health of the Cuban people have substantially deteriorated as a result of this economic decline and the refusal of the Castro regime to permit free and fair democratic elections in Cuba.
(3) The Castro regime has made it abundantly clear that it will not engage in any substantive political reforms that would lead to democracy, a market economy, or an economic recovery.
(4) The repression of the Cuban people, including a ban on free and fair democratic elections, and continuing violations of fundamental human rights, has isolated the Cuban regime as the only completely nondemocratic government in the Western Hemisphere.
(5) As long as free elections are not held in Cuba, the economic condition of the country and the welfare of the Cuban people will not improve in any significant way.
(6) The totalitarian nature of the Castro regime has deprived the Cuban people of any meaningful peace to improve their condition and has led hundreds of Cuban citizens to risk or lose their lives in dangerous attempts to escape from Cuba.
(7) Radio Marti and Television Marti have both been effective vehicles for providing the people of Cuba with useful information and have helped to bolster the morale of the people of Cuba living under tyranny.
(8) The consistent policy of the United States towards Cuba since the beginning of the Castro regime, carried out by both Democratic and Republican administrations, has sought to keep faith with the people of Cuba, and has been effective in sanctioning the totalitarian Castro regime.
(9) The United States has shown a deep commitment, and considers it a moral obligation, to promote and protect human rights and fundamental freedoms as expressed in the Charter of the United Nations and in the Universal Declaration of Human Rights.
(10) The Congress has historically and consistently manifested its solidarity and the solidarity of the American people with the democratic aspirations of the Cuban people.
(11) The 1992 FREEDOM Support Act calls upon the President to encourage the governments of countries that conduct trade with Cuba to restrict their trade and credit relations with Cuba in a manner consistent with the purposes of that Act.
(12) The 1992 FREEDOM Support Act requires that the President, in providing economic assistance to, and engaging with, the newly independent states of the former Soviet Union and the Baltic Republics, take into account the extent to which they are acting to terminate support for the communist regime in Cuba, including the removal of troops, closing military facilities, and ceasing trade subsidies and economic, nuclear, and other assistance.
(13) The Cuban Government engages in the illegal international narcotics trade and harbors fugitives from justice in the United States.
(14) The Castro government threatens international peace and security by engaging in acts of armed subversion and terrorism such as the training and supplying of groups dedicated to overthrowing the Government of Haiti.
(15) The Castro government has utilized from its inception and continues to utilize torture in various forms (including by psychological means) to maintain the loyalty of its citizens.
(16) Fidel Castro has defined democratic pluralism as "pluralistic garbage" and continues to make clear that he has no intention of tolerating the democratization of Cuban society.
(17) The Castro government holds innocent Cubans hostage in Cuba by no fault of the United States because relatives have escaped the country.
(18) Although a signatory state to the 1928 Inter-American Convention on Asylum and the 1969 Inter-American Declaration on Human Rights (which provides the right to leave one's own country), Cuba nevertheless surrenders embassies in its capital by armed force to thwart the right of its citizens to seek asylum and systematically denies that right to the Cuban people, punishing them by imprisonment for seeking to leave the country and killing those who attempt to do so (as demonstrated in the case of the confirmed murder of over 40 men, women, and children who were seeking to leave Cuba on july 13, 1994).
(19) The Castro government continues to utilize blackmail, such as the immigration crisis with which it threatened the United States in the summer of 1994, and other unacceptable and illegal forms of conduct to influence the actions of sovereign states in the Western Hemisphere in violation of the Charter of the Organization of American States and other international agreements and international law.
(20) The United Nations Commission on Human Rights has repeatedly condemned the unacceptable human rights situation in Cuba and has taken the extraordinary step of appointing a Special Rapporteur.
(21) The Cuban Government has consistently refused access to the Special Rapporteur and formally expressed its decision not to "implement so much as one concept of the United Nations Resolutions appointing the Rapporteur.
(22) The United Nations General Assembly passed Resolution 49/207 on December 4, 1994, Resolution 49/52 on December 20, 1994, and Resolution 49/54 on October 19, 1994, referencing the Special Rapporteur's reports.
(23) Article 39 of Chapter VII of the United Nations Charter provides that the United Nations Security Council has the authority to determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken to restore or maintain international peace and security.
(24) The United Nations has determined that massive and systematic violations of human rights may constitute "an act of aggression" under Article 39 and has imposed sanctions due to such violations of human rights in the cases of Rhodesia, South Africa, Iraq, and the former Yugoslavia.
(25) In the case of Haiti, a neighbor of Cuba and not as close to the United States as Cuba, the United States led an effort to obtain and did obtain a United Nations Security Council embargo and blockade against that country due to the existence of a military dictatorship in power less than 3 years.
(26) The United Nations Security Council Resolution 940 of July 31, 1994, subsequently authorized the use of all necessary means to restore the "democratically elected government of Haiti" and "condemns the illegally elected government of Haiti was restored to power on October 15, 1994.
(27) The Cuban people deserve to be as- sisted in a decisive manner to end the tyr- any that has oppressed them for 36 years and the continued failure to do so constitutes ethnically improper conduct by the international community.
(28) For the past 36 years, the Cuban Government has posed and continues to pose a
national security threat to the United States.

SEC. 3. PURPOSES.

The purposes of this Act are as follows:

(1) To prevent the Cuban government from reclaiming the property of the former Cuban government, and thereby to assure the liberty, prosperity, and security of the Cuban people, as well as the dignity and independence of the United States.

(2) To deter Cuba, directly or indirectly, from violating international law, including the laws of nations, and to ensure that Cuba is held accountable for its actions.

(3) To encourage the return of Cuban nationals to Cuba, and to ensure that their human rights are respected.

(4) To protect the sovereignty and territorial integrity of the United States.

(5) To promote peace and security in the Western Hemisphere.

(6) To encourage the United States to take all necessary measures to achieve these purposes.

II.

TITLE II—SEEKING SANCTIONS AGAINST THE CUBAN GOVERNMENT

SEC. 101. STATEMENT OF POLICY.

It shall be the policy of the United States to impose sanctions against the government of Cuba, and against any entity that supports or assists the Cuban government, in order to deter Cuba from violating international law, including the laws of nations, and to ensure that Cuba is held accountable for its actions.

SEC. 102. ENFORCEMENT OF THE ECONOMIC EMBARGO OF CUBA.

(a) Policy.—(1) The Congress hereby reaffirms the embargo of Cuba under section 101(a) of the Cuban Democracy Act of 1992, as amended, which states the President should take steps to deny assistance to Cuba.

(b) DIPLOMATIC EFFORTS.—The Secretary of State shall ensure that United States diplomatic personnel abroad understand and, in their contacts with Cuban officials, communicate the reasons for the United States economic embargo of Cuba, and are urging foreign governments to cooperate more effectively with the embargo of Cuba.

(c) EXISTING REGULATIONS.—The President should instruct the Secretary of the Treasury and the Attorney General to enforce fully the Cuban Assets Control Regulations set forth in part 515 of title 31, Code of Federal Regulations.

(d) TRADING WITH THE ENEMY ACT.—(1) CIVIL PENALTIES.—Subsection (b) of section 16 of the Trading With the Enemy Act (50 U.S.C. App. 16(b)) is amended to read as follows:

“(b) A civil penalty of not to exceed $50,000 may be imposed by the Secretary of the Treasury on any person who violates any statute, order, rule, or regulation issued in compliance with the provisions of this Act.

“(2) Any property, funds, securities, papers, or other articles or documents, or any vessel, together with its tackle, apparel, furniture, and equipment, that is the subject of a violation under paragraph (1) shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States Government.

“(3) The penalties provided under this subsection may not be imposed for—

“(A) news gathering, research, or the export or import of, or transmission of, information or informational materials; or

“(B) clearly defined educational or religious activities, or activities of recognized human rights organizations, that are reasonably limited in frequency, duration, and number of participants.

“(4) The penalties provided under this subsection may be imposed only on the record after an opportunity for an agency hearing in accordance with section 557 of title 5, United States Code, with the right to prehearing discovery.

“(5) Judicial review of any penalty imposed under this subsection may be had to the extent provided in section 702 of title 5, United States Code.”.
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(2) FORFEITURE OF PROPERTY USED IN VIOLATION.—Section 16 of the Trading With the Enemy Act is further amended by striking subsection (c).

(3) CONTINUATION OF AMENDMENT.—Section 16 of the Trading With the Enemy Act is further amended by inserting "Sec. 16." before "(a)."

(4) COVERAGE OF DEBT-FOR-EQUITY SWAPS BY EXPORT-RELATED INSTRUMENTS.—Subsection (b)(2) of the Cuban Democracy Act of 1992 (22 U.S.C. 603(b)(2)) is amended—

(a) by striking "and" at the end of subparagraph (A);

(b) by redesigning subparagraph (B) as subparagraph (C); and

(c) by inserting after subparagraph (A) the following new subparagraph:

"(B) includes an exchange, reduction, or forgiveness of Cuban debt owed to a foreign country in return for a grant of an equity interest in a property, investment, or operation of the Government of Cuba (including the government of any political subdivision of Cuba, and any agency or instrumentality of the Government of Cuba) or of a Cuban national; and"; and

(d) by adding at the end the following flush sentence:"

"Add to this subparagraph the term 'agency or instrumentality of the Government of Cuba' means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 5, United States Code, with Cuba substituted for 'a foreign state' each place it appears in such section."

SEC. 102. PROHIBITION AGAINST INDIRECT FINANCING OF THE CASTRO DICTATORSHIP.

(a) Prohibition.—Notwithstanding any other provision of law, no loan, credit, or other financial assistance may be extended by a United States national, permanent resident alien, or United States agency, to a foreign national, United States national, or permanent resident alien, in order to finance transactions involving any confiscated property the claim to which is owned by a United States national as of the date of the enactment of this Act.

(b) Termination of Prohibition.—The prohibition of subsection (a) shall cease to apply on the date on which the economic embargo of Cuba is lifted by the President, under section 251 of the Cuban Democracy Act of 1992 (22 U.S.C. 617(b)), and any agency or instrumentality of the Government of Cuba as defined in section 1603(b) of title 5, United States Code, with Cuba substituted for "a foreign state" each place it appears in such section.

SEC. 103. ELIGIBILITY FOR ASSISTANCE BY THE INDEPENDENT STATES OF THE FORMER SOVIET UNION FOR THE CUBAN GOVERNMENT.

(a) Reporting Requirement.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the Congress a report detailing progress towards the withdrawal of personnel of any independent state of the former Soviet Union (within the meaning of section 3 of the FREEDOM Support Act (22 U.S.C. 5901)), including advisers, technicians, and military personnel, from the Cienfuegos nuclear complex in Cuba.

(b) Criteria for Assistance.—Section 498A(a)(11) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(a)(11)) is amended by striking "cuban government" and inserting "military and intelligence facilities, including the military and intelligence facilities at Lourdes and Cienfuegos".

(c) Ineligibility for Assistance.—Section 498A(b) of that Act (22 U.S.C. 2295a(b)) is amended—

(A) by striking "or" at the end of paragraph (4);

(B) by redesigning paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) for the government of any independent state effective 30 days after the President has determined and certified to the appropriate congressional committees that Cuba is in power.

(2) Section 102(c) of that Act (22 U.S.C. 2295a(c)) is amended by adding at the end the following:

"(3) NONMARKET BASED TRADE.—As used in section 498A(b)(3), the term 'nonmarket based trade' includes trade in goods, services, and other information or assistance, the grant of a market-based credit or guaranty, or the extension of a market-based loan; and.

(c) The report required by subparagraph (B)(5) may be submitted in classified form.

(d) The reports required by paragraphs (2)(B) and (C) shall be transmitted to the President on August 1, 2001, and thereafter on August 1 of each year thereafter.

SEC. 104. UNITED STATES OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) Continuation of prohibition on Cuban membership in international financial institutions.—(1) Except as provided in paragraph (2), the Secretary of the Treasury shall instruct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of that institution until the President submits a determination under section 203(c)(3) that a democratically elected government in Cuba is in power.

(2) If the President submits a determination under section 203(c)(1) that a transition government in Cuba is in power, the President is encouraged to take steps to support Cuba's application for membership in any international financial institution, subject to the membership taking effect after a democratically elected government in Cuba is in power.

(b) Reduction in United States payments to international financial institutions.—If any international institution approves a loan or other assistance to the Cuban Government over the opposition of the United States, then the Secretary of the Treasury shall impose a proportional reduction in payment to the institution that an amount equal to the amount of the loan or other assistance to the Cuban Government, with respect to each of the financial institutions, that is payable:

(1) The paid-in portion of the increase in capital stock of the institution;

(2) The callable portion of the increase in capital stock of the institution;

(c) Definition.—For purposes of this section, the term "international financial institution" means the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the Inter-American Development Bank.

SEC. 105. UNITED STATES OPPOSITION TO ENGAGEMENT OF THE CUBAN GOVERNMENT FROM THE ORGANIZATION OF AMERICAN STATES.

The President should instruct the United States Permanent Representative to the Organization of American States to use the voice and vote of the United States to oppose the admission of Cuba to the OAS until the Cuban Government instructs the United States executive director to each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of that institution until the President determines under section 203(c)(3) that a democratically elected government in Cuba is in power.

SEC. 106. Assistance by the independent states of the former soviet union for the cuban government.

(a) Reporting Requirement.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the Congress a report detailing progress towards the withdrawal of personnel of any independent state of the former Soviet Union (within the meaning of section 3 of the Freedom Support Act (22 U.S.C. 5901)), including advisers, technicians, and military personnel, from the Cienfuegos nuclear complex in Cuba.

(b) Criteria for Assistance.—Section 498A(a)(11) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(a)(11)) is amended by striking "Cuban government" and inserting "military and intelligence facilities, including the military and intelligence facilities at Lourdes and Cienfuegos".

(c) Ineligibility for Assistance.—(1) Section 498A(b) of that Act (22 U.S.C. 2295a(b)) is amended—

(A) by striking "or" at the end of paragraph (4);

(B) by redesigning paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) For the government of any independent state effective 30 days after the President has determined and certified to the appropriate congressional committees that the Russian Government is not sharing intelligence data collected at the Lourdes facility with officials or agents of the Cuban Government.

(b) At the time of a certification made with respect to Russia pursuant to subparagraph (A), the President shall withhold from assistance provided, on or after the date of the enactment of this subsection, for an independent state of the former Soviet Union under this chapter an amount equal to the sum of assistance provided by the United States to the appropriate congressional committees that the Russian Government is not sharing intelligence data collected at the Lourdes facility with officials or agents of the Cuban Government.

(c) The report required by paragraph (1) to withdraw assistance if the President certifies to the appropriate congressional committees that the Russian Government is not sharing intelligence data collected at the Lourdes facility with officials or agents of the Cuban Government.
(3) The requirement of paragraph (1) to withhold assistance shall not apply with respect to—

(A) assistance to meet urgent humanitarian needs, including disaster and refugee relief,

(B) democratic political reform and rule of law activities;

(C) technical assistance for safety upgrading of civilian power plants;

(D) the creation of private sector and nongovernmental organizations that are independent of government control;

(E) the development of a free market economic system; and

(F) assistance for the purposes described in the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103-160)."

SEC. 107. TELEVISION BROADCASTING TO CUBA.

(a) Conversion to UHF.—The Director of the United States Information Agency shall implement a conversion of television broadcasting to Cuba under the Television Marti Service to ultra high frequency (UHF) broadcasting.

(b) Periodic Reports.—Not later than 45 days after the date of the enactment of this Act, and every three months thereafter until the conversion described in subsection (a) is fully completed, the Director of the United States Information Agency shall submit a report to the appropriate congressional committees on the progress made in carrying out subsection (a).

(c) Termination of Broadcasting Authorities.—Upon a determination made under section 203(c)(3) of the Television Marti Act, and every year thereafter, the President should provide not less than $5,000,000 of the voluntary contributions of Cuba, including the following:

(1) A description of the military supplies, equipment, or materiel; and

(2) A description of the military supplies, equipment, or materiel exchanged between the Cuban Government and such countries.

(3) A listing of the goods, services, credits, or other consideration received by the Cuban Government in exchange for military supplies, equipment, or materiel; and

(4) A description of the conditions of such exchange.

SEC. 108. REPORTS ON ASSISTANCE AND COMMERCE RECEIVED FROM CUBA AND OTHER FOREIGN COUNTRIES.

(a) Reports Required.—Not later than 90 days after the date of the enactment of this Act, and every year thereafter, the President shall submit a report to the appropriate congressional committees on assistance and commerce received from Cuba and other foreign countries during the preceding 12-month period.

(b) Contents of Report.—Each report required under subsection (a) shall, for each country covered by the report, contain the following, to the extent such information is known:

(1) A description of all bilateral assistance provided by the United States to Cuba and by other foreign countries, including humanitarian assistance.

(2) A description of Cuba's commerce with foreign countries, including an identification of Cuba's trading partners and the extent of such trade.

(3) A description of the joint ventures completed, or under consideration, by foreign nationals or foreign entities in Cuba, including an identification of the location of the facilities involved and a description of the terms of agreement of the joint ventures and the names of the parties that are involved.

(4) A determination whether or not any of the facilities described in paragraph (3) is the subject of a claim by a United States national.

(5) A determination of the amount of Cuban debt owed to each foreign country, including—

(A) the amount of debt exchanged, forgiven, or reduced under the terms of each investment or operation in Cuba involving foreign nationals; and

(B) the amount of debt owed to the foreign country that has been exchanged, reduced, or forgiven in return for a grant by the Cuban Government of an equity interest in a property, investment, or operation of the Cuban Government or of a Cuban national.

(6) A description of the steps taken to ensure that undermined or unfinished goods produced by facilities in Cuba involving foreign nationals do not enter the United States market, either directly or through intermediaries.

(7) An identification of countries that purchase, or have purchased, arms or military supplies from the Cuban Government or that have otherwise have entered into agreements with the Cuban Government that have a military application, including—

(A) a description of the military supplies, equipment, or materiel; and

(B) a description of the military supplies, equipment, or materiel exchanged between the Cuban Government and such countries.

(8) A description of the steps taken to ensure that such supplies, equipment, or materiel do not enter the United States market, either directly or through intermediaries.

(9) The Cuban Government, under dictator Fidel Castro, in 1962 advocated the Soviets' launching of nuclear missiles to the United States, which represented a direct and dangerous provocation of the United States and brought the world to the brink of a nuclear conflict.

(10) Fidel Castro over the years has consistently issued threats against the United States Government, most recently that he would unleash another perilous mass migration from Cuba upon the enactment of this Act.

(11) Despite the various concerns about the plant's safety and operational problems, a 1992 study by a foreign group of experts that would establish a support group to include Russia, Cuba, and third countries with the
 objective of completing and operating the plant.  
(b) WITHHOLDING OF FOREIGN ASSISTANCE.—  
(1) IN GENERAL.—Notwithstanding any other provisions hereof, the President shall withhold from assistance allocated, on or after the date of the enactment of this Act, for any amount equal to the sum of assistance and credits, if any, provided on or after such date of enactment by that country or any entity in that country in support of or for the benefit of the Cuban nuclear power facility at uragua, near Cienfuegos, Cuba.  
(2) EXCEPTIONS.—The requirement of paragraph (1) to withhold assistance shall not apply with respect—  
(A) assistance to meet urgent humanitarian needs, including disaster and refugee relief;  
(B) democratic political reform and rule of law activities;  
(C) the creation of private sector and non-governmental organizations that are independent of government control;  
(D) the development of a free market economic system; and  
(E) assistance for the purposes described in the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103–160).  
(3) DEFINITION.—As used in paragraph (1), the term ‘‘assistance’’ means assistance under the Foreign Assistance Act of 1961, credits, sales, and guarantees of extensions of credit under the Arms Export Control Act, assistance under title I and III of the Agricultural Trade Development and Assistance Act of 1954, assistance under the FREEDOM Support Act of 1992, and any other program of assistance as is provided by the United States to other countries under other provisions of law, except that the term ‘‘assistance’’ does not include humanitarian assistance, including disaster relief assistance.  

SECTION 111. EXPULSION OF CRIMINALS FROM CUBA.  
The President shall instruct all United States Government officials who engage in official conduct with the Cuban Government to raise on a regular basis the extradition of or rendering to the United States all persons residing in Cuba who are sought by the United States Department of Justice for crimes committed in the United States.

TITLE II—ASSISTANCE TO A FREE AND INDEPENDENT CUBA  

SEC. 201. POLICY TOWARD A TRANSITION GOVERNMENT AND A DEMOCRATICALLY ELECTED GOVERNMENT IN CUBA.  
The policy of the United States is as follows:  
(1) To support the self-determination of the Cuban people.  
(2) To recognize that the self-determination of the Cuban people is a sovereign and national right of the citizens of Cuba which must be exercised free of interference by the government of any other country.  
(3) To encourage the Cuban people to empower themselves with a government which reflects the self-determination of the Cuban people.  
(4) To recognize the potential for a difficult transition from the current regime in Cuba that may result from the initiatives taken by the Cuban people for self-determination in response to the intransigence of the Castro regime in not allowing any substantive political or economic reforms, and to be prepared to provide the Cuban people, with humanitarian, developmental, and other economic assistance.  
(5) In solidarity with the Cuban people, to provide non-military forms of assistance—  
(A) to a transition government in Cuba;  
(B) to facilitate the rapid movement from such a transition government to a democratically elected government in Cuba that results from an expression of the self-determination of the Cuban people; and  
(C) to support such a democratically elected government.  
(6) Through such assistance, to facilitate a peaceful transition to representative democracy and a market economy in Cuba and to consolidate democracy in Cuba.  
(7) To deliver such assistance to the Cuban people only through a transition government in Cuba or a democratically elected government in Cuba, through United States Government organizations, or through United States, international, or indigenous non-governmental organizations.  
(8) To encourage other countries and multilateral organizations to provide similar assistance, and to work cooperatively with such countries and organizations to coordinate such assistance.  
(9) To ensure that appropriate assistance is rapidly provided and distributed to the people of Cuba upon the institution of a transition government in Cuba.  
(10) To not provide favorable treatment or influence on behalf of any individual or entity in the selection by the Cubans of their future government.  
(11) To assist a transition government in Cuba and a democratically elected government in Cuba to stabilize and consolidate democracy in Cuba and Cuba’s economy.  
(12) To be prepared to enter into negotiations with a democratically elected government in Cuba either to return the United States Naval Base at Guantanamo to Cuba or to renegotiate the present agreement under mutually acceptable terms.  
(13) To consider the restoration of diplomatic recognition and support the reintegration of the Cuban Government into the inter-American system when the President determines that there exists a democratically elected government in Cuba.  
(14) To take steps to remove the economic embargo as soon as the President determines that a transition to a democratically elected government in Cuba has begun.  
(15) To assist a democratically elected government in Cuba to strengthen and stabilize its national currency.  
(16) To pursue trade relations with a free, democratic, and independent Cuba.

SEC. 202. ASSISTANCE FOR THE CUBAN PEOPLE.  
(a) AUTHORIZATION.—  
(1) IN GENERAL.—The President shall develop a plan for providing economic assistance to the Cuban people that determines that a transition government or a democratically elected government in Cuba (as determined under section 203(c)) is in power.  
(2) EFFECT ON OTHER LAWS.—Assistance may be provided under this section subject to an authorization of appropriations and subject to the availability of appropriations.  
(b) PLAN FOR ASSISTANCE.—  
(1) DEVELOPMENT OF PLAN.—The President shall develop a plan for providing assistance under this section—  
(A) to Cuba when a transition government in Cuba is in power; and  
(B) to Cuba when a democratically elected government in Cuba is in power.  
(2) TYPES OF ASSISTANCE.—Assistance under the plan shall, subject to an authorization of appropriations and to the availability of appropriations, include the following:  
(A) TRANSITION GOVERNMENT.—(i) Except as provided in clause (ii), assistance to Cuba under this section shall, subject to an authorization of appropriations and subject to the availability of appropriations, be limited to—  
(I) such food, medicine, medical supplies and equipment, and assistance to meet emergency energy needs, as is necessary to meet the basic human needs of the Cuban people; and  
(ii) assistance described in subparagraph (C).  
(B) DEMOCRATICALLY ELECTED GOVERNMENT.—Assistance to a democratically elected government in Cuba may, subject to an authorization of appropriations and subject to the availability of appropriations, consist of additional economic assistance, together with assistance described in subparagraph (C). Such economic assistance may include—  
(i) assistance under chapter 1 of part I (relating to development assistance), and chapter 4 of part II (relating to the economic support fund), of the Foreign Assistance Act of 1961;  
(ii) assistance under the Agricultural Trade Development and Assistance Act of 1954;  
(iii) financing, guarantees, and other forms of assistance provided by the Export-Import Bank of the United States;  
(iv) financial support provided by the Overseas Private Investment Corporation for investment projects in Cuba;  
(v) assistance provided by the Trade and Development Agency;  
(vi) Peace Corps programs; and  
(vii) other appropriate assistance to carry out the policy of section 201.  
(C) STRATEGY FOR DISTRIBUTION.—The plan developed under subsection (b) shall include a strategy for distributing assistance under the plan.  
(d) DISTRIBUTION.—Assistance under the plan developed under subsection (b) shall be provided through United States Government agencies, organizations, and nongovernmental organizations and private and voluntary organizations, whether within or outside the United States, including humanitarian, educational, labor, and private sector organizations.  
(e) INTERNATIONAL EFFORTS.—The President shall take the necessary steps—  
(1) to seek to obtain the agreement of other countries and of international financial institutions and multilateral organizations to provide to a transition government in Cuba, and to a democratically elected government in Cuba, assistance comparable to that provided by the United States under this Act; and  
(2) to work with such countries, institutions, and organizations to coordinate all such assistance programs.  
(f) COMMUNICATION WITH THE CUBAN PEOPLE.—The President shall take the necessary steps to communicate to the Cuban people the plan for assistance developed under this section.  
(g) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report describing in detail the plan developed under this section.  
(h) TRADE AND INVESTMENT RELATIONS.—
(1) REPORT TO CONGRESS.—The President, following the transmittal to the Congress of a determination under section 203(c)(3) that a democratically elected government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and shall, subject to an authorization of appropriations and a determination by the Congress, commence the delivery and distribution of assistance to such transition government under the plan developed under section 202(b).

(2) REPORTS TO CONGRESS.—(A) The President shall transmit to the appropriate congressional committees a report setting forth the strategy for providing assistance described in section 202(b)(2) (A) and (C) to the transition government in Cuba under the plan developed under section 202(b), the policies and negotiating objectives and the legislative proposals described in paragraph (1).

(B) The President shall transmit the report not later than 90 days after making the determination referred to in paragraph (1), except that the President shall transmit the report in preliminary form not later than 15 days after making that determination.

(C) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—The President shall, upon determining that a democratically elected government in Cuba is in power, submit that determination to the appropriate congressional committees and shall seek advice from the appropriate advisory committees established under section 135 of the Trade Act of 1974 regarding the policy and negotiating objectives and the legislative proposals described in paragraph (1).

SEC. 203. COORDINATION OF ASSISTANCE PROGRAM; IMPLEMENTATION AND REPORTS TO CONGRESS; REPROGRAMMING.

(a) COORDINATING OFFICIAL.—The President shall designate a coordinating official who shall be responsible for:

(1) implementing a strategy for distributing assistance described in section 202(b), including resolving any disputes among such agencies. 

(b) UNITED STATES-CUBA COUNCIL.—Upon making a determination under subsection (c), the President, after consultation with the coordinating official, is authorized to designate a United States-Cuba council consisting of:

(i) to ensure coordination between the United States Government and the private sector in responding to change in Cuba, and in promoting market-based development in Cuba; and

(ii) to establish periodic meetings between representatives of the United States and Cuba for the purpose of facilitating bilateral trade.

(c) IMPLEMENTATION OF PLAN; REPORTS TO CONGRESS—(1) IMPLEMENTATION WITH RESPECT TO TRANSITION GOVERNMENT.—Upon making a determination that a transition government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and shall, subject to an authorization of appropriations and a determination by the Congress, commence the delivery and distribution of assistance to such transition government under the plan developed under section 202(b).

(2) REPORTS TO CONGRESS.—(A) The President shall transmit to the appropriate congressional committees a report setting forth the strategy for providing assistance described in section 202(b)(2) (A) and (C) to the transition government in Cuba under the plan developed under section 202(b), the policies and negotiating objectives and the legislative proposals described in paragraph (1).

(B) The President shall transmit the report not later than 90 days after making the determination referred to in paragraph (1), except that the President shall transmit the report in preliminary form not later than 15 days after making that determination.

(C) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—The President shall, upon determining that a democratically elected government in Cuba is in power, submit that determination to the appropriate congressional committees and shall seek advice from the appropriate advisory committees established under section 135 of the Trade Act of 1974 regarding the policy and negotiating objectives and the legislative proposals described in paragraph (1).

SEC. 205. REQUIREMENTS FOR A TRANSITION GOVERNMENT.

For purposes of this Act, a transition government in Cuba is a government in which:

(1) has released all political prisoners and ended all political activity and association;

(2) has recognized the right to independent political activity and association;

(3) has released all political prisoners and allowed for investigations of Cuban prisons by appropriate international human rights organizations;

(4) has ceased any interference with Radio or Television Martí broadcasts;
(5) makes public commitments to and is making demonstrable progress in—
(A) establishing an independent judiciary;
(B) dissolving the present Department of State in the Cuban Ministry of the Interior, including the Committees for the Defense of the Revolution and the Rapid Resistance Brigades;
(C) ensuring for internationally recognized human rights and basic freedoms as set forth in the Universal Declaration of Human Rights, to which Cuba is a signatory nation;
(D) ensuring the amount of time for free speech and freedom of the press;
(E) organizing free and fair elections for a new government;
(i) to be held in a timely manner within a period not to exceed 1 year after the transition government assumes power;
(ii) in the participation of multiple independent political parties that have full access to the media on an equal basis, including (in the case of radio, television, or other telecommunications media) in terms of allotments of time for such access and the times of day such allotments are given; and
(iii) to be conducted under the supervision of international observers, such as the Organization of American States, the United Nations, and other elections monitors;
(F) assuring the right to private property;
(G) taking appropriate steps to return to United States citizens (and entities which are 50 percent or more beneficially owned by United States citizens) property taken by the Cuban Government from such citizens and entities on or after January 1, 1959, or to provide equitable compensation to such citizens and entities for such property;
(H) granting permits to privately owned telecommunications and media companies to operate.
(i) allowing the establishment of independent trade unions as set forth in conventions 87 and 98 of the International Labor Organization, and allowing the establishment of independent social, economic, and political associations;
(j) does not include Fidel Castro or Raúl Castro;
(k) has given adequate assurances that it will allow the speedy and efficient distribution of assistance to the Cuban people;
(l) has developed the deployment throughout Cuba of independent and unfettered international human rights monitors; and
(m) is otherwise rendered to the United States all persons sought by the United States Department of Justice for the United States all persons sought by the United States Department of Justice for the United States all persons sought by the United States Department of Justice for the United States.

(3) is showing respect for the basic civil liberties and human rights of the Cuban people.

(4) is making demonstrable progress in establishing an independent judiciary.

(5) is substantially moving toward a market-oriented economic system.

(6) is committed to making constitutional changes that would ensure regular free and fair elections that meet the requirements of paragraph (4).

(7) has demonstrated progress in returning to United States citizens (and entities which are 50 percent or more beneficially owned by United States citizens) property taken by the Cuban Government from such citizens and entities on or after January 1, 1959, or to provide equitable compensation to such citizens and entities for such property.

(8) International law, by not providing effective remedies, condones the illegal confiscation or taking of property by its citizens.

(9) is a government in Cuba of independent and unfettered international human rights;

(10) is taking appropriate steps to return to United States citizens (and entities which are 50 percent or more beneficially owned by United States citizens) property taken by the Cuban Government from such citizens and entities on or after January 1, 1959, or to provide equitable compensation to such citizens and entities for such property.

(11) is assuring the right to private property.

(12) is providing the Cuban people with information regarding the property that has been confiscated or taken by the Cuban Government from such citizens and entities.

(13) is assuring the right to private property.

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§ 333a. Civil actions involving confiscated property.

The district courts shall have exclusive jurisdiction of any action brought under section 302 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995, regardless of the amount in controversy.

(2) Conforming amendment.—The table of sections for chapter 85 of title 28, United States Code, is amended by inserting after section 1331 the following section:

"§ 1331a. Civil actions involving confiscated property.

(c) Notwithstanding the provisions of section 1310 of this chapter, the property of a foreign state shall be immune from attachment and from execution in an action brought under section 302 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995 to the extent the property is a facility or installation used by an accredited diplomatic or consular official for official purposes.

(e) Election of Remedies.—

(1) Election.—Subject to paragraph (2)—

(A) any United States national that brings an action under this section may bring such action in any court of the United States, and from execution in any such action, regardless of the amount in controversy.

(B) any person who brings, under the common law, Federal law, or the law of any of the several States, the District of Columbia, or any territory or possession of the United States, that seeks monetary or nonmonetary compensation by reason of the same subject matter; and

(2) Claims not certified.—In the case of a claim that has not been certified by the Foreign Claims Settlement Commission before the enactment of this title, a court may appoint a special master, including the Foreign Claims Settlement Commission, to make determinations regarding the amount and validity of any nonmonetary or monetary compensation. Such determinations are only for evidentiary purposes in civil actions brought under this title and do not constitute certification of claims for purposes of section 507 of the International Claims Settlement Act of 1949.

(3) Effect of determinations of foreign entities.—In determining ownership, courts shall not accept as conclusive evidence of ownership any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international tribunals. Any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international tribunals regarding the amount and validity of any claims shall not constitute certification of claims for purposes of section 507 of the International Claims Settlement Act of 1949.

The courts shall accept as conclusive proof of ownership a certification of a claim to ownership that has been made by the Foreign Claims Settlement Commission before the enactment of this title.

(d) Certain property immune from execution.—Section 1611 of title 28, United States Code, is amended by adding after the therein ending "as follows":

"§ 1611. Claims."
(a) the nationalization, expropriation, or other seizure by foreign governmental authority of ownership or control of property on or after January 1, 1999:

(1) without the property having been returned or adequate and effective compensation provided; or

(2) without the claim to the property having been settled to an international claims settlement agreement or other mutually accepted settlement procedure; and

(b) the repudiation by foreign governmental authority of the default by foreign governmental authority on, or the failure by foreign governmental authority to pay, on or after January 1, 1999:

(i) a default of an enterprise which has been nationalized, expropriated, or otherwise taken by foreign governmental authority;

(ii) a debt which is a charge on property nationalized, expropriated, or otherwise taken by foreign governmental authority; or

(iii) a debt which was incurred by foreign governmental authority in satisfaction or settlement of a confiscated property claim.

(2) Property. The term "property" does not include claims arising from a territory in dispute as a result of war between United Nations members in which the ultimate resolution of the disputed territory has not been resolved.

(3) Traffics. (a) A person or entity "traffics" in property if that person or entity knowingly and intentionally—

(i) sells, transfers, distributes, dispenses, brokers, manages, or otherwise disposes of confiscated property, or purchases, leases, receives, possesses, obtains control of, manages, uses, or otherwise acquires or holds an interest in confiscated property,

(ii) engages in a commercial activity using or otherwise benefiting from confiscated property, or

(iii) causes, directs, participates in, or profits from, trafficking (as described in clauses (i) and (iii)) by another person, or otherwise engages in trafficking (as described in clauses (i) and (iii)) through another person, without the authorization of the United States national who holds a claim to the property.

(b) The term "traffics" does not include—

(i) the delivery of international telecommunication signals to Cuba that are authorized by section 170q(e) of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(e)); or

(ii) the trading or holding of securities publicly traded or held, unless the trading is with or by a person determined by the Secretary of the Treasury to be a specially designated national.

(c) National Interest Exemption. This section shall not apply where the Secretary of State finds, on a case-by-case basis, that making a determination under subsection (a) would be contrary to the national interest of the United States.

(d) Effective Date. (1) In general. This section applies to aliens who are in the United States on or after the date of the enactment of this Act.

(2) Trafficking. This section applies only with respect to acts within the meaning of "traffics" that occur on or after the date of the enactment of this Act.

The CHAIRMAN. Before consideration of any other amendment it shall be in order to consider a further amendment in the nature of a substitute offered by Mr. McDermott, pursuant to the rule, I offer an amendment in the nature of a substitute offered by Mr. McDermott. Mr. Chairman, pursuant to the rule, I offer an amendment in the nature of a substitute.

The CHAIRMAN. Mr. Chairman, I am, Mr. Chairman. The Clerk will designate the amendment in the nature of a substitute. The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. McDermott. Mr. McDermott, Mr. Chairman, pursuant to the rule, I offer an amendment in the nature of a substitute.

The CHAIRMAN. Mr. McDermott. I am, Mr. Chairman.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute. The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. McDermott. Mr. Chairman, pursuant to the rule, I offer an amendment in the nature of a substitute.
(6) The totalitarian nature of the Castro regime has deprived the Cuban people of any peaceful means to improve their condition and has led thousands of Cuban citizens to risk of death in life-threatening attempts to escape from Cuba to freedom. (7) Radio Marti and Television Marti have both been effective vehicles for providing the people of Cuba with news and information and have helped to bolster the morale of the people of Cuba living under tyranny.

(8) The Conquest policy of the United States toward Cuba since the beginning of the Castro regime, carried out by both Democratic and Republican administrations, has sought to keep faith with the people of Cuba, and has been effective in sanctioning the totalitarian Castro regime.

(9) The United States has shown a deep commitment, and considers it a moral obligation, to promote and protect human rights and fundamental freedoms as expressed in the Charter of the United Nations and in the Universal Declaration of Human Rights.

(10) The Congress has historically and consistently manifested its solidarity and the solidarity of the American people with the democratic aspirations of the Cuban people.

(11) The Cuban Democracy Act of 1992 calls upon the President to encourage the governments of countries that conduct trade with Cuba to stop such trade and to negotiate with Cuba in a manner consistent with the purposes of that Act.

(12) The 1992 FREEDOM Support Act requires that the President, in providing economic assistance to Russia and the emerging Eurasian democracies, take into account the extent to which they are acting to terminate support for the communist regime in Cuba, including removal of troops, closing military facilities, and ceasing trade subsidies and economic, nuclear, and other assistance.

(13) The Cuban government engages in the illegal international narcotics trade and harbors fugitives from justice in the United States.

(14) The Castro government threatens international peace and security by engaging in acts of armed subversion and terrorism such as the training and supplying of groups dedicated to international violence.

(15) The Castro government has utilized from its inception and continues to utilize torture in various forms (including by psychiatry), as well as execution, exile, confinement, imprisonment, and other forms of terror and repression, as means of retaining power.

(16) Fidel Castro has defined democratic pluralism as "plutocratic garbage" and continues to make clear that he has no intention of tolerating the democratization of Cuban society.

(17) The Castro government holds innocent Cubans hostage in Cuba by no fault of the hostages themselves solely because relatives have escaped the country.

(18) The Castro government continues to use the Inter-American Treaty state to the 1928 Inter-American Convention on Asylum and the International Covenant on Civil and Political Rights (which protects the right to leave one's own country), Cuba nevertheless surrounds embassies in its capital by armed forces to thwart the right of its citizens to seek asylum and systematically denies that right. The Cuban government has repeatedly acted by imprisonment for seeking to leave the country and killing them for attempting to do so (as demonstrated in the case of the government's death of over 40 men, women, and children who were seeking to leave Cuba on July 13, 1994).

(19) The Castro government continues to utilize the terrorism crisis with which it threatened the United States in the summer of 1994, and other unacceptable and illegal forms of conduct to influence the actions of sovereign states in the Western Hemisphere in violation of the Charter of the Organization of American States and other international agreements and international law.

(20) The United Nations Commission on Human Rights has repeatedly reported on the unacceptable human rights situation in Cuba and has taken the extra-diplomatic step of appointing a Special Rapporteur.

(21) The Cuban government has consistently refused access to the Special Rapporteur and formally expressed its decision not to implement so much as one comma of the United Nations Resolutions appointing the Special Rapporteur.


(23) Article 39 of Chapter VII of the United Nations Charter provides that the United Nations Security Council “shall determine the existence of a threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken...to maintain or restore international peace and security.”

(24) The United Nations has determined that massive and systematic violations of human rights may constitute a “threat to peace” under Article 39 and has imposed sanctions due to such violations of human rights in the cases of Rhodesia, South Africa, Iraq, and the former Yugoslavia.

(25) In the case of Haiti, a neighbor of Cuba not as close to the United States as Cuba, the United States led an effort to obtain and did obtain a United Nations Security Council Resolution to embargo that country due to the existence of a military dictatorship in power less than 3 years.

(26) United Nations Security Council Resolution 940 of July 31, 1994, subsequently authorized the use of “all necessary means” to restore the “democratically elected government of Haiti” and the democratically elected government of Haiti was restored to power on October 15, 1994.

(27) The Cuban people deserve to be assisted in directing their own affairs and to be relieved of a regime that has oppressed them for 36 years and the continued failure to do so constitutes ethically improper conduct by the international community.

(28) For the past 36 years, the Cuban Government has posed and continues to pose a national security threat to the United States.

SEC. 3. PURPOSES.

The purposes of this Act are as follows:

(1) To assist the Cuban people in regaining their freedom and prosperity, as well as in the democratization of governments that are flourishing in the Western Hemisphere.

(2) To seek international sanctions against the Castro government in Cuba.

(3) To encourage the holding of free and fair democratic elections in Cuba, conducted under the supervision of internationally recognized observers.

(4) To develop a plan for furnishing assistance to a transition government and, subsequently, to a democratically elected government when such governments meet the eligibility requirements of the United States.

(5) To protect property rights abroad of United States nationals.

(6) To provide for the continued national security interests of the United States, as the implications of continuing threats from the Castro government of terrorism, theft of property from United States nationals, and domestic repression from which refugees flee to United States shores.

SEC. 4. DEFINITIONS.

As used in this Act, the following terms have the following meanings:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on International Relations, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations, the Senate Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(2) COMMERCIAL ACTIVITY.—The term “commercial activity” means the meaning given that term in section 1603(d) of Title 28, United States Code.

(3) CONFISCATED.—As used in titles I and III, the term “confiscated” refers to the nationalization, expropriation, or other seizure by the Cuban Government of ownership or control of property, on or after January 1, 1959—

(i) without the property having been returned or adequate and effective compensation provided; or

(ii) without the claim to the property having been settled pursuant to an international claims settlement agreement or other mutually accepted settlement procedure; and

(4) CUBAN GOVERNMENT.—(A) The term “Cuban Government” includes the government of any political subdivision of Cuba, and any agency or instrumentality of the Government of Cuba.

(B) For purposes of subparagraph (A), the term “agency or instrumentality of the Government of Cuba” means any non-profit enterprise which has been nationalized, expropriated, or otherwise taken by the Cuban Government;

(5) DEMOCRATICALLY ELECTED GOVERNMENT IN CUBA.—The term “democratically elected government in Cuba” means a government duly elected in a free and fair election to have met the requirements of section 206.


(7) FOREIGN NATIONAL.—The term “foreign national” means—

(A) an alien; or

(B) any corporation, trust, partnership, or other juridical entity not organized under the laws of the United States, the State of New York, any other State, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States,...
(9) PROPERTY.—(A) The term "property" means any property (including patents, copyrights, trademarks, and any other form of intellectual property), whether real, personal, or mixed, and any present, future, or contingent right, security, or other interest therein, including any leasehold interest.

(B) For purposes of title III of this Act, the term shall not include real property used for residential purposes, unless, as of the date of the enactment of this Act—

(i) the claim to the property is owned by a United States national or official of the Cuban Government or the ruling political party in Cuba.

(ii) it is the property of a member or officer of the government or the ruling political party in Cuba.

(iii) it is the property of a person or entity traffics' in property that is the subject of executive orders or regulations issued in compliance with the provisions of this Act.

(iv) it is the property of a person or entity that is engaged in transactions involving any confiscated property, or the proceeds from such transactions.

(B) The term "traffics" does not include—

(i) the delivery of international telecommunications signals to Cuba that are authorized by section 1706(e) of the Cuban Democracy Act of 1992; or

(ii) the importing or holding of securities publicly traded or held, unless the trading is with or by a person determined by the Secretary of the Treasury to be a specially designated national.

(10) TRANSITION GOVERNMENT IN CUBA.—The term "transition government in Cuba" means a government determined by the President to have met the requirements of section 205.

(11) UNITED STATES NATIONAL.—The term "United States national" means—

(A) any United States citizen; or

(B) any other legal entity which is organized under the laws of the United States, or of any political subdivision of the United States, or of the Commonwealth of Puerto Rico, or any other territory or possession of the United States, and which has its principal place of business in the United States.

(12) UNITED STATES NATIONALS.—The term "United States nationals" means—

(A) any United States citizen; or

(B) any United States national who holds a claim to the property, or otherwise benefiting from confiscated property, or

(C) any present, future, or contingent right, security, or other interest therein.

(13) TRANSITION GOVERNMENT IN CUBA.—The term "transition government in Cuba" means a government determined by the President to have met the requirements of section 205.

(14) UNITED STATES NATIONALS.—The term "United States nationals" means—

(A) any United States citizen; or

(B) any United States national who holds a claim to the property, or otherwise benefiting from confiscated property, or

(C) any present, future, or contingent right, security, or other interest therein.

(15) TRANSITION GOVERNMENT IN CUBA.—The term "transition government in Cuba" means a government determined by the President to have met the requirements of section 205.

(16) UNITED STATES NATIONALS.—The term "United States nationals" means—

(A) any United States citizen; or

(B) any United States national who holds a claim to the property, or otherwise benefiting from confiscated property, or

(C) any present, future, or contingent right, security, or other interest therein.
SECTION 105. UNITED STATES OPPOSITION TO ENDING THE SUSPENSION OF THE GOVERNMENT OF CUBA FROM THE ORGANIZATION OF AMERICAN STATES.

The President shall instruct the United States Permanent Representative to the Organization of American States to use the voice and vote of the United States to oppose ending the suspension of the Government of Cuba from the Organization until the President determines under section 203(c)(3) that a democratically elected government in Cuba is in power.

SECTION 106. ASSISTANCE BY THE INDEPENDENT STATES OF THE FORMER SOVIET UNION FOR THE CUBAN GOVERNMENT.

(a) Reporting Requirement.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report detailing progress towards the withdrawal of personnel of any independent state of the former Soviet Union (within the meaning of section 3 of the FREEDOM Support Act (22 U.S.C. 5801)), including advisers, technicians, and military personnel, from the Cienfuegos nuclear facility in Cuba.

(b) Assistance.—Section 49A(a)(11) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(a)(11)) is amended by striking “of military facilities” and inserting “including the military and intelligence facilities at Lourdes and Cienfuegos”.

(c) VALENCY FOR ASSISTANCE.—(1) Section 498A(b) of that Act (22 U.S.C. 2295a(b)) is amended—

(A) by striking “or” at the end of paragraph (6); and

(B) by redesigning paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

“(5) for the government of any independent state effective 30 days after the President has determined and certified to the appropriate congressional committees (and Congress has not enacted legislation disapproving the determination within that 30-day period) that such government is providing assistance to Cuba in support of the Cuban Government or of a Cuban national.

“(6) A description of the steps taken to ensure that raw materials and semifinished or finished goods produced in Cuba involving foreign nationals do not enter the United States market, either directly or through third countries or parties, including an identification of the types of goods, investments, or exchanges that purchase, or have purchased, arms or military supplies from the Cuban Government or that otherwise have entered into agreements with the Cuban Government that have a military application, including—

(A) a description of the military supplies, equipment, or other material sold, bartered, or exchanged between the Cuban Government or of such countries, including—

(B) a listing of the goods, services, credits, or other consideration received by the Cuban Government in exchange for military supplies, equipment, or material; and

(C) the terms or conditions of any such agreement.

SEC. 107. TELEVISING TO CUBA.

(a) Reports Required.—Not later than 90 days after the date of the enactment of this Act, and every year thereafter, the President shall submit a report to the appropriate congressional committees on assistance and commercial services received by Cuba from other foreign countries.

(b) Periodic Reports.—Not later than 45 days after the date of the enactment of this Act, and every three months thereafter until the conversion described in subsection (a) is fully implemented, the Director of the United States Information Agency shall submit to the appropriate congressional committees a report to the progress made in carrying out subsection (a).

(c) Termination of Broadcasting Authority.—Upon transmittal of a determination under section 203(c)(3), the Television Broadcasting to Cuba Act (22 U.S.C. 1465a and following) and the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 and following) are repealed.

SECTION 108. REPORTS ON ASSISTANCE AND COMMERCIAL RECEIVED BY CUBA FROM OTHER FOREIGN COUNTRIES.

(a) Reports Required.—Not later than 90 days after the date of the enactment of this Act, and every year thereafter, the President shall submit a report to the appropriate congressional committees on assistance and commercial services received by Cuba from other foreign countries, including humanitarian assistance.

(b) Description of Assistance.—A description of Cuba’s commerce with foreign countries, including an identification of Cuba’s trading partners and the extent of such trade.

(c) Description of Facilities.—A description of the joint ventures completed, or under consideration, by foreign nations involving facilities in Cuba, including an identification of the location of the facilities involved and a description of the terms of agreement of the joint ventures and the names of the parties that are involved.

(d) Determination.—A determination whether or not any of the facilities described in paragraph (3) is the subject of a claim by a United States national.

(e) Determination of Amount.—A determination of the amount of Cuban debt owed to each foreign country, including—

(A) the amount of debt exchanged, forgiven, or reduced under the terms of each investment or operation in Cuba involving foreign nationals; and

(B) the amount of debt owed to the foreign country that has been exchanged, reduced, or forgiven in return for a grant by the Cuban Government of an equity interest in a property, investment, or operation of the Cuban Government or of a Cuban national.

(f) Description of Steps Taken.—A description of the steps taken to ensure that raw materials and semifinished or finished goods produced in Cuba involving foreign nationals do not enter the United States market, either directly or through third countries or parties, including—

(A) an identification of the types of goods, investments, or exchanges that purchase, or have purchased, arms or military supplies from the Cuban Government or that otherwise have entered into agreements with the Cuban Government that have a military application, including—

(B) a description of the military supplies, equipment, or other material sold, bartered, or exchanged between the Cuban Government or of such countries, including—

(C) a listing of the goods, services, credits, or other consideration received by the Cuban Government in exchange for military supplies, equipment, or material; and

(D) the terms or conditions of any such agreement.
(c) the inadequacy of training of plant operators;

(D) reports by a former technician from Cuba who, by examining with x-rays welds believed to be defective in the turbine and its associated plumbing system for the plant, found that 10 to 15 percent of those sites were defective;

(E) since September 5, 1992, when construction on the plant was halted, the prolonged exposure to the elements, including corrosive salt water vapor, of the primary reactor components;

(F) the possible inadequacy of the upper portion of the reactors’ dome retention capability to withstand only 7 pounds of pressure per square inch, whereas in other square in.

(5) The United States Geological Survey claims that it had difficulty determining answers to specific questions regarding earthquake activity in the area near Cienfuegos because the Cuban Government was not forthcoming with information.

(6) The Geological Survey has indicated that the tectonic plate, a geological formation near the south coast of Cuba, may pose seismic risks to Cuba and the site of the power plant, and may produce large to moderate earthquakes.

(7) On May 25, 1992, the Caribbean plate produced an earthquake numbering 7.0 on the Richter scale.

(8) According to a study by the National Oceanic and Atmospheric Administration, summer winds could carry radioactive pollutants from a nuclear accident at the power plant throughout all of Florida and parts of the States on the gulf coast as far as Texas, and northern winds could carry the pollutants as far northeast as Virginia and Washington, D.C.

(9) The Cuban Government, under dictator Fidel Castro, in 1962 advocated the Soviets’ launching of nuclear missiles to the United States, which represented a direct and dangerous provocation of the United States and brought the world to the brink of a nuclear conflict.

(10) Fidel Castro over the years has consistently issued threats against the United States Government, most recently that he would allow a mass migration from Cuba upon the enactment of this Act.

(11) Despite the various concerns about the plant’s safety and operational problems, a feasibility study is being conducted that would establish a support group to include Russia, Cuba, and third countries with the objective of completing and operating the plant.

(12) Withholding of foreign assistance from Cuba—

(a) findings.—The Congress makes the following findings:

(1) President Clinton stated in April 1993 that the United States opposes the construction of the Juragua nuclear power plant because of our concerns about Cuba’s ability to ensure the safe operation of the facility and because of Cuba’s refusal to sign the Nuclear Non-Proliferation Treaty or ratify the Treaty of Tlatelolco.

(2) Cuba has not signed the Treaty on the Non-Proliferation of Nuclear Weapons, in which the United States and the countries of Latin America have expressed concerns about Cuba’s nuclear reactor.

(3) In a September 1992 report to Congress, the General Accounting Office outlined concerns among nuclear energy experts about deficiencies in the nuclear plant project in Jurruga, near Cienfuegos, Cuba, including—

(A) a lack in Cuba of a nuclear regulatory structure;

(B) an absence in Cuba of an adequate infrastructure to ensure the plant’s safe operation and requisite maintenance;

(C) the inadequacy of training of plant operators;

(D) reports by a former technician from Cuba who, by examining with x-rays welds believed to be defective in the turbine and its associated plumbing system for the plant, found that 10 to 15 percent of those sites were defective;

(E) since September 5, 1992, when construction on the plant was halted, the prolonged exposure to the elements, including corrosive salt water vapor, of the primary reactor components; and

(F) the possible inadequacy of the upper portion of the reactors’ dome retention capability to withstand only 7 pounds of pressure per square inch, whereas in other square in.

(5) The United States Geological Survey claims that it had difficulty determining answers to specific questions regarding earthquake activity in the area near Cienfuegos because the Cuban Government was not forthcoming with information.

(6) The Geological Survey has indicated that the tectonic plate, a geological formation near the south coast of Cuba, may pose seismic risks to Cuba and the site of the power plant, and may produce large to moderate earthquakes.

(7) On May 25, 1992, the Caribbean plate produced an earthquake numbering 7.0 on the Richter scale.

(8) According to a study by the National Oceanic and Atmospheric Administration, summer winds could carry radioactive pollutants from a nuclear accident at the power plant throughout all of Florida and parts of the States on the gulf coast as far as Texas, and northern winds could carry the pollutants as far northeast as Virginia and Washington, D.C.

(9) The Cuban Government, under dictator Fidel Castro, in 1962 advocated the Soviets’ launching of nuclear missiles to the United States, which represented a direct and dangerous provocation of the United States and brought the world to the brink of a nuclear conflict.

(10) Fidel Castro over the years has consistently issued threats against the United States Government, most recently that he would allow a mass migration from Cuba upon the enactment of this Act.

(11) Despite the various concerns about the plant’s safety and operational problems, a feasibility study is being conducted that would establish a support group to include Russia, Cuba, and third countries with the objective of completing and operating the plant.

(b) withholding of foreign assistance from Cuba—

(1) notwithstanding any other provision of law, the President shall withhold from assistance allocated, or after the date of the enactment of this Act, for any country an amount equal to the sum of assistance and credits, if any, provided on or after such date of enactment by that country or any entity in that country in support of the completion of the Cuban nuclear facility at Juragua, near Cienfuegos, Cuba.

(2) exceptions.—The requirement of paragraph (1) to withhold assistance shall not apply with respect to—

(A) assistance to meet urgent humanitarian needs, including disaster and refugee relief;

(B) democratic political reform and rule of law activities;

(C) the creation of private sector and non-governmental organizations that are independent of government control;

(D) the development of a free market economic system; and

(E) the purposes described in the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103-160).

(3) definition.—As used in paragraph (1), the term ‘staple foods’ means—

(A) a medicines or medical supplies, instruments, or equipment, except that any such embargo shall not apply with respect to the export of any medicines or medical supplies, instruments, or equipment for staple foods.

(c) limitation on the future exercise of authority.—

(1) export administration act of 1979.—After the enactment of this Act, the President may not exercise the authorities contained in the Export Administration Act of 1979 to restrict the exportation to Cuba—

(A) a medicines or medical supplies, instruments, or equipment, except that the extent such restrictions would be permitted under section 5 of that Act for goods containing parts or components subjects to export controls under such section; or

(B) of staple foods.

(2) international emergency economic powers act.—After the enactment of this Act, the President may not exercise the authorities contained in section 203 of the International Emergency Economic Powers Act to restrict the exportation to Cuba—

(A) a medicines or medical supplies, instruments, or equipment, to the extent such authority are exercised to deal with a threat to the national security, foreign policy or economy of the United States; or

(B) of staple foods.

(3) definition.—For purposes of this section, the term ‘staple foods’ means meat, poultry, fish, bread, cereals, grains, vegetables, fruits, and dairy products.
(A) in subsection (b)—
(ii) in the subsection caption by inserting "AND EXPORTS OF STAPLE FOODS" after "FOOD"; and
(iii) by inserting the period at the end and inserting the following: "or prohibit exports to Cuba of staple foods. For purposes of the preceding sentence, the term 'staple foods' means meat, poultry, fish, bread, cereals, grains, vegetables, fruits, and dairy products.");
(B) by amending subsection (c)(3) to read as follows:
'(I) except to the extent such restrictions—
(A) would be permitted under section 5 of the Export Administration Act of 1979 for goods containing parts or components subject to export controls under such section; or
(B) are imposed under section 206 of the International Emergency Economic Powers Act to deal with a threat to the national security of the United States;
(C) by striking subsection (d) and redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

Section 1704(b)(2)(B)(i) of the Cuban Democracy Act of 1992 (22 U.S.C. 6003(b)(2)(B)(i)) is amended by striking after "in Cuba," the following: "or exports of staple foods permitted under section 1704(b)."

TITLe II—ASSISTANCE TO A FREE AND INDEPENDENT CUBA

SEC. 202. ASSISTANCE FOR THE CUBAN PEOPLE.
(a) AUTHORIZATION.—
(I) In general.—The President shall develop a plan for providing assistance under this section—
(A) to Cuba when a transition government in Cuba is in power; and
(B) to Cuba when a democratically elected government in Cuba is in power; and
(II) assistance described in subparagraph (A) may, subject to an authorization of appropriations, subject to the availability of appropriations, be limited to—
(1) such food, medicine, medical supplies and equipment, and assistance to meet emergency energy needs, as is necessary to meet the basic human needs of the Cuban people; and
(2) to a transition government in Cuba;
(b) TYPES OF ASSISTANCE.—Assistance under the plan developed under paragraph (1) may, subject to an authorization of appropriations and subject to the availability of appropriations, include the following:
(A) TRANSITION GOVERNMENT.—(i) Except as provided in clause (ii), assistance to Cuba under this Act of 2001 that subject to an authorization of appropriations and subject to the availability of appropriations, shall include—
(1) such food, medicine, medical supplies and equipment, and assistance to meet emergency energy needs, as is necessary to meet the basic human needs of the Cuban people; and
(2) assistance described in subparagraph (c).

REPORT TO CONGRESS.—The President shall transmit to the appropriate congressional committees a report describing in detail the plan developed under this section.
(h) TRADE AND INVESTMENT RELATIONS.—
(I) REPORT TO CONGRESS.—The President, following the transmittal to the Congress of the plan developed under paragraph (d), shall submit to the appropriate congressional committees a report that describes—
(A) acts, policies, and practices that constitute significant barriers to, or distortions of, United States trade in goods or services in any foreign direct investment with respect to Cuba;
(B) policy objectives of the United States regarding trade relations with a democratically elected government in Cuba; and
(C) reasons therefor, including possible—
(i) reciprocal extension of nondiscriminatory trade treatment (most-favored-nation treatment);
(ii) designation of Cuba as a beneficiary developing country under Title V of the Trade
Act of 1974 (relating to the Generalized System of Preferences) or as a beneficiary country under the Caribbean Basin Economic Recovery Act, and the implications of such designations in promoting market-based development in United States that provide assistance under subsection (a) to a party to the North American Free Trade Agreement; and

(b) United States-Cuba Council. Upon making a determination under section 203(c), the President may suspend the enforcement of

(A) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a));

(B) sections 1704, 1705(d), and 1706 of the Arms Export Control Act of 1976.

(c) Additional Presidential Actions. Upon suspending enforcement under subparagraph (A), the President may do any of the following:

(A) freeze assets;

(B) issue a statement of the suspension of enforcement of section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a));

(C) remove such a country from the list of countries to which assistance is suspended;

(D) prohibit any new extensions of credit, and impose any other sanctions, with regard to the foreign country to which assistance is suspended.

(d) Annual Reports to Congress. Not later than 90 days after making the determination referred to in paragraph (1), except that the President shall transmit the report in preliminary form not later than 15 days after making that determination.

(3) Implementation with respect to a democratically elected government. The President shall, upon determining that a democratically elected government in Cuba is in power, or that a transition government in Cuba is in power, take steps to establish a relationship with such a government.

(b) Repeal of Provisions. The President may suspend the enforcement of

(A) sections 1704, 1705(d), and 1706 of the Arms Export Control Act of 1976;

(B) section 620(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)) with regard to the "Republic of Cuba";

(C) section 902(c) of the Food Security Act of 1985; and

(D) the prohibitions on transactions described in part 515 of title 31, Code of Federal Regulations.

(c) Implementation of Plan; Reports to Congress. Upon making a determination that a transition government in Cuba is in power, the President shall transmittable to the Congress on

(A) the establishment of an independent, internationally recognized government in Cuba;

(B) the abolition of all forms of totalitarianism and military occupation in Cuba;

(C) the establishment of a democratic government in Cuba;

(D) the establishment of a democratic government in Cuba;

(E) the establishment of a democratic government in Cuba;

(F) the establishment of a democratic government in Cuba;

(G) the establishment of a democratic government in Cuba;

(H) the establishment of a democratic government in Cuba;

(I) the establishment of a democratic government in Cuba;

(J) the establishment of a democratic government in Cuba;

(K) the establishment of a democratic government in Cuba;

(L) the establishment of a democratic government in Cuba;

(M) the establishment of a democratic government in Cuba;

(N) the establishment of a democratic government in Cuba;

(O) the establishment of a democratic government in Cuba;

(P) the establishment of a democratic government in Cuba;

(Q) the establishment of a democratic government in Cuba;

(R) the establishment of a democratic government in Cuba;

(S) the establishment of a democratic government in Cuba;

(T) the establishment of a democratic government in Cuba;

(U) the establishment of a democratic government in Cuba;

(V) the establishment of a democratic government in Cuba;

(W) the establishment of a democratic government in Cuba;

(X) the establishment of a democratic government in Cuba;

(Y) the establishment of a democratic government in Cuba;

(Z) the establishment of a democratic government in Cuba.

(4) Procedures. (A) Any joint resolution introduced in the House of Representatives shall be considered in the House of Representatives in accord-
TITLE III—PROTECTION OF PROPERTY RIGHTS OF UNITED STATES NATIONALS AGAINST CONFISCATORY TAKINGS BY THE CUBAN GOVERNMENT

SEC. 301. STATEMENT OF POLICY.

The Congress makes the following findings:

(1) The right of individuals to hold and enjoy property is a fundamental right recognized by the States Constitution and international human rights law, including the Universal Declaration of Human Rights.

(2) The illegal confiscation or taking of property by governments, and the acquisi-
cence of governments in the confiscation of property by their citizens, undermines the free flow of commerce, and economic development.

(3) It is in the interest of all nations to respect equally the property rights of their citizens and private entities.

(4) Nations that provide an effective mechanism for prompt, adequate, and fair compensation for confiscation of private property will continue to have the support of the United States.

(5) The United States Government has an obligation to its citizens to provide protection against illegal confiscation by foreign nations and their citizens, including the pro-

(6) Nations that illegally confiscate private property should not be immune to another nation’s laws whose purpose is to protect against the confiscation of lawfully acquired property by a United States citizen.

(7) Trafficking in illegally acquired property is a crime under the laws of the United States and other nations, yet this same activity, sanctioned under international law, is all too frequently condoned by governments, and private entities at the expense of those who hold legal claims.

(8) International law, by not providing effective remedies, condones the illegal confiscation of property and allows for the unjust enrichment from the use of con-

(9) The development of an international mechanism that sanctions those governments and private entities that confiscate and unjustly use private property so confiscated should be a priority objective of United States foreign policy.

SEC. 302. LIABILITY FOR TRAFFICKING IN PROPERTY TAKEN FROM UNITED STATES NATIONALS.

(a) CIVIL REMEDIES.--

(1) LIABILITY FOR TRAFFICKING.—(A) Except as provided in paragraphs (3) and (4), any person, including any agency or instrumentality of a foreign state in the conduct of a commercial activity, that traffics in con-

(2) LIABILITY FOR TRAFFICKING.—(A) Except as oth-

(b) JURISDICTION.—

(1) IN GENERAL.—Chapter 85 of title 28, United States Code, is amended by inserting after section 1331 the following new section:

§ 1331a. Civil actions involving confiscated property

"The districts courts shall have exclusive jurisdiction of any action brought under section 302 of the Cuban Liberty and Demo-

(c) JURISDICTION.—

(1) IN GENERAL.—Chapter 85 of title 28, United States Code, is amended by inserting after section 1331 the following new section:

§ 1331a. Civil actions involving confiscated property

"The district courts shall have exclusive jurisdiction of any action brought under section 302 of the Cuban Liberty and Demo-

(d) CERTAIN PROPERTY IMMUNE FROM EXE-

(2) Conforming amendment.—The table of sections for chapter 85 of title 28, United States Code, is amended by inserting at the item relating to section 1331 the following:

"1331a. Civil actions involving confiscated property

"1331b. Civil actions involving other property
States Code, is amended by adding at the end the following:

“(c) Notwithstanding the provisions of section 1601 of this chapter, the property of a foreign state shall be immune from attachment and from execution in an action brought under section 302 of the Cuban Liberty and Solidarity (Libertad) Act of 1996 to the extent the property is a facility or installation used by an accredited diplomatic mission for official purposes.”

SEC. 303. DETERMINATION OF CLAIMS TO CON- 
FISCATED PROPERTY.

(a) EVIDENCE OF OWNERSHIP.—
(1) CONCLUSIVENESS OF CERTIFIED CLAIMS.—In any Action under this title, the courts shall accept as conclusive proof of ownership a certification of a claim to ownership by the United States Claims Settlement Commission pursuant to title V of the International Claims Settlement Act of 1949 (22 U.S.C. 1643 and following).

(1) CLAIMS NOT CERTIFIED.—In the case of a claim that has not been certified by the Foreign Claims Settlement Commission before the enactment of this Act, a court may appoint a special master, including the Foreign Claims Settlement Commission, to make determinations regarding the amount and validity of claims to ownership of confiscated property. Such determinations are only for evidentiary purposes in civil actions brought under this title and do not constitute certifications of the International Claims Settlement Act of 1949.

(b) EFFECT OF DETERMINATIONS OF FOREIGN ENTITIES.—In determining ownership, courts may refer to the record of evidence of ownership any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international organizations that invalidate the claim held by a United States national, unless the invalidation was found pursuant to binding international arbitration to which United States nationals were invited to participate.

(c) EXCLUSIVITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION CERTIFICATION PROCEDURE.

“SEC. 515. (a) Subject to subsection (b), neither any national of the United States who will have the right to file under section 503 but did not file such claim under that section, nor any national of the United States on the date of the enactment of this section, nor any national of Cuba, including any agency, instrumentality, subdivision, or enterprise of the Government of Cuba or any local government of Cuba in place on the date of the enactment of this section, nor any successor thereto, whether or not recognized by the United States, shall have a right to claim to, pursue, or otherwise have an interest in, the compensation proceeds or other nonmonetary compensation paid or allocated to a national of the United States or Cuba, or to the United States, by virtue of a claim certified by the Commission under section 507, nor shall any court of the United States or any State court have jurisdiction to adjudicate any such claim.

“(b) Nothing in subsection (a) shall be construed to detract from or otherwise affect any right provided by the United States or any alien who the Secretary of State determines is a person excluded from the United States by virtue of a claim certified by the Commission under section 507.”

SECOND EXCLUSION OF CERTAIN ALIENS

SEC. 403. EXCLUSION FROM THE UNITED STATES OF ALIENS WHO HAVE CONFISCATED PROPERTY.

(a) GROUNDS FOR EXCLUSION.—The Secretary of State, in consultation with the Attorney General, shall exclude from the United States any alien who the Secretary of State determines is a person excludable under paragraph (1), (2), or (3) of section 503(a), whether or not the United States national who the United States national was a shareholder with a controlling interest of an enterprise that has been confiscated by virtue of the law of Cuba or any local government of Cuba in place on the date of the enactment of this section, or any successor thereto, whether or not recognized by the United States, shall have a right to claim to, pursue, or otherwise have an interest in, the compensation proceeds or other nonmonetary compensation paid or allocated to a national of the United States or Cuba, or to the United States, by virtue of a claim certified by the Commission under section 507.

(b) DEFINITIONS.—As used in this section, the following terms have the following meanings:

(1) CONFISCATED; CONFINEMENT.—The terms “confiscated” and “confiscation” refer to——
(A) the nationalization, expropriation, or other seizure by foreign governmental authority of ownership or control of property on or after January 1, 1959;
(B) the division by foreign governmental authority of property held by its nationals that has been confiscated or otherwise seized by foreign governmental authority to pay, on or after January 1, 1959—
(i) a debt of any enterprise which has been nationalized, expropriated, or otherwise taken by foreign governmental authority; or
(ii) a debt of any enterprise which has been nationalized, expropriated, or otherwise taken by foreign governmental authority; or
(iii) a debt which was incurred by foreign governmental authority in satisfaction or settlement of a confiscated property claim.

(2) Property.—The term "property" does not include transfers arising from a territory in dispute as a result of war between United Nations member states in which the ultimate resolution of the disputed territory has not been resolved.

(3) Traffics.—(A) A person or entity "traffics" in property if that person or entity knowingly and intentionally—

(i) sells, transfers, distributes, dispenses, brokers, manages, or otherwise disposes of confiscated property, or purchases, leases, receives, possesses, obtains control of, manages, or otherwise benefits from confiscated property, or holds an interest in confiscated property,

(ii) engages in a commercial activity using or otherwise benefiting from confiscated property, or

(iii) causes, directs, participates in, or profits from, trafficking (as described in clauses (i) and (ii)) by another person, or otherwise engages in trafficking (as described in clauses (i) and (ii)) through another person, without the authorization of the United States national who holds a claim to the property.

(B) The term "traffics" does not include—

(i) the delivery of international telecommunication signals to Cuba that are authorized by section 1705(e) of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(e)); or

(ii) the trading or holding of securities publicly traded or held, unless the trading is with or by a person determined by the Secretary of the Treasury to be a specially designated national.

(c) National interest exemption.—This subsection shall not apply where the Secretary of State finds, on a case-by-case basis, that making a determination under subsection (a) would be contrary to the national interest of the United States.

(d) Effective date.—

(1) In general.—This section applies to aliens seeking to enter the United States on or after the date of enactment of this Act.

(2) Trafficking.—This section applies only with respect to acts within the meaning of "traffics" that occur after or on the date of enactment of this Act.

The CHAIRMAN. Pursuant to the rule, the gentleman from Washington [Mr. McDermott] and a Member opposed each will be recognized for 30 minutes.

Is the gentleman from Indiana [Mr. Burton] opposed to the amendment?

Mr. Burton of Indiana. Mr. Chairman, I am.

The CHAIRMAN. The gentleman from Indiana [Mr. Burton] will be recognized for 30 minutes, and the gentleman from Washington [Mr. McDermott] will be recognized for 30 minutes.

The Chair recognize the gentleman from Washington [Mr. McDermott].

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

Mr. Chairman, this proposal which is before us to deal with Cuba is primarily a bill dealing with property rights. It is in my opinion not a good bill, but this particular amendment, this substitute bill, deals with one provision of that proposal which is before us, and that is to open up the possibility of sale of medical supplies, instruments, medical literature, and foodstuffs to Cuba.

Now presently the embargo allows the donation of those kinds of things to Cuba. It puts no prohibition against that. But the fact is that we cannot through the charity system deal with the medical needs of Cuba.

Mr. Chairman, I have been in Cuba, I have visited clinics, I have visited hospitals, I have been to the medical schools, and it is clear to me that the Cubans are suffering tre mendously because of the shortage of modern-day medical supplies, and instrumentation, and pharmaceuticals.

Now it is inconceivable to me that a country 90 miles from our shores, when we, the United States, have in many places in the world insisted on international humanitarian standards being applied, would withhold from the Cuban people those things which are available to people in the United States.

Mr. Chairman, I could give my colleagues many examples, but let us just take the issue of asthma. Asthma is a disease that makes it difficult for people to breathe. There is one of the highest rates of asthma in Cuba, and they are short of the kind of medication you need to make it possible to open up people's breathing passages so they can breathe.

Now anybody who ever had asthma understands how awful that is, especially for children. The feeling in one's chest that they cannot breathe is something that any parent, looking at his own child, would never want his child to have, and yet we, by our Government policy, say that our pharmaceutical companies cannot sell the medication to the Cubans that is necessary so that parents can give to their children medication to relieve that dreadful disease. That is absolutely against anything that we as Americans, I believe, can be made and against anything that is humanitarian standards being applied. None of us think that is a good idea. Anybody who tries to paint that as the attack on us is simply misrepresenting the facts.

But in our process of pushing to change the situation in Cuba, we cannot use medicine and food staples as a way of doing that.

Mr. Chairman, the fact they cannot get modern textbooks, modern medical textbooks, why should they have to be dealing with a textbook from 1949 simply because we place an embargo on the United States of America is the largest herring. The fact of the matter is, the medical supplies and in food. The question then comes, why are we going to give Castro the right to buy these products?

My learned opponents say we are denying people with asthma the ability to be treated; children who have other maladies are not being able to be treated.

Mr. Chairman, that is absolutely not true. Nobody who tries to paint that as we are going to either suffer or die. That is not what I think in an American country what we want our policy toward Cuba to be.

We want democracy. There is nobody on this floor who is supporting Mr. Castro. None of us think that is a good idea. Anybody who tries to paint that as the attack on us is simply misrepresenting the facts.

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Mr. Chairman, that is absolutely not true. Nobody who tries to paint that as we are going to either suffer or die. That is not what I think in an American country what we want our policy toward Cuba to be.
As a matter of fact, as I said, we are the biggest giver of humanitarian and medical supplies in the world from a humanitarian standpoint. We do not sell them to them, we give them to them. If somebody in Cuba wants to contact a relative in the United States and really, send us some asthma medicine, they can do it and they do it.

This is a red herring. I cannot understand why they are trying to add this to the bill. We are trying to put the squeeze on Fidel Castro by denying him hard currency so that the people of Cuba will have freedom, democracy, and human rights, which have been denied them for about 35 years.

Mr. Chairman, this amendment is not necessary. The United States is doing everything we can to help the people of Cuba. If medical supplies are needed, there are hundreds of countries from which Castro can buy these supplies. What it would do is get the camel’s nose under the tent as far as breaking the embargo is concerned that we have on Cuba, and that is what I think my learned colleague is trying to do.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding time to me. Certainly the bill before us, H.R. 927, represents a new battlefront in our commitment for freedom for all the Cubans. Yesterday I showed the House—and many of our colleagues did as well—a letter signed by dozens of Cuban dissidents on the island, who, at great personal risk to their safety, sent this letter to Senator HELMS. Let us not let down those dissidents and the other millions of Cubans who daily fight against the dictatorship.

Mr. Chairman, as all of us know, Castro’s repression does not go down at all. It does not diminish in any way. His program continually increases. Firm and swift policies are needed to eliminate this dictator, and this bill, H.R. 927, contains those swift policies.

This substitute appears to be humanitarian in nature but it could very well constitute an economic windfall for Fidel Castro. As the chairman of the Subcommittee on the Western Hemisphere, the gentleman from Indiana [Mr. BURTON] has pointed out, food and medicine are allowed to go to Cuba now, from the United States to Cuba. No prohibition. There is no prohibition. If you want to send an aspirin from Washington to Havana, go ahead. There is no embargo on aspirin. Asthma medicine, whatever you want. Food and medicine is not prohibited. There is no embargo.

I have said it five times, we will continue to say it for the entire hour. There is no prohibition on food and medical supplies. Let us see what we have on Cuba. Also, Castro can get anything he wants, as Mr. BURTON pointed out, from every other country in the world anyway. Even if we were to have an embargo on food and medicine—which there is no embargo on—he can get it from any other country. Is the United States the only maker of aspirin in the world? I think not.

What does Castro do? He takes the food and medicine and he sells it to the tourists. That is what Castro decides—and even if they want these supplies—he will not give them to it. It is his way of making sure that they know that he is their supreme ruler.

It is clear, Mr. Chairman, the goals of this bill. And once again let us restate them. The goals of the bill are simple. No. 1, let us try to have an end to the Castro regime. No. 2, let us plan for a democratic transition for Cuba. And No. 3, let us protect property of United States citizens in Cuba. Let us bring an end to this Castro regime and let us make sure that we understand the human rights situation in Cuba.

We have said it over and over again. Organizations like Human Rights Watch Americas, Amnesty International, Inter-American Commission on Human Rights, what do they say? The Cuban Government continues to violate the rights of freedom of expression, freedom of association, freedom against arbitrary detention, security of the person, among others. Hundreds of political prisoners remain incarcerated under difficult conditions charged with political offenses that include handing out flyers, expressing their opinions, calling for freedom in the country. That is a crime against the repressive police state.

Castro wants and again rejects any kind of democratic approaches that these helpful ideologues want to give him. He has rejected them from Mexico, he has rejected them from Spain, he will reject them time and time again. Let us not get confused. Once again, well-meaning substitute, it is not based on facts. There is no prohibition about food and medicine. Castro has to lift the embargo that he has on the Cuban people for food, medicine, and expression of ideas. That is the embargo that we must lift.

Mr. MCDERMOTT. Mr. Chairman, I yield myself such time as I may consume. I think it is important to clarify what has just been said. There is no embargo on people giving. There is an embargo on any sale of staple foods or medicines or medical equipment in Cuba. No one should come into the United States and say that he is going to bring in items, adequate amounts of these materials into Cuba. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank my colleague for yielding me the time.

Mr. Chairman, food and medical exports to Cuba, as would be authorized under the amendment offered by my colleague, the gentleman from Washington [Mr. MCDERMOTT], represent a modest improvement in this bill, and I stand why they are trying to add this. It is a step, a small step in the right direction, whereas this bill fundamentally is headed in the wrong direction.

What is the right direction? Again, we are all interested in a Cuba that has an open economic and political system. How do we get there? Well, it is ironic to me that exactly the arguments just expressed by the gentlewoman from Florida [Ms. ROS-LEHTINEN] were offered up in this body quite recently during the debate on what should be our policy with respect also to a repressive regime that mistreats its people, that does not have the kind of open economic and political system that we want for Cuba, namely the government in China.

In that regard, we realize that exactly the kind of approach that the gentleman is suggesting in this amendment is in the United States’ interest, and that is not a policy of isolation, of mindlessly trying to pretend that by raising up all possible impediments we are going to bring about the desired result in Cuba. Rather, it is a policy that reflects our thoughtful analysis of how we get what we want with respect to regimes like this everywhere else in the world except for Cuba, and that is a challenge directly on an economic playing field, a challenge directly, politically, culturally and, in the case of the amendment offered by the gentleman from Washington [Mr. MCDERMOTT], in terms of humanitarian assistance.

The McDermott amendment is particularly addressing this last point. It is too bad it does not go beyond just the question of food and medicines to deal with the other many, many failings in the policy enacted into law previously through the Cuban Democracy Act and now being proposed to be further taken in the wrong direction by the legislation before the House.

For example, Mr. Chairman, this bill not only continues but accelerates the practice inherent in the TV Marti program. It is saying not only have we wasted $90 million of taxpayers’ money that have accomplished zip, zilch, nada, in getting a United States’ point of view received on Cuban TV sets, but we are going to go even farther faster in wasting taxpayers’ money now by saying that USIA has to proceed again with the mindless, ideologically-driven program of converting to UHF, even though two-thirds of the TVs in Cuba do not get UHF reception and even that the UHF set failed in an economic analysis will be more easily jammed than the current failed VHF program.

Again, Mr. Chairman, the gentleman’s amendment, as far as it goes,
makes great sense. I hope my colleagues will support it. And I would also be interested, if the sponsor of this amendment can explain to me, why it is we are in this corner, why with regard to Cuba, unlike all other areas in the world, we are confronting Communist regimes, and how, through a whole range of strategies to get them to change, why the approach to Cuba is different than anywhere else in the world. Does the gentleman understand why we are doing it this way?

Mr. McDermott. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, there is no explanation that makes any sense to me. We have adopted the policy in every other country that increased trade and involvement would ultimately bring about change in the government. We just opened our trade relationship with the Republic of Vietnam, a government that we still disagree with, that we consider oppressive. In fact, we are opening trade, we are involved in a variety of things. We are already, as the gentleman mentioned, in China doing that.

It makes no sense, particularly in this area, where you are not punishing Mr. Castro, you are not punishing anybody in the top of the organization. You are punishing the people. That does not work and is wrong.

Mr. Burton of Indiana. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I do not believe my learned colleagues have read current law. The current law says in section 1705, “Support for the Cuban people,” under section B, “Donations of food,” “Nothing in this or any other act shall prohibit donations of food to non-governmental organizations or individuals in Cuba.”

Under section C, “Exports of medicines and medical supplies,” it says, “Exports of medicines or medical supplies instruments or equipment to Cuba shall not be restricted.” Shall not be restricted. It goes on to say under subsection 1, “On-site verifications”: “Subject to subparagraph B an export may be made under subsection C only when the President determines that United States Government is able to verify by on-site inspections and other appropriate means that the exported item is for the purposes for which it was intended and only for the use and benefit of the Cuban people.”

The reason that language was put in there was to make sure that Castro did not take these supplies and use them for some other purpose other than to help the Cuban people. But they can get medical supplies today under current law.

Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. Diaz-Balart].

Mr. DIAZ-BALART. Mr. Chairman, first of all, it is important to point out what this amendment is striking. Let us start off by reading what it says.

“Strike all after the enacting clause and insert” their food and medicine provision, so-called food and medicine provision. In other words, no more requests for elections, no more demand for freedom, no more trying to get at Castro’s lifeline or foreign investment.

No, I am sure that when the gentleman from Washington [Mr. McDermott] goes down to Cuba, I bet he does not ask for elections there either. He is certainly not asking for elections in this substitute amendment.

I really think after 37 years, and I say this to our colleagues on the other side of the aisle, when are you going to demand elections for the Cuban people? When? You demanded elections in South Africa. I joined you. And when the President of my party, at that time President Reagan, was unclear or incorrect with regard to the need to come down hard on the South African regime, I criticized that.

When are you going to ask for elections in Cuba? In your substitute amendment, which is here, you delete everything in the bill that stands for freedom in Cuba. So you come before us, speaker after speaker after speaker, saying “Oh, elections.”

When have you made a statement, Mr. McDermott? Show me when you have gone to Cuba to demand of the regime there that you go and visit and have elections?

I will tell you this, sir: I think that it is most unfortunate that, after 37 years, you still come down here and in effect pay lip service to your supposed support for freedom for our closest neighbors, and yet come here and throw red herrings into this legislation.

A point was made by the distinguished gentleman from Colorado about the fact that other embargoes do not include food sales. The embargo, for example, on or for Serbia-Montenegro, those are international embargoes.

If the gentleman from Washington [Mr. McDermott] or the gentleman from Colorado [Mr. Skaggs] joined us in going down to the White House and asking that the leadership of this Nation be utilized to seek an international embargo against the Castro regime, we will be the first ones in an international embargo to obviously exclude the problem, like in the embargoes against Serbia or Iraq.

You not only are not seeking an international embargo against a 37-year-old dictatorship of Castro. No. You are coming here and getting a bill which is trying to prevent the flow of dollars to a regime that, after the loss of the Soviet subsidy, is hanging on by the sale of a slave economy, a slave economy, and the denial of all labor rights and all workers’ rights. And you are trying, as a result of that, to try to stop the flow of dollars to Castro’s repressive machinery by his continued offer to international capitalism of the slave economy and the slave conditions of the Cuban worker. That is what you are doing. That is what you are doing.

So do not come here and say that you are for freedom, when you are not asking for elections. Do not come here and say that you are for elections, when you go down to Cuba, and I have not heard that statement, that you make there in demanding elections.

So let us be honest. If you want to defend the regime, say so. Then I will have more respect for you.

Mr. McDermott. Mr. Chairman, I yield myself such time as I may consume to respond to that.

Mr. Chairman, my distinguished colleague from Florida apparently did not read the bill. This is exactly his bill, with one phrase, that is allowing the sale of medication and staple foods. Everything else in the gentleman’s bill is in this.

All that demagoguery was directed at some figment of his imagination. The gentleman simply did not pay attention to what is in this bill. It is your bill, with one addition. It simply is the addition of medication and staple foods. We have embargoes against every other country, such as Iraq, but we allow food and we allow medication, and the bill is in this.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. Moran].

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

Mr. Chairman, I rise in support of this amendment to H.R. 927. I think it is important to bear in mind that we have the toughest sanction ever on Iraq, which I think we would all support, but the United States and the United Nations support full and open commerce in food and medicine with Iraq. So this is not a radical suggestion that we have full and open commerce in food and medicine.

The problem with this bill that this amendment attempts to correct is that the bill is far too inflexible and really unworkable. It is unlikely to lead to democratization or to political or social reforms, and as was said in lengthy debate on this bill last night, it will create serious legal problems. It could potentially tie up our courts in land settlements, land claims for property outside the United States. That sets a very dangerous precedent in terms of other immunities that may want to seize that precedent as well. I do not think we have the capacity within our judicial system to settle these legal problems, and this is not where they should be settled, in the United States.

It will create substantial business problems. It completely undermines NAFTA, which we just passed. It is going to make it extremely difficult for our corporations, who would in fact be key to a free enterprise system being established in Cuba from being able to trade with Cuba, and it creates unbelievable foreign policy problems. Just at the time when the
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United States President should be able to exercise his or her ability in the future, and I suspect we are talking about the near-term future, to help Cuba achieve a transitional democratic government, even if such a democratic government is not actually in place at the time. We should not precipitate that occurring. But now, with this bill, if this bill were to pass, the President's hands will be completely tied behind his back. So it does not advance the interests of the United States.

This will see to it that the United States would be able to act, instead of sitting on the sidelines, when change, inevitable change, does come to Cuba.

This bill is based upon a policy that dates back to when Cuba was clearly a Soviet surrogate. They were challenging our interests for Africa to Central America. But that time has passed. Russia is not playing that role, whether Castro would like Russia to or not. So it is an unwise and shortsighted review of United States policy toward Cuba.

So this debate is constructive, but a transition from dictatorship to democracy is not going to occur overnight. We know this history. We have seen Europe learn from history and try to do what we can to ensure that it be a peaceful transition to democracy, that it not be a violent revolution. We owe that to the Cuban people.

Fidel Castro is in his third year of absolute power, longest in Latin American history. It is not going to continue. What we need to do is to do the same thing we did with Eastern Europe, consolidate change in democracy by promoting free enterprise through a democratic system, not in this way, but by enabling the President to act flexibly, constructively, with the best interests of the Cuban people in mind.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, let me just restate, if you read current law, medical supplies can be sold to Cuba. There is no prohibition. I want to repeat, there is no prohibition. If they want to buy medical supplies to help the people of Cuba, they can do it. So this is just a red herring.

Mr. Chairman, I yield 4 minutes to my distinguished colleague, the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, for 3 years the United States and Fidel Castro have been eyeball to eyeball. An unshakable American determination for free elections in Cuba and a new respect for human rights. Fidel Castro's commitment to hold back the forces of history and preserve the last Communist bastion. One side or the other is going to win.

I know Americans are not a patient people and it is not a long time, and we are succeeding. Castro has made some beginnings of economic changes. The island is in economic collapse. Last year 40,000 students gathered on the streets of Havana. The pressure internally is enormous, and now there are those in this country, after only 36 months, who would step back. Eyeball to eyeball. There are some who would counsel to blink.

The amendment before this body offered by some Members of this institution who I respect more than any others is not a narrow change in the legislation of the gentleman from Indiana [Mr. BURTON]. It is not an incremental difference. Let us recognize it for what it is. It is an amendment to the embargo against Fidel Castro, it is a repeal of current bipartisan policy supported by 300 Members of this institution, and it is an acceptance of the status quo in Cuba. Period.

Fidel Castro is not attempting to import American automobiles or computers. These are the items, the commodities, that he wants. This is it. This is the end of the embargo, just when we built a bipartisan, strong, and effective policy.

Mr. Speaker, in substance the amendment before this body is the judgment on American policy. I know good and decent Members of this institution do not want to be a part of poor and suffering people of Cuba suffering any more than is necessary. That is why in the Cuban Democracy Act we exempted out food and medicine. For 33 years before that, food and medicine could not be donated to Cuba. We changed that. We changed that today, per capita, with food and medicine from the United States to Cuba per capita than to any other nation in the world to ensure that the poorest of the poor have access to food and medicine.

That is not what this amendment is about. We already did that. This amendment is to allow Cuba to rejoin the family of nations in a trading relationship with the United States for full access.

What does it do? It allows Fidel Castro to escape the reality that communism failed in Cuba, cooperative farming, the broad state enterprises. A country that was once self-sufficient in food and exported food, now needs to import everything.

We would allow him to escape the reality that communism is in collapse.

The choice needs to remain clear. We will make the fact that when businesses want to sell food anywhere in the United States determined that the United States Government is able to verify it is going to be used for the Cuban people, then it can go.

Let me read you something from a businesswoman who had had a business, a Spanish businessman who had a business down there that was taken away from him by Castro. I want you to listen to this. One year ago, one year ago, it says:

This same phenomenon also occurs in general with all foreigners in Cuba because of this mere fact they have dollars, hard currency, they have access to everything the Cuban people cannot purchase with their work: food, clinics with medicines, good clothes, gasoline or electricity and hotels. In Cuba there are two types of citizens: those who have dollars, as I did, mostly foreigners, and all with the privileges that that entails and those who have Cuban pesos and are literally dying of hunger and illness because of a regime that refuses to change a system that is absolutely incapable of generating a dignified way of life for the country.

The fact of the matter is Castro takes hard dollars, the money has to go to the government for somebody's pay-roll, and he gives them then the same

Democratic and Republican Presidents, and this institution. This is not about an amendment to this bill. This is about a repeal of the embargo.

Please, stand with us on a bipartisan basis to reject this amendment and then return to support the legislation offered by the gentleman from Indiana [Mr. BURTON].

Mr. McDERMOTT. Mr. Chairman, I yield myself 3 minutes to say if I were a Member setting in my office watching this on television or sitting here on the floor watching this, I would be confused because the gentleman from Indiana [Mr. BURTON] said there is no need for this amendment; it is already law; they can do anything they want. And the gentleman from New Jersey [Mr. TORRICELLI] stands up and says that, in fact, this is repealing the entire embargo.

Now, which is it?

Either we do not need the amendment because they can already do it, or we need a disastrous amendment which is destroying the whole policy. Somebody is wrong on the other side.

The fact is that the gentleman from Indiana [Mr. BURTON] is incorrect, or he is incorrect in one part. It is possible for medication and staple foods to go to Cuba. The difference is: If we want to sell food to Spain, you do not have to get a special license. If you want to sell food to Zaire, you do not have to get a special license. If you want to sell food anywhere else in the world except Cuba, you have to get a special license, and the policy of the Government is not to grant the licenses.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 2 minutes.

If you read the law, it is very clear. It says that the President of the United States determined that the United States Government is able to verify it is being used for the benefit of the Cuban people if President Clinton intends to go there he can verify that it is going to be used for the Cuban people, then it can go.

Let me read you something from a businesswoman who had had a business, a Spanish businessman who had a business down there that was taken away from him by Castro. I want you to listen to this. One year ago, one year ago, it says:

This same phenomenon also occurs in general with all foreigners in Cuba because of this mere fact they have dollars, hard currency, they have access to everything the Cuban people cannot purchase with their work: food, clinics with medicines, good clothes, gasoline or electricity and hotels. In Cuba there are two types of citizens: those who have dollars, as I did, mostly foreigners, and all with the privileges that that entails and those who have Cuban pesos and are literally dying of hunger and illness because of a regime that refuses to change a system that is absolutely incapable of generating a dignified way of life for the country.

The fact of the matter is Castro takes hard dollars, the money has to go to the government for somebody's pay-roll, and he gives them then the same
amount of pesos. If they get $400 a month, he gets the $400 in hard currency, he gives them 400 pesos, which is 80-to-1 differential, which means they are getting $3.20 a month, and they cannot even buy things you are talking about right here. The fact of the matter is the Cuban people are suffering because of this Communist dictator and his policies.

It is a command economy that must be changed, and the only way it is going to change is if we pass a bill in its original form. I think the gentleman from Indiana [Mr. BURTON], you just made my case. You require a special license under the law to sell medication. There is no way we can sell food to Cuba. There is no special license. There is no way.

What this bill is saying is we intend, if possible, to starve the Cuban people into submission, and that kind of policy from the Federal Government is why the U.N. General Assembly has voted 3 years in a row against our position.

Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding me this time. I commend him on his initiative, and I support his amendment.

The fact of the amendment simply provides, I think, clear authority for United States companies to engage in direct commerce with Cuba in food and medicines. They cannot do that today.

I think the gentleman from Indiana, my friend, is correct when he says that current law does not prohibit food and medicines in Cuba, and that is done largely today through non-government organizations. What is missing in this debate is the point that the plight of the Cuban people, no matter what is going on there today with regard to food and medicine, we all know what that plight is. The sugar harvest this year in Cuba is the lowest in a half a century. Food and medicine, under anybody’s standards, are in very short supply. Serious epidemics have broken out among the Cuban people.

In that circumstance, surely we want to try to help those Cuban people with the essentials of life, food and medicine, and that is all this amendment does. It changes no other part of the bill, as I understand it. It simply tries to help the Cuban people get more food and medicine. What in the world can be wrong with that?

This initiative will increase our contact with the Cuban people. It will help the Cuban people. It will generate goodwill, and it will begin to ease some of their long, long suffering.

The fact of the matter is that we are presenting to you. The foremost Republican spokesman on foreign policy in this generation was Richard Nixon, and he argued shortly before his death that our policies in Cuba, toward Cuba, must turn away from hurting the Castro government to helping its people, and that is exactly right, and that is what this amendment tries to do.

Let me take just a moment to try to put the issue in a broader perspective. What we will be voting on the the final passage of this bill is two very different approaches to how you deal with the problem of Cuba. On the one hand is the philosophy of this bill, H.R. 927. It is to make these conditions in Cuba significantly worse, you will prompt the Cuban people to rise up against their government. The other approach, the one I support and I think many in this institution do, perhaps not a majority, is the competing view that governments can be toppled peacefully by exposure to the free flow of ideas and benefits of the free market. Everybody in this Chamber agrees that Castro must go. But we must get away from this focus on Castro, and we should not make the Cuban people and what is good for them.

A policy of engagement, of contact, of dialogue, of exchange offers the best hope for what we all want, which is a peaceful transition for the dictatorship of Castro to a free market and a free society. We support free elections in Cuba. I strongly support that, and I think we ought to do everything we can to put Castro on the spot and say, “Why don’t you hold free elections?”

I am going to support you on that. You are absolutely right about it. Our policy should keep the pressure on him. But I think the policy of isolation is a risky policy, and the reason it is risky is because the more pressure you apply, the more desperate you make the Cuban people, the more likely they will turn to violence, and that is what we do not want there.

So that policy of isolation, of squeezing the Cuban people increases the risk of a violent explosion in Cuba and the massive exodus of refugees, and that, of course, is our most important concern because the primary threat today from Cuba is not an invasion from Cuba. It is not an export of revolution from Cuba. The primary threat to the United States from Cuba today is what you in south Florida have suffered so greatly from, and that is trying to assimilate a massive number of refugees.

I believe the issues in this debate are very easy to assess. It increases the isolation of Cuba. It increases the hardship of the Cuban people, and it is the wrong policy. That is what President Richard Nixon emphasized over and over again, and that is what Secretary of State, former Secretary of State Larry Eagleburger, has said, and the national security adviser under the Carter administration, Mr. Brazeni, and many, many others.

So I hope that this Chamber will defeat this bill in a little broad base that policy on a hatred of Castro. We should base our policy on what is best for the United States, what is best for the Cuban people, and what is best for the United States and what is best for the Cuban people come together here. A policy of isolating Cuba over 36 years has not worked. Let us break the impasse that exists between these two nations, open up contracts with them, and help the Cuban people in order to increase the chances for a peace time transition to a democracy and a market economy.

I urge my colleagues to support the Mc Dermott amendment, which begins this process in a very, very modest way, and I urge my colleagues to defeat H.R. 927.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 1 minute to respond to that.

My colleagues from Indiana says we are hurting the Cuban people. Do you know how much they make, I ask the gentleman from Indiana [Mr. HAMILTON] every day? The average Cuban makes between 10 and 15 cents a day. 10 and 15 cents a day. How are you going to hurt them worse than Castro has? You cannot, and the only thing that is going to change is if we force this man from power, and if we deny him hard currency, we can get that job done, and save the Cuban people. Ten cents to fifteen cents a day.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to talk about this healing process that will take place if food and medicine go to Cuba. Castro has food now, and he feeds the tourists. Castro has medicine now, and he heals the tourists. He starves the Cuban people. He has the Cuban people suffering in pain.

There is no prohibition on food and medicine going to the Cuban people. If you want your family to have medicine, you can send them the medicine. If charitable organizations want to send food and medicine to non-government agencies in Cuba, they can do so. If you sell goods to Castro, he will sell the goods to the tourists. If you send food, he will give it to the tourists.

Because Americans are a generous people, we want all nations to belong to this humanitarian family, and we naively and foolishly believe that Castro wants the Cuban people to prosper, that he wants them to fulfill their dreams. What Castro wants is to remain in power, so he has the Cuban people suffering for their daily sustenance. It will go to the tourists. Reject the substitute.

Mr. BURTON of Indiana. Mr. Chairman, how much time does each side have remaining?

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] has 10 minutes remaining, and the gentleman from Washington [Mr. McDermott] has 5 minutes remaining.

Mr. McDermott. Mr. Chairman, do we have the right to close?

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] has the
right to close because he is the manager of the committee position on the bill.

Mr. BURTON of Indiana. Mr. Chairman, I yield 6 minutes to the gentleman from New Jersey [Mr. MENENDEZ], a learned leader on the Democrat side of the aisle.

Mr. MENENDEZ asked and was given permission to revise and extend his remarks.

Mr. MENENDEZ. Mr. Chairman, I thank my distinguished colleague and sponsor of the bill, the gentleman from Indiana [Mr. Burton], who I must say has been a strong proponent of freedom and democracy in Cuba, for yielding this time to me.

Mr. Chairman, unlike many others who have spoken here, and I question no one's motives, I believe that they want to help the Cuban people, but I believe that their efforts to do so are misguided. I say that as someone, not who deals with this issue in the abstract. I say it as someone who has family living in Cuba. I say it as someone who understands the difficulties they face, go through the phone calls; that is not something others can say. I do not deal with this issue of humanism in the abstract. I deal with it in reality.

But let us talk about some truths. Some of the truths are this:

The Cuban people suffer, yes. Why? They suffer because the dictatorship does not do the market reforms and create the political openness that can relieve their suffering. They are not the only providers of food and medicine in the world. If not, we would dictate the world's policies. The fact of the matter is that there are tremendous pharmaceutical companies in Europe. The fact of the matter is that we have countries that are part of the breadbasket of the world, and the fact is they all trade with Cuba, but they are unwilling to give it to them gratuitously. I say to my colleagues, you need something called hard currency. You need money to be able to purchase those foods and those medical supplies, and that is what Castro simply does not have because he relied on $6 billion of what was the Soviet Union; he lost it, and now he has not made the changes to help the Cuban people. And do we have national interests? Absolutely.

Mr. Chairman, this is the third-largest army in the Western Hemisphere. I do not suggest, the gentleman from Indiana [Mr. HAMILTON] has said we do not face a risk of invasion; that is not what I am suggesting. But why do they need the third-largest army in the hemisphere if their people are hungry? Why do they use money to have the largest standing army and a huge security force if their people are hungry? Stop spending the money on the bullets and the rifles, and start putting food on the plates of families in Cuban homes, in my family's homes.

Now they have chosen to stay because they do not want to leave their homeland. They stay and fight, and they risk their lives every day to do so, and I risk it to some extent because of what I do here. Now is something we do not have to worry about in the United States, so this debate in the abstract is one thing.

Now we have heard a lot about what do the Cuban people want. We want to relieve their suffering, but we cannot do so unless people lose control, in fact, seeks to do everything to repress them, use his resources not to put food and medical supplies that he can accomplish throughout the world, and we are the greatest remitters of that. The Cuban Democracy Act that the gentleman from New Jersey [Mr. TORRICELLI] helped pass and that was overwhelmingly voted by this House opened up the doors for medical supplies which did not exist prior to that in our embargo. But when we want to hear what the Cuban people have to say, I will give my colleagues two different specific examples.

When we went with a group of Members of the House to Guantanamo where 30,000 people risked the Florida Straits, risked their lives, brought their children with them to flee from a regime because of liberty, which is the word that used when we got there, not simply because of hunger, but for liberty, they said to us, the democratically elected people, the first ones who had an opportunity to have a free election; they did not say to us, "The United States is punitive against you, we are hurting you." No, they said, "Why can't you get the Mexicans, and the Canadians, and the Spanish, and others to join with us and have an international embargo," as we did in Haiti, as we did in the divestitures of South Africa, to help free those people from those oppressive regimes. They said, "Why don't you do it?" We want our suffering once and for all. "We don't want to have to free our homeland." So who makes the Cuban people suffer? In the words of the Cuban people, not here in Congress; that is the words of those who were trying to flee, the 30,000. They said, "We support your efforts."

And just yesterday 40-something brave Cubans who risked their lives by putting their names to a letter saying, "We support your efforts." We support his bill, to the Congress: "Vote with us, be with us, help us in a free and democratic Cuba." They said, "Vote with us." Now these people risked their lives. Those who do not think that this is true, we have thousands of political prisoners in jail, we have countless people who were willing for liberty, for freedom, and to end the suffering of the Cuban people.

Now I have heard a lot about this is cold war rhetoric. The fact of the matter is that there are tremendous phar-
in Cuba is a threat, in a couple of ways. First, it is only 90 miles from the continental United States. If Castro were to get hold of a missile from the former Soviet Union, then we have got a problem. It is also an expensive proposition right now. The Cuban population is about $30 million a month to take care of the Cuban boat people down at our base in Guantanamo, and that comes out of our defense budget, a defense budget that is already too small, a defense budget that is not building enough ships and taking good enough care of our people.

So I asked the chairman of the Atlantic Command, a four-star Marine general by the name of Sheehan, if he thought it was in our Nation’s best interests to continue the embargo or to open diplomatic relations with the Cubans, and I want to quote him from what he said before the Committee on Armed Services:

Gen. SHEEHAN. I think it will be extraordinarily helpful to start some type of dialogue with the process of the Cubans. That is going on at the intersection in Havana. We have a man on an hourly basis, representing America, to deal with the frontier border guard and the Cubans, either because there are Cuban migrants who are frustrated by the process, who are walking through mine fields to get hold of a missile from the former Soviet Union, and in some cases they have maimed themselves. We are risking American lives who go into the mine fields and pull them out.

We have Cubans on a weekly basis go into the water to swim back to Cuba. As a result, we need to have some kind of mechanism just for safety, a safety standpoint to make sure that these Cubans do not permanently maim or kill themselves in the process.

Castro holds all of the cards on the migrant issue. He can put 100,000 Cubans in rafts tomorrow morning in a heartbeat. We cannot absorb 100,000 at Guantanamo Bay, and that is coming out of our defense budget, a defense budget that is already too small, a defense budget that is not building enough ships and taking good enough care of our people.

Mr. Chairman, this is not GENE TAYLOR of Mississippi speaking. This is a four-star Marine general who is in charge of the Atlantic Command for the United States of America.

Mr. HAMILTON. Mr. Chairman, I thank the gentleman from Washington [Mr. McDermott] for yielding this time to me, and I want to commend again the gentleman from Washington for this initiative. Let me just address this quick question that has arisen so frequently in the last few minutes about why the Cuban people are suffering.

Mr. Chairman, my friends on the other side of the aisle have repeatedly made the point that they are suffering because of Castro’s policies. They are absolutely right about that. There is not any doubt about it. The principal reason the American people of Cuba are suffering today is because of the policies of Fidel Castro.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. Diaz-Balart], a great American of Cuban-American, of whom I am very proud.

Mr. DIAZ-BALART. Mr. Chairman, I just want to point out to my colleagues an interesting wire that was just handed to me, a news wire that was just handed to me:

CUBA PROVIDES HELP FOR AFFECTED ISLANDS

Cuba is providing $47,000 in medicines to assist island of the Caribbean Community (CARICOM) affected by the recent hurricanes.

The emergency aid will go to Antigua and Barbuda, Dominica, and St. Kitts and Nevis, according to Barbados-based Cuban Ambassador to CARICOM.

Cabezas is accredited to a number of CARICOM states, including Trinidad and Tobago, where Cuba plans to open a diplomatic mission by the year's end.

Castro is not denied, as the gentlewoman from Florida [Ms. Ros-Lehtinen] said, medicine. He has all the medicines he wants to buy with the dollars he gets, but he does not give them to the Cuban people.

If my colleagues want to go to one of the most luxurious medical centers in the world, go to the medical center that Castro provides for the tourists. He has got a thriving industry to collect dollars from tourists from throughout the world, medical tourists.

The Cuban people do not have medicines and do not have any of the amenities that the tourists have because of Castro’s policies, not because of the United States policy. So, we need to change America first in this instance, blame America for the lack of medicines that Castro does not permit the Cuban people to have.

Let us defeat this gutting amendment. Let us move forward.

Mr. McDermott. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. Hamilton].

Let us have no mistake about that. But it is also true that when you put on top of those failed policies an embargo from the United States, that embargo increases the suffering of the Cuban people. If you ease that embargo by letting food and medicine go in there, they are desperately needed, you are going to ease the plight of the Cuban people.

Now, Mr. Chairman, Castro takes this embargo we have and uses it as a repressive tool in Cuba today. He uses it as an excuse for repression. All this amendment does is give the opportunity for more food and medicine to go to Cuba. What in the world is wrong with that? Why should we be opposed to relieving the suffering of the Cuban people?

I do not know how much will go in. It may not be huge quantities. But we know the situation there today. They are suffering. They need medicine. They need food. Let us see if we can help them out with this very modest measure.

Mr. Chairman, I urge a vote against this bill, and I urge a vote for the McDermott substitute.
Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question was taken; and the vote was taken by electronic device, and there were—aye 138, noes 283, not voting 13, as follows:

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The text of the amendment is as follows:

Amendment No. 2 offered by Mr. Wynn: Page 22, strike line 4 and all that follows through page 23, line 7 and insert the following:

(a) OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.—(1) Until such time as the President determines that a transition government in Cuba is in power, the Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of such institution.

(2) Once a transition government in Cuba is in power, the President is encouraged to take steps to support the processing of Cuba's application for membership in any financial institution subject to the membership taking effect at such time as the President deems most likely to facilitate the transition to a democratically elected government in Cuba.

Page 23, line 8, strike "(c)" and insert "(b)".

The CHAIRMAN. Pursuant to the rule, the gentleman from Maryland [Mr. Wynn] and a Member opposed, the gentleman from Indiana [Mr. Burton], will each be recognized for 10 minutes.

The Chair recognizes the gentleman from Maryland [Mr. Wynn].

AMENDMENT, AS MODIFIED, OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I ask unanimous consent that I be allowed to modify my amendment so as to read as the text of amendment No. 4 printed in the September 20 CONGRESSIONAL RECORD. I believe a copy of the modification is at the desk and also in the possession of the subcommittee chair.

The Chair recognizes the gentleman from Maryland [Mr. Wynn].

Mr. WYNN. Amendment, as modified, offered by Mr. Wynn: Page 22, strike lines 4 through 20 and insert the following:

(a) OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.—(1) Until such time as the President determines that a transition government in Cuba is in power, the Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of such institution.

(2) Once a transition government in Cuba is in power, the President is encouraged to take steps to support the processing of Cuba's application for membership in any financial institution subject to the membership taking effect at such time as the President deems most likely to facilitate the transition to a democratically elected government in Cuba.

Mr. WYNN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. Is there objection to the amendment?

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk will record the modification.

The Clerk reads as follows:

Amendment: Amendment, as modified, offered by Mr. Wynn: Page 22, strike lines 4 through 20 and insert the following:

(a) OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.—(1) Until such time as the President determines that a transition government in Cuba is in power, the Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of such institution.

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Mr. WYNN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. Is there objection to the amendment?

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.
have talked with the gentleman offering the modification to the amendment. I think it is a good modification and we are prepared to accept that.

Mr. Chairman, I withdraw my reservation of objection.

Mr. WYNN. Is there objection to the request of the gentleman from Maryland?
the Committee on the judiciary and, following the filing of the report by the International Relations Committee, this referral period was extended until August 4, 1995.

Hon. NEWT GINGRICH, Chairman.

As a result of consultations between the International Relations Committee and the Judiciary Committee, a number of changes were made in the text of H.R. 927. Consequently, I understand that you have committed to language drafted by my staff. In addition, I understand that you will request that the Ways and Means Committee be appointed as conferees on these provisions and any other tax, tariff, or trade policy matters that might be at issue in a conference with the Senate on this legislation.

Sincerely,

H. J. HYDE,
Chairman.

COMMITTEE ON BANKING AND FINANCIAL SERVICES,
House of Representatives,
Washington, D.C.

September 21, 1995

Dear Mr. Chairman:

I should like to assure you that the Committee intends to offer an amendment during floor consideration of this measure which addresses the specific concerns raised by you and your staff with respect to sections 201, 202, and 203 of this legislation. Moreover, I would like to further assure you that we will work with you and Members of your Committee in response to any proposed modifications or additions relating to these provisions during further House consideration of this legislation.

In addition, I understand that you will request that the Committee on Ways and Means be appointed as conferees on these provisions and any other tax, tariff, or trade policy matters that might be at issue in a conference with the Senate on this legislation.

I should like to assure you that the Committee understands that you will request that the Committee on Ways and Means be appointed as conferees on these provisions and any other tax, tariff, or trade policy matters that might be at issue in a conference with the Senate on this legislation.

Sincerely,

JAMES A. LEACH,
Chairman.

COMMITTEE ON WAYS AND MEANS,
House of Representatives,
Washington, D.C.

September 21, 1995

Hon. BILL ARCHER, Chairman.

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

Mr. WYNN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. JACKOB].

Mr. JACKOBS. Mr. Chairman, first I would like to be understood on the record that there is no Member of this House for whom I have greater affection and respect than the gentleman from Indiana [Mr. BURTON].

One of the reasons I have so much respect for him is his consistency. He has the same trade policy for China as he has for Cuba. Those who differ between the two countries, I could say, puzzle me somewhat.

I want to quote a former U.S. Senator from Indiana, Homer E. Capehart, a member of the party of the gentleman from Indiana [Mr. BURTON], who said back in the late 1950's, "If you could let me turn loose, 10,000 American salesmen in the Soviet Union, I would guarantee that the days of communism would be numbered."
Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not have any further speakers. I would just indicate, therefore, in closing that I believe this is a constructive amendment. It will enable us to move quickly at such time as will enable the administration in the United States to support a transition government in Cuba and I believe that will help us move Cuba more quickly to democracy. I thank the gentleman from Indiana for his support with respect to this amendment.

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

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Maryland [Mr. WYNN].

The amendment, as modified, was agreed to.

The CHAIRMAN. The Chair is advised that amendment No. 3 will not be offered. Is that correct?

Mr. JOHNSTON of Florida. That is correct.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 104-253.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. STEARNS:  Add at the end of title I the following:

SEC. 112. CONGRESSIONAL NOTIFICATION OF CONTACTS WITH CUBAN GOVERNMENT OFFICIALS.

(a) ADVANCED NOTIFICATION REQUIRED.—No funds made available under any provision of law may be used for the costs and expenses of negotiations, meetings, discussions, or contacts between United States Government officials or representatives and officials or representatives of the Cuban Government relating to normalization of relations between the United States and Cuba unless 15 days in advance the President has notified the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations, in accordance with procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(b) REPORTS.—Within 15 days of any negotiations, meetings, discussions, or contacts between individuals described in subsection (a), with respect to any matter, the President shall submit a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate detailing the individuals involved in these negotiations, and any agreements made, including agreements to conduct future negotiations, meetings, discussions, or contacts.

The CHAIRMAN. Pursuant to the rule, the gentleman from Florida [Mr. STEARNS] and a Member opposed will each be recognized for 10 minutes.

Mr. JOHNSTON of Florida. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Florida [Mr. JOHNSTON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Florida [Mr. STEARNS].

Already members of this administration have shown their willingness to deal with Castro. Chairman BURTON has wisely included language in this bill that emphasizes the true position of our Nation: Not to deal with the Communist dictatorship in Cuba. This Congress must remain vigilant and ensure that this policy is not just telegraphed but pursued.

The normalization of United States relations with the Communist government of Vietnam is just one example of where the current administration has moved too quickly and without open discussions with the Congress prior to its actions. Had there been a provision such as this during the negotiations with Vietnam, at least the Congress would have had the ability to advise the President on how we felt. Instead, the President presented us with a fait accompli. We need to ensure that tomorrow we do not see a headline proclaiming “Administration Officials Meet With Castro, Congress Caught Totally Unaware.”

Mr. Chairman, while I recognize that it is the prerogative of the President to conduct foreign affairs, it is also the responsibility of the President to keep Congress informed of his actions so that we might respond accordingly. This amendment will insure this just balance of power.

Mr. Chairman, I urge my colleagues to join me in making sure that the United States does not get caught into a close relationship with the Communist dictatorship without the elected Representatives of the people being properly informed. I urge the adoption of this amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment of Mr. JOHNSTON.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MCCLURKIN. Mr. Chairman, I rise today in strong support of H.R. 927, the Cuban Liberty and Democratic Solidarity Act.

This legislation has been carefully crafted to bring an end to the Castro regime by reaffirming the principles contained in the Cuban Democracy Act passed in 1992. This legislation seeks to close the loopholes in order to more effectively continue our embargo against Cuba.

Another provision in H.R. 927 prepares the United States to support a transition government which eventually will lead to a democratic government in Cuba. We realize that the isolated Government of Castro is on its last leg and this is a positive signal to the Cuban people that the United States will support their efforts toward democratization.

Finally, this legislation takes important steps to protect the property of American nationals by making persons who intentionally traffic in stolen property liable for damages in U.S. Courts.

It is anathema to all Americans that in our own backyard we have one of the last Communist countries and one of the last dictators within a half hour plane flight. Today, Cuba is more backward than ever. This authoritarian regime now symbolizes the fact that Communism has failed.

Since the collapse of the Soviet Union the $4.5 billion in annual aid Cuba was all but disappeared. No other countries have come to Castro’s financial aid. Meanwhile, the United States embargo continues to keep Cuba without sought after American dollars.
Recent reports state that the deteriorating living conditions, the repressive control exercised by the state and economic difficulties led to the mass exodus on the high seas in 1994. These reports also state that the Cuban crisis has deep internal roots affecting not only the economic, political, and social sphere, but all of the above-mentioned areas. This crisis is the direct result of the repressive policy of Castro coupled with the exclusion of differing viewpoints.

Castro has not shown a willingness to make any efforts to liberalize Cuba’s political system or economic system, for this reason stronger actions are needed to deal with his regime as compared to other Communist countries which recently have shown movement toward democratic principles.

In my judgment, H.R. 927 takes the necessary steps to increase pressure on the Castro regime to initiate needed political and economic reforms. By passing this measure we will also send a strong signal to Castro that the United States will stand firm until he is gone and Cuba becomes a democracy.

Mr. Chairman, I feel it is time to express my support for the general thrust of H.R. 927. This legislation sends an important signal to the Castro regime in Cuba that the United States will continue its vigilance in opposing the communist dictatorship there. For this reason, I am an original cosponsor of this bill today. At the same time, however, there are a number of provisions in this legislation that I believe could have an unintended negative impact on our efforts to promote a transition to a democratic government in Cuba and impede the conduct of U.S. foreign policy elsewhere.

In particular, I have serious concerns about the bill’s attempt to restrict United States assistance to international financial institutions and other nations based on their policies toward Cuba. I believe we have broader interests vis-a-vis these institutions and nations that should not be allowed to be dictated by our policy toward Cuba.

I am also concerned that the constraints imposed by the bill on the types of United States assistance that may be provided to a transition government or a democratically elected government in Cuba may in fact hinder our ability to promote the changes we desire there.

In addition, it appears that some of the bill’s provisions relating to property claims may have the unintended consequence of tying up considerable amounts of property in litigation for years after a transition to a democratic government has occurred. This could hinder investment by Americans desiring to promote economic development in a post-Castro Cuba.

For these reasons, my vote today in support of H.R. 927 is conditional and I would like to support the conference version of this bill. Rather, I will withhold my decision on support for final passage of this legislation pending action by the conferees to address the deficiencies contained in the House version of the bill.

Mr. COYNE. Mr. Chairman, I rise today in opposition to H.R. 927. I believe that every Member of Congress agrees on our foreign policy goals with regard to Cuba. We all want to encourage democracy and economic growth, protect human rights, and neutralize a potential military threat just miles away from the United States. We legitimately disagree, however, on the most effective means of achieving these goals.

The Cuban people deserve a free, democratic, society that respects human rights and political freedom. Specifically, they deserve to enjoy the fruits of their labors and the right to travel freely across international borders. They deserve the freedom to speak their minds freely, without persecution. And they deserve the fundamental right to organize and to control the actions of their own government through a free, fair, and democratic electoral process. I would suggest, however, that H.R. 927 is not the most effective way to accomplish these goals.

The so-called Cuban Liberty and Democratic Solidarity Act of 1995 is intended to ratchet up the pressure on Cuba by intensifying the economic sanctions and travel restrictions already in place. The theory behind this legislation is that any additional hardship imposed on the Cuban people will be transformed into additional dissatisfaction with the Castro regime and will precipitate an indigenous insurrection against Castro. The problem with this reasoning is that in many ways it can be shown that Castro’s actions have done more to blame the Cuban people’s suffering on foreign enemies—namely, the United States. Sanctions like those permitted Castro with a convenient scapegoat for the failings of his unsustainable regime. Moreover, some of the provisions in the legislation would violate GATT and NAFTA. While I am a supporter of NAFTA, I believe that the United States is bound to observe international treaties that have been duly signed and ratified by the U.S. Government. We can not pick and choose as the mood takes us. Violation of our obligations under international law is not in the interests of the people of the United States and the trade and loss of U.S. export-related jobs. This legislation would damage the economic health of the United States without advancing our foreign policy goals.

Consequently, I must conclude that H.R. 927 would do more harm than good.

I believe that the most effective tool for fostering democracy, human rights, and economic development in Cuba is exposure to the citizens and cultures of free, democratic societies. Consequently, I am a cosponsor of H.R. 2229, the Free Trade with Cuba Act, which was introduced by my colleague from New York, Representative CHARLES B. RANGEL. This legislation would lift the existing sanctions on trade, travel, and commerce with Cuba. It would only allow the President to impose new export controls on Cuba in accordance with certain sections of the Export Administration Act of 1979, and it would allow the President to apply the authority granted him under the International Emergency Economic Powers Act only in the case of a new national emergency declared by an undertaking by Castro to allow democracy in Cuba. In short, this bill would normalize United States relations with Cuba.

In closing, let me just point out that we’ve had sanctions against Cuba for over 30 years. They made some sense during the cold war, when Cuba was allied with a hostile superpower, but they haven’t been particularly successful in undermining the Castro government.

In the end, an ineffective economic system and political repression will bring down the Castro regime, just as similar institutions have been defeated within the Soviet Union and for the other countries of the Soviet bloc. The best ways to speed up that process is through engagement, not isolation. Therefore, I urge my colleagues to join me in opposing H.R. 927 here today.

Mr. BURR. Mr. Chairman, I rise today in support of H.R. 927, the Cuban Liberty and Democratic Solidarity Act. I am proud to be a cosponsor of this legislation along with a bipartisan group of my colleagues.

We are at an important moment in the struggle for freedom for the Cuban people. It is a well-known fact that the Cuban economy is in complete disarray. In order to prop up his failing regime, Castro has attempted to attract foreign investors to the country so that he may obtain more hard currency for his benefit, I repeat his benefit. Let us not pretend that the people of Cuba will benefit from these investments. Have no doubt, the capital that comes with foreign investment is for the benefit of Castro and his regime, not the people of Cuba.

To those who will say that Castro is liberalizing his political and economic policies, this is simply untrue. There is no indication that elections held in Cuba are anything more than a rubber stamp of his corrupt regime and there simply are not real economic reforms occurring there. Castro will continue to control the Cuban economy and the Cuban people because he and his regime control all of the money received from foreign investments.

To those who argue that we must end the embargo because it has not worked in 35 years, I would tell you that the embargo has worked best in the last few years due to the end of subsidies from the Soviet Union. The embargo is working and should be tightened, as this bill seeks to do, so that the end of the Castro regime comes as soon as possible.

Finally, I support the provisions of this bill that provide American citizens a right of action in a U.S. court of law to ensure that property confiscated from them is not sold for the benefit of the Castro regime. The only way to end Castro’s dictatorship is to end his access to foreign capital. I support these provisions as well as those that provide for a smooth transition to democracy and I urge all of my colleagues to support this bill with a “yes” vote on final passage.

Mr. KENNEDY of Rhode Island. Mr. Chairman, this bill is a clear statement that the American people stand arm in arm with the people of Cuba in their struggle against a repressive dictator, and that we will not back away from being partners in our common fight for freedom.

We won the cold war because we never gave in to communism. By standing firm we brought down the Iron Curtain and saw communism collapse in Europe.

The conditions which existed when President Reagan implemented our embargo have not changed.

Now is not the time to offer relief to the Castro regime, especially relief at the expense of American citizens who have had their property seized by Castro. Castro wants to use American property to lure foreign investors to Cuba who will provide cash for his dictator- ship and cash to his treasury.

This bill prevents the Castro regime and foreign investors from profiting off the confiscated property of Americans. It says, quite simply, that is wrong.

The Libertad bill allows Americans, whose property Castro has seized, to pursue legal redress if an international corporation or investor purchases that land for profit-making.
Mr. NADLER. Mr. Chairman, I arise in support of the amendment offered by the gentleman from Washington. This amendment, which includes the text of my bill, H.R. 1700, would lift the embargo against Cuba on the sale of medicines, medical supplies and equipment, and food. It is an appropriate amendment and would bring to an end a policy that is unworthy of this great Nation.

I realize that many of my colleagues support the embargo against Cuba and support this legislation that will that embargo to new and even more absurd heights. That is not the issue before us in this amendment.

What this amendment asks us is, should the U.S. demonstrate its disapproval of another government by cutting off the sale of food and medicine to civilians, the elderly, the young, and the sick?

Historically, no matter how repugnant we means one thing—it is a lifeline to the Castro regime.

Mr. JOHNSTON of Florida. Mr. Speaker, I demand a recorded vote.

The THE SPEAKER pro tempore. The question is on the passage of the bill. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

The vote was taken by electronic device, and there were—aye 294, noes 130, not voting 10, as follows: [Roll No. 683]

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

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute. The amendment in the nature of a substitute was agreed to.
Mr. OWENS changed his vote from "aye" to "no." Mr. COSTELLO, Mr. RAHALL, Mrs. KENNELLY, and Ms. MCCARTHY changed their vote from "no" to "aye." So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Speaker, on rollcall 683, I was unavoidably detained. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 927, the bill just passed.

The result of the vote was announced as above recorded.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 743, THE TEAMWORK FOR EMPLOYEES AND MANAGERS ACT OF 1995

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-258) on the resolution (H. Res. 228) providing for the consideration of the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, with Senate amendments thereto, to disagree to the Senate amendments, and agree to the conference asked by the Senate. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana? There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1170, THREE-JUDGE COURT FOR CERTAIN INJUNCTIONS

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-257) on the resolution (H. Res. 227) providing for consideration of the bill (H.R. 1170) to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a three-judge court, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1601, INTERNATIONAL SPACE STATION AUTHORIZATION ACT OF 1995

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-258) on the resolution (H. Res. 228) providing for the consideration of the bill (H.R. 1601) to authorize appropriations to the National Aeronautics and Space Administration to develop, assemble, and operate the international space station, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF CONFEREES ON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. SPEWER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, with Senate amendments thereto, to disagree to the Senate amendments, and agree to the conference asked by the Senate. The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina? There was no objection.

The conference, overall, will add about $7.1 billion to the President's overall budget request for this fiscal year for defense. In this gentleman's humble opinion, Mr. Speaker, we should not use all of this additional money for what I believe to be unnecessary hardware programs. Instead, we should retain the training and readiness funds the House has insisted on retaining the amounts that we have already voted to provide for the sufficient training and readiness of our Armed Forces personnel.

Mr. Speaker, I rise to offer a motion to instruct conferees on the bill, H.R. 1530, the national defense authorization bill.

Mr. Speaker, Members of the House, this motion is very simple. It would assert that the House conferees insist on retaining the amounts that we have already voted to provide for the sufficient training and readiness of our Armed Forces personnel.

Let me take a few moments to place this motion in its proper context. Mr. Speaker, the President requested $91.9 billion for readiness, fiscal year 1996. The House bill contains $94.7 billion for readiness. The Senate bill contains only $91.7 billion, which, overall, will add about $7.1 billion to the President's overall budget request for this fiscal year for defense. In this gentleman's humble opinion, Mr. Speaker, we should not use all of this additional money for what I believe to be unnecessary hardware programs. Instead, we should retain the training and readiness funds the House has already voted to provide for our men and women in uniform.

The majority members on the Committee on National Security started off the year, Mr. Speaker, with a series of hearings outlining what they considered to be the unfunded readiness needs of the service. Indeed, if you will recall, Mr. Speaker, they claim in the bill, H.R. 7, that came to this floor, voted upon by this body, and elsewhere, that insufficient funds for readiness threaten the imminent return to the hollow forces of the 1970's.
The committee has recommended additional spending in core readiness accounts such as depot maintenance, real property maintenance to begin addressing what is likely to be a 50-year problem of halting the deterioration of base support facilities, mobility enhancements to allow more timely deployment of forces and reserve component readiness.

Mr. Speaker, if the majority of the House National Security Committee now feels that there has been significant change in the readiness posture of this country, then I believe the Members of the committee will be the first to acknowledge that this shift has happened to what happened in their minds. If, in fact the premise on which days and days of hearings that were held that were calculated to make the case that near-term readiness of our military was in danger in the late 1980's is no longer a compelling factor, then we need to know why, and the proposition before the body that this gentleman offered is calculated to ask that question.

If, as the majority of the committee has made the political decision and I underscore “political decision” that the readiness issue is secondary to their need to deliver certain procurement projects, then let the record reflect that fact.

So the proposition before the body is designed to either say, “You believed in what you were saying in H.R. 7, you believed in what you were saying in the Contract for American, you believed in what you were saying during the series of hearings, you believed what you said in H.R. 1530 about readiness, and you feel that it is important to maintain it,” or that, “As you view the changing circumstances in the world, that is no longer a compelling reason.” Then step back; explain that to the body. Let us move forward. Or, as I said, to repeat, “If you make the political decision that you now can trade off readiness, which you made such a large issue over the last several weeks and months, then you might be more interested in procuring weapons systems than readiness, then make that statement so that we understand where we are.”

In either case, Mr. Speaker, I believe that the Members of this body deserve to know what has happened in the intervening months since the readiness hearings that has allowed our committee’s majority to feel so much more relaxed about what they claimed to be a problem of Draconian proportions just a few short weeks ago.

While I have expressed my own personal doubts as a Member of this body that we need an increase in the defense top line, and over the last several months I have tried to argue that case, I am doubly certain that we need not raid our readiness accounts to pay for unneeded cold war weapon systems that no longer are appropriate. The dire forecast the majority makes regarding readiness accounts. Mr. Speaker, fails to account for the fact that we have been able to defer procurement requirements over the past few years due to the carefully managed utilization of excess weapons systems that lost their utility and have resulted from force structure reductions. Simply stated, as we have downsized our military, we have excess property and in managing that excess property there has been no need for us to escarp in our procurement account because we are now dealing with material that is in excess, and we can move along those lines, and that has been carefully drawn and carefully dealt with.

Mr. Speaker, I believe that our first priority in this conference should be to insure that our troops, active and reserve components, are trained and ready to meet the task which they can reasonably expect to be called on to perform.

Therefore, for all these reasons, Mr. Speaker, I ask my colleagues on both sides of the aisle in a bipartisan fashion to join with me in an effort to prevent shifting more funds out of the readiness accounts that was stated in a very powerful fashion over the last several months at the level of subcommittee, full committee, and an action taken before the body, and with those remarks, Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, Mr. Speaker, I yield myself such time as I may consume. (Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. Speaker, Mr. Speaker, I rise in support of the gentleman’s initiative and to let him know that I support his motion, and I also welcome him to support for the readiness of our military forces. I also rise to encourage all of my colleagues to join with us in our continuing efforts to ensure that the United States maintains a ready military force.

Because the gentleman’s motion references specific figures, I need to report to the House how H.R. 1530 passed the House before a final budget resolution had been agreed upon. Consequently, H.R. 1530’s top-line reflected the House-passed budget resolution figures for Defense, which ended up being approximately $2.6 billion over the fiscal year 1996 Defense top-line figure in the final budget resolution. The Senate’s Defense authorization bill and both Defense appropriations bills were passed based on the final budget resolution Defense figures.

In order to conference with the Senate, we obviously have to reconcile the higher figures in H.R. 1530 with the final budget resolution and the other Defense bills. Approximately $1.9 billion of this $2.6 billion reconciliation effort has occurred in the operations and maintenance accounts. While that might seem like a significant cut, it is not, since all of the funds cut lacked an appropriation. Therefore, they represented a hollow authorization.

H.R. 1530 still authorizes operations and maintenance funding at almost $93 billion—close to $1 billion over the President’s request. In five main readiness categories beyond the traditional operational tempo accounts—depot maintenance, real property maintenance, base operations, mobility enhancement, and Reserve component readiness—H.R. 1530 is $1.6 billion over the President’s request and $1.1 billion over the Senate bill. Of the four Defense bills, H.R. 1530 contains the highest operations and maintenance funding levels and is almost identical to the House-passed Defense appropriations levels for these accounts.

The committee has always been concerned with military readiness and will continue to address readiness problems, as well as quality of life and modernization, shortfalls as a priority. Therefore, as we head into conference with the Senate, I urge the gentleman’s support on the critical issue of readiness funding, and I stand prepared to accept the motion.

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

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

Mr. Speaker, I thank the distinguished gentleman from South Carolina [Mr. SPENCE] for his support. I think that that guarantees that this would be a bipartisan effort as we move into the conference with the other body, and I deeply am appreciative of the gentleman’s remarks and his support.

Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. SPRATT], my distinguished colleague. (Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, one of the first bills brought to the floor in keeping with the Contract For America was H.R. 7, the National Defense Revitalization Act. Its very title implies that our Armed Forces are not ready, that they lack vitality. Now I question that assessment. But there is something we can do: cut the budget, and I would just like to read them again so that those who voted for it can be reminded of what assessment is contained in that bill. It says:

A return to the “hollow forces” of the 1970’s has already begun. At the end of fiscal year 1994, one-third of the units in the Army contingency force and all of the forward-deployed and follow-on Army divisions were reduced to a reduced state of military readiness. During fiscal year 1994, training readiness declined for the Navy’s Atlantic and Pacific fleets. Funding shortfalls for that fiscal year resulted in a grounding of Navy and Marine Corps aircraft squadrons and cancelation and curtailment of Army training exercises.
Marine and naval personnel are not maintaining the standard 12- to 18-month respite between 6-month deployments away from home. Marine Corps units are spending up to 2 of their first 4 years away from their base camps. The significantly increased pace of Department of Defense operations has U.S. forces overdeployed.

[45x67]their country with honor and distinction.

...people have provided the military with responses across Africa and elsewhere, in part, because our forces have been overdeployed, or if we think we are trending back or slipping down the slippery slope to the hollow forces of the 1970s, then a 3-percent plus up is a modest step instead of a return to the trajectory that we think Mr. Speaker, I urge my colleagues to choose the House's position on readiness, to stiffen the resolve of our colleagues, and to vote for this motion.

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

Mr. Speaker, I do not have any other requests for time. I would just like to thank my colleagues on the other side of the aisle for supporting readiness, and, as I said before, I support the motion.

Mr. DELLLUMS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. PUCKETT], my distinguished colleague.

[Mr. PUCKETT asked and was given permission to revise and extend his remarks.]

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

Mr. Speaker, 1995 has been a busy year for the U.S. military. Our Nation called repeatedly upon its Active and Reserve Forces to represent and protect our national interests all around the world.

The U.S. Armed Forces were able to respond to the call in Asia, in Europe, in Africa and elsewhere, in part, because this Congress and the American people have provided the military with the necessary assets and training to do the job.

Men and women in uniform responded to each challenge in a manner that makes all Americans proud. They have risen to the call to duty without complaint and served their country with honor and distinction.

This ability to provide flexible response is not without cost either in equipment or to our people. The services have had to switch money away from training to respond to these contingencies and valuable training opportunities have been lost.

Our first concern is to provide our military personnel with what they need to fight, to win, and to return home safely after having answered their country's call. They are among the finest young people our country has ever sent to fight. They are their country out of a sense of duty. At the same time, these men and women expect Congress to give them the resources they need to do their jobs. They also expect Congress to provide them a reasonable quality of life for themselves and for their families, and a place in which to train and work that will allow them to give the best of themselves. Congress must live up to this commitment.

Mr. Speaker, the operations tempo in our military remains high. The service chiefs have reported that the force is stretched thin; that readiness is being impacted by a high current optempo; and that certain units are deploying repeatedly in support of contingency operations.

This high optempo has occurred at the same time U.S. force structure and defense budgets have been dramatically reduced. U.S. Forces continue to be asked to do more and more with less and less.

The most important component of readiness is people. The people serving in uniform today were selectively recruited and carefully trained. They are truly the finest force that the United States has ever had.

Readiness must be preserved both in the near term and in the long term. Readiness problems compound quickly and cannot be repaired easily or inexpensively. The military personnel that we put in harm's way deserve a full and continuing commitment from this Congress. The House of Representatives has met that commitment to readiness in the DOD bill that we passed. I urge my colleagues to ratify this effort by voting for this motion. To instruct House conferees to support the higher Senate figure. And there were—yeas 415, nays 2, not voting 17, as follows:

[45x552]Congress must live up to this commitment. Congress must live up to this commitment. Congress must live up to this commitment.
MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 1530, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. SPEICE. Mr. Speaker, pursuant to clause 6(a) of rule XXVIII, I move that conference committee meetings on the bill H.R. 1530, to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, be closed to the public at such times as classified national security information is under consideration, provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. Pursuant to clause 6(a) of rule XXVIII, the vote on this motion will be taken by aye and nay.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 1, not voting 19, as follows:

YEAS—414

Mr. PETRI changed his vote from "yea" to "nay." So the motion was agreed to. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KOLBE. Mr. Speaker, on rollcall No. 684, a motion to instruct conferees, I was inadvertently not recorded. Although I was on the floor during the vote, had I been recorded, I would have voted "yea."
So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LINDER). Without objection, the Chair appoints the following conferees:

From the Committee on National Security, for consideration of the House bill (except for sections 801-03, 811-14, 826, 828-32, 834-38, 842-43, 850-96) and the Senate amendment except for sections 801-03, 815-818, 2851-57, and 4001-4801, and modifications committed to conference:

MESSRS. SPENCE, STUMP, HUNTER, KATZ, BATeman, Hansen, WELDON (PA), Dornan, Hefley, SAXTON, Cunningham, BUYER, Torkildsen, Mrs. Fowler, and Messrs. McCrillis, WATTS (OK), JONES, LONGLEY, DELLUMS, MONTGOMERY, Mrs. Schroeder, and MESSRS. SKELTON, SISKY, SPRATT, ORTIZ, Pickett, Evans, Tanner, BROWDER, Taylor (MS), Abercrombie, Edwards, and Peterson (FL).

From the Committee on National Security, for consideration of sections 801-03, 811-14, 826, 828-32, 834-38, 842-43, and 850-96 of the House bill and sections 801-03 and 815-818 of the Senate amendment, and modifications committed to conference:

MESSRS. SPENCE, STUMP, WATTS (OK), DELLUMS, and SPRATT.

From the Committee on National Security, for consideration of sections 2851-57 of the Senate amendment, and modifications committed to conference:

MESSRS. SPENCE, STUMP, WATTS (OK), DELLUMS, and SPRATT.

From the Committee on National Security, for consideration of sections 4001-4801 of the Senate amendment, and modifications committed to conference:

MESSRS. SPENCE, Hefley, JONES, ORTIZ, and MONTGOMERY.

From the Committee on National Security, for consideration of sections 4001-4801 of the Senate amendment, and modifications committed to conference:

MESSRS. SPENCE, STUMP, Torkildsen, Watts (OK), Longley, DELLUMS, Edwards, and Peterson (FL).

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII:

MESSRS. COMBEST, Young (FL), and DICKS.

As additional conferees from the Committee on Agriculture, for consideration of sections 2851-57 of the Senate amendment, and modifications committed to conference:

MESSRS. ROBERTS, ALLARD, LAHOOD, DE LA GARZA, and JOHNSON (SD).

As additional conferees from the Committee on Commerce, for consideration of sections 601 and 3402-04 of the House bill and sections 323, 601, 705, 734, 2824, 2851-57, 3106-07, 3166, and 3301-02 of the Senate amendment, and modifications committed to conference:

MESSRS. BLYLE, SCHEAffer, and DesHALL.

Provided, Mr. Oxley is appointed in lieu of Mr. SCHEAffer for consideration of sections 2824, 2851, and 3107 of the Senate amendment.

Provided, Mr. Bilirakis is appointed in lieu of Mr. SCHEAffer for consideration of sections 2851-57 of the Senate amendment.

Provided, Mr. Hastert is appointed in lieu of Mr. SCHEAffer for consideration of sections 801, 815-818, 2851-57, and 4001-4801, and modifications committed to conference:

MESSRS. GOOLING, RIGGS, and CLAY.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 332, 333, and 338 of the House bill, and sections 333, 336-343 of the Senate amendment, and modifications committed to conference:

MESSRS. CLINGER, MICA, BASS, MRS. COLLINS (IL), and MRS. MALoney.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 801-03, 811-14, 826, 828-32, 834-40, and 842-43 of the House bill, and sections 801-03 and 815-818 of the Senate amendment, and modifications committed to conference:

MESSRS. CLINGER, HORN, DAVIS, MRS. COLLINS (IL), and MRS. MALoney.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 850-96 of the House bill, and modifications committed to conference:

MESSRS. CLINGER, DAVIS, and MRS. COLLINS (IL).

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 4001-4801 of the Senate amendment, and modifications committed to conference:

MESSRS. CLINGER, SCHIFF, ZeLiff, HORN, DAVIS, MRS. COLLINS (IL), MRS. MALoney, and Mr. SPRATT.

As additional conferees from the Committee on House Oversight, for consideration of section 1077 of the Senate amendment, and modifications committed to conference:

MESSRS. Thomas, ROBERTS, and HOYER.

As additional conferees from the Committee on International Relations, for consideration of sections 231-32, 235, 237-38, 242, 244, 1101-06, 1201, 1213, 1221-30, and 3131 of the House bill and sections 231-33, 237-38, 240-41, 1012, 1041-44, 1051-64, and 1099 of the Senate amendment, and modifications committed to conference:

MESSRS. GILMAN, GOOLING, ROTH, BEAll, Smith (NJ), HAMilton, GeJDEnson, and LANTOS.

As additional conferees from the Committee on the Judiciary, for consideration of sections 831 (only as it adds a new section 27(d) to the Office of Federal Procurement Policy Act), and 850-96 the House bill and sections 525, 1075, and 1098 of the Senate amendment, and modifications committed to conference:

MESSRS. HYDE, GekAS, and Conyers.

As additional conferees from the Committee on Rules, for consideration of section 3301 of the Senate amendment, and modifications committed to conference:

MESSRS. SolomON, DREIER, and BellENSON.

As additional conferees from the Committee on Science, for consideration of sections 203, 211, and 214 of the House bill and sections 220-21, 3137, 4122(a)(3), 4161, 4605, and 4607 of the Senate amendment, and modifications committed to conference:

MESSRS. WAker, SENSEnBreNNER, and BrowN (CA).

As additional conferees from the Committee on Transportation and Infrastructure, for consideration of sections 223, 322, 2624, and 2851-57 of the Senate amendment, and modifications committed to conference:

MESSRS. SHUSTER, WELLER, and OBERTAR.

As additional conferees from the Committee on Ways and Means, for consideration of sections 705, 734, and 1021 of the Senate amendment, and modifications committed to conference:

MESSRS. ARCHER, THOMAS, and Stark.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I yield to the distinguished majority leader for purposes of asking the schedule for next week.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, I am sure everybody is aware that we have had our last vote for the day and indeed we have had last vote for the week since the House will not be in session tomorrow.

In observance of the Jewish holiday Rosh Hashanah, there will be no recorded votes next Monday, September 25 and Tuesday, September 26.

On Wednesday, the House will meet at 12 noon, alternative weeks. I do not expect any recorded votes before 1 p.m. Next week we will consider the following bills, all of which will be subject to rules.
Mr. BONIOR. Do you expect to bring the TEAM legislation to the House next week?

Mr. ARMLEY. The TEAM legislation is scheduled for next Wednesday.

Mr. BONIOR. Could I get a sense from the distinguished majority leader, and if indeed the conference appropriation bills that he expects might fall in the following categories, the Defense conference, the Interior conference, the Transportation bill, the Ag bill, and the Treasury and Postal Service bill, are those the likely candidates to come to the floor next week?

Mr. ARMLEY. If the gentleman will yield, they certainly are in the candidates and I have expectations that the work will be completed on some if not all of them. But again I would prefer to let the committee work and look forward to their report to the House and to the Senate.

Mr. BONIOR. Do you expect to bring the Dingell resolution, the gentleman from Texas, the distinguished majority leader, would be, would it not be advisable that maybe it would not be more advisable to have a much shorter CR to keep the pressure on us? Would it be, would it not be advisable for us to have a shorter continuing resolution? My response is if I had thought that, I would have been bringing a shorter continuing resolution. I think the one we will bring will be appropriate to our circumstances.

Mr. ARMLEY. Mr. Speaker, in that case I would advise the gentleman from Texas that since we are only going to have one day of hearings on the majority's direct plan, we anticipate that we will have our hearings on the lawn of the U.S. Capitol. We anticipate those hearings to commence tomorrow and will continue throughout the following week, so that the American people will have the right to understand and know that we are changing Medicare as we know it, and we are doing it not to save Medicare or to reduce the budget, but to provide tax cuts for the wealthiest people in our society.

Mrs. SCHROEDER. Mr. Speaker, the TEAM legislation will be meeting tomorrow on the lawn of the House. We have before us in this Congress. We have the chance to absorb what is in it and we are asking to have a debate on that resolution and we ask the gentleman to bring it up.

Mr. ARMLEY. Mr. Speaker, I appreciate the comments of the gentleman from Michigan [Mr. DINGELL] and the fact of the matter is that we do have a good deal of communication going on with the committees. We will continue to move on as scheduled.

It is, of course, always a difficult proposition for the minority when they do not participate in the process very actively. The frustrations are real and I do appreciate their frustrations, but we do have a schedule and we will be moving on with it.

Mr. BONIOR. Mr. Speaker, in conclusion, I would just invite my friend from Texas to join us on the lawn as the American people come and testify on this particular bill and problem that we have before us in this Congress. We will be meeting tomorrow on the lawn of the U.S. Capitol to have hearings on this important issue.

Mr. ARMLEY. Mr. Speaker, would the gentleman yield?

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

Mr. ARMLEY. Mr. Speaker, I appreciate the invitation of the gentleman from Michigan [Mr. BONIOR], but unfortunately, I will be back in Texas speaking to my constituents tomorrow.

Mr. BONIOR. Mr. Speaker, we wish the gentleman a good voyage.
Mr. PETerson of Minnesota. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor from House Resolution 94.

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

There was no objection.

ADJOURNMENT TO MONDAY, SEPTEMBER 25, 1995

Mr. ARmey. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, September 25, 1995.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARmey. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LINder). Under the Speaker’s announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

Mr. GIBBONS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

HELPING VICTIMS OF HEMOPHILIA-ASSOCIATED AIDS

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

Mr. Goss. Mr. Speaker, for 6 years I and my staff have worked with victims of hemophilia-associated AIDS seeking justice and assistance from the Federal Government. Because hemophiliacs rely on blood-clotting products made from human blood, they are at an enor-
mous risk of contracting blood-borne diseases. In the 1980’s, tragedy struck this community, and approximately 8,000 Americans—or one-half of all hemophiliacs in this country—became infected with the deadly virus that causes AIDS. This tragedy occurred in part because the Federal Government failed to fulfill its unique responsibility for regulating the safety of blood products and for taking aggressive ac-
tion to prevent the spread, through blood products, of the HIV virus. That conclusion was strongly supported in a recent report of the Institute of Medi-
cine, a highly respected, objective, sci-
ettuce analysis arm of the National Academy of Sciences. This report has confirmed my belief that the Federal Government shares the responsibility for what happened, since the regu-

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

There was no objection.

HEARINGS ARE NEEDED ON MEDICARE REFORM PROPOSALS

The SPEAKER pro tempore. Under a previous order of the House, the gentle-
woman from Colorado [Mrs. SCHROE-
der] is recognized for 5 minutes.

Mr. SCHROEDER. Mr. Speaker, I have come to the floor to talk a bit about what my biggest fear as a Mem-
ber has always been, and that has been not being prepared.

Mr. Speaker, it is so difficult to try very hard to find out what is going on and to be prepared. I was trained as an attorney, and I learned you never step into a courtroom, you never do any-
things without being prepared.

Well, let me tell my colleagues in this Medicare-Medicaid debate, there is no way anyone can be prepared. Here we are on the eve of the 1 day of hear-
ings that they are going to grant on Medicare, and there is still no bill. There is still no bill.

So, if we wanted to go to those hear-
ings tomorrow and be prepared, I do not know how we would do it. Today, they released 60 pages of conceptual language, but there are no numbers. How do we know if they add up or do not add up? We do not know what the Congressional Budget Office is saying. Mr. Speaker, I think this is playing very fast and loose and I am very troubled, because if I were an average American watching this and watched the barbs being traded back and forth across the aisle, they are filled with both bravado and bluster and everything else. But the bottom line is there is no there there. They do not have a real bill there.

The same thing has happened with Medicaid. We have 1 day, and we have even 1 day of hearings. They just moved immediately into a markup. We are beginning to find out what is coming out of that markup, which is really
fairly frightening. If we look at Medicaid, there are 18 million children that rely on Medicaid for their health care. There are 6 million disabled relying on Medicaid for their health care. Overall, there are 36 million Americans relying on Medicaid.

Now, the numbers. It looks like they are going to cut my State of Colorado back by about a third. So what happens? How do you treat two-thirds of a child? How do you treat two-thirds of a disabled person? Where do you pick up the dollars? Do you do this? Well, there were no hearings. People from my area were not allowed to come forward. We had many people who would like to and, of course, we are going to see the same act tomorrow when it comes to Medicare.

When we look at Medicare, there are 37 million Americans that are affected by Medicare. Now, when I add 36 million for Medicaid and 37 million for Medicare, I end up with 73 million Americans and we are holding the future of their health care in our hands as legislators.

Mr. Speaker, I find it really outrageous, as we hold the future of their health care in our hands, that we do not hear real hearings; that we are not having real hearings; that we are not having people with the expertise in delivering this care looking at real bills to find out if they will really work.

Mr. Speaker, I would never say that I totally understand how this whole thing works. None of us can possibly understand every specialty that we have to deal with. That is what hearings are about. Otherwise, we could save a lot of money and never have hearings on anything.

So 73 million people, as I add these two numbers together, have got to be wondering what is happening. And I must say, I am very frustrated that tomorrow our side of the aisle has got to start alternative hearings out in the yard somewhere where we do not have real hearings; where we do not have people with the expertise in delivering this care looking at real bills to find out if they will really work.

Now, really, I think when we look at all the other things this body has had time to do, when we look at something this serious, we really should be going in with many more facts.

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Yes, I have heard people on that side saying, "You are just trying to do Medicare." We do not want to do Medicare. But you start being very scared if nobody gives you the details. The devil is always in the details. You also, worry very much about what the end result is going to be.

Whenever you ask a question, someone says, "Well, what is your plan?" The President put our plan out there. The people know what our plan is.

Then the other side continually says, "We are just trying to save it." Our question is: Maybe they are trying to kill it. But if it is so harmless, if they have found this wonderful way they are going to save all of this money without paying, why are they holding it? I would think the hearings this side of the aisle has been asking for and the 201 Members of this body have asked for, I would think they would love those hearings because people will be coming and saying, "Hosanna, how wonderful that they got all of this together."

So I really hope there is more than the 1 day of hearings, and I think it is a very sad day when we are forced to go outdoors and have alternative hearings without even a real bill.

The SPEAKER pro tempore (Mr. LINDER). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

THE RESTRICTIONS OF THE ISTOOK AMENDMENT

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

Mr. SKAGGS. Mr. Speaker, the so-called Istook amendment to restrict political activities by people and organizations that receive Federal funding, be it money or thing of value from the Federal Government, seems to be having more lives than the proverbial cat.

The House, of course, passed it as a rider to the Labor-Health appropriations bill. Now it is hanging up the House-Senate conference committee as a proposed rider to the Treasury-Postal Service appropriations.

Let me just say to the members of the conference committee, please, read the text of this dog. Do not believe the descriptions of the amendment by its sponsors. They would have you believe, to lobbyists or to nonprofits or, for that matter, to the so-called special interests. With only a very few exceptions, it regulates every person and every organization in this country that gets not only funds but anything of value from the Federal Government.

Let us just look at one small set of people and organizations that would be caught up in this Orwellian net of political regulation, and they are the people receiving water from just one Federal water project, the Bureau of Reclamation's Colorado Big Thompson project.

To begin with, those of us in the West know full well irrigation water is a thing of value. We can assure you of that. Looking at the text of the Istook amendment, the legal counsel for the water conservancy district, which distributes this water, has concluded that everybody receiving water from the Colorado Big Thompson water project would be regulated under the Istook amendment.

Here is a partial list of all the people that would be affected by the Istook amendment and their political activities in one part of the State of Colorado, 2,000 individuals and organizations, mostly farmers and ranchers, in addition to Henry Zimmerman, some companies, Anderson Farms, Boulder Valley Farms, Montford of Colorado, Reynolds Cattle Co. Besides farmers and ranchers, others would be regulated, too, because they receive water from this project:

Ames Junior College, the Archdiocese of Denver, Boulder Country Club, Eastman Kodak, First Christian Church, IBM, Hewlett-Packard all get irrigation water from this Bureau of Reclamation project, and because of the Istook amendment, would all have their so-called political advocacy activities regulated according to the bill.

In addition, we could go on into other categories of persons affected that the sponsors of this incredible provision do not want you to know whether it is pregnant and nursing mothers getting WIC vouchers, disaster victims getting emergency assistance, students getting subsidized school lunches, whatever. What happens to all of these people? They face chilling restrictions on how they can participate in the public life of their Nation and of their communities. So-called political advocacy activities would be regulated, restricted and, in many cases, prohibited. How would it end? How would this kicking in, writing to your State legislator, school board member, applying for a building permit, because you are trying to influence a government decision, appealing the tax assessment on your home, writing a letter to the editor of your local paper, running for office or supporting someone who does. And beyond those things, it also attempts to regulate essentially derivative political activities, doing business with anybody or making a contribution to a person who has limits on political advocacy in this awfully ill-conceived proposal.

This might be described as a kind of secondary boycott requirement.

For example, hiring somebody who has been especially politically active would be prohibited to these people getting irrigation water. Can you believe that? Or buying something from a company that has just spent over 15 percent of its budget on political advocacy, "as might well happen in a year and which they had to get a new building permit and go through a zoning change. These are the kind of restrictions that would be applied not only to individuals but to family farms like the Leister family farm that gets their irrigation, or to big companies like IBM.

What happens to them? Chilling, chilling requirements. They are barred from getting water, enjoying Federal Government support or assistance if in any of the previous 5 years they have spent more than 5 percent of their own private funds engaging in an incredibly
broad range of public advocacy activities at the State, local or Federal level. They cannot spend any of what they receive by way of assistance in dealing with anybody that has violated these political advocacy limits, and on and on and on.

This amendment has nothing to do with ending welfare for lobbyists, as its supporters claim. It has everything to do with shutting down free and open political discussion in this country.

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

[Mr. Horn addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. Owens addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. Salmon addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRADE DEFICIT WATCH
The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. Kaptur] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, in Washington, we hear a lot of talk about legislative train wrecks these days. But has anyone noticed that America is hitched to a runaway locomotive racing us toward a record trade deficit this year?

Today the Jobs and Fair Trade Caucus begins a monthly report to the American people called the Trade Deficit Watch. Our focus will be on how our Nation's trade deficit acts as an undertow in our economy, destroying good jobs, pulling wages down and displacing investments and industry here at home. The latest trade deficit figures released yesterday show that this year America will record an overall trade deficit of $164 billion, and just looking at the merchandise portion of that, we are talking about over $200 billion more of goods coming in here from abroad than we are able to sell in other markets. Folks, that is a bigger deficit than the budget deficit we are trying so hard to reduce.

How will a $164 billion trade deficit this year affect the American people? Let us take a look at the historic debate that is about to occur here in Congress on Medicare. How does our historic trade deficit play a role in this debate? The administration often uses the ratio of 20,000 jobs equalling every 1 billion dollars' worth of trade. Therefore, a $164 billion deficit will put 3 million more good American jobs at risk, added to the 2 million well-paying manufacturing jobs that were destroyed since 1980's.

Unfair competition with low-wage, undemocratic countries puts continuing pressure, downward pressure, on wages in this country, and it is no surprise. Real wages and purchasing power in America have declined steadily over the past 20 years. Talk to your relatives, talk to people who work every day. They know what is happening with the buying power of their check. Think about this: With 5 million lost jobs, that is 5 million paychecks, fewer paychecks, from which FICA, the portion of your paycheck that pays for Medicare and Social Security, is not being collected.

Think about this, too: Trade deficits have bled our manufacturing base all over this country, becoming a nation of temporary workers, the fastest growing segment job market in this country.

Before, a worker earning a decent wage at General Motors contributed 33 cents to Social Security; today, a worker contributes only one-fourth as much, about 8 cents an hour, one-fourth as much as a worker who worked in one of those good jobs that we have continually destroyed over the last 15 years in this country. No wonder the Medicare trust fund and Social Security are in trouble.

We have to keep finding new answers to try to refinance them. The high-skilled, high-wage jobs needed to fill those good jobs that we have continually destroyed over the last 15 years are 15 years in this country. No wonder the Medicare trust fund and Social Security are in trouble.

But corporations and their profits have continued to soar. In fact, Wall Street is slaphappy at this point because with low-paid workers, corporations are required to pay only one-fourth of what they had been paying before into trust funds like Medicare.

So, what is the Clinton administration and the Republican leadership doing about these trade deficits? Today the Committee on Ways and Means decided to adopt legislation which will allow more trade agreements to come down the pike without the American people having a say in the matter. This is called fast-track, and it is a bill that will force Congress to again consider trade agreements with no debate and without the ability to make amendments. In other words, it is a done deal when it comes to the floor.

We are again ceding our constitutional responsibilities to the trade ambassador.

What, may I ask, are we on a fast track to? Are we going to continue putting every high-skilled, high-wage job with benefits in America on fast track right out of this country? It is happening in every single trade sector of this economy.

We have got to stop cashing out American industries and American jobs for the sake of a few trade deals that make a few traders and their shareholders rich but bankrupt the rest of America.

Look around the towns that you live in. How does the Clinton administration or Speaker Gingrich expect to balance the Federal budget? Solve the Medicare problem if real wages for working Americans are locked in a race to the bottom because of trade policies that destroy good jobs and good wages here at home?

Tribute to a Special Group of Dedicated Americans Serving in the United States Air Force.

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

Mr. Hansen. Madam Speaker, I rise today to pay tribute to a special group of dedicated Americans serving today in the United States Air Force. This is the incredible story of a new world record for around-the-world flight and more importantly the demonstration of a truly unique force projection capability within the U.S. Air Force.

Two B-1B bombers from the Dyess Air Force Base in Abilene, Texas, completed the fastest flight around the world on June 2 and 3 of this year. According to the National Aeronautical Association, the flight measured 36 hours, 13 minutes and 36 seconds and covered a distance of 22,814.5 miles. This includes some 3,000 miles the crews did not plan on in order to divert around tropical storms in the Indian Ocean and a hurricane near the Philippines. The planes flew the 6 in-air refuelings and averaged over 630 mph. to complete this amazing flight. The two B-1B Lancer's, from the 9th Bomb Squadron, were nicknamed "Hellion", and appropriately enough, "Global Power."

While these record flights are amazing in their own right, the awesome military power they reflect is even more impressive. To demonstrate the ability to project power anywhere in the world and return non-stop to the United States, the bombers also dropped 500-pound, concrete-filled training bombs on three continents during the mission dubbed "Coronet Bat." "Coronet Bat" clearly demonstrated the immense capability of the B-1B and reinforced its position as a total compliment of our conventional bomber force.

Besides the awesome technical capability displayed in this historic flight, it also reflects the ingenuity, dedication of the people who manned the B-1B bombers, from a genuine team effort and was designed to exercise the total force capabilities of our Nation's military. This type of mission
proves the B-1B’s readiness to meet global mission requirements.

Meticulous planning, requiring support across a full-range of Air Force commands, was required for this highly successful mission to prove the long-range, power-projection capability of the B-1B Lancer.

First, this mission required the idea, supplied by Capt. Christopher Stewart, a native of Logan, UT, the support of Air Force leadership and the skilled flight planning from dozens of professionals like Lt. Col. David Snodgrass, from the 9th Bomber Squadron, Capt. Jeffrey Kumro, the ground mission commander, and S. Sgt. Scott Fromm, now at Officer Training School, from the 7th Operations Support Squadron, who was responsible for coordinating the hundreds of airspace issues associated with such a complex mission.

Also key to the success of the mission were all the people who made possible the six in-air refuelings, closely coordinated around the globe, at precise times, to be sure the B-1B’s had enough fuel to reach the next rendezvous.

Range support, at bombing ranges from Pachino, Italy, to Kadena, Japan, to the Utah Test and Training Range, allowed the crews to prove their global power by delivering ordnance on target around the globe.

And, of course this tremendous flight would never have been possible without the unsung heroes of military aviation, the maintenance crews, like crew chief, Sgt. Kenneth Kisner, who keeps these machines flying and safe for the air crews. A testament to their professionalism, these two aircraft left on time, completed the grueling mission, most of it a supersonic flight, and returned home requiring only minor post-flight maintenance.

Let me also recognize the flight crews who ultimately made Coronet Bat such a resounding success. In the lead, and record breaking aircraft, Helion, was mission commander and 9th Bomber Squadron Commander Lt. Col. Douglas Raaberg, aircraft commander Capt. Ricky Carver, offensive systems officer, Capt. Gerald Goodfellow, and weapons systems officer, Capt. Kevin Clotfelter.

The crew of Global Power included Capts. Steve Adams, Chris Stewart, Kevin Houdek, and Steve Reeves.

As mission commander, Lieutenant Colonel Raaberg said, this was a global teamwork at its best and reinforces Air Force plans for the B-1B conventional upgrade program. Again, I want to offer my personal congratulations to all the members of the Air Force team that made this happen, and the thanks of the American people for the tremendous service you provide a grateful Nation each and every day.

Congratulations on a job well done.

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DEBATE OVER MEDICARE

The SPEAKER pro tempore (Mrs. MYRICK). Under a previous order of the House, the gentleman from New York [Ms. SLAUGHTER] is recognized for 5 minutes.

Ms. SLAUGHTER. Madam Speaker, in the 1930s I was growing up in the coal fields of eastern Kentucky, in a family with ten children, and I watched for years as my mother and father took responsibility for the health care of both sets of their parents.

It was an enormous burden. Health care was not available in the 1930s. Blood transfusions were given by anybody who came in off the street, and they did not go through typing and crossmatching as we do today. I had a sister that died in North Carolina, as they were operating on her for appendicitis, and she died of double pneumonia. So you can see that the benefits of medicine have increased enormously in the past half century.

One of the most important beneficiaries of that investment has been the elderly of the United States. Since 1965, families like mine when I was a child no longer have to struggle to meet the health care needs of elderly parents. I remember when the debate took place in 1965, and I remember when it passed, and there was rejoicing in the country that senior citizens who were alone or senior citizens who were in impoverished circumstances could get the same kind of health care, the same appropriate kind of health care as the wealthiest person in the country. And we felt very good about this development.

But the debate over Medicare, like the debate over Social Security, was vitriolic in both houses. There was no unanimity of consent in either the House of Representatives or the Senate for Social Security or Medicare. Indeed, if you were to read that debate, you would be surprised I think at some. Members who are still here who voted against the Medicare program and spoke very strongly against it.

It was the Democrat Party that gave us Social Security. It was the Democrat Party that gave us Medicare. Now it is the Democrat Party that is struggling to try to save Medicare.

There is a recommendation by the Speaker of the House of Representatives to have the largest cut in Medicare in its 30-year history. They are recommending $270 billion be cut out of Medicare over the next 7 years in order to pay for a $245 billion tax cut for the rich, the wealthy and corporations.

This is gone with one hearing, which will take place here tomorrow. The Democrats have not been allowed to ask for a hearing or even participate very much in the meeting that let up to the decision for the hearing tomorrow. And for that reason, the Democrat Party says that this country Medicare, will have to hold its hearing tomorrow out on the lawn of the Capitol of the United States.

I am confident that has never been done before. The Capitol is a pretty large building. Meeting rooms all over it. But we have been told that not a single one is available for us tomorrow to hold a hearing.

So tomorrow who will have ordinary Americans, hospital administrators, caregivers, rural hospitals, community health associations, home care specialists to be here to say what these awful cuts are going to do in the services that they can provide.

Thirty-seven million seniors now are on Medicare, and by the year 2002, if you factor in for inflation, we will need to be paying $8,400 a year to cover the same benefits that $4,800 buys today. The Republican proposal only provides $6,700. Now, how is the difference going to be made up? Higher premiums, higher deductibles, inability perhaps to choose your own doctor or accept fewer services, fewer choices, and lower quality.

I think that is a rotten set of choices for the elderly in this country.

Last week, the Speaker of the House assured the American people on television that Medicare beneficiaries could expect their premiums to increase by only $7 a month. Within days, the leadership was forced to admit the figure was actually going to be more like $32 a month, about $400 a year. For people who live on a fixed income, that can be a devastating blow and can really make the difference in their lives as to whether they can eat or pay their rent. If they cannot afford it and if they are lucky enough to have children or grandchildren who will chip in, perhaps they can survive it. But a lot of our seniors do not.

Those premium increases will hurt not only the people who are recipients of the care, but we anticipate the closure of a lot of hospitals and a lot of services and perhaps even of home care.

THE REPUBLICAN MEDICARE PLAN

The SPEAKER pro tempore. Under the Speaker’s announced policy of May 12, 1995, the gentleman from Texas [Mr. DOGGETT] is recognized for 60 minutes as the designee of the minority leader.

Mr. DOGGETT. Mr. Speaker, during this next hour I and a number of my colleagues are going to be discussing the Republican Medicare plan. It is the pay more, get less plan. We have been discussing it this week during the special orders because of the fact that there is no real opportunity to debate this plan on the floor of the U.S. Congress, except during these sessions.

Indeed, it has been impossible to get even a public hearing so that citizens across America could come forward, the experts could come forward; and our seniors are among the leading experts. Thirty-seven million of them who have never had an opportunity for them to come forward for all of these many months really and be heard on a specific Medicare plan. All they know is...
that they will have to pay more and get less.

Tomorrow we will have the only day that has been allocated to hear their concerns. And as I begin this discussion, I think it is appropriate, because the gentlewoman from New York [Ms. SLAUGHTER] has spoken so eloquently this afternoon on this matter, to hear the conclusion of her remarks, because she shares the same concern I do that if our seniors are saddled with a pay more, get less plan, this Nation will be much the worse off, and I would welcome the observations of the gentlewoman.

Ms. SLAUGHTER. I thank the gentleman for yielding to me, and I will be very brief.

I just want to make the point that the $270 billion cut in Medicare is almost equal to the defense budget of the United States. I think we pour over this month after month, and committees after committee look into it, and debates that take days on the floor of the House. To this day, a bill that we are supposed to vote on next week has not been printed. Nobody has seen a single written word on what the bill that the hearing is going to be held on tomorrow will cover, not one thing.

If you want to put this in some kind of context, imagine, if you will, the health care plan that was debated in Congress last year, had there been not a word of what was in it, not one sentence of what the consequences might be, just simply slash and burn, and that may give you some idea of what we are facing here with Medicare.

Mr. DOGGETT. Would the gentlewoman yield on that point?

Ms. SLAUGHTER. Absolutely, we need more.

Mr. DOGGETT. I know I read in the Dallas Morning News, a well-known publication and has been known throughout its history to have been published with a slight Republican tinge to it, actually referring to the Republicans this year, and it was not my word but theirs, the Dallas Morning News word, as being guilty of hypocrisy.

How is it in 1 year, after having weeks of hearings on a health care plan, they could come to this Congress and deny us and the American people all but 1 day to focus on this essential problem?

Ms. SLAUGHTER. I think it is safe to say that nothing on the magnitude of this cut has ever gone through the Congress of the United States without complete hearings, without participation of the public, without an opportunity to go home and say to our constituents, what they have ahead of them.

We do not have anything to take home to show them. We get little notice it is going to be $7 a month, and then we find out that that is not true. So, so far we are standing on sinking sand and shifting sands below us, and we do not know how it will affect the elderly of this country or indeed the fate of health care.

Mr. DOGGETT. I thank you for your important observations.

I see that we have been joined by other colleagues from Texas.

Again, I congratulate my colleague, the gentleman from Texas, Mr. GENE GREEN, for the work that he has been doing this session and for his victory this week on behalf of individuals with disabilities as he worked to preserve our State vocational rehabilitation system.

I know that there are people with disabilities across this country. Even though our focus in talking about this Medicare plan has been that it means pay more, get less for America's seniors, there are many people with disabilities, seriously disabled millions of African Americans, who are not 65 but because of a disabling condition are reliant on the Medicare system. Perhaps you are aware of how they will be impacted by this vague plan that we have had presented.

Mr. GENE GREEN of Texas. Well, I thank the gentlewoman from Texas for yielding to me and my colleague from San Antonio. This is not just the Texas hour here.

But it will impact people who are not seniors, not only those who are disabled before they are 65 but the seniors' families. We all have family members who are over 65 and enjoy Medicare, because I have shared with my relatives what we had before 1965 when we had no Medicare, and we know the difference between 1964 and 1995 when we had no Medicare.

I rise today objecting to this phantasmal plan that we have that will be released today for two reasons: One, it is a proposed cut; and also objecting to the lack of the public hearings on the proposal.

Now, we have been told that the committees have been hearing Medicare proposals and talking about Medicare tactics on what needs to be done, but we have not actually seen the plan, and we have not seen it as of today. And what they are going to have a hearing on tomorrow, 1 day of hearings is just wrong.

The propaganda being dumped on American people by the Republican Medicare plan that will be released, that it is not a cut and just slowing the growth of Medicare, is completely preposterous. We know that we have to plan, whether we are in business or in government, you expected growth in your business or in your senior population.

It is real simple that the population served by Medicare is growing, and there are going to be more people who will be 65 next year than were 65 last year or the year before. The people, thank goodness for our health care successes, are living longer. And yet when the Senate and their plan to slow the growth in Medicare, they are actually going to end up rationing in the cut and in the growth. You either have to push people out of the system or you are going to provide people proportionally with less services. When they reduce that growth, they are affecting not only those who are currently beneficiaries in Medicare but those people who will become 65 next year and the year after and, you know, until the year 2002.

If we go back to the days when seniors had to choose between health care and food on their tables, we are going to do that, and I think that is what will happen by cutting a program with a growing population. We will need rationing.

Last year I was here. My colleague was on the floor of the House of Texas. I was here and involved in the health care reform, and the fear from all of us, and we would have rationing if we had some national health care. Well, here we have a plan that will create rationing for seniors, and the health care reform will be rationed for those who can afford to pay more out of pocket. They will be asked to pay more and more of their fixed incomes, which will lower the standard of living for our seniors.

Now I have heard and read the articles that everyone has read about how our seniors are so much better off today than they were 30 and 40 years ago, and that is true. That is why Medicare was established, because you realized in the 1940s, and early 1960s, that seniors were being left out of the growth and the benefits of America after they spent their life to build this country, and a number of them literally put their life on the line to make sure this country can still enjoy the freedom, and now we are going to take those people who served in World War II and say, "OK, now you received Medicare, and we're going to make you pay more for less.''

If your poster is so correct, I say to the gentleman. We need to ask ourselves, "Do you want the force to pay senior citizens to pay more for less service and choose between health care and food? Do you want our elderly loved ones to have to have surgery in a hospital pushed to the brink of bankruptcy due to cuts in Medicare funding?"

In my district in Houston we have a number of hospitals that their patient billing has substantially Medicare, and Medicaid, and managed care, and managed care is forcing hospitals to transfer those costs to Medicare recipients, and there is just no place to go if you
cut the cost of Medicare. You are going to have hospitals close not only in rural areas, but in urban areas. Do you want to have to be operated on by a physician or surgeon whose training may have been reduced by the cuts in Medicare? That is what we do now for medical education?

We hear a lot these days about avoiding a train wreck. Well, the seniors of our country will experience one of the most destructive train wrecks in history if this plan is passed.

If you answer yes to any of these questions, then I hope it is not only our duties as Members of Congress, but our constituents and people all over the country, to oppose this Republican Medicare train wreck that will be fostered on us tomorrow.

My second objection is lack of public hearings that we have had to this not-yet-released plan, and here we are on Thursday, and you and I have not seen it. Of course we do not serve on the Committees and we might not see it even until tomorrow when it is released publicly.

But I participated in 10 days of hearings on the Waco incident. I saw 28 days of hearings on Whitewater and 8 days of hearings on the Ruby Ridge incident, and I do not object to those hearings.

Mr. DOGGETT. If the gentleman will yield on that, so that is 10 days about the tragedy that happened in Waco, 28 days about what the President may or may not have done; was that 12 years ago? Some long time ago, back when he was Governor of Arkansas. Twenty-eight days on that. And how long on this incident in Idaho?

Mr. GENE GREEN of Texas. Well, 8 days on the Ruby Ridge incident that happened in 1992, long before most of us, least the majority in the House, were even elected. So we had all those days of hearings after the fact, and here we are only going to have 1 day of hearing on a plan that will be released maybe today for hearing tomorrow, and that is where our priorities are wrong, and that is why the Republican majority is wrong, and they need to look at what the American people are saying, that we need to get our priorities straight here in Washington.

We need to realize that we need to listen to our constituents, we need to have more than just 1 day to hear from them, and the people are asking us, “Don’t go to Washington and lose touch.” Well, this is a prime example of losing touch, by announcing a plan on Thursday, have 1 day of hearings on Friday, and then the whole House has to consider it.

Mr. DOGGETT. Let me ask you about that.

When you say “announcing a plan” it is true that the press release this week is thicker than the press release from last week, but you are going to be going, I know it, it is just minutes back from a hearing on one of the other Republican ideas of this session, which is to destroy, or abolish, one of the Cabinet offices that has been here for decades in the United States. You do not go to that hearing without having a piece of legislation to consider. In other words, instead of just going there, and scratching your head, and thinking about somebody’s good idea, or some theoretical approach to deal with the security of health care for 37 million people, you do not go there without a specific proposal; do you?

Mr. GENE GREEN of Texas. We have had this months abolishing the Department of Commerce that I am not in favor of. I agree, in fact, that when we were in the Texas Legislature, you were the father of the sunset legislation, and you were in the State senate, and I was in the House, and I served on the sunset commission. I like the idea of looking at agencies and reforming them, but we reform them over a period of time. We do not all of a sudden wake up on Thursday and say we are going to abolish and we are going to do it. We want the services of this agency, and provide assistance to American businesses. We are going to have vote on that Friday. You do not do that on those agencies, and why should we do it to the most important issue that we have to address this is like our people are saying, you said the health care for 37 million elderly U.S. citizens. Mr. DOGGETT. And you know I am reminded by your comment that another of our fellow Texas who does not serve in this body, though I know he aspired to come to Washington, Ross Perot, who recently commented on this plan, though I have some differences with him about this subject among others, but he suggested if we were going to have these big changes in the way Medicare works, that just as you pointed out with business, you do not just jump what you have got and go to something else. You test it before you proceed to apply that to everyone that should be able to lose the battle-tested out before you make 37 million Americans the guinea pigs for this new approach that really amounts to little more than pay-more, get-less.

Mr. GENE GREEN of Texas. Well, we need to ask ourselves then why is the Republican majority rushing the Medicare reform bill to the House floor for a vote before the American people without time to review the consequences. Well, I think the answer is clear. The majority does not want the American people to know what is in their Medicare reform bill because it is incredibly harmful. Frankly, it is no wonder that the plan is shrouded in secrecy. If I had a plan that was going to make seniors pay more for less service and force them to give up their, possibly their, lifelong doctor, and all to pay for ill-advised tax cuts, I think I would be scared, too, and I would want to rush it through on a short notice.

We have had a lot of times about how Medicare is in trouble and we need to reform it. We have reformed it over the last 30 years from the time it was passed, but right now we can deal with fraud, abuse, and waste in Medicare and do some of those reforms that will save us some money and reform Medicare, but not for $270 billion to pay for $245 billion in tax cuts.

Mr. DOGGETT. Let me ask you about that because we do hear examples on the press. Seldom do you go out and visit with seniors, as I know you do in your district, and I do up in Austin, without hearing about an incident where a health care provider perhaps abused the system. That is the kind of subject that we ought to have some bipartisanship about. I have not seen anyone yet come on the floor and defend fraud, maybe someone will, but we ought to be able to come together and work together.

But let me ask you about in that regard in trying to achieve some bipartisanship. I am amazed to hear this. Except for the experience we have had within the last few weeks here, I understand that the Committee on Rules, the gentleman from Massachusetts, Mr. MOAKLEY’s office went over to the chairman of the Republican Committee on Finance, mr. PAYNE’s office to provide the 30-page outline that is now available on this plan, that this happened as we have been here debating this afternoon, and was told that is not available to Democrats.

Mr. DOGGETT. I do not know if you have seen other incidences of that kind of rude and arrogant behavior here before, but those who come and say you need to be more bipartisan, it is a little different to be bipartisan with people that would not allow a hearing and would not even give an outline of their sorry plan to you.

Mr. GENE GREEN of Texas. Well, in an outline that is 30 pages long can you imagine how big the plan must be for you to be able to lose the battle hearing tomorrow and before the members of the Committee on Ways and Means may have to have it? The numbers on the plans are that we have heard leaked out just do not seem to add up either. We talk about increases in seniors paying their monthly amounts that they pay doubling it over the next 7 years, or maybe more. But there is still an $80 billion hole that they are looking for. Mr. DOGGETT, because when I wish you and I could stand here today and solve our problems today, but that does not work. We always have to be ready to change in reform whether you are in
government or whether you are in business. There are different ways to do things. But we can solve Medicare's problems by without cutting $270 billion, and again I hope the American people understand we are looking at cutting $250 billion at the same time they are granting $245 billion in tax cuts, $245 billion. Medicare is paying for those tax cuts, and if they can stand there on the floor and say that, I want to be bipartisan?

Let us solve Medicare's problem, but let us take those $245 billion in tax cuts off the table, and then we will talk about solving Medicare. Do not use Medicare to pay for tax cuts. We need to balance the budget, but we do not need to do it on the backs of Medicare. I thank my colleague from Texas for the time, and I look forward to continue to being in the trenches.

Mr. DOGGETT. I know you have to be back for a piece of legislative mark-up, and you are departing. I will just continue some observations on this, and I think an appropriate observation in discussing this matter is to reflect on Congressman GREEN's remarks that many of the people who will be affected directly affected by this are people who served our country both at home and abroad during World War II, and I do not think anyone served our country in a more distinguished role than a gentleman who figures prominently in this debate and was on national television last night, and that is the distinguished gentleman from Florida [Mr. Gibbons], the ranking member of the Committee on Ways and Means, who will be considering this measure.

The gentleman from Florida [Mr. Gibbons], for those of you who do not have personal familiarity with him, is a true American hero. He was a paratrooper on June 6, 1944, D-day, in France. He fought for this country. He fought against fascism and against tyranny abroad; he fought for this country. He was a paratrooper in the battle of the Bulge, and was a national television on last night, and that is the distinguished gentleman from Florida [Mr. Gibbons], the ranking member of the Committee on Ways and Means, who will be considering this measure.

Mr. GONZALEZ. Madam Speaker, I, in turn, want to thank my colleague from Texas, a young gentleman I have admired from the beginning and have watched his political trajectory as he rose in Texas and am so proud of him. I want to thank him for his kind remarks.

Congress is getting ready to pass something called the Budget Reconciliation bill, which is a bill that's required to bring Government spending into line with the budget resolution. Usually, budget reconciliation is pretty straightforward, but this year the new Republican majority in the House is putting together a bill that does far more than line up spending with the desired targets. This year, the reconciliation bill is being used for all kinds of radical projects that the Republicans hope to force through, without letting anybody have a fair hearing, let alone a fair shake.

The biggest piece of this stealth legislation involves changes the Republicans want to make in Medicare. So far, we've seen only the bare outlines of their proposal, but what we've seen makes clear that senior citizens are about to get less medical care and pay more for it.

But the reconciliation bill is also going to proceed down with other ideas, like legislation to eliminate all federally required highway speed limits and just about all safety requirements for mid-sized trucks. Legislation that says that mid-sized trucks don't need safety equipment is a crazed notion at best, and has nothing to do with balancing the Government's books.

In my own Banking Committee, the Republicans are using the reconciliation bill to wipe out what's left of the amendment to change banking laws. They're moving fast and ignoring lessons of the past that time after time have proven you have to be very careful when you change banking laws in such basic ways.

Another project of dubious merit is the Republican plan to gut something called the earned income tax credit, which is a tax benefit that goes to poor, low-wage workers. The tax benefit doesn't go to anybody that earns more than $11,000 a year, but it has the effect of putting $25 billion a year of money where it does the most good—right in the hands of underpaid and hard-working Americans who want to have the pride and dignity of work even at low wages. But the Republicans want to cut this benefit, perhaps a third.

If we want people to work instead of drawing welfare benefits, we should adopt policies that make it possible to earn a living wage. One way to do that is to adjust the minimum wage upward, which hasn't happened in many years. And another way to help people get off welfare and into work is to be certain that they get child care and medical care. But guess what? The Republicans don't want to do any of those things. It looks as if they're simply aiming to make the poor a whole lot more miserable.

The greatest asset any country has is its own people. Laws that help people get an education; laws that help people get a decent, affordable house; laws that help people earn a living wage; laws that enable people to get adequate medical care at a reasonable cost—those are the kinds of laws that make this or any other country a better place. Sadly, every one of the laws that are intended to make this a cleaner, better, safer, and more decent country are under attack in Congress. There are some who think that it doesn't matter, but the truth is in the end, all of us will suffer together if poverty grows, if schools aren't improved, if the air we breathe and the water we drink are degraded, and if more and more of us find it impossible to get and keep a decent job or to afford decent housing and medical care.

Many of the actions that are about to unfreeze in the so-called budget reconciliation bill are downright silly or verge on the irrational—but others are mean spirited and can only result in a country that offers less hope to those who are struggling to rise above poverty and personal tragedy.
of months are going to be as mean as they ever get.

I thank my colleague.

Mr. DOGGETT. Madam Speaker, I thank the gentleman so much for his observations. I think actually, in referring to World War II, Mr. GUSWOS[ ] is not quite that senior and served during World War II. I think it is particularly that World War II generation that will be most troubled and has most reason to be concerned about what is happening here on Medicare.

Madam Speaker, I see that my colleague from New York, who has spoken so many times about the importance of not taking the care out of Medicare has arrived, and I would yield to him for such observations as he might have about developing ways and means of the day where the Republicans issue a bigger press release but do not give as much in the way of a detailed plan.

Mr. ENGEL. Madam Speaker, I thank my friend from Texas, who has certain - certain of the shining lights of the new freshman class of this Congress, who has spoken so eloquently on the floor not only today but many, many days, and the gentleman is quite right, the Republicans simply want to take the care out of Medicare.

Madam Speaker, Medicare actually was a program that was put into effect in the 1960s. It is a plan that many Republicans want to kill. And, in fact, that has been the modus operandi, the way the Republicans have operated, during this whole Congress. They take plans, they take bills, they take laws that they have wanted to kill for many, many years and say this law needs fixing. So instead of just fixing it, what do they do? They kill it or gut it.

We have seen it time and time again, not only with Medicare and Medicaid, but we have seen it in assaults against working people in this country. We have OSHA, which protects people; occupational safety and hazard laws, which protect the safety of American workers. Do they want to fix it? No, they want to kill it. They want to gut it.

The National Labor Relations Board is being used to unfair labor practices. They are trying to cut it, cut the funding and kill it. Davis-Bacon, which guarantees construction workers prevailing wage, a decent salary. They have not - have not made sacrifices in their lives; to people who have not done what they should. Medicare benefits middle-class America, senior citizens who have worked hard and struggled all their lives, put a few dollars together only to see it dissipate in their later years. They are as scared as can be.

Madam Speaker, I take the case of my mother, who lives in Florida, and all her - all her friends. They do not have money for prescription drugs right now. They have been eating well and buying medicines. Can any of us imagine what it will mean when $270 billion is cut out of Medicare? To my Republican friends who say, well, it is not a cut, we are actually increasing the funding; how could it be a cut if we are increasing the funding? Everybody knows if we do not increase the funding, with the rate of inflation, it is a cut. Everybody knows if we manipulate part A and B, it is a cut.

The bottom line is this, Madam Speaker, what kind of care do seniors get now under Medicare, and what kind of care will they be getting in the year 2002 after there is $270-billion worth of Republican cuts? The answer is very easy. Senior citizens, as my colleague from Texas says, the GOP Medicare plan means seniors will pay more for their health care and get less. That is the bottom line. Pay more in premiums, get less health care, get less choice, be forced into HMO's, forced to accept strange doctors, because they sure will not be able to choose their doctors.

As we are talking right now, I will bet that senior citizens will suffer from a lack of choosing of their own doctors. It is not right, Madam Speaker. All we are saying on the Democratic side of the aisle is we want to have open hearings on this. The Republicans in this Chamber have the votes. They can outvote us. It is so terrible to let the light shine in so that the American people can understand what this means?

In the last Congress President Clinton proposed a health care plan. At the very, very beginning everyone seemed to be in favor of it, but as more and more people found out about it, for whatever reason, they decided they would not support it. And the Republicans, quite frankly, are afraid that if we let the light shine in and we let them come around then their Medicare sham, or their Medicare proposal, that the American public will say, wait a minute, guys, this is not what we want. Medicare is a sacred covenant with the American people and we do not want to gut it. We do not want to hurt senior citizens.

They are afraid when their plan is exposed that seniors will understand that it hurts them; that it will be terrible for people in this country. So how do they get around it? Let us only hold one hearing on this particular bill.

Now, the hearing is tomorrow. I do not know what is in their plan. I have not seen their bill. How can anyone have an intelligent hearing when we do not know what is in the bill? They would like to just blindfold us, gag us, not allow us to ask questions, and not allow us to hold hearings. What is so terrible with an open procedure?

Madam Speaker, the Republicans ranted and raved on the other side of the aisle in previous Congresses about muffling the minority. We are not talking about the minority or the majority. We are talking about the American people. They need to understand what this Congress is about to do. The only way we can do that is by holding hearings.

The hearings we are going to hold tomorrow are going to take place outside of the Capitol. That is because we could not get a decent hearing room in the Capitol to hold these hearings. What a disgrace. It is absolutely a gag rule. It is being perpetrated not on the Democrats in Congress but on the American people.

So the bottom line here, for me, is what is the quality of health care that senior citizens get under Medicare now, in 1995, and what will be the quality of care that they will get under the Republican plan in 2002? When we couple the $270 billions' worth of cuts in Medicare and, at the same time, give $245-billion worth of tax breaks to the rich, that only adds insult to injury. To my friends on the other side of the aisle who say one has nothing to do with the other, the rich, $245 billion and $270 billion sounds pretty equal to me. If we eliminated the tax breaks for the rich, and even if we had to cut the Medicare Program, 270 minus 245 is only $25 billion. So we would have to cut it a lot less if we gave up on the tax breaks for the rich than we would under the Republican plan.

Mr. DOGGETT. Let me ask the gentle - the gentleman one question about these hearings. Beginning about 9:30 or so eastern time tomorrow morning the gentleman has referenced hearings that will occur just outside the House Chambers here on the Capitol Grounds. Do I understand those hearings will continue into next week?

Mr. ENGEL. Yes, those hearings are planned to continue into next week, because if we cannot get 4 weeks of hearings, as we requested, we feel that we could at least have 4 days of hearings where senior citizens and representa - where senior citizens and people involved with Medicare can come and testify and tell us their opinions and tell us what Medicare means to
Mr. DOGGETT. They are open hearings. That is, any American citizen who would want to come forward and present their testimony, if we are not able to hear from all of them orally, can file their written testimony with us and get that to the attention of people, at least within the Democratic Caucus, the 200-plus Members here who would want to hear their observations.

Mr. ENGGEL. The gentleman is absolutely right. We welcome testimony, written testimony and people testifying, from seniors in all walks of life, because we think it is very, very important to hear all points of view. Again, if the Republicans absolutely insist on ramming whatever they want to ram through, they have the votes in this Congress, but it ought not to be done under the secrecy of darkness. It ought to be done after we have an open and full hearing and the American people understand is about to happen to them in Medicare.

Mr. DOGGETT. Indeed, given the ramifications of this particular plan, it might be well advised to have these hearings at a variety of different locations, since the Republicans are not doing that and we are forced to have ours outside the Capitol, for those citizens around the country who will not be able to come personally, perhaps someone who is confined to home and unable to leave and be here. Would there not be a mechanism where they could forward their comments here to the Capitol and advise people of their concerns about this plan or their suggestions improvements in Medicare to strengthen it?

Mr. ENGGEL. Constituents can absolutely write to their Member of Congress, be it Democratic or Republican, and let us know what you feel, let us know what you think is happening to Medicare. I would hope that some of our Republican colleagues coming up, there not be a mechanism where they could forward their comments here to the Capitol and advise people of their concerns about this plan or their suggestions improvements in Medicare to strengthen it?

Mr. DOGGETT. In other words, when you raise premiums on prescription drugs, for instance, expanded. I want to balance the budget and they do not intend to touch Social Security. But you touch Medicare, it is the same darn thing, because senior citizens rely on Medicare as much as they rely on Social Security. So it is an absolute fraud to say we are not going to touch Social Security, when at the same time you are devastating Medicare.

Mr. DOGGETT. I thank you very much for your observations. I see an other colleague of ours, Mr. BENTSEN, from Houston, TX has joined us, and may have an observation in response to your comments.

Mr. ENGGEL. We have all these good Texans here. It is nice to join with them. We can bring New York and Texas a little closer together.

Mr. DOGGETT. Certainly when the issue is health care security and mistreatment that is being made to our seniors about their health future, we all need to come together. I wish we could get more of our Republican colleagues coming together. There is something in the rules of the House that prevents them from coming to the floor this afternoon and utilizing their hour of time of their own plan, but apparently they have chosen not to do that.

Mr. ENGGEL. It really is unfortunate, because I think the bottom line is, the only way we are really going to get a solution for seniors that is by doing it in a bipartisan fashion; not in this way, ramming it down everyone's throat without any kind of open hearings. I thank the gentleman.

Mr. DOGGETT. Mr. Engle. I am a colleague from Texas for yielding. I thank him for taking the time today to speak about the issue of Medicare.

Let me just start out briefly by talking a little bit about procedure. I am glad to see that the dean of the Texas delegation, Mr. GONZALEZ, is on the floor, because I was with him the other day in the Committee on Banking and Financial Services where we were going through a similar process on legislation affecting the financial laws of this Nation. That appears to be similar to what is going on with Medicare.

We are now engaged in policy by the numbers, as opposed to policy for good government sake. I do not think there is any Member of the House who does not believe that our duty here is to have an efficient Government that works for all the people, but what appears to have happened is we are now driven purely by trying to achieve numbers in a budget and to form and fit the policy into that type of budget. That is what has brought us to his situation of having to cut $270 billion from Medicare and $180 billion from Medicaid.

I would start out by saying simply the BENTSEN no doubt try to cut $270 billion from the Medicare Program, and that is why we continue to hear little about what this Medicare plan will be. Unfortunately, we will have very little to say about it before it is put before the Ways and Means and put before the Congress.

Mr. DOGGETT. In other words, when our Republican colleagues coming up here, instead of giving us the details of their plan, they turn and say, "Why do not you Democrats come up with a plan to cut $270 billion out of Medicare," they are going to have to cut an awfully long time, because we do not believe $270 billion ought to be cut out of Medicare.

Mr. BENTSEN. I think the gentleman is correct. He will recall that earlier this year many of colleagues from the other side of the aisle would come down and hold up a pamphlet from the trustees of the Medicare system saying "Medicare broke and we need to do something to save it." But the facts are, if you read the report, not just the pamphlet, but if you read the report and talk to the trustees and hear what they have to say, No. 1, Medicare has always been projected, part A of Medicare, the hospital insurance program has always been projected to have shortfalls in the out-years, and it has been the Congress, and I would have to say the Democratic Congress, always stepped in to ensure that Medicare is a solvent program that runs forward. In fact, that is how the program was originally designed.

It is interesting to note that in the past few years, however, both the gentleman from Texas and myself were not Members of this body but innocent bystanders, I guess, back in Texas, watching what was going on, that our Republican colleagues did not see any problems with the Medicare program. And it was the part A hospital insurance situation.

But, lo and behold, a year later, they are out crying wolf and saying we have this major probable out there.

Mr. DOGGETT. In fact, is it not true that last year, the trustee used the very words, save one or two, that they used this year, to express concern about the future of the trust fund.

Mr. BENTSEN. That is absolutely correct. In fact, if you go back and read the actuarial tables, you can see the points in time where the trustees in the past have said that Medicare would have an even shorter life than is projected today. You can also see the points in time where the Democratic Congress came in and made the necessary adjustments to make the cash flows work.

So I do not think that there is much basis of fact to that argument. Furthermore, we have heard from the trustees of the Medicare program in fact you do not need $270 billion to save the program, and what little we do know of the plan that will be released tomorrow, I guess, the Republican plan on cutting $270 billion from Medicare, is that there is no evidence whatsoever that any of that money is actually going back into part A of Medicare.

The fact you are raising premiums on elderly citizens, something along the lines of $60 or $80 billion, if you look to see what the money goes, as they used to say in the Nixon times, you cannot find it going back into part A, which would lead me to believe that if in fact there is a problem in the fact we are...
taking money out of the system and not putting it back in the system, we are only going to exacerbate the situation that exists, and it does appear we are shifting money out of the Medicare system by raising premiums on the elderly into other parts of the budget, pressuring hospitals, and getting 50 percent of medical payments only. That makes no sense whatsoever.

Mr. DOGGETT. That strikes me as such a critical point. As you say, during the Nixon years they said follow the money, it was a good trail, to follow the money back there during the Watergate era. It still is with this Republican Medicare plan, because the first plank of the Republican Medicare plan is pay more. But from looking at the press release that came out today, the pay more part is over in the part B premiums.

As you were pointing out, I believe I have this correct, they will increase the part B premiums that every senior has to pay, but not one penny of those increases will go into this Medicare trust fund that they said they were so concerned about after they read the trustees report saying the same thing the trustees had been saying for years when they did not care a flip about the deficit.

Mr. DOGGETT. The gentleman is absolutely correct, that in fact money from part B is going elsewhere in the budget, and if there is a problem in part A, it continues to exist. So I think that that is a major flaw in the proposed Medicare plan from the GOP, and it is something that the American people need to know about.

I think that, furthermore, when we look at what has been released so far, we find a gaping hole of something along the lines of $90 billion that is going to be made up in something that is called the look-back. That is sort of a "trust us" type approach to governing, that we think we can get there, and I do not see there in a couple of years, we will just tell the Secretary of Health and Human Services to come up with $90 billion.

Well, where is that $90 billion going to come from? Is it going to come out of somebody’s pocket? Higher deductibles, higher premiums, higher copayments? We do not know. But that is a major problem.

When you add to that the global price control which will be set on services provided by hospitals and doctors in most Texas towns today will not accept new Medicare patients. As a result of this, you in effect will push the price for fee for service, choice of doctor health care, down to a level where I think you will see physicians who will get out of the business because they just cannot lose money and do the business. You will see hospitals who will say that we have no choice but to go into a captive program with a health maintenance organization, and seniors will no longer have the choice to choose between a health maintenance plan like an HMO or a fee for service like they have had. They will be left with only what the market will be able to give them because of the price controls set by the plan.

Mr. DOGGETT. I would like to talk about each of those. You have extensive experience in business and investing, and you are familiar with principles of financial planning, and you referred to this look-back provision. As I understand it, and I do not believe, though there are many pages in this new press release, that there has been defined at all, how any of this $90 billion, how they are going to cover their $80 billion or so gap. Just from the standpoint of good, sound business, financial planning, what kind of plan is it that says we will cut $270 billion, except we do not really know how we are going to get $80 billion of that $270 billion? We have just kind of guessed if everything we are thinking about but have not put in a bill anywhere happens to come out, maybe like we hope some day under the best of all circumstances, we do get another $80 billion out there hanging and we do not know where we are going to get that.

Mr. BENTSEN. The gentleman is correct. I guess you would say it is less than worthy in trying to put together a plan. What it will result in, I think, is that at some point they will come back and say well, we are $80 billion short and have to make it up, so we are going to cut you across the board. Sorry, Medicare recipients, we did not think we were going to hit you as hard as we did, but we came up short and are going to have to take more money out of your pocket.

Mr. DOGGETT. If I understand it, then someone in the bureaucracy here in Washington, acting under the authority of the Secretary of Health and Human Services or the Health Care Financing Agency, when the year is gone by and there is this big old gap there of a few billions of dollars, will go back and say well, the gap is there, next year we are just going to have to cut how much we pay these health care providers by 50 percent, 30 percent, or 25 percent, or however much it is. Is that the way this so-called look-back provision works?

Mr. BENTSEN. I think in terms of trying to set a budget, that is what you would have to do. It would be equivalent to sequestration, which was provided under the Gramm-Rudman Budget Act.

Mr. DOGGETT. That was a real winner.

Mr. BENTSEN. The problem that exists with that is it does not allow for any strategic planning on the part of health care institutions, hospitals, providers of health care services. So if you are going out several years and you are trying to set your budget based upon prices that you think you were going to get for services under Medicare, but you know out there, there is a $80 billion footnote that can come into play some time, it is going to be very hard for you to set your plan.

Mr. DOGGETT. I am afraid that if we continue along this process, that it will start to cut into research. I think that as a result of a lot of work that has been done to try to explain to the Republican majority the impact on medical education, we are starting to hear that, yes, we do understand, and it is important of medical education, and we are going to start to provide for that. That is good.

However, we still do not know all the details. We still have clinical research that is carried out by academic hospitals through the Medicare system. As you clamp down on the payments to the hospitals, at the same time that you have health maintenance organizations which are trying to pay as little as they can, because they are not in the business of providing health care, and that is the way the system works and that is fine, the problem is going to become that you are going to lose the necessary clinical research dollars that better the health care system, make it more cost effective, and make it more efficient for seniors and for everyone else. You also are going to end up with not only cutting back on that research, but you are going to end up with jobs being lost in large medical centers.

Mr. DOGGETT. Madam Speaker, the gentleman you mentioned another effect of continuing to cut down to too low a level the payments made to health care providers. I just happened to come across a report here on the impact in central Texas of problems we already have with Medicare, the kind of thing that I know you and I want to do to improve Medicare to deal with these problems.

There is the story of Richard Bergin, who is 74 years old, has lived in Austin for 40 years, served as a naval officer, as a professor at the University of Texas at Austin, and he was doing fine and had a relationship of his own with his primary care doctor. However, when his 83-year-old brother moved into town from out of town to live with him, they could not find any doctor there that would take Medicare in all of their initial searching. The American Association of Retired Persons reported that about two-thirds of doctors in most Texas towns today will not accept new Medicare patients.

If they have this look-back provision and they keep chopping back the
amount that health care providers are getting, will it not make it even more difficult for people like Professor Bergin and the others across Texas, whether it is in Houston, LaGrange, or Lubbock, or anywhere else in this country for that matter, will it not make it more difficult for them to find a physician that will take care of their needs?

Mr. BENTSEN. I think you are absolutely right. I think the fewer doctors who participate in the system, the harder it will be, particularly on rural communities and smaller urban communities, where there will be even fewer doctors who are willing to participate in the system.

I think there is another problem that comes into play here. By moving more people into health maintenance organizations, which again let me say, Medicare Select under current law already provides that choice, but what happens when you move more and more people into that system, bitter macroeconomic conditions that tell us that you will start to lose the efficiencies, and you will start to lose the ability to save costs or save money under that system. Therefore, I think that the projected cost savings from moving to an HMO system do not have a choice of their doctors, are probably not correct. They are probably inflated. It is very hard to make those projections in the first place.

I think if you move from having 7 percent of the elderly population on which are currently in managed care plans going to 90 percent, as is the desire of this legislation, that the cost savings that thus have been achieved will not carry forward at that time.

Mr. DOGGETT. I thank you very much for your observations and very helpful comments and, of course, your service here on behalf of all of the people of the Houston area and of our whole State.

My comments, of course, this afternoon and those of my colleagues have focused on the Republican pay-more, get-less Medicare plan. But I want to take just a moment here in concluding to tell people who are out there, who are thinking “Well, they really cannot do that. They really cannot intend to make the kind of cuts that they are making to the American people,” that they have not heard it all yet. Yesterday, about the same time that the great Kathleen Kennedy Townsend, the gentleman from Florida, Sam Gibson, was being denied across the hall even a chance to speak, there are a number of troubling concerns known are we going to be able to address some of the worst of these abuses, and now that will be totally eliminated.

As if that were not enough, the same Committee on Ways and Means that did not want to hear about Medicare yesterday has, within the last several days, approved a proposal that will encourage, if anyone withdraws as much as $40 billion from their pension plans, $40 billion from their pension plans, something that people who are not only retired now but may hope, like many of us, to retire some day in the future, are concerned about. There are a number of troubling developments that only by Americans speaking out and making their concerns known are we going to be able to change.

As for the Republican pay-more, get-less Medicare plan, let me end by quoting a Republican who was on the radio this week, September 19, Kevin Phillips. He said of his fellow Republicans’ Medicare plan: “Today’s Republicans see federal Medicare outlays to old people as a treasure chest of gold for partial redistrict in their favorite directions: toward tax cuts for deserving corpora tions and individuals. The revolutionary ideology driving the new Republican Medicare proposal is simple: Cut the middle class and give back the money to the high-income taxpayers.” That is the problem we face, but Americans can turn it around.

Communication from the Honorable Joseph M. McDade, Member of Congress

The SPEAKER pro tempore (Mrs. Myrick) laid before the House the following communication from the Honorable Joseph M. McDade, Member of Congress:

Congress of the United States
House of Representatives

Dear Mr. Speaker: This is to notify you formally, pursuant to Rule L(50) of the Rules of the House that a member of my staff has been served with a subpoena for testimony and the production of documents by the Court of Common Pleas, Lackawanna County, State of Pennsylvania in connection with a civil case.

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

Sincerely,
Joseph M. McDade, Member of Congress.

The Importance of Redistricting Decisions in Georgia

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Ms. McKinney] is recognized for 60 minutes.

Ms. McKinney. Madam Speaker, I come again this afternoon as a continuing part of my mission. That mission involves the educational process around the issue of redistricting, and why what is happening in Georgia is so important, not just for the people of Georgia, but for all of the people of this country who value democracy, who value the opportunity for all people who call themselves American citizens to be able to sit at the table of public policymaking and feel that they have an investment in the decisions that are being made about this country.

I want to begin by commending the members of the Georgia Legislative Black Caucus, who have endured a tremendous trial during the recently disbanded, recently adjourned special session. The United States Supreme Court ruled that Georgia’s 11th Congressional District was unconstitutional, and as a result of that decision, the Governor of the State of Georgia called the Georgia Legislature into special session. The purpose of the special session was to redraw the congressional districts to correct those flaws that the Supreme Court found, particularly in the 11th Congressional District of Georgia, but also, in the call for congressional redistricting, the Governor included legislative redistricting.

There had been no lawsuit against the State legislative districts. There had been no finding of unconstitutionality against those districts, but for some reason, some predetermined reason, those districts were included in the call. So begins the tragic story of
JOHNSON’s district is unconstitutional. 

NICE JOHNSON of Dallas, TX, a new dis- 

tric, is currently represented by E DDIE BER- 

Jordan. It invalidated the district that 

represented once by Barbara 

Jordan. It invalidated the district of the State of Georgia, one of the most inte-

grated districts across the South. This 

district, that gives rise to voices that 

have been left out of the political proc-

esses to finally be heard, this district 

was declared unconstitutional.

I would have to conclude that when 

it comes to the issue of redistricting and 

the shapes of districts, it ain’t 

about shape at all. It is about the color 

of the representation that is elected 

from these districts, and the possibility 

that in the old South we could finally 

herald in a new era that bypasses, gets 

us across that bridge of racial divide 

and allows black people, white people, 

people of color, women, Latinos to sit 

down and talk about the ongoing and 

conflicts strategies to resolve our com-

munities’ problems.

What better America could we want 

for? The America of promise, the 

America of the American dream, the 

America which strives to include ev-

erybody? Or do we want to go back to 

yesterday? To go back to that infam-

ous day when black people, who had 

been duly elected by the citizens of the 

various States throughout the South, 

were expelled for no other reason than 

the color of their skin? 

What we are looking at today is the 

possibility that I could become the sec-

ond African-American of the 20th cen-

tury to be expelled for no other reason 

than the color of my skin. We cannot 

afford to allow that to happen. 

What happened in Georgia particu-

larly? What happened in Georgia can be 

summed up by the headline in this 

newspaper: “Committee Okays One 

Black District.” The bottom line, it ap-

pears to me, is that the tolerance level 

for people from the State of Georgia 

to have three black people in Congress is 

not very high, and so there were some 

people who took an active involvement 

in trying to make sure that in the elec-

tions of 1996, Georgia is no longer 

represented in Congress by three African-

Americans.

Now, I am a Democrat and I am a 

proud Democrat. I am proud to be a 

Democrat. I am the head of my Demo-

cratic Party in the State of Georgia, 

who is the Governor of the State of 

Georgia, said he was going to stay out 

of the redistricting fray. This was not 

something that was going to occupy 

very much space.

So I wrote a plea to the Democratic 

leadership of the State of Georgia, 

“Ain’t I a Democrat, Too?” When it 

comes to this issue of redistricting and 

protecting incumbents, protect me, 

too. Because when I cast my vote here 

in Congress, my vote counts the same 

as my Democratic colleagues, my vote 

counts the same as my Republican col-

leagues, and when I come here, I speak 

on behalf of the people of the State of 

Georgia who have a valid voice to be 

heard.

There were some folks in Georgia 

who had something else in mind, and so 

before the special session even began, 

something happened. What happened 

in Georgia is that Georgia may be 

brought hostage. It was held hostage by 

the plaintiffs, along with the Demo-

cratic leadership of the State of Geor-

gia, because 17 State house districts and 5 

State senate districts were tar-

ged. These were districts that were 

majority black in the State legisla-

ture, and they were said to be uncon-

stitutional. So the Georgia Legislative 

Black Caucus was told, “Now, y’all 
don’t play ball and you’re going to end 

up in the same boat as CYNTHIA, out of 

office.”

The Georgia Legislative Black Cau-

cus, caught between a rock and hard 

place, did what it could to protect its 

members, to protect the three Demo-

cratic incumbents of Congress who just 

happened to be black, and they were fooled. It was a hoax. It was a cruel 

hoax. They were tricked. In fact, State 

Senator Donzella James was so out-

eraged—she happens to be with us now, 

in the gallery—she was so outraged by 

what had happened that she felt 

compelled to put it down on paper.

She concludes:

In this episode of political gamesmanship, Republicans attempted to play the white Democrats against the black Democrats by promising both sides their support in ad-

dressing their redistricting concerns.

Further, the struggle within the Demo-

cratic Party between competing political in-

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September 21, 1995

CONGRESSIONAL RECORD — HOUSE

H 9417

All in all, in the senate, out of 56 seats, they changed 46 of them. In the house, from a total of 180 seats, 69 were changed.

There was a redistricting legislative free-for-all on the backs of black people in Georgia.

One of the districts that was diluted was a district that I helped to draw in 1992. I was just the vehicle that the people used.

I served on the house reapportionment Committee. We had a hearing down in Savannah, and a gentleman came to the hearing, obviously proud to be able to be counted among those who would come, to travel so far to try and get a little justice. He began his remarks. He said, "The name of my county is Liberty, but they still treat us like slaves."

At the end of the 1992 redistricting process, that gentleman had a district from which to elect his candidate of choice. But after this cruel hoax in the special session of 1995 that should go down in infamy, that gentleman lost the opportunity to elect his candidate of choice.

As a result, there is a letter that has been drafted and signed by some of the members of the Georgia Legislative Black Caucus. That letter is to Assistant Attorney General Deval Patrick, asking that the Department of Justice deny preclearance to those two bills that were passed by the legislature—the bill that dismantled the house districts and the bill that dismantled the State senate districts.

I am going to read this letter, because if I have not been clear, I think this letter is.

It says:

Dear Mr. Patrick, I am submitting this comment urging you to object to the re-apportionment plans passed by the Georgia General Assembly in its special session in 1995. These plans were enacted by the State of Georgia with a racially discriminatory purpose and will have a retrogressive effect on black voters throughout the State.

The plans for the State senate and State house also violate section 2 of the Voting Rights Act, because those plans dilute black voting strength in carrying out redistrictings, the State legislature specifically aimed their sights at legislative districts with majority black voting populations. The decision by the legislature, therefore, was targeted at black voters with the intent to reduce the black voting strength throughout the State.

The State took this action even though their had been no court decision invalidating our existing plans, nor had there even been a lawsuit challenging any of the districts.

The context in which these new plans were drawn is also important to understand. The special session in which these new reapportionment plans were enacted was called to address also the reapportionment of the congressional districts pursuant to the decision in Johnson v. Miller.

The white leadership in our legislature forced the assembly to address legislative reapportionment first and then proceed to congressional reapportionment.

In exercising power in legislative reapportionment, the leadership promised to work with the black Members of the legisla-

ture on congressional reapportionment. The leadership, therefore, used legislative reapportionment as a stick and forced legislators to make concessions they would otherwise not have made.

The enclosed statistics show the degree of retrogression and discrimination. For all of these reasons, we urge you to object.

1545

This is sad. It is absolutely sad that the Democratic leadership of the State of Georgia would use black people as spared parts to bolster the political aspirations of others. And I do put emphasis on the word "sons," because there is no room for women also in the good old boy network.

Who comprises this good old boy network? Well, as it turns out, we also discovered that there were some rich and powerful people that just did not seem to be able to deal with this new black woman who was representing poor folks, some of the poorest people in the country. They could not deal with this black woman from Georgia.

And so, Mr. Chairman, seizing advantage of an opportunity, driven by the racist politics of race, they could also move forward on the agenda of greed.

We learned, in fact, State Senator Donzella James was named once again during the special session to put out a press release entitled "Senator Donzella James Implicates Kaolin Interests in Driving Redistricting Agenda."

State Senator Donzella James expressed concern today that Georgia kaolin companies are exerting undue influence on the State's redistricting process. As legislators slowly hammer out a new congressional map, Senator James repeatedly noted that kaolin interests in Washington, Jefferson, and Glascock Counties have issued a veto threat over any congressional map which puts the 11th District, represented by Democrat Congresswoman Cynthia McKinney, down in infamy, that gentleman lost the opportunity to elect his candidate of choice.

Now, what is it? What is kaolin in the first place? After we came to this floor, we got quite a few telephone calls from folks wanting to know what is kaolin? Well, kaolin has been called Georgia's white gold. I guess Louisiana has oil; Kentucky has coal; Georgia has kaolin.

Georgia's richest mineral resource is kaolin, a white clay used to make chemicals, medias, and coated paper. Last year, a handful of mining companies, many of them foreign-controlled, dug a billion dollars' worth of kaolin out of Georgia's soil. They rented landowners as little as a nickel a ton for it, and after refining it, sell it for $50 to $700 a ton. They pay no mineral taxes to the State, which I might add, are exporting and they operate in virtual, total secrecy.

Reporter Charles Seabrooks spent 5 months reporting the operations of the kaolin companies and their impact on the lives of thousands of poor Georgians, and in this, it says: What is kaolin used for? Glue, newsprint, magazines, cosmetics, cell phone. We eat from paint. It has a lot of different uses. Toothpaste. Kaepotec. The "kao" is kaolin.

It also chronicles here Grant Smith, who lives in a Milledgeville mental hospital, does not know that he is at the center of a dispute over his family's former farm and its kaolin riches.

General Gary Chambers: The industry leaves pits and craters and gullying the land. The bottom line is kaolin. Ten-mile railway that links the kaolin belt in Georgia to the sea has made some of our richest Georgians. Robert Lee Watkins, a man who was sent to Federal prison, what the Atlanta newspaper reported, "and a political prisoner, this Grant Smith might have been a millionaire, but his guardians sold the family farm. Gary Chambers turned his land into a rutted ruin. Tar buttons, ten-mile railroad put them on the track to wealth and power.


"Companies versus Landowners in White Georgia Counties," from USA Today. Another picture that I wish I could have blown up. The scarred landscape of my beautiful State of Georgia. "Weak Laws Slow Restoration of Ruined Land." Shortly after the lawsuit was filed, I had an interesting conversation with one of our State's constitutional officers who told me, "CYNTHIA, you made some rich and powerful people mighty upset with you. And we have been hearing about this impending lawsuit against the 11th District, but somehow it never materialized. And suddenly, a letter appeared in the Sandersville Progress, which is a local newspaper down deep in kaolin country.

The letter was written by the executive vice president of one of kaolin companies. And guess what it said. It said that the 11th District ought to be dismantled. And then, miraculously, folks who do not have much were able to amass the hundreds of thousands of dollars that it takes to take a lawsuit all the way to the United States Supreme Court.

The general assembly came up with some maps, some maps that were pretty darn near the mark. But those maps had one target left out and that was those 7 kaolin counties.

The Atlanta Constitution has done some stories on our plight. "Bring in the Feds to Probe Kaolin." "McKinney Takes on Kaolin Industry. Her noseing around has infuriated the industry." "King Kaolin's Political Prisoner." This is about the story of Robert Watkins.

"This should not be CYNTHIA MCKINNEY's fight, but Georgia's politicians are so afraid of the kaolin companies, they do not dare raise a peep." "Taking On King Kaolin."

So McKinney is now trying to get the U.S. Justice Department to look into the problems. Politically, that may not be a very smart move on her part, because kaolin money will try to unseat her. But then again, who knows, maybe McKinney will
prove that a woman with a backbone can succeed in a State run by men with weak knees.

And so Georgia’s special session, called for the purpose of redistricting, ended. They adjourned sine die. What did they do? Well, they got rid of some minority districts. They even diluted the district of a sitting Member of the Georgia legislature who is black; dropped his district down to 41 percent. The gentleman who represents the district of the man who said, “I come from a county named Liberty, but they still treat us like slaves.”

We do not know if we can even get Reverend Tillman reelected in that district, but we are darned sure going to try.

But congressional redistricting never happened. It did not happen. So now the issue of Georgia’s 11th Congressional District is right back where it started: in the hands of the Court. We are, of course, law-abiding people, and whatever the dictates of the Court will be, we will be prepared to accept them.

However, I do not think anybody in this country ought to have a good feeling about what happened in the State of Georgia. Nobody who cares about diversity, inclusiveness, real deep-down democracy, should be thrilled or even happy about the picture that we have painted. Now, after Georgia comes North Carolina and Texas and Florida and Illinois, and Iowa and Pennsylvania, because all of those States now have challenges to their minority districts.

And what happened in the State of Georgia—the trickery and the tomfoolery and the deceitfulness—can happen to good-hearted, well-meaning people in those legislatures across this country.

So the State representatives and the State senators who now understand that they might be called into special session to redistrict. I must say that the issue of redistricting also need to understand that something else might be afoot.

Mr. GONZALEZ. I thank the gentleman very much. I would like to conclude by acknowledging that in Georgia we have come a long way. But we still have a long way to go.

And in reporting the events of the special session and those events that took place just prior to the special session, it is not my intent to indict anybody who is innocent in this whole play. But there are some people who are very guilty. And those people know who they are.

There were some good people in the legislature who spoke out and said, quite frankly, what the problem was. But their voices were too few, too powerless, too muted. But I do want to take this opportunity to thank my applosion and my thanks to them, because they did not have to say those kind things and they did not have to say those true things, but they did.
They wear a badge of courage, and they are now my additional warriors, who may not be in the 11th congressional district, but they are warriors nonetheless for that which is right. In the gallery, aside from State Senator Donzella James, who I yield to in the special session and who spoke out so eloquently against what happened, we also have State Senator Connie Stokes, who represents a portion of the 11th congressional district.

And so to take this moment to thank my own State Senator for her actions on behalf of preserving the 11th congressional district of Georgia. The members again of the Georgia Legislative Black Caucus worked day in and day out, and they only had one goal in mind. And that goal was to make sure that all of the folks of Georgia at the end of the day had an opportunity to case a vote, a meaningful vote, for the representative of their choice.

And so while the venue has moved to a new place and a new time, the camaraderie, the loyalty, the love, the cohesion of the Georgia Legislative Black Caucus, and the way that I was able to interact with all of the members, I will never forget.

From that, I know, will come a new and stronger, more lasting relationship. And also a better relationship will come from the Democratic leadership of the State, that says that under no circumstance were they able to break the glue that struck the members of the Georgia Legislative Black Caucus together. And that was their loyalty to the people of the State of Georgia.

In conclusion, I would just say that it is a pleasure for me to serve in the U.S. House of Representatives, and I have come to love, to truly love many of my colleagues with whom I interact daily. I appreciate all of them for their strong loyalty to the people of the State, that saw that under no circumstance were they able to rid of that distinction, trying to limit that distinction to return these groups and the communities do not that but that in fact, engaged in charitable activities?

We are going to try to develop a record in our committee on those issues.

Mr. EHRLICH. If the gentleman would yield, really is that not the threshold fundamental problem here? It seems as though we have addressed this both here on the floor and at various times we have had to discuss this issue off the floor, and it seems for some reason, and the reason appears to be Federal money, to have developed over the years a distinction between acting as an advocate and fulfilling the mission of the particular organization.

I believe it is fair to characterize our purpose of legislation as an attempt to return these groups. And we are not talking about, by the way, many groups out of thousands, tens of thousands of groups, only a few hundred who, in our view, have violated both the letter and the spirit of the law, by trying to get rid of that distinction, trying to limit that distinction to return these groups to their fundamental mission, which is to provide service for the less fortunate in our society.

Mr. McINTOSH. The gentleman is exactly correct.

We heard testimony in one of our hearings in July from Mrs. Arianna Huffington who told us that there was a serious problem in the charitable community that, rather than doing good works, helping the elderly, helping clean up the environment, helping the young people, and you may remember she talked about Mrs. Hannah Hawkins here in Washington who had used house of legislation in an attempt to return these groups and the communities that, rather than doing good works, helping the elderly, helping clean up the neighborhood.

They move away from those charitable missions into becoming lobbyists and advocates that

MESSAGE FROM THE PRESIDENT

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

GRANT REFORM

The SPEAKER pro tempore (Mr. EHRLICH). Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. EHRLICH] is recognized for 60 minutes as the designee of the majority leader.

Mr. EHRLICH. Mr. Speaker, I rise today to engage two freshmen colleagues personal friends and people I have high regard for, in a colloquy concerning grant reform. I want to take this opportunity to publicly thank the gentleman from Washington [Mr. TATE] and the gentleman from Indiana [Mr. McINTOSH], the chairman of the subcommittee, for their wonderful leadership on this issue.

Let me begin the colloquy by making an observation. It seems as though there are a lot of people paying attention to what we have done in the House to try to make Federal money go to significant reform, Mr. Speaker. Every major newspaper in the country has editorialized with respect to grant reform over the last few weeks, and we certainly hit a nerve with the American people.

Now I direct my first question to the gentleman from Indiana [Mr. McINTOSH], the chairman of the committee and one of the leaders along with our friend, the gentleman from Oklahoma [Mr. ISTOOK], in our effort, and, of course, the gentleman from Washington [Mr. TATE], being one of the more recent victims of the opposition with regard to this issue.

Mr. EHRLICH. If the gentleman would yield, really is that not the threshold fundamental problem here? It seems as though we have addressed this both here on the floor and at various times we have had to discuss this issue off the floor, and it seems for some reason, and the reason appears to be Federal money, to have developed over the years a distinction between acting as an advocate and fulfilling the mission of the particular organization.

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Mr. TATE. The gentleman is exactly correct.

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the Federal Government take over those programs, and she thought that was, in fact, corrupting the spirit of charity in this country and that our bill would do a lot in this country to restore the true sense and purpose of charitable contributions.

So I think you are exactly correct on that point.

Mr. EHRLICH. Now, I know we have a lot to say about some of the misinformation that has been used, but I think probably the best Member to talk about that is our colleague, Mr. TATE, and I yield to Mr. TATE. You have been a victim. What happened?

Mr. TATE. Well, first of all, I would like to thank the gentleman from Maryland [Mr. EHRLICH] and the gentleman from Indiana [Mr. MCINTOSH]. Mr. Speaker, these gentlemen, along with what is going on from Oklahoma [Mr. ISTOOK], have done a phenomenal job of bringing this issue to the forefront.

Some of the arguments, and I will get into some of the attacks that are occurring throughout the country by some of these organizations that are receiving public grants, mind you. Some of the opposition, for example, is: Well, you are violating free speech if you are limiting at some capacity what they can do with their private dollars.

The point is, how can it be free? Once again, how can it be free if the taxpayers are subsidizing it? The taxpayers are paying for this so-called free speech.

I am not here to tell an organization what they can do and cannot do with their own money. The point is, they are being subsidized by the taxpayers. So we have an obligation to watch out for what they can do and cannot do with their private dollars.

The other point is that somehow it is intrusive in some other capacity, that somehow it is Orwellian to tell these organizations what to do.

I can think of nothing more intrusive to me, as the people of the Ninth Congressional District of Washington State than to reach into my pocket and take my hard-earned money, to give it to some organization or to the Government that gives it to some organization that turns around and lobbies for things I do not believe in.

I mean, we have some great examples, if I may. The American Bar Association, for example, just this year as we were working on the flag amendment. We can argue whether we should have an amendment to protect the flag or not to protect the flag. That is part of our political system. What I find very offensive is when organizations like the American Bar Association receive millions of dollars in public grants and then turn around and lobby against legislation. That is wrong.

It hit close to home the last couple of weeks, I can tell you, in my particular district; and the Washington Times has done a lot of chronicling what has been going on.

Basically what is going on is taxpayer funding of the big lie. They are attacking me back in my district. The attacks have ranged from anywhere that there would be a greater chance of workers being killed by the legislature being passed to somehow Medicare is being cut. Two lies. Two lies. And they are being subsidized by the taxpayers.

I can give you a couple of examples of the organizations and how much money they have received in public grants. For example, in my particular district, the AFL-CIO, under the guise of Stand Up For America, spent over $800,000. These on are ads back in my district.

Another organization called Save America’s Families spent over $85,000 on television and radio ads, not counting the amount of money they spent on Medicare events, spreading the big lie at taxpayer expense.

For example, the AFL-CIO, which is the umbrella group for these organizations, received in grants last year, 1994, $1.2 million. This year that we can document, they have spent $1.4 million in attack ads spreading the big lie across the country.

So, basically, what we are doing is, once again, hard-working people send their money to Washington, DC. They turn around, the Government turns around and gives it out to organizations that spend it attacking people trying to change the status quo.

So those are the kinds of changes that we are trying to make back here. I guess we should be judged by our enemies. Those organizations that are the defenders of the status quo do not like what is going on back here, and it is a sign that we are doing our job. If you are not making some enemies in Washington, DC, you are not doing your job.

I yield to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. You mentioned that this advertisement was going on in Washington State in your home area, and that in many cases they were, in fact, misinforming the public about what was happening and doing so from groups that have been receiving a lot of grant money.

I had received some information that there are a list of eight different groups who have received nearly $100 million in grants, who have spent over $60 million in lobbying and political activities, giving false and misleading information about what is happening.

One of the groups that is not listed there is 60 Plus, and they commended us for our effort to try to end the subsidy for these groups that are engaged in this type of political activity. The 60 Plus Association represents senior citizens in this country. They felt seniors were being misled by a lot of this.

Was the National Council of Senior Citizens one of the groups that was involved in this type of political advocacy?

Mr. TATE. That is incredible. Mr. EHRLICH. If the gentleman would yield, I think I speak for all three of the sponsors of this rider when I say we have a great deal of confidence that our constituents will see through all of these misrepresentations, because facts are dangerous to demagogues.

Mr. TATE. If the gentleman would yield, we have received, I think, as of mid-yesterday, about 660 calls on this particular commercial that is running back in our district, and over 640 of the calls were saying, RANDY, stick to your guns; do not give up; we elected you to go back there and make real change.

What they are outraged about is the outrageousness of the lines and the fact that the opposition has no plan and that it is all being paid for, these ads, or at least subsidized, by their own tax dollars.

Mr. EHRLICH. The moral here is that these people are smarter than these organizations give them credit for.

Mr. TATE. Exactly.

Mr. EHRLICH. I see we have been joined by our colleague and friend, Mr. ISTOOK from Oklahoma, and I know he has a lot to say on this subject. And I know I join my colleague, Mr. MCINTOSH from Indiana, in congratulating him on his great leadership on this bill, and I would like to recognize him.

As a lead-in to his comments, I would just like to point out the fact that I sat next to Mr. ISTOOK on the floor when we worked our debate here a few weeks back, and we were frustrated. Obviously, we had a time limitation with respect to how we could respond to some of the charges from other side. I believe we were termed as fascists, one of the more interesting terms used to describe us on the floor that day.

I know it has been very, very frustrating for all of us involved in this
issue to have to respond to simple representations about what this rider is about. We have heard that it stops all advocacy, that Pell grants are affected, that specific groups are affected, that entitlements are affected, that the court that was expected, that States and local governments are affected, educational grants.

Is there any end to the misrepresentations we have heard on this floor? I direct the question to our colleague from Oklahoma.

Mr. ISTOOK. Well, I thank the gentleman. I appreciate people standing firm on this effort, because you hear outrageous things. You hear people saying, well, if you receive some sort of farm assistance or if you receive a student loan or if you receive welfare benefits. And yet the legislation clearly states that we are not talking about government assistance payments to any sort of individual. We are merely talking about government grants which do go off the mark.

The situation is such that we have had what I feel is a perversion of the true reason for the existence of charities in this country, and Chairman McIntosh and his subcommittee has had hearings and has helped develop this. People talking about, you know, we were part of a group that was formed to be a nonprofit charity. We raised money trying to help people, trying to do good. Then we found people trying to take it over and saying, the way we can really do good is to spend all of our time and effort, or most of it, anyway, and our resources lobbying government for more government programs, more resources, higher taxes to pay for it, and they call that charity.

That is not charity. We need to help the private charities in this country to fulfill their mission by helping separate them from those that are masquerading as charities, but are really extensions of the Federal Government and extensions of lobbying groups and political advocacy groups. We need to draw a clear distinction between them.

If someone says we want Federal money, now they are not forced to ask for Federal money, they are not forced to take Federal money, they voluntarily choose to accept Federal money. They would have to do so. That is different from so many other charitable groups. Yet at the same time, they want the Federal handouts, but they say nevertheless we want to continue to be political advocates rather than true charities.

There is a difference. There is a crucial difference in who we ought to be providing assistance to, and it really scares me that there have been some reports that say that the typical nonprofit group today receives a third of its money from the government. Now, that frightens me. We do not want people to be saying they are charities when actually they are extensions of government agencies. If they are an extension of the government, they should accept the same type of safeguards which would control a Federal agency if it were carrying out a particular program.

They would never be allowed to engage in the type of advocacy that is involved there. So if they are carrying out a private function, that is great. They ought to be satisfied with the private dollars. If they want public dollars, they ought to accept the types of limitations that accompany public dollars.

It is wrong to ask taxpayers to subside political viewpoints through this. Thomas Jefferson had a statement on this, and he said to compel a man to furnish funds for the propagation of ideas he disbelieves and abhors is sinful and tyrannical. I have no desire, and I know you do not either, to try to limit the ability of people to exercise their speech rights with their own resources and their own money. But if they want to be dependent upon Federal funds instead, then they need to decide they should not be political advocacy groups. That is the key distinction that we are trying to address in the legislation.

I thank the gentleman for the chance to speak to that and want to yield back the floor to him.

Mr. SKAGGS. May I ask the gentleman this question. I do not want to waste a lot of time. If it is the gentleman's intention not to yield at all, I will leave the floor.

Mr. EHLERS. It is our intention not to yield.

Mr. SKAGGS. Mr. Speaker, the gentleman does not want to defend any of this with anybody with another point of view?

Mr. EHLERS. Mr. Speaker, since the gentleman trekked over from his office, we will let him finish.

Mr. SKAGGS. Mr. Speaker, I thank the gentleman for yielding time.

I think the point that the gentleman from Oklahoma was just making is very, very revealing of the fundamental distortions that are going on in this debate. Does the gentleman believe that the efforts made, for instance, by the American Red Cross to work with local and State governments on emergency planning is political advocacy that is a problem in this country? Does he believe that the efforts of the American Red Cross to work with all levels of government to ensure that regulations are in place to make the blood supply safe, is that somehow political advocacy that warrants restrictions? That is what the legislation will do.

Mr. McIntosh. Mr. Speaker, I think our colleague from Colorado makes a very good point there. There has been a lot of misinformation about the content of the bill.

No, I do not think those activities of helping to plan for emergency preparedness and working with government agencies to implement a safe and effective blood supply in this country are political activities that are a problem. I do not think they should be defined as political activities.

Mr. SKAGGS. Mr. Speaker, but that is what the legislation does.

Mr. McIntosh. If the gentleman would let me finish, Mr. Speaker. No, we have carefully, carefully crafted this bill to make it very clear that those activities are not covered. We have worked with the Red Cross and their attorneys in letting them know that it is our understanding that that would be the case.

What we are worried about are groups that would take Federal grants for those activities and then would begin running television advertisements or running media campaigns where they are advocating a particular point of view. So let me assure the gentleman we do not intend to cover those types of activities. We have worked very closely with the language that does not apply to them and have offered with the Red Cross to specify that very clearly.

Interestingly enough, even when we did that, they said, no, we still could not support that because we are concerned about the ability to be advocates. Then my question is, have they let their donors know that is one of the things they have in their mission statement? Have they done a good job when they have done fundraising for these other activities of protecting the blood supply, working on emergency preparedness, of telling people, well, we also think it might be important that we could preserve the right to be a lobbyist? If they have done that disclosure, then they have acted in good faith with their donors.

Mr. SKAGGS. Mr. Speaker, if the gentleman would yield.

Mr. McIntosh. Yes, I will yield for a question.

The SPEAKER pro tempore (Mr. EHLERS). It is the gentleman from Maryland's time. Does the gentleman yield?

Mr. EHLERS. The gentleman will yield for a short followup.

Mr. SKAGGS. Mr. Speaker, does the gentleman not understand that very facile shift from advocacy to lobbying? Now, advocacy presumably does include the work of an organization like the Red Cross is to make sure that we are prepared for an emergency or we have a safe blood supply. But with the nice easy elision to lobbying, we are suddenly into a whole different range of activity.

Why is it that we should restrict the ability of an organization like the Red Cross to advocate, not to lobby the Federal Government with Federal funds, that is against the law already, but to advocate for good emergency preparedness at the State and Federal and local level, what is wrong with that? Is that not absolutely consistent with what their donors expect them to be doing?
Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. EHLRICH. Mr. Speaker, I will yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Speaker, of course the key is to understand, as we were careful to point out in the legislation, despite many misrepresentations that different people have made, is that we did not put into the legislation an absolute prohibition recognizing that some people said that there is a gray line between things that are giving information back to government, and so forth. Some people may see some gray area between that and being an advocate, not an advocate for safety, not an advocate for emergency preparedness, but a political advocate.

So we specified in the legislation that we were not saying there is an absolute prohibition. We simply said that you should not be expending more than 5 percent of your non-federal funds, which is a threshold that has previously been adopted through courts and through the IRS as a key and reasonable threshold.

So we never said that a group could not engage in any type of political advocacy desired to make sure they were not engaging to any significant degree in that, and that very well takes in any type of gray area with which anyone may have a concern. So the opponents of this bill unfortunately have misinterpreted and overstated it, calling it, for example, a gag rule, which is totally absurd.

We have tried to take a common sense approach to it and understand that reasonable people may differ. Yet, I think that just about every American taxpayer who studies the issue would agree, it is wrong for taxpayers' money to be used for lobbying. It is wrong for taxpayers' money being used to prop up and be the difference between success and failure of an organization.

With that in mind, I would like to refer to an audit report which was part of the audit report, and I understand it was an internal audit report for the National Council of Senior Citizens which receives 95 or 96 percent of its budget from the taxpayers. Their own internal audit said the heavy reliance on governmental grants poses a potential danger to the long-term structure of NCSC. Absent such grants, the council would be unable to continue its current level of operations.

This is a group that is heavily engaged in lobbying in this country, and yet without government grants, they would not be able to sustain themselves. They do not have enough private sector support. They depend upon taxpayers' money, and I think that is wrong.

Mr. EHLRICH. Reclaiming my time, Mr. Speaker, I yield to my friend and colleague, the gentleman from California [Mr. Dornan].

Mr. DORNAN. Mr. Speaker, one of the clarifying things about this aspect is what type of lobbying, and I understand our colleague from Colorado picking an easily discussed case, the Red Cross. To my knowledge, the Red Cross has never put PAC money for or against any Republican or Democrat in either Chamber on this Hill.

There are approximately 95 percent of taxpayers' money that give not only 100 percent money to Democrats, but they have to be of a liberal ideological bent. They are not just lobbying for a cause like Red Cross earthquake assistance, they are using their own coffers, particularly whipping senior citizens. If we cannot reform that in this Congress, then there are going to be people coming up here with torches as though this were Dr. Frankenstein's castle to burn this place down in about 4 to 6 years.

Mr. EHLRICH. I thank the gentleman for his comments.

I have a question for our colleague from the State of the District of Columbia. He has earlier described some of the ads being run against him. This has really hit him in a very personal way, and the good news being that of the, I believe, 600 phone calls he received, Mr. TATE, Mr. Speaker, there were 640 positive saying, stick to your position.

Mr. EHLRICH. Mr. Speaker, with respect to the negative calls, the 20 or 30, did they actually buy what the commercials were trying to sell them? Was the staff able to articulate what these organizations were about and who was funding these organizations?

Mr. TATE. We are getting that message as each call comes in. Mr. Speaker, our phones light up each time the commercials run. Like I said, 99 percent of the calls are positive. When we do get someone who is misled by what I call the big lie at taxpayers' expense, we spend the time to talk to them and let them know that they are being subsidized basically by their own tax dollars, and that alone is enough to outrage them. But when they find out that the advertisements are a complete misrepresentation of what the truth is, they are even more outraged.

Mr. EHLRICH. Mr. Speaker, The short follow-up question, the gentleman is one freshman.

Mr. TATE. Right.

Mr. EHLRICH. How much money with regard to the gentleman's best estimate at this time has been spent by all of these organizations just in his district with a negative?

Mr. TATE. Mr. Speaker, within the last month, we estimate about $165,000. That is the estimate that comes out of the newspaper by these particular organizations in their press conferences; $80,000 by Stand Up For America's Families, which once again is an umbrella group for the AFL-CIO, which received millions of dollars in ads. The other one was for the Saving America's Families Coalition, another organization made up of the stallional seniors, the Council on Senior Citizens, the organization that receives over 95 percent of their money from the Federal Government.

So, to answer the gentleman's question, $165,000 that we can identify just from newspaper reports, not counting the countless Medicaravans and other misrepresentation of the truth that are subsidized once again by the taxpayers, and yet another year spent on lobbying, welfare for lobbyists.

Mr. EHLRICH. Mr. Speaker, I believe the chairman of the subcommittee, the gentleman from Indiana [Mr. McIntosh], has a comment as well.

Mr. MCINTOSH. Mr. Speaker, if I could point out one thing that I think is undermining a lot of the public confidence of charitable groups, is that when they see activities like we are describing where groups who are supposed to be engaged in charity in fact turn themselves into political groups anyway they want to see a bill passed because they want to restore that confidence. That comes on the heels of a few years ago tremendous scandals with the United Way and groups where they were misappropriating funds. By the way, I was very pleased that we certainly hope they end up supporting our effort to end welfare for lobbyists to reassure people that they have changed and do not want to see the continued practice where a charity group could say, they are doing one thing and in fact does something else with the money they have raised. In this case it is engaging in political tactics that are totally unacceptable because they are misleading the public about very key and critical issues.

So there is a question of confidence about what can citizens expect from charitable groups. We heard from a lot of the charities who are very active in a day-to-day basis in helping people, saying they want to see a bill passed because they want to restore that confidence. They want us to go forward in this area and clearly separate lobbying and political activities from charitable activities.

So I think we can do them a tremendous favor in this country by helping to restore that confidence.

I also appreciate the gentleman from Washington being willing to share with us his experience in his State as an example of what has been happening there.

Mr. EHLRICH. Although this is highly unusual, out of an overabundance of friendship for my colleague, the gentleman from Maryland [Mr. Hoyer], I will yield to him for a brief question.

Mr. HOYER. Mr. Speaker, I appreciate very much my friend from Maryland yielding. We are pleased to have him as a member of our delegation, even though from time to time we may disagree.

I ask my friend from Maryland, I have a letter here addressed: Dear STENY. It makes some comments, but it certainly every year is being undue restriction our ability to work with government representatives and agencies through the additional regulation envisioned by the Istook amendment would
Mr. ISTOOK. What we have said, and the gentleman is aware, of course, from being a conferee with me on the Subcommittee on Treasury, Postal Service, and General Government, what we have said, I have said it to the gentleman from Maryland [Mr. HOYER] and also to the gentleman from Colorado [Mr. SKAGGS]. I have said it to Members of the Senate and the House, and conveyed it to White House representatives, that anyone who has constructive recommendations to make sure that this legislation is in its best possible form so that it does not have unintended consequences, we want to listen to and we want to work with. We do have a problem sometimes with some groups, rather than trying to make constructive recommendations, they make a knee-jerk reaction just opposing it, and, frequently, that comes from organizations that are heavily dependent on Federal funds and there is, as the gentleman knows, a lot of discussion of a lot of representations made to people about what is or is not in the bill. We want to work with all persons that are concerned, and that will be reflected in the final product.

Mr. EHRLICH. Mr. Speaker, in further answer to my colleague from Maryland’s inquiry, I recognize my friend, Mr. MCINTOSH.

Mr. MCINTOSH. And let me say, Mr. Speaker, in the effort of being concerned in this, our subcommittee of the Committee on Government Reform and Oversight will be having hearings further into the application of this bill. One of the hearings will be taking place next Thursday. We have invited Mrs. Dole to come and talk with us about areas where she thinks she might be hindered in her legitimate charitable activities so that we can address that problem. We will also be asking if there are areas where she wants to cross over into the lobbying area, and is that more than 5 percent of their budget or would they be protected with that provision. I think that will allow us to build a record there of exactly how this bill would work, and, hopefully, reassure her of that.

I am looking forward to next Thursday and, hopefully, Mrs. Dole will be able to join us at that hearing.

Mr. TATE. Mr. Speaker, would the gentleman yield?

Mr. EHRLICH. Mr. Speaker, I want to further yield to my colleague from Washington, but I think my colleague from Maryland raises a very legitimate point. I want to enlarge it, however, because one of the prime criticisms of our initiative has been, quote-unquote, defunding the left.

If anything has occurred over the last few weeks, Mr. Speaker, it is that groups from the right, the middle, and I would confess, left, are deeply opposed to this legislation. I was driven by no particular philosophical orientation in becoming a cosponsor, along with these two gentlemen, of this bill, other than my philosophical orientation to give the American taxpayers a break.

We have groups, I know, on the right who have opposed this bill; now we have groups on the left and in the center. I believe the “defunding the left charge” is now an empty charge. And certainly, if we look at the groups actively lobbying against this bill, it just does not make sense.

Mr. Speaker, I yield to my colleagues from the State of Washington.

Mr. TATE. Mr. Speaker, I have two quick questions in response to the comments from across the aisle to the chairman of the committee. What is the threshold, Mr. Chairman?

Mr. EHRLICH. The key threshold is that for groups who take no Federal money at all, they are not covered by this provision. They can lobby. They can do whatever they would like to with their money.

For those groups who do take a Federal grant, are subsidized by the taxpayer in their activities, they can spend up to 5 percent of their own funds, no money from the taxpayer but 5 percent of their own funds, to lobby, and we are allowing that so they can be advocates at the local and Federal level. But when they start becoming predominantly a lobbying group and go over that 5-percent threshold, we are asking them to give up that taxpayer subsidy.

Mr. Speaker, they can make a choice. Mr. Speaker, they can be a lobbying group or they can be a charity, but we are not going to let them lobby with taxpayer dollars.

Mr. TATE. One last question, I guess a two-part question. One is, the 5 percent, up to the first $20 million. That would work out to be a million dollars in lobbying, is what we are talking about. Not exactly shutting down lobbying, as we know it. They would still be able to lobby. They should be able to get the job done on a million dollars.

And after that first $20 million, as I understand it, it is 1 percent after that. So we are talking about a significant amount of money. We have not ended it all together. We are not limiting free speech, but we are putting some limits so they cannot abuse the process, if I am not mistaken.

Mr. MCINTOSH. That is correct, and if the gentleman will continue yielding.

Mr. EHRLICH. Mr. Speaker, I yield to the gentleman from Indiana.

Mr. MCINTOSH. Let me also point out another key feature of the legislation. A group deep into lobbying, up to a million dollars in lobbying, they have to disclose to their donors, so that we cannot have this secret effort on lobbying on the one hand with a group that is posing as one that is doing good works in charities when they go out to solicit money from the public. I think the donors have a right to know about that activity when they are making contributions as well.
Mr. EHRLICH. Mr. Speaker, reclaiming my time, the gentleman just analyzed the various categories of recipients, and it is true, it is not, that category A, those groups who do not take any Federal grants, account for 9 percent of the groups we are talking about: is that correct?

Mr. McINTOSH. That is correct, although, as the gentleman from Oklahoma pointed out earlier, those small percentage who do receive Federal funds receive enormous amounts of Federal funds, and yield a disproportionate influence.

Mr. HOYER. Would the gentleman yield?

Mr. SKAGGS. Would the gentleman yield on that point about who is covered?

Mr. EHRLICH. Mr. Speaker, I yield to my good friend from Maryland.

Mr. HOYER. I thank my good friend from Maryland, Mr. EHRLICH, who makes a point that this legislation was originally perceived as defending, trying to defend the left. He points out correctly that those in the middle and those who on the right have now raised similar concerns to those on the so-called left.

As a matter of fact, I have in my hand another letter from Fred Kammer, Father Kammer, who is president of Catholic Charities of the United States of America. I do not know whether the gentleman from Maryland puts them on the left or on the right or in the middle. I would suggest they probably have a number of views which fall into maybe all of those categories at any given time.

Mr. EHRLICH. Depending on the issue, I guess.

Mr. HOYER. Depending on the issue. That is the point I make. I would suggest this is a very serious issue, and we are discussing it seriously, and I think that is important for the American public.

I have read a number of legal opinions, or CRS reports, including Professor Cole from Georgetown University Law Center, the law center from which I graduated. I have not seen a case that justifies or condones or holds constitutional the proscription of private dollars, nonpublic dollars, on lobbying or contact of government or trying to impact on policy activities of nonpublic groups.

Furthermore, let me suggest not only is that true, it is a serious issue, because whether it is left, right, or middle, we believe this is violative of the constitutional right to free speech and the right to petition one’s government, but, in addition to that, I say to my friends, who I know feel very strongly about this, that the issue here is the reason so many of these groups have public funds is because we have decided as a Congress and as a people that it is better to give to the American Red Cross or the Catholic Charities or some other group funds to solve certain problems.

They are not necessarily doing us a favor. We are not doing them a favor by giving them those resources. In fact, we have judged that Catholic Charities does good work, and we want to give them resources because we believe they will more effectively distribute those funds than will the government.

So if we judge that to be correct, it is not just that, yes, they have Federal funds, because we have decided that we believe they can apply those funds effectively. As a matter of fact, I think that is consistent with some of the philosophy that Members on the other side of the aisle have discussed recently.

Mr. EHRLICH. Reclaiming my time, I intend to yield to the gentleman from Oklahoma, who is chomping at the bit over there, but, first, two points.

First of all, the gentleman raises a very legitimate point, again, with respect to the mission of these nonprofits and for-profits we are talking about, because that also has been lost in this dialog, the fact that we also cover under our version of this initiative for-profits.

Mr. SKAGGS. And individuals, too.

Mr. EHRLICH. No, no.

Mr. McINTOSH. Actually, they are expressly exempt.

Mr. SKAGGS. Wrong.

Mr. EHRLICH. Mr. Speaker, the gentleman is right. Over the years, there has built up a momentum so that certain organizations have not only assumed a responsibility for their original mission but also a dual responsibility to advocate on behalf of their mission.

That is the bottom line philosophical question here when we get down to it, where that line really should be drawn. We believe that line has gone out too far, and I think we have some evidence presented with respect to Members of the freshman class, particularly concerning advocacy efforts around the country today in support of that point.

Also, the gentleman from Maryland, being a learned lawyer of good reputation, I will have delivered to his office tomorrow a memorandum from Professor Harrison, I believe from Virginia concerning the constitutionality of the Istook-McIntosh-Ehrlich initiative, which the bottom line is that it is constitutional. In fact, government does this all the time, attaches specific requirements, and I will yield in a moment to the gentleman from Indiana, but I will be glad to engage my friend from Maryland in a colloquy after he has an opportunity to read that memorandum as well.

I will at this time yield to my friend from Oklahoma, Mr. ISTOOK.

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

I would like to address the two points that the gentleman from Maryland mentioned. One, regarding court decisions. In 1983 the U.S. Supreme Court, in the case of Regan versus Taxation With Representation, addressed that point when a group wanted to engage in lobbying and wanted to have Federal subsidies for that through the Tax Code.

The Court noted that Congress does not have to subsidize lobbying. In fact, the U.S. Supreme Court specified that the Federal Government cannot be required by the First Amendment to subsidize lobbying. We reject the notion that First Amendment rights are somehow not fully realized unless they are subsidized by the State.

The notion that the Government has to buy you a microphone or buy you a newspaper or give you funds with which to carry on your lobbying activities, I think is blatantly absurd. The taxpayers are not required to subsidize lobbying. If a group wants to lobby, that is fine. That is their constitutional prerogative, but it is not free speech if they say, “We want the taxpayers’ money.” That is a clear delineation and distinction.

The gentleman also mentioned, of course, Mr. Speaker, something from someone at Catholic Charities, U.S.A. He may not be aware, Catholic Charities, U.S.A. annually receives from the taxpayers, from the government, almost $1.3 billion. It is two-thirds of the operating budget. I think there is a bona fide question, anytime an organization has that level of funding, whether they are really an organization separate and apart from the government, or themselves have become an extension of the government.

If we have that kind of money flowing through the Department of Health and Human Services or HUD or the EPA or the Labor Department or Education or anything else, we would insist upon safeguards to limit its use, to assure it is not used for lobbying or political advocacy.

When any group has that level of its funding, $1.3 billion, just a little under that, two-thirds of its budget coming from the U.S. Government, they have a serious question at what point do they cease to be a private group and become an extension of the government.

We are talking about safeguards with taxpayers’ money. We are trying to be very reasonable and prudent in the approach. We are open-minded, we are listening to that, but this is a severe problem that does need to be addressed.

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

Mr. EHRLICH. I yield again, for the third time, to my colleague, the gentleman from Maryland.

Mr. HOYER. I want to thank profusely my colleague from Maryland, because I know this is their special order, but this is an important issue. We need to discuss it back and forth. I would say to my friend, the gentleman from Oklahoma, for whom I have a great deal of respect, because he is one of the hardest working Members of the House, that he has a good intellect, but I would say to my friend in this instance, he does reference language, but that language refers, as the
Mr. EHRlich. I yield to the gentleman from Indiana.

Mr. McINTOSH. I thank the gentleman for yielding.

This is really in response to the question from our colleague, the gentleman from Maryland [Mr. HOYER]. The things we heard in our subcommittee over the summer when we had hearings on this was that there are groups out there who receive Federal funds and actually violate the provisions of their grants, and is running funds to, in the case that came before us, to conduct a symposium on how to lobby local governments. When the agency was notified of this, they did nothing to prevent that and did not ask that the grant be repaid and, in fact, were implicitly condoning that type of activity.

Therefore, I think some of the bill’s provisions we have are aimed at, first, forcing disclosure on how both the private and the public sector funds are spent; and second, making it a very, very clear determination that if you are receiving a Federal taxpayer subsidy, you should not be lobbying. That, I think, is a very simple formula that underlies all of this effort, and one that I am very convinced the American people want to see.

Some of the editorial boards in my district have been commenting on this. By the way, they do not agree with a lot of the things I have been trying to do as a freshman Republican in reforming this, but in this area they do think we are on the right track, because, quite frankly, they did not know this lobbying was going on and they do not think it is appropriate to be doing it under the subsidy of a Federal taxpayer grant.

Mr. EHRlich. It is certainly a new issue, and I think, quite frankly, that has been part of the problem. I know the gentleman from Indiana would agree with me, that certainly has been the case, and I do think that we were not ready to interpret this issue, to hear the terms of the debate. They really did not know what the status quo was. You may have received some opposition from your local editorial boards, but it is nice to know.

Mr. McINTOSH. If the gentleman will yield, in this case the editorial boards are strongly in favor of it.

Mr. EHRlich. That is nice to know, as well.

Mr. McINTOSH. I will submit for the RECORD some of the editorials they have written. In this case, fairly liberal folks are saying, “You are on the right track, we need to clean up the outfit in Washington and end this government subsidy of lobbying.”

Mr. EHRlich. In addition to your local editorial boards, it is nice to know that groups, highly respected groups like the National Taxpayers Union, Citizens Against Government Waste, the business association of wholesale distributors, the Eagle Forum, the Competitive Enterprise Institute, the 60-Plus Association—in fact, we have two senior citizens organizations supporting this initiative—the National Association of Manufacturers, and the list goes on and on, a lot of these groups appreciate the importance of this particular initiative. That is why they have come forward to support it.

I yield to the gentleman from Oklahoma.

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

I realize this is running a little long to say that I applaud my colleagues for working on this effort, the gentleman from Washington [Mr. TATE], the gentleman from Maryland [Mr. EHRlich], and the gentleman from Indiana [McINTOSH]. I think this is an extremely important issue.

Again, the heart of the matter I think was summed up, I am told, and I did not witness it, but I am told by a colleague that the President was good enough to appear recently while he was visiting another State. The first question asked him was how he felt about groups that are lobbying receiving Federal grants, taxpayers’ money being used to subsidize that. His response was to say, “Well, I am in favor of free speech,” and then changed the subject.

The essence of this point is it is not free speech. If you have organizations sometimes receiving a half a million dollars, $1 million, $10 million, $76 million, $100 million, over $1 billion, in one case, that is not what we categorize as free speech. We are talking about public money which has to have public protection. If there were a Federal agency engaging in these matters with taxpayers’ money, everyone in this body, I would hope, would be outraged. When Federal money is being used to more or less have extensions of Federal agencies or extensions of a political party to do their bidding, that money deserves to have the same safeguards as if it were being spent directly through a Federal agency, and we are trying to honor that principle.

Mr. EHRlich. What we are really talking about, at a very bottom line, fundamentally, is the Federal taxpayer’s dollar being spent on direct service, actually helping the American people. I congratulate the gentleman from Oklahoma [Mr. ISTOOK] for his great leadership on this bill as well.

I yield to the gentleman from Indiana.

Mr. McINTOSH. The gentleman is exactly right. We are talking about using this Federal money for real services that help people, in contrast to what our colleague, the gentleman from Washington [Mr. TATE] pointed out, where they are funding the big lie and misleading the public about very important issues.

Mr. EHRlich. What better lead-in to close our colloquy than to yield to our friend, the gentleman from Washington [Mr. TATE].

Mr. TATE. Batting clean-up on this, I just want to thank the gentleman from Maryland [Mr. EHRlich], the gentleman from Indiana [Mr. McINTOSH],
and the gentleman from Oklahoma [Mr. ISTOOK] for their leadership on this particular issue, and once again to reiterate $39 billion every single year is spent on lobbying. It comes in many forms, whether it is lobbying against the flag or the big lie, which we recently had on the floor, or right back in my own district where they are funding $165,000 in radio and television commercials spreading the big lie. And once again, that is taxpayer-funded, if not directly, indirectly, subsidizing the spreading of the big lie.

What we are trying to do, as the chairman, the gentleman from Indiana [Mr. McINTOSH], has said, is bring trust back in Government. People will know that when money is sent to the Government, it is being spent as it is designed, not for partisan politics. It should be spent to help the people of the United States and spent wisely. What we are trying to do is bring trust and responsibility back to Government, and this reality is that Government is naturally excited by what you folks are doing, and I just want to commend your work on this issue.

Mr. EHRLICH. Directed to the gentleman from the State of Washington, you will recall in the middle 1980s in Congress, I am excited by what you folks are doing, and I just want to commend your work on this issue.

Mr. DORNAN. Mr. Speaker, we have a tradition in Congress; the one thing, in my opinion, is that the most powerful, deliberative body in the free or democratic world, meets. We have American citizens sentenced to 7 and 9 years of imprisonment in Saigon, and some day it will be renamed Saigon again, not named after a Communist killer named Ho Chi Minh. Just as Lenin’s name was removed from beautiful St. Petersburg in northern Russia, and as Stalin’s name was removed from a strategic battle area in World War II, Stalingrad, and the city has a very bloody name of Volgograd, some day it will be Saigon again. So as a free man, I will continue to call it Saigon.

In Saigon, and I want to speak slowly for our official recorder of debate here, so we get these names right, and unfortunately, the Americans sentenced to prison in Saigon are naturalized Americans; as was Alexander Hamilton naturalized, as is Henry Kissinger, as are a lot of great Americans who have invented things and founded and died for this country and our liberty.

Unlike Harry Wu, who I had a chance to meet as he was testifying before the Committee on International Relations of the gentleman from New York, Ben GILMAN, they did not affect Christian first names, probably because they are not Christians, they are Buddhists. But if they had taken an anglicized name, it would have been to improve in the consciousness of these American people and freedom-loving people in Europe and around the world the name of a victim of Communist tyranny, as we were able to do with Mr. Wu, because he took my father’s first name, Harry. "Wu," very much like Henry Kissinger or liberal Democrats like the gentlewoman from California, NANCY PELOSI.

It got all mixed up with the trip of the First Lady over to the Beijing Conference, the very controversial U.N. conference.

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So much international pressure that the Chinese communists in Beijing knew there would be no trip of Hillary Clinton if they did not release Harry Wu.

But meanwhile, in the other Chamber, and I am going to go slow here so that I do not skirt a line and violate my faith; not that I have lost much, it has been a great 8 months here, but your constituents can still discern the difference between the truth on one hand and a lie on the other, and I think you will be at the forefront for it. I thank my colleagues very much.

AMERICAN CITIZENS RECENTLY SENTENCED TO IMPRISONMENT IN COMMUNIST VIETNAM

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Unlike Harry Wu, who I had a chance to meet as he was testifying before the
and 6 days later American citizens are sentenced to 6 and 4 years. Teddy Roosevelt, where are you when we need you to speak up for these two lost American citizens, Nguyen and Tran?

And by the way, they are both constituents of the County where you come from. Tran, a Buddhist monk, went to help the flood victims in the Mekong River, and because he did not have a passport, he was arrested and is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison. He is going to have to rot in prison.

We will spit them out of our communist country if you give us ransom money, like it is King Richard the Lionhearted.

This is going on while the U.S. Senate debates, and my colleague, Bo Smith, pours his heart out. And then another one of my friends gets up and attacks me and another couple of Members of this House.

PARLIAMENTARY INQUIRY

Mr. DORNAN. Mr. Speaker, I may have to ask for some parliamentary guidance on this. I was described as insignificant, Mr. Speaker, by a U.S. Senator. That is OK. I am a peace-time combat-trained warrior. But our colleagues and friend, one of the greatest heroes, including all the heroes who came home from World War II, who served in this Chamber, were attacked as also insignificant, SAM JOHNSON of Dallas, TX.

SAM spent 7 years in Communist captivity; 3½ years in solitary confinement. Was one of the most tortured men in Vietnam, and the fact that other people, would not play basketball or volleyball or decorate fake Christmas trees, because he knew they would be filmed and used in propaganda films. He and 10 other men stood up to the Communist occupation of them. He was put in a little camp that they, with great American bravado and spirit, called Alcatraz, and for 11 years, Senator Jeremiah Denton, who served 6 great years in the other body, and Coker and McKnight and another hero who just died recently in a plane crash, his grown son mercifully survived, God's calls are strange indeed, sometimes. Eleven of the best, including a man who got the Medal of Honor that Alcatraz camp, who Ross Perot chose to be his Vice-President in 1992, James Bond Stockdale. They are all on a letter that I will put in the RECORD saying that we should not normalize relations with Vietnam.

Mr. Speaker, you will certainly get that. Let me ask one clarification problem. Yesterday's CONGRESSIONAL RECORD is public record now. Now, how can I discuss that debate and the words in that debate? Further clarification, if I do not mention a Senator's name, can I read his—well, I have already eliminated the seven or eight women over there—can I read his remarks from the public RECORD, the CONGRESSIONAL RECORD of yesterday? I know I can give the results of the vote.

The SPEAKER pro tempore. The Chair's understanding that the reference is improper unless there is a measure under consideration in the House.

Mr. DORNAN. There is.

The SPEAKER pro tempore. Only when under debate, then on the floor of the House, that the gentleman should refrain from referring to the proceedings in the Senate.

Mr. DORNAN. Right. There is nothing on the House floor now, except my Special Order. So that is not the business relating to this business of Vietnam.

However, we have in conference a unanimous agreement by voice vote, with the only debate carried by the aforementioned SAM JOHNSON of Dallas, TX, a House item in our International Relations conference that no money shall be expended from the U.S. Public Treasury to send an ambassador to Vietnam, or to increase the size of our delegation there beyond what is was on July 12.

Now, since that has already passed the House and it is in conference, and the conference is pending, and I am meeting with the conference in 5 minutes, does that make me able to make the case in countervention to the Senate case made yesterday that lost 58 to 39?
Mr. Speaker, I am not a courtroom attorney, and I do not want to be unfairly clever since I have already mentioned part of this, and do a Jonathan Swift "Gulliver's Travels" trick here that I see happen all the time on the other side of the aisle. I am not interested about characterizations. But let me broaden it out then to those people out there in America who try to compare Vietnam to Germany where we won the war, hung the war criminals, walked the battlefields, solved most missing in action cases, held the war criminals, and sill had young Americans disappear into Stalin's gulag. Because our Soviet ally became our enemy before the ink was dry on the German unconditional signed surrender.

When this debate is couched in these terms on Communist Vietnam, that people hope the debate will go away, that it is over, the inflammatory language coming only from the House of Representatives, so few in number, although more than a few of us that we are insignificant, that Mr. Clinton was right to normalize relations with Vietnam. Actually, that was his fifth deed in a rapid 18 months to try and insert this Communist dictator into the civilized nations of the world. And when people say that the Nation breathed a sigh of relief that Vietnam was finally over, it is not over for the families of missing in action Americans.

It is not over for the families of all of these people I have just discussed who are now in filthy, Communist dungeons in Saigon. It is not over for those who were arrested and thrown in prison in Hanoi for wanting open elections. This is what is causing Castro to be embarrassed in his fourth decade, because he will not have an election. He is dictator for life.

What do we have in North Korea? For the first time in history, the worst of war and death, the most vicious, the most evil in the history of this Congress and the Senate. Nothing like it in the history of the Armed Forces. Nothing like the Himalaya-like war, the war without end. And when people wonder why some of us find not a conspiracy, but an elitist group, people who do not care about the average family as kids die in these wars. They are sending a team over to Hanoi next week to grease the path for war criminal Robert McNamara who walked off the battlefield on the bloodiest month of the war, January 30 through February 29. He resigned on leap year day, February 29, 1968, so he would only have to think about it every 4 years. He went on vacation for a month at Aspen and skied while our hospitals were filled to capacity, the worst month of the whole 10-year decade, with amputees, double amputees and yes, triple amputees, more blind American soldiers in hospitals, four or five nurses dead, women captured and dying on the Ho Chi Minh Trail, forced marches up to the North, and McNamara is skiing in Aspen for the whole month of March in 1968.

But that wasn't enough. Then he went to the Caribbean for another week to meet with officials that he was going to serve with at the World Bank, and then he went off to the World Bank, thanks to one of our corrupt Presidents, to corrupt people. He is corrupt in all of the history books if you read them, and not even carefully, either, it is right out there blatant. Ask Bill Moyers about corruption, including womanizing.

Then we see McNamara at the Caribbean about to start drawing his World Bank salary that he drew for 13 years and made at $250,000 a year. I must slow down and say this carefully three times: Tax free, tax free, tax free, and the Library of Congress told me in now dollars that is between $900,000 and $1 million a year. For 13 years McNamara, the architect of Vietnam, who created that immoral, sick vocabulary of gradualism, escalated response, strategic hamlets, body bags, fire fights, body counts, free fire zones, and the worst of all, the Caribou for putting SAM missiles into the woods along with the statue of three heroic Americans coming out of the woods looking at the State Department, one African-American, one Hispanic heritage American, and one just generally Anglo-looking American. That statue and a plaque at the base of the flag that says they served under difficult circumstances. Well, yes, it would like it to be a part of my debate, so I would ask people, the million-plus audience of C-SPAN who quite intelligently and historically follows the proceedings of this Chamber, Mr. Speaker, I would tell you that you can read this, something congratulatory, Bob Doyle saying he hopes the House language prevails on the Missing In Action we are trying to enact into law. Here is a letter from 85 former POW's. Lt. Gen. John Peter Flynn, Robinson Risner, Brigadier General, my former squadron commander, Sam Johnson, our proud Member of Congress, Eugene "Red" McDaniel, the most tortured man in all of those captive men. Anybody tortured beyond him died under the harsh conditions of the POW camps.

Look at this list. Here is Jack Bomar, one of the four colonels. They had four bird colonels in their hands. Leo Thorsness is my pal, Medal of Honor winner, former Senator in the State of Washington, now president of the Medal of Honor group. As former POW's in Vietnam, here is what they say led by Red McDaniel, now president of the Defense Policy Association, "I strongly support the denominational commission of the Missing Persons Act." And yet on "Meet The Press," a member of a legislative body around here told me that my figures were wrong when I said most POW's supported the gentleman from New York, Mr. Gilman, and Bob Doyle's language on this.

Here is a letter from the National Alliance of Families, I have a letter from Ann Griffith and the League of Families. Here is a letter from the Korean War Veterans Association of The Missouri. These three I am not sure, yes, I know I can put them in the record. Vietnam Veterans of America. The Marine Corps League, just came in and said they would be represented, but I would like it to be a part of my debate, so I would ask people, the million-plus audience of C-SPAN who quite intelligently and historically follows the proceedings of this Chamber, Mr. Speaker, I would tell you that you can read this, something congratulatory, Bob Doyle saying he hopes the House language prevails on the Missing In Action we are trying to enact into law. Here is a letter from 85 former POW's. Lt. Gen. John Peter Flynn, Robinson Risner, Brigadier General, my former squadron commander, Sam Johnson, our proud Member of Congress, Eugene "Red" McDaniel, the most tortured man in all of those captive men. Anybody tortured beyond him died under the harsh conditions of the POW camps.
COLLEAGUE who served with us here. From John Sommer, executive director of the American Legion, I cannot put that in, because it is critical of a member of the other body. The sister of Maj. Robert F. Coady begging that it go in, who was a Marine, who Mylar to a family member. The sister of a marine missing. When I went on “Meet The Press” and said that overwhelmingly, veterans groups want this Missing Persons Act, so we will not relive the nightmare of Korea and Vietnam and oppose normalization with Vietnam. When I said most POW’s, when I said most Vietnam veterans of that conflict and Vietnam veterans of Korea, when I gave the percentages on most Vietnamese-Americans, and it is about 85 to 95 percent, when I talked about every person of the Democratic Freedom groups in Vietnam and in this country, and there is 1 million Vietnamese-Americans, about 700,000, 800,000 already Americans, about 500,000, 300,000, they have great family respect, a better than average birth rate among the Vietnamese community. This year next, the Vietnamese-American community will tie the valiant anti-Communist Vietnamese-American community, and the valiant anti-Communist Hungarian-American community. When I gave all of those figures, someone from another legislative body says, “I do not buy any of Congressman Dornan’s figures or percentages or statistics,” but offered none on the other side. These are the facts. Get the record from today. I would hope, Mr. Speaker, that any American would get the record from today and read how those of us, who are not insignificant, who are fighting for the honor of the 58,300 men and 8 women’s names who are on that wall who should be honored with a plaque at the apex of the wall that simply says, “These good Americans died fighting Communism.” Because Korea and Korea melted down in the cold war, as its two biggest blood-letting subsets in which John F. Kennedy called that long twilight struggle against communism that is not over yet. And for the Vietnamese-American community, as I told them up in New York on August 19, you must study the community, as I told them up in New against communism that is not over cause Vietnam and Korea melted down with a plaque at the apex of the wall 58,300 men and 8 women’s names who those of us, who are not insignificant, Speaker, that any American would get this. I told several U.S. Senators in con- yes, Cuba, 90 miles from Key West. we kept half of that peninsula free, and China, Vietnam, North Korea, at least communism that still goes on against a long struggle, bloody struggle against we would dismiss all of this history in this night. The motto is, “Faithful until death,” for me. I am not going to forget the missing or what communism did to Southeast Asia, what it did to Cambodia, the killing fields, Laos, Vietnam with over 100,000 executed, 68,000 people who befriended us, thought we were a superpower and a reliable ally, and they were executed under death orders, under the same Communist killers that shake hands with Members of Congress or are toast- ed to by Members of Congress and by General Giap who is called a war hero. General Giap is a war criminal who or- dered children to be killed. I shall be back on this issue. Mr. Speaker, I include for the Record the material previously re- referred to. A MERican Defense Institute, ALEXANDRIA, VA, September 18, 1995. Hon. Robert K. Dornan, U.S. House of Representatives, Washington, DC. DEAR CONGRESSMAN DOR- NAN: As a former POW in Vietnam and now president of a de- fense policy organization, I strongly support the 1995 House version of the Missing Persons Act (H.R. 945). I am dismayed to learn of the efforts of some to “water down” this impor- tant legislation and decrease its impact. I can think of no more critical to the morale of our fighting men than to know that, if they should go missing while fighting America’s battles, their country will do everything necessary to bring them home. This is especially in view of the tragic manner in which information about our MIAs and POWs in Southeast Asia has been handled by our active duty service- sonel and their families need reassurance of their nation’s commitment to them—and in the strongest language possible.

It is hard for me to imagine any high-rank- ing military officer implying that limited time and resources during conflict preclude accounting for missing soldiers. How can such an officer possibly lead men into battle? Accounting for missing personnel is a matter of military honor—and a matter of national honor.

Sincerely,

EUGENE “RED” MCDANIEL,
CAPT, USN (RET),
President

Attachment

John Peter Flynn, Lt. Gen., USAF (ret).
Robinson Risner, Brig. Gen., USAF (ret).
Sam J. odom, Member of Congress.
Eugene “Red” McDaniel, CAPT, USN (ret).
John A. Alpers, Lt. Col., USAF (ret).
William J. Baugh, Col., USAF (ret).
Adkins, C. Speed, Maj., USA (ret).
F. C. Baldock, CDR, USA (ret).
Carroll Beeler, CAPT, USA (ret).
Terry L. Boyer, Lt. Col., USAF (ret).
Cole Black, CAPT, USA (ret).
P. Paul G. Brown, LtCol, USA (ret).
David J. Carey, CAPT, USA (ret).
John D. Burns, CAPT, USA (ret).
James V. Dibernardis, COL, USA (ret).
F. A. W. Franke, CAPT, USA (ret).
Wayne Goodermote, CAPT, USA (ret).
James M. Hickerson, CAPT, USA (ret).
James F. Young, Col., USAF (ret).
J. Charles Plumbe, CAPT, USA (ret).
Larry Friese, CDR, USA (ret).
Julius Jayroe, Col., USAF (ret).
Bruce Seeber, Col., USAF (ret).
Konrad Trautman, Col., USAF (ret).
Lawrence Baggott, CAPT, USA (ret).
Ron Bliss, CAPT, USA (ret).
Arthur Burer, Col., USAF (ret).
James O. Hivner, Col., USAF (ret).
Gordon A. Adkins, COL, USA (ret).
Robert Lewis, MSgt, USA (ret).
James L. Lamar, COL, USA (ret).
POWs. As I recall, Senator McCain was the leading advocate of normalization with Vietnam, a move strongly opposed by many former POWs and many veterans' groups. To let McCain solely influence decisions concerning the "Missing Persons Act" is a dis-credit to the suffering families and con-cerned POWs.

Sincerely, 

Theodore W. Guy, 
Col. (Ret) USAF, 
Former POW 68-73. 

Syracuse, NY, 

Hon. Dan Coats, 
U.S. Senator, Washington, DC.

Dear Senator Coats: As the sister of a Marine missing from the Vietnam war, I implore you to support the House version of The Missing Service Personnel Act of 1995. Any change from the language of the House version of this Bill would be yet another obstacle on the path to truth and closure for the families of our nations missing heroes and abandonment of our loved ones by this government once again.

Sir, no one, not the President, DOD, the Services, nor the people supposedly responsible for accounting for our missing, ever seem to listen to the voices that have been screaming for help in unraveling the mystery of this travesty for so many, long years. What has happened to my brother and subsequently, to his family, is a horror story that at times seems unbelievable even to me, I have faith in so many things that I held sacred and dear, my President, my party, my confidence in the honor and honesty of my elected officials. It appears that one of the First Orders of THE NEW WORLD is to wipe the slate clean without any real accounting, and to never, never use the words POW/MIA again.

Please don’t let yourself be influenced by those who have their own agenda and who believe that money and the love of more money are more important than my brother. My brother Kenny was left behind in 1967, and who believe that money and the love of more money are more important than my brother. My brother Kenny was left behind in 1967, and who believe that money and the love of more money are more important than my brother. My brother Kenny was left behind in 1967, and who believe that money and the love of more money are more important than my brother.

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We, the Families of the Missing, have been battling the bureaucracy for over 40 years, just trying to get the truth as to what happened to our loved ones. We have been shunned, hung-up on, ignored, called crazy and constantly demanding information to which we are entitled.

Most importantly, the Prisoners of War and the Missing in Action are denied their civil rights under the old Missing Service Personnel Law. This law does not financially assist the Families of the Missing. We did not know that this law would be used to “write off” the Missing. Even though the House does not necessarily shun these families, it does give the Families some recuse when the government FAILS to do its duty by these Missing Service Personnel.

There have been letters written by Generals and Department of Defense personnel saying this new bill would put undue burden on them to account for their troops. If this is their attitude, God help the men and women they send into battle because their leaders certainly will not.

We would like to hear your response to our request.

Most sincerely,

Pat Wilson Dunton, 
President/Founding Director.

National Alliance of Families, 


Hon. Strom Thurmond, 
Chairman, Armed Services Committee, 
Washington, DC

Dear Senator Thurmond: The more than 10,000 members of the National Alliance of Families categorically support the above “House version” of this legislation which will make great strides in correcting the errors of the past and prevent a repeat of those errors during future conflicts. Further, we endorse the provisions which call for board review at three year intervals, access to information for “immediate” family members, judicial review and restrictions.

Many, including ranking military officers, are attempting to water down this relevant legislation claiming “reopening and mandatory review of cases from the past... will only cause great emotional and financial strain on the families involved.” NAF membership glaringly resents the condescending and patronizing attitude of the Pentagon. Our family members wish the right to choose for themselves; if they will or will not avail themselves of those provisions cited in the “House version” of the “MSPA 1995.” For many years, the U.S. Defense Department has been allowed to “act” on behalf of the families, choosing what information was or was not submitted to the families for review. Due to research in the National Archives and the Library of Congress, many of our family members are only now, after twenty to forty years after the fact, able to view records and documents relating to their loved ones’ cases which were not and have not been provided to them via the military casualty offices.

Our families are quite capable of acting and speaking in their own behalf. We resent any attempt by those in the military to portray the families as emotionally fragile, in need of their protection, and that our members do not need protection. They need the truth.
September 21, 1995

CONGRESSIONAL RECORD — HOUSE

H 9431

In the opinion of our membership, the “House version” of the “Missing Service Personnel Act of 1995” is the single most important POW/MIA Legislation to come before the U.S. Congress in years. The PMOWA Families are tired of being lied to, chided, and patronized by an uncaring Executive and Legislative Branch of the U.S. Government. It is time for this truly meaningful bill of legislation is passed to protect America’s fighting men and women. The old unwritten attitude of “just don’t get captured” is not acceptable. Our fighting men and women and their families deserve protection under the law. That protection will come with the passage of this law as is.

Sincerely,

DOLORES APODACA ALFOND
National Chairperson.

VETERANS OF THE VIETNAM WAR, INC.

Congressman STEVE BUYER,
Chairman, Senate Committee on Armed Services,
Attention: Myrna Dugan

DEAR CHAIRMAN THURMOND: As National POW/MIA Program Director for the Veterans of the Vietnam War, Inc. we need the Congress to back Congressman Gillman’s language of the House version of H.R. 945 so that our most important language providing for the protection of our American servicemen and women. We strongly urge the Congressman to pass H.R. 945 “The Missing Service Personnel Act of 1995.” We need this bill passed so that the families of our POW/MIA’s won’t ever have to endure the suffering that the Vietnam families have had to and continue to endure.

We as Veterans of the Vietnam War, Inc. want to guarantee that our present and our future American servicemen and women have the best chance of being returned home to their loved ones. That’s why we strongly urge Congressman Buyer to pass this very important bill. Thank you for your help and time on this urgent matter. I would greatly appreciate a response to this letter on the Congressman’s feelings on this matter.

MICHAEL T. BREIGNER
National POW/MIA Program Director.

DISABLED AMERICAN VETERANS,

Hon. THOMAS B. THURMOND,
Chairman, Senate Committee on Armed Services,
Russell Senate Office Building, Washington, DC.

DEAR CHAIRMAN THURMOND: As National Commander of Disabled American Veterans (DAV) and its Auxiliary, I am writing you to express our concern regarding attempts to erode the effectiveness of the provisions of the Missing Service Personnel Act, section 563 of H.R. 1530, the Fiscal Year 1996 Defense Authorization Act.

The DAV opposes the House language in the Missing Service Personnel Act because of the additional safeguards contained in the House version. The key provisions include: legal counsel for the missing person, access to information by immediate family members of the missing person, the availability of judicial review, and the retroactive provisions of this legislation. We believe that these are important provisions; however, these provisions are missing from the Senate version.

As this measure is being considered in conference, I would urge you, in your leadership position, to encourage your colleagues to support the inclusion of these key provisions in the final version of the Defense Authorization Act. Otherwise, it is DAV’s position that this legislation would be seriously flawed.

Thank you for your continued support.

Sincerely,

THOMAS A. MCMASTERS III,
National Commander,

THE AMERICAN LEGION,
Hon. DANI EL R. COATS,
Chairman, Senate Armed Services Subcommittee on Personnel, Russell Building, Washington, DC.

DEAR SENATOR COATS: The American Legion urges you in the strongest possible terms to support Section 563, H.R. 1530, the House version of the Missing Persons Act of 1995. In particular, there are four features of the bill we are interested in: board review at three year intervals; access to information for immediate family members; judicial review; and retroactivity. Senator Robert Dole has expressed his support of the House version of the Missing Persons Act in a written statement for the Congressional Record on September 5. We have worked very closely with Senator Dole on this issue for some time.

We appreciate your stated interest in the provisions of the Missing Persons Act. The American Legion further supports the inclusion of these key provisions for immediate family members; judicial review; and the retroactive provisions of the House version of the Missing Persons Act of 1995. Section 563, H.R. 1530 will provide a means of protecting families’ ability to review records which the Pentagon has in their case and substantially supports ongoing efforts to obtain information about missing American servicemen. Section 563, H.R. 1530 will provide an equitable basis for making status determinations on missing personnel not only from past wars, but also future conflicts.

Sincerely,

J. JOHN F. SOMMER, JR.,
Executive Director.

WASHINGTON, DC.
September 12, 1995.

Senator TRENT LOTT,
U.S. Senate, Washington, DC.

DEAR SENATOR LOTT: As the sister of Maj. Robert F. Coady, USAF, lost in Laos whose family believed the Air Force when they told us that he was in a POW camp, but who were 19 and 22 years old. I worked with Senator Shelby, Heflin, Mack and Johnson who were amazed to find declassified documents that described my brother’s file (after being told there was no brother’s file) and family believed the Air Force when they told us that he was in a POW camp, but who were 19 and 22 years old. I worked with Senator Shelby, Heflin, Mack and Johnson who were 19 and 22 years old for immediate family members; judicial review; and retroactivity. Senator Robert Dole has expressed his support of the House version of the Missing Persons Act in a written statement for the Congressional Record on September 5. We have worked very closely with Senator Dole on this issue for some time.

We appreciate your stated interest in the provisions of the Missing Persons Act. The American Legion further supports the inclusion of these key provisions for immediate family members; judicial review; and the retroactive provisions of the House version of the Missing Persons Act of 1995. Section 563, H.R. 1530 will provide a means of protecting families’ ability to review records which the Pentagon has in their case and substantially supports ongoing efforts to obtain information about missing American servicemen. Section 563, H.R. 1530 will provide an equitable basis for making status determinations on missing personnel not only from past wars, but also future conflicts.

Sincerely,

MICHAEL T. BREIGNER
National Chairperson.

THE AMERICAN LEGION,

Mr. REGULA submitted the following conference report and statement on the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

CONFERENCE REPORT (H. REPT. 104±259)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1977) “making appropriations for the Department of the Interior and related agencies, for the fiscal year ending September 30, 1996, and for other purposes,” having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 21, 24, 26, 40, 54, 57, 67, 76, 77, 79, 81, 83, 96, 100, 105, 106, 109, 113, 121, 124, 126, 127, 129, 130, 133, 134, 137, 139, 140, 141, 142, 143, 144, 145, 149, 150, 157, 158, 159, 160, 161, and 162, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 13, 15, 16, 17, 18, 19, 20, 28, 32, 34, 36, 38, 45, 46, 50, 51, 52, 56, 59, 61, 62, 66, 71, 72, 73, 74, 75, 76, 78, 80, 81, 82, 86, 87, 88, 93, 96, 100, 103, 105, 106, 109, 113, 121, 124, 126, 127, 129, 130, 131, 133, 134, 137, 139, 140, 141, 142, 143, 144, 145, 149, 150, 157, 158, 159, 160, 161, and 162, and agree to the same.

Amendment number 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: and assessment of mineral potential of public lands pursuant to P.L. 96-487 (16 U.S.C. 3150 (a)), $568,062,000; and the Senate agree to the same.

Amendment number 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter stricken by said amendment, amended as follows: After the first comma in said amendment insert: of which $2,000,000 shall be available for other purposes by the Secretary of the Interior for public lands in Alaska pursuant to section 1010 of P.L. 96-487 (16 U.S.C. 3150 (a)), $568,062,000; and the Senate agree to the same.

Amendment number 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: $568,062,000; and the Senate agree to the same.

Amendment number 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: $3,115,000; and the Senate agree to the same.

Amendment number 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: $101,500,000; and the Senate agree to the same.

Amendment number 7:
That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the amendment proposed by said amendment insert: $12,800,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: $93,379,000; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following:

$497,943,000, to remain available for obligation until September 30, 1997, $36,212,000; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the amendment proposed by said amendment insert: $37,645,000; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: $36,900,000; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the amendment proposed by said amendment insert: $37,655,000; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: $49,100,000; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: Provided, That any funds made available for the purposes of acquisition of the Elwha and Glines dams shall be used solely for purchase of properties which acquisition shall be expected until the full purchase amount has been appropriated by the Congress; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: Provided, That none of the funds available under this heading for research shall be used to conduct new surveys on private property, including new aerial surveys for the designation of habitat under the Endangered Species Act, except when it is made known to the Federal official having authority to obligate or expend such funds that the survey or research has been requested and authorized by the property owner or the owner's authorized representative: Provided further, That none of the funds provided here under for resource research may be used to administer a volunteer program when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are properly trained or that information gathered by the volunteers is not carefully verified: Provided further, That no later than April 1, 1996, the Director of the United States Geological Survey shall issue agency guidelines for resource research that ensure that scientific and technical peer reviews are utilized as fully as possible in selection of projects for funding and ensure the validity and reliability of research and data collected on Federal lands: Provided further, That none of the funds made available for resource research may be used for any activity that was not authorized prior to the establishment of the National Biological Survey: Provided further, That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: Provided further, That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey shall be transferred to the National Biological Survey. Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey's responsibilities, and research account and shall remain available for obligation until September 30,
1996. Provided further, That the authority granted to the United States Bureau of Mines to conduct mineral surveys and to determine mineral values by section 603 of Public law 94-579 is hereby amended as follows: Provided further, That the transfers of function to the Secretary of Energy shall become effective on the date specified by the Director, Office of Management and Budget, but in no event later than 90 days after enactment into law of this Act: Provided further, That the reference to “function” includes, but is not limited to, duty, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be; and the Senate agree to the same.

Amendment numbered 44:
That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $182,994,000; and the Senate agree to the same.

Amendment numbered 47:
That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:
In lieu of the matter stricken and inserted by said amendment insert: The amendment to the amendment of the Senate numbered 47, and agreement to the same with an amendment, as follows:

Amendment numbered 49:
That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $173,887,000; and the Senate agree to the same.

Amendment numbered 53:
That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:
In lieu of the matter stricken and inserted by said amendment insert the following: $350,434,000; and the Senate agree to the same.

Amendment numbered 55:
That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:
In lieu of the matter stricken and inserted by said amendment insert the following: $100,255,000 shall be for welfare assistance grants and not to exceed $104,626,000; and the Senate agree to the same.

Amendment numbered 58:
That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $68,209,000; and the Senate agree to the same.

Amendment numbered 60:
That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $71,854,000; and the Senate agree to the same.

Amendment numbered 63:
That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:
Retain the matter proposed by said amendment amended as follows: Before: “Provided further” in said amendment insert: , to become effective on July 1, 1997; and the Senate agree to the same.

Amendment numbered 64:
That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $100,833,000; and the Senate agree to the same.

Amendment numbered 65:
That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:
In lieu of the sum proposed by said amendment insert: $80,645,000; and the Senate agree to the same.

Amendment numbered 68:
That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:
Retain the matter proposed by said amendment amended as follows:
The full amount of all funds necessary for resettlement Act of 1985 (Public Law 99±239, 99 Stat.) provision of ex gratia assistance pursuant to this subsection shall be construed to limit the Islands, is authorized to make funds available for conducting activities, in the Republic of the Marshall Islands, and may propose an incremental set-aside, not to exceed $2,000,000 per year, to remain available to the extent of any funds to be provided for such purposes in any fiscal year. Provided further, That the Forest Service may amend the plan during the fiscal year in which the plan is signed between the Forest Service and the Alaska Visitors' Association: Provided further, That the Secretary shall continue the current Tongass land management process, and may replace or modify Alternative P with the selected alternative of a revised Tongass Land Management Plan ("TLMP") which shall, to the maximum extent practical, contain at least the number of acres of suitable, available timber lands and suitable, scheduled for the duration of fiscal year 1996 none of the Funds to be provided for such purposes under the Tongass National Forest except to implement the Preferred Alternative P ("ANILCA"), and was subsequently offered or agreed upon as a different plan for management of the Tongass National Forest. That any funds to be provided for such purposes under the Tongass National Forest Management Plan ("TLMP") shall not be subject to additional analysis under NEPA or ANILCA through any action of the Federal government or by order of any court of law. That the House recede from its disagreement with the Senate amendment numbered 90, and agree to the same with an amendment, as follows:

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows:

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows:

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

Amendment numbered 104:

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:

Amendment numbered 113:

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows:

Amendment numbered 114:

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows:

Amendment numbered 115:

That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows:

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:

which shall be deemed sufficient to satisfy all requirements of applicable law: Provided, That the Forest Service may amend the plan during fiscal year 1996 only to the extent necessary to maintain the current Tongass land management process, and may replace or modify Alternative P with the selected alternative of a revised Tongass Land Management Plan ("TLMP") which shall, to the maximum extent practical, contain at least the number of acres of suitable, available timber lands and suitable, scheduled for the duration of fiscal year 1996. Provided further, That if the Forest Service fails to complete work on a revised TLMP during fiscal year 1996, Alternative P shall remain in effect until such time as a revised plan is completed in accordance with this section and is in effect: Provided further, That hereinafter, notwithstanding any other provision of law, any timber sale or offering that was prepared for acceptance, or was awarded to a purchaser after December 31, 1988, which has been the subject of an Environmental Impact Statement under the National Environmental Policy Act ("NEPA") and a review under section 810 of the Alaska National Interest Lands Conservation Act ("ANILCA"), and was subsequently offered or agreed upon as a different plan for management of the Tongass National Forest. That the House recede from its disagreement with the Senate amendment numbered 90, and agree to the same with an amendment, as follows:

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows:

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows:

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

Amendment numbered 96:

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Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

Amendment numbered 99:

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Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:

Amendment numbered 113:

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows:

Amendment numbered 114:

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows:

Amendment numbered 115:

That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows:

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:
Amendment numbered 152.
That the House recede from its disagreement to the amendment of the Senate number 152, and agree to the same with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following:
Sec. 314. (a) In subsection (b), no part of any appropriation contained in this Act or any other Act shall be obligated or expended for the operation or implementation of the Interior Coordinating Management Project (hereinafter "Project").
(b)(1) From the funds appropriated to the Forest Service and Bureau of Land Management: a sum of $72,266,000; and the Senate agree to the same.
Amendment numbered 120.
That the House recede from its disagreement to the amendment of the Senate number 120, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $7,226,000; and the Senate agree to the same.
Amendment numbered 121.
That the House recede from its disagreement to the amendment of the Senate number 121, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $1,722,842,000; and the Senate agree to the same.
Amendment numbered 125.
That the House recede from its disagreement to the amendment of the Senate number 125, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $308,188,000; and the Senate agree to the same.
Amendment numbered 132.
That the House recede from its disagreement to the amendment of the Senate number 132, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $238,958,000; and the Senate agree to the same.
Amendment numbered 135.
That the House recede from its disagreement to the amendment of the Senate number 135, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $6,442,000; and the Senate agree to the same.
Amendment numbered 136.
That the Senate agree to the same.
Amendment numbered 146.
That the House recede from its disagreement to the amendment of the Senate number 146, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert $5,840,000; and the Senate agree to the same.
Amendment numbered 151.
That the House recede from its disagreement to the amendment of the Senate number 151, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of Subsection (g) insert the following:
(3) Section 3(b) of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 8726) is amended as follows:
(b) The Corporation shall be dissolved on or before the date of the execution of the plan of dissolution or liquidation, all obligations, indebtedness, and all unobligated and unexpended balances of the Corporation shall be transferred in accordance with the Department of the Interior and Related Agencies Appropriations Act, 1996; and the Senate agree to the same.
31. 1996. Provided, That any amendment deemed a significant plan amendment, or equivalent, pursuant to paragraph (3) shall be adopted on or before December 31, 1996.

(b) By striking the first sentence in paragraph (1)(A), or any provision of a plan or other planning document incorporating such policy, shall be effective in any forest subject to the Project on or after the effective date of the amendment referred to in the Stipulation of Dismissal dated September 13, 1993, applicable to the Clearwater National Forest is deemed to be satisfied, and the interim management direction provisions contained in the amendment of Dismissal shall be of no further effect with respect to the Clearwater National Forest.

(d) The documents prepared under the authority of this section shall not be applied or used to regulate non-Federal lands.

And the Senate agree to the same.

Amendment numbered 164:
That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment.

In lieu of the matter stricken and inserted by said amendment insert the following:

SEC. 315. RECREATIONAL FEE DEMONSTRATION PROJECTS

(a) The Secretary of the Interior (acting through the Bureau of Land Management, the National Park Service and the United States Fish and Wildlife Service) and the Secretary of Agriculture (acting through the Forest Service) shall each implement a fee program to demonstrate the feasibility of user-generated cost recovery and maintenance of recreation areas or sites and habitat enhancement projects on Federal lands.

(b) Fees shall be charged to the extent of program established pursuant to this section, the appropriate Secretary shall select from areas under the jurisdiction of each of the four agencies referred to in subsection (a) no fewer than 10, but as many as 50, areas, sites or projects for fee demonstration. For each such demonstration, the Secretary, notwithstanding any other provision of law:

(1) shall charge and collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services and individuals and groups, or any combination thereof;

(2) shall establish fees under this section based upon a variety of cost recovery and fair market valuation methods to provide a broad basis for feasibility testing;

(3) may contract, including provisions for reasonable commissions, with any private or public entity to furnish services and the Secretary of Agriculture, in addition to any services and information, and may accept services or volunteers to collect fees charged pursuant to paragraph (1); and

(4) may make private investments and partnerships to enhance the delivery of quality customer services and resource enhancement, and provide appropriate recognition to such partners or investors.

(5) may assess a fine of not more than $100 for any violation of the authority to collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services.

(c)(1) Amounts collected at each fee demonstration site or project shall be distributed as follows:

(A) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by twenty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditures in accordance with paragraph (2)(A).

(B) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by four percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditure in accordance with paragraph (2)(B).

(C) For agencies other than the Fish and Wildlife Service, up to 15% of current year collections of each agency, but not greater than fee collection costs for that fiscal year, to remain available for expenditure without further appropriation, in accordance with paragraph (2)(C).

(D) For agencies other than the Fish and Wildlife Service, the balance to the special account established pursuant to sub-paragraph (A) of section 4(i)(1) of the Land and Water Conservation Fund Act, as amended.

(E) For the Fish and Wildlife Service, the balance to the special account established pursuant to sub-paragraph (A) of section 4(i)(1) of the Land and Water Conservation Fund Act, as amended.

(2)(A) Expenditures from site specific special funds shall be for further activities of the area, site or project from which funds are collected, and shall be accounted for separately.

(B) Expenditures from agency specific special funds shall be for use on an agency-wide basis and shall be accounted for separately.

(C) Expenditures from fee collection support fund shall be used to cover fee collection costs in accordance with section 4(i)(1)(B) of the Land and Water Conservation Fund Act, as amended.

(D) Provided, That funds unexpended and unobligated at the end of the fiscal year shall not be deposited into the special account established pursuant to section 4(i)(1)(A) of said Act and shall remain available for expenditure without further appropriation.

(E) In order to increase the quality of the visitor experience, public recreational areas and facilities, and maintain the protection of resources, amounts available for expenditure under this section may only be used for the area, site or project concerned, for background repair and maintenance projects (including projects relating to health and safety) and for interpretation, signage, habitat or facility enhancement, resource preservation, annual operation (including fee collection), maintenance, and law enforcement relating to public use. The agencywide accounts may be used for the same purposes set forth in the preceding sentence, but for areas, sites or projects selected at the discretion of the respective agency head.


(2) Fees charged pursuant to this section shall be liable in lieu of fees charged under any other provision of law.

(e) The Secretary of the Interior and the Secretary of Agriculture shall carry out this section without promulgating regulations.

(f) The authority to collect fees under this section shall become effective on October 1, 1995, and end on September 30, 1998. Funds in accounts established shall remain available through September 30, 2001.

And the Senate agree to the same.

Amendment numbered 154:
That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

Sec. 316. Section 2001(a)(2) of Public Law 104-19 is amended as follows: Strike ‘‘September 30, 1999’’ and insert in lieu thereof ‘‘December 31, 1996’’.

And the Senate agree to the same.

Amendment numbered 156:
That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 319. GREAT BASIN NATIONAL PARK.

Section 3 of the Great Basin National Park Act of 1986 (16 U.S.C. 437) is amended by:

(1) in the first sentence of subsection (e) by striking ‘‘shall’’ and inserting ‘‘may’’;

(2) in subsection (f)(1) by striking ‘‘At the request’’ and inserting the following:

‘‘E X E C U T I O N ’’.

(3) in paragraph (2)(A) of the amendment, amended to read as follows:

‘‘E X E C U T I O N’’.

And the Senate agree to the same.

Amendment numbered 165:
That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment, insert: 320; and the Senate agree to the same.

Amendment numbered 166:
That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment, insert: 329; and the Senate agree to the same.

Amendment numbered 167:
That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment, insert: 330; and the Senate agree to the same.

Amendment numbered 168:
That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 319. Notwithstanding any other provision of law, none of the funds made available to the National Endowment for the Arts under this Act shall be used to promote, sponsor or produce materials or performances which denigrate the objects or beliefs of the adherents of a particular religion.

And the Senate agree to the same.

Amendment numbered 169:
That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 319. Notwithstanding any other provision of law, none of the funds made available to the National Endowment for the Arts under this Act shall be used to promote, sponsor or produce materials or performances which denigrate the objects or beliefs of the adherents of a particular religion.

And the Senate agree to the same.

Amendment numbered 170:
That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment, as follows:

Concealed.
In lieu of the matter proposed by said amendment insert:

SEC. 333. For purposes related to the closure of the Bureau of Mines, funds made available to the United States Geological Survey, the United States Bureau of Mines, and the Bureau of Land Management shall be available for transfer, with the approval of the Secretary of the Interior, among the following accounts: United States Geological Survey, Surveys, investigations, and research; Bureau of Mines, Mines and minerals; and Bureau of Land Management, Management of lands and resources. The Secretary of Energy shall reimburse the Secretary of the Interior, in an amount to be determined by the Director of the Office of Management and Budget, for the expenses of the transferred functions between October 1, 1995 and the effective date of the transfers of function. Such transfers shall be subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

The Senate agree to the same.

Ralph Regula
(except amendment 163, 136, 168, 169)
Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEES OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 1977 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 104-173 or Senate Report 104-125 which are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

The managers have included funding in each of the land acquisition accounts that is not earmarked by individual projects. The managers direct the Department of the Interior and the Forest Service to develop a proposed distribution of project funding for review and approval by the House and Senate Committees on Appropriations. In developing the proposed distributions, the agencies are encouraged to give consideration to a broader array of projects than was proposed in the FY 1996 budget, including but not limited to projects for which capability statements have been prepared.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

Amendment No. 1: Appropriates $568,062,000 for management of lands and resources in-stead of $570,017,000 as proposed by the House and $563,936,000 as proposed by the Senate. The amendment also adds language to transfer responsibility for mineral assessments in Alaska from the Bureau of Mines to the Secretary of Energy.

The net decrease below the House consists of decreases of $1,500,000 for wild horse and burro management, $500,000 for threatened and endangered species, $1,000,000 for recreation wilderness management, $448,000 for recreation resources management, $50,000 for coal management, $50,000 for other mineral resources, $554,000 for land and realty management, $4,000,000 for ALMRS, $500,000 for administrative support, and $834,000 for bureau-wide fixed costs; and increases of $4,983,000 for information systems operations and $2,000,000 for mineral assessments in Alaska formerly funded under the Bureau of Mines.

Amendment No. 2: Restates the final appropriation amount for management of lands and resources as $568,062,000 instead of $570,017,000 as proposed by the House and $563,936,000 as proposed by the Senate.

WILDLAND FIRE MANAGEMENT

Amendment No. 4: Appropriates $235,924,000 for wildland fire management as proposed by the Senate instead of $240,159,000 as proposed by the Senate.

CONSTRUCTION AND ACCESS

Amendment No. 5: Appropriates $3,115,000 for construction and access instead of $2,515,000 as proposed by the House and $2,615,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sourdough Campground</td>
<td>$584,000</td>
</tr>
<tr>
<td>BVingston Campground</td>
<td>200,000</td>
</tr>
<tr>
<td>West Aravaipa Ranger Station, AZ</td>
<td>200,000</td>
</tr>
<tr>
<td>Railroad Flat Campground, CA</td>
<td>218,000</td>
</tr>
<tr>
<td>Penitente Canyon, CO</td>
<td>220,000</td>
</tr>
<tr>
<td>James Kipp Campground, MT</td>
<td>345,000</td>
</tr>
<tr>
<td>Datil Well Rec Site reconstruction, NM</td>
<td>41,000</td>
</tr>
<tr>
<td>Encampment National River Rec Area, WY</td>
<td>60,000</td>
</tr>
<tr>
<td>Indian Creek Accessibility Rehabilitation, NV</td>
<td>57,000</td>
</tr>
<tr>
<td>El Camino Reintil High Age Ctr., NM-A&amp;E</td>
<td>500,000</td>
</tr>
<tr>
<td>Flagstaff Hill, OR</td>
<td>600,000</td>
</tr>
<tr>
<td>Total</td>
<td>3,115,000</td>
</tr>
</tbody>
</table>

The managers urge BLM and the non-Federal partners to consider during the A&E phase of the El Camino Real National Heritage Center the fact that future construction funds are likely to be severely constrained.

PAYMENTS IN LIEU OF TAXES

Amendment No. 6: Appropriates $101,500,000 for payments in lieu of taxes instead of $111,409,000 as proposed by the House and $100,000,000 as proposed by the Senate.

LAND ACQUISITION

Amendment No. 7: Appropriates $12,800,000 for land acquisition instead of $8,500,000 as proposed by the House and $30,550,000 as proposed by the Senate. The $12,800,000 includes $3,250,000 for acquisition, $1,000,000 for emergency and inholding purchases, and $8,550,000 for land purchases.

Funds provided under this account for land purchases are subject to the limitations identified at the front of this statement.

OREGON AND CALIFORNIA GRANT LANDS

Amendment No. 8: Appropriates $93,379,000 for Oregon and California grant lands instead of $91,387,000 as proposed by the House and $95,364,000 as proposed by the Senate.

The net increase above the House consists of a reduction of $900,000 for resources management, and increases of $1,115,000 for facilities maintenance, and $1,777,000 for jobs-in-the-Woods.

The managers are concerned about the many programs in the President’s Forest Plan designed to provide assistance to timber-dependent communities in the Pacific Northwest. The managers are disturbed by the inability of the agencies involved to provide a detailed accounting of funds appropriated in previous fiscal years in the President’s Forest Plan for the unemployed timber worker programs.

The managers expect the Secretaries of the Interior and the Secretary of Agriculture to prepare a detailed accounting and report of funds appropriated for the President’s Forest Plan for the FY 1996. The report shall include a careful accounting of appropriated funding, including: funds used for timber production; administrative expenses, including the number of Federal employees employed to administer the various aspects of the President’s plan; funds appropriated for the various jobs programs under the President’s plan, including but not limited to the jobs in the Woods program; the number of individuals employed by these programs; and the average length of employment in the various jobs. The managers expect the Secretaries to submit the report to the Committees no later than March 31, 1996.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Amendment No. 9: Appropriates $497,943,000 for resource management instead of $497,150,000 as proposed by the House and $547,000,000 as proposed by the Senate.

The net increase above the House consists of increases of $3,800,000 for cooperative conservation agreements, $750,000 for listing, $27,000 for habitat, $202,000 for migratory bird management, $600,000 for hatchery operations and maintenance, $800,000 for fish and wildlife management, $460,000 for the National Education and Training Center, and $885,000 for vehicle and aircraft purchase; and reductions of $500,000 for recovery, $230,000 for environmental contamination, $654,000 for information systems operations and maintenance, and $2,987,000 for service-wide administrative support.

The conference agreement includes $3,800,000 for cooperative conservation agreements with private landowners to institute effective management measures that make listing unnecessary. The managers intend that these funds also be used to implement the 4(d) rule which is intended to ease endangered species land use restrictions on small landowners. The managers agree that none of the funds appropriated for cooperative conservation agreements or listing be used in any way to conduct activities which would directly support listing of species or designating critical habitat.

The managers have included $750,000 under the listing program to be used only for...
delisting and downlisting of threatened and endangered species in order to ease land use restrictions on private and public lands. The conference agreement includes a reduction of $500,000 from the gray wolf reintroduction program. The managers expect the Service to continue the cooperative agreement with the Animal and Plant Health Inspection Service to provide assistance to ranchers experiencing livestock losses to wolves.

The managers agree with the Senate position regarding the continued operation of Federal fish hatcheries. However, the funding provided for hatcheries in total is below last year's level and will not be necessary. The managers encourage those non-Federal parties that have expressed an interest in participating in hatchery transfers to continue to work constructively toward an agreeable arrangement. The managers recognize the Fish and Wildlife Service's fisheries mitigation responsibilities pursuant to existing law and expect the Service to continue the cooperative arrangements identified at the front of this statement.

The National Fish and Wildlife Foundation is funded at a level of $4,000,000. The House recommended that no funds be provided for this purpose in the future. The Senate took no position regarding outyear funding for the Foundation.

The managers direct the Department to institute its 1992 policy, modified to reflect public comments received, regarding permit terms and conditions for hunting and fishing guides in Alaska providing permit terms of 5 years with one renewal period of 5 years, transferability under prescribed conditions, and a right of survivorship. At such time as the Department has developed the program that equitably or pass the savings associated with the hatchery transfers or closures proposed in the budget. Outyear funding for fisheries and other non-Federal programs will be assured. A package of declining budgets, and future transfer proposals might not involve transitional assistance. The managers expect that there will be significantly fewer Federal fish hatcheries by the end of fiscal year 1997.

The National Fish and Wildlife Foundation is funded at a level of $4,000,000. The House recommended that no funds be provided for this purpose in the future. The Senate took no position regarding outyear funding for the Foundation.

The managers reiterate, however, the need for the working group proposed by the Senate to identify, by March 1, 1996, savings from a program that equitably or pass the savings associated with the hatchery transfers or closures proposed in the budget. Outyear funding for fisheries and other non-Federal programs will be assured. A package of declining budgets, and future transfer proposals might not involve transitional assistance. The managers expect that there will be significantly fewer Federal fish hatcheries by the end of fiscal year 1997.

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The managers reiterate, however, the need for the working group proposed by the Senate to identify, by March 1, 1996, savings from a program that equitably or pass the savings associated with the hatchery transfers or closures proposed in the budget. Outyear funding for fisheries and other non-Federal programs will be assured. A package of declining budgets, and future transfer proposals might not involve transitional assistance. The managers expect that there will be significantly fewer Federal fish hatcheries by the end of fiscal year 1997.

Amendment No. 18: Provides authority to purchase 113 motor vehicles as proposed by the Senate instead of 54 passenger vehicles as proposed by the House.

Amendment No. 19: Deletes House prohibition on purchasing police vehicles. The Senate had no similar provision.

Amendment No. 20: Includes Senate provision that the Fish and Wildlife Service may accept donated aircraft. The House had no similar provision.

Amendment No. 21: Includes House provision prohibiting the Fish and Wildlife Service from delaying the issuance of a wetlands permit for the City of Lake Jackson, TX. The Senate had no similar provision.

Amendment No. 22: Modifies Senate provision on the distribution of refuge entrance fees by substituting language which allows the Fish and Wildlife Service to charge reasonable fees for expenses associated with the conduct of training programs at the National Education and Training Center. Any fees collected for this purpose will be used to cover costs associated with the operation of this facility. The House had no similar provision.

Amendment No. 23: Modified Senate provision regarding unit permits that have expired or are withdrawn. The Senate had no similar provision.

Amendment No. 24: Deletes Senate language providing $145,956,000 for a natural resources science agency and authorizes guidance on the operation of that agency. The Senate had no similar provision.

Amendment No. 25: Appropriates $1,083,151,000 for operation of the National park system instead of $1,088,249,000 as proposed by the House and $1,092,265,000 as proposed by the Senate. The reduction from the Senate level reflects the transfer of the equipment replacement account back to the construction account.

In keeping with the demands placed on other Interior bureaus, the managers have not funded uncontrolled costs and expect these costs to be absorbed through reductions in levels of review and management. Efficiencies should also be sought by exploring opportunities that exist and have been outlined in GAO reports to co-locate and combine functions, systems, programs, activities or field locations with other Federal land management agencies.

The managers are concerned about the costs associated with the current reorganization effort and strongly urge the NPS to limit expenditures for task forces, work groups and employee details and special assignments. The managers request that a report be submitted by February 1, 1996, detailing a budget history of past costs and future estimated costs associated with the reorganization.

The managers expect a report within 45 days of enactment of this Act identifying...
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Ridge Parkway, Hemphill Knob, NC (administration building)</td>
<td>1,030,000</td>
</tr>
<tr>
<td>Cane River Creole National Historical Park, LA (preservation and stabilization)</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Chickasaw National Recreation Area, MS (campground rehabilitation)</td>
<td>1,624,000</td>
</tr>
<tr>
<td>Chalimah National Monument, TX (rehabilitation)</td>
<td>300,000</td>
</tr>
<tr>
<td>Crater Lake National Park, OR (dormitories construction)</td>
<td>10,000,000</td>
</tr>
<tr>
<td>Delawer Water Gap National Recreation Area, PA (trails rehabilitation)</td>
<td>4,500,000</td>
</tr>
<tr>
<td>Everglades National Park, FL (water delivery system modification)</td>
<td>1,950,000</td>
</tr>
<tr>
<td>Fort Necessity National Battlefield, PA (rehabilitation)</td>
<td>265,000</td>
</tr>
<tr>
<td>Fort Smith National Historic Site, AR (rehabilitation)</td>
<td>500,000</td>
</tr>
<tr>
<td>Gateway National Recreation Area, NY (Jacob Riis Park rehabilitation)</td>
<td>1,000,000</td>
</tr>
<tr>
<td>General Grant Memorial, NY (rehabilitation)</td>
<td>2,550,000</td>
</tr>
<tr>
<td>Gettysburg National Military Park, PA (water and sewer lines)</td>
<td>500,000</td>
</tr>
<tr>
<td>Glacier National Park, MT (rehabilitate chalets)</td>
<td>380,000</td>
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<tr>
<td>Grand Canyon National Park, AZ (transportation)</td>
<td>1,000,000</td>
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<tr>
<td>Gulf Islands National Seashore, MS (erosion control)</td>
<td>600,000</td>
</tr>
<tr>
<td>Harpers Ferry National Historical Park, WV (utilities and phone lines)</td>
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<tr>
<td>Hot Springs NP, AR (stabilization, lead point)</td>
<td>450,000</td>
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<tr>
<td>James A. Garfield National Historic Site, OH (rehabilitation/development)</td>
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<tr>
<td>Jan Lafitte National Park and Preserve, LA (complete repairs)</td>
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</tr>
<tr>
<td>Klondeik Gold Rush National Historical Park, AK (restore Skagway historic district)</td>
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<tr>
<td>Lackawanna Valley, PA (technical assistance)</td>
<td>3,600,000</td>
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<tr>
<td>Lake Chelan National Recreation Area, WA (planning and design for repair of Company Creek Road)</td>
<td>1,950,000</td>
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<tr>
<td>Little River Canyon National Park, A, LA (health and safety)</td>
<td>280,000</td>
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<tr>
<td>Mount Rainier National Park, WA (replace employee dormitory)</td>
<td>460,000</td>
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<tr>
<td>Natchez Trace Parkway, MS</td>
<td>6,050,000</td>
</tr>
<tr>
<td>National Mall Central, DC (Lincoln's fencer manors rehabilitation)</td>
<td>4,000,000</td>
</tr>
<tr>
<td>New River Gorge National River, WV (trails, visitor access and hazardous materials)</td>
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<tr>
<td>President's Place White House electrical system</td>
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<td>Sagamore Hill National Historic Site, NY (water and sewer lines)</td>
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<td>Salem Maritime National Historic Site, MA (required exhibit)</td>
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<td>Saratoga National Historical Park, NY (monument rehabilitation)</td>
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<tr>
<td>Sequoia National Park, CA (replace Giant Sequoia facilities)</td>
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<tr>
<td>Southwestern Pennsylvania Commission (various projects)</td>
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<tr>
<td>Stones River National Battlefield, TN (stabilization)</td>
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<tr>
<td>Thomas Stone Historic Site, MD (rehabilitation)</td>
<td>250,000</td>
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<tr>
<td>Western Trails Center, IA</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Wrangell-St. Elias National Park and Preserve, AK (Kennicott Mine site safety and rehabilitation)</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Yosemite National Park, CA (El Portal maintenance facilities)</td>
<td>9,650,000</td>
</tr>
<tr>
<td>Zion National Park, UT (transportation system facilities)</td>
<td>5,200,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>143,225,000</strong></td>
</tr>
</tbody>
</table>

The bill provides $143,225,000 for transportation related activities at Grand Canyon National Park. These funds are to be made available for transportation projects that the Superintendent of the Grand Canyon Park has identified as high priority. Therefore, it is the intent of the managers that these moneys be used for any transportation related expenditure, including the design of new transportation facilities and the purchase of new buses.

The managers encourage the National Park Service to proceed with conglomeration with the necessary work at Cane River Creole National Historical Park, LA.

Amendment No. 31: Earners $4,500,000 for the Everglades as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 32: Retains the Senate provision indicating Historic Preservation funds may be available until expended to stabilize buildings associated with the Kennicott, Alaska copper mine. The House had no similar provision.

Amendment No. 33: Appropriates $49,100,000 for land acquisition instead of $34,300,000 as proposed by the House and $45,187,000 as proposed by the Senate. The $49,100,000 includes $3,000,000 for acquisition management, $3,000,000 for emergency and hardship purchases, $3,000,000 for inholding purchases, $3,500,000 for State grant administration, and $3,400,000 for other land purchases.

Amendment No. 34: Deletes the earmark inserted by the House and stricken by the Senate for Federal assistance to the State of Florida. Authority exists for the Department to use land acquisition funds for a grant to the State of Florida if approved pursuant to the procedures identified for land acquisition in fiscal year 1996.

Amendment No. 35: Modifies language proposed by the Senate which requires that...
enter into negotiations regarding a memorandum of understanding for continued use of the Stampede Creek Mine property. The Park Service should report to the relevant committees on its efforts to fund this activity under interagency agreement No. AGP00473.94 with the Bureau of Indian Affairs, following the existing process to acquire the dams by the USGS to be the most productive and that it is independent from regulatory constraints. The USGS should oversee the USGS is prohibited from releasing certain information related to wildlife resources entrusted to the stewardship of the Department; fisheries, including restoration of depleted stocks; fish propagation and riverine studies; aquatic resources; nonindigenous nuisances that affect aquatic ecosystems; impacts and epidemiology of disease on fish and wildlife populations; chemical drug registration for aquatic species; and effective transfer of information to natural resources managers.

During fiscal year 1996, funds appropriated for the functions of the former NBS shall remain a separate entity, titled “natural resources research”, within the USGS. Upon completion of the necessary downsizing, and no later than nine months after enactment of this legislation, the managers direct the Agency to report to the Committees in the fiscal year 1997 budget priorities. The managers understand that the USGS is constrained from releasing certain information under interagency agreement No. AGP00473.94 with the Bureau of Indian Affairs absent the approval of the BIA. This issue is discussed in more detail in the BIA section of this statement. The managers recommend that the USGS be provided a modest base grant of $20,000 per participating institute be provided with the balance of the funding for the program to be competitively awarded based on National Science Foundation proposals, and the department to provide the Committees with a final plan for the permanent consolidation of this legislative, the managers direct the USGS to provide the Committees with a formal report on the study under the USGS.

Amendment No. 40: Deletes Senate language regarding the Stampede Creek Mine at Denali National Park in Alaska. The House had no similar provision. If requested by the University of Alaska at Fairbanks, the National Park Service shall ensure that every participating institute in a competitive program for the water resources research institutes with at least a 2 to 1 fund-matching requirement from non-Federal sources. The managers encourage interested parties to pursue other, less costly alternatives to achieve fish restoration. The managers urge parties interested in the Elwha Act to work to find a legislative solution to the problem. The managers have included $1,500,000 for administration of the department’s land managers on the ground. The managers are concerned that natural resource research be linked closely with the implementation of the resource management plan and the USGS should be organized in a manner that ensures that it is independent from regulatory constraints. man-
the extent job vacancies occur in the transferred program in fiscal year 1996, they should be filled with Bureau of Mines employees subject to termination or reduction-in-force. The managers understand that the existing USGS mineral resources survey activity is undergoing a restructuring and downsizing and expect that effort and the required budgetary level for the minerals information program to proceed independently. When both downsizing efforts are completed, a single, refocused minerals program should be created which combines the minerals information activities transferred from the Bureau of Mines with other USGS mineral resources work.

Amendment No. 43: Modifies language inserted by the House and stricken by the Senate providing guidance on the conduct of natural resources research. The change to the House position expands the prohibition on the use of funds for new surveys on private property to include new aerial surveys for the designation of habitat under the Endangered Species Act unless authorized in writing by the property owner. With respect to natural resources research activities, the managers agree that funds may not be used for research in areas where the public does not have the written consent of the land owner, that volunteers are to be properly trained and that volunteer-collected data are to be verified carefully. The amendment also transfers authority from the Bureau of Mines to the Director of the USGS to conduct mineral surveys, consistent with the funding for that purpose now provided under amendment No. 42.

**Minerals Management Service**

**Royalty and Offshore Minerals Management**

Amendment No. 44: Appropriates $182,994,000 for offshore minerals management instead of $186,556,000 as proposed by the House and $182,169,000 as proposed by the Senate. The Senate had no similar provision. The managers expect the Secretary to proceed apace with the termination of the Bureau of Land Management (BLM) and USGS, beyond the closure of the Bureau of Mines. The managers expect the Secretary to provide termination costs and to provide for environmental cleanup costs and for the required oversight and closeout of contracts. The managers understand that some contracts will require downsizing through a logical completion point to ensure that the Federal investment is not lost. One example is the construction associated with the Casa Grande and $93,251,000 as proposed by the Senate instead of $93,251,000 as proposed by the House.

**Abandoned Mine Reclamation Fund**

Amendment No. 45: Appropriates $173,887,000 for the abandoned mine reclamation fund instead of $176,327,000 as proposed by the House and $170,441,000 as proposed by the Senate. The net decrease below the House consists of reductions of $500,000 for donations, $2,000,000 for reclamation program operations and $300,000 for administrative operations and $105,000 for general support services.

The managers agree that the independent review of the royalty management program which was recommended by the House should not be conducted if the disposition of the hardrock minerals program is legislatively resolved; Accordingly, no funds are earmarked for this effort in fiscal year 1996.

Amendment No. 46: Provides for the use of $15,400,000 in increased receipts for the technical information management system as proposed by the Senate instead of $12,400,000 as proposed by the House.

Amendment No. 46: Permits the use of additional receipts for Outer Continental Shelf program activities in addition to the amounts already transferred from the Minerals Management Service.

**Bureau of Mines**

Amendment No. 47: Appropriates $64,000,000 for mine and mineral inspections instead of $60,000,000 as proposed by the House and $128,000,000 as proposed by the Senate. The conference agreement provides for the transfer of health and safety research to the Department of Energy (see amendment No. 110). The $64,000,000 provided for mines and minerals is to be used for the orderly closure of the Bureau of Mines.

The managers expect that the health and safety functions in Pittsburgh, PA and Spokane, WA will be continued under the Department of Energy as will the materials partnerships program in Albany, OR. The U.S. Geological Survey will assume responsibility for all other disagreement on reclamation programs in Denver, CO and Washington, DC. The Bureau of Land Management will assume responsibility for mineral assessments in Alaska. Changes to the amount proposed by the Senate includes decreases in administrative support personnel being maintained in these locations. All other functions of the Bureau of Mines will be terminated and all other Bureau locations will be closed. The funds provided under this head should be sufficient to provide expected administrative costs for environmental cleanup costs and for the required oversight and closeout of contracts. The managers expect that some contracts will require downsizing through a logical completion point to ensure that the Federal investment is not lost. One example is the construction associated with the Casa Grande and $93,251,000 as proposed by the Senate instead of $93,251,000 as proposed by the House.

**Operation of Indian Programs**

Amendment No. 48: Appropriates $1,359,434,000 for the Operation of Indian Programs instead of $1,509,628,000 as proposed by the House and $1,261,340,000 as proposed by the Senate. Changes to the amount proposed by the House from Tribal Priority Allocations include decreases of $1,500,000 for contract support, $4,000,000 for small and needy tribes, and a general reduction of $7,136,000. Changes from Other Recurring Programs include: increases of $1,090,000 for ISEP formula funds, $1,000,000 for student transportation and support; a general reduction of $1,136,000; and decreases of $1,090,000 for ISEP adjustments, $1,000,000 for early childhood development, and $1,386,000 for community development.

Amendment No. 49: Increases of $3,047,000 from trust services to the Office of Special Trustee for American Indians.

Changes from Nonrecurring Programs include: increases of $400,000 for Self Determination grants, $1,500,000 for community economic development grants, $250,000 for tribal support costs, $1,500,000 for water rights negotiations; and decreases of $442,000 for attorney fees and $125,000 for resources management for absorption of pay costs.

Changes from Central Office Operations include: a decrease of $126,000 for the substance abuse coordination office, a decrease of $26,000 for educational administration, a decrease of $12,477,000 for trust services to the Office of Special Trustee for American Indians, a transfer of $447,000 from program activities transferred from the Bureau of Mines to the Director of the USGS to conduct mineral surveys, consistent with the funding for that purpose now provided under amendment No. 42.

**Regulation and Technology**

Amendment No. 48: Appropriates $95,970,000 for regulation and technology as proposed by the Senate instead of $93,251,000 as proposed by the House.

**Oversight and Offshore Minerals Management**

Amendment No. 50: Deletes House earmark of $1,000,000 for student transportation and $13,000 for executive direction and $140,000 for general services.

Amendment No. 51: Deletes House earmark of $5,000,000 for the Appalachian Clean Streams Initiative. The Senate had no similar provision.

Amendment No. 52: Deletes House earmark of $141,000 for personnel consolidation, $1,000,000 for unobligated balances for employee severance, relocation, and related expenses and inserts new
Amendment No. 64: Appropriates $100,033,000 for construction instead of $98,033,000 as proposed by the House and $107,333,000 as proposed by the Senate. The managers expect that the House include increases of $4,500,000 for the Chief Leschi School, and $2,500,000 for the fire protection program, and decreases of $3,700,000 for technical assistance and $500,000 for engineering and supervision. The managers agree that the Chief Leschi School project will be phased in over a two-year period.

Amendment No. 65: Appropriates $80,645,000 for Indian land and water claim settlements and miscellaneous payments to Indians instead of $75,145,000 as proposed by the House and $82,745,000 as proposed by the Senate.

Amendment No. 66: Earmarks $78,600,000 for land and water claim settlements as proposed by the Senate instead of $73,100,000 as proposed by the House. Changes to the amount proposed by the House include an increase of $5,500,000 for the Ute Indian settlement.

Amendment No. 67: Earmarks $1,000,000 for trust fund deficiencies as proposed by the House instead of $3,100,000 as proposed by the Senate.

Amendment No. 68: Appropriates $500,000 for technical assistance instead of $900,000 as proposed by the Senate and no funds as proposed by the House.

Amendment No. 69: Appropriates $5,000,000 for guaranteed loans instead of $7,700,000 as proposed by the House.

Amendment No. 70: Appropriates $65,188,000 for assistance to territories instead of $52,205,000 as proposed by the House and $68,188,000 as proposed by the Senate. The changes to the amount proposed by the House include an increase of $13,927,000 for territorial assistance and a decrease of $1,044,000 for American Samoa operations grants. The amount provided for territorial assistance includes increases over the House of $5,650,000 for technical assistance, $2,400,000 for maintenance assistance, $1,500,000 for management controls, and $725,000 for contract support.

Amendment No. 71: Earmarks $3,527,000 for the Office of Insular Affairs as proposed by the Senate instead of no funds as proposed by the House. The managers agree to the Senate language which changes the account name from Office of the Secretary to Departmental Management.

Amendment No. 72: Retains Senate language and funding for impact aid to Guam as proposed by the Senate.

The managers agree that Guam should be considered for the immigration from the freely associated states as authorized under the Compact of Free Association. Funding for compact impact shall be provided through the territorial assistance and a decrease of $1,044,000 for American Samoa operations grants. The amount provided for territorial assistance includes increases over the House of $5,650,000 for technical assistance, $2,400,000 for maintenance assistance, $1,500,000 for management controls, and $725,000 for contract support.

Amendment No. 73: Deletes House proposed language and funding for impact aid to Guam as proposed by the Senate.

DEPARTMENTAL MANAGEMENT

Amendment No. 74: The managers agree to the Senate language which changes the account name from Office of the Secretary to Departmental Management.

Amendment No. 75: The managers agree to the Senate language which changes the account name from Office of the Secretary to Departmental Management.

Amendment No. 76: Appropriates $57,796,000 for departmental management as proposed by the Senate instead of $53,919,000 as proposed by the House. A redistribution has been made which includes reductions of $296,000 to the Secretary's immediate office and $470,000 to Congressional Affairs. These funds have been transferred to Central Services.

The managers agree that these accounts have been restrained because of a misfortune in the coordination of the Department's programs, particularly during the ongoing downsizing and restructuring process, is critical to ensure that the changes do not negatively impact in the Departmental Offices to manage within reduced funding levels and with the dispositions and uncertainties caused by reductions-in-force. Therefore, the managers agree that the Department may reprogram funds without limitation among the program elements within the four activities. However, any reprogramming among the four activities must follow the normal reprogramming guidelines.

The managers strongly support language included in the House that encourages each agency to reduce levels of review and management in order to cover the costs associated with pay raises and inflation. The managers agree to the Senate language which changes the account name from Office of the Secretary to Departmental Management.

Amendment No. 77: Deletes Senate language which prohibits the use of official reception funds prior to the filing of the Charter for the Western Water Policy Review Commission. The House had no similar provision.

CONSTRUCTION MANAGEMENT

Amendment No. 78: Appropriates $500,000 as proposed by the Senate instead of no funding as proposed by the House.

The managers agree to retain the core policy function from the Office of Construction Management in the Office of Policy, Management and Budget. The balance of the program would be transferred to BIA construction.

NATIONAL INDIAN GAMING COMMISSION

Amendment No. 79: Modifies language inserted by the Senate requiring a report detailing information on Indian tribes or tribal organizations with gaming operations. The modifications change the report is due to March 1, 1996. The House had no similar provision.
Amendment No. 80: Appropriates $16,338,000 for Federal trust programs in the Office of Special Trustee for American Indians. This establishes a new account as proposed by the Senate. The House had no similar provision.

The managers agreed to the following transfers from the Operations of Indian Programs account within the Bureau of Indian Affairs as proposed by the Senate: $3,047,000 from Indian Health Service for general administrative activities; $2,367,000 from Area Office Operations for financial services; and $10,924,000 from Central Office Operations; including $10,447,000 for the Office of Trust Funds Management.

The managers concur with the need for establishing the office as articulated in the Senate report. The managers believe that the Special Trustee will be effective in implementing reforms in the Bureau of Indian Affairs only to the extent that the Trustee has authority over the human and financial resources supporting trust programs. Lack of such authority, the Trustee cannot be held accountable and the likely result will be significant limits on the Office pointing out the shortcomings of the Bureau of Indian Affairs.

Furthermore, under the current financial constraints facing the Committees and the various downsizing activities taking place in the Department, it is essential that the Committees have a clear understanding of the organizational structure supporting trust programs and an assurance that the significant general reductions proposed to be taken against the Bureau of Indian Affairs do not impair the Secretary’s ability to manage trust assets. The managers are aware that there may be additional activities that could be transferred to the Office and encourage the Special Trustee, the Department, the Bureau of Indian Affairs, the tribes, and the Office of Management and Budget to work closely with the appropriations and authorizing committees to identify the activities and related resources to be transferred.

Any increase in funding or staffing for the Office of Special Trustee should be considered in the context of the fiscal year 1997 budget request and with consideration for funding constraints and the downsizing occurring throughout the Department, particularly within the Bureau of Indian Affairs.

The managers have recommended funding in a similar budget structure to allow the Special Trustee some flexibility in establishing the office and the budget structure. Prior to submission of the fiscal year 1997 budget request, the managers expect the Special Trustee to work with the Committees to establish an appropriate budget structure for the Office.

The managers expect the Special Trustee to provide by December 1, 1996 a detailed operating plan for financial trust services for fiscal year 1997. The plan should detail what specific activities in the transition period allocation effort will be undertaken, both directly by the Office of Special Trustee and by its contractors. The plan should also detail what specific actions related to the transition are expected to be taken by the House and when such products will be submitted. The plan should include staffing for financial trust services, including the number of positions and the type of positions expected to be filled.

Within the funds provided, support should be provided to the Intertribal Monitoring Association (IMTA) to provide the Special Trustee with any information that is provided to the Ap-
The managers believe that additional opportunities exist for contracting Forest Service activities, and encourage expanding the use of contractors wherever possible.
Amendment No. 93: Changes the account title to Wildland Fire Management as proposed by the Senate, instead of Fire Protection and Emergency Suppression as proposed by the House.

Amendment No. 94: Appropriates $385,485,000 for wildland fire management as proposed by the Senate, instead of $381,485,000 as proposed by the House.

Amendment No. 95: Appropriates $163,500,000 for construction, instead of $120,000,000 as proposed by the House and $186,888,000 as proposed by the Senate.

The increase above the House includes $23,500,000 for facilities, $5,000,000 for road construction, $15,000,000 for trail construction. Within the total for facilities, the conference agreement includes $36,000,000 for recreation, $10,000,000 for F.A.O., and $2,500,000 for research.

The managers agree to the following earmarks within recreation construction:

Allegeny NF, rehabilitation ................. $500,000
Bear River NF, WA, road access .......... $60,000
Bear Lake, WA, roads ................... 176,000
Columbia River Gorge Dis. Recreation, OR, completion ......................... 2,500,000
Cradle of Forestry, NC, utilities .......... 500,000
Daniel Boone NF, KY, rehabilitation .......... 600,000
Gum Springs Recreation Area, LA, rehabilitation phase II .................... 1,965,000
Johnston Ridge Observatory, WA .................. 500,000
Johnston Ridge Observatory, WA, roads .......... 550,000
Lewis and Clark Interpretive Center, MT, completion ................... 2,700,000
Miltonmah Falls, OR, sewer system .......... 190,000
Northern Great Lakes Visitor Center, WI ................. 1,965,000
Seneca Rocks, WV visitor center, completion ....... 1,400,000
Timberline Lodge, OR, water system improvements and new reservoir .......................... 750,000
Winding Stair Mountain, CA, recreation and Wilderness Area, OK, improvements ................ 682,000

The managers agree that for the Northern Great Lakes Visitor Center, WI, funding is provided with the understanding that the project cost is to be matched 50% by the State of Wisconsin.

The conference agreement includes $95,000,000 for roads to be allocated as follows: $57,000,000 for timber roads, $26,000,000 for recreation roads, and $12,000,000 for general purposes.

The managers remain interested in Forest Service plans for restoring Grey Towers, and are concerned about the cost of the project. The managers support the Forest Service's efforts to continue the implementation of the master plan for Grey Towers and to explore additional partnerships that can help cost-sharing required restoration work. The Forest Service should work with the Committees to provide a better understanding of the needs of Grey Towers and explore ways to reduce the cost to the development.

The managers concur in the reprogramming request currently pending for Johnstone Ridge Observatory and Timberline Lodge.

Amendment No. 96: Earmarks $2,500,000 and unobligated project balances for a grant to the “Non-Profit Citizens for the Columbia Gorge Discovery Center,” and authorizes the conveyance of certain land, as proposed by the Senate. The House included no similar provision.

Amendment No. 97: Includes Senate provision which authorizes funds appropriated in 1991 for a new research facility at the University of Washington to be available as a grant for construction of the facility, and provides that the Forest Service shall receive free space in the building. The House had no similar provision.

Amendment No. 98: Appropriates $41,200,000 instead of $4,600,000 as proposed by the House and $41,167,000 as proposed by the Senate. The increase is for land purchase.

Amendment No. 99: Strikes Senate earmark for Mt. Jumbo.

Amendment No. 100: Strikes earmark for Kane Experimental Forest.

Amendment No. 101: Retains Senate provision relating to songbirds on the Shawnee NF. The Senate had no similar provision.

Amendment No. 102: Includes Senate provision relating to tidepools on the Shawnee NF. The Senate had no similar provision.

Amendment No. 103: Deletes Senate provision which prohibits reorganization of the Region 5 regional office to excess military property at Mare Island in Vallejo, CA, from any Forest Service account. However, the managers expect a reprogramming request which justifies the reallocation and identifies the specific funds to be used before funds are reallocated for this purpose. The allocation of other regions are not to be reduced in order to finance the move.

Amendment No. 104: Modifies Senate provision requiring implementation of the Tongass National Forest Land Management Plan. The House had no similar provision.

Amendment No. 105: Includes Senate provision which prohibits revision or implementation of a new Tongass National Forest Land Management Plan. The House had no similar provision.

Amendment No. 106: Modifies Senate provision requiring implementation of the Tongass National Forest Land Management Plan, Alternative B, during fiscal year 1996, and allows continuation of the current Tongass National Forest land management planning process which may replace or modify Alternative B. The House language is related to offering certain timber sales in Alaska, and making permanent section 502 of Public Law 104-19 relating to habitat conservation and timber sales in the Tongass National Forest. The House had no similar provision.

The managers appreciate the critical need to resolve land and resource management issues relating to the Tongass National Forest in Southeast Alaska and further recognize that, to date, the Congress has provided sufficient guidance and funding for the Forest Service to develop a work plan and management plan. Therefore, the Forest Service is directed to implement the preferred alternative identified in the Final Environmental Impact Statement dated September 21, 1993 and its companion Record of Decision dated February 1993. The Forest Service may
amend that plan to include a signed agreement between the Forest Service and the Alaska Visitors’ Association, and is directed otherwise to proceed with timber sales and other activities on the various support programs. The current plan revision process may continue, provided that any proposed revision shall, to the maximum extent possible, contain provisions that are suitable to the lands than in the plan selected by this bill and any revision shall not take effect during fiscal year 1996.

Amendment No. 109: Includes Senate proviso which prohibits applying paint to rocks or rock colorization. The House includes no similar provision.

ENERGY CONSERVATION

Amendment No. 110: Appropriates $471,369,000 for fossil energy research and development instead of $379,246,000 as proposed by the House and $376,181,000 as proposed by the Senate. The amendment also provides for the transfer of authority for health and safety research in mines and the mineral industry from the Bureau of Mines (see amendment No. 47). Changes to the amount proposed by the House for coal research include an increase of $2,000,000 for Kalina cycle testing and $1,500,000 for challenge research, $1,500,000 for HRI proof of concept testing and $1,000,000 for bench scale research in the direct liquefaction program, $1,000,000 for advanced solid oxide fuel cell program. Other changes to the utilization program and $1,000,000 for the national program support and $1,000,000 for university coal research in advanced research and technology development. Changes to the amount proposed by the Department of Energy for fossil energy research include increases of $1,500,000 for a data repository, $250,000 for the gypsy field project and $250,000 for the northern midcontinent digital petroleum atlas in exploration and supporting research, and decreases of $1,000,000 for the National Laboratory/Industry partnership and $1,000,000 for extraction in exploration and supporting research, $2,000,000 for the heavy oil/unconsolidated gulf coast project in the recovery field demonstrations program, and $1,000,000 for the re-optimization and reduction to the existing research and downstream operations program. Changes to the amount proposed by the House for natural gas research include decreases of $1,000,000 for the transition to gaseous fuels and $200,000 for low quality gas upgrading in the utilization program and $1,000,000 for the advanced concept/tubular solid oxide fuel cell program. Other changes to the recommended level include increases of $46,000,000 for health and safety research ($5 million) and materials partnerships ($5 million) which are being transferred from the Bureau of Mines budget, $1,500,000 for computer research and development and $5,000,000 for program direction at the energy technology centers and a decrease of $4,000,000 for environmental applications.

The funds provided for cooperative research and development include $295,000 for technical and program management support and $34,000,000 for the Western Regional Institute and the University of North Dakota Energy and Environmental Research Center. Within the funds provided for WRI and UNERI, the managers agree that a percentage comparable to the fiscal year 1995 rate may be used for the base research program, and the balance is to be used for the jointly sponsored research program.

The managers have included an increase of $5,000,000 for program direction, which is $1,000,000 less than recommended in the Senate bill. The managers expect the Department to allocate these funds commensurate with the program distributors in this bill. The managers also expect the support functions of the field locators should continue to be funded out of the same line items as in fiscal year 1995.

The managers are aware of proposals regarding the future field office structure of the fossil energy program. The managers take no position on the various aspects of the strategic realignment initiative at this time as many of the details are not yet available. The managers expect the Department to comply with the reprogramming guidelines before proceeding with implementation of any reorganization or relocation. The managers are concerned about the basic savings, personnel impacts, budget changes, transition plans, and how any proposed integration will address market requirements and utilization.

In any proposal to privatize the National Institute for Petroleum and Energy Research (NIPER), the Department should seek competitively a non-Federal entity to acquire NIPER and to make such investments and changes as may be necessary to enable the proposed private operator to utilize the restructured and combined capacity for energy research and development services and compete with other organizations for private and public sector work. In the interim, to the extent necessary, the Department should continue to maintain as much of the program at NIPER as possible.

With respect to the functions of the Bureau of Mines which have been transferred to the Department of Energy, the managers expect the Department to continue to identify those research activities which are unique to this purpose and not to subsume these functions into other budget line items within the fossil energy account. The Secretary should maintain the transferred functions and personnel at their current locations. In fiscal year 1996, any staffing reductions required to accommodate the funding level provided for health and safety research should be taken from within this activity and should not affect any other elements of the fossil energy research and development organization. Likewise, any additional or vacant positions which are required for the health and safety research function should be filled by Bureau of Mines employees who are subject to the reorganization and reduction-in-force policies. The managers strongly encourage the Administration, and particularly the Office of Management and Budget, to work toward consolidating these health and safety functions in the same agency with either the Mine Safety and Health Administration or the National Institute for Occupational Safety and Health.

The managers do not object to the use of up to $18,000,000 in clean coal technology program funds for a demonstration project in a clean coal program. The managers are concerned that a clean coal project was recently changed without addressing Congressional concerns that were raised before and during the application review period. The managers expect the Secretary, to the extent possible, to ensure that the sulfur dioxide facility capacity for demonstration of the NOXSO clean coal project is constructed so as to begin operation when the elemental sulfur is available from the NOXSO process. The managers also expect the Department to report to the legislative committees of jurisdiction as well as the Appropriations Committees in the House and Senate on the rationale for making this project a demonstration project. The managers encourage the Department to make every effort to increase the percentage of non-Federal cost-sharing in its research and development projects.

Amendment No. 112: Repeals the restriction on conducting studies with respect to the sale of the Naval petroleum and oil shale reserves as proposed by the Senate. The House had no similar provision.

ENERGY CONSERVATION

Amendment No. 114: Appropriates $553,269,000 for energy conservation instead of $556,371,000 as proposed by the House and $576,976,000 as proposed by the Senate. Changes to the amount proposed by the House for the buildings program include increases of $150,000 for the foam insulation project in the building envelope program, $100,000 for appliance conservation in the high efficiency furnaces and boilers program and $1,140,000 for energy efficiency standards for Federal buildings in the codes and standards program, $1,000,000 for the energy efficiency improvements partnerships and $1,000,000 for the energy efficiency improvements partnerships/climate change action plan in building equipment; and $3,060,000 as a general reduction to the codes and standards program, consistent with the moratorium on issuing new standards (see amendment No. 157). Changes to the amount proposed by the House for the industrial program include an increase of $3,000,000 in industrial wastes to maintain the NICE3 program at the fiscal year 1995 level and $900,000 for combustion in the municipal solid waste program, $1,000,000 as a general reduction to the light vehicles program and $1,500,000 as a general reduction to the Code of Federal Regulations/vehicle systems materials; $6,462,000 as a general reduction to light duty engine technologies in November 1995.

Amendment No. 115: Appropriates $576,371,000 as proposed by the Senate. Changes to the amount proposed by the House for the transportation program include an increase of $2,000,000 for alternative fuel programs and $3,060,000 to the electric drive vehicles program; and decreases of $400,000 for residential buildings/building America, $3,000,000 for residential efficiency/climate change action plan, and $1,500,000 for partnership America/climate change action plan in building/gas systems; $150,000 as a general reduction to materials and structures in building envelope; $4,500,000 as a general reduction to the lighting and $100,000 for appliance technology introduction partnerships/climate change action plan in building equipment; and $3,060,000 as a general reduction to the codes and standards program, consistent with the moratorium on issuing new standards (see amendment No. 157). Changes to the amount proposed by the House for the fossil energy program include an increase of $3,000,000 in industrial wastes to maintain the NICE3 program at the fiscal year 1995 level and $900,000 for combustion in the municipal solid waste program, $1,000,000 as a general reduction to the light vehicles program and $1,500,000 as a general reduction to the Code of Federal Regulations/vehicle systems materials; $6,462,000 as a general reduction to light duty engine technologies in November 1995.
the heat engine technologies program; and $500,000 for battery development, $1,000,000 to terminate the phosphoric acid fuel cell bus program and $15,528,000 as a general reduction from existing commitments to the electric and hybrid propulsion development program.

Changes to the amount proposed by the House for the technical and financial assistance to industry, which were reduced from $3,250,000 for the weatherization assistance program and a decrease of $295,000 for the inventions and innovations program.

The managers agree that:
1. The Department should aggressively pursue increased sharing;
2. Projects that prove to be uneconomical or fail to produce results should be terminated;
3. The fiscal year 1997 budget should continue the trend of program downsizing with the focus on completing existing commitments;
4. Ongoing programs should not be grouped under the umbrella of large initiatives and described as new programs in the budget;
5. There should be no new program starts without compelling justification and identified funding offsets;
6. The home energy rating system pilot program should be continued with the existing pilot States; within the funds available for HERs, the managers expect the Department to work with Mississippi and other non-pilot program States on the States' home energy rating systems;
7. The managers agree to continuing the student vehicle competition in the transportation program at the current year funding level;
8. The Department should work with the States to determine what other programs should be included in a block grant type program along with the consolidated State energy conservation program/institutional conservation program;
9. There is no objection to continuing the interagency agreement with the Department of Commerce's Development for Public assisted housing and other low-income initiatives to the extent that HUD reimburses the Department for this work;
10. Industrial Technologies may procure capital equipment using operating funds, subject to the existing reprogramming guidelines;
11. The Department should work with the Office of Management and Budget and the General Services Administration to ensure that agencies fund energy efficiency improvements in Federal buildings;
12. The Department should increase private sector investment through energy savings performance contracts in the Federal energy management and management and should develop mechanisms to be reimbursed for these efforts;
13. The Department should submit a new five year program plan for the transportation program in light of current funding constraints; and
14. There are no specific restrictions on the number of contracts to be let for the long term battery development effort or activities within the electric and hybrid vehicle program. Given the level of funding provided, the managers should examine carefully its options in these areas in close coordination with its industry cooperators.

Amendment No. 115: Earmarks $148,946,000 for the Weatherization assistance program instead of $110,946,000 as proposed by the House and $137,446,000 as proposed by the Senate.

Amendment No. 117: Earmarks $26,500,000 for the State energy conservation program as proposed by the House instead of $31,500,000 as proposed by the Senate.

ECONOMIC REGULATION
Amendment No. 118: Appropriates $6,297,000 for economic regulation as proposed by the House instead of $8,038,000 as proposed by the Senate.

The managers agree that the Office of Hearings and Appeals should receive reimbursement for work other than petroleum overcharge cases. The funding offsets activities as recommended by the House.

ENERGY INFORMATION ADMINISTRATION
Amendment No. 119: Appropriates $72,266,000 for the Energy Information Administration instead of $70,766,000 as proposed by the House and $64,766,000 as proposed by the Senate. The managers expect the reduction to be applied largely to EIA's forecasting efforts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
INDIAN HEALTH SERVICE
Amendment No. 120: Appropriates $1,722,942,000 for Indian health services instead of $1,725,922,000 as proposed by the House and $1,815,373,000 as proposed by the Senate. Changes to the amount proposed by the House include increases of $1,500,000 for collection and $750,000 for epidemiology centers. $200,000 for the Indians into psychology program, and decreases of $2,000,000 for Indian health professionals, $3,000,000 for Indian education, and a $400,000 transfer from hospitals and clinics to facilities and environmental health support.

Amendment No. 121: Earmarks $350,564,000 for contract medical care as proposed by the Senate instead of $351,258,000 as proposed by the House.

The managers agree that the Indian Self Determination Fund is to be used only for new and expanded contracts and that this fund may be used for self-governance contracts only to the extent that a compact assumes new or additional responsibilities that had been performed by the IHS.

The managers agree that the fetal alcohol syndrome project at the University of Washington should be funded at the fiscal year 1995 level.

The managers are concerned about the adequacy of health care services available to the Utah Navajo population, and urge IHS to work with the local health care community to ensure that the health care needs of the Utah Navajos are being met. IHS should carefully consider taking action to identify a replacement facility for the Montezuma Creek health center.

INDIAN HEALTH FACILITIES
Amendment No. 122: Appropriates $28,955,000 for Indian health facilities instead of $23,975,000 as proposed by the House and $351,277,000 as proposed by the Senate. Changes to the amount proposed by the House include increases of $500,000 to the Alaska medical center, $1,950,000 for modular dental units, $350,000 for injury prevention, $400,000 for a base transfer from hospitals and clinics to facilities and environmental health support.

The managers agree to delay any reprogramming of funds from the Winnebago Indian Tribe's Ounce program at the request of the Tribe. However, given current budget constraints, if issues relate to the siting and design of the facility cannot be resolved, the managers will consider reprogramming these funds to other high priority IHS projects during fiscal year 1996.

The Talihina, OK hospital is ranked sixth on the IHS health facilities priority list for inpatient facilities. The Choctaw Nation has developed a financing plan for a replacement facility. The managers expect various funding sources to support its project for a community based hospital. The managers direct IHS to work with the Choctaw Nation to identify resources necessary to staff, equip, and operate the newly constructed facility. The managers will consider these operational needs in the context of current budget constraints.

The managers have not agreed to provisins in the Senate bill requiring the IHS to prepare reports on the distribution of Indian Health Service professionals and on HIV/AIDS prevention needs among Indian tribes. While the managers agree that closer examination of these topics may be warranted, the resources necessary to conduct adequate studies are not available at this time.

DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION
Amendment No. 123: Appropriates $52,950,000 as proposed by the House instead of $54,600,000 as proposed by the Senate.

The managers agree that the Office of Hearings and Appeals should receive reimbursement for work other than petroleum overcharge cases. The funding offsets activities as recommended by the House.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
INDIAN HEALTH SERVICES
Amendment No. 124: Appropriates $19,345,000 for the Office of Navajo and Hopi Indian Relocation as proposed by the Senate instead of $21,345,000 as proposed by the House.

SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES
Amendment No. 125: Appropriates $308,188,000 for Salaries and Expenses instead of $309,471,000 as proposed by the House and $307,988,000 as proposed by the Senate.

Amendment No. 126: Appropriates $10,000,000 for the Center for Folklore programs specifically for the 1996 Festival of American Folklore featuring the State of Iowa. This amount is provided in addition to the $5,000,000 funding. The State of Iowa will contribute $250,000 toward this effort.

Amendment No. 127: Earmarks $30,472,000 as proposed by the Senate for the Office of Navajo and Hopi Indian Relocation instead of $32,000,000 as proposed by the House.

Amendment No. 128: Appropriates $7,500,000 for repair and restoration of Federal buildings as proposed by the Senate instead of $24,954,000 as proposed by the House.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL Zoological Park
Amendment No. 129: Appropriates $2,250,000 for zoo construction as proposed by the Senate instead of $3,000,000 as proposed by the House. The increase is limited to repairs and rehabilitation and is not to be used for new exhibits or expansions.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL Zoological Park
Amendment No. 130: Appropriates $27,700,000 for Construction as proposed by the Senate instead of $27,700,000 as proposed by the House.

The managers agree that $15,000,000 is included for the National Museum of the American Indian Cultural Resource Center: $8,700,000 is included to complete the construction and equipping of the
Natural History East Court Building and $3,000,000 is for minor construction, alterations and modifications.

The managers are providing $1,000,000 to be used to complete a proposed master plan and initiate detailed planning and design to allow for the development of a proposed financial plan for the proposed extension at Dulles Air and Space Museum. The managers expect that the financial plan shall specify, in detail, the phasing of the project and commitments by the Commonwealth of Virginia and the Smithsonian toward construction and operation of the facility.

The managers agree that no Federal funds, beyond the costs of planning and design, will be available for the construction phase of this project.

The managers have provided $15,000,000 for the continued construction of the National Museum of the American Indian Cultural Resource Center in Suitland, Maryland. This amount will bring the Federal contribution to date for this project to $40,900,000. The managers have agreed that no additional Federal funds will be appropriated for this project.

The managers also strongly encourage the Smithsonian to examine alternative cost scenarios for the proposed National Museum of the American Indian Mall Museum including downsizing of the building and decreasing the amount previously provided for such purposes is sufficient.

 Junction Center for the Performing Arts

Amendment No. 131: Appropriates $51,844,000 for salaries and expenses as proposed by the Senate instead of $51,315,000 as proposed by the House.

Repair, Restoration and Renovation of Buildings

Amendment No. 132: Appropriates $6,442,000 for repair, restoration and renovation of buildings instead of $5,500,000 as proposed by the House and $7,385,000 as proposed by the Senate.

John F. Kennedy Center for the Performing Arts

Amendment No. 133: Appropriates $10,323,000 for operations and maintenance as proposed by the Senate, instead of $9,800,000 as proposed by the House.

Amendment No. 134: Includes Senate provision which amends 40 U.S.C. 193n to provide sufficient.

National Foundation on the Arts and the Humanities

National Endowment for the Arts

Amendment No. 136: Appropriates $82,259,000 for grants and administration as proposed by the Senate instead of $86,705,000 as proposed by the Senate.

Amendment No. 137: Deletes House language making NEA funding contingent upon passage of a House reauthorization bill. The Senate had no similar provision.

The managers on the part of the House continue to support a phase out of NEH within two years, and do not support funding beyond FY 1997. The managers on the part of the Senate take strong exception to the House position, and support continued funding for NEA. The managers expect this issue to be resolved by the legislative committees in the House and Senate.

Amendment No. 138: Appropriates $17,235,000 for matching grants as proposed by the House instead of $21,235,000 as proposed by the Senate.

Amendment No. 139: Deletes House language making NEA contingent upon passage of a House reauthorization bill.

National Endowment for the Humanities

Amendment No. 140: Appropriates $94,000,000 for grants and administration as proposed by the Senate instead of $82,469,000 as proposed by the House.

The managers on the part of the House continue to support a phase out of NEH within three years, and do not support funding beyond FY 1998. The managers on the part of the Senate take strong exception to the House position, and support continued funding for NEH. The managers expect this issue to be resolved by the legislative committees in the House and Senate.

Amendment No. 141: Appropriates $16,000,000 for matching grants as proposed by the Senate instead of $17,025,000 as proposed by the House.

Amendment No. 142: earmarks $10,000,000 for Matching Grants as proposed by the Senate instead of $9,180,000 as proposed by the House.

Advisory Council on Historic Preservation

Amendment No. 143: Appropriates $2,500,000 for salaries and expenses as proposed by the Senate instead of $3,063,000 as proposed by the House.

While the Advisory Council works closely with Federal agencies and departments, the National Park Service and State historic preservation officers, it does not have responsibility for designating historic properties, providing financial assistance, overriding other Federal agencies' decisions, or controlling actions taken by property owners.

The managers encourage those Federal agencies and departments which benefit from the Advisory Council's expert advice to assist in covering these costs. The managers are concerned that some Advisory Council activities receive no support from other preservation agencies. Therefore, the managers direct the Advisory Council to evaluate ways to recover the costs of assisting Federal agencies and departments through reimbursable agreements and to examine its program activities to identify ways to eliminate any duplication with other agencies. The House shall report its findings to the Congress by March 31, 1996.

Franklin Delano Roosevelt Memorial Commission

Amendment No. 144: Appropriates $147,000,000 as proposed by the Senate instead of $48,000,000 as proposed by the House.

Pennsylvania Avenue Development Corporation

Salaries and Expenses

Amendment No. 145: Appropriates no funds as proposed by the Senate instead of $2,000,000 as proposed by the House.

Public Development

Amendment No. 146: Modifies language proposed by the Senate allowing the use of prior year funding for operating and administrative expenses. This allows the use of prior year funding for shutdown costs in addition to operating costs. In addition, prior year funds may be used to fund activities associated with the functions transferred to the General Services Administration. The House had no similar provision.

The managers agree that not more than $3,000,000 in prior year funds can be used for operating, administrative expenses, and shutdown costs for the Pennsylvania Avenue Development Corporation. The managers direct the Corporation to report its findings to the Congress by June 30, 1996. The Corporation is to be responsible for the orderly downsizing of the Corporation to be accomplished within six months from the date of enactment of this Act. No staff should be maintained beyond April 1, 1996. The Corporation is to report its findings to the Congress by December 31, 1996.

Title III—General Provisions

Amendment No. 149: Retains Senate provisions making a technical correction to Public Law 103-413.

Amendment No. 150: Includes Senate provision that any funds used for the Americorps program are subject to the reprogramming guidelines, and can only be used if the Americorps program is funded in the VA-HUD and Independent Agencies fiscal year 1996 appropriations bill. The House prohibits the use of any funds for the Americorps program.

Since the Northwest Service Academy (NWSA) is funded through fiscal year 1996, the managers agree that the agencies are not prohibited from granting the NWSA a special use permit, from using the NWSA to accomplish projects on agency-managed lands or in furtherance of the agency's missions, or from paying the NWSA a reasonable fee-for-service for projects.

Amendment No. 151: Modifies House language striking those three that transferring certain responsibilities from the Pennsylvania Avenue Development Corporation to the General Services Administration, National Park Service and the National Park Service. The modification transfers all unobligated and unexpended balances to the General Services Administration. The Senate had no similar provision.
Columbia River Basin ecoregion management project (the Project). The House and Senate contained different language on the subject, but both versions were clear in their position that the project should be site specific, and too costly to sustain in a time of shrinking budgets. In addition, the massive nature of the undertaking, and the broad geographic scale of the project makes it part of a single project has raised concerns about potential vulnerability to litigation and court injunctions with a regionwide impact. If included in the conference report reflects a compromise between the two versions.

Subsection (c) appropriates $4,000,000 for the completion of an assessment on the National forest system lands and lands administered by the BLM within the area encompassed by the project, and to publish two draft Environmental Impact Statements on the Project. The Forest Service and BLM should rely heavily on the eastside forest ecosystem health assessment in the development of the assessment and DEIS’s, in particular, volume II and IV provide a significant amount of the direction necessary for the development of an ecosystem management plan. This document has already been peer reviewed and widely distributed to the public. Therefore, the collaborative efforts by both agencies should be recognized.

The two separate DEIS’s would cover the project region of eastern Washington and Oregon, and the project region of Montana and Idaho in the United States. The language also directs project officials to submit the assessment and two DEIS’s to the appropriate House and Senate committees for their review. The DEIS’s are not decisional and not subject to judicial review. The managers have included this language based upon concern that the publication of DEIS’s of this magnitude present the potential for an injunction that would shut down multiple use activities in the region.

The assessment shall contain a range of alternatives without the identification of a preferred alternative or a management recommendation. The assessment will also provide a methodology for conducting any cumulative effects analysis required by section 102(2) of NEPA, in the preparation of each amendment. The language also provides for the publication of an ecosystem management plan. This document has already been peer reviewed and widely distributed to the public. Therefore, the collaborative efforts by both agencies should be recognized.

The assessment shall also include the scientific information and analysis conducted by the Project on forest and rangeland health and the effects of proposed actions, and the implications of the management of these conditions. Further, the assessment and DEIS’s shall not be subject to consultation or conferencing under section 7 of the Endangered Species Act, nor be accompanied by any record of decision required under NEPA.

Subsection (c) states the objective of the managers that the district manager of the Bureau of Land Management or the forest supervisor of the Forest Service use the DEIS language to guide the development of individual plan amendments to their respective forest plan. The managers believe that the local officials will do the best job in preparing plan amendments that will achieve the greatest degree of balance between multiple use activities and environmental protection.

Upon the date of enactment, the land managers are required to review their resource management plan for their forest, together with a review of the assessment and DEIS’s, and based on that review, develop or modify the policies laid out in the DEIS or assessment to meet the specific conditions of their forest.

Based upon this review, subsection (c)(2) directs the forest supervisor or district manager to prepare and adopt an amendment to meet the conditions of the individual forest.

In an effort to increase the local participation in the plan amendment process, the district officials are directed to consult with the governor, and affected county commissioners and tribal governments in the affected area. Plan amendments shall be site specific, in lieu of imposing general standards applicable to multiple sites. If an amendment would result in a major change in land use such as locating a solar panel, an amendment shall be deemed a significant change, and therefore requiring a significant plan amendment or equivalent.

Subsection (c)(6) limits the basis for individual plan amendments in a fashion that the managers intend to be exclusive. Language has been included to stop duplication of environmental requirements. Subsection (c)(6)(A) states that any policy adopted in an amendment that modifies, or is an alternative policy, to the general policies laid out in the DEIS’s and assessment document that has already undergone consultation or conferencing under section 7 of the ESA, shall not again be subject to such provisions. If a policy has not undergone consultation or conferencing under section 7 of the ESA, or if an amendment addresses other matters, then that amendment shall be subject to section 7.

Amendments which modify or are an alternative policy are required to be adopted before the amendment that is deemed significant, shall be adopted on or before December 31, 1996. The policies of the Project shall no longer be in effect on a forest or after December 31, 1996, after an amendment to the plan that applies to that forest is adopted, whichever comes first.

The managers have included language specific to the Project which make it clear that the language relates to the provisions of this section. The managers have also included language to clarify that the documents prepared under this section shall not apply to, or be used to regulate non-Federal lands.

Amendment No. 153: Includes a modified version of provisions included by both the House and Senate relating to a recreational fee demonstration program. This pilot program provides for testing a variety of fee collection methods and recreational fee collection costs for agencies other than the Fish and Wildlife Service will remain available beyond the fiscal year in which they are collected.

For those Fish and Wildlife Service demonstrations where fees were collected in fiscal year 1995, the fees collected, up to the level (plus 4% annually), are disbursed as they were in 1995.

The agencies have been provided more latitude in selecting fee sites, areas, or projects. These demonstrations may include an entire administrative unit, such as a national park or national wildlife refuge (in lieu of a region into which fees would be difficult to administer or where fee collections would adversely affect visitor use patterns).

The Secretaries are directed to select and design the demonstration projects in a manner which will provide optimum opportunities to evaluate the broad spectrum of Westside Norths and forest service opportunities on Federal lands, including facilities, interpretation, and fish and wildlife habitat enhancement projects that enhance the visitors experience.

Vendors may charge a reasonable markup or commission to cover their costs and provide a profit.

The Secretary shall provide Congress a brief report describing the selected sites and fee recovery methods to be used by March 31, 1996, and a report which evaluates the pilot demonstrations, including recommendations for further legislation, by March 31, 1999. The reports to Congress are to be a part of the discussion of the different sites selected and how this geographical and programmatic spectrum of recreational sites and habitats managed by the agencies. The diversity of fee collection methods and fair market valuation methods should also be explained.

In order to maximize funding for start-up costs, agencies are encouraged to use existing authority in developing innovative implementation strategies, including cooperative efforts between agencies and local governments.

Although the managers have not included the Senate amendment language regarding geographical discrimination on fees, and recipients agree to a special management plan allowing for additional data on tourism, recreational use, and recreational fees should reflect the circumstances and conditions of the various States and regions of the country. In setting fees, consideration should be given to fees charged on comparable sites in other parts of the region or country. The four agencies are encouraged to cooperate fully in providing agencies on the amount of use, or rates which may be required by Congress in addressing the fee issue.

The managers request that the General Accounting Office conduct a study and report to the Appropriations Committees by July 31, 1996 on the methodology and process made by the Secretaries to implement this section.

Amendment No. 154: Deletes House language relating to salvage timber sales in the Columbia River Basin ecoregion which makes a technical correction to the emergency timber sale program, Sec. 2001(a)(2) of Public law 104-19 which changes the expiration date of the emergency period to December 31, 1996. This correction is necessary to conform to the expiration date in Sec. 2001(i). The Senate included no similar provision.

Amendment No. 155: Retains House language stricken by the Senate prohibiting the
Amendment No. 156: Deletes House language stricken by the Senate placing a moratorium on the use of funds for the Mississippi River Corridor Heritage Commission.

Amendment No. 157: Deletes House language stricken by the Senate placing a moratorium on the use of funds for the Mississippi River Corridor Heritage Commission.

Amendment No. 158: Strikes Senate language on mining patent moratorium and retains Senate language providing for fair market value for mineral patents exclusive of, and without regard to, the mineral deposits in the land or the use of the land instead of the House language which placed a moratorium on accepting or processing mining patent applications.

Amendment No. 159: Strikes Senate language on mining patent moratorium and retains Senate language providing for fair market value for mineral patents exclusive of, and without regard to, the mineral deposits in the land or the use of the land instead of the House language which placed a moratorium on accepting or processing mining patent applications.

Amendment No. 160: Retains language inserted by the Senate prohibiting redefinition of the marbled murrelet nesting area or modification to the protocol for surveying marbled murrelets. The House had no similar provision.

Amendment No. 161: Retains language inserted by the Senate authorizing the Secretary of the Interior to exchange land in the State of Nevada with the United States Forest Service for land in the States of Oregon, Idaho, and Montana. The House had no similar provision.

Amendment No. 162: Includes Senate language which provides for a one-year moratorium on new or amended standards and reducing the codes and standards program in the Department of Energy by $12,799,000 and inserts language regarding grazing at Great Basin National Park. The House had no similar provision.

Amendment No. 163: Deletes Senate language specifying that this restriction applies to NEA. The House had no similar provision.

Amendment No. 164: Includes Senate language restricting grants that demerit adherents to a particular religion. The modification specifies that this restriction applies to NEA. The House had no similar provision.

Amendment No. 165: Includes Senate provision which delays implementation or enforcement of the Administration's rangeland reform program until November 21, 1995. The House had no similar provision.

Amendment No. 166: Strikes Senate section 331 pertaining to submission of land acquisition projects by priority ranking. Priorities should be identified in the budget request and justifications.

Amendment No. 167: Includes Senate provision that makes three changes to existing laws relating to costs incurred by Federal agencies, businesses and individuals to detect, prevent and avoid damage and injury from tree spiking, real or threatened, treated as "avoidance" may be included in meeting the threshold of $10,000 required for prosecution. The language doubles the discretionary maximum penalties for prison terms to 40 years for incidents resulting in the most severe personal injury. Those injured would have recourse to file civil suits to recover damages under this law. The House had no similar provision.

Amendment No. 168: Modifies Senate language restricting grants that demerit adherents to a particular religion. The modification specifies that this restriction applies to NEA. The House had no similar provision.

Amendment No. 169: Retains Senate language restricting NEA grants for sexually explicit material. The House had no similar provision.

Amendment No. 170: Deletes language inserted by the Senate extending the scope of the Arts and Artifacts Indemnity Act. The House had no similar provision.

Amendment No. 171: Deletes language inserted by the Senate mandating energy savings at Federal facilities. The House had no similar provision.

Amendment No. 172: Deletes Senate amendment requiring the Indian Health Service to prepare a report on the distribution of Indian Health Service professionals. The House had no similar provision.

Amendment No. 173: Deletes Senate amendment requiring the Indian Health Service to prepare a report on HIV/AIDS prevention needs among Indian tribes. The House had no similar provision.

Amendment No. 174: Strikes Senate section 256(1)(2) of Public Law 104-19. The House included no similar provision.

Amendment No. 175: Deletes Senate language prohibiting the use of funds for travel and training expenses for the Bureau of Indian Affairs or the Office of Indian Education for education conferences or training activities.

Amendment No. 176: Deletes Senate language prohibiting the use of funds for travel and training expenses for the Bureau of Indian Affairs or the Office of Indian Education for education conferences or training activities.

The managers emphasize that any item for which a specific dollar amount is mentioned in an accompanying report, including all changes to the budget estimate approved by the Committee, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

The total new budget (obligational) authority for the fiscal year 1996 recommended by the Committee of Conference, with comparisons to the fiscal year 1995 amount, the House estimates, and the House and Senate bills for 1996 follow:

Table: New budget (obligational) authority, fiscal year 1996

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>New budget (obligational) authority, fiscal year 1996</td>
<td>$13,519,230,000</td>
</tr>
<tr>
<td>Senate bill, fiscal year 1996</td>
<td>$13,817,404,000</td>
</tr>
<tr>
<td>House bill, fiscal year 1996</td>
<td>$11,984,603,000</td>
</tr>
<tr>
<td>Conference agreement, fiscal year 1996</td>
<td>$12,114,878,000</td>
</tr>
<tr>
<td>Conference agreement compared with:</td>
<td></td>
</tr>
<tr>
<td>New budget (obligational) authority, fiscal year 1995</td>
<td>+61,779,000</td>
</tr>
<tr>
<td>Budget estimate of the House, fiscal year 1996</td>
<td>-1,404,352,000</td>
</tr>
<tr>
<td>Senate bill, fiscal year 1996</td>
<td>-1,702,526,000</td>
</tr>
<tr>
<td>House bill, fiscal year 1996</td>
<td>+130,275,000</td>
</tr>
<tr>
<td>Senate bill, fiscal year 1996</td>
<td>+61,779,000</td>
</tr>
</tbody>
</table>


1994 CALENDAR YEAR REPORTS FROM THE DEPARTMENT OF TRANSPORTATION—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, without objection, together with the accompanying papers, referred to the Committee on Transportation and Infrastructure and the Committee on Commerce:

To the Congress of the United States:
I transmit herewith the 1994 calendar year report as prepared by the Department of Transportation on activities under the Highway Safety Act, the National Traffic and Motor Vehicle Safety Act of 1966, and the Motor Vehicle Information and Cost Savings Act of 1972, as amended.

WILLIAM J. CLINTON.

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. DOGGETT) to revise and extend their remarks and include extraneous material:)
Mr. Gibbons, for 5 minutes, today.
Mrs. Schroeder, for 5 minutes, today.
Mr. Skaggs, for 5 minutes, today.
Mr. Owens, for 5 minutes, today.
Ms. Kaptur, for 5 minutes, today.
(The following Members (at the request of Mr. Goss) to revise and extend their remarks and include extraneous material:)
Mr. Hoyle, for 5 minutes, today.
Mr. Barr, for 5 minutes, today.
Mr. Talent, for 5 minutes, today.
(The following Member (at her own request to revise and extend her remarks and include extraneous material:)
Ms. Slaughter, for 5 minutes, today.

EXTENSION OF REMARKS
By unanimous consent, permission to revise and extend remarks was granted to:
(The following Members (at the request of Mr. Doggett) and to include extraneous matter:)
Mr. Bonior.
Mr. Kennedy of Rhode Island.
Mrs. Meek of Florida.
Mr. Stokes.
Mr. Coyne.
Ms. Roybal-Allard.
Mr. Stokes in two instances.
(The following Members (at the request of Mr. Goss) and to include extraneous matter:)
Mr. Ehlers.
Mr. Roth.
Mr. Burr in two instances.
Mr. Gallegly.
Ms. Dunn of Washington.
Mr. Frelinghuysen.
(The following Members (at the request of Mr. Dornan) and to include extraneous matter:)
Mr. Brown of Ohio.
Mr. Bonior in three instances.
Mr. Barcia.
Ms. DeLauro.
Mrs. Cubin.
Mr. Packard.
Mr. Williams.
Mr. Conyers.
Mr. Gephardt.
Mr. Dick.
Mr. Camp.

MRS. MORELLA.
Mr. Ganske.
Mr. Pastor.
Mr. Gilman.
Mr. Ballenger.
Mr. Cooley.

SENATE JOINT RESOLUTION
REFFERED
A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:
S. Res. 20. Joint resolution granting the consent of Congress to the compact to provide for joint natural resource management and enforcement of laws and regulations pertaining to natural resources and boating at the Jennings Randolph Lake Project lying in Garrett County, Maryland and Mineral County, West Virginia, entered into between the States of West Virginia and Maryland; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED
The Speaker announced his signature to enrolled bills of the Senate of the following titles:
S. 464. An act to make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.
S. 532. An act to clarify the rules governing venue, and for other purposes.

ADJOURNMENT
Mr. Dornan, Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Monday, September 25, 1995, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.
Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:
1452. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of offshore lease revenues in OCS areas, pursuant to 43 U.S.C. 1399(b), to the Committee on Resources.
1453. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, sections 810(2) and 810(h)(3)(B), USC, to the Committee on Veterans' Affairs.
1454. A letter from the Secretary, Department of Labor, transmitting the quarterly report on the expenditure and need for worker adjustment assistance training funds under the Trade Act of 1974, pursuant to 19 U.S.C. 2296(a)(2); to the Committee on Ways and Means.
1455. A letter from the Secretary, Department of Health and Human Services, transmitting a copy of the annual report entitled' "Monitoring the Impact of Medicare Physician Payment Reform on Utilization and Access," pursuant to Public Law 101-239 jointly, to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:
Mr. Gekas; Committee on the Judiciary. H.R. 2277. A bill to abolish the Legal Services Corporation and provide the States with money to fund qualified legal services; with an amendment (Rept. 104-255). Referred to the Committee of the Whole House on the State of the Union.
Mrs. Waldholtz; Committee on Rules. House Resolution 226. Resolution providing for the consideration of the bill (H.R. 743) to amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes (Rept. 104-256). Referred to the House Calendar.
Mr. Dreier; Committee on Rules. House Resolution 227. Resolution providing for the consideration of the bill (H.R. 1170) to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a 3-judge court (Rept. 104-257). Referred to the House Calendar.
Ms. Pryce; Committee on Rules. House Resolution 228. Resolution providing for the consideration of the bill (H.R. 1601) to authorize appropriations for the National Aeronautics and Space Administration to develop, assemble, and operate the International Space Station (Rept. 104-258). Referred to the House Calendar.
Mr. Regula; Committee of Conference. Conference report on H.R. 197. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104-259). Ordered to be printed.
Mr. Archer; Committee on Ways and Means. H.R. 1756. A bill to abolish the Department of Commerce; with an amendment (Rept. 104-260 Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL
Pursuant to clause 5 of rule X the following action was taken by the Speaker:
H.R. 1815. Referral to the Committee on Resources extended for a period ending not later than September 29, 1995.

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. Buyer (for himself, Ms. Waters, Mr. Stump, and Mr. Montgomery):
H.R. 2370. A bill to amend title 38, United States Code, to extend the veterans' adjustable rate mortgage demonstration project through the first 3 months of fiscal year 1996, to the Committee on Veterans' Affairs.
By Mr. Archer (for himself, Mr. Crane, and Mr. Dreier):
H.R. 2371. A bill to provide trade agreements authority to the President; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mrs. Cubin (for herself, Mr. Cremeans, Mr. Ney, Mr. Molloy,..
Mr. HANSEN, Mr. HAYWORTH, Mr. THORNBERY, Mr. ALLARD, Mr. CALVERT, Mr. DOOLITTLE, Mr. POMBO, and Mr. COLE reported the following:

H. R. 2372. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to minimize duplication in regulatory programs and to provide inclusive responsibility under approved States program for permitting and enforcement of the provisions of that act with respect to surface coal mining and reclamation operations, and for other purposes; to the Committee on Resources.

By Mr. BONILLA (for himself, Mr. DURBIN, Mr. THORNBERY, Mr. KIM, and Mr. CASTLE of Florida):

H. R. 2373. A bill to provide that neither the President, the Vice President, nor any Member of Congress shall be paid during Federal Government shutdowns; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE, Mr. GREENWOOD, and Mr. WELDON of Pennsylvania:

H. R. 2377. A bill to amend the Endangered Species Act of 1973 to encourage the continued conservation of America's natural legacy for future generations; provide incentives for States to protect rare plants, and private landowners to conserve species; and otherwise improve the act through increased flexibility and broader cooperation; to the Committee on Resources.

By Mr. LANTOS:

H. R. 2375. A bill to amend title 5, United States Code, to modify the early-retirement reduction provisions with respect to certain Federal employees who are separated from service due to a base closure under title II of the Department of Defense Base Closure and Realignment Act, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. MCHALE:

H. R. 2376. A bill to develop a program regarding career opportunities by making such information available on publicly accessible networks and other electronic media; to the Committee on Economic and Educational Opportunities.

H. R. 2378. A bill to provide authority to executive departments and agencies to issue rules respecting application of laws under their jurisdiction; to the Committee on Government Oversight.

H. R. 2378. A bill to amend the White House Conference on Small Business Authorization Act to require the final report of the national conference to be published in the Federal Register and distributed through the regional offices of the Small Business Administration; to the Committee on Small Business.

H. R. 2379. A bill to amend the Small Business Act to modify requirements relating to the protection of individuals who may be considered economically disadvantaged for the purpose of receiving contract awards under section 8(a) of that act; to the Committee on Small Business.

H. R. 2380. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds for air and water pollution control facilities on the Cape Cod Canal on Cape Cod, Massachusetts; to the Committee on Ways and Means.

H. R. 2381. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of Transportation to issue a certificate of documentation to any vessel that the Secretary determines is a vessel primarily engaged in the fishery for the species or species as fall within the jurisdiction of the committee concerned.

By Mr. COOLEY:

H. R. 2392. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of the cost of employee training expenses paid or incurred by the employer; to the Committee on Ways and Means.

H. R. 2393. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of the cost of employee training expenses paid or incurred by the employer; to the Committee on Ways and Means.

H. R. 2394. A bill to amend the Internal Revenue Code of 1986 to modify certain rules relating to subchapter S corporations; to the Committee on Ways and Means.

H. R. 2395. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for gain from certain small business stock to 100 percent for stock held for more than 10 years; to the Committee on Ways and Means.

By Mr. SCHUMER (by request):

H. R. 2396. A bill to save the lives of police officers by providing an alternative to foster care for a child who has adult relatives willing to provide safe and proper care for the child; to the Committee on Ways and Means.

By Mr. WYDEN (for himself and Mrs. MORELLA):

H. R. 2397. A bill to amend part E of title IV of the Social Security Act to require States to regard adult relatives who meet State child protection standards as the preferred alternative to foster care for a child who has adult relatives willing to provide safe and proper care for the child; to the Committee on Ways and Means.

By Mr. THOMAS (for himself, Mr. BILIRAKIS, and Mr. BARTON of Texas):

H. R. 2398. A bill to amend the Medicare Program and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. BILIRAKIS, and Mr. BARTON of Texas):

H. R. 2399. A bill to revise the restrictions under the Medicare Program against payment for services furnished by a facility in which the referring physician has an ownership interest, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALLINGER:

H. R. 2401. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for all employees; to the Committee on Economic and Educational Opportunities.

By Mr. COOLEY:

H. R. 2492. A bill to amend the Umatilla Basin Project Act to establish boundaries for irrigation districts within the Umatilla Basin, and for other purposes; to the Committee on Resources.

By Mr. SANFORD:

H. Con. Res. 103. Concurrent resolution expressing support for equal and fair access to higher education in the Albanian language in the former Yugoslav Republic of Macedonia; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

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

H. R. 28: Mr. HASTERT.

H. R. 65: Mr. TATE.

H. R. 104: Mr. Kim and Mr. PAYNE of Virginia.

H. R. 109: Mr. DOOLITTLE.

H. R. 303: Mr. TATE.

H. R. 326: Mr. GOSSET.

H. R. 436: Mr. HOKESTRA.

H. R. 468: Mr. GILMAN.

H. R. 789: Mr. ENSIGN.

H. R. 903: Mr. WHITE.

H. R. 992: Mr. LIPINSKI.

H. R. 941: Mr. KLECKZA.

H. R. 945: Mr. PARKER, Mr. COSTELLO, Mr. JEFFERSON, Mr. LIPINSKI, Mr. CHAMBLISS, Mr. DeFAZIO, Mr. BURTON of Indiana, Mr. HOSTETTLER, Mr. WATTS of Oklahoma, Mr. HASTERT, Mr. ALLARD, Mr. CHRYSLER, Mr. BROWNBACK, Mr. CLEMENT, Mr. GILLMOR, Mr. EHR LICH, Mr. KINGSTON, and Mr. KLUG.

H. R. 957: Mr. COBLE and Mr. MCKEON.

H. R. 1003: Mr. HALL of Texas and Mr. MINOR.

H. R. 1061: Mr. HOLDEN and Mr. LAUGHLIN.

H. R. 1078: Mr. LOFgren and Mr. ACKERMAN.

H. R. 1163: Mr. CLEMENT and Mr. SOUDER.

H. R. 1206: Mr. LONGLY, Mr. CAMP, Mr. SMITH of New Jersey, Mr. KOBZER, Mr. FELLON, Mr. MEEYERS of Kansas, Mr. SCHIFF, and Mr. KENNEDY of Rhode Island.

H. R. 1619: Mr. FANELL.

H. R. 1712: Mr. HARKINS of Louisiana.

H. R. 1712: Mr. SMITH of Texas.

H. R. 1747: Mr. GREENWOOD and Ms. PELOSI.

H. R. 1776: Mr. SABO, Mr. DINGELL, and Mr. QUINN.

H. R. 1902: Mr. WELDON of Pennsylvania and Mr. HOLDEN.

H. R. 2146: Mr. COYNE, Mr. CAMP, and Mr. KLUG.

H. R. 2195: Mr. SPEASTRAND.

H. R. 2244: Mr. WELLER.

H. R. 2265: Mr. ZELIFF, Mr. HEFNER, Mr. SCARBROUGH, and Mr. WARD.

H. R. 2271: Ms. LOFgren.

H. R. 2326: Mr. BREUER, Mr. FROST, Mr. GRADYSON, Mr. ENGLISH of Pennsylvania, Ms. MOLINARI, Mr. BARRETT of Wisconsin, and Mr. ACKERMAN.

H. R. 2338: Mr. ACKERMAN.

H. R. 2353: Mr. FLANAGAN, Mr. BISHOP, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Ms. BROWN of Florida, Mr. WELLER, Mr. CLEMENT, and Mr. BARR.

H. R. 2363: Mr. HOKESTRA.

H. Res. 30: Mr. FRANKS of New Jersey and Mr. FIELDS of Louisiana.

H. Res. 134: Mr. FORBES, Mr. ENGLISH of Pennsylvania, Mr. BEILENSON, Mr. ENSIGN, Mr. GANSKE, Mr. GRAHAM, Mr. LUTHER, Mr. FOX, Mr. HAYWORTH, Mr. FOLEY, and Mr. CHRYSLER.

H. Res. 214: Mr. INGLIS of South Carolina, Mr. FORBES, Mr. LEACH, and Mr. LOBIONDO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. Res. 94: Mr. Peterson of Minnesota.
The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. Thurmond].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, from whom no secrets are hidden, and to whom we are accountable for our lives and our leadership, we come to You humbly and with a longing to be in a right relationship with You. If there is anything between us and You that needs Your forgiveness and cleansing, we confess it to You now. If there is any broken relationship with others that needs healing, we ask for Your reconciling power. If we have done or said anything that has hurt or maliciously distressed others, help us make restitution. And if there is any area of our work in which we have resisted Your will and guidance, we open ourselves to Your spirit anew as we seek to correct our shortcoming.

Father, You have shown us how crucial it is for us to be open, receptive channels for the flow of Your power. Our Nation needs leaders who are Your agents of change, advancement, and creativity. We commit to You all that we have and are that we may think and act in Your thoughts and realize Your plan for our Nation. Accept us as we are in our deep need to You and help is to be all that You intend us to be for Your glory today. In our Lord's name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from North Carolina is recognized.

SCHEDULE

Mr. FAIRCLOTH. Mr. President, this morning the leader time has been reserved, and there will be a period for morning business until the hour of 10 a.m. Following morning business, at 10 a.m., the Senate will resume consideration of the foreign operations appropriations bill and the pending Brown amendment regarding Pakistan. Under the consent agreement, following 60 minutes of debate, there will be a roll-call vote on the Brown amendment. All amendments can therefore be expected to be disposed of this afternoon. Further roll-call votes can be expected throughout today's session in an attempt to complete action on the foreign operations appropriations bill.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business.

FORMER HOMEWOOD, AL, MAYOR ROBERT WALDROP

Mr. HEFLIN. Mr. President, I rise with great sadness to announce that former Homewood, AL, Mayor Robert Waldrop passed away on September 9. Mayor Waldrop spent 24 years at the Birmingham suburb's helm of city government and was an outstanding, progressive leader who moved his community forward in countless ways during his long tenure. One of his crowning achievements was the establishment of Homewood's excellent school system, widely recognized as one of the State's best systems.

To Bob Waldrop, being mayor came naturally. His father had served as mayor of the Walker County, AL, town of Parrish, serving until he was 86 years of age. Bob was a native of Parrish, an Army veteran, a Mason, and a member of Trinity United Methodist Church and Zamora Shrine.

Since Bob had already retired from his career with the Liberty National Insurance Co. by the time he was first elected mayor in 1968 at the age of 55, he was known as being a full-time mayor for part-time pay. Truly, the city of Homewood was his life.

When Bob Waldrop left the Homewood mayor's office 3 years ago, I did a tribute to him on the floor of the Senate. This was on October 3, 1992. The Homewood City Council had just recently passed a resolution in his honor, and I wanted to have it inserted into the CONGRESSIONAL RECORD. I ask unanimous consent that a copy of my statement and the accompanying resolution from 1992 be printed in the RECORD. It describes his many accomplishments and explains why he was so beloved by so many for so long.

I extend my sincerest condolences to Bob's wife, Louise, and their entire family in the wake of this tremendous loss.

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

[From the Congressional Record, Oct. 3, 1992]

TRIBUTE TO MAYOR ROBERT G. WALDROP

Mr. HEFLIN. Mr. President, we all know of those local elected leaders from our States who, because of their long tenures in office, accomplishments, dedication, and hard work, seem to define the term "public servant." These are the ones who do not necessarily seek headlines, but whose satisfaction comes from doing good things for their communities. I know of no other leader who fits this definition and style of public service more aptly than Homewood, AL, Mayor Robert G. Waldrop. Mayor Waldrop, one of the longest serving mayors in the State, will be leaving his post on October 5, after 24 years of service. More than anyone else, he deserves credit for the success and growth of this Birmingham suburb over the last 24 years.

Mayor Waldrop originally entered the political arena after completing two other full careers: for 15 years, he was a pharmacist and for the 18 after that was a successful insurance agent for Liberty National Insurance Co. He has worked virtually his entire
am confident that his community has not seen the last of his tireless devotion. I wish him all the best in his future endeavors.

Mr. President, I ask unanimous consent that the Resolution adopted September 14 by the Homewood City Council in honor of Mayor Waldrop be printed in the RECORD immediately following my remarks.

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

RESOLUTION NO. 92–21

Whereas, Robert G. Waldrop has served as Mayor of the City of Homewood, Alabama, since his election to that office in 1968 continuously to the present; and

Whereas, since Mayor Waldrop’s election to office in 1968, the City of Homewood has enjoyed tremendous growth, expansion and success in business and opportunity for its residents; and

Whereas, during Mayor Waldrop’s tenure as Mayor, he has received numerous awards and commendations, and has expended great energies to the benefit of the residents of the City of Homewood, Jefferson County, and the State of Alabama, which accomplishments include, but are not limited to, the following: (1) original organizer of the Jefferson County Electric Authority in 1969 and served as its President from 1972 through 1974; (2) a motivating force and promoter of the Homewood School System; (3) honored by the Judges of the State of Alabama as the Outstanding Citizen in Homewood in 1970; (4) elected the Boss of the Year in 1971 by the Alabama Business Women’s Association; (5) honored as the Homewood Board of Education, by naming the football stadium the “Robert G. Waldrop Stadium” in 1976; (6) was elected President of the Alabama Workmen’s Compensation Association for the State of Alabama; and (7) was elected President of the Alabama Legal Municipalities in 1976, and has served for the last fifteen (15) years on the Executive Board of the League; and

Whereas, Mayor Waldrop has provided the excellent leadership necessary for the development and growth of the City which accomplishments include development and expansion of a fine school system, development and expansion of Brookwood Hospital as a premier health care center of Jefferson County, annexation of numerous acres of property for residential and commercial development providing an excellent tax base for services to the community, setting for Homewood residents, all of which growth and developments will be chronicled in the history of the development of the City of Homewood, Alabama; and

Whereas, the members of the City Council of the City of Homewood desire to express officially, as well as individually, their appreciation for the outstanding services which Robert G. Waldrop has rendered to the City of Homewood and its residents during his twenty-four (24) years as Mayor of the City of Homewood; and

Now, Therefore, be it Resolved by the City Council of the City of Homewood, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

1. That the City Council of the City of Homewood, by the adoption of this Resolution, does publicly commend, thank and state as an expression of appreciation to Mayor Waldrop for the long and dedicated service which he has rendered to the citizens of Homewood as Mayor of the City of Homewood.

2. That the City Council of the City of Homewood desires to make a public statement that Mayor Robert G. Waldrop for his long and dedicated service to the City of Homewood and do by the adoption of this Resolution make such statement.

3. That the City Council of the City of Homewood does direct that a copy of this resolution, after its adoption by the City Council, be distributed to Robert G. Waldrop, members of his family and that appropriate certified copies thereof be forwarded by the City Clerk to such other persons or organizations as she deems appropriate in the premises.

4. That this resolution shall be made a part of the official minutes of the meeting of the Homewood City Council.

THE 80TH BIRTHDAY OF OSCAR Handlin

Mr. KENNEDY. Mr. President, September 29 is the 80th birthday of one of the Nation’s great thinkers and historians, Oscar Handlin.

For decades, our country has been blessed by his insights and scholarship on our origins as a nation and our character as a people. His lively view of our history shows how America has drawn on the strengths of many nationalities as generation after generation works to build a better future for their children. It is this enduring lesson of our history that has inspired him, throughout his career, to project an optimism regarding our future. As he has often said, “Perhaps our brightest hope for the future lies in the lessons of the past.”

Professor Handlin exhibited a scholar’s curiosity and thirst for learning early in his extraordinary career. He completed college by the age of 19. Before turning 30, he was invited to join Harvard’s faculty. At the time, he had not yet completed his doctorate.

He was a distinguished professor of history and directed several scholarly institutes devoted to the study of American history and ideas. His outstanding leadership as director of Harvard’s Center for the Study of Liberty in America and, later, the university’s Center for Warren G. Hardin’s American History produced a remarkable body of scholarly work and countless young scholars of American history.

Professor Handlin is best known for his extensive works on immigration. Early in his career, he once said, “I thought to write a history of immigrants in America. Then I discovered that the immigrants were American history.” He has always maintained that America “is not merely a nation, but a teeming nation of nations.”

His doctoral dissertation analyzed the adjustment of immigrants in Boston. It was first published in 1941 and was republished on its fiftieth anniversary in 1991 because of the continuing public interest in his scholarship. His basic work on immigration, The United States and Its Immigrants, published in 1969, has been a cornerstone of American studies.
Professor Handlin’s appealing writing style allowed him to touch a generation of Americans far beyond the confines of the academic world. His observations on our history dealt movingly with the experiences of immigrants from the beginning of our history. During his brilliant career, he published nearly a book a year, and each received wide acclaim.

As he notes, Americans have argued over immigration for centuries. To those concerned that today’s immigrants do not contribute to American life, he replies that in 1850, 27 languages were spoken in Boston. Yet, these immigrants quickly learned English and joined our communities, just as immigrants are doing today.

When asked last month whether he still viewed our ethnic diversity a basic strength, he responded unequivocally, “More so than ever.”

As we consider immigration reform today, I would do well to keep Professor Handlin’s insights in mind. I know my colleagues join me in commending the contributions of this great scholar and outstanding American. I wish many happy returns as he and his family celebrate his 80th birthday this weekend.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, on that evening in 1972 when I first was elected to the Senate, I made a commitment to myself that I would never fail to see a young person, or a group of young people, who wanted to see me.

It has proved enormously beneficial to me because I have been inspired by the estimated 60,000 young people with whom I have visited during the nearly 23 years I have been in the Senate. Most of them have been concerned about the enormity of the Federal debt that we seem to run up for the coming generations to pay.

The young people and I almost always discuss the fact that under the U.S. Constitution, no President can spend a dime of Federal money that has not first been authorized and appropriated by both the House and Senate of the United States.

That is why I began making these daily reports to the Senate on February 22, 1992. I wanted to make a matter of daily record of the precise size of the Federal debt which as of yesterday, Wednesday, September 20, stood at $4,967,473,207.86 or $18,856.61 for every man, woman, and child in America on a per capita basis.

THE REED FAMILY OF POPULAR BLUFF, MO

Mr. ASHCROFT. Mr. President, today I rise to salute a family from southern Missouri, whose dedication to providing a better life for their children and whose commitment to education serves as a model for parents and families across America.

Ferdie Reed had to leave school in the sixth grade to work in the cotton fields outside his home of Popular Bluff, MO, and has worked as a night watchman at Three Rivers Community College for the past 28 years. He married Lillie Lee Arrington in 1950 and together they raised their 11 children, stressing the values of hard work and responsibility as the keys to a successful future. Ferdie worked hard to provide for his family by farming, while holding other jobs. Lillie devoted herself to her family as a full time mother and was active in the work of the Reed’s local church. She proved to be an inspiration for her children by going back to school and earning her General Equivalency Degree.

The emphasis the Reed family places on education and their example of hard work was followed by their 11 children, all of whom graduated from Three Rivers Community College in Popular Bluff. Ten of the children have also gone on to earn bachelors’ degrees at 4-year universities. Together, the 11 Reed children have more than 170 years of education.

Recently, the Reeds were honored in their home of Popular Bluff for their dedication to education and the positive impact they have had on their children and their community. I join today in honoring Ferdie and Lillie Reed, as well as their children, Wendell, Ferdie Jr., Linda, Brenda, Sharon, Patricia, Kathryn, David, Karen, Paul, and Mary Ann for their significant achievements. I salute them for their dedication, determination, and perseverance in the pursuit of a better life through education.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FAMCLOTH). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

The PRESIDING OFFICER. Under the previous order, the hour of 10 a.m. having arrived, the Senate will now resume consideration of H.R. 1868, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996.

The Senate resumed consideration of the bill.

Pending: Helms (for Dole/Helms) amendment No. 2707 (to committee amendment on page 2, line 25), to provide for the streamlining and consolidation of the foreign affairs agencies of the United States.

Brown amendment No. 2708 (to committee amendment beginning on page 15, line 17 through page 16, line 5, to clarify restrictions on assistance to Pakistan. (By 37 yeas to 61 nays (Vote No. 452), Senate earlier failed to table the amendment.)

Murkowski amendment No. 2712, to set forth requirements for implementation of the Agreed Framework Between the United States and North Korea Act relating to the Korean Peninsula Energy Development Organization.

AMENDMENT NO. 2708

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate on the Brown amendment No. 2708, equally divided.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. BROWN. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. So ordered.

Mr. BROWN. Mr. President, this amendment is about simple fairness. We have taken their money. We have obtained a contract to deliver equipment, and we do not want to deliver that equipment. I understand the feelings of those Members who have that position. But, Mr. President, it is wrong to take somebody’s money and not deliver the equipment and not give them their money back.

If this were Sears, Roebuck in the United States, we would lock them up. The consumer protection laws do not apply to the U.S. Government, but, Mr. President, simple fairness does. The American people understand this issue because they understand what it is like when someone who is selling something takes their money and does not deliver either the product or the money. That is what this amendment is all about. It is about fairness, and it is about saying either give them their money back or give them the equipment they contracted for.

Mr. President, I retain the remainder of my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. COVERDILL). Without objection, it is so ordered.

Mr. BROWN. Mr. President, parliamentary inquiry.

Under the quorum call that just took place, how is the time charged to each side?
The PRESIDING OFFICER. It was charged to the Senator that suggested it.

Mr. GLENN. Would the Chair repeat? The PRESIDING OFFICER. It was charged to the Senator who suggested it.

Mr. BROWN. Mr. President, my sense is that fairness would require that it be charged to both sides equally.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. I suggest the absence of a quorum and request the time be charged equally to both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GLENN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

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

Mr. GLENN. Mr. President, I cannot disagree more with my distinguished colleague from Colorado when he says this is just a matter of fairness about giving money back as though we ordered something from Sears, Roebuck and did not get it so we ought to get our money back. That is such a simplistic view that itmocks what we have been trying to do with our non-proliferation policy, our nuclear non-proliferation policy for the last 30 years.

We have tried to prevent the spread of nuclear weapons around this world. That is what this issue is all about. It is a non-proliferation issue. The question: Are we serious about a U.S. leadership role in nonproliferation policy or are we not? I share the concern that Pakistan should get its money back, but not at the expense of dumping our nuclear weapons efforts around the world to further nuclear nonproliferation be mocked by the 178 nations that signed up under the Non-Proliferation Treaty. That is what this is all about.

Pakistan has been the most egregious violator. They refused to join the NPT and refused to cooperate and repeatedly told us untruth after untruth after untruth after untruth, lie after lie, about their intentions on nuclear weapons.

They deliberately misled us—misled me personally. I was over there a couple of times. Once I met with President Zia; with Yaqub Khan, the Foreign Minister; Mr. Khan, from their atomic energy commission. They told me they had no program at all. They said that our intelligence was just flat wrong.

Prime Minister Benazir Bhutto repeatedly has made statements that they have no nuclear weapons objectives. And yet we know that is not true. So the fact that this is about is not just about fairness of giving the money back as though a purchase had been made at Sears; this is a matter of non-proliferation and are we serious about it or not?

We all love to get up and make our press conference statements about how much we are against nuclear proliferation and we do not want to see nuclear weapons and weapons of mass destruction around the world. We, in fact, right now are getting control of our nuclear weapons stockpiles with the former Soviet Union, now the Russians, and we are scaling those down. At the same time we ask other nations, please do not go ahead with nuclear weapons programs. We will cooperate with you if you do not.

We cooperated with Pakistan when they were threatened and mutual interest indicated we should send weapons to the Mujaheddin in Afghanistan. It was in Pakistan’s interest we do that, also. It was not just a gratuitous favor to the United States.

Through the years over and over we were trying to make the nuclear weapons program by their officials when we knew they did. During this time period we were successful in turning off a Taiwanese effort to start a nuclear weapons program. We were successful in turning off a South Korean effort to start a nuclear weapons program. South Africa, they finally gave up on their efforts after having a nuclear weapon or being close to it. Argentina and Brazil ceased their efforts. And 178 nations signed up under NPT.

This is a great success story.

Do we mean it when we say we have a nonproliferation policy or not? I am very critical of this administration. I sent a long letter to the President with my position on this back in April. I included it in the RECORD last night. I think this is sort of a test case here. Do we mean it or not? If we let Pakistan go ahead and say we reward them then with all sorts of help, with economic aid, with all the things that are going on we are not serious about our nonproliferation policy, our national security plight in South Asia, and certainly our interests in that.

Pakistan has been cutting down on nuclear nonproliferation.

It is not easy for the Pakis, because they are entitled to some sympathy in their national security plight in South Asia. They fought three wars with a much larger adversary, India, who was also pursuing a nuclear weapons program and had exploded a device in 1998, and mainly built their program because of China’s nuclear efforts.

Do we have sympathy? I do not think so. I think we should be very much on the side of our interests in that regard, but I do not have much sympathy when they have deliberately misled us, lied to us all through the years.

Mr. President, one after the other, officials in Pakistan have not told us the truth. I said before my own personal experience in meeting with President Zia, the foreign minister, Yaqub Khan, and from the atomic energy commission, Mr. Khan, was that they all assumed they had no program when we knew that they did.

Let me read a few quotes. Back in 1988, opposition leader Benazir Bhutto, shortly before coming Prime Minister:

We don’t want any controversy with the US. on the nuclear issue . . . We want it clear beyond doubt that we’re interested only in energy, not nuclear weapons.

I can tell you with confidence that there is no bomb programme in Pakistan. There is no bomb programme. There is no bomb programme.

December, 1988:

We’re committed to a peaceful energy program. We don’t have any nuclear weapons policy. Pakistan doesn’t have any intention to get a nuclear device or a nuclear weapon.

Another one in June 1989, Prime Minister Benazir Bhutto, in an address before a joint meeting of Congress, right down the hall, a joint meeting of Congress, and made this statement to all of us. I was in attendance at that meeting:

Speaking for Pakistan, I can declare that we do not possess nor do we intend to make a nuclear device. That is our policy.

New York Times, 1989 interview with Prime Minister Benazir Bhutto:

Pakistan has not, nor do we have any intention of putting together or making, a bomb, or taking it to the point where you can put it together.

So much for the word of Pakistan.

So when we say, Mr. President, that this is an issue of just giving the money back, as though we have made a deal and it is all in place, that is extremely misleading, and I disagree with that characterization of what this is about.

What this is about is whether the United States has a nuclear non-proliferation policy and whether we are truly willing to stick to it or are we not. Do we have the guts to make the tough decisions in the interest of seeing nuclear weapons not spread further around the world, just at the same time we are trying to get our own nuclear weapons stockpiles and those of the former Soviet Union under control and doing a good job in that area.

Mr. President, that is what this vote is all about. I know from the vote yesterday what the vote is likely to be today. I think it is a wrong vote because it sends all the wrong signals to the 178 nonproliferation members around the world who are doing what we wanted them to do, what we tried to lead them to do and which they have continued to do, and that is try and stop the spread of nuclear weapons around the world. That is what this vote is all about.

I reserve the remainder of my time.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. BROWN. I yield myself 3 minutes.

Mr. President, there are several important points raised by the distinguished Senator from Ohio that I would like to address. One is the suggestion that we have somehow backed down on our nonproliferation objective or let Pakistan off the hook if this amendment is adopted. I simply believe that is an inaccurate statement, and I want to draw the attention of the Members to the facts. The reality is, if this amendment is adopted, our restriction against military assistance stays in place and it stays in place even though Pakistan has significant national security problems, our restriction against military sales stays in place, and it does so even though they have a great need and want to have equipment from the United States.

For a country that is in need of assistance and in need of weapons, those are significant and major restrictions, and to throw them away or ignore them, either of the facts. The fact is, they are strong sanctions that are in place and continue in place if the amendment is adopted.

We should not forget the fact as well that Pakistan signed a contract for these some 9 years ago, for other parts 8 years ago, and for other parts 7 years ago. They paid for those, and whether they paid all up front or paid in installments, as most people do, I think misses the point.

The fact is, they paid for these, they contracted for these. These items they contracted for have sat around. Does anybody think military equipment that was due for delivery 5 years ago is as valuable today as when it came up? Of course not.

So to suggest there have not been and do not continue to be enormously significant sanctions in place against Pakistan is to simply ignore the facts. It is misleading. I think, to say that there are no major penalties that we have demanded that the Pakistanis pay and will continue to pay in the future.

Mr. President, a great deal has been made about disingenuous statements by the Pakistanis with regard to their nuclear program. I, for one, think it is regrettable that that has happened. But, we should not be holier than thou when we talk about misleading statements regarding national security. Are our memories so short around here, Mr. President, going back to Pakistan?

Does not anyone recall that Francis Gary Powers’ flight took off from Pakistan. Is there any area we asked the Pakistanis to make available to us, at a base we asked them to let us fly out of, to fly over and spy on the Soviet Union? Has everyone forgotten how important that was to national security?

Incidentally, does anyone remember what President Eisenhower said when he was asked about it? No one has mentioned it. If you want to talk about disingenuous statements, what about President Eisenhower? Are we so holy we have forgotten it? This emanated from Pakistan. President Eisenhower denied the flights. Was it an incorrect statement? Of course it was. Why didn’t he do it? To protect our national security.

Does anybody remember what President Kennedy said with regard to the Bay of Pigs? We do not dwell on it, but before we got so holy, before we got too holy, remember Americans have felt a need to protect their national security, too, and it is strange that people would want to talk about the phenomenon of nuclear weapons with regard to Pakistan and not be willing to talk about the phenomenon of nuclear weapons with regard to India.

My own view of this is that we want to be friends with both India and Pakistan. We want to do that. We want to work with both of them. We want to work with both of them. Perhaps it was not widely noticed, but I was the prime critic of the administration when it was slow to name an Ambassador to India. It seemed to me that with any issue an important implication is, is this a country that should be our friend and we want to work with?

I spoke out against the bashing of India over the question of Kashmir. I believe what we want is a balanced policy, but, Mr. President, we should not look at the questions regarding Pakistan’s national security in a vacuum.

To assume that we are going to have a policy that denies Pakistan nuclear weapons and not comment about India’s nuclear weapons is a mistake. To assume we are going to bash Pakistan for trying to find missiles and not say anything about India’s missile program is a mistake. What we ought to have is a balanced policy in that part of the world, not a one-sided policy.

I retain the remainder of my time. Mr. President, I yield 10 minutes to the distinguished Senator from Iowa.

MR. HARKIN. Mr. President, I want to compliment the Senator from Colorado on his diligence and his effort to bring some rationality and reason to this debate, to try to get us to focus on fairness and equity in dealing with this part of the world.

I certainly would not want any of my comments that I made last night in the debate, or any I might make now, to be construed to indicate in any way that I have it in for India. That is not it at all. But I do believe that the history of our relations with Pakistan are such that we have to start dealing in a more evenhanded fashion in that part of the world.

Last night in my remarks, I went over the long history of Pakistani-United States friendly relations. I do not mean to belabor that again and go over that, other than to just say that going clear back to when Pakistan got its independence, Pakistan has always been oriented toward the United States. They supported us in the Korean war. As the Senator from Colorado pointed out, the flights of the U-2 over the Soviet Union came from Pakistan.

After the U-2 was shot down, Nikita Khruushchev threatened Pakistan with nuclear weapons. Pakistan stuck with the United States. In the gulf war, Pakistan helped us out; they were on our side. In Somalia—and even today, Pakistan troop help restore democracy to Haiti.

So in almost everything that we have done, Pakistan has been our strong friend and ally. Yet, I believe we have not treated them evenhandedly. All the reality is is a movement of times.

Last night, I quoted—and I want to repeat that—the statement by the Secretary of State, Warren Christopher, in
a letter dated September 20 to Senator Daschle. He said:

We appreciate the bipartisan interest we have seen in improving our relationship with Pakistan. We would support an amendment that would allow aid to Pakistan that is in our own interest, such as trade promotion, counter-narcotics assistance, and counter-terrorist programs. We also support language that would allow for the return of military equipment which Pakistan has already paid. To engage Pakistan on issues of concern to us, including non-proliferation, it is essential to resolve this unfair situation.

That is what the Brown amendment does.

Again, Mr. President, I ask unanimous consent that this letter, dated September 20, from Secretary of State Christopher, be printed in its entirety in the RECORD at this point.

The motion to strike is disagreed to. The letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF STATE,

Hon. Thomas A. Daschle,
Democratic Leader,
U.S. Senate.

Dear Senator Daschle: As the Senate begins consideration of the FY 1996 Foreign Operations Appropriations bill, I would like to address several issues in the version of the bill as reported by the full Appropriations Committee.

At the outset I would like to thank Chairman McConnell and Senator Leahy for their willingness to work with us and to include priority initiatives such as a long-term extension of the Middle East Peace Facilitation Act (MEPFA) and a drawdown authority for Jordan in the subcommittee mark. We would oppose any amendments that would alter the carefully negotiated language for either of these initiatives. Also, we appreciate the Subcommittee’s removal of objectionable conditions adopted by the House on population assistance and aid to Turkey, Haiti, and Mexico. We hope to continue in this cooperative fashion to produce a Foreign Operations bill that can be presented to the President with bipartisan support.

Despite the favorable aspects of the legislation, there are several items that are of great concern to the Administration. The funding levels throughout the bill are well below the President’s request level. The Foreign Operations cuts, coupled with the cuts proposed to international programs in the Senate’s Commerce, Justice, State Department Appropriations bill, represent a serious threat to America’s leadership in international affairs.

The bill also contains numerous earmarks and substantially restructures our foreign aid accounts. We expect international agencies to work with the effort to balance the budget as the President’s budget plan makes clear. However, we, the Administration, should have the flexibility to apply funds to the programs that provide the best results. Earmarks in our programs for the New Independent States, International Counter-narcotics, and economic assistance would prevent us from being able to respond to the crisis and unexpected requirements of the post-Cold War world. Further, the proportionality requirement in the new Economic Assistance Act would restrict our ability to change the distribution of these funds from year to year. We oppose these restrictions.

The bill also contains a number of objectionable provisions. Restrictions on our ability to contribute to the Korean Energy Development Organization (KEDO) would, in effect, prevent U.S. funding of KEDO and greatly hinder, if not destroy, the international effort to implement the Agreed Framework. We oppose linking KEDO fundings to stopping the nuclear related Korean South Korean dialogue. Imposing an artificial and unrealistic deadline on North/South talks, which have taken years to progress, is unrealistic androlly misses the mark. The Administration’s position will facilitate the progress we all so desire.

We remain convinced that the North/South dialogue will move forward substantially as a result of the Agreed Framework and the creation of KEDO. Our failure to contribute to KEDO will threaten its ability to meet its obligations and, consequently, invite North Korean non-compliance. The Agreed Framework is working. North Korea has frozen its nuclear weapons program. We need continued support for KEDO to keep the freeze in place.

Regarding assistance to the New Independent States (NIS) and Russia, we have reached a critical moment in the reform process. Continued funding is essential. It can make a major difference in whether reformers in Russia, Ukraine, Armenia, Moldova, and Georgia will be able to maintain momentum, or the opponents of reform will halt the development of democratic market societies. We need to stay the course with this program, while normal trading and investment relationships develop in the former Soviet states. We very much appreciate the continued support we have received from the Administration, the Senate Appropriations Committee in particular, for this critical effort, as reflected in this bill.

At the same time, however, we oppose new conditions on assistance to the NIS. It is of course tempting to withdraw our assistance as punishment for not agreeing with Russian actions or policies. But this would be a mistake. This assistance is in our national interest. Cutting or restricting aid would hurt reformers, the very people who have supported the war in Chechnya, criticized Russia’s proposed nuclear sale to Iran, or insisted that Russia end cooperation with Cuba. We urge you to remove such conditions from this bill.

Let me assure you that we share your concerns about Russia’s policies in these areas; that is why we continue to work with the Administration on the Russian nuclear reactor sale to Iran and to prevent completion of the Cuban reactor project.

We also urge you to restore the national security waiver provision that requires on violations of territorial integrity, which has been removed from the Senate version of this bill. It is important that the President retain the ability to determine whether the national security of the United States justifies a waiver of this requirement. Moreover, removal of the waiver provision could have unintended consequences, such as prohibiting humanitarian assistance to the victims of regional conflicts in countries such as Armenia.

The language regarding restrictions on the termination of sanctions against Serbia and Montenegro also reflects objectionable House language carried over in the Senate bill. The recent combination of NATO’s resolve and eneregetic United States leadership on the diplomatic front has led to some encouraging opportunities for a negotiated settlement to the conflict. To prematurely close off any avenues that may lead to a diplomatic settlement, including adjustments to the sanctions against Serbia, would complicate our efforts.

We appreciate the bipartisan interest we have seen in improving our relationship with Pakistan. We oppose any amendment that would permit aid to Pakistan that is in our own interest, such as trade promotion, counter-narcotics assistance, and counter-terrorism programs. We also support language that would allow for the return of military equipment which Pakistan has already paid. To engage Pakistan on issues of concern to us, including non-proliferation, it is essential to resolve this unfair situation.

There remain other problematic issues in the bill, but we are encouraged by the willingness of the bill’s managers to work with us, and we hope that these other issues can be resolved on the Senate floor or in conference.

Sincerely,

Warren Christopher.

Mr. HARKIN. Mr. President, there is also a letter from Secretary Perry, the Secretary of Defense, who said:

This is an effort to resolve issues involving “fairness” that have become a major irritant in our relationship with Pakistan—it is in no way an effort to resume a military supply relationship. Meanwhile, our ability to work with Pakistan to achieve nonproliferation goals is eroding. The status quo, unfortunately, offers few incentives for future cooperation or restraint by Pakistan—or by India, whose nuclear and missile programs are also of concern.

We do not hear much talk about that around here. The nuclear programs and the missile programs of India ought to be a big concern of ours also.

Secretary Perry concluded:

If we succeed in putting this issue behind us, we will be in a better position to engage Pakistan in a constructive way on issues of concern to us, particularly nonproliferation.

I ask unanimous consent that the letter from Secretary Perry, dated August 2, also be printed in the RECORD.

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

THE SECRETARY OF DEFENSE,

Hon. Sam Nunn,
Ranking Democrat, Committee on Armed Services.

Dear Senator Nunn:

For the past six months, the Administration has wrestled with the difficult problem of trying to build a stronger, more flexible relationship with Pakistan, an important bulwark of Islamic democracy in a troubled region which has been a long-time friend and has become a major partner in peacekeeping operations.

While promoting the very important non-proliferation goals of the Pressler Amendment,

Based on a detailed review within the Administration and consultations with Congress, the President has decided to address this matter on these fronts:

First, he strongly supports provisions already contained in the House and Senate versions of the Foreign Aid Authorization bill that would permit us to resume economic assistance and limited military assistance affecting clear U.S. interests (including in peacekeeping, counterterrorism and counter-narcotics as well as IMET).

Second, the President has decided to seek authority, as provided by an amendment to be proposed by Senator Brown, that would release approximately $370 million worth of embargoed military equipment purchased by Pakistan before the imposition of Pressler sanctions. This authority would specifically exclude the release of the F-16s. Among the items that would be released are three F-3C
Orion maritime patrol aircraft, Harpoon anti-ship missiles, counter-mortar radars, howitzers, and support kits for F-16s and Cobra helicopters already in the Pakistani inventory. These items will not disturb the conventional arms balance in South Asia which overwhelmingly favors India.

Finally, the President has decided that, rather than cancel the 28 F-16s he had asked to be transferred to Pakistan, he will seek to sell them to a third country and deposit the proceeds of any sale in the Pakistan Trust Fund to reimburse, as much as possible, Pakistan’s investment in these aircraft.

While we recognize that this is not a perfect solution, it is, we believe, the course which will best help us resolve a difficult problem with a country which has long been a friend. This is an effort to resolve issues involving India which have become a major irritant in our relationship with Pakistan—it is in no way an effort to resume a military supply relationship. Meanwhile, our ability to work with Pakistan to achieve non-proliferation goals is eroding. The status quo, unfortunately, offers few incentives for future cooperation or restraint by Pakistan—indeed, many of the maritime programs are also of concern. If we succeed in putting this issue behind us, we will be in a better position to engage Pakistan in a constructive manner on issues of concern to us, particularly nonproliferation.

The second aspect of this three-part effort—embodied in Senator Brown’s pending amendment to the FY 1996 foreign assistance authorization to release the embargoed Pakistan equipment other than the F-16s—may be coming to a vote very shortly. I urge you to support our efforts to resolve this problem by supporting Senator Brown’s amendment when it is offered.

Sincerely,

WILLIAM J. PERRY

PUTTING THE RELEASE OF EMBARGOED PAKISTANI EQUIPMENT INTO PERSPECTIVE

The total package has a value of $388 million—not $700 million as has been reported. Although the F-3C Orion provides a long-range offensive capability, three aircraft would hardly disturb India’s nearly 2 to 1 advantage over Pakistan in naval systems:

It is claimed that the F-3s provide a “lethal threat to India’s capability” against Indian naval targets as far south as Cochin; however, it should be noted that because the Pakistan Navy has no aircraft carriers (of which there are now two), the Pakistanis would be unable to provide fighters to escort these slow aircraft when operating at such a great distance from Karachi—thus leaving them vulnerable to interception by either land-based Indian Air Force fighters or carrier based Indian Navy aircraft.

It is incorrect to say that the F-3C represents a new threat to the P-3C system for the Indians as the Indian Navy already has two squadrons of similar maritime patrol aircraft that include five IL-38 (the Russian version of the P-3) and eight Tu-142 (the Soviet P-3) aircraft. While these aircraft do not have a system equivalent to the Harpoon, they do have equipment to locate submarines and are capable of launching torpedoes.

The Indian Navy also possesses an anti-ship missile, the Sea Eagle, which is similar to the Harpoon. Although not capable of being launched from the maritime patrol aircraft mentioned above, the Indian Sea Eagles can be carried on the Sea Harrier jets and the two helicopters which operate from India’s two aircraft carriers—thus giving the Indian Navy a more formidable long-range strike capability than that provided by three P-3Cs.

C-NITE would enable Pak Cobra helicopters to launch TOW 2 anti-tank guided missiles at night; however, these 19 helicopters, so equipped, would hardly offset India’s 2 to 1 advantage (by over 2000 tanks) over Pakistan.

The Pakistani F-16s are already equipped with the AN/ALR-69 radar warning receiver and AN/ALQ-131 electronic counter measures jamming equipment. These are defensive countermeasures. The AN/ALR-69 alerts the pilot that a radar has “painted” his aircraft; the ALQ-131 electronically deactivates the hostile missile. The ALR-69 and ALQ-131 kits that would be released would enhance the reliability of these systems rather than provide any new military capability.

Since Pakistan has previously received over 200 AIM-9L air-to-air missiles, the release of 360 more will not provide any new capability. Furthermore, India will still enjoy an almost 2 to 1 advantage in jet combat aircraft over Pakistan to include a better than 2 to 1 advantage in aircraft equivalent to the Pakistani F-16s (i.e., MiG-29 and Mirage 2000).

The 24 howitzers that would be released to Pakistan are M198 155 mm towed howitzers. Given the fact that the Indian Army has over 3000 towed artillery pieces (almost twice the number in the Pakistani inventory), 24 more will not make a significant difference. It should be noted that during the nearly five years that these howitzers were embargoed, India acquired over 250 equivalent artillery pieces from Czechoslovakia and Russia/USSR.

In regard to MK-46 torpedoes, Pakistan will receive parts that constitute less than one operational MK-46.

As for the 131 kits that would be released, these constitute a resupply of ammunition for one of the weapons systems on the Pakistani Cobra helicopters—they do not provide any new capability.

BROWNS AMENDMENT TEXT

Add the following subparagraph to section 620E of the Foreign Assistance Act of 1961:

IMPACT OF THE BROWNS AMENDMENT

The proposed legislation would authorize the release of approximately $388 million worth of military equipment purchased by Pakistan before the imposition of Pressler sanctions (1 October 1996) but not delivered to Pakistan due to Pressler sanctions. Specifically prohibited from release to Pakistan under this legislation are the 28 Pakistani F-16s. Items to be released include:

<table>
<thead>
<tr>
<th>Item</th>
<th>Item Stored</th>
<th>Shared quantity</th>
<th>Shared value (millions)</th>
<th>Funding source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Navy</td>
<td></td>
<td></td>
<td>191.8</td>
<td></td>
</tr>
<tr>
<td>Air Force</td>
<td>Peace II support equip, 272E engine kits</td>
<td>30,968</td>
<td>28.5</td>
<td>FFM/Cash.</td>
</tr>
</tbody>
</table>
| Air Force | Development spare equipment, 272E | 47,636 | 8.0 | FFM/
| Air Force | Peace III support package | 37 | 9.0 |
| Air Force | Engine components | 14 | 1.0 Cash |
| Air Force | Developmental support equipment | 144 | 8.0 |
| Air Force | Standard support equipment | 386 | 1.2 |
| Air Force | Non-standard support equipment | 9 | 5.0 |
| Air Force | Standard support equipment | 224 | 1.3 |
| Air Force | ALQ–131 pods and spares | 20 | 21.7 |
| Air Force | Class 4 equipment | 245,466 | 1.5 |
| Air Force | Other Air Force items | NA | 8.2 |
| Air Force | Grand total | NA | 98.8 |

INITIATIVE TO STRENGTHEN RELATIONS WITH PAKISTAN

After extensive review and consultations with Congress, President Clinton decided to support legislation to permit a stronger and more flexible relationship with Pakistan, while maintaining the nonproliferation goals of the Pressler Amendment.

The President’s decision builds on provisions already in the House and Senate versions of the Foreign Aid Appropriations bill, which would permit the United States to resume economic assistance and limited forms of military assistance (including IMET, counterterrorism and peacekeeping assistance) to Pakistan.

The President has decided to seek authority, as provided for in legislation proposed by Senator Brown, to release to Pakistan approximately $370 million in military equipment, exclusive of F-16s, contracted for by Pakistan prior to the imposition of Presler sanctions in October, 1990.

This equipment includes air-to-air and anti-ship missiles, radars, howitzers, three F-3C Orion Aircraft, and support kits for the F-16s already in Pakistan’s inventory. This non-strategic equipment does not have the symbolism that the F-16s have come to acquire in the region. Release of this equipment is consistent with the goals of the Pressler Amendment. We do not seek repeal of the Amendment or a resumed military supply relationship with Pakistan.

The President also decided not to seek release of the 28 F-16s in the pipeline. Instead, he will seek to sell the aircraft and return the proceeds of any sale to Pakistan, to reimburse as much as possible of the $694 million that Pakistan has expended on these aircraft.

Putting these issues behind us will permit a more normal and productive relationship between Washington and Islamabad, without which real progress on nonproliferation and other issues of importance to the United States will remain difficult.

Finally, in making his decision, the President stressed the importance of there being a non-proliferation status quo in Pakistan with regard to nonproliferation issues of concern to the United States. In particular, we expect that Pakistan will exercise restraint in the nuclear and missile areas.

Mr. HARKIN. On July 28, to the National Press Club, Secretary of State Christopher responds to a question.
I want to review for my colleagues some of the proposals that Pakistan has put forward, going back over 20 years. First of all, Pakistan proposed to establish a nuclear-weapons-free zone in South Asia in 1974.

In 1979, they proposed to issue a joint Indo-Pakistan declaration renouncing the acquisition and manufacturing of nuclear weapons.

In 1979, they proposed to have mutual inspections by India and Pakistan of nuclear facilities.

Also in 1979, they proposed simultaneous adherence to the Non-Proliferation Treaty by India and Pakistan.

Again in 1979, they proposed to endorse a simultaneous acceptance of full-scope international atomic energy safeguards and to have the IAEA do inspections.

They proposed, also in 1987, an agreement on a bilateral or regional nuclear test ban treaty.

In 1991, Pakistan proposed to commence a multilateral conference on the question of nuclear proliferation in South Asia.

A couple years ago, they proposed to create a missile-free zone in all of South Asia.

Pakistan has proposed all this. What is the stumbling block? India will not accept any of these. They are the ones that have said “no” to all of these proposals. Yet, we are the ones that are sticking it to Pakistan. I do not understand this at all. It seems to me that this is the kind of regime that we want in South Asia. We ought to be behind these proposals, and we ought to be using our influence with India and other countries in that area to agree with Pakistan, to sit down and negotiate these proposals, which were made in good faith by Pakistan.

Last, Mr. President, two quotes, first by President Clinton, April 11, 1995:

I don’t think what happened was fair to Pakistan in terms of the money . . . I don’t think what happened was fair to Pakistan.

Mr. President, it is time to put this behind us. This is a question of fairness and equity. I hope that the President will be ever so slightly overwhelming in favor of the Brown amendment. Let Pakistan know we will not turn our backs on Pakistan after all of these years of friendship and support that Pakistan has given to us.

I yield back whatever time is remaining. I thank the Senator from Colorado for his leadership on this.

Mr. GLENN. Mr. President, I yield 2 minutes to the distinguished Senator from Illinois, Senator SIMON.

Mr. SIMON. Mr. President, I will vote against the Brown amendment, though I agree with much of what my colleague from Iowa has to say. I will vote again against any weapons in any amendment that go to Pakistan or India or China until we get this nuclear thing worked out.

Many of the things that Senator HARKIN says are correct; for example, Pakistan and India, Pakistan suggesting that they have mutual inspection of nuclear facilities and so forth. The difficulty is India also fears China. There has to be a tripartite agreement. I think that necessarily means United States leadership working together with Russia to bring that about.

There is no question Pakistan has some legitimate grievances. We ought to get those worked out. I think the Feinstein amendment that is going to be coming along shortly will help to move in that direction.

We want to maintain friendship with Pakistan. Pakistan has moved from a dictatorship to a functioning democracy. Like all functioning democracies, it has problems. We ought to be working with Pakistan.

I yield back the balance of my time.

Mr. GLENN. Mr. President, I yield 2 minutes to the distinguished Senator from Ohio that his side has 15 minutes.

Mr. GLENN. Mr. President, the Brown amendment moves us in the opposite direction of trying to restrain missile proliferation. We have a law on our books and it says that where there is a determination that a transfer of a missile with a certain range and payload has been made that we will then impose sanctions.

There is a large body of evidence. It is up on the fourth floor. We have had three briefings. The briefers left the
material for us to look at. It is right there, a couple floors above us, for any of us to look at, to see whether or not each of us are satisfied that, in fact, a missile of a certain range and payload in excess of the missile technology control regime has been transferred from China to Pakistan. Under American law, if that occurs, sanctions are supposed to be imposed.

Now, what the Brown amendment does is take us in the opposite direction. It would have us amend Pressler, to that effect and transfer of significant military equipment to Pakistan.

Instead of looking at this evidence and deciding whether or not it proves incontrovertible that there has been a transfer of missiles in excess of the range and payload that is provided for in the missile technology control regime which we have incorporated in our law, the amendment before the Senate would say that still could apply, but we will move in exactly the opposite direction.

This amendment makes a mockery—if it passes this Senate—will make a mockery of our efforts to restrain the proliferation of missiles. That is the issue before the Senate. It is American law. The amendment says if there is a transfer of a missile or missiles that meet certain tests, sanctions will be imposed.

I do not think we can in good conscience say that we are fighting the proliferation of missiles if we do not believe that evidence two floors above us, if we do not take the time to at least look at that evidence two floors above us, and instead of acting on it, whatever our conclusions are, under American law, we move in exactly the opposite direction, amend Pressler, allow for the transfer of military equipment which otherwise could not be transferred. That is the issue before this Senate.

I hope we will adopt the Feinstein amendment, which will provide that any appropriate funds that are owed to Pakistan that they have given to us, whatever is equitable, be returned to Pakistan, without restoring the missile technology control regime.

I thank the Chair.

Mr. BROWN. Mr. President, I yield myself 2 minutes.

Mr. President, I want to deal with an aspect of this that I think is a fundamental problem because we have not addressed it, maybe we have not addressed it for a good reason.

This amendment is about fairness and about the inequity of keeping both their money and their arms. I think Americans will respond strongly to that. They understand it, and would be outraged at any retailer who did the same thing or anyone who signed contracts to sell as well.

Other Members have brought up significant issues and concerns about arms in Southeast Asia. That is appropriate to talk about it and it should be a concern. It is why I made sure with the adoption of this amendment that very strong sanctions stay in place that send a clear message that Pakistan is paying a price for having developed weapons.

Mr. President, the aspect of this that needs Members’ attention is this: We have sanctions that will sanction Pakistan for developing nuclear weapons, but we do not have sanctions that will sanction India for developing nuclear weapons. They are two nations, side by side.

The fact is, Pakistan’s program literally came about in part because India was Pakistan’s adversary and India developed nuclear weapons. We cannot ignore that when you think about trying to solve this problem.

There has been a lot of concern raised about missiles. That is a valid concern. I think we need to do more in that area.

Mr. President, you cannot talk about it in a vacuum. The fact is, Pakistan developed their program after India developed their program. There are strong indications that the potential of Pakistan’s missiles, if they have them and if they uncrate them, is somewhat similar to what the potential of the Indian missiles are. If anything, India has stronger missiles.

You cannot talk about this in a vacuum. If you do talk about it in a vacuum and you think about it in a vacuum, you are doomed to failure. We want a nonproliferation program that works, that is effective.

The PRESIDENT. The 2 minutes of the Senator has expired. Mr. BROWN. Mr. President, I yield 3 minutes to the Senator from Iowa.

The PRESIDENT. The Chair recognizes the Senator from Iowa.

Mr. HARKIN. Mr. President, I want to respond, perhaps, to my colleague from Illinois who talked about the weapons that have gone in. I have looked over the list of the items that are going. I thought I might, just for the RECORD, point out what some people have said about these items. All of the experts agree, it will not in any way upset the balance.

Steve Cohen is the director of program in arms control, disarmament and international security at the University of Illinois. He said,

In terms of the regional military balance, I don’t think that the release of this military equipment . . . will have . . . significant impact on the balance one way or the other.

George Tanham, who was a vice president of the Rand Corp., says, “I agree.” He said,

In fact, there is no balance now. India dominates so strongly. They have twice as large an army as Pakistan, twice as large an Air Force, twice as large a Navy, twice as many tanks, twice as many airplanes. * * * India has overwhelming strength.

So this small amount of equipment will not upset any balance. All of the experts basically agree that this amount of items that we are sending will not upset any balance in any way upset that regional balance.

James Clad, professor at Georgetown University said:

They offer for Pakistan ‘exactly as Dr. Tanham pointed out, an equalizing hand in trying to somehow correct the subcontinental mismatch of conventional weaponry capability and geography.’

So, again, I have gone over this list. I do not know if anyone has ever put it in the RECORD. But of the military equipment, adding to about $368 billion, the biggest items are three P-3C aircraft, four-engine turboprop air-craft. They are very significant. They do not have the capability in any way to threaten India, and I would be glad to get into a discussion with anyone if they would like to discuss that.

I want to make sure this is in the RECORD. I ask unanimous consent that a list of the items be printed in the RECORD and also a description of these items be printed in the RECORD at this point.

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

PUTTING THE RELEASE OF EMBARGOED PAKISTANI EQUIPMENT INTO PERSPECTIVE

The total package has a value of $368 million—not $700 million as has been reported.

Now, what the Brown amendment, which would transfer long-range offensive capability, three aircraft would hardly disturb India’s nearly 2 to 1 advantage over Pakistan in naval systems.

I have claimed that the “lethal standoff capability” against Indian naval targets as far south as Cochin; however, it should be noted that because the Pakistan Navy has no aircraft carriers (of which the Indian Navy has two), the Pakistanis would be unable to provide fighters to escort these slow aircraft when operating at such a great distance from the fleet—thus leaving them vulnerable to interception by either land-based Indian Air Force fighters or carrier-based Indian Navy aircraft.

It is incorrect to say that the P-3C represents a new weapons system for the region as the Indian Navy already has two squadrons of similar maritime patrol aircraft that include five Il-38 (the Russian version of the P-3) and eight Tu-142 Bear F aircraft. While these aircraft do not have a system equivalent to Harpoon, or carrier-based Harpoon, they do have equipment to locate submarines and are capable of launching torpedoes.

The Indian Navy also possesses an anti-submarine, the Sea King, which is similar to the Harpoon. Although not capable of being launched from the maritime patrol aircraft mentioned above, the Indian Sea Eagles can be carried on the Sea Harrier jets and the Sea King helicopters which operate from India’s two aircraft carriers—thus giving the Indian Navy a more formidable long-range strike capability than that provided by three P-3s.

C-NITE would enable Pak Cobra helicopters to launch TOW 2 anti-tank guided missiles, but the Indian helicopters, so equipped, would hardly offset India’s 2 to 1 advantage (by over 2000 tanks) over Pakistan.

The Pakistani F-16s are already equipped with an AN/ALR-69 radar warning receiver and AN/ALQ-131 electronic counter measures jamming equipment. These are defensive rather than offensive systems. The ALR-69 alerts the pilot that a radar has “painted” his aircraft; the ALQ-131 electronically de-foils the battle missile. The ALQ-131 kits that would be released would enhance the reliability of these systems rather than provide any new military capability.

Since Pakistan has previously received over 200 AIM-9L air-to-missile, the release
of 360 more will not provide any new capa-

bility. Furthermore, India will still enjoy an
almost 2 to 1 advantage in jet combat air-
craft over Pakistan to include a better than
2 to 1 advantage in aircraft equivalent to the
Pakistan F-16s (i.e., MiG-29 and Mirage 2000).
The 24 howitzers that would be released to
Pakistan are M198 155 mm towed howitzers.
Given the fact that the Indian Army has over
3000 towed artillery pieces (almost twice the
number of the Pakistani inventory), 24 more
will not make a significant difference. It
would be noted that during the nearly five
years that these howitzers were embargoed, Indi
acquired over 250 equivalent artillery pieces
from Czechoslovakia and Russia/USSR.
In regard to MK-47 torpedoes, Pakistan will
receive part that constitute less that one
operational MK-46.

As for the 2.75" rockets, these constitute a
resupply of ammunition for one of the weap-
on systems on the Pakistani Cobra heli-
copters—they do not give Pakistan any new
capability.

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MILITARY EQUIPMENT (LESS F-16 AIRCRAFT) PURCHASED
BY PAKISTAN BUT NOT DELIVERED DUE TO PRESSLER
SANCTIONS

Mr. HARKIN. Mr. President, I would just
point out that, given the over-
whelming superiority of India in this
case, the small amount of items we are
sending over in no way upsets the re-

flation, the small amount of items we are

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The PRESIDING OFFICER. The time of
the Senator has expired.

Who yields time? The Chair recog-
nizes the Senator from Ohio.

Mr. GLENN. Mr. President, I yield 5
minutes to the distinguished Senator
from Ohio. I would like to make one
remark. For those who were not at
the briefing yesterday—most of the
Senate, by far; we had just a few up
in S-407—I urge people to go up and look
at the chart, look at the information we
retained while in S-407 right now. You could
look at it before you come to the floor to vote.
I yield to the Senator from California.

Mrs. FEINSTEIN. Mr. President, I
want to tell you how I look at this. If
one were to take the top trouble spots of
the world and say which are most
likely to have a nuclear confrontation,
I would have to name India and Paki-
stan as one of the top two.

So what are we doing? We are adding to
the arsenal of one of those two coun-
tries at a very sensitive time, at a time
which is a few months before a general
election in India, when flames of ha-
tred between the two countries are now
being fanned by politicians on both
sides of the India-Pakistan border. We
are taking this time and we are sending
several hundred million dollars worth of
equipment.

The P-3C aircraft capable of sophisti-
cated surveillance; the 28 Harpoon mis-
siles capable of air-to-surface or sur-
face-to-surface launch; 360 AIM-9L surface-
to-air missiles; 135 TOW-2 missile
launchers; spare parts for F-16's, and
other sophisticated equipment, and we are
launching that into the middle of this
situation.

I heard the same experts testify.
None of them could answer the ques-
tion, "What does India do, then?" That
seems to me to be the central question.
I will tell you what I think India
does. I think India deploys the Prithvi
missile, which Pakistan does not have.
I think that thing down in a minute.

I would just add that a good part of
the Brown amendment, that will take what
I consider to be the good parts of the Brown
amendment, the economic sanctions at the
military networking, the antiterrorism help,
the anticorruption help, and also carry with
it a sense of the Senate that will say,
the honorable thing and the fair thing
for us to do is sell the F-16's, repay
the money to Pakistan, and provide what-
ever equity requires. That is the right
thing to do. That is something that is
not going to change the balance of
power.

So, I believe very strongly that the
Brown amendment is a mistake. I have
had three security briefings. Those
briefings run directly counter to state-
ments made by Pakistan. Let me tell
you what they run directly counter to.
"We are a very responsible country and we
do not believe in the prolifera-
tion of nuclear weapons." That is not
true. That was a statement made by
the Pakistani Foreign Minister in 1994.
It is simply not true.

"I want to say categorically and fi-
nally that Pakistan has not made nu-
clear weapons. Pakistan does not in-
tend to make nuclear weapons."

The Pakistani Foreign Minister, 1994.
That statement is categorically untrue.

"We have made a sovereign decision
not to produce nuclear weapons."

Again, a foreign ministry spokesman—
untrue.

"We have not detonated one, nor
have we got nuclear weapons. Being a
responsible state and state committed
to nonproliferation, we in Pakistan,
through five successive governments,
have taken a policy decision to follow
a peaceful nuclear program."

I do not believe, based on three clas-
sified briefings, that these statements
are true and correct. Therefore, I be-
lieve it is a mistake in judgment to add
to the proliferation in the area by put-
ting sophisticated weaponry in the
hands of one of these countries at a
time where there is a very sensitive
and very difficult situation between
the two countries.

I yield my time.

Mr. HARKIN. May I ask the Senator
to yield?

Mr. BROWN. I yield to the Senator
from Iowa 2 additional minutes.

The PRESIDING OFFICER. The
Chair recognizes the Senator from Iowa.

Mr. HARKIN. Mr. President, surely
the Senator from California does not
want to imply in any way that the arti-
cles on this list add one iota to any nu-
clear capability of Pakistan? That is
simply—that belies common sense. You
can look at the list. There is nothing
that has the ability to add to nuclear
proliferation or nuclear weap-
ony. Talk about a P-3C aircraft as
being some kind of offensive aircraft? I
happen to have flown in P-3 aircraft. It
is a four-engine turbo-prop, basically
built as an antisubmarine reconna-
sissance aircraft. The fact is that India
already has two squadrons of similar
type of patrol aircraft. I also point out
that India has two aircraft carriers
which Pakistan does not have.

They talk about the P-3C aircraft
being able to penetrate and go as far
south as Cochin in India. The fact is
that it would have to do so without any
fighter escorts whatsoever. This is
a very slow airplane. India could shoot
that thing down in a minute.

So the arguments made by the Sen-
ator from California I find are just off
the mark because this in no way dis-
rupts any balance or in any way adds
to any kind of nuclear capability what-
soever.

I yield back any time I may have.

Mr. GLENN. Mr. President, I yield to
the Senator from Massachusetts 2 min-
utes.

Before of I yield, I yield myself such
time as I may require.

I would just add that a good part of
this package is F-16 parts to keep the

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does. I think India deploys the Prithvi
missile, which Pakistan does not have.
I think that thing down in a minute.

I would just add that a good part of
this package is F-16 parts to keep the
F-16’s flying. They are a nuclear delivery system. That is the part of this that is very critical.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Ohio.

Mr. President, I believe the amendment of the Senator from Colorado is a great question is really a very simple question. Why would you relax sanctions that were put in place because of one proliferation problem at the exact moment when Pakistan is involved in another proliferation issue? Every one of us understands the reality from briefings and otherwise about the M-11 controversy. In 1989, Pakistan knew exactly what the sanctions would be and exactly what the results would be with respect to a continued nuclear defense and proper relations, and I know in 1995 what the consequences would be of pursuing ballistic missiles. They have done both. We know they have done both.

So, we send a message that we are willing to undo the sanctions on the first proliferation issue, we are making it very clear that the second proliferation issue does not matter at all, I think. It is really that simple. And when you couple that with what the Senator from Ohio just said with respect to the nuclear delivery capacity and the type of weapons being sent, it is a mistake.

The Senator from California is absolutely right. There is a matter of equity here. It is unfair for the United States to hold onto money which they delivered for products. So, obviously, we ought to rectify that as a matter of fairness and as a matter of proper judgment and proper relations, and we need to cooperate with Pakistan. There is much we have in common and that we want to work on. But it would be an enormous mistake. We do not have a relationship with India with respect to the sanctions. And we have always had a certain tension over Western nuclear program proliferations.

We must hold the line on the question of people who break the law when we say that there will be a certain set of sanctions if certain actions are taken and, notwithstanding those warnings, those actions are taken. To do anything less than that would make a mockery of nonproliferation efforts.

I think the people from Ohio. Mr. BIDEN. Mr. President, I rise in strong opposition to the amendment of the senior Senator from Colorado.

I am deeply concerned about the signal that adoption of this amendment would send to the rest of the world, particularly to the numerous countries with nuclear ambitions. The effect of allowing the proposed transfer of sophisticated military equipment and the resumption of economic aid would be to legitimize Pakistan’s nuclear program.

The issue here is much larger than just Pakistan and the military equipment they want to take delivery of—it is about the credibility of our entire nuclear non-proliferation policy.

The proposal before us rewards a country that repeatedly lied to us about its nuclear ambitions. It tells Pakistan that other objectives of an administration’s decision to license commercial sales in the first place. Under that policy, any equipment which could upgrade Pakistan’s military capability is to be denied a license. By the administration’s own admission, many of the items they want to transfer now would be denied a license according to this standard.

There you have it. The administration is willing to eviscerate the Pressler amendment, and it is willing to waive its already lax standards while getting nothing in return.

If we are asked to undo a decade-old pillar of our non-proliferation policy, then the least we can ask for are some restraints on Pakistan’s nuclear program.

I expect that some will say that Pakistan already paid for this equipment—it is rightfully theirs, and we ought to send them the money. Setting aside the argument that Pakistan knew a situation like this would result if it failed to be certified, I would favor finding a way to compensate Pakistan in some manner. I would propose that the administration sell this equipment to third parties, and send the proceeds from such sales to Pakistan, just as it plans to do in the case of the F-16s.

Mr. President, In pressing the Pressler amendment achieved what billions of aid dollars could not—a halt to fissile material production by Pakistan. Congress is not always right, but in this case we were.

Now is not the time to discard a policy that has worked. Press reports indicate that Pakistan has clandestinely acquired M-11 missiles from China, that it is quietly cooperating with Iran, and that it has already engaged in military exercises with Iran.

Mr. President, unless we reject the Brown amendment, we will be putting our imprimatur on these very dangerous developments.

The late Zulfikar Ali Bhutto, the present prime minister’s father, once declared that his countrymen would eat grass in order to acquire nuclear capability. And Mr. President, Pakistan’s neighbors are no more or less follow this on this promise. It has built a clandestine nuclear weapons program of unknown safety at tremendous cost, while doing nothing to improve the plight of its tens of millions of citizens. We should not make their job any easier in this regard. Unfortunately, that would be the effect of resuming economic assistance.

The proposed transfer of military hardware not only contradicts the Pressler ban, it also fails to meet the standards of the licensing policy for commercial military sales to Pakistan. I might add that many in Congress strongly object to the administration’s decision to license commercial sales of nuclear capability to Pakistan.

I thank the Senator from Ohio.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.
I fully understand the complex security situation that exists among India, Pakistan, and China. And I believe that we should be doing more to address the sources of instability among these three countries if we are to successfully deal with the nuclear menace in that part of the world.

But I do not think that the nuclear capability of Pakistan’s neighbors should be an excuse for not enforcing our laws with respect to Pakistan.

The fact is that there is no Pressler amendment for India, but there are laws that have been used to invoke sanctions to blunt India’s nuclear weapons ambitions. I would also note that India, unlike Pakistan, did not receive billions of dollars in aid for the expressed purpose of preventing the development of a nuclear weapon.

The point is that we have to uphold the laws that are on our books. Pakistan was well aware of the Pressler amendment. It supported the amendment’s adoption. And it chose to ignore the consequences of non-compliance with the amendment.

It is that simple. And it is up to us to demonstrate that on an issue of such vital importance to our national security, we mean what we say.

Mr. President, we must not reward the kind of behavior Pakistan has demonstrated. Others are watching this debate closely, and how we act in this situation could well affect the decisions of many other potential nuclear states.

Mr. GLENN. Mr. President, I ask unanimous consent to have printed in the RECORD a table identifying the consequences of non-compliance with the amendment.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

Mr. GLENN. Mr. President, I yield myself such time as I may require.

Mr. President, there appears to be no appreciation in the remarks on the Senate floor by the supporters of the Brown amendment of the history of Pakistan’s violation of our laws. I do not condone India’s nuclear weapons program, and I do not think there is any Senator in the Senate who has been more outspoken about that matter than I have.

I was in opposition to India’s program. I led the fight in 1980 that ultimately resulted in the cutoff of nuclear materials to India because of her guarded nuclear program. So I certainly do not come down on India’s side on this either. But India has not violated United States nonproliferation law.

When we passed the Glenn–Symington amendment in 1970, we did not have Pakistan in mind. The law applied to everyone; it was not aimed at a particular country. But Pakistan violated our law. As a result, the Carter administration—going clear back that far—cut them off from military and economic assistance. Then the Reagan administration got a waiver from the Pakistan law for a temporary period for Pakistan pursuant to the amendment.

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

MILITARY EQUIPMENT (LESS F-16 AIRCRAFT) PURCHASED BY PAKISTAN BUT NOT DELIVERED DUE TO PRESSLER SANCTIONS—Continued

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<tr>
<td>Army</td>
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<td></td>
<td></td>
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<td>C-MTE modification kits</td>
<td>18</td>
<td>$24.1 FMF/Cash</td>
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<tr>
<td>MLRS rocket motor</td>
<td>24</td>
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<tr>
<td>TIP-36 rockets</td>
<td>4</td>
<td>10.5 FMF</td>
<td></td>
</tr>
<tr>
<td>M-Series rocket parts</td>
<td>NA</td>
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<tr>
<td>TOW launchers</td>
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<td>AIM-9L missile components</td>
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<td>SPS-43B 511</td>
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<td>Standard support equipment</td>
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<td>1.2 Cash</td>
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Mr. BROWN. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 4 minutes on each side.

Mr. BROWN. Mr. President, I having offered the amendment, and I would like to close and retain the remainder of my time.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

Mr. GLENN. Mr. President, I yield myself such time as I may require.

Mr. President, there appears to be no appreciation in the remarks on the Senate floor by the supporters of the Brown amendment of the history of Pakistan’s violation of our laws. I do not condone India’s nuclear weapons program, and I do not think there is any Senator in the Senate who has been more outspoken about that matter than I have.

I was in opposition to India’s program. I led the fight in 1980 that ultimately resulted in the cutoff of nuclear materials to India because of her guarded nuclear program. So I certainly do not come down on India’s side on this either. But India has not violated United States nonproliferation law.

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September 21, 1995
CONGRESSIONAL RECORD — SENATE S14005

Last night I traced the beginning of this amendment. It started out as a way to give Pakistan money and to give Pakistan arms. And Pakistan supported this amendment as the original thing. It was Pakistan’s not telling the truth. The President, Mr. President, President Bush and John Glenn and others that led us into this problem. They bought the airplane under false pretenses. That is the whole problem that has led to where we are today. I do not want to go back and punish anybody for any right. If we pass the Brown amendment today, it will be opening the door to proliferation. We are rewarding a proliferator. We are rewarding a country that has violated an agreement on nuclear nonproliferation. And it is an amazing thing, because if it happens, all bets are off on nuclear nonproliferation.

I want to commend Senator Glenn for his leadership on this issue. He has fought it for years.

Mr. President, I am concerned about nonproliferation, and all Members ought to be concerned about it. They ought to be aware that if this amendment is agreed to, very strong, tough sanctions remain in place against Pakistan—a bar on military sales, a bar on military assistance, and a variety of other tough sanctions.

A lot has been said about the nonproliferation policy. The fact is this. Our current nonproliferation policy with regard to India is that India may build and develop nuclear weapons and there are no sanctions. That is a fact. Our policy is that Pakistan may not do that, and there are heavy sanctions. That is not even-handed any way you slice it.

There are a couple considerations I hope Members will keep in mind as they consider this question. We have gone to the Pakistanis year after year and asked them for their help.

In 1950, we asked them to condemn the invasion of South Korea, and they gave us unqualified support and a strong condemnation of the North Korean invasion.

In 1954, we asked them to be an initial member of the Central Treaty Organization and help contain communism, and they gave unqualified support and joined.

In 1955, Pakistan joined the Southeast Asian Treaty Organization, SEATO, at our request and helped stem the tide of communism.

In 1956, we offered a resolution in the United Nations and asked Pakistan to support that 1956 resolution, condemning the Soviet Union’s invasion of Hungary. Pakistan supported us. India abstained on the vote.

In 1959, we asked Pakistan to sign a mutual defense treaty with the United States at a tough time, and they did. Later on, we asked that the Pakistanis allow us to build a base in Pakistan to fly military aircraft out of it and spy on the Soviet Union, and they said yes.

In 1969, we asked the Pakistanis to take down the big Pakistani plane that Francis Gary Powers and threatened to wipe the Pakistanis base off the face of the Earth, and the Pakistanis still stood by us.

In 1970, Pakistan helped us open up China by staging the trip of Henry Kissinger, incurring the further wrath of the Russians.

From 1971 to 1989, we asked the Pakistanis to join us in fighting the Soviet invasion of Afghanistan, and they did. Mr. President, in 1984, we asked for a vote in the United Nations condemning the Soviet invasion of Afghanistan and asked for the Pakistanis’ support. They voted with us in condemning that invasion. India voted no.

In 1990, we asked Pakistan’s help in the war against Iraq, and they delivered troops.

In 1992 and 1993, we asked Pakistan’s assistance for troops in Somalia, and they said yes and responded.

In 1993, we asked for their help with troops in Haiti, and they again said yes.

In 1995, we went to Pakistan and asked their help in apprehending a terrorist and returning him to the United States. That person is, at least the one we suspected was the mastermind, of the World Trade Center bombing, and they said yes.

Mr. President, when we have needed help Pakistan has responded and been there to help us. This amendment has specific language in it that makes it clear that any ballistic missile sanctions are not affected by this.

And last, the President of the United States has gone out on a limb. He has legislated a compromise. He has shown leadership. This is not the time to condemn him.

Mr. President, I will yield the remainder of my time to the distinguished Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Mr. MOSELEY-BRAUN. Mr. President, I wish to see the United States as a country that keeps its word in international affairs.

We entered into a contract with Pakistan to sell military equipment and accepted more than $1 billion for that equipment. Likewise, we have made it quite clear that we will not do business with countries that proliferate. We all understand that the transfer of the F-16’s cannot be completed now because Pakistan has chosen not to work with the United States on a program. Under the Paris accord, the United States cannot continue to retain both the planes and the money and in the process break its word. I believe this issue is as simple as that. Since the sale cannot be completed, I believe we have an obligation to come to an agreement to reimburse the Government and the people of Pakistan.

The President has offered a thoughtful resolution which is being offered by the distinguished Senator from Colorado. I support it and I encourage my colleagues to support it.

I know my time has expired. I thank the Chair.

The PRESIDING OFFICER. All time has expired.

Mr. BROWN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second? There appears to be a sufficient second. The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. Frist). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 55, nays 45, as follows:

(ROLL CALL VOTE NO. 454 LEG.)

YEAS—55

Ashcroft
Baucus
Brown
Bryan
Campbell
Chafee
Chambliss
Ford
Gorton
Graham

Moseley-Braun
Murkowski
Murray
Nickles
Packwood
Reid
Roth
Santorum
Shelby
Simpson
Smith
Thomas
Thompson
Thurmond
Warner

NAYS—45

Abraham
Akaka
Baucus
Biden
Bingaman
Boxer
Bradley
Brown
Bumpers
Byrd
Conrad
Coverdell
D’Amato
Dauvel
DeWine

Dorgan
Exon
Fasano
Feinstein
Frist
Gibbs
Grassley
Gregg
Grissom
Gravel

Mack
McCain
McCaskill
McClellan
McCoy
McConnell
Mikulski
Mikulski
Moriarty
Moseley-Braun

Nunn
Pelosi
Pressler
Pryor
Robb
Robb
Rodweller
Sanders
Simon
Speier
Stevens
Stevens
Swan

So the amendment (No. 2708) was agreed to.

Mr. BROWN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Ms. MOSELEY-BRAUN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADVANCED TELECOMMUNICATIONS

Mr. BURNS. Mr. President, I have been a supporter of the possibilities offered to this Nation’s public and private sector by the burgeoning growth of the telecommunications industry. Coming from a rural Western State
Mr. MCCONNELL. Mr. President, I appreciate Senator BURNS bringing this project to my attention, and I will be happy to work with him on this project.

Mr. President, it is my understanding that the distinguished Senator from South Carolina is going to address the Senate for a few moments, and then we will move along with our agenda. I yield the floor.

Mr. THURMOND addressed the Chair. The PRESIDING OFFICER. The Senator from South Carolina.

DRAWDOWN AUTHORITY FOR JORDAN

Mr. THURMOND. Mr. President, I rise in opposition to section 576 of H.R. 1868, the Foreign Operations Appropriations Act, which would provide authority for the President to drawdown $100 million of defense articles from Department of Defense stocks.

I oppose the inclusion of this provision in the bill because there are no funds appropriated in the bill to reimburse the Department of Defense for the defense articles, services, training, or military education that would be provided. In fact, this provision would waive section 506(c) of the Foreign Assistance Act of 1961, which requires that there be an authorization and appropriation. The provision would also waive the requirement under section 632(d) of the Foreign Assistance Act of 1961, which would require the Department of State to reimburse the Department of Defense for the defense items which have to be replaced. In short, the Army will have to find $51 million in its own budget to pay for the training, transportation and handling, as well as repair and defense items which are to be sent to Jordan.

Mr. President, I believe it is important to support nations who work with the United States to achieve peace in regions where we have national interests, and where it is consistent with our other security priorities around the world. I appreciate the role that Jordan played in the Middle East peace process. I believe Jordan should have the defense items, services, and military training, that enable them to protect their borders and respond to terrorist threats. However, there are no funds appropriated in the bill for this drawdown.

Mr. President, when the Defense authorization bill was before this body, the administration sought support for a similar provision. In a letter supporting the proposed amendment to the Defense authorization bill, the Secretary of Defense stated that without replacement of the nonexcess items and reimbursement to the military services for transportation and other costs, military readiness will suffer.

Mr. President, I believe the United States should provide Jordan with the defense items that would be authorized by this drawdown. However, I cannot support the use of Defense funds without reimbursement to pay for this authority. I will not offer an amendment to strike this provision from the bill. However, I want all Members to understand that the Senate Armed Services Committee worked very hard to ensure that the Defense budget was not used for nondefense items.

This provision would use Defense funds to provide the defense articles and services to a foreign nation. The Defense Appropriations Committee worked very hard to ensure that the Defense budget was not used for nondefense items.

I yield the floor.

Mr. LEAHY. Mr. President, I concur with what the distinguished chairman has said. I think this is extremely important. I have met a number of times with Jordanian officials, and a number of times with King Hussein regarding this and other issues involving Jordan.

Jordan is in a critical, pivotal position. I remember last year—actually, about six months ago—that I had the privilege of accompanying the President of the United States to the signing ceremony of the peace agreement between Jordan and Israel, signed out in the desert in Aqabah, in 110-degree weather. I strongly believe that it was yesterday. There was a stiff desert wind blowing. People from Israel and Jordan and from the United States were there to witness the signing of this historic peace agreement.

There was a very moving speech by Prime Minister Rabin and by King Hussein. The President of the United States was speaking for all Americans about our pride in this historic agreement.

Every commitment that King Hussein has made, he has kept. Every step he has said he would, he has taken—many with great courage and great foresight.

This is not an easy time in the Middle East. Prime Minister Rabin, who...
justly deserves his Nobel Peace Prize, has pushed so hard to keep a peace agreement going in the face of political opposition and terrorist attacks. He and Foreign Minister Peres have worked so hard on this. There is really a handful of people in the Middle East who are about peace—not so much for their generation, because their generation will soon reach a time when it fades from the scene, but for the generation of children, Arab and Jew alike. They are facing a potential nuclear catastrophe. The United States and Europe have provided some modest assistance to Albania, and the construction of modern, reformed national defense forces. Helping Albania in this way is clearly in the interest of United States security and European stability. Under the assistance provision adopted last year, Albania has received shipments of uniforms and other nonlethal excess defense materials from the United States without having to bear the cost of transporting those materials. That assistance has been prohibitive for Albania, but it is a small cost for us and one that yields a real benefit. Now, under section 557 of this bill, we will be able to continue waiving the transportation fees for nonlethal defense articles to Albania and to other countries eligible to participate in the Partnership for Peace Program.

Our efforts are helping. With United States advice and assistance, the Albanian military has been reorganized. The entire ministry staff was changed, and all of the people who had worked for the Albanian secret police were dismissed. The army was restructured from 21 divisions into just 9. Fifty percent of the commissioned officers and 67 percent of the entire force were dismissed, reducing the total number of officers from 18,000 to 8,200. The heavily politicized military academies, based on old Soviet doctrine, were shut down and replaced with a new noncommissioned officer academy based on a United States model. A new rank system and promotion track was established.

The Albanian military is also shedding its isolationist policies and seeking to integrate into regional security structures. Albania has been very cooperative with NATO efforts to help halt the conflict in the former Yugoslavia. Albania has allowed the United States reconnaissance drones to be based at the Gjader base there since mid-summer, and those drones have been very useful in observing military activities in the former Yugoslavia.

Albania has participated in seven joint military training exercises with United States and other NATO forces, most recently the Peaceful Eagle exercise last week, which trained Albanian units to be deployed in future U.N. peacekeeping missions. Notably, some of these joint exercises have brought Albanian forces together with troops from its neighbors in the region, including Greece, Bulgaria, and Romania, building important positive links where there have been historic animosities. And these exercises have also trained Albanian and other troops for peacetime missions, such as coordinated emergency disaster response.

Last week, Albania offered air bases in Albania for United States F-117 Stealth fighter-bombers that we may want to use in Russia. We had been unable to get agreement to base those planes in Italy. So we and NATO are seeking to build a valuable ally in Albania, and it is important to continue that assistance.

The Albanian President Sali Berisha traveled to Washington and met with President Clinton, Vice President Gore, Secretary of State Chris-

OPPOSITE PAGE

Mr. LEAHY. Mr. President, I ask unanimous consent, on behalf of Senator Lugar, that the names of all of his staff, Paul Mazur, the privilege of the floor during the consideration of H.R. 1868, the foreign ops bill.

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

TRANSFER OF EXCESS NONLETHAL DEFENSE ARTICLES TO ALBANIA

Mr. LEVIN. Mr. President, I rise to discuss section 557 of this bill, a provision which I support. Last year, the Senate adopted my amendment to section 557 of this bill, a provision which I support. Last year, the Senate adopted my amendment to section 557 of this bill, a provision which I support. Last year, the United States is properly pro-

Mr. SPECTER. Mr. President, for 20 years the United States Government has been prohibited from training foreign police forces. Last year, the Foreign Assistance Act reflected earlier congressional concern that U.S. personnel should not train security forces in repressive regimes. But for more than a decade we have recognized that some overseas police training is necessary and important—particularly in the area of antiterrorism. This year’s pending foreign operations appropriations bill adds another important exemption: It allows the training of overseas police forces to monitor and enforce sanctions. But I believe that another exemption is needed. The President, civilian officials, and U.S. military commanders, need the authority to conduct public-safety training during and after significant military operations.

As the United States discovered in Grenada, Panama, and Haiti, public order is likely to collapse when existing regimes collapse. In each of these cases, U.S. forces were unable to depart until order was restored—and a mechanism for maintaining public safety was created. In none of these cases was this done smoothly or efficiently. The U.S. Justice Department’s International Criminal Investigative Training Assistance Program (ICITAP), which is permitted under current law to perform training in this hemisphere, did not perform well. Given the relatively small size of its training organization, and the demands created by hostile and demanding environments, this was not surprising.

During the past 10 years, there has not been an effective civilian organization for conducting public-safety training in the context of a U.S. military operation. In the words of the Commission on Roles and Missions of the Armed Forces, “our recent experience in Latin America, the Caribbean, and
Africa shows that there are no civilian agencies capable of short-notice law-enforcement operations and training in hostile, demanding environments."

In the absence of an effective civilian training organization, the U.S. military has to perform public-safety training. Military commanders worked hard to ensure that they did so without violating section 660. In Somalia, for example, marines trained "auxiliary security forces" rather than police forces. But because of section 660 restrictions, military commanders could not plan and train for this mission. In short, it was done on an ad hoc, reactive basis.

Mr. President, I am pleased the Senate has accepted my amendment on overseas training, which would permit the President to use whatever agency of Government was most appropriate to train public-safety forces during and after a military operation. In some cases, such as Haiti, the environment was not safe or peaceful, and the training mission could be carried out by the Justice Department. But in other, more dangerous situations, such as Panama, the President might direct local military commanders to conduct short-term training. Once order is restored, civilian agencies could take over longer-term training and assistance.

In the post-cold-war world, the United States in my judgment will from time to time be compelled to use the military force to protect our interests, and to carry out other operations where public safety will be an issue. Mr. President, I believe this amendment will help U.S. military commanders perform this mission much more effectively in the future. I thank the distinguished managers of the pending legislation for accepting my amendment.

I thank the Chair and yield the floor. Mr. DAMATO. Mr. President, I rise today to discuss United States aid to the PLO, as it has been included in the fiscal year 1996 foreign operations appropriations bill and to explain my vote on the subject.

We have to face the facts. The PLO is not complying with its responsibilities. It has failed to restrain the radicals in Gaza; failed to extradite terrorist murderers in its custody to Israel; it has failed to change the PLO Covenant; and it has failed to come clean with the amount of its assets. Most importantly, the PLO's overwhelming failure to restrain the radical elements within its areas of control is an insult to Israel and everyone who had placed hope in Yasser Arafat's ability to deliver the peace.

Mr. President, I am angered that the PLO will be funded in this foreign aid bill, and moreover, with the fewest of strings attached. The PLO is not living up to its end of the bargain, but the United States is rewarding this behavior of murderers, nonetheless. I would venture to say that the PLO has no plans to live up to its bargain. They were created with murder in mind, and they will continue that way.

I must say that I fear for Israel. While we provide aid and comfort for the PLO, Yasser Arafat concludes deals with Hamas, rediverts aid, and continues to pay our money all the way to the bank. The United States should be ashamed of itself for giving aid and comfort to these murderers. In the end, though, it will not be the United States that suffers first. It will be, and is, Israel, and we are sorry.

I want it known very clearly, I voted for the foreign operations appropriations bill so that Israel could receive the aid that it needs at this crucial time. It is in no way a vote in favor of aid to the PLO. However virulently against funding the PLO in the manner in which it will be funded, I am not willing to hurt Israel by voting against the entire bill. In fact, I think that it was wrong to link the two aid packages together, because, as myself, who support aid to Israel but not the PLO, are put in a difficult position. If one votes to kill the aid to the PLO by voting against the overall bill, he or she also votes to kill the aid to Israel. This is wrong and it distresses me greatly.

Mr. President, I ask to have printed in the RECORD, a letter to me from four grieving mothers, whose children have been taken from them by terrorist acts carried out by the PLO. It is to provide this aid to the PLO.

Mr. President, I also ask to have printed in the RECORD, a letter from four grieving mothers, whose children have been taken from them by terrorist acts carried out by the PLO. It is important to provide this aid to the PLO.

This letter pleads for extradition by the PLO to Israel of the murderers of their children. I urge my colleagues to read this heartrending letter to further understand the misunderstanding we are committing by providing this aid to the PLO with so few strings attached.

Mr. President, I also ask to have printed in the RECORD, copies of documents that are purported to be from the Palestinian Authority Council on Development and Reconstruction, otherwise known as PECRAR. These documents, which I make no claim to their authenticity, highlight a series of alleged economic diversions and schemes by the PLO to acquire money in the West Bank to leverage against Israel. Finally, I ask to have printed in the RECORD an article on this same subject by A. M. Rosenthal that details the documents in question.

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

Hon. Senator ALFONSE D'AMATO.
U.S. Senate, Washington, D.C.

DEAR SENATOR: We are the mothers grieving for our precious children, of blessed memory, who were brutally murdered by PLO terrorists while being driven to and from school. We were innocently taking our kids to and from school. The children were on the way to school. On one day, our dreams were shattered when we received the bitter news that our precious children were murdered. Our children were in the car, and we were on our way to school. We turn to you at this critical hour with regard to the granting of financial aid to the Palestinian Authority. We beseech your assistance regarding one specific issue—the extradition of the murderers who were apprehended by the Palestinian Authority and are currently being held in its custody.

According to the agreement signed with Mr. Arafat, the State of Israel has the right to extradite to Israel the terrorists of its citizens in order that they be tried in the courts of the State of Israel.

The State of Israel has turned to the Palestinian Authority and has requested the extradition of the murderers. However, the Palestinian Authority has refused to comply and transfer the killers of our children to the Israeli authorities.

We are terribly pained, anguished and distraught by the Palestinian Authority's outright refusal to comply. We have turned to the Prime Minister, to Cabinet Ministers, and to members of the Knesset with our plea for compliance and justice. We recently met with the President of the State of Israel, Mr. Ezer Weitzman, who unequivocally stated to us his support of halting the peace talks as long as the Palestinian Authority refuses to comply and extradite the murderers to the State of Israel.

We look upon this issue of the extradition of the savage murderers of our children as a matter of the highest priority, rather than political expediency or some other issue.

The United States of America has been courageously battling terrorism for many years, seeking a viable policy. It be-hoves this great country to insure the extradition of terrorists as a primary condition for the continuation of aid to the Palestinian Authority. Compliance with this matter by the Palestinian Authority will be a true test of the sincerity of the P.L.O., heretofore a terrorist organization, now professing to be a peace seeking one.

As mothers struggling to cope with the incessant pain and sorrow of our losses, we wish to have a dialogue with members of the Senate. It would be scandalously immoral to provide the P.L.O. with funds as long as they continue to refuse to allow the State of Israel to bring the terrorists to justice.

Dear Senator, your intervention is our only hope. Our children cannot return to us. We dare not compromise their honor. Please accept our most sincere appreciation for your efforts regarding this critical issue.

Sincerely,

LYRINTSH SHACHOR,
BILHIA BAHRACH,
RIFPA FORER,
BATYA BACHAR.

[From the New York Times, June 12, 1995]

On My Mind: THE P.L.O. PAPERS

AID, CONGRESS AND A MOTHER-IN-LAW

(By A. M. Rosenthal)

Should the United States continue giving hundreds of millions of dollars to the Palestine Liberation Organization, and under what conditions? Has Yasir Arafat lived up to the existing conditions of American aid? For instance, is all international money distributed through the P.L.O. being used for the economic benefit of Palestinians in territory now controlled by Israel? Or has he used foreign help for his own personal and political purposes?

What is going on, according to copies of 28 letters in my possession. They deal with orders from Mr. Arafat's top finance aide in the Palestinian National Authority to Pecdar, the Palestinian Authority's development organization, which handles international aid and is supposed to be independent of political direction from Mr. Arafat.

With admonishments of secrecy, the letters contain instructions, and pecdar notices...
of compliance, to allocate money to such projects as buying a large chicken farm, other land, apartments and companies for P.L.O. notables, enlarging holdings in Jerusalem and the West Bank for an expanded propaganda apparatus, the money to be channeled through Mr. Arafat's mother-in-law.

Pieces of the correspondence have been printed in Israel, but have not surfaced publicly in the U.S. until this column.

The P.L.O. says they are forgeries. The Israeli Government does not want anything to interfere with U.S. aid to the P.L.O., as these letters could, but has been interestingly non-committal about the letters.

The admitted forgery does not want any glitches about U.S. aid to the P.L.O. But American intelligence has been asked to examine the letters by Representative Ben Gilman, New York Republican, chairman of the House International Relations Committee.

I got them from Israeli and American sources who feel the labor Government's negotiating techniques with the P.L.O. and Syria amount to a giveaway of Israeli security that will not bring a lasting peace but may push the two nations into war.

Israeli officials finger Yigal Carmon, former adviser on terrorism to the previous and current Israeli Prime Ministers, as the source. He is on the run. After I handed him the letters a month ago he returned with a reply he said he wished he did not have to make: certain informalities in Arabic usage gave him pause. Now he says that after consultations with other Palestinian and Israeli specialists, his linguistic questions are answered and the letters are authentic and not forgeries.

Spokesmen for the U.S., Israel and the World Economic Council agree that the political projects outlined in the letters do not come from their contributions. They volunteered that the money could have come from other contributing nations or that international funding could have freed up more P.L.O. funds for secret political actions.

The letters are not the only question that the House and Senate will have to consider about continuing the $500 million U.S. aid to the P.L.O.

Why has Mr. Arafat not lived up to the conditions the P.L.O. elicited when it suspended the death-to-Israel clauses from its covenant? Will he ever stop encouraging Palestinians to believe that the peace negotiations are the final stage of the covenant goal of control over all of what is now Israel? Why have more Israelis died in terrorist attacks since the Oslo agreement than before?

But the basic question before Congress is this:

Will peace be killed by insisting on P.L.O. compliance with conditions already outlined by the P.L.O.? Does the P.L.O. have the stomach to abide by the conditions?

That is what Israeli and U.S. officials say they believe. Or could that make a lasting peace somewhat more possible? (My belief.)

In the Senate, Alfonse M. D'Amato, a Republican, demands proof of P.L.O. compliancy on anti-terrorist action and changing the covenant as a price of aid. In the House, Democrats and Republicans have been bewildered by the introduced wording that would also reduce aid if any is misused. Among them are Democrats Eliot Engel and Charles Schumer of New York and Republicans Thomas J. Downey of New Jersey and Tom DeLay of Texas.

That's one great thing about Congress—there are always members of both parties autour to the bureaucratic haze of what the Administration plans to do and what it is doing about which the Administration of the day wants only considerable shut-up.

To the comrade Mohammad Zuhdi Alnashashhy, Finance Minister—Gaza.

Greetings of Return:

Referring to your letter dated 12.12.1994 No. No. 392/155 we inform you immediately that all the measures for the execution of the orders of the comrade Abu Amar President of the National Palestinian Authority in the matter of financing the special central computer, in the following way:

1. On the basis of banking arrangements with the brother Dr. Nabeel Sha'ath minister of planning and international cooperation, it appears that he prefers to deal with his sons and trusted persons.

2. The required information has been obtained from the sons accounts abroad.

3. There was accomplished the transfer of eight dollars as required.

P. S.

Chairman, Palestinian Economic Council, for Development and Reconstruction.

THE NATIONAL PALESTINIAN AUTHORITY, MINISTRY OF FINANCE,


To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR), Jerusalem.

Greetings of return.

In accordance to the desire of the comrade Abu Amar the President of the National Palestinian Authority to found a company for importing and exporting Ltd., according to the necessity and in order to ensure full and effective control on the commercial market it has been decided to assign this matter to the comrade Jalem Alfarfi with the participation of members of the frame of FATAH in the West Bank in the following manner:

1. To found a company in the name of "the Palestinian advanced company for importing and exporting Ltd,"

2. The capital of the company shall be one million American dollar.

3. The company shall be sited in the city of Ramallah.

4. The national authority shall participate by 60% in the capital and its participation shall be registered in the names of men belonging to the cadre of FATAH who are reliable.

5. The approved capital of the company shall be paid in the following manner:

6. The necessary measures shall be taken for a speedy foundation of the company.

Please ensure taking the necessary financial measures to react secondary measures to inform the comrades and the cadre of FATAH about this and to make sure that the comrade leader Abu Amar the President of the National Palestinian Authority.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

P. S.

To the comrade Mohammad Zuhdi Alnashashhy, Finance Minister—Gaza.

Greetings of Return:

Referring to your letter dated 17.9.1994 No. No. 392/155 we inform you immediately that all the measures for the execution of the orders of the comrade Abu Amar President of the National Palestinian Authority in the matter of financing the special central computer, in the following way:

1. On the basis of banking arrangements with the brother Dr. Nabeel Sha’ath minister of planning and international cooperation, it appears that he prefers to deal with his sons and trusted persons.

2. The required information has been obtained from the sons accounts abroad.

3. There was accomplished the transfer of eight dollars as required.

P. S.
The bank has confirmed receipt of the transfer.

Please inform the leader comrade Abu Amar President of the National Palestinian Authority that his orders have been executed in due form.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

The National Palestinian Authority, Ministry of Finance.

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECeDAR), Jerusalem.

Greetings of return.

Following our letter of 17.9.1994 No. MP/30/155 in performance of the instructions provided thereto, projects and programs and their management in the Palestinian Authority and in pursuance of performing the projects (the comrade Dr. Nabeel Sha’ath) chairman of the Palestinian Economic Council for development and reconstruction, the second project concentrates on the following:

1. The private special central computer: There shall be founded a corporation for the private (special) central computer in addition to the one which is the National Palestinian Authority.

2. The said corporation shall instruct and counsel the central computer of the authority in all places of the Gaza Strip. This activity shall extend further to the West Bank and to Jerusalem, capital of the Palestinian State.

3. The capital of the private corporation shall be eight US million dollars which shall be paid by the National Authority immediately to the corporation.

4. The corporation shall immediately appoint the necessary staff from the country and abroad, and they should be highly qualified.

5. The direct managers shall be the sons of Dr. Nabeel Sha’ath, Ali and Mazin, who are experts in this field.

The comrade leader Abu Amar, President of the National Palestinian Authority shows the highest interest in this scientific and technological project and urges to deal with it diligently.

Respectfully,

Palestinian Economic Council, Development and Reconstruction (PECeDAR).

To the comrade Mohammad Zuhdi Alnashashiby, Finance Ministry—Gaza.


Referring to your letter dated 30.9.1994 No. MP/30/168 we are to inform that the necessary measures for the setting and enlarging of the corporation TEAM in Jerusalem has been effected with MM. Ali and Mazin sons of the comrade Dr. Nabeel Sha’ath Minister of Development and Reconstruction at the National Palestinian Authority in a way which is convenient to them. We shall add the following:

1. We have suggested to them a building in the suburb of the Bareed which comprises eight flats with a provisional consent

2. A special budget has been assigned for purchasing of apparatus according to what was decided

3. A budget has been assigned for expenses and wages

Please convey to the comrade leader Abu Amar President of the National Palestinian Authority the content of this letter

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECeDAR), Jerusalem.

Greetings of return.

On the basis of a decree of the comrade leader Abu Amar, President of the National Palestinian Authority and his full faith in one of the elements of the Palestinian Economic Council for development and reconstruction (PECeDAR) and its unrelenting efforts for the setting of the institutions of the Authority, the leader symbol has decided to nominate Dr. Amin Haddad to manage the affairs and technological matters in the private and public sectors.

The National Palestinian Authority, Ministry of Finance.

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECeDAR), Jerusalem.

Greetings of return.

Referring to your letter dated 7.10.1994 No. MP/30/305 concerning the development projects which are under the management of the comrade Dr. Amin Haddad one of the pillars of the PECeDAR member of the economic delegation which was negoiated in Paris and on the basis of the decree of the comrade leader Abu Amar, the transfer of fifteen million dollars has been effected according to the bank instructions which have been brought to us by him.

We have checked the effective transfer of the said amount to his personal account in due course. Please inform the comrade leader Abu Amar that it has been done according to his wish.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

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3. The capital of the corporation shall be five million US dollars. It may be increased, if necessary, by setting a shareholders corporation with the participation of Palestinians from the country and abroad.

We emphasize that the comrade leader Abu Amar considers the matter of setting the corporation as specially important.

Respectfully, 
MUHAMMAD ZUHDI ALNASHASHIBY, 

PALESTINIAN ECONOMIC COUNCIL, DEVELOPMENT AND RECONSTRUCTION (PECDAR)


To the comrade Mohammad Zuhi Alnashashiby, Finance Minister—Gaza.

Greetings of Return.

Referring to your letter dated 20.10.1994 No. MF/P30/225 in the matter of the industries and antiques of Naplus that will be assigned to the comrade Amin Hadad and in accordance with the wishes of the comrade Abademar, the following financial procedures have been accomplished:

1. by arrangement with the comrade Dr. Amin Hadad instructions have been given for the transfer of the required amount six million US dollars.
2. A notice has been received to the effect that the amount has been received and entered in the personal account of the comrade Dr. Amin Hadad.
3. He has given a commitment personal that this project (according to the share) is the property of the National Palestinian Authority.
4. He has given a commitment that he will involve the maximum number of industrials in the city of Naplouse in this project.
5. The matter: A Palestinian Corporation for importation of iron and steel.

According to the instructions of the national Palestinian Authority to bestow on the comrade leader Abu Amar President of the Palestinian Authority on the details of the procedures.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

It is forbidden to read this document without the special authorization of the President.

Respectfully,

The National Palestinian Authority, Ministry of Finance.

October 20, 1994.

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR), Jerusalem.

Greetings of return.

In execution of the order of the comrade leader Abu Amar the President of the National Palestinian Authority to bestow on the comrade Dr. Amin Hadad the function of developing industries in Naplus and mainly the soap industry and the antiques in the city and the neighbouring villages by founding a corporation which will gather all industrials in the city with a capital for an amount of ten million US dollars in which the National Authority shall participate with six million dollars it being 60% of the capital.

We request to take the necessary measures for the setting of this corporation on the aforesaid conditions. The National Authority shall be represented by Dr. Amin Hadad in his name and on behalf of persons from our staff reliable and having a good name.

In accordance with the desire of the comrade leader Abu Amar President of the National Palestinian Authority, the amount of six million US dollars should be diligently paid in a due way.

Respectfully, 
MUHAMMAD ZUHDI ALNASHASHIBY, 

Finance Minister.

PALESTINIAN ECONOMIC COUNCIL, DEVELOPMENT AND RECONSTRUCTION (PECDAR),

November 11, 1994.

To the comrade Mohammad Zuhi Alnashashiby, Finance Minister—Gaza.

Greetings of Return.

Referring to your letter dated 30.10.1994 No. MF/P30/241 concerning the Palestinian corporation for importation of iron and steel Ltd which the comrade Dr. Amin Hadad member of (PECDAR) intends to found we are to inform you the following:

1. An understanding has been reached with the comrade leader in the manner he prefers for the operation of financing.
2. A commitment has been obtained from the comrade Dr. Amin Hadad that the said corporation belongs to the Palestinian Authority and that it is a deposit in his hands.
3. You will be informed at the completion of the procedures of financing and reception of the amount and its deposit in the account of the comrade Dr. Amin Hadad soon with the wish of God.

Please inform the comrade Abu Amar president of the National Palestinian Authority on the details of the procedures.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

The National Palestinian Authority, Ministry of Finance.


To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR), Jerusalem.

Greetings of return.

Whereas the National Palestinian Authority acts through the faithful Palestinian elements to build and execute the economic projects and to help our people to progress and to be self-sufficient in our local markets and to rely on our products provided by our faithful people, therefore the comrade leader Abu Amar has decided as follows:
1. To set a huge poultry farm on a space of land of ten dunams. The place has already been chosen in the area of Beer Zeit (district of Ramallah). It will require the purchase of machines for . . . and whatever is needed by the farmer in order to compete with the international farms.
2. The capital of this farm shall be 1.5 million US dollars at the start.
3. The farm shall be managed by the pressman Mr. Ibrahim Alkarain owner of the review “Alawda” (The Return) and of the Palestinian Press Office to him and his partners.
4. States that the comrade leader Abu Amar has the highest interest in the matter as it will provide work to palestinians.

Respectfully,

Chairman, Palestinian Economic Council, Development and Reconstruction.

It is forbidden to read this document without the special authorization of the President.

Respectfully,

The National Palestinian Authority, Ministry of Finance.

November 11, 1994.

To the comrade Mohammad Zuhi Alnashashiby, Finance Minister—Gaza.

We refer to your letter dated 19.11.1994 No. M/P30/266 and are to inform you immediately that all the measures for the execution of the instructions of the comrade leader Abu Amar President of the National Palestinian Authority concerning the financing of the Palestinian Press office Review Alawda, as follows:

1. The necessary informations have been obtained from the pressman Ibrahim Tkarain on his personal account in France he and his partners Remonde Aitawel.
2. The transfer has been effected of 2.5 million American dollars.
3. The bank has confirmed receipt of the transfer.
4. The way of transfer is sophisticated and the other party cannot in any way discover the way and style which has been taken in the transfer.
5. We have received an excessively important letter from the comrade Remonda.
Altaweel confirming receipt of the whole amount and thanking the comrade and beloved father Mr. Yasser Arafat “Abu Amar” with thanks from the Palestinian diaspora in Francophone Conferences.

Please inform the comrade Abu Amar president of the National Authority that his orders have been executed properly.

Respectfully,
Chairman, Palestinian Economic Council, Development and Reconstruction (PECDAR),

THE NATIONAL PALESTINIAN AUTHORITY, MINISTRY OF FINANCE,

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR), Jerusalem.

Greetings of return.

Whereas the National Palestinian Authority encourages the saying of truth which stands above all, and encourages the development of a Palestinian press and journalists that they utter the truth with no fear of any danger anywhere and pursue the enemies of the homeland and unveil them to the public, therefore the comrade leader has proclaimed as follows:

1. The Palestinian Press Office shall support the comrade journalist Ibrahim Alkarni, the head of the Press Office which is sited in Arab Jerusalem, the capital of Palestine (Journal of the Return) and helping him to purchase modern printing machines and sophisticated computers and the purchase of press offices and providing for pay- ments of employees and pressmen.

2. The center of the said office shall be in the Arab Jerusalem, the capital of the State of Palestine.

3. A preliminary amount of 2.5 million US dollars shall be provided in installments to be decided on.

4. A financial arrangement shall be provided to expend the amount in a way which will be convenient to (him).

Please take the necessary steps to execute the aforesaid and have us informed.

Respectfully,
MUHAMMAD ZUHDI ALNASHASHIBY,
Finance Minister.

PALESTINIAN ECONOMIC COUNCIL, DEVELOPMENT AND RECONSTRUCTION (PECDAR),

To the comrade Mohammad Zuhdi Alnashashiby, Finance Minister—Gaza.

Greetings of return.

Referring to your letter dated 15.8.1994 No. MP/30/94 which includes the matter of the decree promulgated by the comrade leader Abu Amar concerning the “inland Palestinians” from among members of the Knesset and parties and philanthropic and cooperative organizations and local councils and private councils and churches “helps and contributions” and that this matter should be held directly and intensively by the brother Dr. Ahmad Tiby, we are to inform you as follows:

1. We have contacted Dr. Ahmad Tiby who has visited our office personally and he prefers not to talk on the telephone.

2. He has assured us of the necessity to pursue the transfer in the same way.

3. We should inform him by code of the receipt of the amount in his account special abroad.

4. The amount has been transferred and entered in his account in due form.

Please inform the comrade leader Abu Amar that the matter has been effected in the most secret way due to the sensitivity of the operations.

Respectfully,
Chairman.

THE NATIONAL PALESTINIAN AUTHORITY, MINISTRY OF FINANCE,

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR), Jerusalem.

Greetings of return.

Following our letter dated 7.8.1994 No. MN/30/75 in the same matter on the basis of building the auxiliary apparatus, the comrade leader Abu Amar has decided that the activity of the National Palestinian Authority should spread inside Israel and concentrate on the Arab and inland Palestinians and that this function should rest on the comrade Dr. Ahmad Tiby and the comrades ought to be chosen from among the members of the Knesset, the Municipal and Local Councils, the philanthropic organizations, the cooperatives, the villages and the churches in view of gaining their collaboration in achieving the following:

1. Helping the various parties which support the foundation of the Palestinian State which will include Jerusalem.

2. Helping such local councils as are suffering from financial deficit.

3. Contributing to the philanthropic and cooperative associations.

4. Contributing to the village councils.

5. Contributing to the bishops and religious persons who lead the churches of various communities.

As it was mentioned in my previous letter the comrade leader Abu Amar recommends that the activities of the said committee should not be noticed by the public and they should be far and away from journalists and statemen.

Respectfully,
MUHAMMAD ZUHDI ALNASHASHIBY,
Finance Minister.

PALESTINIAN ECONOMIC COUNCIL, DEVELOPMENT AND RECONSTRUCTION (PECDAR),

To the comrade Mohammad Zuhdi Alnashashiby, Finance Minister—Gaza.

Greetings of Return.

Referring to your letter dated 23.8.1994 No. MP/30/111 concerning the building of dwelling flats in Arab Jerusalem and its suburbs by decree of the leader comrade Abu Amar and assigning the matter to Dr. Ahmad Tiby with direct responsibility we are to clarify the following:

1. The transfer of the amount of twelve million US dollars shall be immediately reserved.

2. Half of the amount may be transferred immediately (namely six million dollars) and the other half may be paid after a month from today.

3. The comrade Dr. Ahmad Tiby has consented to divide the amount and has affirmed that there is no urgency now and no prejudice will come out of the postponing.

Please convey the actual picture to the comrade leader Abu Amar and clarify that the amount of six million dollars has been brought in the account of the comrade Dr. Tiby when this letter will reach you.

Respectfully,
Chairman, Palestinian Economic Council, Development and Reconstruction.

It is forbidden to read this document without the special authorization of the President.

THE NATIONAL PALESTINIAN AUTHORITY, MINISTRY OF FINANCE,

To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECDAR)—Jerusalem.

Greetings of return.

In pursuance to our letter dated 15.8.1994 No. MP/30/93 (Dr. Ahmad Tiby) I am to inform you that the comrade leader Abu Amar has instructed me to convey to you his desire for the construction of dwelling flats in the Arab Jerusalem and its suburbs in building of ten flats each accordance with the Town Planning Law (authorized) and that for this purpose an amount of twelve million US dollars should be assigned and the project should not be registered in the name of the National Palestinian Authority lest it would attract reactions from the other party which will be difficult for us to solve. Therefore, it shall be arranged as follows:

1. The comrade Dr. Ahmad Tiby shall be responsible for the setting of this commission with reliable people under his chairman-ship.

2. There is no objection to the participation in this project of landlords who wish so.

3. An architectural tactic shall be followed whereby, if circumstances allow, the maps shall be used so that the building in all regions will be similar.

3. The moves of the commission should not attract any attention.

Please deal with the matter in the most secret way due to its sensitivity and to the position of the comrade Dr. Ahmad Tiby in the region.

Respectfully,
MUHAMMAD ZUHDI ALNASHASHIBY,
Finance Minister.

PALESTINIAN ECONOMIC COUNCIL (PECDAR),
August 17, 1994.

To the comrade Mohammad Zuhdi Alnashashiby, Finance Minister—Gaza.

Greetings of Return.

With reference to your letter dated 7.8.1994 No. MP/30/75 relating to the decree of the leader comrade Abu Amar concerning the setting of a land corporation in the city of Jerusalem which will specialize in purchasing lands in Arab Jerusalem (Eastern) and the city of Jerusalem which will specialize in purchasing lands in the Old City, we are to inform you the following:

1. We have contacted the comrade Dr. Ahmad Tiby and have obtained from him the bank informations and the way and style which he prefers for the transfer of the required amount at the inception of this project.

2. The method of transfer of the amount is sophisticated and convincing. The other party will never be able, to discover the way and method whereby the transfer is effected.

3. We have contacted the bank to which the transfer has been effected and it has confirmed its receipt.

Please assure the comrade leader Abu Amar that the matter has been executed precisely and most secretly.

Respectfully,
Chairman.

It is forbidden to read this document without the special authorization of the President.

THE NATIONAL PALESTINIAN AUTHORITY, MINISTRY OF FINANCE,
To the Chairman of the Palestinian Economic Council for Development and Reconstruction (PECADER)—Jerusalem Greetings of yours,

Since the National Palestinian Authority, with the assistance of faithful Palestinian elements, is building various assisting apparatus for strengthening the basis of the Palestinian state to which all aspire with the help of God in our beloved homeland while concentrating on the holy Jerusalem in order to strengthen our position there and intensify our presence in an active and strong way;

And whereas we don't want to have this activity appear in the name of the National Palestinian Authority lest it would be exploited counter for political aims in international circles by the other party and consequently jeopardize the peace process and the good name of the Palestinian Authority in the international circles by the (missing word) and mainly the American administration;

Therefore the comrade leader has decided as follows:

1. To found a land corporation which will be sited in Jerusalem, which will purchase lands in East Jerusalem and in the Old City and only in the name of this corporation.

2. The capital of this corporation shall be fifteen million American dollars at the start.

3. The manager of the chairman of the board will be Dr. Ahmad Tiby and the members of the following:

   1. Bassam Tcdel Hameed Alsa

We stress that it is the desire of the comrade leader Abu Amar that the meetings of this group should be held secretly and its activities should not be noticed and it should keep its documents and registries away from the other party.

Respectfully,

Mr. LEAHY. Mr. President, if nobody else seeks recognition, 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. COHEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2724

Mr. COHEN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Mr. COHEN] proposes an amendment numbered 2724.

Mr. COHEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At an appropriate place in the bill, insert the following new section:

SEC. 2. REPORT ON RUSSIAN MILITARY OPERATIONS

(a) No later than three months after the date of enactment of this act, the President shall declassify, to the maximum extent possible, and resubmit to the Congress the report submitted to the Congress pursuant to Section 528 of Public Law 103-236, with an addendum updating the information in the report.

(b) The addendum referred to in subsection (a) shall be unclassified to the maximum extent possible and shall address the following:

(1) Russian compliance or lack of compliance with the Russian-Moldovan agreement of October 24, 1994, providing for the withdrawal of Russian military forces from Moldova, subsequent Russian deployments of military forces to Moldova and Russian efforts to secure long-term military basing rights in Moldova.

(2) Possible Russian complicity in the coup attempt of September-October 1994 against the government of Azerbaijan and the exertion of Russian pressure to influence decisions regarding the path of pipelines that will carry Azerbaijan oil.

(3) Russian efforts or agreements to assume partial or complete responsibility for securing the borders of countries other than Russia, using troops of the Russian Ministry of Defense, Ministry of the Interior or any other security agency of the Russian Federation.

(4) Russian efforts to integrate its armed forces with the armed forces or service agencies with those of any other country and the relationship of such efforts to the development of institutions under the Commonwealth of Independent States.


MR. COHEN. Mr. President, early last year, Mr. President, the Senate adopted an amendment I offered to require the President to submit a report on the revised Russian military doctrine and Russian military operations outside Russia's borders.

The report was necessary because Russia has been engaging in a systematic effort to regain effective control over the countries that formerly made up the Soviet Union. Moscow has been using in this effort have included economic, political, and military intervention and covert military actions.

Moscow fomented secessionist war on Georgia, bringing the government of Eduard Shevardnadze to the brink of defeat. Once Moscow had coerced him to capitulate to its demands to join the Commonwealth of Independent States and give Moscow permanent military bases, Russian troops rushed in to keep the peace.

In Moldova, Russian troops assisted ethnic Russian secessionists establish a self-proclaimed independent republic sandwiched between Moldova and Ukraine's western border. In oil-rich Azerbaijan, Russian troops provided assistance to rebel forces that overthrew the democratically elected government and then may have supported coup efforts against the new government once it refused to succumb to Moscow's efforts to dictate to it on oil policies.

Russian troops are heavily involved in the civil war in Tajikistan and patrol the borders of Tajikistan and Armenia, putting them once again on NATO's border.

The revised Russian military doctrine asserts Russia's right to intervene militarily throughout the territory that was the Soviet Union. By so doing, the Senate approved the amendment requiring the President to tell us and the American people what the Russian military was doing and what the implications were for American and allied security.

When the Senate submitted the report last September, it was classified from cover to cover, even though much of the report did not warrant being restricted by a security classification. The decision to throw a cloak of secrecy over this report probably was not related to the fact that it was submitted just a few days after his Washington summit with President Yeltsin. I am only speculating here, but perhaps the administration did not want to embarrass President Yeltsin, although it is not clear they would have been embarrassed at all. Just prior to the summit, President Yeltsin embraced a Russian Foreign Intelligence Service report calling for reintegration of the former Soviet republics into a single economic defense zone, complete with a unified military command and a Russian nuclear umbrella.

Perhaps the administration was worried that being embarrassed itself gives its acquiescence to Russian military adventures.

In any case—no need to speculate about this—the decision to classify the report from cover to cover has prevented Congress from conducting a complete public debate about Russian actions and the administration’s policy toward Russia, and it has prevented the American people from becoming fully informed on these matters.

And so I am offering an amendment today to require that the report be declassified to the maximum extent possible. The amendment also requires submission of an addendum, unclassified to the maximum extent possible, updating the information in the report.

Among the more recent issues that need to be addressed in the addendum are the agreement Prime Minister Chernomyrdin signed last October to withdraw Russian troops from Moldova within 3 years, which Moscow now seeks to nullify by pressuring Moldova for permanent basing rights. There have been further coup attempts in Azerbaijan in which Moscow might have had a hand as part of its intense effort to compel Azerbaijan to ship its oil through a Russian pipeline. Moscow continues its pressures to unify the defense policies of the newly independent states, with President Yeltsin personally endorsing the effort just last week. And Moscow seems intent on blatantly violating the Treaty on Conventional Armed Forces, or CFE Treaty, which the administration has called the cornerstone of post-cold-war European military stability but...
which the administration is not pro-
posing to amend in response to Russian
threats to abandon the treaty.

Ironically, the Russians now object.
After having negotiated and signed and
ratified the CFE treaty—they now ob-
ject to the continued presence of
Russian troops in the former Soviet
Republics, and how that intimidates those young de-
mocracies.

So I think the amendment of the
Senator is very well advised. This is
the kind of information, it seems to
me, that ought to be shared. I com-
mend him for his amendment and I am
prepared to support it. I am aware of
no opposition on this side.

The PRESIDING OFFICER. The Sen-
ator from Vermont.

Mr. LEAHY. Mr. President, I have
erlier discussed his amendment with
the Senator from Maine. There is much
I find very appealing, for a number of
reasons that he has laid out. There
have been just a couple of questions
raised on this side. I wonder if we
could perhaps do that a little bit more.

What I am going to do is suggest the
absence of a quorum, but it will be only
for a very few—I see the chairman may
have something else to say about it.
But I suggest, in a few more minutes
we may be able to resolve this whole
issue. I am sure that would be agree-
able from Maine.

Mr. COHEN. I have no objection.

The PRESIDING OFFICER. The Sen-
ator from Kentucky.

Mr. MCCONNELL. Mr. President, let
me say in conclusion on the Cohen
amendment, I think Senator KERRY
will be here shortly to, as well, offer an
amendment upon which a rollcall will
be required.

Mr. D’AMATO. Mr. President, I rise
to discuss with the chairman of the
subcommittee an issue of importance
regarding the opening of offices for the
Federal Bureau of Investigation and the
Secret Service in the triborder area of
Argentina, Brazil, and Paraguay.
This area has been identified as ex-
tremely dangerous with criminal and
terrorist elements running rampant in
the area. Today’s organized terrorist
and criminal organizations are inter-
national in nature and the presence of
these agencies is of paramount impor-
tance to the security of the United
States and its elected officials.

The subcommittee, in its deliberations saw
the preponderance of these criminal ac-
tivities and appropriated funds for the
establishment and maintenance of offices
for both agencies. The bill in its current
form allocates $5 million for both
agencies to establish and main-
tain offices. It is my understanding
that this appropriation is to be split
evenly between the Federal Bureau of
Investigation and the Secret Service.
$2.5 million per agency. I realize that
this was the intent of the sub-
committee and I merely wanted the op-
portunity to ensure that the Recورد
accurately reflects this appropriation.

Mr. MCCONNELL. Mr. President, the
Senator from New York is correct, and
I thank him for his concern. This
appropriation is intended to fund the es-
ablishment and maintenance of offices
for the Federal Bureau of Investigation and the Secret Service. The intent of the
subcommittee is for these funds to
be split evenly between the two aven-
cies. I understand the ambiguity of the
wording in the bill and I hope this dia-
olog will answer any questions or uncer-
tainties.

Mr. D’AMATO. I thank my friend and
colleagues for that clarification. I feel
the importance and immediacy of fill-
ing these law enforcement positions
should not be delayed to bureaucratic
debate on the amount of funds awarded
to the different agencies.

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

The PRESIDING OFFICER. The clerk
will call the roll.

The legislative clerk proceeded to
call the roll. Mr. MCCONNELL. Mr. President, I
ask unanimous consent that the order
for the quorum call be rescinded.

The PRESIDING OFFICER (Mr.
THOMAS). Without objection, it is so or-
dered.

AMENDMENT NO. 2734

Mr. MCCONNELL. Mr. President, we
have now cleared the Cohen amend-
ment on both sides. I am not aware of
any need for further debate.

Mr. LEAHY. Mr. President, as I noted
earlier, I support the Cohen amend-
ment. I wanted to doublecheck with a
couple of people on this side. I appre-
ciate the Senator from Maine and the
Senator from Kentucky delaying ac-
dition while we did that. That checking
has been done.

I compliment the Senator from
Maine on his amendment. It is accept-
able on this side.

The PRESIDING OFFICER. If there
is further debate, the question is on
agreeing to the amendment of the Sen-
ator from Maine.

The amendment (No. 2724) was agreed
to.

Mr. MCCONNELL. Mr. President, I
move to reconsider the vote by which
the amendment was agreed to.

Mr. LEAHY. I move to lay aside that
amendment. Is that correct?

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Sen-
ator from Iowa.

Mr. HARKIN. Mr. President, I have
a sense-of-the-Senate resolution which I
am going to offer on the bill at some
point. I figured since there was a lull in
the proceedings, we do not need to take
much time.

Senator Feingold and I have an
amendment which we would enter into
a time agreement on. It is a sense-of-
the-Senate resolution. I figured there
was no one else doing anything around
noontime.

Mr. MCCONNELL. Mr. President, I
would be happy doing the quorum to
talk with the Senator from Iowa
what he has in mind. Maybe I would
do not have an action to laying aside
the current amendment. I would like to
have a sense of what we are doing here.

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

The PRESIDING OFFICER. The clerk
will call the roll.

The legislative clerk proceeded to
call the roll.

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

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

PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask
unanimous consent that floor privi-
leges be granted to Stephanie Eglington, a
Javits fellow currently on Senator
Biden’s staff, for the duration of debate
on the Foreign Operations Appropriations
Act.

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

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

The PRESIDING OFFICER. The clerk
will call the roll.

The legislative clerk proceeded to
call the roll.

Mr. MCCONNELL. Objection.

The PRESIDING OFFICER. The Sen-
ator from Iowa.

Mr. HARKIN. 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. McCONNELL. Mr. President, I say to my friend from Iowa, would he be agreeable to vote on a motion to table his amendment at a quarter to 1? Mr. President, I ask unanimous consent that there be a vote on the Harkin amendment, on or in relation to the Harkin amendment at 12:45.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HARKIN. I thank the Senator. Mr. President, did I understand the unanimous consent that there would be a tabling motion at quarter to 1 with no amendments to my amendment? The PRESIDING OFFICER. There is a vote ordered on the amendment or in relation to the amendment at 12:45.

Mr. McCONNELL. I might say to the Senator from Iowa, it would be my intention to offer a motion to table at that point.

Mr. HARKIN. A plain motion to table?

Mr. McCONNELL. Yes, a plain motion to table.

Mr. LEAHY. Mr. President, could we ask unanimous consent that no other motions to amendments be in order?

The PRESIDING OFFICER. Is there objection? Mr. McCONNELL. I have no objection.

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

Mr. HARKIN. I thank the Chair. I thank the floor managers.

AMENDMENT NO. 2725

(Purpose: To express the sense of the Senate on the conference report on S. 4, the Line-Item Veto Act)

Mr. HARKIN. Mr. President, I have an amendment I send to the desk and ask for its immediate consideration on behalf of myself, Senator FEINGOLD, Senator DORGAN, and Senator BRADLEY.

The PRESIDING OFFICER. The clerk will report. The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. FEINGOLD, Mr. DORGAN, and Mr. BRADLEY, proposes an amendment numbered 2725.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. 2. SENSE OF THE SENATE ON THE CONFERENCE REPORT ON S. 4, THE LINE-ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—
(1) the line-item veto was a major plank in the House majority's "Contract With America" and has received strong bipartisan support in the 104th Congress;
(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act of 1995, on a vote of 294–134;
(3) the Senate on March 24, 1995, passed S. 4, the Separate Enrollment and Line Item Veto Act of 1995, on a vote of 69–29;
(4) the House of Representatives passed S. 4, with the text of H.R. 2 inserted, by voice vote on July 17, 1995, 50 days after passage by the Senate;
(5) notwithstanding the failure of the House of Representatives to request a conference, agreed with the Senate amendment, requested a conference, and appointed conference on S. 4 on June 20, 1995;

(b) the House of Representatives appointed conference on September 7, 1995, 168 days after both Houses of the Congress had passed line item veto legislation;
(c) with the passage of time, it increasingly appears that the Congress may pass and send to the President not only the appropriations bills for fiscal year 1996 but also the reconciliation and line-item veto bills as passed by H. Con. Res. 67 (the concurrent resolution setting forth the congressional budget for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002) without first passing and sending to the President a line item veto bill;
(d) it is now only 9 days until the end of the fiscal year, which fiscal year's appropriation bills need to become law in order to avoid disruption of the Government services; and
(e) the conferees on S. 4 still have not met.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—
(1) the conferees on S. 4 should meet by September 26;
(2) the conferees should expediously resolve the differences between the 2 bills in sufficient time for the House of Representatives and the Senate to consider the conference report on S. 4 prior to the time the President is required to act upon the first fiscal year 1996 appropriation bill; and
(3) if the conferees do not complete action on the conference report in time to allow for the House of Representatives and Senate to consider the conference report prior to the time the President is required to act upon the fiscal year 1996 appropriation bills, S. 4 should, to the extent possible, contain provisions making the provisions of S. 4 applicable to the fiscal year 1996 appropriation bills and the 1995 reconciliation bill.

Mr. HARKIN. Mr. President, this resolution provides that the conferees meet on the line-item veto legislation by next Tuesday, September 26.

This sense-of-the-Senate amendment provides that Congress move forward and send the line-item veto legislation to the President expeditiously. It calls on the conferees, as I said, to meet by next Tuesday, and further calls on the conferees to resolve their differences and bring a conference report to the floor in time for the President to use the authority of the line-item veto on the first fiscal year 1996 appropriation bills. And if the conferees do not complete action by that time, the amendment provides that it is the sense of the Senate that the conferees should include a provision to make it effective for the fiscal year 1996 bills already signed.

Mr. President, this body passed a line-item veto bill on March 23. The other body passed it on February 6. It was part of their so-called 100-day Contract With America. But we had to wait not 100 days, or 130, or 140, or 150, we had to wait 168 days for the other body just to appoint conferees.

One of the major items that they wanted—it took them 168 days just to roll bills over by weeks rolled by, months rolled by. Still no conferees. Finally, on August 1 Senator DORGAN proposed a sense-of-the-Senate resolution calling on the other body to appoint conferees on the line-item veto bill that was passed on a vote of 83–14 in this Senate.

And on September 7, the conferees were finally appointed. But to this very day they have not even met. And they have not even scheduled a day to meet. Imagine that? Passed the House on February 6. It passed here on March 23. They appointed the conferees 168 days later. Still have not even met. Unfortunately, we have just 10 days before the fiscal year runs out. We have not gone much further than we were a half-year ago toward passing a line-item veto.

Mr. President, I must confess, I am a little confused. I thought this was supposed to be priority legislation of the majority party. I thought we needed it now—not next month, not next year, not next decade, but now. And I thought I heard that the line-item veto was too important to take a back seat to partisan politics.

Well, I know what the cynics might say, "Wait a second. I know what is going on here. The majority does not want to hand this new power over to a Democratic President."

I have to say that could not be the case. After all, on the day that the line-item veto passed the House, the Speaker of the House, Speaker GINGRICH said:

It does show our sincerity, I think, that we are prepared to deal with giving President Clinton increased power because we think it is good for America.

On the day the legislation passed the Senate, our majority leader, Senator DOLE, said:

During the 1980's, opponents of the line-item veto used to say that Republicans supported it only because a Republican happened to be President at the time. With the passage of this measure we hope to dispel that myth once and for all. We believe that any President of the United States, as Chief Executive, should be given more power to reduce Federal spending. . . . Now we are in the majority, and we are prepared . . . to give this authority to a Democratic President.

So, Mr. President, this could not certainly be about purely partisan politics. This could not be about a Republican Congress and Democratic President. So let us move forward.

Now, Mr. President, I do not think that the line-item veto is a panacea for everything. I had concerns and still have some concerns about it. But I also see the huge job we face in responsibly balancing the budget. I believe the time has come to use all the tools we have. And the line-item veto is one of those tools. We need every effective tool we have to weed out the wasteful spending and cut the pork and not the people. It will help this country reach a balanced budget more easily and hopefully more quickly.

Let me repeat the words of the majority leader, Senator RICH said:

I believe that the conferes and the congressional leadership owe the American people a proposal that will pass the House and the Senate and be sent to the President so he has the ability to use every effective tool to reduce Federal spending. . . . Now we are in the majority, and we are prepared . . . to give this authority to a Democratic President.
to exercise the line-item veto on appropriate provisions in the 13 appropriations bills that we are now passing. It can and should be done. Let us have a conference report before the House and the Senate by the end of this month so this President can exercise the line-item veto. The majority party has said for so long that they want to give to the President.

Mr. President, I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Chair, and I especially thank my colleague and friend from Iowa, Mr. HARKIN, who has taken the lead on this. I am delighted to participate with him, along with the Senator from North Dakota, Mr. DORGAN, and the Senator from New Jersey, Mr. BRADLEY, in expressing the sense of the Senate that the conferences on S. 4, the line-item veto bill, should, by expeditiously resolving the differences of the two Houses in time to consider the conference report on S. 4 prior to the President needing to sign the fiscal year 1996 appropriations bills and also this year’s reconciliation bill.

If the conferences do not complete action on the conference report in time to allow Congress to consider the report, prior to the President signing of the fiscal year 1996 appropriations bills and this year’s reconciliation bill, as the Senator from Iowa pointed out, this amendment further expresses the sense of the Senate that the line-item veto conference report should, to the extent possible, contain provisions making the bill applicable to the fiscal year 1996 appropriations bills and the 1995 reconciliation bill. Simply stated it would give this President, President Clinton, the opportunity to clean out some of the pork in the bills that we may pass in next few weeks this year instead of having to wait until next year.

Mr. President, the Senate passed S. 4, the Line-Item Veto Act of 1995 on March 23, many months ago. A few weeks earlier, in early February, the other body had passed their own version of this important legislation. And this was trumpeted quite loudly throughout the country as one of the leading items in the so-called Contract With America. For something other than an emergency appropriations bill, that is considered, and I would say in this case rightly so.

The line-item veto proposal, in one form or another, in my view, could be a useful tool to help reduce the Federal deficit and balance the Federal budget and is important to bring reform to the whole budget process. Indeed the line-item veto was part of the so-called Contract With America agenda and initially being given this kind of expeditious treatment.

But under President, the expedited treatment of the line-item veto ended some time ago. The line-item veto bill began to slow and eventually it stalled and it remains stalled. The other body did not ask for a conference committee until mid-May, and it was a month before the Senate appointed conference. Until last week the other body had still to appoint its own conference.

Now, Mr. President, I have suggested that the failure of the other body to appoint conferences in a timely manner and the general slowing down of the measure was partisan in nature, the delay was a deliberate effort by leadership to deny President Clinton an effective budget tool during this very crucial period of time when we have to consider appropriations bills and reconciliation and the overriding need to balance the budget as soon as possible.

I hope this is not the case. Certainly in this body it has to be said that one of the leading proponents of the line-item veto has been the senior Senator from Arizona [Mr. MCCAIN], a Republican. Now, I know he supports moving rapidly to give this President this new authority in time to address this year’s budget measures.

It has been my privilege to work with Senator McCain on a number of reform measures. Another that targeted these very budget practices that tend to load up our bills with pork and they cannot be eliminated because of the lack of a line-item veto. I was especially pleased that an amendment we offered to the line-item veto bill relating to emergency appropriations was also included in the Senate version of the measure. So this also is dependent on moving quickly on the line-item veto issue.

Senator McCain is committed to budget reform. And I believe many of his Republican colleagues in this body share that commitment. I believe that they are ready and willing to provide President Clinton with the line-item veto authority in time to exercise it during this budget cycle.

However, Mr. President, as I noted, it was not until last week that the other body finally appointed conferees that allowed Congress the opportunity to come to an agreement on this important issue and give this President, President Clinton, the flexibility that he needs to shape this Federal budget. With the fiscal year almost at an end, and work on various appropriations bills and reconciliation measures now needed to move in the next few weeks, this delay in hammering out a line-item veto measure may well jeopardize our ability to provide President Clinton with this very important additional authority.

This amendment we are offering today speaks to this very issue by expressing the sense of the Senate that if a new line-item veto authority is created, that this President be able to act on that authority on this year’s appropriations measures and this year’s reconciliation bill.

This amendment allows Members to go on record to refute those who would suggest that the line-item veto is partisan. And in doing so, it also expresses clear support to allow the President to begin to exercise the kind of specific budget pruning that many of us feel is a necessary response to the budget abuses that do persist in this year’s appropriations bills. Pork did not end in this place on November 8. I have a suspicion it increased over the 103rd Congress.

Just last month, my friend and colleague, Senator MCCAIN, who has led reform of a number of provisions into a group of pork busters, took to the floor and specifically identified a number of problems with the fiscal year 1996 defense appropriations bill. He mentioned an appropriation of $20 million to fund an unauthorized transfer of federally owned educational facilities on military installations to local education agencies.

He mentioned a transfer that was not even reviewed by the Armed Services Committee. He mentioned a $1 million earmark for the marine and environmental research and training station, also unauthorized, and he mentioned that this was contrary to the wishes of the Navy.

Senator McCain also mentioned the granting of authority for the Coast Guard to draw $300 million from the defense business operations fund, a new authority that I am informed was not considered by the Armed Services Committee.

So, Mr. President, there are many examples, but these are good examples of the kinds of provisions that could and should be eliminated with the appropriate application of the line-item veto, and there are equally good candidates for line-item veto review by the President in other appropriations bills as well.

I do not think any fairminded person would suggest that this year’s crop of appropriations bills is especially pure of legislative mischief that the line-item veto authority should be postponed until next year. There is plenty of need to be taken out now. That should be reason enough to act on a line-item veto in a timely manner, but I also believe there is another, possibly more important reason for acting quickly, and it goes to the heart of the original line-item veto debate.

Mr. President, I supported the line-item veto measure as it passed this body, and I hope to support a conference committee agreement as well, but the question is a very close one for me.

I have deep concerns about the potential abuse of an overly expansive line-item veto authority.

In Wisconsin, we have seen the abuse of an overly broad veto authority by a number of Governors, and it is safe to say that no one anticipated the extent of those abuses when the line-item veto authority was first contemplated.

Throughout, Governor Thompson, has used the veto authority not only to rewrite entire laws, but to increase spending and increase taxes.
In the hands of a President, that kind of abusive authority would not only defeat the intent of those who have advocated expanded veto authority, it could well upset the checks and balances so carefully designed by the Framers of the Constitution.

That is the potential peril of the line-item veto, and I believe it is shared by many of my colleagues who supported S. 4 as it passed the Senate.

If this right, and the line-item veto measure is being deliberately stalled to gain partisan advantage by denying a Democratic President the opportunity to use this new tool, then there may be real cause for concern about what the end product of the conference committees will be.

Partisan political advantage is an irresponsible and reckless basis on which to establish this additional authority for the President.

A new line-item veto authority crafted on such a foundation may well be susceptible to being overly broad, and one that is subject to Presidential abuse when the authority is finally granted.

Instead of fashioning a useful tool to help shape a better, learner budget, a line-item veto authority that is driven by partisan considerations could dramatically shift the balance of power between the legislative and executive branches that was so carefully crafted by the Framers of the Constitution.

Mr. President, I very much view our amendment as an insurance policy against just such a disaster.

If the Republican-controlled conference committees know that a President of the opposing party is to have this new expanded authority, they will be less likely to structure a line-item veto that would allow the kind of abuse we have seen in Wisconsin.

And the taxpayers are doubly winners.

First, because a modest line-item veto authority will be exercised all the sooner.

And second, because future Presidents of either party will not become backdoor emperors that can dictate to Congress.

Mr. President, I urge my colleagues to support this amendment, to demonstrate to cynics that at least this body is sincere in its support of a line-item veto, and to ensure that this year's budget gets the kind of thorough review to which taxpayers are entitled.

I would also include by saying that I see that the Senator from North Dakota, who has been a great leader on this issue, is here. I defer to him at this point, given the limited time that is available.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, this vote is currently scheduled for quarter to 1. I ask unanimous consent that the vote occur at 10 minutes to 1 and that—how much time does the Senator from West Virginia desire?

Mr. BYRD. I would like to have about 5 days on it, but since you only have 5 minutes, that will be fine.

Mr. MCCONNELL. The Senator from West Virginia will have the last 5 minutes before the vote, at which point I will recognize to make a motion to table.

Mr. HARKIN. Reserving the right to object, since we have about 20 minutes left for debate, I wonder if we can at least equally divide whatever time is remaining?

Mr. MCCONNELL. I think that will be fine, divide the remaining time until 10 minutes to 1 evenly.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, may I inquire of the Senator from Iowa if I might speak for 5 minutes?

Mr. HARKIN. How much time do we have, Mr. President?

The PRESIDING OFFICER. There are 20 minutes remaining, and each side has 10 minutes.

Mr. HARKIN. I yield 5 minutes to the Senator.

Mr. DORGAN. Mr. President, it is very rare these days that I disagree with my friend, the distinguished Senator from West Virginia, Senator BYRD. I have on the floor, and he almost always comes to the floor right on the bull's eye of an issue.

In this case, however, we have a disagreement. He will no doubt speak eloquently, as he does, in his opposition to the line-item veto, but I reached a different conclusion on this issue.

I voted for and supported a line-item veto when President Reagan was President, believing as a Democrat that this President, President Reagan, ought to have a line-item veto. I felt the same way and voted the same way when President Bush was President, and I feel the same way now that President Clinton is President.

The Senator from Iowa says, "Let's get moving." We passed a line-item veto bill, the Senate passed a line-item veto bill, it is in the Contract With America, and yet it has been stalled.

Why? I assume it has been stalled because some folks want to talk about it more than they want to do it. They pass that amendment to give to a Republican President but not a Democratic President.

Let me describe to you why I think a line-item veto might be appropriate for the interest of the taxpayers in this country.

We watch over a Defense bill on the floor of the Senate, both an authorization bill and an appropriations bill. If you take a look at the Defense bill, No. 1, it spent $7 billion more than the Department said they wanted to defend this country. In other words, the President said, "Here are our needs for defense purposes," and then the Senate added $7 billion more.

They decided that we should buy trucks that the Defense Department says we do not need; we should buy submarines the Defense Department says we do not want; we should buy jet fighter planes that the Defense Department did not ask for.

Budgets are one of the hood ornaments, in my judgment, on all of the pork that exists in these bills, especially that bill, was in the Defense authorization bill. Someone wrote in, with no hearings and no discussion, that we should buy blimps, $60 million worth, to buy a Defense authorization bill. It apparently is the Hindenburg strategy of defense.

Mr. HARKIN. That is the potential peril of the line-item veto, and I believe it is shared by many of my colleagues who supported the line-item veto, and I believe it is shared by the Constitution.

Mr. MCCONNELL. The Senator from Iowa says, "Let's buy trucks." Why? I assume it has been stalled because some folks want to talk about it more than they want to do it. They do not fight so hard for the line-item veto. Apparently, they are willing to pass and talk about it, but they are not ever willing to go to conference.

Mr. HARKIN. Mr. President, I urge my colleagues to support this amendment, to demonstrate to cynics that at least this body is sincere in its support of a line-item veto, and to ensure that this year's budget gets the kind of thorough review to which taxpayers are entitled.

I would also include by saying that I see that the Senator from North Dakota, who has been a great leader on this issue, is here. I defer to him at this point, given the limited time that is available.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, this vote is currently scheduled for quarter to 1. I ask unanimous consent that the vote occur at 10 minutes to 1 and that—how much time does the Senator from West Virginia desire?
The Senator from Iowa is saying, let us get this thing to conference, get it back and get it done. If you believe in it, as you say you do, join us, let us finish the job. Let us give this President the opportunity with the line-item veto to write a line through some blimps, strike a line through some star wars, get rid of some trucks, yes, even get rid of a few submarines that this country does not need and is now going to apparently ask the taxpayers to pay for it.

That is why we should have the line-item veto. I hope we adopt the amendment Senator HARKIN offers. I intend to support it.

Mr. President, I yield back the remainder of my time.

Mr. MCCONNELL. How much time do I have, Mr. President?

The PRESIDING OFFICER. Ten minutes.

Mr. MCCONNELL. I yield 8 minutes to the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Kentucky [Mr. MCCONNELL].

Mr. President, I was not informed that there was about to be a time limitation on this amendment. I just happened to be eating one of those "coal miner's steaks," one of those bologna sandwiches, downstairs in my office when I heard the booming voice of my friend from Iowa, Mr. HARKIN, coming across the TV screen advocating this piece of foolishness.

I was somewhat surprised that nobody had called me to see if I had any objections to limiting the time on this amendment. I think everybody in the Senate, including all the staff, knows that I do not enter into time agreements on line-item veto amendments or constitutional amendments to balance the budget.

Nevertheless, "the moving finger writes, having writ, moves on," so we are limited as to our time.

I hope that the Senate will table this silly amendment and do so with an overwhelming vote. Number one, the Senate should not be trying to tell the other body what it should do. Under the Senate rules, Senators on this floor are not supposed to criticize any Member of the other body or criticize the other body concerning its work. Certainly, we are not supposed to attempt to inflame, in any way, the other body as to how it should act.

Now, we are going to get ourselves into a situation where, in the House, they will be making speeches critical of the Senate or adopting measures that the Senate is trying to pass, as this amendment would instruct House conferees. I think we ought to be very careful about floor action or debate that can disturb the comity between the two Houses.

It has two ways. This rule is a good rule.

Secondly, Mr. President, this is truly a political maneuver. I want, as much as anybody, to oppose many of the efforts being made by Senators on both sides of the aisle, and Members on both sides of the Capitol, to cut or emasculate vital programs. Some programs need to be cut. Some funding programs need to be reduced. Some, perhaps, need to be eliminated. But I think that we are going too far in some of the things that are being advocated by the party that is now in control of both Houses.

I expect to see the President use his veto on occasions when merit would require it. I will be among the foremost in defending some of the programs that stand to be cut or in opposing misguided policies. As ranking member on the Senate Appropriations Committee, I am confronted with such problems every day. So I am not at all happy with some of the actions that are taking place around here.

But this amendment is a political move. I do not think it is a very worthy one. It is never worthy to play politics with the Constitution of the United States. I will say it this way. I have great respect for the Senators who are advocating this approach. Their intentions are good. But I must say that I am a little surprised at some of those who are advocating it. I am under the impression that some of the supporters of this amendment have been against the line-item veto in the past. Yet, now they, apparently, are advocating giving the President the line-item veto.

I do not advocate that any President be given the line-item veto. I was against it when Mr. Reagan was President. I was against it when Mr. Bush was President. I am against it now that Mr. Clinton is President. I do not think it is appropriate for us on the Democratic side to be against a line-item veto when there is a Republican President in the White House and then to be for it when a Democrat is in the White House. It tinkers with the Constitution and flies in the face of the separation of powers, and checks and balances, which constitute the very pillar of our republican system of Government. I think it is a mistake for us on the Democratic side to advocate giving this President, President Clinton, a line-item veto.

In the final paragraph, the amendment advocates or proposes that the Senate and the House, in language making the provisions of S. 4 applicable to the fiscal year 1996 appropriations bills and the 1995 reconciliation bill—in other words, making it retroactive. I think that is a mistake, Mr. President. I am sorry that I have to come to the floor at this time and make these few comments. But I feel so deeply about the line-item veto. I think it is a surrender of the authorities and powers of the legislative branch to the executive branch. I think Members will rue the day if the line-item veto ever becomes part of the Constitution or part of the law of this land. Frankly, I do not think the line-item veto can be given to the President by legislation. I think that it would require a constitutional amendment to give the President a line-item veto. We cannot change the Constitution of the United States by legislation—resolution or otherwise! Now, this is—this is sense-of-the-Senate amendment and, therefore, it will not have much impact anyhow. However, it is the wrong direction in which to move.

Mr. President, Nero, the Roman Emperor who reigned from 54 to 68 A.D., was condemned by the Senate. When he heard that the Senate had passed a decree condemning him, he fled. He was in the company of one of his servants and two or three friends, and they fled to a country house, where he sought to remain hidden from the Senate. When he heard the sound of horses' feet approaching—bearing the Senate-appointed enforcers of the execution decree—he tried to get one of those persons who were with him to die first so as to show him—Nero—how to die, and thus give him the courage to die. But he had no takers. So when the horses' hooves sounded louder and louder and were almost upon him, he put a dagger to his throat and said, "I die shamefully." And so I hope that the manager of the bill will move to table this iniquitous amendment and that it will be tabled overwhelmingly.

Mr. MCCONNELL. Mr. President, I will soon move to table the Harkin amendment and ask for the yeas and nays.

The PRESIDING OFFICER. The motion is not in order until the Senator has utilized his time.

The Senator from Iowa.

Mr. HARKIN. Thank you, Mr. President. I thank the Chair. I understand the opposition of the Senator from West Virginia, which has been long, constant, consistent, and eloquent. I understand that.

However, I point out that some of the words he used, like "foolish" and "silly" and all that—I simply point out, Mr. President, that on August 1 of this year, the Senate passed a similar resolution, stating it is the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4 immediately so that the House and Senate may resolve their differences on this important legislation.

That resolution passed 83 to 14 in this body. But this is just a sense-of-the-Senate amendment.

Mr. BYRD. Will the Senator state whether or not he had my vote?

Mr. HARKIN. Of course, it did not have the vote of the Senator from West Virginia. I wanted to point out that it was a sense-of-the-Senate resolution. It dealt with the Speaker of the House. We have done this before many times. It passed 83 to 14. I also point out to the Senator from West Virginia that
There was a 30-minute time limit, also, on that resolution on August 1. So we operated under a 30-minute time limit at that time.

Mr. President, again, this is similar to the Dorgan resolution of August 1. It passed 83 to 14.

All we are saying in this resolution is, wait a minute, it is time for the conferences to meet.

Now, I have been informed that there is maybe tentatively possibly a meeting of September 27, not that it has been published or anything like that. I hope that takes place.

I hope we pass this overwhelmingly so that the conferences will get these instructions to meet and to report the bill expeditiously back to the Senate and the House so that the Senate and House can work its will and send this on to the President.

Again as I said, Mr. President, I may also have misgivings about line-item vetoes, but I think the time has come because the great deficits we are operating under that we need to give this President the line-item veto.

I could not agree more with the Senator from North Dakota when he said it just looks as though the majority party is trying to hold this up so that the President cannot line-item veto some of the pork, some of the profiteering, some of the wasteful spending, that is in these appropriations bills. The time to give the President this power is now.

This resolution is very similar in tone and in verbiage to the resolution that passed here on August 1 by 83-14. We should not back down. We should continue the effort. We should demand that the conferences meet. We should get this bill before us and give the President the line-item veto that he needs to cut some of the wasteful spending out of this bill.

Mr. FEINGOLD. How much time is remaining?

The PRESIDING OFFICER. Thirty seconds.

Mr. HARKIN. I yield 30 seconds to the Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator from Iowa. I have a lot of misgivings about any notion of a constitutional amendment for a line-item veto and would oppose it.

However, what passed the Senate was a 5-year sunset line-item veto. I think we are going to have an experiment with a line-item veto. That is going to be the result of this Congress.

The purpose of this amendment is not to say that the line-item veto is automatically a good idea. But it says since we are going to have this experiment anyway, since that is going to be an outcome of the 104th Congress, get on with it, and let this President have that opportunity.

Mr. McCONNELL. Mr. President, I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?
isolationists—some kind of veiled effort to help America withdraw from the world. Nothing could be further from the truth. Our plan is a way to better support American engagement in the world. Five Secretaries of State are not isolationists and would not endorse a plan that diminished America's ability to protect its global interests. After sitting on the budget sidelines all year—we have had all this talk about line-item vetoes since March; we have had all this all year long—the administration says funding cuts will impel American diplomacy. Yet the best way to avoid deep cuts in programs is to save money by reducing duplication and by streamlining bureaucracy. I do not want to complicate action on Senator MCCONNELL’s legislation. Much of this plan is consistent with legislation proposed by Senator MCCONNELL earlier this year.

We have tried to reach agreement with other Senators, and I believe the Senate knows what offer has been made and rejected. Senator KERRY yesterday suggested he would support an agreement along the following lines: Pull the amendment from this bill; bring up freestanding legislation which requires the President to submit a plan abolishing only one agency—only one agency; vote after 4 hours of debate; release all 15 State Department nominees currently on the Executive Calendar; resume the normal business of the Foreign Relations Committee on nominations and treaties.

Mr. President, that is a very fair deal. No one guarantees the outcome of the vote or the outcome of the conference or the eventual fate of any conference report. Nominees would be confirmed immediately, like today, or whenever we had the vote, and more would be reported to the Senate. Unfortunately, after Chairman HELMS indicated his willingness to accept the terms proposed by Senator KERRY, the White House said no. One State Department official said, “There’s nothing in that deal for us.”

I must say we also made inquiries. I made inquiries to the White House, saying this seems to be a reasonable proposal to me to have all these Ambassadors confirmed, talking about eliminating one agency. I thought it was a rather reasonable effort. We would do it freestanding. It would have to go through the House. The President could veto it if he wished. There are all kinds of options the President has.

So it would seem to me that the partnership out of the White House and State Department does not serve our country well and only jeopardizes important issues from Ambassadors to China, Indonesia, Panama, and other critical countries to ratification of the START II treaty.

I do not know if President Clinton knows what his advisers turned down because he has not been in town much the last few weeks, but I do know that 15 nominees and their families know what has happened. They ought to know what has happened and they ought to know who turned it down. I do not know why the Clinton administration would want to keep gridlock going on foreign affairs. I do not know why they are now afraid of the reorganization proposed by Secretary Chris Christensen last year. I hope they will say “no, no, no” and begin to face honestly in the legislative process. If they have a counteroffer, let them hear it.

So it would seem to me, if the President had this information, he would be saying, “Take the Kerry proposal.” Let us set it aside, take it off this bill, and have 4 hours of debate. I hope the President would weigh in; if not, the Vice President, or, if not, somebody in the administration. I think we have made a lot of agreements around here, and I certainly think this is a very reasonable effort—one agency, freestanding bill, 4 hours of debate. It has to go to the House. The President can bring up freestanding legislation immediately. The other nominations pending in the Senate go back through the orderly business and come back to the floor.

So I would hope there could be some disposition because I know the Senator from North Carolina shares the view of the Senator from Kentucky. We want to get this bill finished. We want to finish this bill this evening. Then we want to take up the District of Columbia appropriation, to follow that with State-Justice—if not, VA/HUD. And there is one other one floating around out there somewhere, but it is a major one.

So I would just hope that we could resolve this issue. I know the manager wants to move very quickly. There are other relevant amendments. But I must say—and this is a relevant amendment—if we are going to continue to have a lot of amendments that go nowhere, I think we have to go to the Senate and immediately. The other nominations pending in the Senate go back through the orderly business and come back to the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I wanted to just take a moment to offer my congratulations to Senator MCCONNELL and Senator LEAHY, and their committee staffs and their committee were able to do more work with less. In light of the overall reductions in foreign assistance, the committee decided to provide the administration with a great deal of flexibility and reduced the number of earmarks. As a strong supporter of the international children’s vaccine program, development aid, and primary health care programs for children in developing countries, I would urge the administration to use this flexibility the committee provided to adequately fund these programs.

Mr. President, I would like to offer my congratulations on a job well done to Chairman MCCONNELL and his ranking member, Senator LEAHY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, the distinguished majority leader said he would be back in a moment. I know Senator HELMS was here a minute ago. I would like to make sure the RECORD accurately reflects where we have traveled with respect to possible agreements or nonagreements. I thought that Senator DOLE made a very fair summary of most of the journey that the discussions have traveled. But I think there is one incorrect judgment made, and that is whether or not I had at any time signed off on what was a negotiation in progress, and in fact as part of the negotiation we had proposed that the START treaty be permitted to come to the floor of the Senate and that was proposed as a component, or one of the ingredients that we were waiting to hear back on. And so we never had reached any kind of final agreement.

It is true that I did say that reducing it to the one Agency abolition would suit me because that was in keeping with an amendment that I had proposed in the committee itself. But with respect to our ability to move forward here and now, there were other elements under discussion at that time, and I think appropriately. For instance, the unanimous consent request of the Senator from North Carolina suggested 4 hours on the bill itself as a
freestanding bill, but it allowed no amendments. And we had a number of Members on our side who were obviously, as I think anybody would be here, concerned about this thing being presented fait accompli without the ability to be able to amend it.

That was also under discussion at the time, and we never had any clout with respect to this. In fact, I have never had any sort of final conversation with either Senator Helms or his staff. Also, it is true, however, that the administration did signal back directly to Senator Dole as well as to Senator Helms that some form of whatever was under discussion was not acceptable, and that I am aware of, and that message was indeed conveyed.

Mr. DODD. Will my colleague yield for a point?

Mr. KERRY. I am happy to yield.

Mr. DODD. Mr. President, I appreciate the buoyant interest my colleague from Massachusetts is making. I just wanted to ask my colleague from Massachusetts as well if he would not agree with me, having listened to the reception, with all due respect, talk about the families of these nominees who are now being held up because we do not agree to this formulation he has presented, that it was in fact the very hods that were put on those nominations—this is almost October—back in July. If we are going to express sympathy for these families of the nominees, let us not try to blame the Clinton administration or Democrats here who have a legitimate substantive interest in having important substantive point where all these nominations are being held up because we do not agree with it. The very holds were placed by the majority on those nominees, and if the families want to be upset, let the people who put the holds on those nominations, not blaming Democrats or the administration for their unwillingness to agree to something that substantively has some profound implications. Mr. KERRY. Mr. DODD. I do agree. I think the Senator is absolutely correct, that the business of the committee has obviously been wrapped up almost entirely in the effort to try to ram this through.

And one of the things that concerned a great many of us—I think the distinguished chairman knows this because I expressed it to him personally and in private discussions—was that there were not really a bipartisan effort to try to mold the bill. It was a bill created, and that at a subsequent point we only entered into last-minute negotiations before the markup. And I said to my Dem colleague at the time that I would like to say to the chairman, I would like to see if we could find some measure of agreement here. I am prepared to move forward on the one-agency abolition that I talked about yesterday. I am not backing down on that.

But the other components of my amendment had a different sum of money in them. Now, the Senator is looking for $3 billion. And my amendment, which he keeps suggesting that he is embracing, had a $2 billion savings. And there is a very strong reason for that. I mean, in the last decade the appropriations for function 150 have declined by $15.6 billion constant. They have gone from $36.8 to $21.2 billion in 1995. And under the budget resolution, the discretionary function, 150 plummets from $17.1 billion in budget authority down to $15.1 billion in 1999 and to $14.7 billion by the year 2002. So we have gone from $36.8 billion down to $14.7 billion by the year 2002.

There is nobody examining the various functions that are affected who cannot suggest that this is not going to have just, you know, a gargantuan impact in the capacity of this country to affect its foreign policy around the world.

Now, I am prepared—certainly speaking just for myself, this Senator—if we could take Mr. Bellaire in to talk about the families of these nominees, I think that in the last discussion that we had we suggested that there was some problems with the numbers. And we wanted to try to come closer to the House structure on numbers. Now, I believe that if we were to embrace the House structure on numbers, we could conceivably proceed forward. But there did not even seem to be a response to that. So we had no sense of whether or not that might be possible. Mr. McCONNELL. Will the Senator from Massachusetts yield?

Mr. KERRY. I will be happy to yield.

Mr. McCONNELL. Does the Senator from Massachusetts support the underlying bill?

Mr. KERRY. Apart from this?

Mr. McCONNELL. Yes. Would you like to see it become law?

Mr. KERRY. I think the rest of the bill is, generally speaking, acceptable.

Mr. McCONNELL. One of the concerns I have is that the President indicated to me yesterday in conversation that he is going to veto this bill. Do you agree?

Mr. KERRY. I am prepared to vote for some consolidation in a foreign organization in this bill.

Now, I personally support, in concept, what the Senator from North Carolina is trying to do.

What I am mystified by is why it is not possible, on the assumption that my friend from Massachusetts and other Democrats support this bill, why it is not possible for an amendment that would take this issue off of this bill and have it dealt with free standing. It seems to me it serves everybody’s interest, the Senator from North Carolina, the Senator from Massachusetts. Certainly it serves my interest, because I would like to see this bill become law.

I am mystified as to why we are not able to work out an agreement, particularly since the Senator from North Carolina generally offered to allow—how many more? Mr. HELMS. All of them. Mr. McCONNELL. All of them, whatever nominees may be currently pending in the Foreign Relations Committee to go forward. I am stunned that we cannot reach an agreement here because it seems to me the agreement that has been suggested serves everyone’s interests.

Mr. KERRY. Well, I know that the Senator from Kentucky is not easily stunned. So I understand that this must be one of those major legislative brouhahas. But I am not sure that it really is. I do not think it is that stupefying. At this moment in the administrat-ive process, a consolidation in a format that the administration does not accept at a level of reduction that the administration does not accept is not going anywhere.

Mr. McCONNELL. Right.

Mr. KERRY. But if, merely because the chairman holds up all the nominations, and then attaches himself to a bill that his colleagues on his side of the aisle want very badly, all of a sudden we on this side of the aisle are supposed to give up our legislative prerogative and reward the holding of hostage of all of these ambassadors with the creation of a legislative agenda that is totally contrary to the administration’s interests. I do not find it very puzzling why people would oppose that.

Mr. McCONNELL. Would the Senator yield?

Mr. KERRY. Yes.

Mr. McCONNELL. You would not be giving up a thing. Presumably, as a freestanding measure, the President would veto it and it would not become law. You would not have lost a thing. And we are with a not even marginally bi-
vote for a one-agency abolition requirement. But the Senator seems completely unwilling even to embrace the notion that we would move closer to the structure of the House on numbers or we could agree to have the START treaty come to the floor.

Mr. HELMS. Mr. President, I object to the thrust of the Senator's comments.

Mr. KERRY. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KERRY. I have always been willing to yield, by an appropriate request, to a colleague.

I would be happy to yield.

Mr. HELMS. No. I thank the Senator for his generosity, but I want the floor in my own right before I begin to discuss what the real facts are.

When the Senator is ready to yield the floor, I want the floor.

Mr. KERRY. Well, let me ask the Senator from North Carolina, if I may, if I would ask the Senator, is it not a fair representation on my part that the committee amendment that I proposed—that the Senator from Massachusetts proposed, embraced the notion of the $2 billion reduction as well as a one-agency abolition?

Mr. HELMS. That is correct. That part of it is correct, yes.

Mr. KERRY. So it is correct then that the Senator is appropriately representing that there has always been a difference in the amount of money that we have been willing to embrace as appropriate for a mandated reduction.

Mr. HELMS. But the amount in question depends on which of the conversations the Senator is referring to.

Mr. KERRY. Well, let me ask the Senator——

Mr. HELMS. With all due respect, Senator, you have been all over the map with what you have been saying.

Mr. KERRY. I am happy to have it right. I did ask the Senator, is it not a fair representation on my part that the committee amendment that I proposed—that the Senator from Massachusetts proposed, embraced the notion of the $2 billion reduction as well as a one-agency abolition?

Mr. HELMS. That is correct. That part of it is correct, yes.

Mr. KERRY. I have always been willing to yield, by an appropriate request, to a colleague.

I would be happy to yield.

Mr. HELMS. That is precisely what it is, a moving target.

Mr. KERRY. Beg your pardon?

Mr. HELMS. The Senator has been a moving target from the very beginning.

Mr. KERRY. Let me say to my friend from North Carolina, there was a conversation or three with you, Mr. Leahy, and we subsequently engaged in a conversation. I do not think I had any late-in-the-day conversations at all yesterday. The entire discussion was in the morning and in the early afternoon. I came over immediately after you and said to your able assistant that there were concerns by other Senators being expressed, and those concerns entailed whether or not we could get the full agenda of the committee liberated, and I specifically mentioned not just the START treaty but also the CWC treaty.

We were told the CWC treaty was out of the question, but the START treaty we would see. I never personally had a response with respect to the START treaty, and I do know that the administration in between that had some conversations and made it clear to the Senator that the numbers were simply unacceptable.

It seems to me that the key here is to try to see whether or not we could get an agreement on the numbers. I think we have an agreement on the rest of the framework. I am prepared to vote for a consolidation requirement—always have been; I was in the committee. But the issue is whether we are going to do it under a stricture of numbers that are so draconian that we are leaving no discretion and no capacity for the Department itself to operate properly.

And facing that, it is not inappropriate for us to be concerned about creating a freestanding entity that then could go over to the House—for instance, it could go to the House, and it could then be attached to the authorization bill in the House. The authorization bill could be what comes back, and we are faced with sort of this same round robin, unless there is some meeting of the minds.

Mr. President, I will be happy to see if we can engage in some discussion on that. In the meantime, I am prepared to yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, the exchanges on this floor sometimes may sound a little more heated than they really are. My reaction to some of the things that have been said is more amusement than anything else.

I think it is a fact that Senator Pell did not want to manage the State Department reorganization bill offered by the Senator from North Carolina and approved by every Republican Senator.

It is also true that the two senators on the Democrat side came to me and told me what a great bill this was. In addition to that, I do not think the Senator from New Jersey [Mr. BRADLEY], will object to my mentioning the conversation we had at a dinner sponsored by the Senate wives. He came over to the table where Dorothy Helms and I were seated with others, and said, "That's a great bill. I want to help you with it any way I can."

I did not realize, until Senator Pell, my good friend, one of the kindest, most gentle men I have ever known, advised me that Senator KERRY was his designee to oppose my bill, and I think Senator Pell will verify what I have just said.

Mr. PELL. Will the Senator yield for one correction?

Mr. HELMS. Certainly.

Mr. PELL. I yielded to the Senator from Massachusetts not to oppose but to manage the bill. There is a difference.

Mr. HELMS. All right, I accept that. I understood it the other way. But if the Senator remembers it the way he does, that is fine. I have no quarrel with Senator Pell. He is a thoroughbred gentleman. Always has been, always will be.

The moment that we began discussion of the State Department reorganization bill, which by the way, Mr. President, let me reiterate, five former Secretaries of State came before the committee or wrote to the committee, or both, and say, in effect, this is the greatest thing since sliced bread, it needs to be done. As soon as the markup, as we call it, began, there was one protest, one suggestion after another. I do not know how many times the distinguished Senator from Massachusetts and I went to the back room. We recessed the committee; he would make a proposition, and I would agree to it.

Then someone would insist on another concession, and another and there would always be something else, and so suggested changes that is the way it has been on this floor each time legislation comes up regarding State Department reorganization.

The truth of the matter is, Mr. President, the State Department does not like this bill—well, half of the State Department. You would be surprised, Mr. President, at how many State Department people tell us privately that they want this bill. The opposition from the bureaucrats has been vociferous because they do not want to lose their well-paying positions.

Here you have, for example, the Agency for International Development,
the foreign aid giveaway program, if you please, which has lobbied everybody in sight. They had a session down at the National Press Club where they engaged in personal ridicule. Brian Atwood for example said, “Well, Helms drew up his reorganization plan on the back of an envelop.”

Immediately the media came to me: “Did you hear what Brian Atwood said?”


That is the way it has been.

The Vice President is in charge of reinventing Government and has done so with much fanfare. He pledged that “we are going to do this, and we are going to do that.” I myself talked with the Vice President on the telephone and said, “Mr. Vice President, let’s work on something else this thing.” All we got was a little bit of doubletalk and to this day—to this day—not one scintilla has come from the reinventing office. I will tell you what they reinvented up there, or down there. They have reinvented a horse and buggy, and that is about all.

Senator Kerry came on the floor back in July—July 31. There was a concerted effort from the Democrats: “Don’t vote for cloture,” they intoned, including the three Senators—four Senators actually—who told me what a great bill it was. But not one Democrat, except the distinguished ranking member of the committee, voted for cloture. And I do not want to speak for Senator Pell, I believe I am correct in my understanding that he has never voted for cloture. There was a phalanx of opposition. They were not going to allow it to be voted on because they do not want to trim down the bureaucracy, they do not want to cut foreign aid, they would not yield to demands that we bring down our bill to the point that it was absolutely meaningless.

Now, we have moved from abolishing three agencies to abolishing two agencies to abolishing one. I believe Senator Kerry has already acknowledged that this is the case. My recollection is that he accepted the $3 billion savings provision when I offered my proposition—one agency abolition.

Mr. KERRY. Will the Senator yield for one point?

Mr. HELMS. Yes, briefly.

Mr. KERRY. The Senator said he accepted the $3 billion. The $3 billion was originally in his bill. We proposed $2 billion. So nothing was accepted.

Mr. HELMS. Mr. President, when we agreed to move it to one agency—I will ask the Senator what he recalls he said yesterday about the amount of money?

Mr. KERRY. Mr. President, I say to my friend that I did not accept the $2 billion. Steve, was there at the time. We were interested in trying to see if we could use the structure of the House numbers, because under that structure we felt there was sufficient discretion within the capacity of the administration to do the consolidating that would be required. It seems to me that given the fact that we know we are going to wind up in a conference anyway, and the House has a position, it was a reasonable proposal to try to make in the spirit of cooperation. His staff informed me, Mr. President, at that time that there was a contingency fund contained within the Helms legislation of about $125 million, and that that fund ought to be sufficient to take care of some of the concerns of the administration because it had flexibility.

So I then went back to examine that, but found, in fact, that there are other problems presented because the money is not there. So you have a serious problem if the money is, in fact, not there, No. 1. And we never actually got back to a further conversation.

Mr. HELMS. Mr. President, I cannot yield for the Senator to take a speech. Mr. KERRY. I am trying to explain.

Mr. HELMS. Please, Senator. There is no money in this amendment, none. So on what does the Senator base his conversation about that?

Mr. KERRY. After the question, the Senator is absolutely correct. There is no money in his amendment.

Mr. HELMS. That is not what the Senator has been saying.

Mr. KERRY. The money is in the appropriations bill, but it is not in the appropriations bill in the amount that the money is in the Senator’s amendment. So for us to accept his staff’s word that because it is authorized, somehow the problem goes away, is incorrect. The problem remains because the appropriators have not given us the money.

Mr. HELMS. Mr. President, maybe we are getting somewhere. I think before this exchange with the distinguished Senator from Massachusetts began, he said something to the effect, “perhaps we can get together.” Is that what the Senator said?

Mr. KERRY. I am always prepared to try to see if we can work things out.

Mr. HELMS. All right. Let us see how far the Senator is willing to go. May I ask the Senator if he is suggesting a reduction in the $3 billion savings as required in the amendment?

Mr. KERRY. Mr. President, I have suggested an alternative figure.

Mr. HELMS. I did not understand the response.

Mr. KERRY. That is affirmative. We have suggested an alternative figure and structure.

Mr. HELMS. Well, there is only one figure. There is only one figure in the amendment. Do you want to go to $2.7 million in savings as a compromise?

Mr. KERRY. Mr. President, first of all, I would love to put in a quorum call and have a moment to talk to my friend and see if we can work through it. Again, let me outline what we have suggested as a fair approach. We would like to know a date certain that the START Treaty could come to the floor and have a vote.

Mr. HELMS. Mr. President, I cannot allow my friend to take off on a rhetorical gambit. I did not mention the START Treaty.

Mr. PRESIDENT. The Senator from North Carolina has the floor.

Mr. HELMS. The Senator from Massachusetts knows as well as anybody that neither of us can set the date for the START Treaty in this amendment. The leadership will set that date, not Senator KERRY, not Jesse HELMS, not in this legislation and not in the amendment.

Mr. KERRY. Will the Senator yield for a question?

Mr. HELMS. If I know the answer, I will, yes.

Mr. KERRY. I know the Senator knows the answer to this because he taunted us with a rhetorical gambit. That is, through a unanimous-consent request, when there is this kind of a legislative impasse, you can accomplish anything on the Senate floor; is that not true?

Mr. HELMS. Well, yes, but agreements involving the scheduling of treaties has happened on either side. The Senator knows what he is doing when, at the last minute, as another feature of his compromise, he wants to stipulate when the START Treaty will start.

Mr. KERRY addressed the Chair.

Mr. HELMS. I have the floor, do I not?

Mr. PRESIDENT. The Senator has the floor.

Mr. HELMS. Let me tell you the position the Democrats are in and the administration is in. They moan and groan about the Ambassadors being held up. They remind me of the fellow who said his mother and father and then asked the court for mercy because he was an orphan. They have deliberately blocked consideration of the original State Department reorganization bill, beginning on the first day of this Senate.

Who was the Senator whom they brought in for 2 hours 12 minutes? The distinguished senior Senator from Massachusetts, who wanted to talk about the minimum wage. For the past 2 years, during his chairmanship of the relevant Senate committee, the senior Senator from Massachusetts did not even mention minimum wage.

So, obviously, a filibuster began at the beginning. The instructions had been handed down. And, yes, I am perfectly willing to clear the deck and clear all of the Ambassadors and all the rest of it to the extent I am able to. But I cannot speak for the majority leader, Bob Dole, and I will not, or for the minority leader, to work out to their satisfaction.

Let me state a few things that I will be willing to do. If the Senator from Massachusetts wants to present, representing the majority of his side, a real debate in the Senate in savings required in the amendment, we will talk about it. I want to know how much reduction they want in the savings. But I
Now, I have been provided with some figures. The moving of the quarters of the Agency for International Development for fiscal year 1994 and 1995 at a cost to the taxpayers of $14 million. That is just the move. In fiscal year 1996 it will cost another $17 million. For fiscal year 1997, another $9 million. This little temporary agency that started way back yonder is going to take 3 years to move, one bureaucratic mess to the Taj Mahal at $55 a square foot.

Anyway, let me say again for the RECORD, I will not debate further with the Senator from Massachusetts, if he decides to sit down and negotiate in good faith, and specify what he is willing to do and stick by it, he has a deal. I will either accept it or reject it in equally good faith.

I yield the floor.

Ms. SNOWE. I thank you, Mr. President.

I certainly want to join in this discussion because I think it is critical as chair of the Subcommittee on International Operations in this Senate, and I have been the ranking member of the same subcommittee in the House of Representatives for the last 10 years.

It so happens that this is the last day of this debate here today about the consolidation proposal.

First of all, I think it should be understood that the administration never submitted a State Department authorization bill. It would be helpful if I could get my knowledge and with the experience I have had on that subcommittee for the last 10 years, there has never been a case where the President has not submitted his own proposals with respect to the State Department authorization.

This consolidation issue is not something that just developed in recent days or weeks. In fact, it was first initiated by the current Secretary of State Warren Christopher, back in January, only to be rejected by the President.

Interestingly enough, the Secretary of State’s proposal for consolidating the State Department and the other agencies that we are referring to today, by Chairman HELMS, pretty much approximates what this consolidation proposal is all about.

In response to Secretary Christopher’s proposal and in rejecting it by the Senate, on February 26, Vice President Gore issued a press release announcing the second phase of the national performance review. “It is anticipated that the overall review of international affairs programs and agencies will result in savings of at least $1 billion over 5 years and a substantially enhanced capacity to deliver more effective programs overseas and provide value to the American taxpayers.”

I remind my colleagues that the administration and, indeed, the Vice President, proposed $5 billion over 5 years. This consolidation proposal is referring to $3 billion over 4 years. The $3 billion was determined by the Budget Committee, but it is less than what the administration proposed for consolidating and cutting within the State Department and its related agencies.

I think the bottom line here is that the administration is pressing on—what we are hearing today and is reflected in the comments made by the Senator from Massachusetts—is that they do not want any consolidation proposal.

I should remind you we started out consolidating three agencies, and the Senator from Massachusetts and I had a number of conversations. In fact, we had hearings at the subcommittee level and at the full committee level. This is an issue that has been discussed throughout this year.

The President does not want a consolidation proposal. We started out with three agencies to be merged into one, and Chairman HELMS recommended yesterday that we will take two agencies.

In fact, the Senator from Massachusetts, before the committee, had recommended one agency to be consolidated and merged to State Department. In fact, Chairman HELMS said he would accept that. Now we are down from three to two to one, and we are still not able to reach an agreement.

It should not be on the floor. Yes, we hope we could complete the State Department authorization bill. That should have been done long before the recess. In fact, it was here on the floor, but it was clear we were not making any progress, that a stalemate had occurred because of this consolidation proposal.

So really that is what it is all about, that the President does not want to consolidate these agencies. The President will not even submit a plan to tell us how we reach this goal of $3 billion or tell us where he stands on anything other than opposing consolidation. He does not even put forward his own proposal.

So we have to move forward because the American people deserve to have a more innovative approach to the problems we are facing. They certainly deserve to have consolidation and savings within the State Department. We want to do it on a reasonable basis. I think going from three agencies to consolidate to two, to one is a very fair compromise. It is more than compromising. Yet we do not seem to be making any progress.

Over this last year we were told time and again, “We want to work with you to produce an agreement.” We started out last winter, we had our hearings, we had more hearings because they thought we needed to produce an agreement. We were told that we needed to produce an agreement further. And I say that is fair because this is serious business. We do not take this consolidation lightly. We do not say we have all the right answers with respect to this matter; we could not be that far off the mark since Secretary of State Warren Christopher proposed essentially the same proposal for consolidating.

I think the bottom line here is that the President is pressing on—what we are hearing today and is reflected in the comments made by the Senator from Massachusetts—is that they do not want any consolidation proposal.
Then it came to the committee markup, and the Senator from Massachusetts did propose an alternative at the last minute but we said again “Let’s work before we go to the floor.”

We went to the floor and nothing happened until the next day, and it was clear we had to move on to other subjects pending before the Senate. So here we are now on the appropriations bill.

What we would like to know is, how do we move beyond this so we can solve this question, complete the State Department authorization, and also do what we need to do with respect to savings? We have to achieve $3 billion in savings, and that is the issue here. I cannot believe that the President would oppose consolidation within the State Department. There are five former Secretaries of State and former National Security Advisers who have endorsed this proposal. That represents many years of experience with respect to the savings. I cannot believe that the President would oppose consolidation within the State Department. There are five former Secretaries of State and two former National Security Advisers who have endorsed this proposal.

I have long advocated better coordination among the executive branch agencies and foreign policymaking. I have done that in both Democrat and Republican administrations because both Democrat and Republican administrations have had problems in such interagency coordination today as well. What we see here would result in U.S. national interests being less well, not better, served.

Why is the Foreign Agriculture Service administered by the Department of Agriculture? The Senator from Vermont asked that question in his amendment. Why? Because farmers know they can count on USDA to represent their interests better than the Department of State. And all experiences have proven that.

Why, 15 years ago, did we take the commercial function away from the State Department and create a foreign commercial service in the Department of Commerce? It was because State had for years neglected export promotion. They would sacrifice export interests to foreign policy priorities. They treated their own commercial officers as second-class employees, and it was because the American business community demanded we do something better.

The reason we have separate Foreign Service bureaus is that many of our foreign policy interests are actually domestic policy interests and they are best pursued abroad by technical experts from domestic policy agencies, not by foreign policy generalists from the State Department. You go to the domestic policy agencies that know a particular area and send them.

I do not know about North Carolina farmers or Maine farmers but Vermont farmers are not all anxious to see the State Department expand its influence over U.S. foreign agricultural policy. If you shift power from domestic agencies to the State Department, that is not going to strengthen representation of United States interests and United States policy, but it will strengthen representation of French interests and Argentine interests and Russian interests and interests of other parts of the world.

I have been advocating reform of our foreign aid program ever since the fall of the Berlin wall so I am happy to see a discussion of this issue. Sponsors of the amendment say our foreign aid program should further our national interests. I do not know anybody who agrees more with that than I do. But I do not agree with the definition of the problem.

The problem is not that the Agency for International Development Act is not strong enough; it is how ignoring America’s national interests. The problem is, since 1961—going back to a time before I was old enough to vote—and when the Foreign Assistance Act was enacted, much of our foreign aid was allocated to winning allies in the cold war against the communists. Billions went to rightwing dictatorships with little or no commitment to democracy or improving the living conditions of their people or even allowing business competition—either our business competition or their own business competition.

So a lot of that aid failed by standards that we, all of us, would apply today. But it is unfair and I believe it is even disingenuous to judge AID’s efforts to improve U.S. interests better than the Department of State. And all experiences have proven that.

I think the amendment ignores the considerable efforts of administration to improve AID’s performance. There have been years of neglect—we all have to admit that—under the previous administration. But, with Brian Atwood at the head of the AID, with the efforts of an awful lot of people and with the support of an awful lot of Members of Congress, Republican and Democrat alike, there have been significant improvements.

Over the past 2 years, we have seen dramatic progress at the Agency for International Development and the Treasury and State Departments in redefining our foreign aid priorities. They focus resources where they can achieve the most advance in U.S. interests abroad. They have done that, in spite of the constraints of an obsolete Foreign Assistance Act—as I said, a Foreign Assistance Act that passed later in that year when I finally became old enough to vote. It has been a long time. That could require some changes.

We are not going to do it in the appropriations bill. As I said before, it would be like trying to reorganize HUD on the District of Columbia appropriations bill. We have enough trouble trying to take care of the problems of the District of Columbia.

Here we have major issues. Chairman Moynihan and I and others on both sides of the aisle have worked very closely to try to improve things and try to work within the constraints of the amount of money we have for those
I might put it a little more bluntly. The State Department specialty is making policy. It has never—and probably never will—manage these kinds of programs well. Secretary Eagleburger offered the hope that with Cabinet selection of Under Secretaries it might actually work to better serve this sprawling bureaucracy that is doing reasonably well and getting better every day at delivering foreign aid with one that has no competence or outside chance that it might get better. If we disperse the responsibilities among Assistant Secretaries of State, we are going to hear more stories about misguided failed projects—not fewer—and more questions about why we have foreign aid—not fewer.

AID performs a wide array of tasks that enjoy overwhelming support among the American people. Every year they managed programs worth $1 billion aimed at protecting the Earth’s environment. Does protecting the Earth’s forests and atmosphere matter to us Americans? Why, it should. Does it further our foreign policy interest? Of course, it does. A century from now we are not going to have any foreign policy unless we join other countries today in protecting our environment because we will be spending all of the time just trying to stay alive in an environment not suited for the habitat of humans.

Every year AID manages hundreds of millions of international health programs. Is this money wasted? Is tuberculosis infectious? Is AIDS infectious? Of course, they are. Tuberculosis just does not sit in one country. AIDS just does not sit in one country. They go worldwide. I tell you right now. There are 250 million Americans who will tell you unequivocally that we can do things to try to wipe out these diseases worldwide so they do not come across our borders they would be for it.

Every year AID commits a large part of its budget to promoting free markets and democratic development in countries where the United States has important interests. That is not diplomacy. It is hands-on assistance that requires people with special expertise on the ground who can get the job done, working with foreign governments and private organizations on the nuts and bolts of solving real problems. That is what AID does.

When we get those free markets going, when we get that democracy going, do you know who profits by it? Many, many times companies in my State, and the other 49 States, because they export. We all know that we are getting far more exports, and a far greater increase in our exports, I should say, in the developing world than we do in the developed world. The greatest percentage of new export jobs are created in exporting to the developing world than in the developed.

We have a strong need to rewrite the Foreign Assistance Act. We define the framework for foreign aid. That is the job of the Foreign Relations Committee. They had an opportunity earlier this year to do that. I suspect that they will work at it again, and will bring it to the floor. And we will have a real debate, and we will agree with some disagreement, but finally the Senate will work its will on such legislation; but not on an appropriations bill.

AID can continue downsizing and improve its efficiency. Let us not abolish an agency that is aggressively adapting itself to the changed world we live in to a shrinking foreign aid budget.

Mr. President, I strongly hope that this legislation will not be considered on this bill. The distinguished leadership can bring it up as an authorizing piece of legislation if it wants. We can argue and debate other things. Let us get our appropriations bill through. If we stick to the items that are within the jurisdiction of the Appropriations Committee, if we vote on matters that are within the jurisdictions of the Appropriations Committee, if we vote on matters that are actually part of this bill, why, we could be done before the Dracula hour of legislation.

My colleagues, the Dracula hour is what I refer to as the time when too often we end up voting. Those are the hours after darkness when people who work for family-friendly organizations tend to see their families. And those who want to be home tend to be there. Where we with a sense of camaraderie and perhaps people who do not have families tend to stay here together eagerly looking forward to vote after vote into the wee hours of the night.

Frankly, Mr. President, if we could just talk about appropriations matters on this, we could all go home for supper tonight. Think what a novel idea. Think of opening the door and having people say, ‘Oh, you look so familiar. Didn’t I see your picture in the paper once?’ To have, if you have one, a pet responding perhaps with some dim memory of who you are, and not bite your neighbors look out and say, ‘I know him’ or her.

Perhaps they might even ask for an autograph, or at least not call the police thinking you are a stranger.

It would be wonderful it would be and we would probably have a good piece of legislation.

I see the distinguished Republican leader on the floor. I see others seeking the floor.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER (Mr. DeWINE). The majority leader.

Mr. DOLE. Mr. President, I think the Senator from Rhode Island is also seeking recognition.

I am going to offer an amendment and make a brief statement, and then I think there will be statements made in support of my amendment in opposition. I ask unanimous consent that all pending amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.
Currenty, there is one country that is clearly affected by this legislation. Turkey, a valuable ally in NATO and in Operation Desert Storm, continues to receive a large amount of assistance in the form of grants and concessional loans financed by the American taxpayer. At the same time, however, they continue to enforce an immoral blockade on Armenia.

Mr. President, today marks the fourth anniversary of Armenia’s independence from the Soviet Union. We as Americans welcome their independence and through our humanitarian efforts strive to help this fledgling democracy grow and prosper. Their road has not been an easy one, but the United States has been willing to provide the assistance they need. The delivery of humanitarian assistance to aid those in need is consistent with the fundamental values of our Nation. This legislation will also strengthen our ability to deliver humanitarian assistance, which, as I stated before, is an important component of our foreign policy.

Just let me conclude by saying it does not make sense to offer U.S. taxpayer dollars unconditionally to countries that hinder our humanitarian relief efforts. And in light of budgetary constraints, it is imperative that U.S. relief efforts be timely and efficient. The Federal budget deficit and spending control are the highest priorities. If we are to maintain our maximum efficiency in the usage of U.S. foreign assistance and no doubt about it, countries that prevent the delivery of such assistance or intentionally increase the cost of the delivery of such assistance do not deserve unrestricted American assistance.

I urge my colleagues to support this amendment, not for partisan politics, but for the belief in the fundamental values this Nation is built on. Let me reemphasize that in addition to Senator Simon, Senator Helms, Senator Hatfield, Senator D’Amato, Senator Feinstein, and Senator Carol Mosley-Braun be added as cosponsors.

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

Mr. DOLE. Mr. President, I rise today to thank my colleagues for their support of the Humanitarian Aid Corridor Act. The amendment that has been offered, I think, is clear and precise, not very long. We just had it read. It has strong bipartisan support, and it furthers an important American foreign policy objective, which is to facilitate the prompt delivery of humanitarian aid.

The amendment, which overwhelmingly passed the House, prohibits U.S. foreign assistance to countries that impede or prohibit the delivery or transport of U.S. humanitarian assistance to other countries. This legislation also recognizes there may be a compelling U.S. national security interest which would override the principle of non-interference with humanitarian aid.

For this reason, U.S. foreign aid to nations in violation of this act may be continue. And in addition to the United States determines that such assistance is in the national security interest of the United States.

Let me say, Mr. President, this bill does not single out or exempt any one country. All nations are held to one standard. The intent is simple, to ensure that American humanitarian aid can be delivered where it is needed and when it is needed.

Mr. DOLE. I see my primary cosponsor, Senator Simon, is in the Chamber, and I yield the floor.
to say I was a little appalled when, I guess about 2 years ago, I flew to Armenia with colleagues in the Senate and we could not fly over Turkey, after all the aid we have given Turkey. We had to go around to get to Armenia. But when you get there, you see the countryside are wonderful places taken down, what once were beautiful trees on great avenues, because they are desperate for fuel. It is a tough situation. 

Ironically, Turkey would benefit economically by entering into normal diplomatic and trade relations with Armenia. Azerbaijan wants to have an oil line going from Azerbaijan, through Armenia, through Turkey to supply the world with oil. Turkey benefits. Armenia benefits. Azerbaijan benefits. This is not an anti-Turkish resolution, but it does say in simple words, if you get American aid, you cannot stop humanitarian assistance to another country.

That has been what Turkey has been doing. I regret that. Turkey has been a valuable ally. I am old enough, perhaps unlike the Presiding Officer; I can remember the Korean war very well when Turkey was one of the few countries that provided needed assistance. In many ways I feel grateful to Turkey, but I believe the message beyond this is that Turkey ought to be getting along better with her neighbors. That means Greece, that means Armenia.

But the principle that is in this legislation is sound: You do not get American foreign aid if you block humanitarian assistance to a nation that needs it. I am pleased to be a cosponsor. And I hope the Senate will overwhelmingly accept the amendment.

Mr. COCHRAN. Mr. President, I hope this amendment will not damage the longstanding alliance between the United States and Turkey.

Located in one of the most volatile regions of the world, bordered by Greece, Bulgaria, Iraq, Iran, Syria, and several former Soviet Republics, Turkey acts as a stabilizing force in the region. She has stood with the United States in all its conflicts since the Second World War, from the Korean war to the gulf war. She was the bulwark of NATO’s southern flank during the cold war, defending 37 percent of the NATO-Warsaw Pact land frontier, as well as her Black Sea coast and the straits connecting Soviet access to the Mediterranean.

Turkey is connected geographically, ethnically, or politically to the problems of Iraq, Iran, Armenia, Azerbaijan, Bosnia, Cyprus, Greece, Bulgaria, Russia, Tajikistan, Syria, and Islamic fundamentalism. As one journalist has written, “Turkish foreign policy today is a 360-degree nightmare.” Now more than ever, the United States should work with Turkey as she continues to be the strong bridge between the Mediterranean and the Near and Western orientation serving as a model for many of the republics of the former Soviet Union.

I believe that both Turkey and Armenia recognize their need to lessen tensions and to cooperate with the United States to resolve regional problems, including the Armenian-Azerbaijan conflict over Nagorno-Karabakh. As a good will gesture toward Armenia in April 1995, Turkey opened an air corridor connecting Erzurum to Yerevan, previously closed for 2 years. I hope that Armenia will reciprocate and that the process toward improved relations—already well under way—will continue.

Mr. FEIHTER. Mr. President, I rise today in support of the proposed amendment to prohibit U.S. assistance to countries that prohibit or restrict the transport or delivery of U.S. humanitarian aid. This is a basic matter of principle: No country should have the right to interfere with the delivery of humanitarian assistance anywhere. When the United States provides food, medicine, and clothing to suffering civilian populations, in response to war or natural disaster, there is simply no justification for a country to block this assistance, especially when that country receives assistance from the United States itself.

The United States goes to great lengths to ensure that nations in dire need for humanitarian aid receive it in the most expedient and efficient way. Supplying humanitarian aid to people in need is consistent with the basic values of our Nation, and we should not ignore this if we hinder its delivery.

This amendment should apply to all countries which receive U.S. assistance. However, as we all know, the major problem in this area today lies with Turkey’s blocking of United States humanitarian aid to Armenia, a contemptible practice which has gone on for over 2 years.

While Turkey has made some progress on this issue, agreeing to open an air corridor to Armenia, this does not end the problem of humanitarian assistance which must be transported over land. The bulk of the assistance we send to Armenia requires such land conveyance.

It is my hope that the administration will work with Turkey to ensure that all routes available for bringing humanitarian aid to Armenia are opened. Opening an air corridor is only the first step toward resolving this serious problem. Perhaps by working with Turkey on this issue, we can help to avoid ever having to impose the aid cutoff called for in this amendment.

It is important to note that this amendment includes a national security waiver, thereby recognizing the fact that there may be compelling national security interests which require U.S. assistance to countries even when the recipient is blocking humanitarian aid to others. This waiver also appropriately preserves the President’s prerogative to conduct U.S. foreign policy. It is an important United States ally, and I realize that assistance to Turkey is an integral part of our foreign policy to ensure regional security in that part of the world. However, we simply cannot continue to assist Turkey, or any other nation, which impedes the delivery of humanitarian aid to others. Again, this is a matter of principle, and it is my hope that my colleagues from both sides of the aisle will support it.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

REORGANIZATION AND THE FOREIGN RELATIONS COMMITTEE’S BUSINESS

Mr. PELL. Mr. President, earlier today some statements were made on the floor of the Senate concerning the proposed reorganization plan for the State Department. The suggestion was made that Democratic Members—specifically those on the Foreign Relations Committee, are responsible for holding up the processing of Ambassadorial nominations and other business by delaying the passage of the reorganization plan.

I think that suggestion warrants a response. Why? The reorganization plan at issue is not a bipartisan plan. I only wish it was. Its existence was made known only yesterday. It was crafted without the knowledge or input of even one Democratic Member. Already, it is clear that there are serious differences and much disagreement about the plan.

I have other thoughts about this plan which should be expressed later.

But I just wanted to respond to the suggestion that somehow it is the Democratic side of the committee that is delaying the consideration of nominations, legislation, treaties, and other important matters.

The truth is that there is not, nor has there ever been, a Democratic hold on the Foreign Relations Committee’s business. It is entirely the prerogative and within the power of our Republican colleagues to resume the committee’s business. The halt in activity is an attempt to force an amendment that is supported and written and endorsed by our Republican colleagues to resume the committee’s business. It is entirely the prerogative and within the power of our Republican colleagues to resume the committee’s business. It is entirely the prerogative and within the power of our Republican colleagues to resume the committee’s business. It is entirely the prerogative and within the power of our Republican colleagues to resume the committee’s business.

Mr. President, during the years that I chaired the Foreign Relations Committee, I always tried to move every nomination and conduct business in both a timely and collegial fashion. Never—never—during those years—and I can recall those times on the committee—since 1964—can I recall a time when the committee was stopped dead in its tracks to force the consideration of a controversial measure. I do not think that is a proper way to conduct business and a tactic I have always—always resisted using over a great many years.

I would hate to see it being used now, and the Senate becoming a battlefield, saying some of the Members will not do what they were hired to do, plus the treaty, plus the nomination, and in the meantime say, “We will not do what we are
supposed to do until you do what we want you to do.” And I think it is a bad precedent.

I would hope that the Senate turns it down.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 2796

Mr. LEAHY. Mr. President, I understand to have one or two others who might want to speak—that we may not have any others that want to speak on the pending amendment.

Am I correct, Mr. President, in understanding that the pending amendment is the Dole amendment on humanitarian corridors?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, I agree with the distinguished Republican leader on this amendment. In fact, I would ask to be named as a cosponsor of the amendment.

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

Mr. LEAHY. Mr. President, one of the greatest things the United States can do as a country with worldwide reach is to help in humanitarian matters. We are very, very fortunate as a country to see if the allies do, we should not be blocked from giving that humanitarian aid because we give it to advance a political agenda of the people aided or of our own. We do it to help people suffering.

So this amendment is not intended to embarrass or cause problems with Turkey or any other country. It is a matter of principle. It says that the people’s needs should not be denied aid for political reasons. We have given aid.

I remember a time even during the cold war when those allied with the Soviet Union who were in need, and the United States, like our allies, responded to the need and we gave it to them.

It is like a ship hearing another ship in distress. You do not ask what they need, you say they are under distress, and we go to help them.

So, I would say to any of our allies who may be concerned about such an amendment, this is not intended to embarrass you. It is intended to carry out what has always been the policy of the United States. People desperately need help. If we can help, we do. We do this in Vermont. If a neighbor’s house or barn is on fire, or they are suddenly incapacitated, we go to help. We do this as world neighbors, too.

Mr. President, I would hope that the amendment would be accepted. And while we have others coming, I was going to put in a call for a quorum, although I see the distinguished chairman on his feet. I yield to him.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I am unaware of anyone who wants to speak on this side, nor am I aware of any calls for a quorum. While we check to see if there are others coming, I was going to put in a call for a quorum, although I see the distinguished chairman on his feet. I yield to him.

Mr. LEAHY. Mr. President, I ask unanimous consent that all pending amendments be laid aside temporarily.

The PRESIDING OFFICER. Is there objection?

Mr. PELL. There is objection.

The PRESIDING OFFICER. Objection is noted.

Mr. HELMS. In that case, I will discuss the amendment. I can certainly do that.

The PRESIDING OFFICER. That is in order.

Mr. HELMS. Mr. President, let me read the text of the amendment that I shall offer presently. It is entitled, “Prohibition on use of funds for relocation of Agency for International Development to Federal Triangle Building.”

Section 577. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this act for the Agency for International Development, or any part of that agency, to the Federal Triangle Building in Washington, District of Columbia.

When I send this amendment to the desk and it is stated, the Senate will have before it a rather interesting set of circumstances. While the Senate Foreign Relations Committee was busy approving legislation to abolish the Agency for International Development, this very same entrenched bureaucracy at AID was preparing to spend $40 million to move its offices into some of the most expensive real estate in the entire Washington area.

Apparent, AID officials must believe they are playing with Monopoly money, and that the Agency for International Development has just landed on Boardwalk.

In any case, the building known as the Federal Triangle and dubbed by one of the Washington newspapers as “a blueprint for a boondoggle,” was originally supposed to cost $362 million. But its cost ended up being in the neighborhood of $700 million. Tom Sherman, former Assistant Administrator at the Foreign Services Administration called it “the project from hell.”

Yet, despite congressional efforts to abolish the Agency for International Development, that agency now intends to burow in at this plush, new Taj Mahal on Pennsylvania Avenue, further isolating itself from the Department of State.

(Mrs. HUTCHISON assumed the Chair.)

Mr. HELMS. Now, you will recall, Madam President, that early on I referred to the fact that five former Secretaries of State have endorsed—and now Senator Dole has joined in sponsorship—my plan was to reorganize the State Department and to abolish three independent Federal agencies. When I say independent, I mean independent.

All three of these agencies were established as temporary Federal agencies. As I said earlier today, there is nothing so eternal as a temporary Federal agency. The Agency for International Development is one of the three agencies that would be abolished under my plan to reorganize the
Mr. HELMS. Madam President, I am not going to do that.

Mr. LEAHY. Further parliamentary inquiry.

Mr. HELMS. I have not yielded the floor yet.

I am perfectly willing, for my part, to offer my amendment as a second degree to the otherwise pending Dole amendment, of which I am a cosponsor, by the way.

But I think I ought to do him the courtesy of asking if he has any objection to that.

Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The bill clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. LEAHY. Without objection, it is so ordered.

Mr. BYRD. I shall not detain the Senate long. I apologize to Senators for the delay, but I have to say that there are too many things happening today.

I am tied up in the appropriations conference on the Transportation appropriations bill when I understood that Mr. Dole had offered his amendment and hoped to have a vote soon.

Therefore, with that explanation, I shall proceed now to what I have to say otherwise.

Senator Dole has offered an amendment which, although it does not spell out by name the country Turkey, it is clearly aimed at Turkey. The amendment, a repeat of S. 230, the Humanitarian Aid Corridors Act, cuts U.S. assistance to countries that “prohibit or restrict the transport or delivery of United States humanitarian assistance” to other countries. It is clearly aimed at Turkey’s refusal to allow aid to pass through Turkey to Armenia.

I would like to say I have been listening to statements that have been made and I would like to, as Paul Harvey says on the radio—or used to say—I do not get a chance to listen to him any more—tell the rest of the story. Why does Turkey restrict the passage of aid to Armenia? Or, I should say, why did Turkey restrict the passage of aid to Armenia, since Turkey opened the air corridor from Erzurum to Yerevan on April 20, 1995, subject to the establishment of direct communication links and an aviation protocol between the two countries?

Prior to 1993, Turkey allowed hundreds of tons of third party assistance to pass through its territory and air space to Armenia. The conflict in Nagorno-Karabakh, an autonomous region of ethnic Armenians located within the Republic of Azerbaijan, escalated the conflict in Nagorno-Karabakh, an autonomous region of ethnic Armenians located within the Republic of Azerbaijan. But that is not the goal of the Agency for International Development Development. AID, obviously, intends to go in exactly the opposite direction. Right now, AID pays $20 million for its leases in the DC area, but after the move, AID will spend more than $32 million a year in rent. So this move would, in fact, increase the taxpayers’ money—

So let me explain why this move will be so costly to the American taxpayers, 80 percent of whom do not like the foreign aid program anyhow. On the chart next to me is the cost of USAID’s luxury building offices. The average cost of office space, per square foot, is $37 in DC, $23 in Northern Virginia, and $20 in suburban Maryland. Had the Agency for International Development chosen one of those sites. But, oh, no, AID chose the luxury building that cost the average cost to lease in either Virginia or Maryland is less than $20 per square foot. Even in central Washington the going rate for leasing space is $37 per square foot. But, at this moment, under the terms negotiated by the Agency for International Development and the General Services Administration, AID intends to lease the Federal Triangle building for a minimum—that is a minimum—of $55 per square foot, which is far more than any private business in Washington would agree to pay. It does not take a rocket scientist to perceive that the people at the Agency for International Development have been snookered in this deal—whether they knew it or not is yet to be determined.

More shocking, I suppose, is that the Agency for International Development intends to lease a substantial amount of what it calls structurally-changed space for more than $97 per square foot, and that is three times the fair market value of this space.

So, Madam President, while some of us in Congress are working to abolish the Agency for International Development, the Agency for International Development, itself, has been busily figuring out ways to spend even more Federal Government money—meaning the taxpayers’ money—with this new move into a hot district.

So I say, Madam President, I hope the Senate will vote to give the taxpayers a break for a change. The Agency for International Development neither needs, nor deserves, to be an occupant of a Taj Mahal. This facility, by the way, is the second largest in the Pentagon being the largest.

Now then, Madam President, I send my amendment.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The pending question is the Dole amendment.

Mr. LEAHY. Does that have to be set aside, or is this an amendment to the Dole amendment?

Mr. HELMS. It was set aside. I inform the Chair.

Mr. LEAHY. The understanding of the Senator from Vermont is that it was not set aside.

The PRESIDING OFFICER. I am told by the Parliamentarian that the Senator from Rhode Island objected to the Dole amendment being voted on until the pending business is still the DOLE amendment.

Mr. HELMS. I think what he objected to—but I will not contest the issue—was my sending the amendment to the desk. If that is the Chair’s ruling, fine. But, Madam President.

Mr. LEAHY. If the Senator will withhold, let me explain the situation, the way I understand it.

Madam President, I do not want to stop the Senator from bringing this or any other amendment up, unless it is something that requires a point of order. But we have one amendment pending, and that was set aside to take up an amendment by the distinguished Republican leader. I would like to start getting some of these things that are backed up here voted on one way or the other. I would like to get the humanitarian one done and then go to others.

I say that only because I am afraid we will keep having amendments after amendments out here in either 9 o’clock or 10 o’clock tonight when everybody will be coming to the distinguished Senator from Kentucky and myself saying, ‘‘When will we go home? On the outside chance we will see our family again.’’ and then we start voting.

I know that is not the intent of the distinguished Senator from North Carolina, but I wonder if maybe we could get rid of the one that is there once the Senators who wish to speak on it do, and then go on to more.

I know that an objection was made by the distinguished Senator from Rhode Island, and I will at least for the moment—I am sure the Senator from North Carolina understands we have to protect the objection.

The PRESIDING OFFICER. I am told by the Parliamentarian that the Senator from North Carolina could offer a second-degree amendment to the Dole amendment without unanimous consent.

Mr. HELMS. Let me ask a parliamentary question of the Chair. I know the answer before I ask.

Suppose I should call for regular order?

The PRESIDING OFFICER. If you call for regular order, the question would be on the Senator’s first amendment, No. 270, which is pending to the Dole amendment.

Mr. HELMS. I am not going to do that.

Mr. LEAHY. Further parliamentary inquiry.

Mr. HELMS. I have not yielded the floor yet.

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Republic of Azerbaijan, Azerbaijan and Armenia are both neighbors of Turkey. Currently, more than 20 percent of Azerbaijani territory is occupied by Armenia, and one of every seven Azerbaijanis is a refugee in his own country. Now, the official U.S. reaction was to condemn the Armenian offensive, which undermined the CSCE-sponsored—Conference on Security and Cooperation in Europe—CSCE-sponsored peace process. Human rights groups have documented the widespread human rights abuses against Azerbaijan. In February 1995, the Human Rights Watch/Helsinki group published a 118-page report on the subject, entitled “Azerbaijan: Seven Years of Conflict in the Nagorno-Karabakh.” Madam President, if human rights were the real issue here, perhaps aid to Armenia should also be reduced.

So, I say this just to say that this is a matter that is so more complicated than has been presented thus far. The government of Turkey is not to be said to be acting capriciously. It has responded to the concerns of its own citizens, who are culturally closer to the Azeris than to the Armenians. Public opinion in Turkey, something that we respect, a great deal in this country, would not support assistance going to Armenia. Humanitarian aid to Armenia, which would allow that nation to concentrate on a military offensive in Azerbaijan while still addressing the needs of its own people, while Azeris were being turned into refugees, simply could not be tolerated. Cutting off the passage of aid was a political decision, designed to help push for the end of the conflict between Armenia and Azerbaijan as quickly as possible. This is not unreasonable, but it is understandable.

I would also note, as an aside, that Armenia is slated to receive $85 million in U.S. assistance from this bill. However, as the House unanimously noted, Armenia’s cooperation in allowing humanitarian aid to reach Azerbaijan, it is not entirely clear that Armenia will not also be caught in the net that is being woven in this amendment for Turkey.

Finally, I would like to again remind my colleagues of the many sound reasons the United States has for maintaining a strong relationship with Turkey. I have only yesterday noted the unique role Turkey as a moderate, predominately Muslim nation, a representative democracy in a region that is increasingly becoming radicalized and extremist. Turkey was among the first nations to recognize Israel, and it has been an example and a supporter of peace in the Middle East.

Turkey is also a member of NATO, and during the Cold War was responsible for defending 37 percent of the NATO/Warsaw Pact border, along the strategically critical Southern Front. Turkey continues to maintain a large military, like the United States, but unlike most other NATO allies. This military security allowed Turkey to stand bravely with the West, in the face of some internal opposition, against Saddam Hussein, and all this despite a 331 kilometer border with Iraq. Turkey has paid the price for that cooperation. It closed the oil pipeline from Iraq, losing millions in revenues. It has supported the economic sanctions against Iraq, previously its second largest trading partner. It made quite a sacrifice in doing that. Over 2,700 Turks were taken hostage in Iraq, originated in Incirlik, Turkey. Since the war, over 23,000 sorties flown over Iraq to protect the Kurds in northern Iraq have been flown from bases in Turkey. The U.S. Operation Provide Comfort to support the Kurds in Iraq would not be possible without the support of the Turkish government and its people.

Both Secretary of Defense Perry and Chairman of the Joint Chiefs of Staff, General Shalikashvili, have written letters in support of a continued strong U.S.-Turkish relationship. A continued strong relationship with Turkey is in our interest. It is in the interests of the Middle East. Other restrictions in H.R. 1561 would restrict our ability to contribute to security interests.

Poorly disguised pro-Armenian, anti-Turkish amendments and bills serve only to undermine the support that the United States needs to serve our interests in the region. It is in the national interest of Turkey. It is in the interests of Greece. It is in the interests of Israel. It is in the interests of Cyprus.

I ask unanimous consent to have printed in the RECORD the letter from Mr. Perry, dated May 24, 1995, in which letter Mr. Perry states the following:

I am also disturbed by some provisions of H.R. 1561 which would impose unnecessary restrictions on the ability of the President to conduct U.S. military logistical involvement and possibly direct intervention, with escalating military and human costs. The costs of such policies are borne primarily in the DOD budget at the expense of readiness.

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I am also disturbed by some provisions of H.R. 1561 which would impose unnecessary restrictions on the ability of the President to conduct U.S. foreign policy. Its prohibition on assistance to countries which in any way restrict the flow of U.S. humanitarian aid would unduly damage our important security relationship with Turkey. Cutting off security assistance to this important Western-style democracy would only hurt our efforts to contain the Middle East. Other restrictions in H.R. 1561 would hinder our ability to implement and fund the Agreed Framework with North Korea, under-cutting our achievements in preventing the spread of nuclear weapons. Finally, H.R. 1561 would restrict our ability to contribute to international organizations which can help shield our security interests.

I appreciate the support for military assistance activities, particularly IMET, included in H.R. 1561. However, for the reasons stated above, I would recommend that the President veto the bill if it were presented to him in its present form.

Sincerely,
WILLIAM J. PERRY.

Hon. Sonny Callahan, Republican appropriations Committee, Washington, DC.

DEAR MR. CALLAHAN: Thank you for the opportunity to provide my views on the military aid section of the bill. Now that Turkey occupies the new front line in the post-Cold War era, the strategic value to the United States of having a staunch and steadfast ally situated in a critical strategic location in the flanks and Middle East cannot be overstated.
Turkey has had a tradition of supporting Western interests over the past 50 years. From 1950 to 1953, Turkey provided a 4,500-man infantry brigade to join the United States in the South Korean War. Turkish forces fought with enormous valor and distinction. Turkey was also the bulwark of NATO during the most dangerous year of the Cold War, defending 37% of the NATO-Warsaw Pact land frontier, as well as Turkey’s Black Sea coast and the straits controlling access to the Mediterranean.

During Operations Desert Shield and Desert Storm, Turkey was a stalwart supporter of the United States and coalition efforts. Turkish forces fought with enormous valor and displayed the deployment of Joint Task Force Proven Force fighters and other aircraft to Incirlik Air Base. The Turks also conducted missions against Iraq from Incirlik—all 2,700 sorties were flown from Turkish territory. The Turks paid a heavy price for their support of the coalition during the Gulf War, due not only to the closing of the Turkish-Iraqi oil pipeline but also as a result of sanctions against Iraq, formerly Turkey’s second largest trading partner. As of 19 June, the coalition has flown over 23,000 sorties out of Incirlik in support of humanitarian operations protecting the Kurds of northern Iraq. Further, Turkish military assistance to our humanitarian operations in Provide Comfort would have long since been terminated and Saddam Hussein would have subjugated the Kurds of northern Iraq.

Additionally, the Turks have stood with us in Somalia, contributing 350 troops and the commander of the military elements of the U.N. force after U.S. forces withdrew. They also support current operations in Deny Flight and Sharp Guard with over 1,500 troops in Bosnia. Turkey represents a positive role in the Middle East peace equation and uses traditional influence with the Central Asian Republics to spread democracy, secular principles, and to promote market-based economies. In our endeavors to reduce tensions in the Aegean between Greece and Turkey, Turkey’s continued participation NATO as a strong ally of the United States and a faithful and capable partner in NATO operations is of great importance as our security arrangements evolve in Europe. Next to the U.S., Turkey maintains the largest standing army in NATO. We have encouraged Turkey to continue to modernize and remain a strong ally of the U.S. that helps us in NATO.

The United States is pleased to note that the government of Turkey has decided to reopen an air corridor to Armenia. This should help the flow of humanitarian aid to Armenia. It represents the first concrete step in what appears to be a warming trend in Turkish-Armenian relations, and can help further efforts for peace in Nagorno-Karabakh and stability in the region.

Mr. SIMON addressed the Chair. The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SIMON. Madam President, let me respond just briefly to my friend from West Virginia, and he is my friend. I have tremendous respect for him, and he gives us a historical perspective not only in the Senate but from the centuries. If you visit the Simon household you will see in one of the rooms a reproduction of a painting by a young Robert Byrd done some years ago. I forget the year. I am sure Robert Byrd could tell us the year of that painting.

Mr. BYRD. It would have to be at least, Madam President, 100 years ago for me to have been young.

[Laughter]

Although I feel that my spirit is still young.

Mr. SIMON. But let me, Madam President, respond to what Senator Byrd had to say. When he called this a poorly disguised anti-Turkey amendment, both Senator Dole and I mentioned in discussing the amendment initially that it would immediately affect Turkey. There has been no attempt to hide that. Though the principle, we think, is sound, a nation that denies humanitarian assistance to another nation should not get American foreign aid.

On the situation in Karabakh, I have not visited that region. I have visited Yerevan, the capital of Armenia, and Baku, the capital of Azerbaijan. Karabakh is a region where the large majority of people are Armenian by heritage. Again, I say this as someone who has not visited the area, but there is a division of opinion within Karabakh. Some of them want that as an independent country. Some of them want Karabakh to be part of Armenia. We, as members of Congress, feel that while clearly the sympathy and public opinion in Armenia is powerful just as it is in Turkey—Senator Byrd mentioned public opinion in Turkey—the Government of Armenia has assisted by providing electricity to Karabakh, and there is at least the strong possibility, maybe a probability, that they have provided some weapons to assist the government there. Whether that has been done by the government or whether it has been done surreptitiously just by volunteers I frankly do not know. But there is in that region now a cease-fire, and there is movement toward negotiation.

There have been small steps forward. And one of the small steps forward was mentioned by Senator Byrd in referring to the Prime Minister of Turkey—and right now the Prime Minister of Turkey is trying to reorganize the Government of Turkey, as I am sure Senator Byrd is aware. But she has shown some small steps toward reconciliation with Armenia. We ought to be encouraging those small steps, and other steps to be taken. That is the aim of this resolution.

Mr. BYRD. Will the Senator yield just at that point?

Mr. SIMON. I am pleased to yield.

Mr. BYRD. We should be encouraging additional steps. I am just not sure that this is the way to go about it.

Mr. SIMON. That is where my friend and I differ. I think this is a way to send a message, and as the Senator from West Virginia has pointed out, we have flexibility as a Senate. The President can negate this. The President can say it is in our national interest to go ahead despite this violation. So I think it is wise.

One other point Senator Byrd makes that I think is a point which we should keep in mind—not only in this but in other things. Turkey is predominantly a Moslem country. We are going to have to be more sensitive to the Moslem world than we have been. We have in the United States more Moslems than we have Presbyterians today, one of the amazing statistics, at least as it applies to me when I learned it. That is why I think what we did in Somalia by helping the people of Somalia was very important, and I think it was one of George Bush’s finest hours despite the criticism that sometimes is made of our small reaction.

But the principle that is established here in the Dole amendment I think is sound. Does it apply to Turkey right now? Yes. Will it apply in other situations in the future? Yes. Do we have flexibility with it? Yes. Because we permit the President of the United States to have a waiver.
So I think the resolution should be adopted. I hope we will accept it, and move ahead.

Again, I make clear that neither on the part of Senator Dole nor on my part is this designed as an anti-Turkey amendment. It is a message, however, to the Turkish Government.

Madam President, I yield the floor.

Mr. Byrd addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. Byrd. Madam President, my distinguished friend says that this amendment sends a message. He interprets the message in a different way from the way I do it. That is why I am concerned about it. It will not be interpreted in Turkey as the way, perhaps, Senator Simon wants it to be. I cannot speak authoritatively, of course. But I do not believe this is the way to send a positive message to the Turks. I am concerned that we will send a message that backfires. I have no particular ax to grind for Turkey, or for Greece, or for Israel. I am not anti-Turkey. I am not anti-Armenian. I am not anti-Israel and I am not anti-Greek. I am pro all of them. But I am even more pro-American. My first interest and my last interest, and my interest all the time, is in what I feel to be the best interests of the United States of America.

I think we sometimes offer amendments that may appeal to this, or that, or some other special interest group or lobby, and there are some pretty powerful ones that can sway a lot of votes in this Senate. I suppose in that regard, I might wish that Turkey had a more powerful American lobby. Turkey does not have a powerful lobby in this country. And for that matter neither do the American people.

I am here lobbying for the American people. I do not claim to be more patriotic than any other Senator. I do not ascribe any ulterior purpose to anyone. We are all patriotic. But I am afraid that sometimes I am seen and I am undertakings that may be of interest to our own country when we become a little overly enthusiastic at times in sending so-called messages to countries that are our friends, and that have demonstrated time and time again their friendship towards the United States.

Look at the strategic position of Turkey on the map. The people of Israel, and the people of Greece should recognize that there is a strong Turkey protecting their flanks and their security interests. There are forces within Turkey that are striving to turn Turkey’s face away from the West and may someday succeed in converting Turkey into another Iran. Then where would Israel be? Then where would NATO be? Our own security interests would suffer. I am just pro United States, and I see Turkey as a friend, an ally. So we cannot afford to insult her. It seems that we have done that. That is why I am concerned about this message.

Madam President, I yield the floor to the views of other Senators, but I hope the Senate will not adopt this amendment. If it does, I hope that the President will exercise the authority to waive this provision.

I yield the floor.

Mr. McCauley, Madam President, I do not know whether there are any other speakers on this side of the aisle on the amendment, nor do I have a request for a roll call vote. So I think we are ready to move forward.

Mr. Leahy. Madam President, I would be perfectly happy, since no one is requesting a vote on this side, to go with a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2726) was agreed to.

Mr. McCauley, Madam President, I move to reconsider the vote.

The motion to lay on the table was agreed to.

Mr. McCauley. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. Helms. I wish to inquire of the managers or acting manager, as the case may be, is there now any objection to my setting aside temporarily the pending amendment so that I can have stated the amendment that I have already discussed?

The PRESIDING OFFICER. Is there objection?

Mr. Leahy. I am not sure I understand the question. There was some noise here, and I literally could not hear the Senator.

The PRESIDING OFFICER. The Senator from North Carolina asking that the pending amendment be set aside so that he can offer his amendment?

Mr. Helms. All pending amendments.

The PRESIDING OFFICER. All pending amendments. That is the question. Is there objection to setting aside all the pending amendments so the Senator from North Carolina can have his amendment?

Mr. Helms. Madam President, if I interfered or if I implied that I want to set aside the committee amendment, I do not want to do that.

The PRESIDING OFFICER. That is correct.

Mr. Leahy. Madam President, I am not sure. Has the Senator made that request, or was he asking Senator McCauley as the manager, and myself as the ranking manager whether we would accept such a request? That was my impression.

Mr. Helms. The communication will go all the way down. I do not understand what the Senator said.

Mr. Leahy. We seem to have a communication problem. Might we enter a quorum call for just a moment?

Mr. Helms. Fine.

Mr. Leahy. Madam 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. Helms. Madam President, I ask unanimous consent that further provisions under the quorum call be dispensed with.

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

Mr. Helms. I thank the Chair.

AMENDMENT NO. 2727 TO COMMITTEE AMENDMENT ON PAGE 2 , LINE 2

(Purpose: To prohibit the use of funds for relocating the Agency for International Development to the Federal Triangle Building, Washington, District of Columbia)

Mr. Helms. Madam President, oh, about 30, 40 minutes ago I was delayed in having my amendment, which is now at the desk, stated.

When I asked unanimous consent to have all amendments laid aside, except the committee amendment, there was an objection. Now there is no objection, as I understand it. So I now ask that the amendment be stated.

The PRESIDING OFFICER. Is there objection?

If not, the clerk will read the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina (Mr. Helms) proposes an amendment numbered 2727 to the committee amendment on page 2, line 25.

The amendment is as follows:

At the appropriate place in the committee amendment insert the following:

PROHIBITION ON USE OF FUNDS FOR RELOCATING AID TO FEDERAL TRIANGLE BUILDING

SEC. 577. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be used to relocate the Agency for International Development, or any part of that agency, to the Federal Triangle Building in Washington, District of Columbia.

Mr. Helms. Mr. President, while the Senate Foreign Relations Committee was busy approving legislation abolishing the Agency for International Development, the entrenched bureaucracy at USAID has been preparing to spend $40 million to move its offices into some of the most expensive real estate in the entire Washington area. Apparently, USAID officials think they are playing with monopoly money and that USAID has just landed on Boardwalk.

The building, known as the Federal Triangle and dubbed by the Washington Times a “Blueprint for a Boondoggle,” was originally supposed to cost $302 million but its cost has soared to $780 million. Tom Sherman, former assistant administrator of GSA called it the project from Hell. Yet, despite congressional efforts to abolish USAID, they intend to burrow-in at this plush,
Mr. MCCONNELL. Madam President, while Congress is working to abolish an additional $27 million in fiscal years 1996 and 1997. Now, when a Federal agency contemplates a move, it usually does so with the goal of saving taxpayers money. But AID intends to do just the opposite. Right now, AID pays $20 million annually for its leases in the District of Columbia. But right now, under the terms negotiated between AID and the General Services Administration (GSA), AID intends to lease space in the Federal Triangle building for a minimum of $55 per square foot—far more than any private business in Washington would agree to pay. It does not take a mathematician to know that the folks at AID have been snookered on this deal.

More shocking, AID intends to lease a substantial amount of space that it currently occupies in the Federal Triangle building rather than $97 per square foot, even as the lease rate for space is only $37 per square foot. But right now, under the terms negotiated between AID and the General Services Administration (GSA), AID intends to lease space in the Federal Triangle building for a minimum of $55 per square foot—far more than any private business in Washington would agree to pay. It does not take a mathematician to know that the folks at AID have been snookered on this deal.

Mr. President, let us give the taxpayers a break. AID does not need a new Taj Mahal. I yield the floor.

The PRESIDING OFFICER. The amendment is pending.

Mr. LEAHY. I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

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Mr. BINGAMAN. Mr. President, this amendment, as the language of the amendment just read indicates, is an effort to put the Senate on record and to encourage the Congress on record as favoring protection of some basic humanitarian efforts made by Americans on behalf of the Cuban people.

More importantly, it also allows Cuban-Americans currently residing in the United States to provide modest cash remittances of immediate family members who they may have still remaining in Cuba.

First, the amendment would allow Cuban-Americans and American citizens who currently reside in the United States to provide modest cash remittances of not more than $200 a month to immediate family members.

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disaster that might occur involving the island of Cuba. These international efforts or humanitarian efforts referred to would be efforts initiated by multilateral organizations of which we are already a member, and we, of course, would be asked to lend our relief efforts through those organizations.

Mr. President, I am sure that all Members of the Senate will agree that the protection of these basic humanitarian efforts by Americans and Cuban-Americans on behalf of the Cuban people and family members is the right thing to do. We may have serious disagreements about United States policy and how that policy can best achieve democracy in Cuba, but surely we can all agree that such a policy should not be inhumane to the people of that country.

Our Government’s dispute with the Cuban Government should not interfere with clearly humanitarian efforts and basic family rights of Cuban-Americans residing in this country.

Mr. President, I believe it is important to be on record in support of this, particularly in light of some of the Executive orders that have been issued recently.

I urge my colleagues to support the amendment. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. LEAHY. Without objection, it is so ordered.

Mr. BINGAMAN. Without objection, I ask unanimous consent that Senator PELL, the Senator from Rhode Island, be listed as a cosponsor of the amendment.

Mr. LEAHY. I am doublechecking that right now. If it is, we can dispense with it in about 2 minutes. Maybe we can save ourselves even more time if we can withhold for just a couple of minutes.

Mr. HELMS. In any case, if the Senator will yield, I do have a statement which would take 5, 10 minutes in connection with the amendment.

Mr. LEAHY. I have no problem with that at all. That might kill two birds with one stone.

Mr. HELMS. In any case, if the Senator will yield, I do have a statement which would take 5, 10 minutes in connection with the amendment.

Mr. LEAHY. I thank the managers of the bill. I shall be as brief as possible. This amendment, as I understand it, has been cleared on both sides. I hope that is correct.

Mr. President, Senator PELL, the distinguished Senator from Rhode Island and ranking member of the Foreign Relations Committee, and the several other cosponsors of the Middle East Peace Facilitation Act of 1995 introduced our bill, S. 1064, on July 21, with the now-obvious overly-optimistic assumption that it could and would be incorporated into the State Department authorization bill.

I shall not recount the well-known reasons why the Foreign Relations Committee’s State Department authorization bill was given such scant consideration by the minority of the Senate, except to say that it ran into bureaucratic bombardment from the State Department, the White House, and a coterie of independent agency bureaucrats who were tormented by the very idea that their multimillion dollar playpens might be broken up, which, I might add, was precisely the intent of my piece of legislation.

In any case, we are with the Foreign Relations Committee’s authorization bill now in part tacked onto the State Department authorization bill. That I have with the so-called Middle East Peace Facilitation Act, which is now pending.

If you wonder if I trust Yasser Arafat, the answer is “no.” His hands are bloody; his career is smeared with unspeakable acts of terrorism. I will never fully understand how the leaders of Israel could reach the decision to turn over land to Arafat, a man whose creed calls for the destruction of the nation of Israel, and whose co-conspirators have referred to Israel as the “eternal enemy.”

Will this peace process convince Arafat that he cannot promote peace while he is winking at gun-toting terrorists in Hamas? I do not know, but I frankly doubt it. Will it matter to Arafat that the Congress of the United States regards Jerusalem as the capital of Israel, and that this Congress has not the slightest predisposition or intent to help finance PLO offices in Jerusalem? I think not.

One thing is certain about the Middle East Peace Facilitation Act of 1995, the pending amendment. One thing or the other is going to happen, Yasser Arafat will have a final opportunity to demonstrate that for once a leopard can change its spots. He will have an opportunity to astonish everybody by demonstrating that he does indeed wish to join the ranks of the honorable in this violent and troubled world. He may astonish me, and I pray that he can and that he will.

All around are leaders willing to risk giving Yasser Arafat one last chance. I fear that I know what is going to happen down the road, and not very far down the road. As is so often said, “let’s give peace a chance,” even if it proves to be one last exercise in futility.

I have several amendments to offer, none of which will kill the peace process, and the PLO can comply with each and every one of them if Yasser Arafat has even a spark of genuineness in him.

First, although Senators may not be aware of it, the PLO has at least 10 offices operating within the city limits of Jerusalem. The PLO does not belong in Jerusalem. If those offices are not shut down within 6 months, then under this amendment, all U.S. aid to the PLO could be cut.

Second, 2 years ago Yasser Arafat pledged he would cooperate in providing information regarding the fate of
an Israeli-American soldier captured by a PLO faction. To the best of any-
body’s knowledge, he has not done that. No doubt there is information in
Mr. Arafat’s hands about other Ameri-
cans held by the PLO and those affili-
ated with them.

The President of the United States, un-
der this amendment, must certify that
Yasser Arafat is being specifically help-
ful in the search by the United States
for information regarding vic-
tims of terrorism. Surely this is a
small request in return for assistance
that the United States provides.

Third, this Middle East Peace Facili-
tation Act is to be 18 months in dura-
tion. Several Members of the House of
Representatives have argued for a 12-
month bill. I happen to believe they are
right. The situation in the Middle East
is so fluid that 12 months will serve ev-
everyone better, in my judgment.

Then I have two technical amend-
ments which will follow shortly to
clean up some unclear language regard-
ing the Palestinian covenant and the
participation of active terrorist groups
in Palestinian elections. I doubt that
anybody in this Chamber will find ei-
ther of these objectionable.

In summary, there has been a great
dea of discontent and doubt about this
peace process. I hope we can relieve
some of that. I do hope that all Sen-
ators who have suggested alternatives
or amendments to MEFPFA, I hope they
will offer them for an open discussion
that will, of course, benefit all of us.

Mr. President, I thank you. I yield
the floor.

Mr. LEAHY. Mr. President, this amend-
ment of the Senator from North Caro-
olina is acceptable on this side.

I wonder if the distinguished floor
manager would be interested in doing
it this way: That we pass by voice vote
the amendment by the Senator from
North Carolina and then go for rollcall,
the yeas and nays having been ordered
on the amendment of the Senator from
New Mexico.

Mr. McCONNELL. Mr. President, ap-
proving the Helms amendment is fine.
I indicated to the Senator from New
Mexico that the Senator from Florida, 
Senator Mack, will want to speak on
his amendment, so we will not be able
to go forward on the Bingaman amend-
ment yet.

I see no problem in moving ahead on
the amendment that is cur-
rently before the Senate. I am aware of
no opposition to it, Mr. President.

The PRESIDING OFFICER. The amend-
ment has not yet been offered.

Mr. LEAHY. I am referring to the amend-
ment that the Senator from North
Carolina has been speaking about.

AMENDMENT NO. 2729 TO THE LAST COMMITTEE
AMENDMENT
(Purpose: To Amend the Middle East Peace
Facilitation Act)

Mr. HELMS. I send an amendment to
the desk for immediate consideration.

The PRESIDING OFFICER. The clerk
will report.

The legislative clerk read as follows:
The Senate from North Carolina (Mr.
HELMs) proposes an amendment num-
bered 2729.

Mr. HELMS. I ask unanimous con-
sent reading of the amendment be dis-
pensed with.

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

The amendment is as follows:
On page 113, lines 23 and 26, strike “eight-
een” and insert “twelve”.

On page 118, line 15, insert “and thereby
nullified” after the phrase “effectively dis-
avowed”.

On page 120, lines 3 and 4, strike “in ac-
cordance with the terms that may be agreed
with Israel” and insert “that neither engage
in nor practice terrorism or violence in the
implementation of their political goals”.

On page 120, line 15, strike “and”.

On page 120, line 19, strike the period and
insert “;” and “;

On page 120, between lines 19 and 20, insert
the following:
(7) the P.L.O. has not funded, either par-
tially or wholly, or has ceased funding, ei-
ther partially or wholly, any office, or other
presence of the Palestinian Authority in Je-
rusalem.

(8) the P.L.O. is cooperating fully with the
Government of the United States on the pro-
vision of information on United States na-
tionals known to have been held at any time
by the P.L.O. or its affiliates.

At the appropriate place in the Committee
amendment, insert the following new sec-
tion:

COERCIVE POPULATION CONTROL METHODS

Sec. 8. Notwithstanding any other provi-
sion of this Act or other law, none of the
funds appropriated by this Act may be made
available for the United Nations Population
Fund (UNFPA), unless the President cer-
tifies to the appropriate congressional com-
mittees that (1) the United Nations Popu-
lalion Fund has terminated all activities in
the People’s Republic of China; or (2) during
the 12 months preceding such certification,
there have been no abortions as the result of
coercion associated with the family planning
policies of the national government or other
governmental entities within the People’s
Republic of China. As used in this section
the term “coercion” includes physical duress
or abuse, destruction or confiscation of prop-
erty, loss of means of livelihood, or severe
psychological pressure.

The PRESIDING OFFICER. If there is
no further debate on the amendment,
the question is on agreeing to the amend-
ment.

The amendment (No. 2729) was agreed
to.

Mr. HELMS. I move to reconsider the
vote.

Mr. McCONNELL. I move to lay that
motion on the table.

The motion to lay on the table was
agreed to.

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

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

Mr. HELMS. Mr. President, I have an
unprinted amendment—it is a printed
amendment—at the desk. I ask it be
stated.

The PRESIDING OFFICER. Does the
Senator ask unanimous consent to set
aside the pending amendment?

Mr. HELMS. Yes, sir. I thank the
chair.

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

AMENDMENT NO. 2730 TO THE COMMITTEE
AMENDMENT
(Purpose: To restrict the availability of funds for the U.N. Population Fund
(UNFPA))

The PRESIDING OFFICER. The clerk
will report.

The legislative clerk read as follows:
The Senate from North Carolina (Mr.
HELMs) proposes an amendment number
2730 to the committee amendment.

Mr. HELMS. Mr. President, I ask
unanimous consent that reading of the
amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the Committee
amendment, insert the following new sec-
tion:

COERCIVE POPULATION CONTROL METHODS

Sec. 8. Notwithstanding any other provi-
sion of this Act or other law, none of the
funds appropriated by this Act may be made
available for the United Nations Population
Fund (UNFPA), unless the President cer-
tifies to the appropriate congressional com-
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lalion Fund has terminated all activities in
the People’s Republic of China; or (2) during
the 12 months preceding such certification,
there have been no abortions as the result of
coercion associated with the family planning
policies of the national government or other
governmental entities within the People’s
Republic of China. As used in this section
the term “coercion” includes physical duress
or abuse, destruction or confiscation of prop-
erty, loss of means of livelihood, or severe
psychological pressure.

Mr. HELMS. Mr. President, the pend-
ing amendment is directed toward the U.N.
Population Program familiarly

known as UNFPA. It is directed at the U.N.
Population Program and the Peo-
ple’s Republic of China.

The arrest earlier this year of my
friend, Harry Wu—and he is a friend of a
lot of Senators here—again high-
lights, I think, China’s dismal human
rights record. And of course all Senators have heard the horror stories associated with the brutal population control program of the People’s Republic of China.

The pending bill proposes to hand over $35 million to UNFPA—$20 million less than the Clinton administration proposed in my judgment, and I think the judgment of many other Senators, it is still $35 million too much. I, therefore, expect a few UNFPA money to come down to the Senate floor and say that U.N. Population Program activities in China really don’t matter because UNFPA does some good things elsewhere. Others will claim that language specifically restricting the United States contribution from being used in China is all that is needed. But, I do not buy that, and neither do the American people, if I am any judge of the attitude of the people.

Either UNFPA is mixed up in China’s grotesque and cruel population control program, or it is not. And the fact is, UNFPA helped design China’s one-child-per-family population control program 20 years ago, and it has actively supported the program ever since. Indeed, UNFPA holds up China’s program as a model for the developing world.

The pending amendment insists that the U.N. Population Program terminate its activities in China or the United States Government will terminate its association with UNFPA. It is as simple as that. The amendment is identical to language in the House version of this bill, and should be included in this bill.

Let me say, parenthetically, that a foreign aid conference report may experience some trouble in the House unless this and other pro-life, pro-child provisions remain. Foreign aid is as unpopular in the House as it has ever been. If we do not think that pro-life Congressmen will be inclined to vote for this bill without language protecting unborn children.

Mr. President, let us be clear about the kind of abuses that occur in China under the nose of UNFPA. Women are dragged into government clinics and forced to have an abortion if they already have one child. Women and men are forced, like animals, to undergo sterilization procedures if they violate the one-child policy. This inhumane sterilization procedures if they violate the Kemp-Kasten amendment, for example, are forced, like animals, to undergo sterilization if they want to have another child. Women are forced, like animals, to undergo sterilization procedures if they violate the Kemp-Kasten amendment, for example, are forced, like animals, to undergo sterilization if they want to have another child.

The [U.N. Population Program] participated in and strongly defended the program of a particular foreign government [China] which relies heavily upon compulsory abortion. This fund received no United States assistance since 1985, precisely because of its involvement in the coercive abortion policy.

It is well known that one of the first actions taken by President Clinton, when he assumed office, was to reverse the long-standing policy—despite the administration’s full knowledge of China’s cruel program and UNFPA’s close relationship with it. That is why the pending amendment is the pending business in the Senate right now.

AID Administrator Brian Atwood told the chairman of the House Foreign Operations Appropriations Subcommittee, in an August 6, 1993, letter, that “* * * if there are not significant improvements in China’s population program and United States will not support continued UNFPA assistance to China beyond 1995 when the current program ends.”

The fact is, Mr. President, the situation in China has worsened, but UNFPA does not intend to pull out of China, and the Clinton administration has every intention of contributing money to UNFPA. The administration apparently gives UNFPA a wink and a nod in New York, and then glibly tells Congress, “trust us, the United States doesn’t support UNFPA assistance to China.”

Let me say this in conclusion. Mr. President, the situation in China has worsened, but UNFPA does not intend to pull out of China. The Clinton administration has every intention of contributing money to UNFPA. The administration apparently gives UNFPA a wink and a nod in New York, and then glibly tells Congress, “trust us, the United States doesn’t support UNFPA assistance to China.”

Mr. President, this bill carries another provision—as have previous foreign aid appropriations bills since 1985—designed to prohibit funding UNFPA, but without identifying UNFPA by name. The provision, known as the Kemp-Kasten amendment, prohibits funding of any “organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization.”

Mr. President, this amendment of the Senator from New Mexico was intended to prohibit funding for UNFPA. It was not intended to prohibit funding for organizations which are involved in coercive abortion or involuntary sterilization.

I am curious. I would ask Senator LEAHY if he has any feeling about the appropriateness of such time agreement.

Mr. LEAHY. Mr. President, I strongly support it if we are ever going to finish this bill in our lifetime. I understand one Senator is not on the floor, and we would be on the floor in about a minute or two.

I would suggest this, that we go off this amendment for about 3 minutes, bring back the Bingaman amendment during that time, and then 3 minutes from now back to the Senator from New Carolina.

Mr. President, I ask unanimous consent that we go off the pending amendment, go back to the Bingaman amendment, and I assure my colleague I will be asking that we go back to the Helms amendment in a matter of 3 or 4 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HELMS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. On the Helms amendment?

Mr. HELMS. Yes.

The PRESIDING OFFICER. Is there objection to the request? Hearing no objection, there is a sufficient second? There is a sufficient second. The yeas and nays were ordered.

Mr. HELMS. I thank the Chair. I thank the managers.

Mr. BINGAMAN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair informs the Senator from New Mexico that the pending amendment is the amendment of the Senator from New Mexico.

Mr. LEAHY. Mr. President, as the Senator from New Mexico, I believe, mentioned in his statement, the amendment he offered was in the original chairman’s mark which was then stripped out at the subcommittee level, so I obviously support the amendment of the Senator from North Carolina.

One of the thoughts that my friend from Vermont and I were discussing is the possibility of a hour and half, or a 2-hour time agreement on the amendment, if that is acceptable to the Senator from North Carolina. That would give Senators notice that there would be a vote at a time certain in a couple of hours from now.

I am curious. I would ask Senator LEAHY if he has any feeling about the appropriateness of such time agreement.

Mr. LEAHY. Mr. President, I strongly support it if we are ever going to finish this bill in our lifetime. I understand one Senator is not on the floor, and we would be on the floor in about a minute or two.

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The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HELMS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. On the Helms amendment?

Mr. HELMS. Yes.

The PRESIDING OFFICER. Is there objection to the request? Hearing no objection, there is a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair. I thank the managers.

Mr. BINGAMAN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair informs the Senator from New Mexico that the pending amendment is the amendment of the Senator from New Mexico.

AMENDMENT NO. 2731 TO AMENDMENT NO. 2728

(Purpose: To allow residents of the United States to send to their immediate family members in Cuba small amounts of money to pay for basic necessities such as food, clothing, and medical care)

Mr. BINGAMAN. Mr. President, I send a second amendment to the desk and ask for its immediate consideration.
Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The amendment is as follows:

AMENDMENT NO. 2730

Mr. LEAHY. Mr. President, I yield 15 minutes from the side in opposition to the distinguished Senator from Wisconsin [Mr. FEINGOLD].

The UNFPA is the world’s leading family planning agency, with approximately one-third of all population assistance to developing countries channeled through it.

It provides funds and training for maternal and child health care, family planning devices, and technical assistance for population programs.

UNFPA’s own mandate, is not involved in abortions or abortion-related services. It is family planning agency.

So, this is a debate on population. It should not be a debate on abortion.

That is why amendment by the Senator from North Carolina demonstrates a fundamental misunderstanding of what the UNFPA does, and will do nothing to end the horrific practice of coercive abortion.

Nowhere in the world—including China does the UNFPA involve itself with abortion policy or the delivery of abortion and abortion-related services. Indeed, if I believed that UNFPA or any U.S. Government program was being used to support coercive abortion, I would be supporting family planning services in China.

Our provisions also require that the administration certify that China is receiving only the $7 million which the UNFPA 5-year plan allocates. Under current law, if the report shows that UNFPA invests more than $7 million in China, then the United States contribution to UNFPA will be deducted by that proportion. There is no way that additional funds from the United States can be put in this way.

Mr. President, we will do more to influence the China program if we stay involved with UNFPA. The current program ends in December 1996. If we are not contributors to UNFPA, then we will not be at the table at the end of the year to help decide if and how this organization will work in China. That is certainly no way to stop coercive abortion.

Further, if we withdraw, we will pull no other country with us. Let me remind my colleagues that when the United States withdrew from UNFPA in 1984, not one single other country joined in our boycott. In any event, it makes no sense to withdraw from this organization since it is in fact exactly the services performed by UNFPA that make abortion less likely and less frequent.

To insinuate that anyone in this body supports such a practice is really disingenuous.

That is one of the reasons I introduced legislation with the chairman to revoke most-favored-nation status for China. I believe it should be at the forefront of our human rights agenda with China.

It should be an issue at bilateral and multilateral fora;

It should be linked to benefits, such as MFN, which the Chinese desire;

It should be a subject for the U.N. Commission on Human Rights;

And it should be an issue for foreign corporations in China as they are sincerely interested in improving the quality of life for their Chinese employees.

But withdrawing from the UNFPA would do nothing to combat coercive abortion because UNFPA is not involved in the policy, and current law governing the United States contribution to UNFPA wholly separates United States funds from being used in China altogether.

That law was reaffirmed by a strong, bipartisan 11-5 vote in the Senate Foreign Relations Committee last month when we debated the UNFPA issue in an amendment to the foreign aid authorization bill.

Current law not only explicitly prohibits United States funds from being used in UNFPA’s China program, it also mandates that UNFPA must hold United States funds in separate accounts to ensure that they are not commingled with other moneys which may be supporting family planning services in China.

The legislative clerk read as follows:

(a) FAMILY SUPPORT PAYMENTS.—Residents of the United States shall not be prohibited from sending to their parents, siblings, spouses, or children currently residing in Cuba small amounts of money (not to exceed $155 per month) to be used for the purchase of basic necessities, including food, clothing, household supplies, rent, medicines, and medical care.

(b) COMPASSIONATE TRAVEL.—Residents of the United States shall not be prohibited from traveling to Cuba for a period up to thirty (30) days to attend to a medical emergency involving, or to attend the funeral of, such resident’s parent, sibling, spouse, or child.

(c) NATIONAL DISASTER RELIEF.—The United States shall not be prohibited from participating in humanitarian relief efforts of multilateral organizations of which the United States is a member, where such humanitarian relief efforts are made in the aftermath of a natural disaster on the island of Cuba.

Mr. BINGAMAN. Mr. President, I ask for the yeas and nays on the second-degree amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BINGAMAN. Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The amendment is as follows:

AMENDMENT NO. 2730

Mr. LEAHY. Mr. President, I yield 15 minutes from the side in opposition to the distinguished Senator from Wisconsin [Mr. FEINGOLD].

The UNFPA is the world’s leading family planning agency, with approximately one-third of all population assistance to developing countries channeled through it.

It provides funds and training for maternal and child health care, family planning devices, and technical assistance for population programs.

UNFPA’s own mandate, is not involved in abortions or abortion-related services. It is family planning agency.

So, this is a debate on population. It should not be a debate on abortion.

That is why amendment by the Senator from North Carolina demonstrates a fundamental misunderstanding of what the UNFPA does, and will do nothing to end the horrific practice of coercive abortion.

Nowhere in the world—including China does the UNFPA involve itself with abortion policy or the delivery of abortion and abortion-related services. Indeed, if I believed that UNFPA or any U.S. Government program was being used to support coercive abortion, I would be supporting family planning services in China.

Our provisions also require that the administration certify that China is receiving only the $7 million which the UNFPA 5-year plan allocates. Under current law, if the report shows that UNFPA invests more than $7 million in China, then the United States contribution to UNFPA will be deducted by that proportion. There is no way that additional funds from the United States can be put in this way.

Mr. President, we will do more to influence the China program if we stay involved with UNFPA. The current program ends in December 1996. If we are not contributors to UNFPA, then we will not be at the table at the end of the year to help decide if and how this organization will work in China. That is certainly no way to stop coercive abortion.

Further, if we withdraw, we will pull no other country with us. Let me remind my colleagues that when the United States withdrew from UNFPA in 1984, not one single other country joined in our boycott. In any event, it makes no sense to withdraw from this organization since it is in fact exactly the services performed by UNFPA that make abortion less likely and less frequent.
Let us talk about that for a minute. Let us talk about the threat of overpopulation to our national security interests and what UNFPA and global population programs are doing to address it. The world population is exploding. From 1800 to 1930, our planet grew from 1 to 2 billion people. Today, we are up to 5 to 6 billion people, with 1 million born every 96 hours. At this rate, we will have quadrupled our population by the end of this century.

Overpopulation hampers economic development, harms world food standards, threatens food security. It stresses the environment, it harms the status of women, and it often forces dangerous migration and refugee patterns. These are among the most serious threats in the 21st century. We must be able to use the achievements of the 20th century; namely, family planning, to counter them. With the UNFPA in the lead, contraceptive use worldwide has quintupled in the past 20 years while the average family size has been halved. Yet, according to the UNFPA, population worldwide has quintupled in the past 20 years. The world population is expected to reach 9 billion by 2050. The global population to our national security interests and what UNFPA and global population programs are doing to address it.

Mr. President, population will be the key to whether improved economic policies succeed: whether we will coexist with our environment or deplete it; and whether political crises become large-scale humanitarian disasters or not.

There are fortunately, Mr. President, many success stories to illustrate this point. The so-called Asian Tiger economies—Indonesia, Malaysia, and Thailand—have been very successful in family planning programs, and they have been put together with assistance from UNFPA.

I have also visited, Mr. President, a family planning clinic in Tunisia which has one of the most successful programs in the world. It is also a country which is fast modernizing and developing a strong middle class. In my view, there is no coincidence that the economies of these countries are doing so well. There is no coincidence that the role of women in these societies is improving. Like human rights, global population concerns are U.S. national concerns.

Let me say again, while I share the outrage of the Senator from North Carolina about China’s abortion policy, I believe that it makes no sense to sacrifice UNFPA for China’s abortion policy in which that organization plays no role. If we can focus on what the real issue is here, I think my colleagues will be persuaded that a U.S. contribution to the UNFPA is clearly in our national interest and does not contradict our national values.

Mr. President, this amendment really spawns false debate, and I urge the Senate to follow both the Foreign Relations Committee and also the Appropriations Committee and to defeat it. I thank the Chair and yield the remainder of whatever time I have back to the manager. I yield the floor.

Mrs. MURRAY addressed the Chair. The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you. The PRESIDING OFFICER. The Senator from Washington is informed that time is controlled. Does she wish to ask unanimous consent to take a certain amount of time from the Senator from Vermont yield 10 minutes?

Mrs. MURRAY. How much time remains on our side?

The PRESIDING OFFICER. There are 43 minutes and 7 seconds.

Mrs. MURRAY. Will the Senator from Vermont yield 10 minutes?

I thank the Senator. The PRESIDING OFFICER. Without objection, the Senator from Washington has 10 minutes.

Mrs. MURRAY. Thank you, Mr. President.

Mr. President, population will be the key to whether improved economic policies succeed: whether we will coexist with our environment or deplete it; and whether political crises become large-scale humanitarian disasters or not.

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Mr. President, this amendment really spawns false debate, and I urge the Senate to follow both the Foreign Relations Committee and also the Appropriations Committee and to defeat it.
by investing in women, we strengthen entire communities as well as national economies. In addition to family planning services, UNFPA provides life-saving maternal health care programs.

While childbirth anywhere carries certain risks, in the developing world mothers face more statistics. In Africa, for example, 1 out of every 21 women will die as a result of pregnancy or childbirth, making the African women 200 times more likely to die as a result of bearing her children than a European woman.

The kinds of programs provided by UNFPA can prevent many of these maternal deaths. So when we support UNFPA, we are supporting those women and families across the developing world who seek the means to space their births and avoid high-risk pregnancies.

Equally important, when we support UNFPA we are increasing the chances that child survival rates will rise across the developing world. We know now that babies born in quick succession to a mother whose body is not yet recovered from her previous birth are the least likely to survive.

UNFPA programs seek to support child survival efforts and help women understand the vital link between child survival and family planning.

For the record, let me outline UNFPA’s position on abortion. UNFPA does not and never has supported abortions—whether or not induced—within any country it operates in. According to the UNFPA’s governing council, it is “the policy of the UNFPA not to provide assistance for abortion, abortion services, or abortion-related equipment and supplies as a method of family planning.”

So, as I noted in my earlier remarks, the Helms amendment will do nothing to prevent abortions in China or elsewhere, but it will prevent vital health services delivered to women and children in the world’s poorest nations.

I urge my colleagues to remember what is really at stake here. This is a public health issue and an extremely serious one. Family planning saves lives. Experts estimate that the lives of 5.6 million children and 200,000 women could be saved every year if all the women who wanted to limit their families had access to family planning. I ask you to really think about those statistics: 5.6 million children and 200,000 women every year.

So when we debate this issue of whether to support voluntary family planning programs like UNFPA, let us keep this debate focused squarely where it belongs—on the world’s young women who struggle against impossible odds to better their lives and who desperately need reproductive health care services. Let us keep this debate squarely focused on young mothers around the world who have small children or babies and need family planning assistance to ensure that they do not become pregnant again too quickly and endangering their own lives and that of their babies and young children. Let us keep this debate squarely focused on thousands of women in poor nations who, lacking access to reproductive health care, resort to self-induced abortions and too often tragically die as a result. Let us estimate that at least 500,000 women will die from pregnancy-related causes, roughly 200,000 from illegal abortions which are prevented when women have family planning services.

The issue of defunding the UNFPA came before Congress again and again when Presidents Bush and Reagan were in office. Congress repeatedly voted for the United States to resume funding. So let us move on to the task of ensuring that women in the developing world have access to the kinds of reproductive health services they deserve, the kinds of services that will save their lives and the lives of their children.

In closing, Mr. President, I urge my colleagues to remember that this is a public health issue and an extremely serious one. We should reject the Helms amendment and vote in support of women and children across our globe. I urge everyone on the floor to support the amendment.

The PRESIDING OFFICER. Mr. Abraham. Who yields time?

Mr. LEAHY. Mr. President, how much time is remaining for those in opposition to the amendment?

The PRESIDING OFFICER. You have 32 minutes 30 seconds.

Mr. LEAHY. Mr. President, I yield myself such time as I may require.

Mr. President, I strongly oppose this amendment. What it does is it reverses the action taken by the subcommittee in legislation that was then in the full bill as reported out of the full committee.

By a vote of 8-5 the Foreign Operations Subcommittee passed my legislation. It imposed restrictions on our contributions. The bill that came before the Foreign Operations Subcommittee. I moved to strike the House language, taking the same position as the distinguished Senator from Washington, and after her, the distinguished Senator from Wisconsin. The Foreign Operations Subcommittee approved of my amendment. And that is the condition we are in today, the full committee.

When you look at what we have done, the bill simply continues current law and practice. We are not asking for anything radically different. This is what we have already done. At a time when support for voluntary family planning programs and women’s reproductive health is growing around the world, it would be foolhardy for the United States to once again, as we did in the early 1980’s, surrender our leadership in this area.

This bill has the same prohibition on funding for abortion that we had for years. Now, I have listened to some speaking around this Chamber. I want to make sure everybody understands. No funds in this bill can be used for abortion. It is not just the case that there is not any money in there for abortion; there is an explicit prohibition against money being used for abortion. So, basically, we are putting up a straw man here.

And then the question is, what might happen in China? No funds in this bill can be used in China. None, nada, neant, rien.

So what is the problem? The whole point of the program in this bill is to promote contraceptive and other alternatives to abortion—alternatives to abortion. We are trying to have alternatives to abortion. We say none of the money can be used for abortion and none of the money can be used in China where they have forced abortions, and, instead, the money can be used for alternatives to abortion. We all ought to jump on board with that one. Every dollar is for voluntary family planning. If you support this amendment, you are opposing voluntary family planning. If you support the amendment on the floor right now, you are against voluntary family planning.

Provisions relating to the U.N. population fund would not contribute to this organization, which is the largest international family planning agency in the world.

UNFPA does not fund abortions. It funds contraceptives and information, education about family planning in 140 countries. It is absolutely vital that the United States play a leading role in this agency, especially when the decisions we make today will determine if the world’s population doubles or triples.

Can you imagine what this bill would look like, the overall foreign aid bill here, if the world population doubled or tripled?

That is not our population of the United States, that is the rest of the world, most of it in the area where we have the gravest concerns in this bill.

The bill does not earmark funding for UNFPA, but it would permit up to $35 million for UNFPA, which even in the unlikely possibility that that amount is available, is still $15 million below last year’s level, and it contains all the restrictions on our contributions.

There is an explicit prohibition against using U.S. funds in China, despite the fact that UNFPA’s program in China promotes voluntary family planning and human rights.

Let us not go backward in this bill, not when so many governments are finally seeking help in limiting the growth of their own population growth. Many of these countries are already impoverished, and the poverty increases because the population grows.

We have the technology, the expertise, and we ought to help. This amendment would require UNFPA to withdraw from China. That is not a decision UNFPA can do, nor can we pass a law to require it to do. It is a decision of its governing board.
is made up of donor governments and a large majority support UNFPA's program in China. By attaching a requirement that UNFPA cannot meet, we cut off funding in 139 other countries.

There is no money for abortion, no money for IUD's. There is no reason to vote for this amendment, unless somehow you are against voluntary family planning altogether. If you have that attitude, then I guess there is nothing I can say.

I also want to express my personal support for the Chinese people and their efforts to improve maternal and child health. A recent letter from Dr. Sadik, the Director of UNFPA, said: "China has every reason to be proud of its record and achievements in improving women's and children's health."

I believe this quote comes from China Daily, an English language newspaper published in Beijing. I was with Dr. Sadik when she was interviewed for this article in 1991. This article was a terrible distortion of what she actually said. Dr. Sadik did say that China should be proud of its record of improving women's and children's health since 1949. She commended China's continuing efforts to improve maternal and child health by discussing a joint UNFPA and UNICEF project in 300 poor counties in China that especially focuses on improving children's health and supplies for treatment of acute respiratory infection and diarrhea, prevention of prenatal care and nutrition, breast-feeding, assisted deliveries and family planning programs; that any form of coercion no part of play, that governmental goals or family planning should be defined in terms of unmet needs for information and services; and that concrete goals, which legitimately the subject of government development strategies, should not be imposed on family-planning providers in the form of targets or quotas for the recruitment of clients.

In particular, Dr. Sadik has been a champion of women's equality and reproductive rights. In the 14 years I have known her, I have never heard her use the phrase "population control." We deeply appreciate your past and continuing support and hope you can help set the record straight regarding the quote used by Representative Smith and Senator Helms. Sincerely,

STIRLING D. SCRUGGS, Chief, Information and External Relations Division.

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Twenty-six minutes.

Who yields time?

Ms. MIKULSKI. Mr. President, I rise in opposition to the Helms amendment to end U.S. participation in the United Nations Population Fund, UNFPA. It will have a disastrous effect on women's health. It would weaken the most effective organization we have for delivering family planning services to the world's poorest women. And it ignores the fact the United States funds are not used for abortions and are not used in China.

Over 100 million women throughout the world cannot obtain or are not using family planning because they are poor, uneducated, and lack access to care; 20 million of these women will seek unsafe abortions. Some will die, some will be disabled. Only 25 to 35 percent of women in Africa and Asia receive prenatal care. Many of these women are very young—still children themselves. When children have children, the consequence of schooling, a good job, self-sufficiency.

Why is the UNFPA so important? Because it has the infrastructure, the expertise, and the personnel to be the most effective program for providing family planning services around the world. It specializes—it does nothing but provide family planning and maternal and child health. And it is in 140 countries worldwide. It does not work in China. At a time when foreign aid is being cut to the bone—UNFPA makes the most use of scarce U.S. foreign aid dollars.

We should be clear about what is in the bill—and what isn't. There is no money for abortions or abortion lobbying. Federal funds cannot be used to fund abortions—this bill retains this prohibition. That is why opponents of this amendment include Senators who strongly oppose abortion. They know that effective family planning actually reduces abortions.

There is no money for China in this bill. We all agree that coerced abortions and sterilizations are deporable. That is why no United States funds may be spent in China now. The bill retains this policy. United States contributions to UNFPA are segregated from other UNFPA funds; none of the United States funds is used for China; and the United States contribution would be fully refunded if any United States funds were used for China or for abortions. These provisions ensure that not one cent of United States funds can be used in China.

What is in the bill? We simply maintain current law. We continue to provide modest funding for UNFPA. Without U.S. funds—there is no U.S. influence. We would have to say on how and where international family planning services are delivered.

In this bill we seek to maintain our modest role in providing family planning to the world's women. I wish we could do more to ensure that all women have access to family planning. But the bill passed by the committee ensures that we continue to do something to help the world's poorest women control and improve their lives. I strongly urge my colleagues to oppose the Helms amendment.

Mrs. BOXER. Mr. President, I rise today in opposition to the Helms amendment, which would defund the United Nations Population Fund [UNFPA].

UNFPA is the largest internationally funded source of population assistance, directly managing one-third of the world's population in developing countries. The United States was instrumental in creating the UNFPA in 1969 and until 1985 provided nearly 30 percent of its funding.

The UNFPA is the principal multilateral program providing worldwide family planning and population assistance. Operating in over 140 countries, in the poorest and most remote regions of the world, nearly half of the UNFPA assistance is used for family planning services and maternal and child health care. Another 18 percent is allocated for related population information, education, and communication.
The fund also provides support for population data collection and analysis, demographic and socio-economic research, and population policy formulation and evaluation.

In 1993 UNFPA supported 1,560 projects in 141 countries, including 14 countries in sub-Saharan Africa, 33 countries in Latin America and the Caribbean, 39 countries in Asia and the Pacific, and 23 countries in the Arab States and Europe. UNFPA projects contribute to improving the quality and safety of contraceptive, to reducing the incidence of abortion and to improving reproductive health and strengthening the status of women. These programs have saved the lives of countless women and children.

UNFPA also helps to promote male participation and responsibility in family planning programs, address adolescent reproductive health, and reach isolated rural areas with high demands for family planning services.

The Helms amendment is really just a back door assault on family planning and that is a big mistake. Experts now recognize that population is an explosive problem and the committee has responsibility recommended steps to deal with it.

This is not about China. Existing law specifically states that none of the funds made available to the UNFPA shall be made available for activities in the People’s Republic of China. I strongly support this prohibition and oppose any coercive population practices around the world.

I urge my colleagues to recognize the importance of family planning and oppose the Helms amendment.

Mr. BINGAMAN. Mr. President, I rise to speak in opposition to the amendment offered by my colleague from North Carolina.

I would like to take a few moments to talk about the United Nation’s population program more generally, because quite clearly, the underlying intent of the amendment is to eliminate U.S. funding for all of UNFPA’s population stabilization efforts.

Mr. President, I believe direct, substantial, and long-term benefits flow to American families from our national investment in sustainable development and population efforts.

Today, as we approach the 21st century, we face a world that will be more economically competitive and more challenging than ever before. This is not the time to be weakening our role as the world leader in these areas.

Instead, I believe it is in the best interest of America’s children and families for the Congress to reaffirm and solidify our commitment in to population stabilization, reproductive choice, and other critical health and sustainable development programs.

For the past 12 years or so, I have spent a lot of my time here in the Senate focusing on the domestic and international high tech industries. I have worked to develop strategies to strengthen the technology and manufacturing bases in this country and to secure higher-wage jobs for Americans.

I have focused on these issues because of my concern for the long-term economic viability of our Nation. I believe that tomorrow’s future, the United States must be fully equipped to compete long-term with Japan and other highly developed countries.

But at the same time, I believe we cannot have a successful economic strategy in this country if we do not devote serious attention to the economies of the developing world.

Over the past 10 years or so, growth in U.S. exports to the developing world has exploded; and today, developing countries account for about 40 percent of a growing U.S. export market.

In fact, trade with the developing world is growing at a rate that far exceeds the growth rate of U.S. exports to developed countries.

Between 1990 and 1993, U.S. exports to developing countries grew by 6.2 percent.

In 1993 alone, U.S. exports to developing countries grew more than 14 percent. By the period between 1990-93, exports to developing countries rose nearly 50 percent—49.8 percent.

In terms of dollars, Latin America is a good example. In Latin America, United States exports rose by nearly $30 billion between 1989 and 1993—from $44 billion to $71 billion—representing a 61-percent gain.

I believe a significant factor in this growth has been the modest U.S. commitment to development and population assistance in the developing countries. Thailand, Costa Rica, Mexico, China, and Colombia are examples of countries in which a small United States investment in population and development assistance has repaid itself many times over in increased trade opportunities.

It is in our economic interest to continue support for UNFPA. The concerns raised by the Senator from North Carolina are addressed under current law and in the bill before the Senate today.

I urge my colleagues to reject this amendment.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the amendment be 10 minutes.

The PRESIDING OFFICER. The Senator from Vermont is on the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Ms. SNOWE. Mr. President, I want to thank the Senator from Vermont for yielding me time. I certainly want to express my position on this issue with respect to international family planning and the amendment that was offered by Senator HELMS, because I think that this is a very important issue.

I certainly oppose the restrictions that would be placed by the Helms amendment with respect to funding for UNFPA which has been an effective organization in providing for family planning services throughout the developing world.

I think it is important to understand, first of all, that the current law already contains strong conditions about U.S. contributions to UNFPA. For more than a decade, no United States funds provided to UNFPA have been spent in China. In addition, it requires half of the United States contribution to UNFPA to be spent after March 1 so that Congress can review the amount that UNFPA has budgeted for activities in China as reported to Congress in mid-February.

This is important because it provides us with the opportunity to ensure that UNFPA has not taken any action to increase the amount of money it spends in its programs in China so there is no direct correlation between the United States contribution to UNFPA and the amount that it provides to China.

It also will ensure, for those who have been critics of our contributions to UNFPA, that our funds are not fungible and that United States funds are used in China even indirectly. I think it is important to note that our contributions to UNFPA cannot be commingled with UNFPA’s funds at all. They are maintained in separate accounts and cannot be spent on UNFPA’s activities in China. I think that is important, because we want to make sure that our funds are in no way linked. No. 1. but second, to ensure we are not doing anything directly or indirectly to enhance their program activities in China.

But I think we should understand what the funding to UNFPA is not about. First of all, it is not about abortion. UNFPA has a firm policy against any involvement in abortion services advocacy.
Second, and I think we all recognize and are concerned about China’s controversial population program, human rights abuses in China have continued despite, not because of, UNFPA’s small presence in China. It is unfortunate this has occurred not only at the central level in China but also that the abuses and the policies have been promoted by the independence of the provincial governments as well in China.

So many of the worst abuses appear to be occurring at the provincial level. But I think it is essential to underscore the fact that UNFPA’s presence in China is to do everything that it can to prevent those abuses from occurring.

UNFPA has had a very successful voluntary program with respect to family planning throughout the developing world. It has had a presence in more than 140 countries, and nearly half of UNFPA’s support is in the area of maternal and child health care and family planning.

There are other areas, including education, population data collection and analysis and research on demographic and socioeconomic relationships. I would like to emphasize, because I think it is important, that UNFPA does not provide support, nor has it ever provided a policy of support for abortions or abortion-related activities anywhere in the world.

UNFPA was established back in 1969, interestingly enough, with strong encouragement from the United States. It happens to be the largest multilateral provider of population and family planning assistance to the developing countries. Approximately one-third of all population assistance to developing countries go through UNFPA.

So it has a presence in a number of countries where it plays a very critical role. Consider the facts. According to the World Health Organization, of the 500,000 women who die each year of pregnancy-related causes, 99 percent are in the developing world. So we should be doing everything as a country to support the activities of organizations like UNFPA and what they are doing in many of these Third World countries. We should be for family planning programs. We should not be doing everything to undermine the value of family planning programs in these countries.

As a matter of fact, the United States was the leader, the forerunner in support of these family planning programs internationally. We did everything to encourage, as I said, organizations like UNFPA and IPPF to do everything that they can to support strong programs in the developing world regarding family planning programs.

So I think that it is unfortunate that, although our contributions to such valuable organizations are now getting interspersed and intertwined with the abortion debate. We all have our disagreements on the issue of abortion. But no one should be able to disagree on the issue of family planning. That is why we should be supporting such organizations, because the more they can do in providing family planning services to these countries, the more we will reduce not only the incidence of death, but of abortion as well.

So I hope that Members of the Senate will oppose the Helms amendment. We all know that rapid population growth is becoming a very critical problem. If done correctly, that your world population is going to grow by 90 million people this year alone, this is like adding a new country the size of Nigeria to the world every year, or a city the size of New York City every month. Based on various assumptions about fertility rates, the U.N. population projections for the middle of the next century range between 8 and 12 billion people.

This rapid population growth has serious implications for global economic, and social stability. Ground water supplies are dwindling; rivers and lakes are fouled with pollutants from industries, municipalities, and agriculture. Tropical forests are being cleared at the rate of 17 million hectares per year. Rapid population growth, especially when overlaid with sharp social or economic divisions, places great strains on political institutions. So to the extent that population pressures contribute to weakening economic and political structures, they adversely affect international stability and peace. This directly affects our national security interests around the world.

Let us consider for a moment the benefits of population assistance, because they are substantial. A cost-benefit analysis of Thailand’s family planning program, which reduced the average number of children per woman from 6 in the late 1960’s to 2.1 in 1991, found that the average return on each dollar invested was estimated to be more than $7.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. SNOWE. I ask for 5 additional minutes.

Mr. LEAHY. How much time remains?

The PRESIDING OFFICER. There are 16 minutes 40 seconds remaining.

Mr. LEAHY. I know the Senator from Wyoming needs some time. How much will he need?

Mr. SIMPSON. Six minutes.

Mr. LEAHY. I yield the Senator from Maine an additional 5 minutes.

Ms. SNOWE. A similar study in Mexico has also indicated that 9 pesos are saved that would have to be spent on maternal and child health care. In Indonesia, each dollar spent on family planning will result in $12.5 of savings in public expenditures for health and education. This does not even take into account the benefits that accrue to every single person on this planet from reduced environmental trauma, reduced immigration pressures, improved standards of living, and improved social and political stability.

So I think that the benefits are clear of international family planning programs, and that is why we should not impede the ability of organizations, like UNFPA, that have done so much to enhance family planning services in the developing world.

In the 28 countries with the largest U.S.-funded family planning program, the average number of children born per family has dropped from 6 in the 1960’s to 4 today, a decline of one-third. Since the 1960’s, births for women in developing countries have dropped 37 percent, child mortality by 50 percent, and primary school enrollment is up by 38 percent. None of this would have been accomplished without U.S. leadership in international family planning. To forestall the still-lingoing world population crisis, we need to strengthen and continue our leadership and not pull away from our leadership.

So I hope that we will defeat the Helms amendment because I think we have to do everything that we can to support these services. I want to repeat, once again, that UNFPA is not involved in any of the abuses or coercive programs that have been advanced by the Government of China, or the provincial government within China. In fact, they have done everything to discourage it. It is more important that they have a presence there and the fact is that they will, at the end of their 5 years, be reexamining their program. They are doing everything they can to reduce the abuses that are occurring in China. We should do everything that we can to assist them in the process. We have limited our contributions to UNFPA in the past. We know that our funds are not being used for UNFPA’s program in China. Our appropriation process already places restrictions that our funds are not mingled in any way with UNFPA’s program in China.

So we have already in place the necessary procedures and restrictions to ensure that our money is not being used in any way, directly or indirectly, in China. So I urge my colleagues to support the committee position and oppose this amendment, so that we can continue to permit our U.S. leadership in the effort to stabilize the world’s population through voluntary family planning services. We can only do this by supporting the efforts of UNFPA and the private organizations that have had a proven record of effectiveness and efficiency. We must maintain our international leadership, not just to assist the poor countries of the world that need our assistance, but, foremost, to continue our leadership in international family planning programs for our own Nation and our own future.

With that, Mr. President, I yield the remainder of my time.
Mr. LEAHY. Mr. President, I see the distinguished senior Senator from Wyoming on the floor. I yield to him 6 minutes.

Mr. SIMPSON. Mr. President, I thank the Chair. I particularly thank my friend, Senator Snowe, who has been such a stalwart worker in this area. Senator Snowe has proven time and time again, on these issues and other issues of reproductive choice, that this issue is not about abortion. It is sad, actually, to see somehow this issue of funding of the U.N. Population Fund settle back on the issue of abortion. That is not so.

I support this U.S. funding. I commend my colleague from Maine and thank her for her consistency and the energy that she puts into this program and all programs of this nature. It is wonderful to have an ally like that because it has sometimes been a rather lonely venture over here on these particular issues. But you have to, in this situation, give President Clinton some credit, because during the Reagan-Bush administrations, these programs fell into disarray on the issue of abortion, which is very unfortunate.

This year, we are looking at funding levels of $180 billion in Medicaid. We all know what is being spent in China. Under current appropriations law, foreign aid funding is denied to any organization or program that supports or participates in the management of a program of coerced abortion or involuntary sterilization in any country. That is in the law.

Furthermore, current appropriations law requires that the United States contribution to this program may be used in China. The United States is not funding any of the population activities of China. The U.N. Population Fund does not fund abortions or support coercive activities. UNFPA funds go toward family planning and health care across the developing world.

No U.S. funds may be commingled with any other of these U.N. funds, and numerous penalties exist in the law for any violation of the requirement.

For those reasons, I strongly oppose the pending amendment introduced by the Senator from North Carolina to require the United States to stop funding this program unless the fund withdraws from China.

I have serious concerns about China, its abortive policy, its coercion in that area, but forcing the U.N. population fund to withdraw from China will not affect that policy. In fact, without the careful monitoring that the fund performs, conditions in China will just simply get much worse.

The world and the United States cannot turn its back on what is currently going on in China. We certainly cannot turn our back on the necessity of these funds for the rest of the world, for the sake of humanity.

I thank the Chair.

Mr. LEAHY. How much time is remaining?

The PRESIDING OFFICER. The clock is down to the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. McCONNELL. Mr. President, I am told that Senator Leahy is controlling the time on the other side and is more than happy to yield at least 3 minutes to the Senator from Vermont.

Mr. JEFFORDS. Mr. President, there are few issues that bear more directly on the future of the globe, and on our own health and way of living, than population growth. If the world's population continues to grow at the current rate, our prosperity and the potential for prosperity in much of the developing world are at grave risk. And if we are slow in stepping up to the challenge of controlling population growth, then it just might be too late.

Experience has proven that it does not take a lot of money to have a large effect upon population growth. However, it does take efficient programming, consistency, and a commitment for the long term. The U.S. Agency for International Development runs the premier bilateral family planning program, and UNFPA runs the largest and most effective multilateral program.

I am troubled by certain aspects of this debate. For many years we have hashed over the issue of what kind of conditions we should place on organizations that receive U.S. assistance. A majority of this body repeatedly spoke up in opposition to imposing stricter conditions upon family planning activities overseas than we impose on U.S. organizations receiving family planning funding at home. This policy seemed to be clearly in our best interest and was certainly the most effective way of supporting the best international family planning programs. We thought that debate had been settled. Yet here we are again.

Mr. President, I do not think a lot has changed in the rest of the world since we last revisited this issue. Our family planning assistance is still urgently needed. UNFPA is still the premier international family planning organization. And it is in the best interest to cooperate with those groups which are doing the best work. Imposing stringent conditions upon our assistance will merely undercut our own long-term goal—which is to prevent uncontrolled growth of the population from robbing all of us of the opportunity to give our children a better future.

I yield the floor.
The PRESIDING OFFICER. Who yields time? The Senator from Kentucky?

Mr. McCONNELL. Is the Senator from Kentucky correct that the time will be charged equally to both sides if there is an absence of a quorum suggested?

The PRESIDING OFFICER. That will require unanimous consent.

Mr. McCONNELL. Mr. President, I ask unanimous consent that during the quorum call time be equally charged to both sides, and I suggest the absence of a quorum.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

Mr. McCONNELL. Mr. President, and Members of the Senate, the situation is this: Senator KERRY is now on the floor prepared to offer an amendment. It will be our intention to debate the Kerry amendment between now and the first vote at 6:30 and then stack the vote on the Kerry amendment. All Senators should be aware that in all likelihood there will now be three votes beginning at 6:30.

I see Senator KERRY is here. I am certain that he will shortly send his amendment to the desk.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Thank you, Mr. President.

AMENDMENT NO. 2732 AND AMENDMENT NO. 2733

Mr. McCONNELL. Mr. President, I send two amendments to the desk and ask for their consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts (Mr. KERRY) proposes amendments numbered 2732 and 2733.

Mr. McCONNELL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

AMENDMENT NO. 2732

On page 26 of the bill, strike lines 4 through 22.

AMENDMENT NO. 2733

On page 29 of the bill, strike the word “Appropriations:” on line 17 and all that follows it on that page and insert in lieu thereof: “Appropriations.”

Mr. KERRY. Mr. President, these two amendments are in sequence. They amend two different committee amendments but they go to the same issue. Obviously, if the first one fails, on a vote, the second one is happy to have a voice vote sequentially on the other.

This amendment is an amendment to the bill in order to strike earmarks that designate a total of $23.7 million which is taken from the Department of State’s budget for international narcoictics control and anticrime assistance, and it is transferred to the Federal Bureau of Investigation. And in one case, a small amount of money transferred to the FBI.

In my judgment—and particularly in the judgment, more importantly, of both the Justice Department and the Department of State—this earmark has a number of problems. First, it appears to be a very limited back-door funding of the FBI going around the normal appropriations process of the Senate in order to obtain from the foreign operations bill what it could not obtain from its own appropriations bill.

It is my understanding that Senator HOLLINGS advised the FBI very directly that he wanted the FBI, and the committee wanted the FBI, to concentrate first on its efforts of crime fighting here at home in the United States, and that, while foreign funding is important, he did not think they ought to place their principal thrust on operations so far away from home.

So when the FBI asked for money and in its own budget placed agents abroad, the Appropriations Committee looked at those requests and decided not to give the FBI that money that it wanted. The FBI now has come back through a different appropriations bill and received an earmark taken out of the State Department’s appropriations.

I believe—again more importantly—the Justice Department and the State Department believe—that this back-door approach creates a lot of difficulties. It is not simply that both the Departments of State and Justice oppose it, but the FBI’s earmark takes funds not just from the State Department it winds up taking money from every other U.S. law enforcement agency engaged in fighting crime abroad. It takes some of the enforcement Administration. It takes money from the U.S. Customs. It takes money from the Financial Enforcement Center of the Treasury Department, from the Internal Revenue Service, from the Secret Service, and from diplomatic security.

The result is that the money that is grabbed here by the FBI in this earmark outside of its own appropriations bill would shut down operations and training programs that the United States has financed in a number of different countries and which link up all of these law enforcement agencies, each of which are operating as part of a team.

When this earmark does destroy the team, eliminates the training programs, and winds up plunging the money down in the hands of the FBI, when the committee that has jurisdiction over the FBI said we do not want to do that...

Mr. KERRY. Let me tell you some of the programs that will be lost by virtue of this earmark, this very special earmark for the FBI. We would lose the training program in Byelarus by the U.S. Customs for enforcing limits on contraband which help our own customs here at home make cases involving smuggling out of Byelarus.

We would lose the funding for the Newly Independent States by the IRS which is specifically trying to fight the multibillion-dollar problem of money laundering. There would be no more cases made as a result of the relationship which we would lose from that money.

We would lose the training by the Secret Service in computer crime investigations in the former Soviet Union, and there would be no further crime computer tips to the Secret Service or its counterparts in Russia or the Ukraine because the Secret Service would be taken out of that linkage altogether.

In addition, there would be no further training in Russia in postblast investigation of the kind that was needed to dig out who shot the embassy the other day. Maybe the FBI can do this on its own. But the fact is that if they cannot, you will have cut off the assistance of those other agencies that currently exist.

We would lose the training program of people in the former Soviet Union or Central Europe that deals with fraudulent passports, visas, travel documents. This is not a specialty of the FBI—never has been a specialty of the FBI. It is a specialty of the State Department diplomatic service and their programs will be robbed of money because of this earmark.

We would lose the antidrug training by the DEA in Byelarus, Georgia, Kazakhstan, Ukraine, Turkmenistan, and Uzbekistan.

We would lose the training with the Hungarian police to develop witness protection programs that would help the United States to fight organized crime, and we would shut down our airport interdiction program that we currently have in Budapest which is conducted by the DEA. The Baltics would lose their drug enforcement programs.

We would lose the training in dealing with fraudulent travel documents. We would see a shutdown of our courses and training in Central European law enforcement agencies on how to deal with gunrunners and also with the information sharing that we have currently set up with our own law enforcement agencies.

In Poland, we would lose the efforts to combat economic crime and counterfeiting, activities that threaten United States citizens and particularly our businesses and our currency.

We would have to shut down the advance counterfeit investigations that our Secret Service is currently engaged in with the Polish Government. And we would have to shut down our post blast training in Poland as well as our microcomputer training.

In Rumania, we would lose the combating of economic fraud and counterfeiting as well as the postblast training...
taking place there, and we would lose the United States capacity currently developed against the use in Rumania of fraudulent visas and passports.

In summary, Mr. President, if the FBI gets this money earmarked at the expense of the State Department, it will lose the money for these various activities, we would be shutting out these other agencies, unless the FBI decided out of their good will to somehow bring them in and parcel out the money to these various relationships throughout Central Europe and the Baltics in order simply to augment FBI agents' incapacity. In some cases, this earmark would actually provide money to the FBI that they have never even requested. For example, the Bureau has never asked to maintain offices in Kazakhstan, and according to the Department of State there currently is not a lot of work for the FBI to do even though they have other specialized efforts that they could undertake in Kazakhstan.

In addition, Mr. President, because of the structure, the way each of these entities work in another country, it is entirely possible that even with this earmarking the FBI would not be able to put it to use because the Ambassador in the country could decide that the Ambassador does not want those moneys used or those people positioned, and the Ambassador, as the personal representative of the executive in a foreign country, has the right to determine what entities will be based in a country. That is why these efforts are coordinated out of the State Department in the first place.

What that means is that if the FBI wants to have someone abroad and the Ambassador does not believe it is a good idea for that person to be there, and given the underlying political situation, the FBI is not permitted to base somebody there. So here we are taking the money away from the people who have the right to decide who is going to be there doing it, and you might in effect wind up not only cutting the money from the FBI but you might in effect wind up not having the FBI at all.

The FBI does not have the authority to use this money to augment FBI agents in another country. In fact, Mr. President, I will reserve some time here. I know my colleague wants to say a few words. We can come back and revisit it. But I really think that we should stick with the original intention of the Appropriations Committee that has jurisdiction over this issue.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Kentucky.

Mr. Mccoy. A good friend from Massachusetts could not be more wrong. The amendment does not take $23.9 million out of the State Department; $17.1 million of the funds are drawn from the NIS account, an account we substantially increase over the House setup.

The fact of the matter is, Mr. President, if we are going to continue this program, which has been extremely effective, the only way to do it is the way that we have in the underlying bill. The FBI—the letter from Director Freeh to me of September 18 makes the point, “The FBI does not have funding for these international training efforts in our budget. It is from the support that you and your colleagues provided last year that we were able to undertake these endeavors. Because the FBI has no separate appropriation for this purpose, we must rely upon the Department of State for grants.” That was the situation last year, Mr. President.

Let me tell you what happened, Mr. President and Members of the Senate. Last year the Senate provided $30 million for this purpose. The FBI had begged for the money from the State Department. The State Department begrudgingly gave them $6 million.

In other words, the State Department does not like this project. They are against this project. The $12.6 million earmark in this underlying bill will support our International Law Enforcement Center in Budapest, as well as short-term training sessions in Poland, Estonia, Lithuania, Latvia, Kazakhstan, Moldova, the Czech Republic, Slovakia, Kyrgyzstan, and Slovenia. They are earmarked for the FBI but will support the DEA, BATF, Secret Service, and other law enforcement agencies working in the center in Budapest.

What is this about, Mr. President? Russian organized crime is not practicing us law in their country. And if there is any provision in this foreign operations appropriations bill that directly affects us here at home, it is the efforts the FBI has been making to help the Newly Independent States begin to deal more effectively with their own criminal problem which is spilling over to our shores.

Now, some people say that foreign aid is something they have a hard time understanding. They have a hard time seeing how it has any impact here. Well, all of the items in this bill, the one that has the most direct bearing on us here at home is the efforts we are making with the Russians and with the other countries in the region that we need to begin to get a handle on this extraordinary serious crime problem that is spilling over to our shores.

The reason these earmarks are necessary is because if it is left up to the State Department like it was last year, Mr. President, they will not give this program anything or very little, because they do not care about it.

This is about priorities. And what the underlying bill says is that it is a priority for us to help them do a better job of dealing with an organized crime problem that not only adversely affects them, but adversely affects us. So the Kerry amendment is completely inappropriate, and I certainly hope that it will not be approved.

Earlier this week the Russian Ambassador was in my office, and we discussed a number of issues, including this very issue, the devastating impact that crime was having on Russia's economic and political process. And Ambassador Vorontsov lamented the fact that corruption and violence over there has reached epidemic proportion. Last Tuesday, the New York Times provided a disturbing analysis of the weaknesses of the banking sector over there.

To quote the New York Times article:

Banking in Russia has developed a reputation as a risky business, especially for bankers who are gunned down.

Gunned down—

with horrifying frequency by mobsters intent on intimidation and extortion.

At the end of August, the Washington Post ran an editorial titled, “Murder Inc. in Moscow.” The editorial called attention to an unusual demonstration outside the secret police headquarters. Middle-aged businessmen with briefcases and bodyguards in tow were protesting the murder of a colleague Ivan Kivalidi. As the Post pointed out, Mr. Kivalidi, chairman of the Russian Business Round Table, was a “notable figure in the world of Russian finance; a casualty in the war now underway between the two kinds of private enterprise in Russia—the legitimate and the violently criminal.”

Although a $1 million reward was offered for information on his murder, his colleagues were pessimistic. A few days later, Mr. Kivalidi commented: “I have grounds to think that the police are closely related to the killings. None of the investigations of contract killings in the last year produced results.”
When Prime Minister Chernomyrdin announced new tough anticrime measures, he was scorned—scorned—by the local news media. Izvestia questioned the 70 pages of crimefighting declarations already issued by the Government, and the result, they asked, The government is the last hope.

Now, everyone is impressed by the remarkable progress Russia has achieved. But as the Washington Post warns, if the crime trend continues, Russians are going to believe that democracy means weakness. Uncontrollable violent crime is turning into a greater threat than any political force now on the scene.

This is not a new problem. Since our trip to Moscow in 1993, Senator LEAHY and I have repeatedly raised the crime problem. It was the principal concern expressed by the business community, our business community. Indeed, the principal impediment to expanding foreign investment overseas—there are no longer borders or boundaries. The problem has swept across the ocean and arrived here at home.

In July, the FBI arrested five Russians in New York City involved in a string of international extortion and murder cases.

And extortion is not the worst of the problems we can expect. For the past 2 years, Judge Freeh has warned of the ominous rise in arrests of individuals involved in smuggling nuclear material—smuggling nuclear material, Mr. President.

Yet the administration keeps citing the need for flexibility, just as they did last year when they prevailed upon the conference to strip out $30 million for law enforcement activities.

In the meantime, the problems have gotten worse. Crime is a serious problem. The solution requires a serious effort and investment on our part.

As demonstrations go in Moscow, it was decidedly unusual. The participants were middle-aged businessmen carrying briefcases, surrounded by their bodyguards, gathered near the building that houses the secret police and system of justice.

As you know, in the past year, we have brought charges against some 600 middle- to upper-level police officers in their countries, at the FBI Academy in Quantico, and through innovative efforts at our newly created International Law Enforcement Academy in Budapest.

As we continue our efforts, we are hopeful that the Department of State will continue to support our efforts to confront the problems of international organized crime, drug trafficking, nuclear trafficking, and terrorism.


Hon. LOUIS J. FREEH, Chairman, Subcommittee on Foreign Operations, Senate Appropriations Committee.

DEAR Mr. CHAIRMAN: Thank you for your letter of September 15th, and appreciate the direct circumstances you find yourself in. As you know, I share your belief that combating the growing international crime problem is essential. I am sympathetic to the Senator's objections to earmarks but worry that eliminating this provision would deny funds to this worthwhile effort. Would the FBI be able to fund these programs without supporting the Foreign Operations Appropriation Bill?

I look forward to your reply, and congratulate you on the success this initiative has enjoyed to date.

Sincerely,

MITCH MCCONNELL, United States Senator.

[From the Washington Post, Aug. 26, 1995]

MURDER INC. IN MOSCOW

As demonstrations go in Moscow, it was decidedly unusual. The participants were middle-aged businessmen carrying briefcases, surrounded by their bodyguards, gathered near the building that houses the secret police for the purpose of protesting the murder of a banker—and calling attention to the very slight chance that Justice will ever catch up with the people who did it. The victim, a man named Ivan Kivelidi, was also chairman of the Russian Business Round Table and a notable figure in the emerging world of Russian finance. He was a casualty in the war now underway between the two kinds of private enterprise in Russia—the legitimate and the violently criminal.

Mr. Kivelidi's death is important because it is typical of many in a country where racketeering has become pervasive. Anyone who hopes to see Russia develop as a prosperous democracy can only read with dread about this epidemic of killings, the great majority of which remain unsolved. If Russia's elected government cannot organize effective law enforcement, it risks being replaced by other kinds of government as public fears increase.

Russia's police and system of justice is disorganized and demoralized, frequently corrupt and generally ineffectual. The Post-Soviet government has, what with its pressures, been forced to change it from the instrument of repression that it used to be into something else. But
the transformation has gotten bogged down, leaving the system uncertain and incompetent, with salaries eroded by inflation and with no consensus regarding its purpose and its power.

If this condition continues, Russians are going to begin to believe that democracy means confusion and that respect for law means nothing. Russia is an immensely rich country, with immense natural resources and a well-educated population. In less than four years since the collapse of the Soviet Union, its private sector has grown with remarkable speed. After a sharp economic decline, a recovery now seems to be well underway.

But this promise of growth and steadily improving living conditions depends on political and social stability. Uncontrollable violent crime is turning into a greater threat to the Russian people than the political and economic instability that plagued the Soviet Union.

Mr. D’AMATO. Mr. President, I might inquire of the manager of the bill for a moment.

Mr. MCCONNELL. Yes.

Mr. D’AMATO. If I might have 2 minutes.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the remaining 10 minutes before the vote be divided equally.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. MCCONNELL. Mr. President, I yield 4 minutes to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. D’AMATO. Mr. President, I do not intend to take all that time.

The FBI is earmarked for $12.6 million for foreign law enforcement training in the International Law Enforcement Academy in Hungary.

This earmark is essential for the security of the United States. And I say this because the FBI is training the law enforcement officials of Russia and the former Soviet Union and also Eastern Europe so that the organized crime gangs do not bring their business to the United States. And when I say the United States, I want you to know that they are doing a thriving business in my own State of New York, in Brighton Beach, which has been called "the hub of the Russian mafia."

I am encouraged by FBI Director Louis Freeh’s deep commitment to fighting Russian organized crime. His efforts have highlighted his concern for the issue and we want to support him as he has taken the clear initiative on this important front.

With these funds the FBI will be able to continue international cooperation on a level heretofore not seen in international law enforcement. The FBI will be able to provide training in organized crime and related investigative matters, forensic and other advanced investigative technological support, and continue the goodwill efforts begun last year with Director Freeh’s visit to the region. Because the countries of Eastern Europe are facing the Russian crime gangs first, before they come here, this type of cooperation is vitally necessary and unprecedented in the history of law enforcement.

Presently, one of the greatest threats facing democracy in Russia and Eastern Europe today, is the rapid expansion of organized crime. The situation is so bad that organized crime literally threatens to undermine the very democracy that the United States and the West seek to protect through their assistance programs, and more so by connection, our own security.

President Yeltsin has stated that "organized crime is trying to take the country by surprise." When one looks at the numbers, this is becoming all too clear. At the beginning of 1994, according to Russian First Deputy Minister of Internal Affairs Mikhail Yegorov, there were 5,691 organized crime groups in Russia, with over 100,000 gang members.

In addition to the number of groups operating in Russia, there are close to 100 criminal groups concentrated in 29 countries, including Germany, Italy, Poland, Hungary, the Baltic Countries, Turkey, China, and 24 in the United States alone, with a concentration in my own backyard of Brighton Beach, New York.

In Brighton Beach, Russian organized crime gangs become intimately involved in gasoline-tax scams, insurance fraud, drug trafficking, forgery, and contract killings.

In addition to New York, Russian organized crime gangs operate in San Francisco, Los Angeles, Miami, Chicago. Their activities range from money laundering, illegal money transactions, prostitution, narcotics trafficking, and most dangerously, in 1993, 241 cases of illegal trading in nuclear material in Germany.

We bring yet, these gangs have formed connections with the Sicilian mafia and the Colombian gangs.

Additionally, it is very alarming to look at the activities of these gangs in counterfeiting U.S. Federal Reserve Notes, FRNs. During fiscal year 1992, there were no counterfeit FRNs reported as appearing in Russia by either Russian or United States governmental entities. The reason for the absence of reported counterfeit U.S. currency activity was apparently the impossibility of the activity or the actual amount of activity would readily become more apparent when U.S. law enforcement personnel can get to the region.

If we do not begin to work on solving this problem now, we are headed for a situation where crime will so inundate the region that democracy itself becomes threatened and perhaps fall. If an extremist were to come to power in a backlash to a situation of near or total anarchy, we might find ourselves again threatened with confrontation with Russia. As for the other former states of the Soviet Union, they might also find themselves threatened by the resurgence of nationalism these extremists espouse.

For these reasons, we must act now to stem the tide of Russian organized crime. If we do not act now, the fate of Russia and our own security will become threatened. We cannot allow this chance to stop the menace, from slipping through our hands.

If the Russian crime syndicates continue at the pace they are taking, it
could cause a right-wing backlash in Russia, bringing another dictatorial leader to power, this time from the right. This situation would invariably throw the fate of democratic reform into doubt and cast the world back into the third world, yet impacting my city, the city of New York, and its people.

I have to tell you, this earmark is essential for the security of the United States, and it is being used today productively to fight crime. We have an area in New York that, unfortunately, has become a magnet for organized crime. That is in Brooklyn, Brighton Beach. I want you to know that they are doing a thriving business.

What the FBI is attempting to do is to coordinate, to train and to build the kind of relationship abroad, not only in Russia, but in other areas as well. I think that the FBI has the ability to communicate, to interdict, to stop and, hopefully, stop it before it becomes so pervasive in the United States.

This money funds organized crime investigations, insurance fraud, bank fraud, murder, smuggling—and do you know where that is taking place? Not just in Russia, but here. This is the impact. I cannot believe that we would want to in any way impede this very successful program for a very modest investment. It is absolutely essential that we continue. We should be doing more.

So I hope, as well-intentioned as my colleague’s endeavors—and I believe them to be so; he has been a proponent of more anticrime legislation or as much as anybody. But I hope that we let the Treasury Department and the DEA, have that opportunity to make an impact in saving lives, in battling crime right here in the United States of America, because that is what the impact of these funds are.

Mr. KERRY addressed the Chair. The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank my colleague and friend for his comments. I know what the managers of the bill would say about what this Senator has done in this area. It is precisely because of that that I am here today.

It was my intention, and it is my intention, to ask at the end of my comments to withdraw these amendments, but I wanted to raise this debate. My hope is that, in the days to come, there can be some further discussion in the context of the conference, and otherwise, to guarantee what is really at the heart of what this debate is focused about.

I do not think there is any Senator—I do not say this with any special finger pointing—but I think I have had as many hearings and as much focus in my 11 years here on international crime and organized crime as anyone in the Senate. It is my concern that what is at stake here is the capacity to control and the capacity to have oversight and an appropriate coordination. This is not just whether the FBI should get money. It is a question about how it ought to get the money and who will coordinate these international efforts today.

It ought to be of great concern to Senators that both the Justice Department and Treasury Department are opposed to a subagency coming in and getting funding separately outside of the Cabinet process, outside of the normal appropriations process. It ought to be of concern that the FBI wants to begin a training program in Ukraine for a model of the FBI on their own, without the oversight and input and constructive effort of all of these other agencies. This is a team effort in this country. We have always been best when law enforcement is a team effort. This represents solo flying. I respectfully suggest that we ought to be concerned about this question of control.

The fact is that the FBI has received over half of the funds available to the State Department for this purpose last year, and every single one of the FBI’s request to undertake training last year was granted by the State Department. Not a single FBI request was turned down. So let us put this in its proper perspective.

But, on the other hand, I think it is the kind of issue where Senators coming to the floor and voting with the Appropriations Committee issues the way they are, that this would be best resolved through further discussions. My hope is the appropriate parties will please suspend. The Senate is in recognition.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendments are withdrawn.

The amendments (Nos. 2732 and 2733) were withdrawn.

Mr. MCCONNELL. Mr. President, I want to thank my friend from Massachusetts for withdrawing the amendments. It has been a useful discussion.

I ask unanimous consent that I be permitted to withdraw both amendments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendments are withdrawn.

The amendments (Nos. 2732 and 2733) were withdrawn.

Mr. MCCONNELL. Mr. President, I want to withdraw both amendments. It has been a useful discussion.

The amendments are withdrawn. The amendments (Nos. 2732 and 2733) were withdrawn.

Mr. MCCONNELL. Mr. President, I want to withdraw both amendments. It has been a useful discussion.

The amendments (Nos. 2732 and 2733) were withdrawn.

So the amendment (No. 2730) was rejected.
Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, and Members of the Senate, where we are we have an amendment pending which we will be voting, a motion to table very shortly, the Helms amendment. And in all likelihood the only additional vote will be final passage.

There is one other amendment we are still working on, and in all likelihood there could possibly be two roll call votes on that final passage; but in all likelihood one roll call on an amendment, a tabling motion, and then final passage. So we are very, very close to finishing the bill.

Mr. LEAHY. Mr. President, following that, I would hope Senators would cooperate. We know we are going to have to pass this bill. We know the distinguished Republican leader and the distinguished Democratic leader have said to pass this bill. We know the distinguished Republican leader this afternoon and the distinguished chair.

Mr. LEAHY. However, in doing so, I want to advise my colleagues that since this issue deserves extensive further debate and discussion within the Senate, I am going to propose my amendment in the form of a freestanding bill in the near future.

Mr. LEAHY. I should like to advise the floor manager the Murkowski amendment has promised to consider this matter in his committee.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the amendment (No. 2712) was withdrawn.

Mr. HELMS. Mr. President, I withdraw the amendment (No. 2707) was rejected.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the motion to table the amendment (No. 2707) was rejected.

Mr. DOLE. I move to lay that motion on the table.

Mr. LEAHY. Mr. President, obviously, I agree with the withdrawal of the amendment and hope that will be an issue better addressed in another forum. I am pleased it was, I also hope that we may see soon—Ambassadors—this confirmation is still being with-held so the family, the children, everybody else can make plans, especially since the school year is now upon us.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations consider the amendment (No. 2707) was withdrawn.

The PRESIDING OFFICER. The amendment (No. 2707) was withdrawn.
of further amendment; and that no points of order be waived thereon by reason of this agreement.

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

So the committee amendments were agreed to.

The PRESIDING OFFICER. Are there further amendments?

Mr. NUNN. Mr. President, I have great reservations about a provision in this bill that cuts overall aid to Russia based on the Iranian nuclear reactor sale. I will not detain the Senate tonight. I will ask for Senators to think very carefully about this. I think it is essential that we understand that the number one national security challenge we have in the next 5, 10 years relates to proliferation.

I completely agree with the critics of this sale by the Russians to the Iranians. It is my view that this is against the U.S. national security interests and the national security interests of Russia. We have a common security interest in preventing the proliferation of nuclear weapons. We differ because the Russians are making the sale for economic reasons. The question is: How do we respond? Do we respond with a shotgun, shooting overall aid, which is what this bill does, or do we have a more refined approach, a rifle approach, making it clear that our own policy is not in any way going to permit them to do this without protest, nevertheless, reserving some economic leverage?

Mr. BYRD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. NUNN. Mr. President, I think it is important that we not use all of our economic leverage on this matter, as important as it is. If the Russians wanted the Iranians to have nuclear weapons, they could get them nuclear weapons. Yet, this provision in this bill acts as if the Russians are indeed trying to give the Iranians a nuclear weapons capacity. That is not what the Russians are doing. They are trying to gain economic advantage because of their economic situation. I do not have an amendment on this. I think all Members ought to think about this very carefully. The Russians are the only empire in history with a huge arsenal of weapons, and a country that knows how to produce this material and knows how to make these weapons of mass destruction.

We have an enormous amount of security stake in maintaining our good relationship with Russia, as long as they proceed and struggle toward democracy and market reform. If Russia becomes unstable, if Russia becomes nationalistic, we are going to have terrible difficulties in the years ahead, and even the months ahead, in dealing with this situation. That may happen, inevitably, but certainly we should do no harm.

This provision in this bill is going to cause very big problems if it remains in conference. I hope all Senators will think about this situation. I hope the conferees will look very carefully as to whether they can use a rifle approach, making it clear what our policy is, making it clear that we disagree with it but that it has some penalties attached, but not cutting overall economic assistance to a country that really holds the future of nuclear proliferation in its hands with its huge arsenal of weapons, and a country whose own stability is enormously important to our own national security.

I ask the conferees to consider this matter very carefully when they go to conference and not to be locked into this position, which I think is unwise and against our own national security interests.

Mr. President, I would like to comment briefly on the section of H.R. 1868 that provides:

No funds may be made available under this heading for Russia unless the President determines and certifies in writing to the Committee on Appropriations that the Government of the Russian Federation (A) is making the clear, concise, and specific statements and implementation of arrangements to provide Iran with technical expertise, training, technology or equipment necessary to develop a nuclear reactor or related nuclear research facilities or programs.

It is clear, Mr. President, that the Government of Russia has decided, over strong and I believe well-founded United States objections, to proceed with the sale of light water reactor technology and equipment to Iran. So the effect of this provision would be to block all United States foreign assistance to Russia in the coming fiscal year.

Mr. President, I oppose the sale of Russian nuclear reactor technology and equipment to Iran. It is not in our country's national security interests. I believe it also will not serve Russia's national security interests.

However, I think we need to consider carefully whether a cutoff of all foreign assistance to Russia will advance our national security interests. I have serious doubts that this provision will serve U.S. interests.

First, I believe Russia's decision to proceed with this sale was based on economic considerations. The Russian economy, and particularly the budget of the Ministry of Atomic Energy, badly needs additional revenue. From their perspective, this deal appears very lucrative.

Second, in my view, a cutoff of U.S. foreign assistance is not going to stop this project. The decision has been made at the highest level, after the Russian side listened to the best arguments the United States side could make in opposition to the proposed sale. The Russian Government has indicated in its most recent statement that it is too much to expect any monetary return, for this decision to be reversed because of cessation of United States aid.

Third, I believe Russia has wrongly discounted the disruptive impact on international affairs that Iran could play, should it succeed in developing even crude nuclear weapons. Yet it is unreasonable to assume that Russia wants to help Iran to become a nuclear weapon state. With over 20,000 nuclear warheads, tons of weapons-grade fissile material, and hundreds of scientists and technicians skilled in creating nuclear weapons, Russia does not need to build a light water reactor to help the Iranian nuclear weapons program. If Russia decides to supply Iran with nuclear weapons, it can do so in a few hours.

Fourth, I believe we must ask whether United States influence on Russia to safeguard nuclear technology, to prevent it from being applied to the Iranian nuclear weapons program, will be increased by a ban on United States assistance to Russia. I think the reverse is more likely: that cessation of United States aid will decrease the likelihood of Russian cooperation with us on this vital issue.

Mr. President, our concern over Russia’s determination to continue with sale of civilian nuclear reactor technology and equipment to Iran should be addressed, in my view, with a carefully aimed marksman's rifle, not with a shotgun blast that demolishes everything in front of it. If we cut off all aid because of this sale to Iran, what do we take away the next time Russia acts in a way we believe is contrary to our interests? We will have fired all our ammunition and will have little economic leverage left.

It may be that some aspects of our assistance to Russia merit critical review and reduction. That is another issue entirely. Overall, however, I believe assistance is an important contribution to movement toward the development of market economy, a political democracy, and a pluralistic society in Russia. To my mind, this is clearly in our national security interests and should not go to a total halt because of our disagreement with an unwise decision by the current Russian Government.

Mr. President, I offer these remarks in the hope that the Senate conferees will review this provision carefully as they enter into conference on H.R. 1868.

Mr. LEVIN. Mr. President, I want to associate myself with the remarks of Senator Nunn, relative to the provision restricting funds for Russia.

I hope the conferees will add Presidential waiver language to that section. Otherwise the language could endanger the chances for our relationship with Russia to continue to grow and could lessen the chances for democracy to survive in Russia.

Mr. LEAHY. Mr. President, I will be very brief. The Senate from Georgia has raised a serious issue of concern that many of the rest of us have. I hope this is a matter, as we work through conference, that can be handled. During
this whole bill, we have been helped by the cooperation on both sides, by the distinguished chairman, by Robin Cleveland, Jim Bond and his staff, Tim Rieser on mine. I am sure that will continue that throughout the conference.

Mr. McCONNELL. Mr. President, I send a group of amendments, en bloc, to the desk and ask for their immediate consideration.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 274

(Purpose: To make $3,000,000 available for the World Food Program)

On page 43, line 17, strike out “Provided,” and insert in lieu thereof “Provided. That not less than $2,000,000 of the funds made available under this heading shall be made available for the World Food Program: Provided further.”

Mr. COCHRAN. Mr. President, I thank the distinguished chairman of the Appropriations Subcommittee on Foreign Operations for accepting my amendment making $3,000,000 available for the World Food Program [WFP].

As the largest WFP donor, the United States expects more and more every year from WFP as the key provider of food aid in emergencies. In its investigation of WFP effectiveness, the General Accounting Office determined that a larger cash component in United States food donations is needed to improve the efficiency of our food aid distribution operations in such difficult emergencies as those found in Rwanda, Bosnia, Angola, and Sudan.

While this earmark will not increase WFP funding from this account, it will contribute the current level of U.S. support and give us time to address through other legislation the fundamental problem of linking cash to food in order to improve the management of food aid so desperately needed around the world.

...I deeply appreciate the acceptance of my amendment and thank the chairman and his staff for their consideration of this important issue.

AMENDMENT NO. 275

On page 11, line 10 insert after “Zaire”: “Provided further. That. Not less than $2,000,000 shall be provided to the International Fertilizer Development Center”.

AMENDMENT NO. 276

At the appropriate place under the heading on page 8, “Economic Assistance” add the following proviso: “Provided further. That. Not less than $2,000,000 shall be provided to the International Telecommunications Training Institute.”

(AMENDMENT NO. 277

(Purpose: To increase amounts appropriated for international narcotics control and to decrease amounts available to the Agency for International Development)

At the appropriate place in the bill, insert the following:

Sec. 2. Notwithstanding any other provision of this Act, $20,000,000 of the funds made available under this heading through the Agency for International Development shall be transferred to, and merged with, the appropriations account entitled “INTERNATIONAL NARCOTICS CONTROL” and shall be available for the same purposes for which funds in such account are available.

Mr. COVERDELL. Mr. President, I am here today to warn about the serious illegal drug problem that poses a major post cold war threat to our Nation’s peace and security. Frankly, I worry that these words will fall on the deaf ears of an America that seems unwilling to face reality and commit the resources to stop its own destruction.

We are indeed at a crucial point. Representative William Zeliff, wrote last March: “There is growing consensus that America’s domestic counterdrug strategy is failing. In 1993 and 1994, respected University of Michigan surveys of 5th through 12th grade students indicate that gains once made are slipping. We are in the midst of a major reversal—in use and attitudes.”


In 1994, according to this Michigan study, twice the number of eighth graders were experimenting with marijuana and half the use of marijuana by seniors was up by half just from 1993. Also, the nationally recognized Drug Abuse Warning Network has reported that drug related emergency visits in 1994 were up 8 percent over 1993—now standing at their highest point ever.

Meanwhile, the resurgence of heroin use in the U.S. borders on epidemic proportions. Heroin related admissions to emergency rooms have increased 30 percent in the past year. Administrator Constantine recently noted that heroin is now available in more cities at lower prices and higher purities than ever before in our history. In November 1993, the Clinton administration announced that it would develop a separate strategy to combat the heroin threat. However, a recommended strategy was only just presented in June of this year, and still awaits the President’s approval.

One expert is very blunt: “If these trends continue, by 1996, the Clinton administration will have presided over the greatest increase in drug use and the largest expansion in the supply of illegal drugs in modern American history.”—John Walters, president of the New Citizenshhip Project and former acting director for supply reduction, Office of National Drug Control Policy.

If that’s not a loud enough wakeup call, there’s more:

About 22 million Americans use drugs, of which at least 6 million use cocaine. If current trends continue, the jump in marijuana use among children from 1992–94 signals that 820,000 more of them will try cocaine: about 58,000 will become regular users or addicts.

Illegal drug use among the Nation’s high school seniors has risen 44.6 percent in the last 2 years according to the Department of Health and Human Services. And there is a decline in the perceived risk which leads to an increase in actual drug use. According to Lloyd D. Johnson of the University of Michigan, there is an increase in drug glorification messages aired on television news and entertainment shows. There is a softening of informal and formal antidrug attitudes.

Over 70 percent of the prison population—which is at 1.4 million—tested positive for drugs after their arrest. Whether it is violent crime, child abuse, homelessness, homelessness, poverty, drugs—and particularly crack—have made those pathologies far more acute and in some places unmanageable. Violent crime, largely induced by drug use, is increasing at an alarming rate. According to DEA Administrator Constantine: “For the first time in our history, America’s crime problem is being controlled by worldwide drug syndicates who operate their networks from places like Cali, Colombia * * *”.

The number of police officers, lawyers, accountants, judges who have been tainted by drug money has never been quantified, but the erosion of public trust is apparent.

Drug abuse is costing America about $100 billion annually, excluding billions in taxes on illegal profits from the drug trade, but the moral cost to the U.S. social and political system is immeasurable.

These distressing facts are not simply a reflection of society’s more permissive attitudes. This administration also changed counterdrug policies. Just days after inauguration, Clinton moved the White House office created to coordinate national antidrug strategy from the White House office created to coordinate national antidrug strategy from the National Drug Control Policy [ONDCP] efforts to a backwater and slashed its personnel by over 80 percent. Enforcement has been deemphasized. Mandatory minimum sentences have been reduced. Prosecution statistics from the Administrative Office of U.S. Courts for 1992–94 reveal: a 14-percent drop in charges under all Federal drug laws and a 30-percent drop in charges under narcotics offenses.

The Clinton administration slashed drug interdiction. Information provided at a recent Senate Judiciary hearing revealed a cut of 50 percent between 1993 and 1994 alone in the ships
and aircraft devoted to the interdiction of drugs from South America. America’s low-key drug czar, Lee Brown, has warned of the need to restore assets to the interdiction force structure. He reported that all Federal agencies involved in drug interdiction had reached a consensus to maintain adequate resources in theater, we must return to the 1992-93 levels of effort. But shortly after that warning, the administration released its fiscal year 1996 budget requesting a cut in interdiction funding—almost $300 million. The consequences of the interdiction force are truly serious.

Even drug treatment and especially prevention—often held up by this administration as alternatives to rigid enforcement, had their budgets trimmed by $100 million and $30 million, respectively.

According to recent testimony from the GAO’s Joseph Kelly, Director in Charge International Affairs Issues, National Security and International Affairs, before the House of Representatives, Subcommittee on National Security, International Affairs, and Criminal Justice, Committee on Government Reform and Oversight, the executive branch had difficulty implementing the strategy for shifting resources from the transit zone to the source countries.

Defense Department officials have also complained that the amount of resources applied to the transit zone has been reduced with a corresponding shift in resources to the source countries. For example, the DEA is reducing its presence in Colombia, the U.S. Southern Command is now flying fewer sorties each month in support of source-country interdiction than it did in 1993, and counternarcotics assistance to the three primary source countries was less in 1995 than in 1991 or 1992. In short, Kelly admits that “shifting resources between and within agencies is problematic.”

Kelly mentions other severe problems with America’s so-called war on drugs, including the need for better coordination. No single organization seems in charge of the drug war in either the cocaine source or the transit countries. He mentioned better leadership as required to develop a coherent plan, and to integrate all U.S. programs.

What we have now is virtually no strategy at all. The result is “U.S. Falling Far Short in the Drug War,” as written in the Washington Post by Jeffrey Smith. Smith and others have noted—and frankly, I am deeply concerned—that American officials on both sides of the aisle are seriously underscoring the threat. I have heard a bleak, yet accurate, account of the tragedy of drug abuse, the violence, the health costs, the destruction of lives. But I doubt that this Senate or our own drug control officials have fully grasped the magnitudes involved, the complexity, and sheer danger of the drug trade.

Corruption is leading a path right to the heart of the political system. And many foreign leaders appear unable to deal with the problem. The facts are daunting: Large, criminal drug trafficking empires, better armed than many police forces, and with ties to other organized international crime, are wreaking destruction around the world, particularly in this hemisphere. The CIA estimates that illicit narcotics is a $300 billion a year industry. Yet, U.S. and independent experts warn that cuts are harming Washington’s ability to interdict the flow and ensure that the country is not inflicted by major criminal organizations involved in drug activities on different continents.

A senior U.S. intelligence official recently stated that these organizations “are developing massive capital. I am concerned that they are going to link together * * * to leverage Democratic societies around the world * * * There is a tremendous dimension to this problems that we have hardly begun to deal with.”

Kelly, the former DEA chief, now director of the Science Monitor, “Spy Agency Adapts Cold-War Tactics for Drug War,” by Jonathan Landay, July 5, 1995. Political instability, rising corruption, and porous borders in the United States, Europe, and Asia have enabled criminal organizations to expand into lucrative opium growing areas and new cocaine markets.

The technological advancement of the drug trade has also been underestimated. Colombia’s Cali cartel has apparently changed its transportation mode from single- and twin-engine aircraft to larger commercial aircraft, such as 707’s and 727’s. There are no estimates on how many large commercial flights are used. But the traffickers are creating economies of scale to bring in tons of cocaine. Jeffrey Smith notes: “The United States and other developed countries are falling further behind in the war on drugs as criminal organizations in Latin America and Asia have increased production and become more sophisticated in distributing cocaine and heroin.”

With profits as high as 75 percent, heroin and cocaine producers can afford to spend tens of billions of dollars annually on sophisticated counterintelligence programs, telecommunications equipment, as well as hiring some of the best marketing and legal talent that U.S. colleges and universities produce. While the problem has often been characterized as a U.S. one, America’s crime mob, that comparison may be misleading. Today’s drug leaders are better armed, have much more funds at their disposal, and have access to sophisticated technology to carry out their trade.

In the Western Hemisphere, drug traffickers have invested in a nationwide chain of pharmacies; legal drug labs—even their own brands of aspirin and vitamins; investments in soccer teams; hotels; shopping centers; car dealerships; apartments; poultry farms; ranches with thousands of heads of cattle—and they are even believed to have purchased some newly privatized State industries, according to the FBI and other sources.

Based on the extent of coca leaf production in South America, the Western Hemisphere’s annual cocaine production is about 1,100 metric tons. Drug users in the United States consume an estimated 300 tons; police and customs seize another 300 tons. That leaves a tremendous glut of cocaine on the world market, keeping street dealers on several continents flush, despite continuing victories like the arrest of major traffickers.

Proponents of efforts to stop the production of drug crops and substances at the source—in Latin America and Asia—believe that reducing the foreign supply of drugs is crucial to lowering the levels of drug use in the United States. They argue that, coupled with intense law enforcement, such programs would make it easier to locate and destroy crops in the field than to locate subsequently processed drugs in America’s streets. Opponents generally believe that the reduction of the foreign supply is unrealistic, and that the only ultimate solution is the reduction of demand. By no means any reasonable person has surely come to the conclusion that it will take both: We must decrease demand, even as we reduce the flow of illegal drugs.

Here’s just a sample of the reality I must deal with in trying to stem the tide of narcotics: the office of the Western Hemisphere Subcommittee chairman on the Foreign Relations Committee:

Mexico: Fifty to 70 percent of the illegal drugs that enter the United States are smuggled through Mexico. Between 60 to 80 percent of the foreign-grown marijuana available in the United States is of Mexican origin, and Mexico supplies about 23 percent of the heroin. Mexico is also a key transshipment point for cocaine entering the United States, and has expanded its role over recent years as a clearinghouse for worldwide drug shipments and money laundering.

The Office of National Drug Control Policy has designated Mexico as the second most important country in the international narcotics program, behind Colombia. The DEA has recommended that Mexico be reclassified as a source country so it can be considered for more resources under the administration’s counterdrug strategy.

Faced with a growing threat from narcotics trafficker, President Zedillo has singled out the drug trade as Mexico’s most pressing national security problem. But even that key admission is not enough. In a disturbing development, drug smugglers are buying passenger jets and flying in huge amounts of drugs into Mexico for transport to the United States. Senator Bob Graham, the State Department, drug-laden cargo jets “are one of the most difficult and critical challenges * * * facing Mexico.”
International Narcotics Control Strategy Report, March 1995. Zedillo has ordered the Mexican military to take a greater role in the counternarcotics effort, including the use of air force fighter jets to intercept cocaine-laden planes.

Experts say that Mexican drug organizations have built a massive illicit financial empire using the tourist industry and stock market, while converting billions of dollars in drug profits into legitimate forms of capital. Mexico’s National University estimates that Mexican drug lords spend as much as $500 million a year on bribery. Some bankers suspect that last December’s financial crisis was partly the result of a massive transfer of drug money.

Colombia: We vigorously congratulate recent success in Colombia apprehending Cali cartel kingpins, Gilberto Rodriguez Orejuela and Jose Santacruz Londono, among others. The Cali cartel has accounted for at least 80 percent of the cocaine shipped into the United States. Those extradited are expected to use their ill-gotten gains to finance further drug operations. The corruption of Colombia is the result of over a decade of drug trafficking which have brought to justice. But we are wise enough to recognize that the problems down there are far from over. We need to determine that those captured will be held accountable. These kingpins must receive punishment commensurate with their crimes. Short sentences, in which they’re able to hold on to their ill-gotten gains would be counterproductive. Hopefully, Colombia’s institutions will deliver and operations against the Cali cartel will continue.

But last year Colombia achieved only minimum success in the tropical areas of drug interdiction, illicit crop eradication, and precursor chemicals. Colombia is now producing so much cocaine that U.S. officials can barely keep track of it, and it may well have surpassed Bolivia as the world’s second largest coca grower. Peru remains the largest coca grower, accounting for nearly two-thirds of the world’s coca production, most of which is processed in Colombia. Colombia is also believed to have the dubious distinction of surpassing Mexico as the hemisphere’s leading poppy producer.

Early this year, Colombia’s justice minister released a report concluding that judges and prosecutors were overly generous in the use of plea bargains. Even Colombia’s chief prosecutor described the situation as virtual impunity. We applaud Colombia for coming clean, but the reality is: Colombian officials themselves are embarrassed by the lenient sentences.

Ernesto Samper’s Presidency remains tainted with allegations that his 1994 campaign received up to millions of dollars in contributions from traffickers. The corruption of Colombia’s Congress continues to be a problem, with one former U.S. officials warning that as much as 50 to 75 percent of the Congress is influenced by the drug cartels.

Notwithstanding present doubts about the effectiveness of America’s strategy in the war against drugs, there was success against the drug cartels during the mid 1980’s to early 1990’s. The energy and resources devoted to the antidrug effort during the Bush and Reagan administrations, combined with hardening public attitudes toward the drug problem. And while Federal spending on the drug war was substantial—approaching $12 billion at the end of the Bush years—it never exceeded Federal spending for NASA. Clearly, neither the spending nor the Federal antidrug effort ever presented a serious burden in terms of the Federal budget. Meanwhile, modest progress against drug trafficking was also being made in my area of the globe; eradication and drug seizures were up. These successes were achieved despite the criminals’ resolve.

Then, as now, we recognize the valiant efforts made by law enforcement personnel in Mexico, Colombia, and Peru. These nations have lost their lives to stopping the flow of illegal drugs into this country. In the past decade, Colombia has lost 23 judges, 63 journalists, 4 presidential candidates, and more than 3,000 police officers and journalists. And we agree with many of the leaders of the region that America simply must do more to curb its appetite for illegal drugs. They must not see us as hypocritical—watching their every move, while reducing our own financial commitment to the problem.

But, even more, I fear that political leadership and world class American will to fight the drug scourge is eroding throughout the Western Hemisphere. But now here in America we seek asleep in the face of a problem that is devastating our future and threatening our national security. If we are willing to commit the resources and implement a coherent program, even as we attack the drug consumption problem, we can experience renewed success. The alternative—reducing badly needed counterdrug resources at this crucial time—would further threaten our national security, would risk democracy and stability throughout the hemisphere, and would place our young people’s very lives at risk.

Mr. GRASSLEY. I support the amendment to restore funding to the international narcotics program. I am aware that the bill already contains a considerable increase for the program, but it still remains well below what is essential to sustain a viable international narcotics effort.

In the last several years, funding for our international narcotics program has been in a free fall. In addition, the administration has failed to articulate a coherent strategy or consistently defend the programs that it has put forward. This has left the impression that it does not care about the drug program, does not see fit to push its own ideas.

Some in Congress seem to have concluded from this that the drug program does not work and that the money can do better service someplace else.

Both views are wrong. When we made the drug issue a continuing policy concern we saw success. And when we provided our efforts with adequate guidance and support, backed up by the moral authority of the government, we made significant progress on the drug problem. We saw the result in steady declines in use, the most important barometer of how we are doing.

We can also see the results of a rethinking from our earlier effort. In the last 2 years we have seen marijuana use among 12-17-year-olds soar, up 50 percent. At this rate, within the next year or so we will have wiped out the gains made in reducing use over the last 13 years. It is from this new, emerging user population that tomorrow’s addicts will come. The situation reminds me of what happened to us in the 1970’s. We let indifference get the better of us. We had to suffer a major drug epidemic to learn our lesson. We cannot afford to let that lesson go to waste.

It is a national tragedy if we let drug use escape us again. With serious effort we reversed the worst years of drug abuse. What clearer indication can there be of the effects of meaningful effort and indifferent effort than in these contrasting pictures.

More important, I would remind my colleagues that it has been Congress that has lead the effort in representing the public’s interest on the drug question. In 1986 and 1988, we moved to increase both the funding for our drug efforts and to put pressure on the administration to take forceful action. We saw results. Just this year, the Senate Foreign Relations Committee, and Senator HELMS and I, took the lead in putting pressure on Colombia to do something about arresting drug kingpins, something everyone told us could not and would not happen. Well, it happened in jig time. Consistency and meaning what you say are still sound currency here and abroad. It is that kind of fortitude and stick-with-it-ness that we still need.

We still have a substantial responsibility to represent the American public on the drug issue. And we still have the need to be the leaders in insisting on adequate funding for well-executed programs. This does not mean we have to measure our drug efforts by impossible standards of success. We need to be realistic and we need to be consistent.

Given recent gains in putting drug kingpins behind bars in Colombia we also need to build on our efforts to go after the second and third tier of cartel leaders. This means continued support for our international programs.

I would also remind my colleagues, that the money we spend on this program is perfectly to support efforts aimed at individuals and groups that target Americans, whose actions daily kill and wound
more people than all the terrorists combined. Drug dealers, here and abroad, are real enemies whose actions have direct and immediate consequences on the quality of life in our homes and on our streets. Money spent on this international program pays real dividends on what it can accomplish when we are willing to act and we can see the consequences when we fail. I support the amendment to increase the international narcotics program by a further $20 million, which still brings the total effort to about $65 million. This $40 million below the administration's request. This funding will help us do the job we must continue to do.

ADDITIONAL TEXT:

Amendment No. 2738

(Purpose: To provide for the transfer of excess defense articles to Estonia)

At the end of section 546 of the bill, insert the following:

(c) The President may transfer to Estonia such excess defense articles as the President determines necessary to help modernize the defense capabilities of Estonia, subject to the requirements of subsections (b) through (f) of section 519 of the Foreign Assistance Act of 1961.

Mr. S COTT. Five years ago I was invited to be the first United States Senator to address the newly elected Estonian Parliament as it liberated Estonia from itself 50 years of illegal Soviet occupation. I was denied entry into Estonia by the Soviet regime, but have since taken a distinct and parochial interest in Estonia's well-being.

Recently I met with Lt. Gen. Aleksander Einseln, commander of the Estonian Armed Forces. In our meeting, he outlined the significant material problems that his nascent military faces. With the almost complete withdrawal of Russian military forces, Estonia must now look to its own defense. Estonia is struggling to heal its occupation. I was denied entry into Estonia's cultural heritage is one of the richest and most important in the world's history. Yet, it is seriously endangered by pollution, decay, and the simple passage of time. An endowment for the preservation of Egyptian antiquities, which AUC offers and, in the process, AUC is a cost-effective instrument for building cultural and intellectual bridges. Reflecting on its American heritage, AUC attracts Egyptians from all sectarian communities.

Egypt's cultural heritage is one of the richest and most important in the world's history. Yet, it is seriously endangered by pollution, decay, and the simple passage of time. An endowment for the preservation of Egyptian antiquities, which AUC offers and, in the process, AUC is a cost-effective instrument for building cultural and intellectual bridges. Reflecting on its American heritage, AUC attracts Egyptians from all sectarian communities.

Mr. President, AUC is an institution offering direct local currencies to be used for two programs in Egypt that have enjoyed considerable support from this body in the past. This amendment does not affect the dollar appropriation for Egypt nor does it add any new money to the bill.

First, the amendment requires that the existing endowment for the American University in Cairo be replenished by the equivalent of $50 million in Egyptian pounds.

The Congress has twice before directed that local currencies generated from our aid programs be used to support AUC. However, as the pound has devalued against the dollar, the value of the existing endowment for AUC has continued to shrink, thus making an additional contribution necessary. In addition, lower interest rates, while obviating the cost of capital, as the Egyptian local currency in Egypt, have resulted in significant income decline from these funds.

Mr. President, AUC is an institution of outstanding importance, not only in providing an American-type university education in Egypt and elsewhere in the Middle East, but also as a key element in the close relationships that have developed between the American and Egyptian peoples. Our colleague, the distinguished chairman of the Appropriations Committee, has been instrumental in securing the original allotment of Egyptian pounds for this important institution.

REPORTER'S NOTE:

the United States Governor of the North American Development Bank must subscribe without fiscal year limitation to the callable capital portion of the United States share of the fund.
In sum, therefore, this amendment makes good economic as well as good environmental sense, and I urge its adoption.

Mrs. HUTCHISON. Mr. President, I rise tonight in support of the North American Development Bank, which was created to assist border States and local communities in coordinating, designing, and facilitating border infrastructure projects. It is a unique binational financial institution which acts as a catalyst to facilitate public and capital investment for projects certified by its sister organization, the Border Environment Cooperation Commission [BECC]. Establishing through a joint agreement between the United States and Mexico, the NADBank also establishes the United States and Mexico as equal partners, under which both the United States and Mexico contribute equally to the Bank’s projects. Importantly, each government’s capital subscription is not an operational expenditure. It represents an investment in a sound financial institution which will appreciate with the Bank’s earnings and may eventually be returned to its investors—United States and Mexican citizens.

The NADBank’s role is a crucial one; it acts as the lead bank, like an investment bank, financing border infrastructure projects as a complement to other public and private sector financial sources. It also has an important private sector orientation. Unlike other multilateral development banks which lend primarily to public entities, the NADBank may provide financing to any entity—public or private.

What will NADBank capital be used for? Well, 90 percent will go to border infrastructure projects, the remaining 10 percent will be used to fund separate domestic programs in the United States and Mexico beyond the Mexican border. Clearly, the role of the NADBank is an important one not just to border States but to our entire Nation.

Mr. President, pollution does not require a visa. Border pollution impacts both Mexico and the United States, and growing public health concerns and a lack of adequate clean water prevent economic growth extending out and beyond the border regions. Growing health concerns due to the inadequacy of municipal infrastructure are a potential time bomb. If the health risks associated with lack of adequate infrastructure are not addressed, the border will face even more severe health problems over the next decade. The NADBank, in its efforts to address growing infrastructure needs, will benefit the entire border region’s health standards. The proper use of the Bank’s capital will be guarded carefully, therefore, as if it were a trust for our children.

Properly planned and developed border infrastructure will help United States-Mexico commerce to flow freely.

Mr. BINGAMAN. Mr. President, I rise today to join my colleagues, Senator DOMENICI of New Mexico, Senator HUTCHISON of Texas, and Senator KYL of Arizona, in supporting the amendment to restore funding to the North American Development Bank, better known as the NADBank. As a cosponsor of this amendment, I want to tell you why the important funding that is being restored is to improving environmental conditions along the United States-Mexico boarder. This is important not only to my State of New Mexico, but to all the border States and to our Nation.

The North American Development Bank was created in 1993 as a supplement to the North American Free Trade Agreement [NAFTA]. Its purpose is to provide loans and loan guarantees to projects certified by the Border Environmental Cooperation Commission [BECC], also created as part of the NAFTA, for high priority border environmental and health projects. Due to its lack of wealth, the border region cannot be self-financing in its endeavor to develop and implement these types of infrastructure projects. These projects are absolutely critical to the border area in managing border-eligible problems with air and water pollution, wastewater treatment, municipal solid waste, and hazardous waste.

The NADBank is patterned after other multilateral development banks, such as the World Bank and the Inter-American Development Bank. The United States is required to contribute $25 million over a 4-year period in initial paid-in capital. The NADBank will then use this capital, along with funds raised in the financial markets and other resources to fund environmental and health projects along the border and to supplement privately funded projects. These funds will be combined with existing State and local funding, Federal grants and State revolving loans, and World Bank and Inter-American Development Bank loans to Mexico to augment the substantial investment that is needed to provide the basic level of protection to human health and the environment.

Rapid population growth and industrialization in the border cities has overwhelmed existing wastewater, water supply, and solid waste infrastructure. Untreated industrial sewage currently flows north to the United States and into the Rio Grande River. Thousands of residents lack safe drinking water and adequate solid waste disposal facilities. Air quality is severely deteriorated by emissions of industrial pollutants, and dangerous levels of carbon monoxide and ozone-forming hydrocarbons from urban traffic.

Let me be clear that while this funding is for binational projects, U.S. citizens will realize substantial benefit from potential border infrastructure improvements. A significant number of people live in metropolitan areas along the United States-Mexico border. This population is critically impacted by water
In January 1996, the Governing Council of IFAD agreed that the target for the Fourth Replenishment should be $600 million, and urged both developing and developed countries to join in a partnership to achieve this target. To date, the United States is the only country that has not announced its pledge.

As you know, the U.S. commitment to the Fourth Replenishment is expected to be $92 million over a 3-year period. While the transfer authority of $15 million is a positive step for IFAD, it does not fulfill the first $30 million annual payment by the United States toward its expected 3-year pledge.

The transfer authority for $30 million would allow the United States to continue its leadership in IFAD and allow us to continue our successful work to increase the productivity and incomes of the rural poor. A transfer of $30 million to IFAD will also make it possible for the United States to meet its pledge its commitment of $92 million to the Fourth Replenishment, bringing the 3-year negotiations on this replenishment to a successful conclusion. Once the Fourth Replenishment is concluded, a new government will be elected, and the New voting procedures will reflect the level of contributions made, and will ensure that the voice of larger contributors will be heard more clearly.

The transfer authority will not harm the programs and accounts from which the funds are transferred. With a U.S. contribution of $92 million, the $600 million level of the Fourth Replenishment will be achieved and with another $900-plus million from loan repayments and investments, a total of $1.2 billion will be available to IFAD to fight poverty and hunger around the world. About 40 percent of the resources available in our Fourth Replenishment will go to Africa. The transfer authority will make it possible for IFAD to commit $160 million per year for Africa, increasing over fivefold the total development resources for that region. IFAD is an effective and efficient organization that directs loan repayment and investment policies and contributions from other member countries leverages about $13 for every $1 that the U.S. commits. Without the U.S. pledge there will not be a successful conclusion of the Fourth Replenishment, and it will not be able to provide this level of resources to the region.

I urge my colleagues to support this amendment.

AMENDMENT NO. 274

Page 43, under the heading, “International Organizations and Programs,” add the following proviso: “Provided further, that not less than $1,500,000 of the funds appropriated under this heading shall be made available for the United Nations Fund for Victims of Torture;”.

AMENDMENT NO. 274

(Purpose: To increase transfer authority for IFAD)

On page 41, line 3, strike “$150,000,000” and insert in lieu thereof “$30,000,000”.

Mr. DODD. Mr. President, I send to the desk an amendment and ask for its immediate consideration. The amendment I am offering simply increases the transfer authority that the administration may utilize to fund the U.S. contribution to IFAD. Specifically, the amendment increases that authority by $15 million. Let me assure my colleagues that this transfer authority will not require any offsetting cuts to be made as the overall funding of the foreign operations budget is not increased.

The International Fund for Agricultural Development (IFAD) is the only international financial institution with the specific mandate to address rural poverty, hunger, and malnutrition. To this end, IFAD promotes participatory, cost-effective approaches to help poor groups such as smallholder farmers, rural women, and the landless to increase their output and incomes in sustainable ways.

The Congress makes the following findings: (1) The Government of Guatemala, under President De Leon Caprio, has made significant progress towards negotiating an end to Guatemala’s civil conflict which has resulted in numerous human rights violations, claimed tens of thousands of lives and impeded economic development in that country. (2) President De Leon Caprio has taken steps to improve human rights, including his support for the U.N. mission for the verification of human rights and of compliance with the commitments of the comprehensive agreement of human rights in Guatemala (Minigua). (D) By human rights organizations and the Committee on Appropriations and the Committee on Foreign Relations that—

(a) The Guatemalan Armed Forces and the UNRNG are fully cooperating with efforts—
(A) By the family of U.S. citizens Michael Devine who was murdered in 1990 to bring to justice those responsible for the murder or cover-up of the murder.
(B) The October 1994 murders of Roderico Baudilio de Leon and Flavio Matias Miroquín.
(C) By Jennifer Harbury to exhume the body of her husband, Efrain Bamaca Velasquez; and
The Guatemalan attorney general to investigate and bring to justice those involved in the prominent human rights cases committed by both sides to the conflict, including those cases enumerated in the April 7, 1995 letter to President Clinton by twelve Members of the United States Senate. (3) The U.S. Representative to the United Nations Human Rights Commission has concurred with Representatives of other Member States to determine whether respect for human rights would be enhanced by the appointment of a special United Nations rapporteur for Guatemala.

Mr. DODD. Mr. President, this amendment is very straightforward. It says that until we see some tangible progress in the human rights performance of the Guatemalan Government, and developed countries to join in a comprehensive agreement of human rights in Guatemala (Minigua) for the United States to determine whether respect for human rights would be enhanced by the appointment of a special United Nations rapporteur for Guatemala.

The prohibitions on military assistance, sales of defense articles and services, and the denial of visas to members...
of the armed forces suspected of wrongdoing are to remain in effect until the President certifies to the Congress that the Guatemalan Armed Forces are cooperating with efforts to investigate a number of high profile human rights cases of the murders of Michael DeVine, Myrna Mack, and Efrain Bamaca Velasquez, the husband of United States citizen Jennifer Harbury.

I would ask unanimous consent that an April 7, 1995, letter on this subject to President Clinton be printed in the Record following the conclusion of my statement. Appended to that letter is a list of the human rights cases that we believe are particularly worthy of special consideration by the U.S. Government.

Mr. President, Guatemala is at an important turning point in its rather tragic history. A civil war has been waging for 30 years. More than 140,000 Guatemalans have lost their lives as a result of that conflict. The bulk of those killings occurred in the 1980's when the Guatemalan Armed Forces mounted massive counterinsurgency operations, particularly against rural populations.

But killings have not been limited to the seventies and eighties. Political violence in this decade has been more targeted, most notably against teachers, human rights workers, and politicians. In 1994, the Guatemalan Catholic Church reported that there were some 356 political killings and another 40 cases of forced disappearances. Almost none of these cases have been resolved.

Thanks in large measure to the efforts of the U.N.-facilitated peace negotiations, the parties to the conflict have been making progress in reaching a diplomatic solution to their differences. But progress has already been finalized in a number of areas of mutual concern.

On March 29, 1994, the parties signed a global accord on human rights that sets forth basic human rights principles. The agreement also required the deployment of a U.N. human rights verification mission to Guatemala early in 1995 in order to monitor compliance with that agreement. In the most recent report of the U.N. verification mission, it found that impunity remains the most serious obstacle to the enjoyment of human rights in Guatemala, despite the manifest concern and commitment of the President of the republic to combat it.

The Guatemalan military and security forces, like every other sector of Guatemalan society, must demonstrate that they are not above the law, that their members will be held accountable for illegal acts. The first step in making this a reality is a demonstration such forces that they are prepared to cooperate in bring to justice those within their ranks responsible for some of the most notorious human rights abuses—most notably the murder of U.S. citizen Michael DeVine.

The pending amendment is intended to prod those in control of the military and security forces to take demonstrable steps to end nearly 40 years of impunity. Mr. President, I believe that this amendment has been carefully targeted to lend support to the President of Guatemala in his efforts to reorganize the military and security forces and to establish control over such forces in the context of a final peace agreement. I would urge my colleagues to support this amendment.

AMENDMENT NO. 274

(Purpose: To permit the continued provision of assistance to Burma only if certain conditions are satisfied)

On page 104, strike lines 7 through 10 and insert the following:

Snc. 570. None of the funds made available in this Act may be used for international narcotics control assistance under chapter 8 of part I of the Foreign Assistance Act of 1961, or crop substitution assistance, directly for the Government of Burma unless the Secretary of State certifies to the appropriate congressional committees that any such programs funded by the United States human rights concerns in Burma and serve a vital United States national interest. The President shall include in the annual International Narcotics Control Strategy Report submitted under chapter 8 of part I of the Foreign Assistance Act of 1961 a description of the programs funded under this section.

Mr. KERRY. Mr. President, I rise in support of my colleague from Arizona’s amendment to restore authority for the State Department to use funds for counter narcotics efforts and crop substitution programs in Burma as long as the President certifies that any such programs are fully consistent with United States human rights concerns in Burma and serves vital United States interests.

Human rights is an issue of extreme importance and deep concern to every Senator in this Chamber, and must remain a significant element in our dealings around the world, and no Senator is more committed to the issue than Senator McCain.

His amendment is a commonsense amendment that gives the United States the necessary flexibility to act in its interest in a nation which provides 60 percent of the heroin smuggled into this country. To prohibit counter narcotics efforts would be ill-advised and counterproductive.

Whatever our deep and abiding concern for human rights, it is important to note, Mr. President, that Burma’s most noted victim of human rights violations, Aung San Suu Kyi, supports democracies and counter narcotics, and the President, in his certification, that, Mr. President, is the best argument for support of the McCain amendment.

We have three important objectives in Burma—democracy, counter narcotics, and human rights. All three demand our attention and our support; but common sense would tell us that we cannot diminish potential success in any of these areas because of specific failures in another. As long as we are not insensitive in our actions on overall diplomatic progress.

Mr. President, the State Department is well aware of congressional concerns and I fully anticipate that it will conduct counternarcotics efforts consistent with our overall international policy and in consultation with the Congress.

I think, therefore, that this is a common sense amendment that makes it possible to do what we need to do to fight the drug problem without recognizing the limitations of our involvement and maintaining a strong focus on human rights.

I would urge support of the Senator from Arizona’s amendment, and I yield the floor.

Mr. McCAIN. Mr. President, this amendment would modify the provision in the underlying bill that prohibits funding for international narcotics control assistance in Burma. The amendment would modify that prohibition by permitting such assistance only if the Secretary of State certifies to Congress that such programs are fully consistent with United States human rights concerns in Burma, and that they serve a vital United States national interest.

That vital national interest is obvious, Mr. President. Sixty percent of the heroin that comes to this country originates in Burma—60 percent. We have a compelling, urgent responsibility to do whatever we can to eliminate or at least reduce Burma’s export of that dangerous narcotic. Without a strategy that addresses the heroin trade in Burma, we have no effective antinarcotic program at all.

I can well understand the Senate’s desire to influence the Burmese regime’s treatment of the Burmese people. That treatment has been abominable and well deserves our severe reproach. I visited Burma last March and was exposed to a pretty representative sampling of how abominable that treatment has been and continues to be.

Daw Aung San Suu Kyi’s release was a very welcome development. But in all candor, it does not represent evidence of political reform or even an indication of progress toward an objective standard of human rights in Burma. Burma has a very long way to go.

I know the authors of this provision feel very strongly, as do I, that the United States must actively support the cause of human freedom in Burma, and make it unmistakably clear to Burma’s State Law and Order Restoration Council, the SLORC, that the United States, indeed, all of the civilized world expect them to begin respecting the will and the rights of the Burmese people.

But what I have difficulty understanding is why we must refrain from acting in our own national interest while we attempt to act in the interest of the Burmese people. I urge my colleagues to support this amendment if it stated that no funds for drug control could be made available directly to the
SOLRC. I would not support this assistance either if the State Department were proposing to simply provide money to the SOLRC with the promise that the SOLRC would use it to eradicate poppy fields. It is quite probable that such funds would be used by the SOLRC to further oppress ethnic minorities in Burma, like the Wa.

But, Mr. President, that is not what the administration proposed to do with this assistance. First, it is a relatively small amount of money that we are talking about--most of it going to the efforts of the U.N. Drug Control Program [UNDCP] in Burma; $2 million would be provided to the U.N. to work with ethnic minorities on crop substitution and other programs intended to begin making some, although admittedly small, progress in reducing poppy cultivation. None of that assistance would be funneled through the SOLRC.

A limited—very limited amount of assistance, $50 thousand, I believe—would be provided to train Burmese customs officials. But I fail to see the harm in that, given that the amount is so small, and the need for better Burmese control of drug smuggling at the borders so obvious.

Mr. President, a $50 million isn’t going to solve America’s heroin problem. But I do not see how we begin to get any control over that problem absent some kind of program in Burma.

Opium production in Burma has skyrocketed in recent years. It is, by far, the largest heroin producing country in the world. Again, 60 percent of heroin in the United States originates in Burma.

The enormous increase in heroin production globally has substantially reduced the street price of heroin while simultaneously increasing the purity, and consequently, the lethality of the drug. Overdoses—fatal overdoses have increased rapidly in the United States. Sadly, there is demand for heroin, we will never be able to keep it out of all our children’s hands. But if in Burma and elsewhere our efforts make some progress in restricting the flow of heroin to the United States, we will make the drug more expensive and less readily available on our streets than it is today.

Mr. President, before I conclude, I should also add that in meetings attended by American Embassy officials in Rangoon, Mr. Su Kyi, had no objections to counternarcotics programs in Burma. While advising that the U.N. counternarcotics effort in Burma be closely monitored— as it should be, she also understood the importance of reducing poppy cultivation. Further, I repeat that the U.N. Burma program employs many pro-democracy supporters.

I am convinced that the counternarcotics assistance envisioned for Burma is consistent with our human rights goals in Burma. But, I repeat, to ensure that it remains so, this amendment requires the Secretary to certify that all the program which our assistance would support are fully consistent with our human rights concerns in Burma.

Mr. President, I believe—as we have in many other countries—the United States can advance or values and protect our national interest in Burma simultaneously. They are not mutually exclusive, and should not be treated so.

I commend the Senator of Kentucky and also the Senator from Vermont for their abiding concern for the people of Burma. I understand the motives, the very decent motive, for authoring the provision I seek to amend. My only concern is over this particular approach to achieving a very worthy objective. So let us find a way to advance the cause of freedom in Burma.

The Peruvian government’s ability of flow of heroin to the streets of America.

AMENDMENT NO. 2745

(Purpose: To express the Sense of the Senate concerning the provision of spare parts and other military equipment to Peru)

At the appropriate place add the following new section:

SEC. . (a) The Senate finds the following:

(1) Since March 1995 the Peruvian government has imposed an aggressive air interdiction program to prevent traffickers from violating Peruvian airspace for the purpose of transporting illegal narcotics to Colombia.

(2) As a result of the Peruvian interdiction program, the number of illicit flights detected in recent months has dropped to its lowest level in over three years and the price of transporting narcotics out of Peru has risen by as much as 500 percent. In many cases traffickers cannot hire pilots at any price.

(3) The inability of traffickers to move cocaine base out of Peru has produced a glut of coca leaf and cocaine base in Peru with a resulting 50 percent decline in the price.

(4) The Peruvian government’s ability to sustain the success of its interdiction program is dependent on the maintenance and upkeep of a very limited number of aircraft.

(5) As a result of the internal Peruvian political situation and the conflict earlier this year between Peru and Ecuador, the United States suspended military transfers to Peru. This suspension, that will result in suspension of military equipment for the air interdiction program to prevent narcotics trafficking activities.

(6) As a result of the Peruvian government’s inability to obtain spare parts and other military equipment from the United States, the Peruvian Air Force have seized aircraft from traffickers.

(7) The situation which led to the cutoff of military equipment for the air interdiction effort have been satisfactorily resolved or have progressed to a point where the cutoff of this military equipment is no longer in the interests of the United States.

(b) It is the Sense of the Senate that the President should, as soon as possible, provide limited spare parts and other military equipment to the government of Peru in support of Peruvian Air Force efforts to monitor, intercept and interdict aircraft and other forms of transportation engaged in illegal narcotics trafficking activities.

Mr. KERRY. Mr. President, last Friday The New York Times reported rather substantial increases in the price of cocaine on the streets of New York City. The article attributed this price rise to the recent arrests in Colombia of six of the seven biggest drug kingpins.

Certainly the decapitation of the Cali cartel has played an important part in disrupting the supply of cocaine, but we should not overlook the other factors at work here. I want to draw particular attention to the efforts undertaken by the Governments of Peru and Colombia to shut down illicit narcotics flights between their countries.

This air interdiction program was made possible by an amendment adopted last year by Senate during consideration of the Defense authorization bill. That amendment removed a legal impediment to sharing United States intelligence information with Peru and Colombia.

Since our intelligence sharing began earlier this year, the Peruvian and Colombian Air Forces have seized aircraft destroyed traffickers, forced them down and, as a last resort after complying with strict verification procedures, shot them down.

The resulting disruption in the flow of cocaine and cocaine base out of Peru has been impressive. The number of illicit flights detected in May, June, and July was the lowest level in 3½ years. The price of cocaine and cocaine base out of Peru has risen by as much as 500 percent. In many cases traffickers cannot hire pilots at any price.

Constricting the flow of drugs through this critical choke point has led to an oversupply of coca leaf and cocaine base in Peru, the source country for 80 percent of the cocaine that reaches our streets.

This glut has caused the price of coca leaf and cocaine base to plummet. In parts of Peru the price is down 50 percent and there are scattered reports of farmers abandoning coca fields because it is not worth their effort to harvest the crop.

Unfortunately the air interdiction effort that is producing these noteworthy results faces a serious problem. The Peruvians cannot obtain spare parts from the United States for the A-37 aircraft that they use to intercept the traffickers planes.

The United States suspended the transfer of these parts in 1991 when President Fujimori dissolved the Peruvian legislature and threw out the constitutional amendment.

This amendment is overwhelmingly reelected in May and a cease fire holds sway in the border conflict with Ecuador. This amendment is our only way to force the flow of narcotics to the drug trade. This amendment should not be interpreted as an attempt to open the flood gates for broad military assistance.

The only assistance I am encouraging is program that is already in the pipeline.
The Peruvian military needs to make much more progress in the area of respect for human rights before the United States should consider other forms of assistance.

It would be a travesty if the Peruvians were forced to shut down this program because the United States would not send spare parts for two airplanes. Keeping cocaine off our school yards and street corners, I encourage the Senate to adopt this amendment.

I am now prepared to have the article printed in the RECORD.

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

[From the New York Times, Sept. 15, 1995]

COLOMBIA ARRESTS RAISE PRICE OF COCAINE IN NEW YORK CITY

(By Clifford Kaus)

Only a few months after the Colombian Government began arresting the top leaders of the Cali drug cartel, law enforcement officials said the supply and potency of cocaine in New York appeared to be dwindling, forcing wholesale and street prices to soar.

In what officials described as the most precipitous shift in almost six years, the wholesale price of cocaine has increased nearly 50 percent since May, while retail prices have gone up 30 percent. Similar increases, they said, are evident in other big Eastern cities dependent on New York-based Cali operatives for supplies.

In addition, they said, recent seizures and intelligence indicate that the number of shipments of cocaine into the New York area have declined. Only four months ago, Federal agents say, shipments weighing 1,000 pounds or more were coming into the city in trucks, ships and airplanes; now, they typically weigh less than 200 pounds.

The shifts are also evident in the city's drug markets. Drug dealers in Washington Square Park said this week that the same gram of cocaine that sold for $50 in May now goes for $80, an increase that they said was beginning to drive away younger buyers who used to come to Greenwich Village from New Jersey.

"I've been around 39 years," said one Washington Square dealer, who has been trading drugs for 12 years and sometimes walks through the park. "So I know when they bust the big guys in Colombia, that's when the coke goes up."

Law enforcement authorities cautioned that the shifts in supply and price might be temporary, evidence of another periodic realignment of international trafficking networks with little long-lasting importance. But they said that the declining sizes of cocaine shipments and five recent fatal shootings between competing drug gangs in Queens appeared to be strong signs that the world's richest drug trafficking organization is at least going through a painful period of adjustment.

"Maybe it's only a breather that is beneficial," said Peter A. Crusco, chief of narcotics investigations in the Queens District Attorney's office. "But relatively little is coming in. The big players aren't risking moving the cocaine."

Officials say cocaine buyers can still find the drug in neighborhoods across the city, but New York police officials say laboratory tests show that dealers are now mixing their small bags and tins of cocaine powder with 30 percent more sugar or baking powder to stretch supplies.

On the other hand, officials say supplies and prices of crack—the cocaine-based drug of choice among many poor users—have not been affected, because its purity is low to begin with and abusers need little to become intoxicated.

Though they are encouraged by the tightened supply of cocaine, some police officials expressed concern that shortages of cocaine would cause more users to turn to heroin, which is already gaining in popularity and is mostly distributed by organized crime groups that compete with the Cali cartel.

They also worry profits continue to be stretched, street gangs competing for customers, territory and supplies could turn more violent, much as they did when crack first became popular in the late 1980's.

Investigators said information collected through wiretaps and informers indicated that supplies of cocaine are being held up in Colombia and Mexico, where they are stockpiled before moving across the border, because the leaders who once personally supervised their release are in jail or on the run.

Middle-level traffickers, the wiretaps and informers indicated, are holding back shipments, in part because they feared that the captured leaders might be trading information about cartel operations in exchange for more lenient treatment.

The one person who moved the cocaine between Colombia and Mexico, Miguel Angel Rodriguez Oquendo, is out of commission for at least the next 12 months, law enforcement officials say, because his telephone conversations are being monitored, the officials say, because their telephone conversations are being monitored, the officials say.

The most striking effect of the arrests in Colombia, wholesale level of the drug trade, officials said, responding to the decreased supplies, several law enforcement officials said top cocaine dealers have raised prices to their largest distributors to an average of $26,000 per kilogram, from $18,000 only four months ago.

In Detroit, the Drug Enforcement Administration has reported an increase in wholesale prices from $22,000 to $32,000 per kilogram in the last two months.

A bodega owner in Washington Heights said the recent increase had forced middle-level dealers to hike prices, shave profits, dilute their inventory and hoard supplies in case the current shortages continued.

"A lot of people are just holding onto their good stuff for when prices really go up," he said.

The last time cocaine prices in New York rose so much and so fast was in late 1989, when a shooting war broke out between the Medellin cartel and the Colombian Government. The Medellin group never recovered, but within months the Cali cartel picked up the trafficking slack, and prices returned to normal levels.

State Drug Enforcement officials said that Mexican trafficking groups and smaller Colombian cartels operating on Colombia's northern coast are now jockeying for new markets. Mexican traffickers have already taken control of much of the cocaine market in the Southwest, they said, and wholesale prices there have not risen as sharply as in New York.

But Thomas A. Constantine, the head of the Drug Enforcement Administration, said Mexican traffickers are no match for the Cali cartel waiting in the wings that could match the Cali group's financial resources, political clout in Colombia, and international trafficking connections.

"Nobody out there even compares," he said, saying that the Cali group had already surpassed the Medellin cartel in sophistication and resources at the time of the Medellin group's downfall.

But Mr. Constantine and other officials cautioned that it was too soon to tell how harshly the Colombian authorities would punish the six top Cali leaders they captured this year.

United States officials noted that the Cali leaders could negotiate some of the terms of their surrender, and none have suffered confiscations of ill-gotten gains like their mountainside mansions or fleets of yachts.

In addition, the United States officials say, the cartel leaders are still able to communicate with their lieutenants through family members who visit them in jail and by paying off guards. But perhaps because their telephone conversations are being monitored, the officials say, they have not directed their underlings to release huge loads of cocaine warehoused in Colombia and Mexico.

Whatever the long-term impact, law-enforcement officials say, the latest price rises demonstrate that the cartel's top leaders direct the most minute details of their cocaine wholesaling operations in the New York area.

Recent captures of cartel record cards include items like personnel evaluations and Con Edison bills.

"We have done investigations involving wiretaps," said Robert H. Silbering, the Special Assistant District Attorney in charge of citywide narcotics cases, "that show a direct link from the streets of New York to the estates of Cali."

Mr. LEAHY. Mr. President, I have agreed to accept this amendment, because it is narrowly written and deals only with the authority to provide spare parts for Peruvian aircraft used in the drug interdiction program. It does not authorize funds on equipment for the Peruvian Army. We prohibit military aid to Peru in this bill on account of longstanding human rights concerns. We do not want to undermine that policy in any way, by providing equipment to the army for any purpose.

However, this amendment would not do that. It only permits one of the spare parts to permit the Peruvian Air Force to operate its drug interdiction aircraft, which I am told by the sponsor of the amendment, Senator KERRY, are having an effect. I am willing to see that effort continue if it is helping interrupt the flow of cocaine, but I cannot agree to any assistance to the Peruvian Army.

AMENDMENT NO. 2746

(Purpose: To ensure that the current proportion of economic assistance continues to be channeled through such voluntary organizations and cooperatives)

On page 9, insert after the end of line 8 the following: "Provided further, That the President shall seek to ensure that the percentage of funds made available under this heading for the activities of private and voluntary organizations and cooperatives is at least equal to the percentage of funds made available for corresponding authorities in law for the activities of private and voluntary organizations and cooperatives in fiscal year 1986."
both sides. It is cosponsored by Senators MIKULSKI, SARBANES, and SIMON.

My amendment is very simple. It says that the President shall seek to ensure that the same percentage of our economic assistance that currently is channeled through PVOs, continues to be channeled through PVOs next year. This language is identical to a provision that was included in the foreign aid authorization bill reported by the Foreign Relations Committee, and it is similar to a provision in the House-passed foreign operations appropriations bill.

I think this amendment is important because private, voluntary organizations—PVOs—are our most cost-effective vehicle for delivering foreign assistance, and in this era of shrinking budgets we simply cannot afford to abandon our partnership with them. PVOs operate in countries and circumstances in which our government cannot or will not. They not only reflect American values and generosity, but are an efficient means of delivering people-to-people assistance that has a positive and lasting impact on the lives of the poor and builds long-term friendships for the United States.

In commanding broad public support, our partnership with PVOs and cooperatives leverages vast private resources. Much of the assistance we provide through PVOs is matched by contributions from corporations, religious groups, individuals. Thus reductions in the level of PVO participation in our foreign aid program could have a very damaging multiplier effect.

Unfortunately, it appears that some cuts in development assistance are unavoidable. My amendment simply seeks to ensure that PVOs are not cut disproportionately. I think it is critical that the Senate go on record in support of the tremendous work done by these organizations and I would urge that the Senate adopt my amendment.

At the appropriate place in the bill, insert the following:

Of the funds appropriated for Turkey under the heading "Economic Assistance", not less than $5 million shall be made available only through non-governmental organizations to be used only for projects in the ten southeastern Turkish provinces currently under a state of emergency, and shall be used only for projects designed to promote economic development, cultural and ethnic tolerance, and human rights activities, and to support the development and activities of nongovernmental organizations in the southeast.

The southeast, of course, is a traditionally Kurdish area where Kurds are caught in a vise between PKK terrorism and the Turkish military.

Earlier this week, I released a report on Turkey by minority staff of the Foreign Relations Committee. The report, which was based upon a trip that the staff conducted in August, found, among other things, that the Kurdistan Workers’ Party (PKK) poses a grave threat not only to Turkey, but to our national stability as well. According to the report, the PKK bears direct responsibility for much of the tensions in southeast Turkey and for prompting the recent Turkish invasions of Iraq.

The report also found, however, that the Government of Turkey bears much of the responsibility for the continued suffering in the southeast. The report acknowledges the great political challenges Prime Minister Ciller faces as she tries to address the Kurdish problem—a fact borne out by developments of the last several days by the fall of her government. The bottom line, however, is that the government has been unable—or unwilling—to distinguish between the legitimate representatives by the PKK from the legitimate rights and aspirations of the Kurdish people. As a result, Turkey refuses to engage in a political dialogue with nonviolent Kurdish representatives, and is executing a heavy-handed, indiscriminate military campaign to eradicate what it views as a monolithic threat to the unity of the country.

By equating all Kurdish aspirations with the terrorist designs of the PKK, Turkey effectively has eliminated outlets for nonviolent Kurdish political or cultural expression. As a consequence, Turkey unintentionally may be contributing to the PKK’s appeal. I believe it is important to encourage Turkey to offer Kurds and other groups outlets for nonviolent expression.

One response to the well-chronicled Turkish rights violations has been to cut assistance. In fact, as many of my colleagues may be aware, the House voted to limit economic support funds for Turkey to $21 million. I propose that we take a different approach by addressing some of the very real economic needs Turkey is facing in the southeast—and to do so through non-governmental organizations.

The Foreign Relations Committee staff visited Diyarbakir, one of the main cities in the southeast, which in many ways symbolizes the ethnic difficulties that persist within Turkey. That city has become a haven for rural Kurds forced to evacuate neighboring towns and villages destroyed by the Turkish military. By some estimates, the city’s population has grown from roughly 300,000 to more than 1,500,000 during the past 5 years. Although Turkish authorities and some independent observers suggest that tensions have subsided during the past 2 years, it is evident that any existing calm is tenuous and the result of Turkey’s overwhelming—and at times oppressive—security presence, which has exacted a high cost in terms of human rights violations. I believe that my amendment would have a positive impact by improving economic conditions in a very unstable area.

This amendment also sends an important message to Turkey—as it faces the challenge of forming a new government—about the need to address other underlying problems such as the lack of opportunity, ethnic and human rights abuses in the southeast. Turkish officials speak of the need to increase stability in the southeast. True stability can only come with increased tolerance. This amendment is intended to bolster that effort.

AMENDMENT NO. 278

On page 36, line 4, after the word "Turkey," insert the following: "Provided further, That the President should seek the agreement of the Prime Minister of Turkey to permit access throughout Turkey to international humanitarian organizations which operate confidentially, and report to the Committee on Appropriations by June 1, 1996, on progress towards such agreement."

AMENDMENT NO. 279

(Purpose: To amend the NATO Participation Act of 1994 to expedite the transition to full membership in and cooperation with the North Atlantic Treaty Organization of European countries emerging from Communist domination.)

On page 121, below line 24, add the following:

TITLE VII—NATO PARTICIPATION ACT AMENDMENTS OF 1995

SECTION 701. SHORT TITLE.

This title may be cited as the "NATO Participation Act Amendments of 1995."

SEC. 702. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of the security of its territory ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of the North Atlantic Treaty Organization.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern.
to its member states and for the peaceful resolution of disputes.

(9) America’s security, freedom, and prosperity remain linked to the security of the countries of Europe. The President graciously would contribute to international peace and enhance the security of the region.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to the security of the United States.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by European states emerging from Communist domination.

(15) In recognition that not all countries which have requested membership in NATO will meet all criteria at the same pace, the accession date for each new member will vary.

(16) Nothing in this title should be construed as precluding the eventual NATO membership of European countries never under Communist domination, namely, Austria, Finland, and Sweden.

(17) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO and should be designed to assist other countries meeting specific criteria in moving toward eventual NATO membership.

(18) The evaluation of future membership in NATO for countries emerging from Communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO’s security and the approval of all NATO members.

SEC. 703. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the North Atlantic Treaty Organization (the United Nations) and the Warsaw Pact on the basis of the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

(2) to actively assist European states emerging from Communist domination in their transition so that such countries may eventually qualify for NATO membership.

(3) to work to define the political and security relationship between an enlarged NATO and the Warsaw Pact.

SEC. 704. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) Establishment of Program.—Subsection (a) of section 203 of the NATO Participation Act Amendments of 1995, 109 Stat. 227, 22 U.S.C. 1928a note) is amended to read as follows:

[(a) Establishment of Program.—The President may provide expanded security assistance to countries emerging from Communist domination which have expressed an interest in joining NATO, in accordance with the criteria in paragraph (3) and specifically identified in this list of countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the countries designated under this section to Congress within 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated in the Foreign Assistance Act of 1996 for any assistance under this section shall be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).]

(b) Conforming Amendments.—

(1) Subsection (c) of section 203 of such Act is amended by striking “subsection (d)” and inserting “subsection (d)(2)”;

(i) by striking “subsection (d)(i)” and inserting “subsection (d)(2)”; and

(ii) by inserting “(22 U.S.C. 2394)” before the period at the end.

Section 204(c) of such Act is amended by striking “any other Partnership for Peace country designated under section 203(d)” and inserting “any country designated under section 203(d)”; and

(c) Types of Assistance.—Subsection (c) of such Act is amended—

(1) by redesigning paragraphs (1) through (4) as paragraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraph:

“(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).”

SEC. 705. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated under section 203(a) of the NATO Participation Act, as follows:—

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

Other European countries designated under subsection (d)(1) or subsection (d)(2): $20,000,000.

SEC. 706. TERMINATION OF ELIGIBILITY.

Section 203(s)(5) of the NATO Participation Act Amendments of 1995 (title II of Public Law 104-147, 22 U.S.C. 1928a note) is amended to read as follows:
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“(f) TERMINATION OF ELIGIBILITY.—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President certifies under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

“(2) The President determines that the government of a country designated under subsection (d)–

“(A) no longer meets the criteria set forth in subsection (d)(1);

“(B) is hostile to the NATO alliance; or

“(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

“(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

“(g) CONGRESSIONAL PRIORITY PROCEDURES.—

“(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (d) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 806(c) of the Department of Defense Appropriations Act, 1986 (as amended in Public Law 98-473 (98 Stat. 1936)), except that—

“(A) references to the ‘resolution described in paragraph (1)’ shall be deemed to be references to the joint resolution; and

“(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(2) TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution after the reserving clause of which is as follows: ‘That the Congress disapproves the certification submitted by the President on June 19, 1995, pursuant to section 203(f) of the NATO Participation Act of 1994.’’."

SEC. 707. REPORTS.

(a) ANNUAL REPORT.—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 2128 note), as redesignated by section 705(i) of this Act, is amended—

(1) by inserting “ANNUAL” in the section heading before the first word;

(2) by inserting “annual” after “include in” in the matter preceding paragraph (1);

(3) by striking “Chairman for Peace” and inserting “European”; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

“(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1995, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards.”.

SEC. 708. DEFINITIONS.

The NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 2128 note), as amended by this title, is further amended by adding at the end the following new section:

SEC. 207. DEFINITIONS.

“For purposes of this title:

“(1) NATO.—The term ‘NATO’ means the North Atlantic Treaty Organization.

“(2) DESIGNATED CONGRESSIONAL COMMITTEES.—The term ‘designated congressional committees’ means—

“(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives;

“(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

“(3) COMMUNIST DOMINATION.—The term ‘communist domination’ includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.”.

Mr. ROTH. Mr. President, I rise as a cosponsor of the Brown amendment—the NATO Participation Act Amendments of 1995.

No other issue is more crucial to European security than NATO’s relationship with Central and Eastern Europe.

Today, we are in the midst of a historical exception. It is a phase in which the strategic landscape of Europe is particularly malleable—a phase that will not last forever. How the Alliance manages its relationship with the nations of this region during this period will determine whether or not Europe will ultimately have the benefits of an enduring and stable peace.

Careful, gradual, but undeterred enlargement of NATO should be the geopolitical priority of America’s Europe policy. The Alliance is uniquely qualified to provide the institutional foundation for regional security and peace. No other institution combines the two necessary requisites to serve in this role: a transatlantic dimension and proven operational experience.

The Brown amendment explicitly endorses and facilitates a process of NATO expansion. Passage of this amendment is an important step toward establishing a system of Euro- pean security consisting of two pillars: an enlarged NATO and a strategic partnership between the Alliance and Russia.

Since I have endorsed this legislation before in this Chamber, allow me, Mr. President, to briefly review the key reasons why we should support the process of NATO enlargement and why we should vote for the NATO Participation Act Amendments of 1995:

First, extending the Alliance’s membership to the nations of Central and Eastern Europe, beginning with Poland, Czechia, Slovakia, and Hungary, will help transform this region from a source of instability into a cornerstone of peace. Both recent and long-term history show us that the region’s strategic geography continues to pose a source of danger on the continent—with calamitous consequences that drew the United States into two World Wars.

Second, NATO enlargement would help facilitate the economic and political integration of this region into the Western Alliance. Passage of this amendment would demonstrate America’s commitment to consolidating an enlarged Europe, and it would give more incentive to the nations of Central and Eastern Europe to continue their reforms.

The extension of NATO membership to Central and Eastern Europe would positively influence the evolution of two great powers, Germany and Russia. These states are now undergoing very complex and sensitive transformations. The outcomes will be significantly shaped by the future of Central and Eastern Europe. NATO enlargement would further lock German interests into a transatlantic security structure and thereby consolidate the positive role Bonn plays in European affairs.

Moreover, and this leads to my fourth point, NATO enlargement into Central and Eastern Europe benefits Russia. By enhancing and reinforcing stability in Eastern Europe, an enlarged NATO would bring greater stability to Russia’s frontiers and would enable Russia to direct more of its energy and resources to the internal challenges of political and economic reform.

Mr. President, this point is too often forgotten in this debate. There has been too strong a tendency in United States policy to overreact to outdated Russian perceptions of American strategic realities and objectives central to the interests of the Alliance, as well as to the United States.

Finally, Mr. President, let me emphasize the NATO Participation Act Amendments endorse a vision of European security in a manner fully consistent with the spirit and charter of the Washington Treaty. It calls upon the President to undertake programs that will help the nations of Central and Eastern Europe prepare themselves for the responsibilities of NATO membership.

Enlargement is a process for which the Alliance has always been geared. Indeed, Article 10 of the Washington Treaty provides for the enlargement of the Alliance to any European state “in a position to further the principals of this Treaty and to contribute to the security of the North Atlantic area.”

Mr. President, America’s policies toward Europe must be shaped to a strategic landscape that enhances economic, political, and military stability in all parts of Europe. This is in our Nation’s best interest, and it is the intent of the NATO Participation Act Amendments to see such policies embodied. For this reason, I call upon my colleagues to pass this legislation.

Mr. PELL. Mr. President, I want to thank the Senator from Colorado for working with me earlier today to revise Section 707 of the NATO Participation Act Amendments of 1995, which he and Senator Simon introduced earlier this year. While there are still a few
changes that I hope we can make down the road. I share the amendment’s goal of assisting our friends in Central and Eastern Europe to make the transition from Communist domination to greater integration with the rest of Europe. I believe that overall, the amendment before us is an improvement over S. 602, and I will support it.

NATO expansion is very important. In fact, the United States has taken the lead within the Alliance to address the challenges and threats and expeditiously. Stepping up security assistance to former Communist states is critical to the Partnership for Peace initiative as well as to NATO expansion. The administration has already put forth a proposal—the Warsaw Initiative—to facilitate the participation of democratic European states in Partnership for Peace activities. The Brown-Simon amendment complements what the President is already doing in this regard. This amendment does not absolutely state that Partnership for Peace is becoming an important feature of the European security system.

This amendment sets up a series of eligibility criteria for countries to receive additional assistance leading to the transition to full NATO membership. The criteria, which include having a Democratic government and a free market economy, civilian control of the military and the intelligence services, adherence to OSCE principles, and a commitment to prevent the sale of defense articles to terrorist states, are quite appropriate and reasonable. I want to be clear, however, that adoption of this amendment should not be taken as a signal that Congress can deem that certain countries are more ready than others for NATO membership. The 16 NATO countries have a process in place for addressing the expansion issue. That is as it should be. NATO has almost completed its internal study of expansion, which will be made public as early as next week. Then NATO will begin briefing Partnership for Peace members regarding expansion.

Under Senator Lugar’s leadership, the European Subcommittee is conducting a series of hearings to examine NATO expansion issues. To date, the subcommittee hearings have shown that the issue of expansion has not been thoroughly examined or vetted by the Congress or by the American public. The costs and responsibilities of NATO expansion have not been thoroughly examined. Therefore, any unilateral congressional determination as to which countries are ready for NATO membership is inappropriate.

This amendment does not make a pronouncement regarding NATO membership. It simply authorizes the President to help countries that are already members of Partnership for Peace, and that may be interested in full NATO membership.

I believe that this amendment strikes an appropriate balance between encouraging the administration to reach out to our friends in Central and Eastern Europe on the one hand and supporting the process among our NATO allies on the other.

**AMENDMENT NO. 2790**

(Purpose: To provide a substitute for the appropriations bill for the Joint U.S.-Republic of Korea Energy Development Organization)

Strike all after “that” on p. 108 line 18 through line 10 on page 109, and insert in lieu thereof the following:

(a) in accordance with Section I of the Agreed Framework, KEDO has designated a Republic of Korea company, corporation or entity for the purpose of entering into a prime contract to carry out construction of the light water reactors provided for in the Agreed Framework; and

(b) the DPRK is maintaining the freeze on its nuclear facilities as required in the Agreed Framework; and

(c) there is no country that the States is taking steps to assure that progress is made on (1) the North South dialogue, including efforts to reduce barriers to trade and investment, such as removing restrictions on travel, telecommunications, and transborder financial transactions, and (2) implementation of the January 1, 1992 Joint Declaration on the Denuclearization of the Korean Peninsula.

(d) a report on the specific efforts with regard to subsection (c) shall be submitted by the President to the Committees on Appropriations sixty days after the date of enactment, and six months thereafter.

Mr. McCONNELL. Mr. President, the language in the bill takes the standards for improvements in the United States relationship with North Korea and applies them to the North-South relationship. The language codifies what I believe is our policy of parallel progress between North and South and the United States relationship with the North.

There is real concern that each time the North Koreans want something new in the way of equipment, economic assistance, or a concession, they threaten to lift the freeze.

We then inch closer in our bilateral relations. We have committed to nuclear nonproliferation. If there is no sign of progress, the United States will consider the freeze to be lifted. There is no end date in the agreement. We await the next phase of implementing the Framework Agreement. It will not surprise anyone to learn that, once again, the North is linking a continuation of the freeze to the granting of millions more in assistance.

This time, apparently they are interested in the equipment needed to build an energy distribution grid.

Like every Member of this body, I think a freeze on North Korea’s nuclear program is important—but we need to look carefully at that freeze—to freeze it, if you will.

At this point, it has been reduced to a negotiating chip which the North keeps recycling. Every time they want something new, the North threatens to lift the freeze.

In the last round of talks, the North was adamant that no mention be made of South Korean participation in the provision of the light water reactor covered under the Framework Agreement.

To accommodate this demand, we negotiated an arrangement where the North agreed to allow KEDO to announce the contracting decision. KEDO, in turn, announced that a reactor originally based on a United States design but modified by the South would be the reactor provided.

I gather the ambiguity of this arrangement was unacceptable to the South but a private letter from President Clinton to President Kim Yong Sam was sufficiently reassuring that the South Korean administration agreed to go along.

Unfortunately, side letters do not bear the same official weight as obligations spelled out in agreements. Once again, the North seems to have achieved their goal of access to energy and easing economic pressure while minimizing contact with the South.

I think it is essential to clarify just what we expect in the next phase of the North-South dialog. Ambiguity will ultimately invite challenge and confrontation.

The North’s opposition to a clearly defined role for the South is the threat to stability. The danger does not lie in imposing obligations that are parallel and inconsistent with our own—the danger lies in abandoning our current security commitments to South Korea in an attempt to obtain future compliance with IAEA and NPT requirements.

Mr. President, the principal objection the administration had to the restrictions I included in the Foreign Operations bill was the timetable I established for progress in the North-South dialog. I would like my colleagues to know that the timetable I included was exactly the same as the schedule the United States was expected to comply with in fulfilling obligations to normalize economic and political relations.
However, given the difficulty of the problem I can appreciate the administration not feeling able to move as rapidly as I would like, so I have modified the language to accommodate those concerns. The amendment I am offering on behalf of Senators BYRD, NUNN, HATFIELD, STEVENS, INOUYE, LEAHY, and myself balances our interest in clarifying our goals on the North-South dialog while giving the administration sufficient time and a measure of flexibility to advance those interests.

Mr. BYRD. Mr. President, I thank the distinguished chairman of the subcommittee, and manager of the bill, for his flexibility in accommodating any concerns over the provision in the bill on the Korean Framework Agreement. That agreement, concluded on October 21, 1994, if properly implemented, holds the promise of relaxing tensions on the Korean Peninsula, of steering the Korean Peninsula, of steering the North Korean Government off its path of nuclear weapons development, and of reducing the long-term expenditure of resources by the United States to ensure the safety of South Korea.

The agreement mainly concerns obligations entered into between the United States and the North Korean Government, but also refers to the need for a dialog between the North and South Korean Governments as well. In Provision III of the agreement, the North Korea Government has agreed to “engage in a North/South dialogue, as this Agreed Framework will help create an atmosphere that promotes dialogue.” The intent of the development which has been offered encourages progress in this regard, in particular with reference to reducing North-South barriers toward trade and investment, including removing restrictions on travel, telecommunications services, and financial transactions. If such barriers are removed, much of the suspicion, fear, and anger that infuses the North-South relationship can be mitigated, and an atmosphere of peaceful cooperation fostered. Such a development is certainly in the national security interest of the United States.

The amendment also requires the President to certify that the North Koreans are maintaining their current freeze on nuclear facilities, which is required in the Framework Agreement. This is the quid pro quo for United States support to the South Korean and Japanese governments to put into place new light water reactor powerplants in the North, which will help resolve the overall nuclear issue on the Korean Peninsula.

The administration supports this amendment. For that reason I am pleased that Senators could reach this accommodation on the language in the bill. It supports America’s vital leadership role to bring peace and an atmosphere of cooperation on the Korean Peninsula, and head off any further danger that the North Koreans might pursue a nuclear option which would lead to more tension and perhaps a conflict there.

I commend the chairman, and others who have contributed to this result.

AMENDMENT NO. 2751

On page 24, line 5 add the following after “services”:

“Provided, That these funds shall be in addition to funds justified for programs in the 1996 congressional presentation documents.”

AMENDMENT NO. 2752

(Purpose: To express the sense of the Congress regarding the recent elections in Hong Kong)

At the appropriate place in the bill, insert the following:

SEC. 3. HONG KONG ELECTIONS.

(a) FINDINGS.—The Congress finds the following:

(1) The right to an elected legislature in Hong Kong is guaranteed by the 1984 Sino-British Joint Declaration on the Question of Hong Kong.

(2) The United States-Hong Kong Policy Act declared the Congress’s support for full implementation of the 1984 Sino-British Joint Declaration;

(3) The People’s Republic of China declared in the Joint Declaration that Hong Kong would be “one country, two systems” with a “high degree of autonomy,” and would have “a legislature constituted by elections”;

(4) On September 17, 1995, the highest number of Hong Kong voters ever demonstrated their commitment to democracy by freely expressing their right to vote in the Legislative Council elections.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the people of Hong Kong are to be congratulated for exercising their right to vote on September 17, 1995;

(2) the People’s Republic of China should respect the clear will of the people of Hong Kong to have a fully democratic government;

(3) the Government of the People’s Republic of China should enter into a dialogue with the democratically elected representatives of the Hong Kong people; and

(4) the Government of the People’s Republic of China should respect the mandate of the elected Legislative Council, and would have furthered that pledge to abide the Legislative Council in violation of the Joint Declaration’s provisians on Hong Kong’s legislature and autonomy in all international affairs.

Mr. PRESSLER. Mr. President, on behalf of myself and others I am offering an amendment that expresses the sense of the Congress in support of last Sunday’s successful elections in Hong Kong.

Mr. President, when Mr. Christopher Patten became Governor of Hong Kong 3 years ago, he made a very important decision. He decided to allow the people of Hong Kong the opportunity to express their preference on a simple issue: democracy—yes or no?

As last Monday’s New York Times editorial noted, “Hong Kong’s voters declared overwhelmingly on Sunday their preference for democracy and their doubts about Beijing’s plans for the colony’s future.” Final returns from the polls showed the Democratic Party led by Mr. Martin Lee won the largest number of seats, 19, in the 60-seat Legislative Council. Other pro-democracy allies will give Mr. Lee a working majority of 31.

By contrast, pro-Beijing candidates of the Democratic Alliance for the Betterment of Hong Kong won only six seats and the party’s top three officials were defeated. Beijing spokesmen for Beijing have not learned to lose gracefully and have resorted to threats and intimidation.

Again Governor Patten has proved to be the best analyst: “Everybody has to realize that Hong Kong has expressed its views about the present and the future with great clarity.”

Mr. President, the amendment I have offered conveys the people of Hong Kong for exercising their right to vote, calls on China to respect the clear will of the people of Hong Kong to have a fully democratic government, and calls on China to enter into a dialogue with the democratically elected representatives of the Hong Kong people.

I wish the people of Hong Kong well as they continue to demonstrate their clear will to maintain the cause of democracy. I urge my colleagues to support this amendment.

AMENDMENT NO. 2753

(Purpose: To impose sanctions against Burma, and countries assisting Burma, unless Burma observes basic human rights and permits political freedoms)

At the appropriate place in the bill insert the following:

SEC. 2. SANCTIONS AGAINST BURMA.

Except as provided in section 4, the following sanctions shall apply to Burma, effective on the date of enactment of this Act (or on such other date as is specified in this section):

(1) INVESTMENTS.—No United States national may make any investment in Burma.

(2) UNITED STATES ASSISTANCE.—United States assistance for Burma is prohibited.

(3) TRADE PRIVILEGES.—The President shall certify that the suspension of nondiscriminatory trade treatment (most-favored-nation status), with respect to Burma.

(4) IMPORTATION OF GOODS.—No article which is produced, manufactured, grown, or extracted in Burma may be imported into the United States.

(5) TRADE AND INVESTMENT TREATIES.—The United States should continue to suspend carrying out obligations under bilateral trade and investment treaties with Burma.

(6) TRAVEL RESTRICTIONS.—The Secretary of State shall prohibit the use of United States passports for travel except for travel by United States diplomatic personnel.

(7) DIPLOMATIC REPRESENTATION.—The President is urged not to accept diplomatic representation from Burma at a level greater than the level of diplomatic representation accorded the United States in Burma.

(8) FOREIGN ASSISTANCE.—The United States shall suspend assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to any foreign government which sells or otherwise transfers arms to the Government of Burma.

(9) INTERNATIONAL ORGANIZATIONS CONTRIBUTIONS.—The United States shall withhold any contribution to any international organization that funds activities in Burma other than humanitarian activities an amount equal to
the United States proportionate share of that funding.

(10) Multilateral Assistance.—The Secretary of the Treasury shall instruct the United States executive director of each financial institution to vote against any loan or other utilization of the funds of the respective bank to or for Burma.


SEC. 3. AGREEMENTS TO IMPOSE SANCTIONS ON BURMA.

(a) Negotiations With Trading Partners.—

(1) In General.—Not later than 15 days after the date of the enactment of this Act, the President shall initiate negotiations with all foreign countries with which the United States trades for the purpose of entering into agreements with the countries—

(A) to support United States sanctions against Burma, and

(B) to cease trade with and investment in Burma.

(2) Certifications and Agreements.—Not later than 90 days after the date of the enactment of this Act, the President shall certify to the Congress each country that—

(A) has failed to enter into an agreement described in paragraph (1), or

(B) with respect to such an agreement but is not enforcing it.

(3) Action by the President.—Notwithstanding any other provision of law, if a certification is made with respect to any country under paragraph (2) the President shall withdraw—

(A) any designation of such country—

(i) as a beneficiary developing country for purposes of title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.),

(ii) as a beneficiary country for purposes of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), or

(iii) as a beneficiary country for purposes of the Andean Trade Preference Act (19 U.S.C. 2461 et seq.);

(B) by such countries the benefits of any other special tariff treatment program under which the special rates of duty apply under column 1 of the Harmonized Tariff Schedule of the United States, and

(C) in such a way that the rate of duty described in subsection (a)(3) shall be subject to duty at the rates of duty specified for such goods under column 2 of the Harmonized Tariff Schedule of the United States.

SEC. 4. CERTIFICATION.

The sanctions of section 2 shall not apply upon the determination and certification by the President, acting through the congressional committees that the following conditions are met:

(1) The Government of Burma has unconditionally released all political prisoners, including Aung San Suu Kyi.

(2) The Government of Burma has fully implemented the results of the 1990 elections in Burma. While the Burmese rulers claim to be running a military government to civil authority, the protection of basic human rights, and guaranteeing the right of Burmese citizens to participate freely in the political process, assuring freedom of speech and the right of association and assembly.

(3) The Government of Burma has implemented an effective counternarcotics effort.

SEC. 5. SANCTIONS AGAINST THE PEOPLE'S REPUBLIC OF CHINA.

The Secretary of the Treasury shall instruct the United States executive director of each multilateral institution to vote against any loan or other utilization of the facilities of the respective institution to or for the People's Republic of China until the President determines and certifies to the appropriate congressional committees that the People's Republic of China has terminated arms sales and other arms transfers to Burma.

SEC. 6. SANCTIONS AGAINST THE GOVERNMENT OF THAILAND.

The President shall withhold all United States assistance to the Government of Thailand until the President determines and certifies to the appropriate congressional committees that the Government of Thailand is fully providing support and relief for Burmese exiles and refugees.

SEC. 7. REPORT.

Not later than 45 days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees on—

(1) the chemical and biological weapons capability of Burma;

(2) a plan to provide United States assistance in support of the democracy movement active in Burma;

(3) the treatment by the Government of Thailand of Burmese students, refugees, and exiles resident in Thailand; and

(4) the states of arms sales and other arms transfers to the Government of Burma, including the amount of expenditures by the Government of Burma in the acquisition of arms.

SEC. 8. DEFINITIONS.

As used in this Act:

(1) Appropriate Congressional Committees means the Committees on Appropriations, and the Committees on Foreign Relations of the Senate and the House of Representatives.

(2) Investment.—The term “investment” includes any contribution or commitment of funds, commodities, services, patents, licenses, or other forms, or in the form of—

(A) a loan or loan guarantee;

(B) the purchase or sale of ownership;

(C) participation in royalties, earnings, or profits; and

(D) the furnishing of commodities or services pursuant to any contract.

(3) Humanitarian Activities.—The term “humanitarian activities” means the provision of food, medicine, medical supplies, or clothing and does not include cash transfers.

(4) Financial Institutions.—The term “financial institutions” includes the International Bank for Reconstruction and Development, the International Development Association, the Asian Development Bank, and the International Monetary Fund.

United States Assistance.—The term “United States assistance” means assistance of any kind which is provided by grant, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government to any foreign country, including—

(A) assistance under the Foreign Assistance Act of 1961 (title II of the Agricultural Trade Development and Assistance Act of 1954 of nonfood commodities; and

(B) other financing programs of the Commodity Credit Corporation for export sales of nonfood commodities; and

(C) financing under the Export-Import Bank Act of 1945 (12 U.S.C.A. 636 et seq.).

Mr. McCONNELL. Mr. President, in July 1988, Ong Son Sue Chi, leader of the National League for Democracy was placed under house arrest. In spite of her arrest, National League for Democracy representatives swept the elections, held the following May, winning 292 of the 485 seats in Parliament.

As we all know, the State Law and Order Restoration Council, SLORC, rejected the outcome and has maintained an iron grip on Burma ever since.

While Sue Chi has now been released, today like all others for the people of Burma marks one more day of ruthless repression. The recent U. N. Special Rapporteur summed up the view of every human rights group and democratic activist I have spoken with. People are fearful that any word or action that do risk interrogation or arrest. In cold and dispassionate terms he reported his concern about forced labor, forced portage, forced relocations, arbitrary killings, beatings, rape, and confiscation of property by the army.

I urge all of you to read the July National Geographic article on Burma. While holding out hope that Burma’s rich natural resources will someday offer its people a prosperous future, the article describes the tremendous harm clearly the SLORC enriches itself using fear and intimidation to exploit both the people and the land—an opinion shared by the Wall Street Journal.

Some of you might ask why I am more concerned about Burma than other countries questionable human or political rights records. I am hard pressed to find another regime on earth that I find as insulted, self serving, and repugnant.

This is not a honorable government interested in stability and freedom. It is a dictatorship and signs cease-fires with ethnic leaders then unleashes 10,000 well-armed troops on their camps.
September 21, 1995

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of supporters. Last December, when Manerplaw was under attack, I offered the view that SLORC would release Sue Chi after annihilating all the groups that actively supported her democracy movement. The fall of Manerplaw generated 65,000 refugees. Today, as we speak, Karenni camps are under siege, in direct violation of a negotiated cease-fire. Twenty thousand civilians have fled the fighting.

SLORC is not a responsible government interested in development—it is a corrupt and dictatorial regime run to protect its power and wealth. While people starve, this regime has spent 45 percent of its budget on arms.

Unlike China, where I believe economic liberalization is benefiting hundreds of thousands of people and leading to political change, only SLORC officials and their cronies benefit in Burma. I think that is why there is unanimous support for this legislation from Burmese student, ethnic and democratic leaders alike.

Before talking about the bill, I want to take just a minute to discuss why I think it is important to move legislation at this point.

As we redefine our priorities in the post–cold-war world, there is an urgency to transnational threats. I put international narcotics trafficking and crime at the top of my list of concerns.

In 1986, 15 percent of the heroin coming into this country was coming from Asia, now it’s 65 percent. Just as important is the purity. National and local law enforcement officials in Kentucky tell me that 10 years ago, heroin on our streets was 2 to 3 percent pure. Today it’s anywhere from 25 to 65 percent pure.

Heroin trafficking is a serious national security threat.

In a Foreign Operations Subcommittee hearing I recently asked the Assistant Secretary of State for Asia, Win Lord, several questions on Burma, SLORC, and the narcotics problem. His response offers insight into why I think we should press to isolate the SLORC.

Since SLORC has an enormous security apparatus with a tight grip on the nation, I asked him what were the major impediments to an effective counternarcotics effort. He said,

What is going to solve the problem over the long run is a popular, representative open government. Other efforts are minuscule compared to whether you have an open system there.

I agree.

Last November a senior State Department official issued an ultimatum to the SLORC—bilateral relations would only improve if there was progress on human rights, democracy, and counternarcotics. No one disputes, inside or outside the administration, that we have seen a real deterioration on all fronts. Unfortunately, the administration has failed to follow through. A few weeks ago, Ambassador Albright visited Burma. According to news accounts she reiterated the November message—we want to see improvements.

SLORC must be wondering by now—improvements, or what?

What are the real consequences? So far, none.

Why is it that I have decided to move forward with this legislation. Let me turn now to the contents of the amendment.

I think we would all agree that unilateral sanctions are not as successful in applying pressure on a government as an international effort. There are several provisions which address U.S. unilaterality including banning investment, trade, imports, aid and support through international financial institutions. I also require the President to initiate negotiations to secure support with our trading partners for international sanctions. Countries failing to reach agreement on an embargo will risk their MFN and and GSP status.

At this point, after years of self-imposed exile, there is very little foreign investment in Burma. I am willing to guess that few nations will be willing to put their existing trading relationship with the United States at risk for future potential financial gain in Burma.

The amendment also requires the executive director at international financial institutions to vote against loans to China if the PRC continues to sell or transfer arms to Burma. The State Department estimates that SLORC spends 45 percent of their budget on weapons—arms used solely to terrorize their own citizens.

The amendment will also suspend United States assistance to Thailand if there continues to be a lack of cooperation in the provision of relief and support to students, refugees, and democratic activists living in exile. Students and leaders have been arbitrarily detained, arrested, and deported, and of their offices broken into and documents removed. The problems are usually resolved when various officials are paid so-called fees and fines. I am not suggesting that there is a-condoned program orchestrated by the Thai government at work, but I do think there should be a more serious effort to control the conduct of rogue officials.

The amendment also requires several reports among which is one on the transfer of technology and biological weapons capabilities. In the attacks carried out last year against various camps, there were a number of eyewitness accounts of the use of some kind of toxic substance. I understand clothing and other items have been turned over to the U.S. labs for analysis. I earnestly hope the report advises us that there is no reason to believe the SLORC has a CWB capability.

Let me conclude with a personal observation made recently by an International Rescue Commission official with years of experience in Asia. After dragging their feet for 7 years, the SLORC recently rejected the ICRC’s request for access to political prisoners. Although they stand ready to return at any point, the ICRC decided to withdraw in July because SLORC will not grant them the simplest of terms, which 59 other countries accept, that being unsuspended, regular political prisoners. I think at one point SLORC offered access to Sue Chi, but she courageously declined asking that she not be given any preferential treatment nor offered to other political prisoners. When asked why and why the talks collapsed, this official said,

Last summer when they started to really make money, SLORC realized they could secure their position and their wealth without paying any political price.

Shortly after she was released, SUU CHI cautiously welcomed this legislation saying:

These are very tough sanctions. They—the sponsor—have shown they are interested in how the democracy movement progresses. I am very grateful for it.

In July she was reluctant to directly call for a ban on investment fearing retaliation by SLORC. Now that months have passed with no progress she has taken a tougher stand. In a recent interview with an Australian journalist she called for a suspension of foreign investment until real progress on the democratic front has been achieved.

I think it is important that we respect and promote that agenda. Keeping the pressure on SLORC will assure that her release is translated from a symbolic gesture to freedom and democracy for all Burmese.

Mr. President, let me conclude by noting this initiative is supported by a wide variety of organizations and individuals including Nobel Laureate Betty Williams and Desmond Tutu, the AFL-CIO, the Democratic Burma Students Organization, the National Coalition Government of the Union of Burma, the American Baptist Convention, the Asia–America Civic Association and the United Front for Democracy and Human Rights in Burma. I have also heard from ethnic leaders endorsing the approach including ministers representing the Karen, Karenni, and Mon peoples who ask us not to print in the RECORD letters from some of these groups.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL COALITION GOVERNMENT OF THE UNION OF BURMA, OFFICE OF THE PRIME MINISTER.


Hon. Mitch McConnell
U.S. Senate, Russell Building.

Washington, DC.

Dear Senator McConnell: I have recently learned of your intention to introduce a bill to impose US economic sanctions on Burma. On behalf of the democratically elected government of Burma, I am writing to give you my wholehearted support as well as that of my government in your effort.

The imposition of such sanctions should never be taken lightly. Any measure designed to constrict the economy of a country will cause some degree of hardship to the people. However, I believe, democratic forces working to liberate our country believe that foreign investment serves to
strengthen the outlaw State Law and Restoration Council (SLORC). It is providing SLORC with the means to finance a massive army and intelligence service whose only job is to crush internal dissent. SLORC could use all foreign investment into Burma and channels contracts to the military and its party officials. Unlike other countries, investment will not serve to create a middle class of entreprenuers, only reinforce allegiance to a regime that has murdered tens of thousands of people whose crime was the desire for democracy and to live in a free society. SLORC is in desperate need of foreign currency. Cutting off access to US funds will be a severe blow to SLORC.

You decided to move forward on this issue will not be popular with the US business community or countries in Europe and Asia. There are many who place trade and money over Burma’s deplorable narcotics, political, and human rights record. I applaud your courage and will do everything in my power to see you succeed.

The United States has a very special place in the hearts of my countrymen. During the massive democracy demonstrations in 1988, students could be seen marching in carrying American flags and demonstrating in front of the US Embassy. Supporting us in our struggle is the International Republican Institute funds democracy activities inside Burma. The Burmese people desperately want what Americans have: the ability to live in peace without fear of government persecution, respect for human rights, and social justice. American ideals will always be a symbol for what we can achieve.

I want to personally thank you for your leadership and raising your voice to support those who are oppressed. I look forward to assisting you in any way possible.

With my highest consideration.

Yours Sincerely,

—-(SEIN WIN),
Prime Minister.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Hon. Warren Christopher,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR MR. SECRETARY: I write to you to express my strong concerns about the continuing egregious behavior of the State Law and Order Restoration Council (SLORC) regime of Burma. Directly contradicting its claims that it seeks peace and national reconciliation, SLORC sent the Burmese army to viciously attack, capture and sack Manerplaw, the headquarters of the Karen people and key base area for many groups, including the Federation of Trade Unions Burma (FTUB), seeking to restore democracy in Burma.

We believe that the blatant, unprovoked attack was a major setback for the cause of democracy in Burma and merits a strong response from the U.S. Government. In the “two visions” policy laid out by Depuy Assistant Secretary Hubbard during his visit to Rangoon, the U.S. indicated that, if progress by SLORC on issues of democracy and human rights was not forthcoming, the U.S. would renew its campaign to isolate the regime. In line with this policy, now is the time for the U.S. to show, by actions, that it is serious.

Accordingly, we urge the U.S. Government to implement a full trade and investment embargo against Burma. Since most U.S. investment enters Burma through joint ventures with SLORC government agencies, entities wholly controlled by the regime, implementing sanctions would have a direct impact on the ability of the SLORC to repress its people and conduct war on groups opposed to this illegitimate government. The withdrawal of the Commercial Officer from the U.S. Embassy in Rangoon would further underscore our call for the U.S. Government to exert pressure to block development and aid projects of international institutions that benefit the SLORC.

Sincerely,

LANE KIRKLAND,
President.

ASIAN-AMERICAN CIVIC ALLIANCE,
Hon. Senator MITCH MCCONNELL,
U.S. Senate, Washington, DC.

DEAR SENATOR: We are very grateful of your visit to Rangoon, the U.S. indicated that, if you proceed your effort to achieve which have contributed towards the release of Aung San Suu Kyi.

We hope that you will continue to bring Democracy in our beloved country, Burma.

Please continue your most powerful Bill against the Military Regime in Burma so that the 43 millions Burmese—every Burmese citizen—can enjoy the Democracy and human rights in their life time once again over there.

We support you wholeheartedly.

With Sincerity and respect,

KYIN HO, M.D.,
President.

OFFICE OF THE SUPREME HEADQUARTERS, KAREN NATIONAL UNION,
Hon. Senator MCCONNELL,
U.S. Congress, Washington, DC.

DEAR SENATOR: We are much impressed and encouraged to hear that you are to submit the bill as intended in Congress next month, for imposing trade sanctions on Burma.

Apart from releasing Daw Aung San Suu Kyi from detention, the SLORC has not taken any steps toward reform. Nearly one thousand political prisoners detained unjustly by the SLORC are still in prison. Forced labor, indiscriminate killings and human rights violations are still being committed on a wide scale by the SLORC army troops. Cease-fire agreements are renewed between the SLORC and ethnic groups, remain to be a temporary arrangement without any progress to ensure peace and stability. In the case of Karenni, hostilities have broken out again as the SLORC troops violated the cease-fire terms.

With regard to us, the SLORC has been avoiding with excuses the peace talks, while it has been massing 100 battalions of troops against our areas. Military operations have already begun in some of the areas even when the rainy season is in full force. This shows that the SLORC’s so-called “policy of national reconciliation” is only an expedient measure in its attempt to perpetuate the military dictatorship.

In conclusion, we would like to say that we are firm in our support for you with regard to your efforts to impose sanctions imposed on Burma. We pray for your success and send our best wishes and regards to you and our colleagues.

Sincerely,

SAW BO MYA,
President.
On June 26, 1995, while commemorating the 50th Anniversary of the United Nations, Bishop Desmond Tutu, Lech Walesa, Oscar Arias Sanchez and myself presented a letter to the United Nations which included the signatures of seven other Laureates asking for the release of Daw Suu. The letter stated, "She has endured six long years of solitary detention and is now a prisoner of the military regime. There is no sign at all of her release. We resolutely oppose political oppression disguised as criminal detention. Bishop Tutu, in a statement to a forum at the UN Anniversary called for sanctions to be imposed on Burma.

This legislative initiative is long overdue and will play a crucial role in bringing about a transfer of power to the democratically elected 1990 representatives, allowing them to take their rightful (and legitimate) seats in parliament.

I offer congratulations for implementing this endeavor and hope that your colleagues in the Senate will join you in this worthy effort which I hope will lead to a political dialogue and settlement of the Burma conflict and, most importantly, democracy in Burma.

Most sincerely, 

BETTY WILLIAMS,

Nobel Laureate 1976.

AMENDMENT NO. 2754

At an appropriate place in the bill add the following new section:

Sec. 2. SENSE OF THE SENATE ON THAILAND.

(a) FINDINGS.—The Senate makes the following findings—

(1) the Royal Thai Government has had a policy of not supporting or cooperating with the Khmer Rouge; and

(2) Thailand is host to large numbers of persons displaced from neighboring countries, placing a significant burden on Thailand's economy.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) affirm to the Royal Thai Government the support of the United States for that Government's policy not to support or cooperate with the Khmer Rouge and encourage the Royal Thai Government to prosecute vigorously its efforts to prevent cooperation between individual members of the Royal Thai Armed forces and the Khmer Rouge; and

(2) take appropriate steps to assist the Royal Thai Government in providing and facilitating displaced persons from Burma and other neighboring countries and to encourage that Government to fully cooperate in such relief efforts.

Mr. COHEN. Mr. President, last year, Mr. President, the foreign operations conference report contained a provision that caused serious difficulties in our relationship with Thailand.

The provision conditioned military education and training for Thailand and United States operations on the Thai military's support for the Khmer Rouge.

This provision was viewed by Thailand as a ban on military education and training and an accusation that the Government of Thailand was providing support for the Khmer Rouge. The provision was, in fact, somewhat more subtle than that, but this was nonetheless the perception in Thailand and was the basis for the Thai reaction.

This came at a sensitive time in United States-Thailand military relations, as the United States sought Thai approval to deploy six Army prepositioning ships off the Thai coast to support potential combat operations in Korea or the Persian Gulf. As chairman of the Seapower Subcommittee of the Armed Services Committee, which is responsible for projection forces such as these Army prepo ships, I can assure Members of the Senate that prepositioning more equipment in Asia is critical to defend our interests.

If we had not cut the Defense budget for 11 straight years, perhaps we could afford to preposition such equipment in both the Persian Gulf and Korea. But we only have the money for one set of equipment, and so we must deploy it in such a way as to provide a short time to either Korea or the gulf.

The United States military—and the Thai military—were quite optimistic that Thai approval could be obtained for putting these prepo ships off the shores of Thailand, a long-time ally. But the issue became a political hot potato in Bangkok and our request was denied.

The foreign operations provision on IMET and the Khmer Rouge was not the only factor in this politically sensitive in Thailand, but it was a factor. I was in Bangkok immediately after the Thail denial and know that the foreign operations provision drew great attention in the Thai media and greatly hurt the 'Thai Government, which unfortunately was exacerbated by similar accusations about Thai Government support to the Khmer Rouge from an Australian official.

Beside contributing to the denial of the request to preposition ships, the foreign operations provision nearly led Thailand to terminate its support for our military advisory group in Thailand, which is responsible for arranging Thai purchase of United States-produced military equipment.

The great irony is that the concern about Thai Government support to the Khmer Rouge is off target. Thai Government support for the Khmer Rouge was a legitimate concern at one time. But well before the foreign operations provision was enacted, the Government of Thailand adopted a policy of not supporting or cooperating with the Khmer Rouge. United States officials in the best position to know confirm that the Thai Government has adhered to this policy. Thus the Thai Government and the Thai people have a reasonable basis for being upset when accusations are made.

As one Thai official told reporters at the time, "One has to wonder at the American timing. They come here asking for a tremendous favor at a time when their Congress is threatening us over what we believe to be a non-issue.

I do not mean to suggest that there are no Thai military personnel engaging in any cooperation with members of the Khmer Rouge. We can, should, and are encouraging the Thai Government to work energetically to prevent individual or small groups of personnel deployed in the field. But our military alliance with Thailand, which of the value stretches from the oil fields of the Persian Gulf through the booming economies and vital sealanes of Southeast Asia to the Korean DMZ, cannot be made a hostage to such freelancing.

Are we going to suspend military cooperation with certain NATO allies because of reports, some of their troops deployed as peacekeepers in Bosnia have engaged in unprofessional and even heinous acts?

And so, Mr. President, rather than repeat our mistakes last year, we should repeat last year's mistake by gratuitously and even mistakenly criticizing the Thai Government, which we should correct the record.

Similar considerations apply on the question of Burmese migrants in Thailand. Last year's foreign operations bill required a report on “the Thai Government's efforts to impede support for Burmese democracy advocates, exiles, and refugees” and did so in a way that seemed to link this issue to the imposition of conditions on Thailand's participation in IMET.

The bill completely ignored the heavy burden imposed on Thailand's economy over a period of many years by the large numbers of Burmese and migrants and refugees from other countries in the region who have made their way to Thailand. The bill completely ignored the assistance Thailand is providing to these migrants and refugees, as well as Thai facilitation of the assistance provided by private and international relief agencies.

Mr. President, I would like to quote from some official statements about Thailand's treatment of displaced persons.

State Department spokeswoman Christine Shelley, January 1995:

It has been Thai policy over the years to provide refuge to displaced persons, including Burmese, for as long as it is unsafe for them to return to their place of origin. We commend the Thai for this humanitarian policy.

The Foreign Minister of Australia, January 1995:

Thailand has a good record of sheltering previous waves of Burma border-crossers.

The United Nations High Commissioner for Refugees' Representative in Thailand, January 1995:

Permit me to express to the Royal Thai Government the international community's gratitude for the temporary asylum and assistance that Thailand is providing in the Thai border area with Burma, until such time as conditions in that country are conducive to the return of the affected population in conditions of safety and dignity.

A coalition of human rights groups in Burma and international human rights groups provided February 1995:

We thank the Royal Thai Government for their magnanimous and benevolent treatment of the thousands of Burmese refugees taking shelter on Thai territory.

In the direct response to the grave accusations of Thai Government interference with relief to displaced Burmese, Secretary of State Christopher earlier this year reported to the Congress that:
Royal Thai Government treatment of Burmese democracy advocates, exiles, and refugees is generally humane and in accord with international norms. The Royal Thai Government does not, as a matter of policy or practice, impede humanitarian support for non-combatant Burmese in Thailand.

Thailand may not do everything for the 200,000 Burmese migrants and refugees. Neither can we expect America to do much more, allowing the use of Thailand as the launching pad for political attacks on a well-armed neighbor with whom Bangkok has no choice but to maintain a commonwealth. While it is easy for the Thai army to tweek Burmese generals from Washington, the Thais do not have a buffer of 12 time zones.

I would also note that Thailand has adhered to the Comprehensive Plan of Action, the U.N.-sponsored plan for handling Vietnamese and other migrants and refugees in the region. In contrast, the 104th Congress has called the CPA into question, triggering riots at many camps across Southeast Asia. Yet some think it appropriate for Congress to freeze United States aid and cooperation with Bangkok until it improves its treatment of migrants in Thailand.

Throughout Southeast Asia the question of whether America intends to remain engaged is asked constantly by political, business, and military leaders who must calculate with which big power they will align. Clearly, Mr. President, if this is the way we treat our allies in the region, few will view the amendment would call on the President to encourage Thailand to vigorously pursue efforts to prevent freelancers in the region, placing a significant burden on the Thai economy.

It also expresses the sense of the Senate that the President should confirm to the newly elected Thai Government United States support for this Thai policy, established by the last government, against the Khmer Rouge. It also calls on the President to encourage the Thai Government to vigorously pursue efforts to prevent freelancers in the military from violating this policy.

With regard to Burmese in Thailand, the amendment would call on the President to encourage Thailand to fully cooperate with relief efforts. And, since it is not enough to criticize and cajole, it would call on the President to take appropriate steps to assist Thailand in such efforts.

I believe that this is a more constructive approach than gratuitously and even erroneously slamming the Thai Government, and I hope that it will help to salvage some of the wounds from last year’s ill-considered provision. I urge Senators to support this amendment.

AMENDMENT NO. 2756 Add the following new Section to Title V:

SEC. 2. EXTENSION OF TIED AID CREDIT PROJECT.
(a) Section 19(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 6331(c)(2)) is amended by striking “1995” and inserting “1999”.

AMENDMENT NO. 2757 At the appropriate place, insert the following:

Conventional Weapons Review
(a) Findings. —The Congress makes the following findings:
(1) On September 30, 1994, the President declared that it is a policy of the United States to eventually eliminate antipersonnel landmines.
(2) On December 15, 1994, the United Nations General Assembly adopted a resolution sponsored by the United States which called for international efforts to eliminate antipersonnel landmines.
(3) According to the Department of State, there are an estimated 80,000,000 to 110,000,000 unexploded landmines in 62 countries.
(4) Antipersonnel landmines are routinely used against civilian populations and kill and maim an estimated 70 people each day, or 26,000 people each year.
(5) The Secretary of State has noted that landmines are “slow-motion weapons of mass destruction”.
(6) There are hundreds of varieties of antipersonnel landmines, from a simple type available at a cost of only two dollars to the more complex self-destructing type, and all landmines of whatever variety kill and maim civilians, as well as combatants, indiscriminately.

(b) Conventional Weapons Convention Review.—It is the sense of Congress that, at the United Nations conference to review the 1980 Conventional Weapons Convention, including Protocol II on landmines, that is to be held from September 25 to October 13, 1995, the President should actively support proposals to modify Protocol II that would implement as rapidly as possible the United States goal of eventually eliminating antipersonnel landmines.

(c) Moratorium on Use of Antipersonnel Landmines.—(1) United States Moratorium.—(A) For a period of one year beginning three years after the date of the enactment of this Act, the United States shall not use antipersonnel landmines except along internationally recognized national borders or in semipermanent zones within a perimeter marked area that is monitored by military personnel and protected by adequate means to ensure the exclusion of civilians.
(B) If the President, before the end of the one year period of the United States moratorium under subparagraph (A),
Government of Haiti until the President determines and reports in writing to the Congress that—

(1) the government of Haiti has conducted or is conducting an adequate and professional investigation into, and prosecution of those responsible for the murder of Mireille Durocher de Bertin on March 28, 1995, and other extrajudicial killings, including the 20 cases of “commando-style executions” cited by the United Nations/Organization of American States International Civilian Mission in Haiti on September 12, 1995;

(2)(A) the police and security forces of Haiti, in investigating the matters or extrajudicial killings, are not engaging in other acts of violence directed at civilians, and are controlling such activities by elements subject to the control of the government of Haiti; and

(B) the government of Haiti is investigating effectively the members within its police and security forces engaged in acts of violence against civilians, and has put in place effective policies to deter and punish such activities in the future.

(3) the Government of Haiti has actively sought and encouraged a law enforcement service from outside Haiti to assist and monitor investigators of the Government of Haiti in their investigation of the murders cited in section 1 above;

and

(4)(A) the Government of Haiti has cooperated fully and in a timely fashion with U.S. Federal Bureau of Investigation efforts to investigate the murder of Mireille Durocher de Bertin, including providing access to Haitian government employees in a manner which facilitates prosecution of those responsible for her murder; or

(B) the Government of Haiti has not cooperated fully and in a timely fashion with U.S. Federal Bureau of Investigation efforts to investigate the murder of Mireille Durocher de Bertin, including providing access to Haitian government employees in a manner which facilitates prosecution of those responsible for her murder, in which case the President shall submit a detailed accounting of the areas of non-cooperation and his assessment of all the reasons for such non-cooperation by the government of Haiti.

(b) REPORT.—Not later than 60 days after enactment of this section, the President shall report to the appropriate committees of Congress, based on information available to him, on the identity or identities of those responsible for the murder and any subsequent cover-up, and on the status of the Government of Haiti’s investigation of:

(1) the murder of American citizen Richard D. Cardott, 36, a soldier, in Port-au-Prince on July 26, 1991;

(2) the murders of Bastian Desrosiers, Stevenson Desrosiers, Jacques Nelio, Pierre Schill, and Jean Francis on July 27, 1991;

(3) the murder of Reverend Sylvio Claude on September 17, 1991;

(4) the murder of Roger Lambont on September 29, 1991;

(5) the murder of Antoine Izmery on September 11, 1991; and

(6) the murder of Minister of Justice Guy Malary on October 14, 1993.

(c) HUMANITARIAN ASSISTANCE.—Nothing in this section shall be construed to restrict the provision of humanitarian or electoral assistance to the Haitian people by non-governmental or private voluntary organizations.

(d) WAIVERS.—The President may waive the requirements of this section if he determines and certifies to the appropriate committees of Congress that it is necessary to facilitate the verifiable withdrawal of United States military forces from Haiti.

Mr. DOLE. Mr. President, it has been almost exactly 1 year since the United States sent military forces to restore President Aristide to Haiti. The purpose of U.S. military intervention was to promote democracy and increase observance of human rights. President Clinton argued that American national security interests were at stake in Haiti. I disagreed with President Clinton, and I opposed U.S. military intervention in Haiti.

Many of us were concerned that the invasion of Haiti would not substantially change Haiti, and could lead to unnecessary casualties. We were also concerned that it could be very difficult to withdraw American forces once committed to Haiti.

We should recognize that American intervention has achieved—Cedras and the thugs that ran Haiti for 3 years are gone. Human rights violations have decreased. The lifting of the economic sanctions has increased economic activity, and thanks to the professionalism and bravery of American Armed Forces, American casualties have been limited.

However, one American soldier, Sgt. 1st Class Gregory D. Corn, was shot to death January 12 in Gonaives, Haiti.

Mr. President, we should also be clear about the lack of success in the American intervention in Haiti. The stated purpose of American intervention in Haiti was to restore democracy—not just to restore Aristide, but to restore democracy. Elections have been held, but Haiti has failed the democratic test. The initial June 25 elections were, by objective accounts, deeply flawed. A general from the Carter Center and former National Security Council member Robert Pastor concluded—"Of the 13 elections that I have observed, the June 25 Haitian elections were the most disappointing, not just from a democratic perspective, but with the most insecure count." Pastor further states that he witnessed ‘the compromise of one-third of the ballot boxes in Port-au-Prince.' Pastor concludes that "the international community will not be held accountable for a democratic process by being silent or dishonest. It has a responsibility to insist that the parties concern themselves effectively addressed." The OAS concluded that it could not determine whether the election was free and fair.

The human rights situation in Haiti is not something America should be proud of. The Joint United Nations Organization of American States International Civilian Mission in Haiti has identified serious "commando-style" executions in which theft does not seem to have been the motive. Some might argue that Haiti should not be held to a high standard, or that there have not been enough killings to be concerned. I disagree. The standard should be much higher for a country which was invaded and occupied by American military forces. The Government of Haiti was put in place by American military power. That makes the standard for Haiti totally different from a country like El Salvador where we simply provided military assistance.

Mr. President, the American people have seen more than $2 billion of their tax dollars go to the Haitian operation. All this amendment says is do not send any more money to the Haitian Government unless the President certifies they are not conducting political assassinations.

The amendment is modeled after many similar provisions supported by Democrats throughout the 1980’s. In addition to certification on political killings by Haitian Government forces, it addresses the issue of U.S. military cooperation. On March 28, 1995, a Haitian political opponent of President Aristide was killed in broad daylight. President Clinton promptly offered the services of the FBI to investigate the brutal slaying. At one time, 20 FBI special agents were in Haiti. The result of their efforts—the Government of Haiti stonewalled, harassed, and refused cooperation. A high-priced Miami law firm suddenly entered the picture to represent members of the Haitian Government forces that were under FBI scrutiny. And yesterday, the Government of Haiti released four Haitians charged with the crime for "lack of evidence." This is not justice, this is an outrage. This is not good faith. It is an affront to the risks undertaken by the men and women of the American Armed Forces to democratize Haiti.

My amendment says enough is enough. No aid unless our concerns are met. I urge its adoption and ask unanimous consent that the Senate 20 Reporters article dealing with the death of Mireille Durocher Bertin and the release of the suspects be printed in the RECORD.

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

FOUR HAITIAN SUSPECTS FREEED FOR LACK OF EVIDENCE

PORT-AU-PRINCE.—Four people arrested six months ago in connection with the killing of a leading opponent of Haitian President Jean-Bertrand Aristide were freed Tuesday for lack of evidence, diplomatic and family sources said. The freed included brothers Eddy and Patrick Moise, members of the Front for United Militants, a far-left paramilitary group with alleged ties to Libya, who were arrested March 19 for allegedly plotting to kill lawyer Mireille Durocher Bertin.

An ardent defender of former military chief Lt. Gen. Raoul Cedras, Bertin and a diplomat, who spoke on condition of anonymity, said the freed were not guilty, "I mean they are not guilty," said a diplomat, who spoke on condition of anonymity. "But there is just no evidence, no evidence acceptable in a court of law." Also freed were Haitian-American Claude Douge and his wife Evelyn, lawyers from Port-au-Prince. "If anything had happened to these people in jail it would have been a huge embarrassment for the government," the diplomat noted.

The spectacular daytime killing prompted alarm among Republicans in the U.S. Congress that Aristide, ousted in a 1991 coup,
Mr. President, the arms embargo has prolonged the war in Bosnia. If it had been lifted 3½ years ago, the war would have been over—with far less suffering. Moreover, a couple weeks of NATO air strikes do not substitute for allowing a sovereign nation to defend itself. This issue may be delayed, but cannot be avoided.

I hope that my colleagues will support this measure, as they have supported lifting the arms embargo on Bosnia.

AMENDMENT NO. 276
(Purpose: To establish the Croatian-American Enterprise Fund and make available funds to support the Fund)
At the appropriate place in the bill, insert the following new section:

SEC. 2. CROATIAN-AMERICAN ENTERPRISE FUND.

(a) DESIGNATION OF FUND.—The President shall designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to Croatia in the same manner and with the same limitations as set forth in section 201(d) of the Support for Eastern European Democracy (SEED) Act of 1989. Such organization shall be known as the “Croatian-American Enterprise Fund”.

(b) APPLICATION OF SEED ACT.—Except as otherwise specifically provided in this section, the provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section) shall apply to the Croatian-American Enterprise Fund. The officers, members, or employees of the Croatian-American Enterprise Fund shall enjoy the same status under law that is applicable to officers, members, or employees of the Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $12,000,000 for fiscal year 1996 to fund the Croatian-American Enterprise Fund established under subsection (a).

(2) Funds appropriated under this subsection are authorized to remain available until expended.

(d) APPROPRIATIONS.—Of the funds appropriated pursuant to subsection (b), in the fiscal year ending September 30, 1996, $12,000,000 shall be available only to support the Croatian-American Enterprise Fund established by subsection (a).

Mr. President, I rise to offer an amendment, together with the distinguished Senator from Utah [Senator HATCH] which would create an enterprise fund for Croatia and makes available $12 million of that amount for that purpose. Much has changed in Croatia over the past few months. Less than 5 percent of the population of the former Yugoslavia, particularly in Bosnia and Herzegovina, is right for establishing this fund and I urge my colleagues to support it.

Mr. President, I believe that the time is right for establishing this fund and I urge my colleagues to support it.

AMENDMENT NO. 276
(Purpose: To earmark funds for humanitarian assistance to the former Yugoslavia)
Before the period at the end of the heading entitled “INTERNATIONAL DISASTER ASSISTANCE”, insert the following: ‘‘Provided, That of the amount appropriated under this heading, $90,000,000 shall be available only for emergency humanitarian assistance to the former Yugoslavia, of which amount not less than $5,000,000 shall be available only for humanitarian assistance to Kosovo.’’

Mr. DOE. Mr. President, I offer an amendment which would earmark $40 million for emergency humanitarian assistance to the former Yugoslavia with no less than $6 million of that amount for Kosovo.

While there is some new optimism about the prospects for a settlement in Bosnia and Herzegovina, the humanitarian situation remains grim for large segments of the population of the former Yugoslavia. Winter is fast approaching. Life in Sarajevo is still one of minimum subsistence. Gorazde is a large refugee camp surrounded by hostile forces. Thousands of refugees are flooding the town of Banja Luka.

The bottom line is that even if a peace settlement was signed tomorrow, the humanitarian situation in Bosnia would not improve over night—nor over the next few weeks and months. The humanitarian crisis will remain with us for the foreseeable future.

Furthermore, a peace settlement along the lines pursued by the administration would not address Kosovo—a serious error from my perspective. In Kosovo, 2 million Albanians continue to live as they have for the past 6 years—under martial law, without jobs and without enough food and medicine. And so, I believe that we must do what we can to ensure that the people of the former Yugoslavia, particularly in Bosnia and Herzegovina and Kosovo, are provided with food and medicine to relieve their suffering.

I trust that my colleagues will support this amendment.

AMENDMENT NO. 276
(Purpose: To impose sanctions against countries harboring war criminals)
At the appropriate place in the bill, insert the following new section:
SEC. 3. SANCTIONS AGAINST COUNTRIES HARBORING WAR CRIMINALS.

(a) BILATERAL ASSISTANCE.—Assistance may not be provided in any fiscal year under the Foreign Assistance Act of 1961 or the Arms Export Control Act for any country described in subsection (c).

(b) MULTILATERAL ASSISTANCE.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions for each fiscal year to work in opposition to, and vote against, any extension by such institutions of financing or financial or technical assistance to any country described in subsection (c).

(c) SANCTIONED COUNTRIES.—A country described in this subsection is a country the government of which permits entry into or presence in the territory of such country to any person—

(1) who has been indicted by the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, or any other international tribunal with similar standing under international law, or

(2) who has been indicted for war crimes or crimes against humanity committed during the period beginning March 23, 1933 and ending on May 8, 1945 under the direction of, or by order of, the Nazi government of Germany; or

with the assistance or cooperation of the Nazi government of Germany, or

with the assistance or cooperation of any government which was established in the period beginning March 23, 1933 and ending on May 8, 1945 under the direction of, or by order of, the Nazi government of Germany, or

with the assistance or cooperation of any government which was established under international law, or

with the assistance or cooperation of the Nazi government of Germany, or

(B) any government in any area occupied by the military forces of the Nazi government of Germany;

(C) any government which was established with the assistance or cooperation of the Nazi government of Germany;

(D) any government which has an ally of the Nazi government of Germany;

(e) DEFINITIONS.—As used in this section—

(1) the term "international financial institutions" includes the International Bank for Reconstruction and Development, the International Monetary Fund, the European Bank for Reconstruction and Development, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the Inter-American Development Bank, the Inter-American Investment Corporation, the African Development Bank, the Asian Development Bank, and the Asian Development Bank; and

(2) the term "war crime" includes any offense—

(A) a grave breach of any of the four Geneva Conventions for the Protection of War Victims of August 12, 1949;

(B) a violation of the Hague Convention (IV) Respecting the Laws and Customs of War on Land of October 18, 1907, or the Regulations annexed thereto;

(C) a violation of the Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948; or

(D) a violation of the Charter of the International Military Tribunal of August 8, 1945.

Mr. DOLE. Mr. President, I offer an amendment which I believe is of great significance—and reflects our commitment to the pursuit of justice around the world.

This amendment would penalize any country that permits entry into or permits the presence of any person indicted for war crimes. Very simply, this amendment would prohibit U.S. bilateral assistance or support for multilateral assistance from international financial institutions to any country that provides sanctuary to war criminals.

Over the past 3 years, we have been witnesses to crimes against humanity. Courageous journalists revealed the horrors of starving and tortured Bosnian Moslems herded into concentration camps at Manjaca and Omariska. CNN brought the haunting images of the Rwandan genocide into our living rooms.

The crimes against humanity cannot be swept aside or forgotten. We cannot pretend not to know the truth. And because we know the truth, we have a duty to do all we can to bring those responsible to justice.

The International War Crimes Tribunals for the former Yugoslavia, under the able leadership of Justice Goldstone of South Africa, has already handed down the number of indictments—to include Gen. Radko Mladic, the commander of Bosnian Serb forces and Radovan Karadzic, the leader of the Bosnian Serbs. However, the tribunal does not have the means to pursue these indicted. It is up to the countries where these indicted war criminals reside to turn them over.

Mr. President, the provisions of this legislation would apply not only to war criminals in international tribunals, but to any individuals indicted for war crimes—including Nazi war criminals.

I want to call my colleagues attention that one of the most notorious Nazi war criminals, Alois Brunner, is still alive and believed to be residing in Syria—where he went around 1955. Mr. President, we have made it clear to Adolf Eichman and has been blamed for the deaths of 100,000 to 120,000 Jews and 60,000 non-Jews. His job was to ship prisoners under his charge to concentration camps. If it is true that Brunner is residing in Syria, then Syria would be subject to the sanctions under this legislation.

I hope that all of my colleagues will support this legislation. Passing this measure will send a strong message to war criminals that there are few places of safe refuge for them. It will also send the message to countries that provide sanctuary to individuals indicted for crimes against humanity, that there is a significant price to pay.

AMENDMENT NO. 276

SEC. 605. Funds appropriated by this Act for activities in the internationally-recognized bosnian and herzegovina (other than for refugee or disaster assistance) to activities in the territory of the Bosnian-Croat Federation.

On page 121, after line 24, insert the following new section:

LIMITATION ON FUNDING TO THE TERRITORY OF THE BOSNIA-CROAT FEDERATION.

SEC. 605. Funds appropriated by this Act for activities in the internationally-recognized bosnian and herzegovina (other than for refugee and disaster assistance) in the territory of the Bosnian-Croat Federation.

Mr. DOLE. Mr. President, I rise to offer an amendment with the distinguished senator from Delaware, Senator BIDEN, which would limit the availability for United States assistance to Bosnia and Herzegovina—with the exception of humanitarian or refugee assistance—to activities in the territory of the Bosnian-Croat Federation.

The purpose of this amendment is two-fold: to induce Bosnia to remain unified and to prevent United States assistance falling into the hands of war criminals.

The fact is that the recently concluded “Agreed principles” recognizes two entities: the Bosnian-Croat Federation and a Bosnian Serb republic. There is no agreement on a super-structure to unite these entities. The goal of the Bosnian Serb leadership has been to break away from the Republic of Bosnia and Herzegovina. There are no signs that this goal has been abandoned nor are there any indications that recognizing a Bosnian Serb republic is not just an interim step toward a Greater Serbia.

Furthermore, there are no guarantees or provisions in the “Agreed principles” to ensure that the Bosnian Serb republic will not have in its helm indicted war criminals such as Radovan Karadzic and Radovan Karadzic. If we do not make some provision in this legislation to take this possibility into account, United States assistance could end up in the hands of those indicted by the International War Crimes Tribunals for the former Yugoslavia.

Mr. President, I believe that this legislation sends a strong message of support for a unified Bosnia and Herzegovina, while protecting United States interests. My office has been in consultation with the leadership of the Bosnian Presidency and they have indicated their support for this measure. In their view, this amendment if adopted will not only encourage Bosnian Serbs to remain in Bosnia, but will prevent United States assistance from being used to shore up the leadership positions of Bosnian Serb separatists and war criminals.

I hope that all of my colleagues will support this measure.
This amendment has two key elements. First, it states sense of Congress that the United States should lead an effort to develop and implement reforms of the United Nations, and it outlines several specific reform proposals that should be considered. These are intended to be an exhaustive list but rather to outline several proposals that are of particular concern.

Second, it requires that the President submit to Congress along with his fiscal year 1997 budget a plan recommending the implementation of the Administration's proposal for United Nations reform.

Mr. President, I long have had a keen interest in reforming the United Nations. This is an effort I have undertaken with colleagues in both Houses and on both sides of the aisle. I believe it is imperative that we start to bring together the many divergent voices calling for U.N. reform and develop a single, responsible agenda for reform that all Americans can support.

The language I propose today is a small step, but I believe it will help us advance toward the goal of reaching consensus on what reforms we believe the United Nations must undertake. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

So the amendments (Nos. 2734 through 2767) were agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MICROENTERPRISE PROGRAMS

Mr. DASCHLE. Mr. President, I would like to engage the distinguished chairman of the Appropriations Subcommittee on Foreign Operations, Senator LEAHY, and the distinguished ranking member of the subcommittee, Senator McCaIN, and the distinguished ranking member of the subcommittee, Senator LEAHY, in a colloquy on microenterprise programs and H.R. 1888, the fiscal year 1996 Foreign Operations, Export Financing, and Related Programs appropriation bill.

Mr. McCONNeLL. Mr. President, Senator LEAHY and I would be happy to discuss the provisions in the appropriations bill regarding microenterprise programs with the Democratic leader, Senator DASCHLE.

Mr. DASCHLE. Mr. President, before discussing the fiscal year 1996 Foreign Operations appropriations bill, I would like to express my sincere appreciation for the support the chairman and the ranking member have given microenterprise lending programs in the past. Their leadership in this regard has made it possible for microenterprise programs to improve the lives of millions of poor people around the world.
Mr. President, I understand the fiscal year 1996 Foreign Operations appropriations bill, as approved by the Appropriations Committee, does not designate a specific level of support for microenterprise poverty programs.

Mr. MC CON NELL. Mr. President, the Senator is correct. In an effort to maximize the President’s flexibility, the committee recommended the consolidation of a number of bilateral economic assistance accounts including microenterprise poverty programs.

Mr. LEAHY. Mr. President, although the committee did not designate specific earmarks for microenterprise poverty programs, I would point out that the report accompanying the bill includes language reaffirming the committee’s strong support for the program’s efforts to encourage micro and small business as a means to help the truly poor transition out of poverty.

Mr. MC CON NELL. Mr. President, the ranking member is correct. The committee—on a bipartisan basis—agrees that these programs promote sustainable, market-based development at relatively little cost and deserve our support.

Mr. DASCHLE. Mr. President, it is also my understanding that the committee included language in the bill that requires a proportional allocation for accounts consistent with levels enacted in fiscal year 1995.

Mr. LEAHY. Mr. President, that is correct. The committee recommends approximately $2.1 billion for traditional bilateral aid, which is approximately 15 percent less than the level appropriated for fiscal year 1995. To ensure that no single account sustains an unreasonable share of reductions, the committee included language in the bill that requires a proportional allocation for accounts consistent with appropriated levels in fiscal year 1995. It flows from that premise that, as the committee report states, microenterprise poverty programs deserve support substantially consistent with last year’s level.

Mr. DASCHLE. Mr. President, I appreciate knowing that the committee continues to support microenterprise programs and included bill language protecting development assistance from disproportional cuts. As a long-time proponent of microenterprise programs, I would like to encourage the chairman and the ranking member to do everything they can to maintain appropriate funding for these programs when they go to conference with the House.

I would also encourage Senate conferees to insist on conference report language reflecting that commitment as well as encouraging AID to allocate one-half of microenterprise resources to poverty lending programs that provide loans of less than $300 and to channel up to $39 million through central mechanisms structured to meet the goals of nongovernmental organizations like the Grameen Trust.

Mr. MC CON NELL. Mr. President, Senator LEAHY and I have discussed this matter and would like to assure the Democratic leader that we will do everything we can to include these recommendations into the conference report.

Mr. DASCHLE. Mr. President, I want to thank the chairman of the Appropriations Subcommittee on Foreign Operations for their clarification and assurances.

Mr. HATFIELD. Mr. President, I would like to begin by commending my colleagues on the subcommittee, Senator MC CON NELL, and the ranking member, Senator LEAHY, for their efforts on this bill.

While I am not pleased with the decreasing funding allocation for foreign aid operations, I understand the reality we face with regard to all of our discretionary spending. I support bringing our budget into balance and believe we must make sacrifices to achieve this end.

However, I continue to believe that foreign aid serves important U.S. interests. We have much more work ahead as we try to build basic health, education, and welfare infrastructures in the developing world. Of course, this cannot be an isolated effort. We must continue to work with our friends and allies throughout the world to expand global development efforts.

My opposition to the military aid in this bill remains firm. The United States could not by the level of arms sales included year after year in this bill. I would much rather see this money go toward development assistance.

Funding for international family planning assistance continues to be one of my priorities. I have included an earmark for the central office or core funding for AID Office of Population. This earmark will ensure the continued success of AID’s population program, which is arguably the best in the world. Over the past 30 years, this program has been adjusted and fine-tuned time and again so that it runs as efficiently and effectively as it does today.

In addition, I am pleased by the level of funding for migration and refugee assistance. Worldwide, we continue to see a rise in the number of refugees fleeing ethnic strife, civil war, and political persecution. The United States must retain a strong commitment to providing the protection and care of these refugees.

It is my hope that the Senate will act quickly to pass this bill and conference with the House so that we can get it on the President’s desk as soon as possible.

MEFFA AMENDMENTS

Mr. LEAHY. Mr. President, the bill also includes several floor amendments to the Middle East Peace Facilitation Act of 1995. One relates to Palestinian Authority offices in Jerusalem. Under the Israeli-Palestinian agreements, the Palestinian Authority may only maintain offices in the areas under its jurisdiction, which do not include Jerusalem. Recently, Israel and the Palestinians satisfactorily resolved questions that had been raised about existing Palestinian institutions in Jerusalem. The amendment included in the bill would deny assistance to the PLO if it were to fund a new office in Jerusalem that did not conform to Israeli-Palestinian understandings. A second amendment included in the bill requires the PLO to cooperate fully with the United States on the provision of information on U.S. nationals known to have been held by the PLO. The amendment would cut off U.S. assistance if the PLO is not responsive to further, specific U.S. requests for information that may be in its possession.

Mrs. BOXER. Mr. President, in our Nation’s continuing efforts to balance the budget, calls to slash foreign assistance are frequently heard. I will take a few moments today to explain my thoughts on the importance of our foreign assistance programs and the continuing need for U.S. leadership around the world.

It must be understood that foreign assistance is only a minuscule fraction of the Federal budget—less than 1 penny of every dollar spent by the Government is used for foreign assistance. And since the end of World War II, the share of the Federal budget dedicated to foreign assistance has consistently declined. Foreign assistance is not busting the Federal budget. That is a simple fact. Those who believe that we can balance the budget painlessly overnight by slashing foreign assistance are simply wrong.

What do we get for the 1 percent of the budget we invest in foreign assistance? In my view, our meager investment has yielded incalculably valuable returns. Through foreign assistance, we have promoted democracy and stability throughout the world and avoided countless wars and their tremendous human and financial costs.

For example, in the Middle East—one of the most explosive regions of the world—our commitment to a strong and secure Israel and our dedication to the framework established in the Camp David accords has been a major contributor to the peace process now under way. Through our foreign assistance programs, we have shown unequivocally that the United States supports the State of Israel as a friend, fellow democracy, and key strategic ally. We have sent the equally important message to Israel’s neighbors that they will be welcomed into the community of nations if they are willing to make peace. That was the spirit of the Camp David accords.

More recently, Israel has reached major agreements with Jordan and the Palestinians. Each of these historic agreements was reached with the assistance of U.S. foreign aid and the promise of our development assistance. Without the promise of foreign assistance, it is possible that none of these
important agreements would have been reached. The bill before the Senate today wisely builds upon the peace process by earmarking funds for our Camp David partners. Also the bill includes new legislative provision, the Middle East Peace Facilitation Act of 1995, which will enable the administration to continue to play an active role in the Middle East peace process.

For these and other reasons, I urge my colleagues to support this bill.

Mr. DOMENICI. Mr. President, I rise in support of H.R. 1868, the foreign operations, export financing, and related agencies bill for fiscal year 1996. I am pleased to join the committee in supporting the passage of this bill by the full Senate.

Mr. President, the foreign operations appropriations bill provides $12.3 billion in budget authority and $5.9 billion in new outlays to operate the programs of the Department of State, export and military assistance, bilateral and multilateral economic assistance, and related agencies for fiscal year 1996.

When outlays from prior-year budget authority and other completed actions are taken into account, the Senate bill totals $12.3 billion in BA and $13.8 billion in outlays for fiscal year 1996.

The bill is at the subcommittee’s 602(b) allocation for budget authority and $127.2 million in outlays below the subcommittee’s section 602(b) allocation. It is $2.4 billion in BA and $9.5 billion in outlays below the President’s budget request. It is $442.5 million in BA and $13.4 million in outlays above the House-passed bill.

I want to thank the distinguished chairman and ranking member of the full Appropriations Committee, as well as my friends on the subcommittee, for deleting a provision in the bill that included a directive with respect to the budget scoring of the bill. This action prevents this bill from being subject to two points of order under the Congressional Budget Act, and I am certain it will expedite consideration of this important bill.

Mr. President. I seek unanimous consent that a table displaying the Budget Committee scoring of this bill be printed in the RECORD, and I urge the adoption of the bill.

The being no objection, the table was ordered to be printed in the RECORD, as follows:

**FOREIGN OPERATIONS COMMITTEE—Continued**

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<th>Item</th>
<th>Budget Authority</th>
<th>Outlays</th>
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**FOREIGN OPERATIONS SUBCOMMITTEE**

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<td>Nondefense discretionary:</td>
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**Note:** Details may not add to totals due to rounding. Totals adjusted for consistency with current scoring conventions.

Mrs. FEINSTEIN. Mr. President, I am pleased that the Senate Appropriations Committee has wisely earmarked $350 million for the Office of Population at the U.S. Agency for Development because I understand the extreme importance of family planning programs around the world.

Investment in population assistance programs today will save us much more costly investments in the future when unchecked population growth results in environmental damage, scarcity of resources, and economic hardship. Overpopulation is one of the most serious problems our world faces today.

Reducing spending in these areas will have the immediate effect of negatively impacting, in a serious way, the health and well-being of women and children.

However, I oppose the attempt to prevent these U.S. funds deemed for population planning assistance from contributing to the United Nations Fund for Population Activities (UNFPA). I would like to emphasize a few particulars about this international organization.

UNFPA is a voluntary multilateral organization providing global family planning programs and population assistance. UNFPA directly manages one-third of the world’s population assistance to developing countries; its work has saved countless numbers of lives since its inception.

Programs managed by UNFPA improve the quality and safety of contraceptives available to women which contributes to reducing the incidence of abortion. UNFPA does not support abortion or abortion-related activities.

UNFPA helps improve women’s reproductive health and provides both maternal and child health care—basic health care services which are largely unavailable throughout the developing world.

I am dismayed by opponents of UNFPA who wrongly submit that this organization is involved in providing abortion services anywhere.

Mr. BYRD. Mr. President, this foreign operations appropriations bill, totaling $12.3 billion, is 16.5 percent below the President’s request of $15.2 billion. In most respects, it represents a substantial change from previous foreign operations bills. Bilateral economic assistance is cut 22 percent below the President’s request. U.S. contributions to multilateral development banks are cut by 43 percent from the fiscal year 1996 request. While harsh, these cuts are in keeping with the other deep and painful cuts being made in most other appropriations bills that fund vital domestic programs.

In one important respect, however, this foreign aid appropriations bill has not changed to reflect either the current difficult budget realities or the changing world situation. Assistance to Israel and Egypt, and particularly to Israel, remains constant. In fiscal year 1995, Israel received over one-third of the total foreign aid appropriation of $14.4 billion. Israel’s $5.0 billion in foreign aid from the United States included $1.2 billion in economic support funds—a direct cash infusion to the Israeli Government’s coffers—$1.8 billion in foreign military financing grants; $80 million in refugee settlement grants; $2.0 billion in loan guarantees; $10 million in cooperation development grants—for Israel’s foreign aid programs to other countries; and $3.5 million in regional cooperative assistance funds. This total does not include other funding primarily contained within the Department of Defense appropriations bill, that also benefit Israel’s military, security, and military research and development programs.

Fiscal year 1996, the request for Israel includes $1.2 billion in economic support funds, $1.8 billion in military assistance, $30 million for refugee assistance, $10 million for cooperative development grants, $3.5 million for regional cooperative assistance, and up to $200 million in excess defense equipment. Because of the Camp David Accords that established peace between Israel and Egypt in 1978, Egypt also benefits from United States largess to Israel. The Camp David Accords were followed by a foreign aid funding equation that also rewards Egypt, but to a lesser degree. In fiscal year 1996, Egypt will receive $1.3 billion in foreign military financing grants, $381 million in...
economic support funds, and an earmark for a telecommunications project.

While peace between Israel and Egypt was and remains important, and while the United States-Israel relationship remains close, I must question the wisdom in continuing to reward these two countries at the same historically high levels when the cost is counted in sharply decreased United States assistance in other areas of the world that are also important to the United States. Israel and Egypt made peace in 1978, 17 years ago. How long does the United States intend to reward this accomplishment with financial support? Financial rewards on the same scale have not been offered to South Africa in order to support democracy in the United States. The multinational peace force was replaced sharply decreased United States assistance and influence in other areas of the world; the United States are being cut quite dramatically in order to support the sacrificial aid to Israel and Egypt and also address other vital foreign interests, such as reducing the former Soviet nuclear stockpile. Other long-term allies, including Turkey and Greece, both important NATO members, have seen significant changes in their foreign assistance. Why not Israel?

Mr. President, the United States has provided a grand total of more than $67 billion in foreign and military assistance from the United States since its founding in 1799. Since 1976, Israel has been the largest annual recipient of cumulative United States assistance since World War II. Mr. President, I do not raise these points because I am a foe of Israel. I do not wish to be thought of as anti-Israel. I hold no malice toward the people of Israel. I do not wish to be thought of as anti-Semitic. I do not wish to be thought of as anti-Moslem. I do not wish to be thought of as anti-Jew. I do not wish to be thought of as anti-Christian. I hold no malice toward the people of Israel. I do not wish to be thought of as anti-Semitic. I do not wish to be thought of as anti-Moslem. I do not wish to be thought of as anti-Jew. I do not wish to be thought of as anti-Christian.

Mr. President, I have always favored putting my support behind domestic priorities, such as education, roads, police, and veterans, and developed American competitiveness. All of these domestic priorities are under the budgetary axe. For the most part, U.S. overseas interests supported in this bill are also being reduced. But not the single largest recipients of U.S. aid. This is not reasonable, and it is not equitable. For these reasons, I shall not vote in favor of this bill.

Mr. DODD. Mr. President, I want to put some perspective on the amendment that has just been offered by Senator Dole with respect to Haiti. First, I say without equivocation that I believe that the President's policy with respect to Haiti has been a tremendous success. I for one am proud of the decision that the President made to restore democracy to Haiti. I thought it was the right thing to do then, and it certainly has proved to be the case thus far.

Let's review for a moment what has happened since that dramatic moment last September when the President ordered the deployment of United States Forces to Haiti:

The multinational force was peacefully deployed, without loss of life, and facilitated the departure of the military coup leaders; Congress created the commission on Haiti that permitted President Aristide to return to Haiti on October 15 to resume office; the multinational force was replaced by a much smaller U.N. force with the number of U.S. troops significantly reduced; the Government of Haiti conducted elections and run-offs to fill more than 2,000 parliamentary and municipal posts—the most complex elections in Haiti's history; the Armed Forces have been effectively dissolved and the interim police force is being replaced with a professionally trained permanent force under civilian control; the Haitian situation, while by no means perfect, is light years better than 1 year ago when more than 3,000 Haitians were being killed annually; the Haitian economy which suffered significant decline during the military coup has begun to turn around and show positive growth; that is quite a remarkable set of accomplishments in a very short period of time. On October 15, President Aristide—President Aristide—who chose to have their candidates appear on the ballot. When election day dawned—the people of Haiti came out to participate. They came from miles away. They stood in line, sometimes for hours in the hot sun. They exercised their constitutional right to cast their ballots and to choose the individuals who would represent them in their local governmental structures. That to me says a great deal about the validity of the process.

Yes, there were mislabeled voter registration cards—yet election officials were able to register nearly 90 percent of all eligible voters. Yes, a very small percentage of political candidates were excluded from running for ill-defined reasons, yet more than 10,000 individuals ended up running for 2,300 public offices. Yes, there were some polling places which did not open on time, or in some cases at all, yet in many others the polling stations opened, the ballots were available and people made their choices.

Haitian authorities have already acknowledged that mistakes were made. They had special elections in August and run off elections in September. Improvements were made to the electoral process. Changes were made in the electoral council.

I for one am glad that the people of Haiti had the opportunity to participate in elections and to react as they were. I suspect that we were to ask them they would overwhelming share that view. Today, the people of
Haiti are one step closer to having the kind of government to which they aspire. Tomorrow, as they learn from their mistakes and through their own hard work they will be closer still.

Instead of attempting to score partisan political points, as some would seek to have it appear that we will stand behind our current policy, try to make it work, so that the people of Haiti can have a brighter future after having suffered for so long in the shadows of oppression. I assure unanimous consent that the attached articles be printed in the RECORD at the conclusion of my remarks.

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

The Human Rights Record of the Government of Haiti

The human rights observers of the joint OAS/UN International Civilian Mission have been in Haiti since February 1993 with two interruptions brought about by evacuations for security reasons.

Our mandate:

- to monitor and report on the human rights situations in Haiti;
- to seek to establish the respect or lack thereof for human rights.

The International Civilian Mission has therefore been able to monitor in the field, the evolution of the human rights situation under the de facto regimes of the period of the coup d’etat and under the constitutional government.

The human rights situation under the military who dominated all the institutions was characterized by widespread and systematic human rights abuses—arbitrary detentions, torture or other forms of cruel, inhuman or degrading treatment, forcible disappearances, illegal arrests and detentions; and restrictions on the freedoms of expression and assembly. These abuses were carried out by the security agents of the state—the police and the army and those to whom they gave rise, the ‘gourou chevaliers’ (armed civilians thugs) and later on the members of the para-military group, FAPRH.

The return of President Aristide in October 1994 has allowed to a lesser extent the conditions of detention to be more frequently referred to the judiciary. It is very hard to find reliable information which Amnesty International is investigating.

Problems do remain in Haiti, although we can be unequivocally clear that Amnesty International has found no evidence of any systematic targeted killing of opponents by the current Haitian government. Amnesty’s overriding concern at the moment is the question of impunity. This is extremely important, as it is benefiting those who once terrorized the population during the years of de facto rule, the very opponents of the current government.

Amnesty International USA Statement on Human Rights in Haiti since the Return of President Aristide

Amnesty International has been following human rights issues in Haiti for a number of years. We have documented the extensive violations in the city and in the countryside, under the ‘denoirs’ (armed civilians thugs) and later on the members of the para-military group, FAPRH.

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Amnesty International has so far not received any evidence indicating that they are centrally coordinated or that the authorities are using them for such purposes.

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Amnesty International has so far not received any evidence indicating that they are centrally coordinated or that the authorities are using them for such purposes.
September 21, 1995

CONGRESSIONAL RECORD — SENATE
S14079

We are currently investigating the trial proceedings to ensure they conform to international standards.

While it would not be true to say that nothing has happened on this front, it is clearly inadequate and slow and the government has not so far shown much determination to confront the issue. However, the international community must assist in any way to help rebuild civil institutions. A significant contribution will be to disburse the promised assistance to the Truth Commission. From what we gather, as well as the six or so cases the government itself said it was investigating, many victims and victims' relatives have presented clear evidence to the authorities so it is not for lack of cases that little progress has been made. It is imperative that impunity in Haiti be broken; time and again we have seen how those who terrorized once can terrorize again.

Amnesty International certainly welcomes what steps have been taken so far to bring perpetrators of past and current abuses to justice and urge the government, as a matter of urgency, to further strengthen the judiciary to ensure that as many cases as possible can be brought before such courts here to international standards for a fair trial. We believe it would be very useful if more resources were made available to the progress of investigations and trials.

Insofar as prison conditions are concerned, these are said to be improving gradually and a national overseer of prisons has been appointed. We understand that nutrition has modestly improved and the International Committee of the Red Cross has had access.

[From the Washington Times; Sept. 18, 1995]

HAITI, ONE YEAR LATER

Remember Haiti? One year ago, our attention was focused on that small island country, as 20,000 American troops waited for the signal to invade. Self-styled American ambassador at large Jimmy Carter was busy negotiating with Gen. Raoul Cedras, hoping to persuade him to exit peacefully rather than face the U.S. forces with his ill-equipped army of thugs. On that day also, Gen. Colin Powell was in the news, having accompanied Mr. Carter to lend some muscle to his persuasion. And back in Georgetown was President Jean-Bertrand Aristide, urging the U.S. government to do with his enemies.

Haiti’s story is as familiar now as we could have found it to invade, but the thought of sending American soldiers into harm’s way in a place known for its brutal, corrupt regime, extreme poverty, and political instability made many here at home highly skeptical about the whole enterprise. Nor did it inspire confidence that the Clinton administration had shown itself to be unwilling to get involved in handling foreign affairs and previously endured the humiliation of having to withdraw a transport ship with U.N. troops, including 200 Americans, from Port-au-Prince when faced with an unruly mob. It would not be too much to say that the operation was attended by the lowest possible level of expectation here at home.

One year later, the good news is that the dire misgivings, expressed among others by this page, have not come true. The only deaths experienced by U.S. soldiers there have been due to suicide. Significant armed resistance to the Americans did not materialize, and the military strongmen finally agreed to step down. The scene back in October (with much of their ill-gotten gains). That meant the crippling sanctions could be lifted and President Aristide returned. The flood of boat people stopped with the first place, was stopped. By March 31, the bulk of the U.S. troops could be sent home, and the mission officially over to the United Nations. The remaining Americans are scheduled to leave after the presidential elections early next year.

So far, at any rate, a huge question remains about Haiti’s long-term future. Certainly the return of Mr. Aristide has not meant much improvement materially for the vast majority of Haitians who were in a dire situation when he June were not much of a cause for celebration. The international community had more than half a year to prepare for them, yet due to inadequate and uncoordinated efforts of the Haitian election committee, dominated by Aristide supporters, the event which so many Haitians had longed for turned into a farce from start to finish, and violence, and some 100,000 Haitians were unable to vote; make-up elections had to be held in August. Just this weekend, we had yet another act in this drama as run-off elections were held between candidates in a tie for their seats. The voting was boycotted by opposition politicians who claim fraud perpetrated by Lavalas and its sister parties. Nor is it clear whether Mr. Aristide will in fact step down at the end of his five-year term; quite a “movement” has gotten under way to “save” him with such a scenario. Still, there may be some important lessons to be learned here for the United States. The conclusion here should not be that the American leadership can work, and that it helps tremendously when it is backed by the willingness to use overwhelming force. The Bosnian Serb army this weekend started to withdraw its heavy weapons from around Sarajevo. For three murderous years, the Serbs stubbornly refused to do this, until the NATO bombing campaign changed their minds. What was also learned in Haiti (as in Somalia and Bosnia) is that such operations cannot be trusted or relied on, because that means essentially no one is in charge and no one is responsible for the outcome. The conclusion here should not be that the United States must become international policemen and nannies; it is still debatable whether U.S. interests are at stake in Haiti.

What is clear, however, is that where the stakes are deemed high enough, American initiative and muscle can be as effective as ever.

[From the New York Times; Sept. 21, 1995]

MR. ARISTIDE’S FIRST YEAR

A year after American troops landed in Haiti to secure the return of its exiled President, the country is clearly in better shape.

Despite the fears of his detractors, Jean-Bertrand Aristide has not incited his followers against their former oppressors, but urged reconciliation. Most Haitians no longer live in fear of political violence. Mr. Aristide now needs to break his isolation, continue his term to come back on its feet.

Mr. Aristide wisely declared he will not run for another presidential term, resisting the temptation to take advantage of his popularity to carry on the Haitian tradition of government-by-personality cult. Now he needs to use that time to broaden his governing skills. Mr. Aristide is not much of an administrator.

Mr. Aristide’s senior officials operate with little authority, the country is still chaotically governed. The simple necessities for doing business—such as electricity—are still in short supply. While there has been some economic recovery, the country is clearly not operating with its full potential. Since the Indonesians invaded East Timor, the amount of money has come into the country from foreign investors, and international lending institutions are leery of providing aid with few guarantees. Nevertheless, however, has fallen below 25 percent from 52 percent last year, and gross domestic product has risen by 3 percent, compared to a 10 percent decline last fiscal year.

The recent highly flawed parliamentary elections—which resulted in overwhelming victories for Mr. Aristide’s Lavalas party—have left opposition parties feeling disgruntled and cheated. Although there was little evidence of outright fraud, the electoral commission held in Paris was boycotted. The electoral commission’s inexcusable chairman was dismissed, but reform of the commission itself has been stalled.

The United Nations force of 6,000—including 2,400 American troops—is due to leave at the end of February. The new force has made a good start. Recruiting has been difficult, but the United Nations has been able to invest in neighborhoods where police were regarded as the enemy. Reform of the justice system is proceeding well, with judges and prosecutors receiving training from international experts. But with no civil service tradition, much of the government bureaucracy is still dysfunctional.

Given Haiti’s violent history, simply calming the country’s polarized political climate is an impressive achievement. But Mr. Aristide now needs to break his isolation, continue his term to come up with a coherent plan for getting the country back on its feet. Mr. Aristide and his followers have seen how those who terrorized once can terrorize again.

Mr. Feingold. Mr. President, as the Senate considers the foreign operations appropriations bill, I want to discuss two provisions which sanctioned Indonesia for its deplorable human rights record in East Timor, and which were eliminated in the chairman’s bill. I want to make it clear that Indonesia has done nothing to improve its human rights record in the past year which would recommend any change in United States policy.

Few my colleagues know, Indonesia has brutally occupied the Catholic population of East Timor since 1975. In that time, East Timor has been the focus of many international human rights efforts, not the least of which are those that have been spearheaded by my friend and colleague from Rhode Island, Senator Pell. To my disappointment, those causes have not been championed by any U.S. administration.

But in recent years the Indonesia military rule has become particularly cruel. Today, I want to dispel any myths among my colleagues that despite Indonesia’s economic successes in the past few years, its human rights record continues to be dismal, and is particularly deplorable in its activities in the last year in East Timor. Such instability and violations can only destabilize the regime that some business interests are all too quick to invest in.

Since the Indonesians invaded East Timor four years ago, 65,000 East Timorese have died—about a third of the entire population. Indonesia’s self-styled annexation of the territory has...
The tension in East Timor has been intensifying for the past year—influenced in part by the ongoing power struggles in Jakarta, the increased resentment of the presence of Indonesian military officers and vigilante groups, and the immigrant settlers brought in by Indonesia to consolidate their occupation.

The Indonesians have had some bizarre responses. For instance, last summer, they went to great lengths to pressure their ASEAN partners to prevent private conferences on East Timor to take place in the Philippines, Malaysia, and Thailand. But the violence has been on the increase as well—particularly since the APEC summit in November. During the summit protests were detained and, by most accounts, tortured. Reports of deaths of protesters at the hands of Indonesian soldiers have been constant all year.

On January 12, 1995, there is documented evidence that the military tortured and killed six civilians in Liquiçá—precisely the kind of massacre that happened since 1975. Even the Government-appointed National Commission on Human Rights acknowledged that “a process of intimidation and torture by security officials” occurred and resulted in “unlawful killings.” It found evidence that “there was intimidation and torture by the security officers in charge at the time to extract confessions.”

Recently, there has also been an outbreak of gang violence, of hooded vigilante type bands. Travelers describe walking on the tropical island on a sunny Sunday afternoon, and being passed by armed youths, covered in ski masks.

Notably, the Ninjas have not been reigned in by the same military that has so affected the East Timorese. For that reason, there is reason to believe that they are tolerated by the military. There is even some evidence that they were created by the military to do what uniformed soldiers cannot because of international attention.

Mr. President, there must be an investigation into the operations of these groups, and why they are permitted to continue functioning in East Timor.

Other forms of the military are still commonplace in East Timor as well. In January 1994, the U.N. Human Rights Commissioner’s Special Rapporteur on Torture reported that the most common forms of torture are beating on the head with wood, iron bars, bottles, and electric cables; kicking with heavy boots; electric shocks—mostly with cattle prods; slashing with razor blades and knives; death threats and faked executions; hanging people upside down by their feet; isolation; sleep deprivation; and the rape of East Timorese women.

The U.N. Special Rapporteur for Torture reported last year that there were “patterns of dealing violently with political dissent and [a] virtual impunity enjoyed by members of the security forces responsible for human rights violations.”

The U.N. Human Rights Commission this year once again recognized the Indonesian abuses in East Timor. It also forced Indonesia to invite the U.N. Human Rights Commissioner to visit East Timor. This was the first time that happened since 1975.

The United States, in my view, has not lived up to its leadership responsibilities on this issue. While administration rhetoric—though measured—sounds supportive of human rights protections, the policy has not been forceful enough, given the extreme extent of the brutality that I described. For example, the United States defers to the U.N. peace process by which the Indonesians and Portuguese are supposed to work with the East Timores, yet the United States has not applied sufficient pressure on the Indonesians to participate seriously in the talks. The administration says it is concerned about the military troop presence in East Timor, yet it has never devised a plan of action to work with the Indonesians, or requested a plan for Indonesian troop withdrawal from the island. In fact, at most, the administration seems to investigate the level of troop presence in East Timor only when a Member of Congress asks whether the promised reductions even took place.

I am also perplexed why the United States is even trying to placate Indonesia. The administration permits Indonesia to buy IMET. However, for years they have been lobbying to get the taxpayer to subsidize the Indonesian military training. And while there is a small arms ban in place to prevent United States weaponry for being used in human rights violations, the administration is now trying to sell F-16’s to the Indonesian military.

Mr. President, given Indonesia’s deficient human rights policies, I see no reason to weaken United States policy toward it. In fact, the record of the past 2 years only indicates continued repression, continued deterioration, and increased violence against the East Timorese.

I appreciate the administration’s commitment to continue its current policy, and only hope that it will redouble its efforts on behalf of human rights in Indonesia and East Timor.

I thank the Chair and yield the floor.

Exhibit 1

U.S. DEPARTMENT OF STATE

WASHINGTON, DC, SEPTEMBER 21, 1995

DEAR SENATOR FEINGOLD: I am writing about your continuing concern about the human rights situation in Indonesia, including in East Timor, and your interest in the Administration’s policies toward this country, specifically our current arms sales policy and our proposed International Military Education and Training (IMET) program.

I believe that these concerns have merit and are well founded. As you know, the United States has had a long-standing concern about the human rights situation in Indonesia, including in East Timor, and we raise our concerns with
the Indonesian government regularly. Our current arms sales policy, codified in law last summer and included in S. 908, prohibits the sale or licensing for export of small or light armaments and control items until the Secretary has determined that there has been significant progress on human rights in Indonesia, including in East Timor. Current law also prohibits the transfer of International Military Education and Training (IMET) for Indonesia. As you are aware, the Administration has proposed that this ban be rescinded, and there is language in the House authorization and appropriations bills that would permit funding for Expanded IMET (E-IMET) courses.

We understand that you or other Senators may be considering amendments to the Foreign Operations Appropriations Bill that would further restrict the types of defense items that can be sold or licensed for export to Indonesia. We also have heard that some Senators who oppose any IMET funding for Indonesia are considering working to have the complete ban on such funding retained.

You have proposed that you and others in the Senate will refrain from attaching language to the Senate’s version of the bill restricting arms sales to Indonesia and banning IMET funding if the Administration will agree to abide by our current arms sales policy and accept only funding for E-IMET in FY 1996.

We will abide by our current arms sales policy and, though we would have preferred restoration of full IMET, will fund only Expanded-IMET during the coming fiscal year. I hope this information will be useful to you. Please do not hesitate to contact us if we may be of further assistance.

Sincerely,

WENDY R. SHERMAN, Assistant Secretary, Legislative Affairs. ORDER OF PROCEDURE

Mr. DOLE. Mr. President, this will be the last vote tonight. Tomorrow morning, starting at 9:30 we will take up the MilCon conference report, to be followed by the D.C. appropriations bill, to be followed by the legislative appropriations conference report. Therefore, I would expect one, two, three, and maybe one amendment on the D.C. bill, so maybe four votes tomorrow. We should finish early. Then I will tell you what will happen next week. Hopefully, we will finish those bills and take the next week off. But we are not there yet.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. McCONNELL. Mr. President, I ask for the yeas and nays on the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Mr. SMURFIT, are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 9, as follows:

Abraham Ford McCain
Aakas Frost McConnell
Ashcroft Glenn Mikulski
Baucus Gorton Molesky-Braun
Bennett Graham Meynahn
Biden Gramm Morris
Bond Grupe Moss
Boxer Graeley Nickles
Brown Braley Packwood
Bryan Harkin Pell
Bumpers Heflin Presler
Burns Hatch Pryor
Campbell Inouye Robb
Chafee Jeffords Rockefeller
Cochran Johnson Roth
Cohen Kasebaum Sarbanes
Conrad Kennedy Shelby
Coverdale Kerrey Simon
D’Amato Kerr Snow
Danchie Kohl Specter
Dancee Kuhl Stevens
Dole Leavy Thomas
Domenici Levin Thompson
Dorgan Lieberman Thurmond
Durham Lugar Warner
Feingold Lugar Welstone
Feinstein Mack

Bingaman Faircloth Kempthorne
Byrd Helms Nunn
Craig Hollings Office
Craig Hollings Office

So the bill (H.R. 1668), as amended, was passed.

Mr. McCONNELL. Mr. President, I want to take one moment to thank Tim Rieser and Luke Albee of Senator LEAHY’s staff, and from the Appropriations Committee’s staff, Jim Bond, and Juanita Rilling; and, particularly, Mr. President, I want to extend my great appreciation to my personal staff members, Billy Piper, and my long-time foreign policy adviser, Robin Cleveland, for their determined work in helping us to produce this bill.

I am extremely grateful to Billy, particularly to Robin, for good advice not only on this occasion but over the years.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, I thank you for your kind words.

Mr. President, I yield the floor.

Mr. Bennett. Mr. President, I ask unanimous consent that there be a period of the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

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

UNITED STATES/UNITED KINGDOM AVIATION RELATIONS

Mr. Pressler. Mr. President, I rise today to express my great disappointment that an agreement further liberalizing United States/United Kingdom aviation relations was not struck in London last week. I believe the British Government put the interests of one constituent above the best interests of British consumers.

The United Kingdom is one of our largest and most important trading partners. For many years that trading relationship has flourished. Open market principles have been the engine responsible for its success. Without a doubt, the free flow of commerce between our two nations has significantly benefited both economies. Perhaps the biggest winners of all have been consumers on both sides of the Atlantic who have reaped the benefits of enhanced consumer choice and competitive prices.

Regrettably, over the last few decades, the British have repeatedly rebuffed our attempts to extend our open trade relationship to include commercial aviation rights. In fact, the United States/United Kingdom bilateral aviation agreement is our most restrictive international aviation agreement. For good reason, that agreement, the so-called Bermuda II agreement signed in 1977, is widely regarded as being the high water mark for international aviation protectionism.

In London last week, the United States and United Kingdom had an historic opportunity to further liberalize our aviation relationship. Instead of taking a major step forward, United States/United Kingdom aviation relations seem to have taken a giant leap backward. I am very concerned that the failure to reach agreement last week has squandered hard earned momentum from the phase 1 deal in June and resurrected mistrust between the countries that has plagued negotiations for years.

Mr. President, despite these concerns, the United States and United Kingdom must press forward with
phase 2 negotiations. We owe it to consumers on both sides of the Atlantic. For far too long the United States/United Kingdom aviation debate has focussed primarily on the interests of passenger and cargo carriers. I urge negotiators on both sides of the table to focus on a broader focus, one which considers the significant stake consumers have in enhanced air service and more competitive prices.

In a speech before the Aviation Club of Great Britain earlier this week, Gerald Greenwald, Chairman and CEO of United Airlines, echoed this point. Mr. Greenwald called for a “renewed concentration on consumers” and quite accurately observed that the real losers under the restrictive Bermuda II agreement are consumers “in the United States and United Kingdom alike.” He is absolutely correct.

I ask unanimous consent that Mr. Greenwald’s speech before the Aviation Club of Great Britain to which I referread from the Record at the conclusion of my remarks.

Mr. President, I hope benefits to consumers are factored into the equation next time American and British negotiators meet in phase 2 talks. Perhaps then the need for liberalization of the United States/United Kingdom bilateral aviation agreement will be clearer to the British. Undoubtedly, the benefits of liberalization will be more readily apparent.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Gerald Greenwald; Aviation Club of Great Britain, Chairman and CEO, United Airlines

London—September 19, 1995. Thanks, all of you for this warm welcome. Let me salute Allan Winn, Chairman of the Aviation Club of Great Britain, along with the many leading lights of Great Britain’s aviation industry—myself included—whom I am honored to address today.

I promised Allan I would refrain from any “complaints for my company,” although temptation, of course, is great. But Allan was kind enough to ask—people often do when a visitor arrives—how was my trip?

I want to assure you: The flight over in United’s new 777 was quite comfortable. I enjoyed the full 64 inches of leg room, the five star first class service—and must be the most courteous flight attendant and pilot crew in the business.

So Allan—thanks for asking.

I am grateful for the opportunity to address you today. I see this as a chance to advance a dialogue that must take place if any of us, on either side of the Atlantic, are to prosper in our ever-changing industry. The industry is fast to look ahead—this industry has to change because its growth—needs to outpace that of the world economy.

The fact is, at no time since the Second World War has the airline industry been presented with market forces more conducive to profitable growth. The demand for thinking in our new environment. This industry has produced more than a structural shift in our organization—we were counting on a change in corporate culture to take a competitive level. And in a service industry, employee satisfaction shows—in the finished product—in the face we present every day to our passengers.

And we’re seeing that change in culture translate into strong results. You’re used to hearing about Returns on Investment—well, our ESOP’s delivering what I call Return on Ownership.

Fewer sick days: Down 21 percent last month—our year-over-year comparison. And increased “dependability” means a savings of about $32 million.

Fewer grievances: Down 75 percent year-over-year. And again—that’s an opportunity to resolve differences without costly and time consuming procedures—energy that could be spent on serving our customers.

All of the changes we’ve made within our company are moving us in the right direction. But there’s still the matter of the environment around us—the system in which we—and all our competitors—have to operate.

And that is where external factors dictate the difficulties we face—in the form of a system that stops us from serving our customers as well as we could. And that system is my subject today.

What do I mean? Let me ask: How many of us would maintain a fleet of DC-7s or Lockheed Constellations—how many of us would want to sell passengers on the virtues of an 18 hour flight to Europe by reaping a handful of domestic flights to our country’s largest cities?

In other words, how well do we think we’d fare with a 1960’s fleet in our 1990’s world?

Yet we’re struggling along with an equally antiquated structure governing our flights/our routes and schedules. Simply put: The structure of our industry is not adapting to the needs of the new customers, new nations, and new regions we serve.

We would like to open the system of bilateral regulation. Created in an era when national frontiers were also market boundaries—when economies were isolated from one another. International commerce—Conceived at a time when Churchill roamed Number 10 Downing Street, and both...
the Democrats and Republicans were competing to see who ‘liked like.’

Our bilateral system was a Frankenstein, stitched together when colonialism was fading, manifesting to the fore—and a protectionist system of managed trade seemed the best we could muster.

And that bad beginning got steadily worse. But with the so-called Bermuda II agreement in 1977. It’s a wonder the system served us as well as it has less said.

Today—we must all agree—the system is slowly strangling us.

What we have now is a kind of controlled chaos. Passage in which none is comfortable with the system as it is, but no one can make the move to the more competitive system we need.

Take Bermuda as a case in point, squeezed by the straight-jacket we call Bermuda II. Geographically, the U.K. is key to United: A gateway to the entire continent of Europe—and beyond, a critical crossroad in the global aviation market.

While we are one of only two U.S. carriers allowed to serve Heathrow, if we look at United’s major hubs in the U.S.—every one carries tight restrictions on capacity to Heathrow:

At Washington, DC, we have been running load factors to Heathrow of 92 percent for the last three months—and yet we were just turned down for two extra frequencies a week.

At Chicago, our largest hub, after a four-year struggle, last week we finally gained access to Heathrow—and yet it’s limited to seven weekly flights in a 767. Let me emphasize—this is from the world’s busiest airport to the world’s largest international destination. But even that is better than Denver, our second largest hub—where we can provide no service at all to Heathrow. Of all the major country-to-country agreements to which the U.S. is party, none is more restrictive than Bermuda II.

But as bad as I believe Bermuda II is—this much I know: The real losers are the consumers. In this, Bermuda II claims its casual legitimacy: it is a protectionist system of managed trade— neither the United States nor the United Kingdom can negotiate to open the skies for our carriers. And yet, as an editorial in the New York Times last week pointed out, this is all but immobilized by our own internal politics.

And with our second largest hub, Chicago—our largest hub, after a four-year struggle, last week we finally gained access to Heathrow—and yet it’s limited to seven weekly flights in a 767. Let me emphasize—this is from the world’s busiest airport to the world’s largest international destination. But even that is better than Denver, our second largest hub—where we can provide no service at all to Heathrow. Of all the major country-to-country agreements to which the U.S. is party, none is more restrictive than Bermuda II.

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the bill (S. 440) to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; Mr. SPENCE, Mr. CLINGER, Mr. PETRI, Mr. EMERSON, Mr. LAHOOD, Mr. MINETA, Mr. OBERSTAR, and Mr. RAHALL as the managers of the conference on the part of the House.

The message further announced that the House disagreed to the amendment of the Senate to the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the Senate:

From the Committee on National Security, for consideration of the House bill (except for sections 801–803, 811–814, 826, 826–832, 834–838, 842–843, 850–896) and the Senate amendment (except for sections 801–803, 815–818, 851–857, and 4001–4801) and modifications committed to conference: Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. KASICH, Mr. BATEMAN, Mr. HANSEN, Mr. WELDON of Pennsylvania, Mr. HEPFLER, Mr. SAXTON, Mr. CUNNINGHAM, Mr. BUYER, Mr. TORKILDSEN, Mrs. FOWLER, Mr. MCMiUGH, Mr. WATTS of Oklahoma, Mr. JONES, Mr. LONGLEY, Mr. DELLUMS, Mr. MONTGOMERY, Mrs. SCHROEDER, Mr. SEELBRETZ, Mr. SHEPHERD, Mr. SPRATT, Mr. ORTIZ, Mr. PICKETT, Mr. EVANS, Mr. TANNER, Mr. BRODWER, Mr. TAYLOR of Mississippi, Mr. ABERCROMBIE, Mr. EDWARDS, and Mr. PETERSON of Florida.

From the Committee on National Security, for consideration of sections 801–803, 811–814, 826, 826–832, 834–838, 842–843, and 850–896 of the House bill and sections 801–803 and 815–818 of the Senate amendment, and modifications committed to conference: Mr. SPENCE, Mr. STUMP, Mr. WATTS of Oklahoma, Mr. DELLUMS, and Mr. SPRATT.

From the Committee on National Security, for consideration of sections 2851–2857 of the Senate amendment, and modifications committed to conference: Mr. SPENCE, Mr. HEPFLER, Mr. JONES, Mr. ORTIZ, and Mr. MONTGOMERY.

From the Committee on National Security, for consideration of sections 4001–4001 of the Senate amendment, and modifications committed to conference: Mr. SPENCE, Mr. STUMP, Mr. TORKILDSEN, Mr. WATTS of Oklahoma, Mr. LONGLEY, Mr. DELLUMS, Mr. EDWARDS, Mr. COMBEST, Mr. PETERSON of Georgia, and Mr. DICKS.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XCVIII: Mr. CONREX, Mr. YOUNG of Florida, and Mr. Dicks.

As additional conferees from the Committee on Agriculture, for consideration of sections 2851–2857 of the Senate amendment, and modifications committed to conference: Mr. ROBERTS, Mr. ALLARD, Mr. LAHOOD, Mr. DE LA GARZA, and Mr. JOHNSON of South Dakota.

As additional conferees from the Committee on Commerce, for consideration of sections 601 and 3402–3404 of the House bill and sections 323, 601, 705, 734, 2824, 2825–2837, 3106–3107, 3166, and 3301–3302 of the Senate amendment, and modifications committed to conference: Mr. SCHAEFER, and Mr. DINGELL: Provided, That Mr. OXLEY is appointed in lieu of Mr. SCHAEFER for consideration of sections 323, 2824, and 3107 of the Senate amendment: Provided further, that Mr. BILIRAKIS is appointed in lieu of Mr. SCHAEFER for consideration of section 601 of the House bill and sections 601, 705, and 734 of the Senate amendment: Provided further, that Mr. HASTERT is appointed in lieu of Mr. SCHAEFER for consideration of sections 2851–2857 of the Senate amendment.

As additional conferees from the Committee on Economic and Educational Opportunities, for consideration of section 394 of the House bill, and sections 392, 393, 393 of the Senate amendment, and modifications committed to conference: Mr. GOODLING, Mr. RIGGS, and Mr. CLAY.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 332–333, and 338 of the House bill, and sections 333 and 336–343 of the Senate amendment, and modifications committed to conference: Mr. CLINGER, Mr. MICA, Mr. BASS, Mrs. COLLINS of Illinois, and Mrs. MALONEY.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 803–803, 811–814, 826, 826–832, 834–840, and 842–843 of the House bill, and sections 801–803 and 815–818 of the Senate amendment, and modifications committed to conference: Mr. CLINGER, Mr. HORN, Mr. DAVIS, Mrs. COLLINS of Illinois, and Mrs. MALONEY.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 803–803, 811–814, 826, 826–832, 834–840, and 842–843 of the House bill, and sections 801–803 and 815–818 of the Senate amendment, and modifications committed to conference: Mr. CLINGER, Mr. HORN, Mr. DAVIS, Mrs. COLLINS of Illinois, and Mrs. MALONEY.

As additional conferees from the Committee on Oversight, for consideration of sections 2851–2857 of the Senate amendment, and modifications committed to conference: Mr. SPENCE, Mr. DAVIS, and Mrs. COLLINS of Illinois.

As additional conferees from the Committee on Oversight, for consideration of sections 4001–4001 of the Senate amendment, and modifications committed to conference: Mr. CLINGER, Mr. SCHIFF, Mr. ZELIFF, Mr. HORN, Mr. DAVIS, Mrs. COLLINS of Illinois, Mrs. MALONEY, and Mr. SPRATT.

As additional conferees from the Committee on Oversight, for consideration of sections 1041 of the Senate amendment, and modifications committed to conference: Mr. BLILEY, Mr. SCHAEFER, and Mr. GINGRICH.

As additional conferees from the Committee on Rules, for consideration of section 3301 of the Senate amendment, and modifications committed to conference: Mr. SOLOMON, Mr. BREIER, and Mr. BEILINSON.

As additional conferees from the Committee on Science, for consideration of sections 203, 211, and 214 of the House bill and sections 220–221, 3137, 4122(a)(5), 4161, 4605, and 4607 of the Senate amendment, and modifications committed to conference: Mr. SMITH of New Jersey, Mr. BINGMAN, Mr. HUTCHINSON of Massachusetts, Mr. SMITH of New York, Mr. BINGMAN, and Mr. ROTH.

As additional conferees from the Committee on Transportation and Infrastructure, for consideration of sections 223, 322, 3224, and 2851–2857 of the Senate amendment, and modifications committed to conference: Mr. SHUSTER, Mr. WELLER, and Mr. OBERSTAR.

As additional conferees from the Committee on Veteran’s Affairs, for consideration of section 2806 of the House bill and sections 614–645 and 4601 of the Senate amendment, and modifications committed to conference: Mr. SHUSTER, Mr. WELLER, Mr. SMITH of New Jersey, Mr. HUTCHINSON, and Mr. SMITH of New York.

The following communications were sent and referred as indicated:

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1617. An Act to consolidate and reauthorize workforce development and literacy programs, and for other purposes, to the Committee on Labor and Human Resources.
Board, transmitting, pursuant to law, notice of a response to the Office of Management and Budget; to the Committee on Commerce, Science, and Transportation.

EC-1457. A communication from the Secretary of Transportation, transmitting, pursuant to law, notice of action relative to the Elizondo International Airport, Bogota, Colombia, to the Committee on Commerce, Science, and Transportation.

EC-1458. A communication from the Chairperson of the National Transportation Safety Board, transmitting, pursuant to law, the report of the budget estimate for fiscal year 1997; to the Committee on Commerce, Science, and Transportation.

EC-1459. A communication from the Deputy Associate Director for Compliance, Minerals Management Service, Royalty Management Program, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1460. A communication from the Deputy Associate Director for Compliance, Minerals Management Service, Royalty Management Program, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-294. A resolution adopted by the Military Chaplains Association relative to military retired pay; to the Committee on Armed Services.

POM-295. A resolution adopted by the Military Chaplains Association relative to the retention of military commissaries; to the Committee on Armed Services.

POM-296. A resolution adopted by the Military Chaplains Association relative to the cost-of-living adjustments; to the Committee on Armed Services.

POM-297. A resolution adopted by the Military Chaplains Association relative to the Uniformed Services University of the Health Sciences; to the Committee on Armed Services.

POM-298. A resolution adopted by the House of the Legislature of the State of Texas; to the Committee on Armed Services.

"RESOLUTION NO. 38

"Whereas, Americans recognize and appreciate the enormous sacrifices made by United States military personnel who served courageously in the Vietnam War and the conflict in Southeast Asia, some of whom are still struggling in action in Vietnam; and

"Whereas, while the status of most of the American soldiers who lost their lives or were injured during this long military engagement is now that of a hero, the fate of more than 2,000 military personnel remains unknown decades after the United States’ final withdrawal from Vietnam; and

"Whereas, the unclaimed status of those brave individuals is, understandably, a source of great concern for their families, their friends, and their fellow citizens and represents a stain on our nation’s history that cannot be satisfactorily concluded until their whereabouts are known; and

"Whereas, recognizing the important of this resolution to American military personnel and their families, the United States Congress has sought to locate these individuals in the past and should continue to take all necessary steps to fulfill this important duty in the future: Now, therefore, be it

"Resolved, That the House of Representatives of the 74th Congress hereby request the Congress of the United States to continue its efforts to determine the location and status of all United States military personnel still missing in Southeast Asia; and, be it further

"Resolved, That official copies of this resolution be prepared for the President of the United States, the Speaker of the House of Representatives of the United States Congress, the President of the Senate of the United States Congress, and all members of the Texas delegation to the Congress."

POM-299. A resolution adopted by the Legislature of the State of California Uniformed Services; to the Committee on Armed Services.

"JOINT RESOLUTION NO. 27

"Whereas, California is proud to be the home of millions of active and retired military personnel; and

"Whereas, these personnel and their families have earned the right to access to quality health care because of distinguished service to our state and country; and

"Whereas, the care is to be delivered through the Civilian Health and Medical Program of the Uniform Services (CHAMPUS) program; and

"Whereas, these personnel and their families have already been seriously inconvenienced by the actions of the federal government in closing many of the military bases where these personnel received their medical care, forcing them to travel great distances to receive medical care from different providers; and

"Whereas, these personnel and their families were again inconvenienced by the action of the federal government in changing the administration of the CHAMPUS program that year. These changes required some of these military and veteran families to change medical providers, and to travel greater distances to receive medical care; and

"Whereas, the federal government is contemplating making even further major changes to the CHAMPUS program. These changes will cause dislocation in the provider networks that will require that military families endure a stressful transition to new doctors and hospitals; and

"Whereas, many of these changes will result in fewer medical providers available to families which will adversely affect medical quality; Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the United States Department of Defense to make every effort to ensure that the commitment made to provide medical care to military and veteran families through the CHAMPUS program be honored, and that when changes are contemplated for the program that priority be given to protecting the benefits of military and veteran families by ensuring that quality medical care is available at convenient locations for these families, and in doing so, that the Department of Defense take into consideration the impact and the dislocation caused to military and veteran families by previous changes to the program and that the Department of Defense is recommended to minimize further dislocation and to enhance the CHAMPUS program rather than to reduce the benefits already earned by our military; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to the Secretary of Defense, to the Director of the Office of Management and Budget, to each Senator and Representative from California in the Congress of the United States."

POM-300. A resolution adopted by the Legislature of the State of California; to the Committee on Armed Services.

"JOINT RESOLUTION NO. 21

"Whereas, McClellan Air Force Base, located in the City of Sacramento, California, is one of the five major Air Force logistic command centers in the United States; and

"Whereas, this base has been a major aircraft repair facility for nearly 70 years; and

"Whereas, McClellan is one of the largest United States Air Force bases as well as the largest employer in northern California; and

"Whereas, McClellan is the home facility for other critical and essential military organizations, including the Coast Guard Rescue Service, a Reserve Tanker Wing, and a National Guard Tanker Unit; and

"Whereas, the base plays a key function in supporting the responsibility of the entire Air Force and has been a major maintenance and support element in the Vietnam Conflict, Gulf Conflict, the Vietnam Conflict, the Gulf Wars, and currently the Afghanistan and Iraq Wars; and

"Whereas, many of these changes will result in the loss of jobs for the local civilian workforce and those related to the base; and

"Whereas, these personnel and their families have been adversely affected by these changes; and

"Whereas, these personnel and their families have already been seriously inconvenienced by the actions of the federal government in closing many of the military bases where these personnel received their medical care, forcing them to travel great distances to receive medical care from different providers; and

"Whereas, these personnel and their families were again inconvenienced by the action of the federal government in changing the administration of the CHAMPUS program that year. These changes required some of these military and veteran families to change medical providers, and to travel greater distances to receive medical care; and

"Whereas, the federal government is contemplating making even further major changes to the CHAMPUS program. These changes will cause dislocation in the provider networks that will require that military families endure a stressful transition to new doctors and hospitals; and

"Whereas, many of these changes will result in fewer medical providers available to families which will adversely affect medical quality; Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Department of Defense, the Office of Management and Budget, and to each Senator and Representative from California in the Congress of the United States to consider the strategic importance of the Air Force Base and to oppose proposals to close this important military installation; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Chairman of the Defense Base Closure and Realignment Commission, the President and Vice President of the United States, and to each Senator and Representative from California in the Congress of the United States."

EXECUTIVE REPORTS OF COMMITTEES

The following reports of executive sessions of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services:

"John T. Conway, of New York, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 19, 1999.

"The above nomination was reported with the recommendation that he be
confirmed, subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mr. THURMOND. Mr. President, for the Committee on Armed Services, I report favorably the attached listing of nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary’s desk for the information of any Senator since these names have already appeared in the RECORDS of July 20, July 24, August 3, August 10, and September 5, 1995, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary’s desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary’s desk were printed in the RECORDS of July 20, 24, August 3, 10, and September 5, 1995 at the end of the Senate proceedings.)

*In the Navy there are 2 promotions to the grade of rear admiral (list begins with Ralph Melvin Mitchell, Jr.) (Reference No. 97).

*In the Naval Reserve there are 10 promotions to the grade of rear admiral (lower half) (list begins with Kenneth Peter Barausky) (Reference No. 165).

*In the Navy there are 2 promotions to the grade of rear admiral (list begins with J. D. Strong) (Reference No. 249).

Rear Adm. (lower half) S. Todd Fisher, USN to be rear admiral (Reference No. 528).

*Col. Michael R. Dendinger, USAF to be rear admiral (Reference No. 609).

*In the Navy there are 5 appointments to the grade of ensign (list begins with Jeremy L. Hilton) (Reference No. 610).

*In the Navy there are 10 appointments to the grade of second lieutenant (list begins with Mark B. Allen) (Reference No. 622).

*In the Army Reserve there are 35 promotions to the grade of colonel and below (list begins with Charles H. Allen) (Reference No. 541).

*In the Navy Reserve there are 159 promotions to the grade of captain (list begins with Glenn M. Amundson) (Reference No. 542).

**In the Army Reserve there are 3 promotions to the grade of lieutenant colonel and below (list begins with John A. Belzer) (Reference No. 563).

**In the Army Reserve there are 23 promotions to the grade of colonel and below (list begins with Robert Bellhouse) (Reference No. 564).

**In the Army Reserve there are 34 promotions to the grade of colonel and below (list begins with Terry C. Ames) (Reference No. 565).

**In the Naval Reserve there are 777 promotions to the grade of commander (list begins with Andrew W. Acevedo) (Reference No. 566).

**In the Army Reserve there are 3 promotions to the grade of colonel and below (list begins with David G. Barton) (Reference No. 568).

**In the Air Force Reserve there are 9 promotions to the grade of lieutenant colonel (list begins with Michael D. Bowman) (Reference No. 606).

**In the Air Force Reserve there are 20 promotions to the grade of lieutenant colonel (list begins with Gary L. Ebben) (Reference No. 607).

Col. Michael L. Jones, USA for appointment as Director of Admissions at the United States Military Academy (Reference No. 608).

**In the Army Reserve there are 44 promotions to the grade of colonel and below (list begins with Gerard H. Barloco) (Reference No. 609).

**In the Navy there are 5 appointments to the grade of ensign (list begins with Jerome L. Hilton) (Reference No. 610).

**In the Air Force Reserve there are 21 appointments to the grade of colonel and below (list begins with Maria A. Berg) (Reference No. 619).

**In the Army Reserve there are 3 promotions to the grade of lieutenant colonel and below (list begins with Lillian A. Foerster) (Reference No. 620).

**In the Army Reserve there are 14 promotions to the grade of captain and below (list begins with Maria A. Berg) (Reference No. 621).

**In the Marine Corps there are 7 appointments to the grade of lieutenant colonel and below (list begins with Gary L. Ebben) (Reference No. 622).

**In the Air Force Reserve there are 9 promotions to the grade of lieutenant colonel and below (list begins with Lillian A. Foerster) (Reference No. 623).

**In the Navy and Naval Reserve there are 2 appointments to the grade of commander and below (list begins with Gary E. Sharp) (Reference No. 621).

**In the Air Force Reserve there are 140 appointments to the grade of colonel and below (list begins with Maria A. Berg) (Reference No. 624).

**In the Army Reserve there are 3 promotions to the grade of lieutenant colonel and below (list begins with Richard J. Alioto) (Reference No. 543).

**In the Naval Reserve there are 159 promotions to the grade of captain (list begins with Glenn M. Amundson) (Reference No. 544).

**In the Navy Reserve there are 159 promotions to the grade of captain (list begins with Glenn M. Amundson) (Reference No. 544).

**In the Army Reserve there are 3 promotions to the grade of lieutenant colonel and below (list begins with Richard J. Alioto) (Reference No. 543).

**In the Marine Corps Reserve there are 166 promotions to the grade of lieutenant colonel (list begins with Douglas E. Akers) (Reference No. 544).

**In the Marine Corps Reserve there are 166 promotions to the grade of lieutenant colonel (list begins with Douglas E. Akers) (Reference No. 544).

**In the Army Reserve there are 9 promotions to the grade of colonel and below (list begins with Gerhard Braun) (Reference No. 561).

**In the Army Reserve there are 36 promotions to the grade of colonel and below (list begins with John A. Belzer) (Reference No. 563).

To be rear admiral Rear Adm. (LH) David J. Nash, 000-00-0000, U.S. Navy.

The following-named officer to be placed on the retired list of the U.S. Navy in the grade indicated under section 1370 of title 10, United States Code:

To be rear admiral Vice Adm. Norman W. Ray, 000-00-0000.

The following-named officer to be placed on the retired list of the U.S. Navy in the grade indicated under section 1370 of title 10, United States Code:

Adm. William O. Studeman, 000-00-0000.

The following-named officer form promotion in the Navy of the United States to the grade indicated under title 10, United States Code, section 624, subject to qualifications therefore as provided by law:

SUPPLY CORPS

To be rear admiral Rear Adm. (L) Barton D. Strong, 000-00-0000, U.S. Navy.

SPECIAL DUTY OFFICER (CRYPTOLOGY)

To be rear Admiral Rear Adm. (L) Thomas F. Stevens, 000-00-0000, U.S. Navy.

To be rear admiral (lower half) in the Supply Corps of the U.S. Navy for promotion to the permanent grade of rear admiral, pursuant to title 10, United States Code, section 624, subject to qualifications therefore as provided by law:

RADM (LH) Ralph Melv Mitchell, Jr., 000-00-0000, U.S. Navy.

RADM (LH) Leonard Vincent, 000-00-0000, U.S. Navy.

To be rear admiral (lower half) in the line and staff corps, as indicated, pursuant to the provision of title 10, United States Code:

UNRESTRICTED LINK OFFICER

To be rear admiral (lower half) Capt. Kenneth Peter Barausky, 000-00-0000, U.S. Naval Reserve.

To be rear admiral (lower half) Capt. Martin Edward Janiczak, 000-00-0000, U.S. Naval Reserve.

To be rear admiral (lower half) Capt. Pierce Jarvis Johnson, 000-00-0000, U.S. Naval Reserve.

To be rear admiral (lower half) Capt. Michael Robert Scott, 000-00-0000, U.S. Naval Reserve.

INTELLIGENCE OFFICER

To be real admiral (lower half) Capt. Larry Lafayette Poe, 000-00-0000, U.S. Naval Reserve.

PUBLIC AFFAIRS OFFICER

To be rear admiral (lower half) Capt. Richard Harry Wells, 000-00-0000, U.S. Naval Reserve.

MEDICAL CORPS OFFICER

To be rear admiral (lower half) Capt. John Bert Cotton, 000-00-0000, U.S. Naval Reserve.

To be rear admiral (lower half) Capt. John Conant Weed, Jr., 000-00-0000, U.S. Naval Reserve.

SUPPLY CORPS

To be rear admiral (lower half) Capt. Fred Joseph Schuber III, 000-00-0000, U.S. Naval Reserve.

CHAPLAIN CORPS

To be rear admiral (lower half) Capt. Peter Hess Beckwith, 000-00-0000, U.S. Naval Reserve.

The following-named officer for promotion in the Regular Air Force of the United
There being no objection, the bill was ordered to be printed in the Record, as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Community Food Security Act of 1995”.

SEC. 2. ASSISTANCE FOR COMMUNITY FOOD SECURITY PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY FOOD SECURITY PROJECT.—The term “community food security project” means a community-based project that—

(A) is designed to—

(i) meet the food needs of low-income people; and

(ii) increase the self-reliance of communities in providing for their own food needs; and

(2) ELIGIBLE ENTITY.—The term “eligible entity” means an entity that has experience in the area of—

(A) community food work, including the development of new markets in low-income communities for agricultural producers, particularly small- and medium-sized farms; or

(B) job training and business development activities for food-related businesses in low-income communities.

(b) AUTHORIZATION.—The Secretary may make grants to assist eligible entities in establishing and carrying out community food security projects.

(c) APPLICATIONS.—An eligible entity may submit to the Secretary an application, in such form and containing such information as the Secretary may require, that—

(1) demonstrates competency in implementing a community food security project;

(2) demonstrates fiscal accountability;

(3) contains an agreement that the entity will collect data and prepare reports and other documentation, as required by the Secretary; and

(4) demonstrates that the entity is willing to participate in a continuing assessment of regional food security and to share information with researchers, practitioners, and other interested parties.

(d) PREFERENCE FOR CERTAIN PROJECTS.—In selecting community food security projects to be supported by grants under subsection (b), the Secretary shall give preference to projects designed—

(1) to develop linkages between 2 or more sectors of the food system;

(2) to support the development of entrepreneurial solutions to local food problems;

(3) to develop innovative linkages between the for-profit and nonprofit food sectors; or

(4) to encourage long-term planning activities and multisystem, interagency approaches.

(e) MATCHING FUNDS.—

(1) REQUIREMENTS.—The Federal share of the cost of establishing or carrying out a community food security project that receives assistance under subsection (b) may not exceed 50 percent of the cost during the term of the grant.

(2) CALCULATION.—The non-Federal share of the cost of carrying out a community food security project may be provided through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services from private, nonprofit, or public sources.

(f) SINGLE GRANT.—A community food security project may be supported by only a single grant under subsection (b), for a term of not to exceed 3 years.

(g) TECHNICAL ASSISTANCE AND RELATED INFORMATION.—The Secretary shall—

(1) provide technical assistance regarding community food security projects, processes, and development to entities seeking such assistance;

(2) provide for the sharing of information about community food security projects and issues among and between government agencies, private-for-profit and nonprofit groups, and the public through publications, conferences, and other appropriate form; and

(3) participate in assessments of regional food security and share information with researchers, practitioners, and other interested parties.

(h) EVALUATION AND REPORT.—The Secretary shall—

(1) provide for the evaluation of community food security projects supported using funds under this section; and

(2) not later than January 30, 2000, submit to Congress a report on the results of the evaluation.

(i) AUTHORIZATION OF APPROPRIATIONS.—Thereafter, and as needed, appropriations may be provided to carry out this section $4,000,000 for each of fiscal years 1996, 1997, 1998, 1999, and 2000.

ADDITIONAL COSPONSORS

S. 41

At the request of Mr. Reid, the name of the Senator from Wyoming [Mr. Thomas] was added as a cosponsor of S. 41, a bill to amend title 4 of the United States Code to limit State taxation of certain pension income.

S. 1267

At the request of Mr. Wellstone, the name of the Senator from Illinois [Ms. Moseley-Braun] was added as a cosponsor of S. 1267, a bill to amend the Stewart B. McKinney Homeless Assistance Act to reauthorize programs relating to homeless assistance for veterans.

SENATE RESOLUTION 146

At the request of Mr. Johnston, the name of the Senator from Nevada [Mr. Reid] was added as a cosponsor of Senate Resolution 146, a resolution designating the week beginning November 19, 1995, and the week beginning on November 24, 1996, as “National Family Week”, and for other purposes.

AMENDMENTS SUBMITTED

THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT OF 1996

COHEN AMENDMENT NO. 2724

Mr. Cohen proposed an amendment to the bill (H.R. 1888) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes; as follows:

At an appropriate place in the bill, insert the following new section:

SEC. . REPORT ON RUSSIAN MILITARY OPERATIONS.

(a) No later than three months after the date of enactment of this act, the President
shall declassify, to the maximum extent possible, and resubmit to the Congress the report submitted to the Congress pursuant to section 528 of Public Law 103–236, with an addendum updating the information in the report.

(b) The addendum referred to in subsection (a) shall be unclassified to the maximum extent possible and shall address:

(1) Russian compliance or lack of compliance with the Russian-Moldovan agreement of October 24, 1994, providing for the withdrawal of Russian military forces from Moldova, subsequent Russian deployments of military forces to Moldova and Russian efforts to secure long-term military basing rights in Moldova;

(2) possible Russian complicity in the coup attempt of September-October 1994 against the government of Azerbaijan and the execution of Russian pressure to influence decisions regarding the path of pipelines that will carry Azerbaijani oil;

(3) Russian efforts or agreements to assume partial or complete responsibility for securing the borders of countries other than Russia, using troops of the Russian Ministry of Defense to assist in military or any other security agency of the Russian Federation;

(4) Russian efforts to integrate its armed forces with other security forces, or intelligence agencies with those of any other country and the relationship of such efforts to the development of institutions under the Commonwealth of Independent States; and


HARKIN (AND OTHERS)

AMENDMENT NO. 2725

Mr. HARKIN (for himself, Mr. FEINGOLD, Mr. DORNAN, Mr. BRADLEY, Mr. ROBB, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place, insert the following:

SEC. 4. SENSE OF THE SENATE ON THE CONFEREES ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the H.R. 2, Line Item Veto Act, and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act of 1995, on a vote of 294–134;

(3) the Senate on March 21, 1995, passed S. 4, the Separate Enrolment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House of Representatives passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House of Representatives to request a conference, the Senate disagreed with the House amendment, requested a conference, and appointed conferees on S. 4 on June 20, 1995;

(6) the House of Representatives appointed conferees on September 7, 1995, 188 days after both Houses of the Congress had passed line item veto legislation;

(7) with the passage of time, it increasingly appears that the essential purpose of the Line Item Veto Act is to erode fiscal discipline and to allow the President to override the will of Congress.

(b) E XCEPTION.

(1) the Senate finds that—

(A) the conferees on S. 4 should meet by September 26, 1995, to consider the report conference report on the fiscal year 1996 appropriation bills; and

(B) the conferees should expeditiously resolve the differences between the 2 bills in sufficient time for the House of Representatives and Senate to consider the report conference report on the fiscal year 1996 appropriation bills;

(C) the conferees should complete action on the conference report in time to allow for the House of Representatives and Senate to consider the conference report prior to the time the President is required to act upon the fiscal year 1996 appropriation bills; and

(D) if the conferees do not complete action on the conference report in time to allow for the House of Representatives and Senate to consider the conference report prior to the time the President is required to act upon the fiscal year 1996 appropriation bills, S. 4 should, to the extent possible, contain provisions making the provisions of S. 4 applicable to the fiscal year 1996 appropriation bills and the 1996 reconciliation bill.

DOLE (AND OTHERS) AMENDMENT NO. 2726

Mr. DOLE (for himself, Mr. SIMON, Mr. HELMS, Mr. HATFIELD, Mr. DAVIS, Mr. FEINSTEIN, Ms. MORDEN, Mr. BRADLEY, Mr. BESCHORE, Ms. MURRAY, Mr. KERRY, Mr. PRESSLER, Mr. McCONNELL, Mr. LEAHY, Mr. KENNEDY, and Mr. HARKIN) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill, add the following:

SEC. 4. SENSE OF THE SENATE ON THE CONFEREES ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the H.R. 2, Line Item Veto Act, and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act of 1995, on a vote of 294–134;

(3) the Senate on March 21, 1995, passed S. 4, the Separate Enrolment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House of Representatives passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House of Representatives to request a conference, the Senate disagreed with the House amendment, requested a conference, and appointed conferees on S. 4 on June 20, 1995;

(6) the House of Representatives appointed conferees on September 7, 1995, 188 days after both Houses of the Congress had passed line item veto legislation;

(7) with the passage of time, it increasingly appears that the essential purpose of the Line Item Veto Act is to erode fiscal discipline and to allow the President to override the will of Congress.

(b) E XCEPTION.

(1) the Senate finds that—

(A) the conferees on S. 4 should meet by September 26, 1995, to consider the report conference report on the fiscal year 1996 appropriation bills; and

(B) the conferees should expeditiously resolve the differences between the 2 bills in sufficient time for the House of Representatives and Senate to consider the conference report prior to the time the President is required to act upon the fiscal year 1996 appropriation bills; and

(C) if the conferees do not complete action on the conference report in time to allow for the House of Representatives and Senate to consider the conference report prior to the time the President is required to act upon the fiscal year 1996 appropriation bills, S. 4 should, to the extent possible, contain provisions making the provisions of S. 4 applicable to the fiscal year 1996 appropriation bills and the 1996 reconciliation bill.

HELMS AMENDMENTS NOS. 2729–2730

Mr. HELMS proposed two amendments to the bill H.R. 1868, supra, as follows:

AMENDMENT NO. 2729

On page 113, lines 25 and 26, strike “eighteen” and insert “twelve”.

On page 119, line 15, insert “and thereby nullified” after the phrase “effectively disavowed”.

On page 120, lines 3 and 4, strike “in accordance with the terms that may be agreed with Israel” and insert “that neither engage in nor practice terrorism or violence in the implementation of their political goals”.

On page 120, line 15, strike “and”.

On page 120, line 19, strike the period and insert “;”.

On page 120, between lines 19 and 20, insert the following:

(7) the P.L.O. has not funded, either partially or wholly, or has ceased funding, either partially or wholly, any organization that has engaged in or practice terrorism.

(8) the P.L.O. is cooperating fully with the Government of the United States in efforts to secure long-term basing rights in the United States.

(9) it is now only 9 days until the end of the fiscal year.

(10) the conferees on S. 4 still have not met.

AMENDMENT NO. 2730

On page 120, line 19, strike the period and insert “;”.

On page 120, line 19, strike the period and insert “;”.

On page 120, between lines 19 and 20, insert the following:

(7) the P.L.O. has not funded, either partially or wholly, or has ceased funding, either partially or wholly, any organization that has engaged in or practice terrorism.

(8) the P.L.O. is cooperating fully with the Government of the United States in efforts to secure long-term basing rights in the United States.

(9) it is now only 9 days until the end of the fiscal year.

(10) the conferees on S. 4 still have not met.

BINGAMAN (AND PELL) AMENDMENT NO. 2728

Mr. BINGAMAN (for himself and Mr. PELL) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the committee amendment insert the following:

SEC. 577. Notwithstanding any other provision of this Act or other law, none of the funds appropriated by this Act may be made available for the United Nations Population Fund (UNPPA), unless the President certifies to the appropriate congressional committees that (1) the United Nations Population Fund has terminated all activities in the People’s Republic of China; or (2) during the 12 months preceding such certification, there have been no abortions as the result of coercion associated with the family planning programs of the national government or other governmental entities within the People’s Republic of China. As used in this section the term “coercion” includes physical duress, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.
BINGAMAN (AND PELL) AMENDMENT NO. 2731
Mr. BINGAMAN (for himself and Mr. PELL) proposed an amendment to amendment No. 2728 proposed by Mr. BINGAMAN to the bill H.R. 1868, supra, as follows:

Strike all after the first word and insert the following:

PROTECTION OF HUMANITARIAN EFFORTS
Notwithstanding any provision of law to the contrary:
(a) FAMILY SUPPORT PAYMENTS.—Residents of the United States shall not be prohibited from sending to their parents, siblings, spouses, or children currently residing in Cuba small amounts of money (not to exceed $150 per month), food, clothing, household supplies, and medical care.
(b) COMPASSIONATE TRAVEL.—Residents of the United States shall not be prohibited from traveling to Cuba for a period up to thirty (30) days to attend to a medical emergency involving, or to attend the funeral of, such resident’s parent, sibling, spouse, or child.
(c) NATIONAL DISASTER RELIEF.—The United States shall not be prohibited from participating in humanitarian relief efforts of multilateral organizations of which the United States is a member, where such humanitarian relief efforts are made in the aftermath of a natural disaster on the island of Cuba.

KERRY AMENDMENTS Nos. 2722–2733
Mr. KERRY proposed two amendments to the bill H.R. 1868, supra, as follows:

AMENDMENT NO. 2732
On page 26 of the bill, strike lines 4 through 22.

AMENDMENT NO. 2733
On page 29 of the bill, strike the word “ Appropriations: ” on line 17 and all that follows it on that page and insert in lieu thereof: “ Appropriations: ”

COCHRAN AMENDMENT NO. 2734
Mr. MCCONNELL (for Mr. COCHRAN) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 43, line 17, strike out “ Provided, ” and insert in lieu thereof: “ Provided, That not less than $3,000,000 of the funds appropriated under this heading shall be made available for the World Food Program: Provided further, ”

SHELBY AMENDMENT NO. 2735
Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 11, line 10 Insert after “ Zaire: ”: “ Provided further, That not less than $2,000,000 shall be provided to the International Fertilizer Development Center: ”

INOUE AMENDMENT NO. 2736
Mr. MCCONNELL (for Mr. INOUE) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place under the heading on page 8, “ Economic Assistance ” add the following provision:

Provided further, That not less than $800,000 of the funds made available under this heading shall be made available for support of the United States Telecommunications Training Institute:

COVERDELL AMENDMENT NO. 2737
Mr. MCCONNELL (for Mr. COVERDELL) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill, insert the following:

Sec. 10. Notwithstanding any other provision of this Act, $20,000,000 of the funds made available under this Act for or through the Agency for International Development shall be transferred to, and merged with, the appropriations account entitled “ International Narcotics Control ” and shall be available for the same purposes for which funds in such account are available.

GORTON AMENDMENT NO. 2738
Mr. MCCONNELL (for Mr. GORTON) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the end of section 546 of the bill, insert the following:

(c) The President may transfer to Estonia such excess defense articles as the President determines to reconfigure the defense capabilities of Estonia, subject to the requirements of subsections (b) through (f) of section 519 of the Foreign Assistance Act of 1961 (22 U.S.C. 2211m).

STEVES (AND OTHERS) AMENDMENT NO. 2739
Mr. MCCONNELL (for Mr. STEVES for himself, Mr. HATFIELD, and Mr. INOUE) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 18, line 24, after “ assistance: ” insert the following:

Provided further, That not less than the Egyptian pound equivalent of $45,000,000 generated from funds made available by this paragraph, or from any other source including funds from sales of defense articles, shall be made available to the World Food Program: Provided further, ”

DODD (AND OTHERS) AMENDMENT NO. 2740
Mr. MCCONNELL (for Mr. DODD for himself, Mr. LEAHY, Mr. MURRAY, Mr. DORGAN, and Mr. LUGAR) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill add the following new section:

SEC. 10. The United States Governor of the North American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the capital stock of the North American Development Bank in an amount not exceeding $318,750,000.

WELLSTONE AMENDMENT NO. 2741
Mr. MCCONNELL (for Mr. WELLSTONE) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 43, under the heading “ International Organizations and Programs ”, add the following proviso: “ Provided further, that not less than $1,500,000 of the funds appropriated under this heading shall be made available for the United Nations Fund for Victims of Torture: ”

DODD (AND OTHERS) AMENDMENT NO. 2742
Mr. MCCONNELL (for Mr. DODD for himself, Mr. LEAHY, Mr. MURRAY, Mr. DORGAN, and Mr. LUGAR) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill add the following new section:

SEC. 10. The United States Governor of the North American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the capital stock of the North American Development Bank in an amount not exceeding $318,750,000.

WELLSTONE AMENDMENT NO. 2743
Mr. MCCONNELL (for Mr. DODD for himself, Mr. LEAHY, Mrs. MURRAY, Mr. DORGAN, and Mr. LUGAR) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 43, under the heading “ International Organizations and Programs ”, add the following proviso: “ Provided further, that not less than $1,500,000 of the funds appropriated under this heading shall be made available for the United Nations Fund for Victims of Torture: ”

DODD (AND LEAHY) AMENDMENT NO. 2743
Mr. MCCONNELL (for Mr. DODD for himself, Mr. LEAHY) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill add the following new section:

SEC. 10. The United States Governor of the North American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the capital stock of the North American Development Bank in an amount not exceeding $318,750,000.

WELLSTONE AMENDMENT NO. 2741
Mr. MCCONNELL (for Mr. WELLSTONE) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 43, under the heading “ International Organizations and Programs ”, add the following proviso: “ Provided further, that not less than $1,500,000 of the funds appropriated under this heading shall be made available for the United Nations Fund for Victims of Torture: ”

DODD (AND OTHERS) AMENDMENT NO. 2742
Mr. MCCONNELL (for Mr. DODD for himself, Mr. LEAHY, Mr. MURRAY, Mr. DORGAN, and Mr. LUGAR) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill add the following new section:

SEC. 10. The United States Governor of the North American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the capital stock of the North American Development Bank in an amount not exceeding $318,750,000.
(3) No visas shall be granted for any member of the Guatemalan Armed Forces or the URNG suspected of participating in or ordering any violation of human rights or of seeking to coverup or otherwise thwart the investigation of such acts.

(4) Certification.

The limitations contained in subsection (b) shall cease to apply when the President certifies to the Committee on Appropriations and the Committee on Foreign Relations that—

(1) The Guatemalan Armed Forces and the URNG are fully cooperating with efforts—

(A) By the family of U.S. citizen Michael Devine, murdered in 1999 to bring to justice those responsible for the murder or coverup of the murder;

(B) The October 1994 murders of Roderico Baudilio De Leon and Flavio Matias Marroquin;

(C) By Jennifer Harbury to exhum the body of her husband, Efrain Bamaca Velasquez; and

(D) By human rights organizations and the Guatemalan Attorney General to investigate and bring to justice those involved in the prominent human rights cases committed by both sides to the conflict, including those cases enumerated in the April 7, 1995 letter to President Clinton by twelve Members of the United States Senate.

(2) The Guatemalan Government and Armed Forces are complying with the recommendations in Minagua's first and second reports, and those related to the investigation and prosecution of human rights cases.

(3) The U.S. Representatives to the United Nations Human Rights Commission has consulted with Representatives of other member states to determine whether respect for human rights would be enhanced by the appointment of a special United Nations Rapporteur for Guatemala.

### AMENDMENT NO. 2744

Mr. MCCONNELL (for Mr. McCain for himself and Mr. Kerry) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 104, strike lines 7 through 10 and insert the following:

Sect. 570. None of the funds made available in this Act or appropriated for international narcotics control assistance under chapter 8 of part I of the Foreign Assistance Act of 1961, or crop substitution assistance, directly for the Government of Burma unless the Secretary of State certifies to the appropriate congressional committees that any such programs are fully consistent with United States human rights concerns in Burma and serve a vital United States national interest. The President shall include in the annual International Narcotics Control Strategy Report required under chapter 6 of the Foreign Assistance Act of 1961 a description of the programs funded under this section.

### AMENDMENT NO. 2745

Mr. MCCONNELL (for Mr. Kerry) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place add the following new section:

Sec. 9. (a) The Senate finds the following:

(1) Since March 1995 the Peruvian government has engaged in an aggressive air interdiction program to prevent narcotics trafficking. In late 1995, the Peruvian armed forces, acting at the behest of the Colombian government, began transporting illegal narcotics to Colombia.

(2) As a result of the Peruvian interdiction program, the number of illicit flights detected in recent months has dropped to its lowest level in over three years and the price of cocaine base coming out of Peru has risen by as much as 50 percent.

(3) The inability of the traffickers to move cocaine base out of Peru has produced a glut of cocaine in the markets of Colombia, which has resulted in a 50 percent decline in the price.

(4) The Peruvian government’s ability to sustain the success of its interdiction program is dependent on the maintenance and upkeep of a very limited number of aircraft.

(5) As a result of the internal Peruvian political situation and the conflict earlier this year between Peru and Ecuador, the United States suspended military transfers to Peru.

(6) As much as 80 percent of the cocaine that reaches the United States comes from Peru and the disruption of the air corridor between Peru and Colombia is important to United States counter narcotics efforts.

(7) The situations which led to the cutoff of military equipment for the air interdiction effort have been satisfactorily resolved or eliminated.

(b) It is the sense of the Senate that the President should, as soon as possible, provide limited spare parts and other military equipment to the government of Peru in support of Peruvian Air Force efforts to monitor, intercept and interdict aircraft and other forms of transportation engaged in illegal narcotics trafficking activities.

### AMENDMENT NO. 2746

Mr. MCCONNELL (for Mr. Pell, for himself, Mr. Simon, Ms. Mikulski, and Mr. Sarranes) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 9, insert after the end of line 8 the following: Provided further, that the President shall seek to ensure that the percentage of funds made available under this heading for the activities of private and voluntary organizations and cooperatives is at least equal to the percentage of funds made available pursuant to corresponding authorities in law for the activities of private and voluntary organizations and cooperatives in fiscal year 1995.

### AMENDMENT NO. 2747

Mr. MCCONNELL (for Mr. Pell, for himself and Mr. Leahy) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill, insert the following:

Of the funds appropriated for Turkey under the heading "Military Assistance", not less than $5 million shall be made available only through non-governmental organizations to be used only for projects in the ten southeastern provinces currently under a state of emergency, and shall be used only for projects designed to promote economic development, cultural and ethnic tolerance, and human rights. The funds shall be used to support the development and activities of non-governmental organizations.

### AMENDMENT NO. 2748

Mr. MCCONNELL (for Mr. Leahy) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 36, line 4, after the word “Turkey” insert the following:

“Provided further, that the President should seek the agreement of the Prime Minister of Turkey to permit access throughout Turkey for international humanitarian organizations which operate confidentially, and report to the Committee on Appropriations by June 1, 1996, on progress towards such agreement.”

### AMENDMENT NO. 2749

Mr. MCCONNELL (for Mr. Brown for himself, Mr. Simon, Ms. Mikulski, Mr. Roth, Mr. Dole, Mr. Helms, Ms. Moseley-Braun, Mr. Santorum, Mr. McConnell, and Mr. Specter) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 121, below line 24, add the following:

### TITLE VII—NATO PARTICIPATION ACT

#### AMENDMENTS OF 1995

SEC. 701. SHORT TITLE.

This title may be cited as the “NATO Participation Act Amendments of 1995”.

#### SEC. 702. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never considered use of, or used, military force to expand the borders of its member states.

(5) The immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no major conflict has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America’s security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of the Central and East European countries into the North Atlantic Alliance after such countries meet essential
criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable and prosperous environment needed to successfully complete the political and economic transformation envisioned by European states emerging from Communist domination.

(15) To recognize that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) Nothing in this title should be construed as precluding the eventual NATO membership of European countries never under Communist domination, namely, Austria, Poland, and Sweden.

(17) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(18) The evaluation of future membership in NATO for countries emerging from Communist domination should be based on the progress of those nations in meeting criteria for NATO membership and on NATO criteria, which require enhancement of NATO’s security and the approval of all NATO members.

SEC. 704. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from Communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security requirements needed to exist between an enlarged NATO and the Russian Federation.

SEC. 705. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $30,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive transition assistance under section 203(a) of the NATO Participation Act, as follows:

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

(5) Other European countries designated under subsection (d)(1) or (d)(2).

SEC. 706. TERMINATION OF ELIGIBILITY.

The President may terminate the eligibility of any country designated under this Act, by an order under this Act, if the President determines that the government of such country has failed to—

(a) maintain, support, and defend the democratic institutions established under subsection (d)(1) of section 563 of Public Law 103–306, with respect to transfers of equipment to a country designated under subsection (d)(1) of section 563 of Public Law 103–306, that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

(b) maintain, support, and defend the principles of the North Atlantic Treaty and to contribute to the security and stability of the North Atlantic area.

(c) be ineligible for assistance under section 563 of Public Law 103–306, with respect to transfers of equipment to a country designated under subsection (d)(1) of section 563 of Public Law 103–306, if the Secretary of State has determined that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

(d) in any country designated under subsection (d)(1) of section 563 of Public Law 103–306,

(i) the government of such country has contributed to the security and stability of the North Atlantic area.

(ii) by any country designated under subsection (d)(1) of section 563 of Public Law 103–306, if the Secretary of State has determined that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

(iii) by any country designated under subsection (d)(1) of section 563 of Public Law 103–306, if the Secretary of State has determined that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

(iv) in any country designated under subsection (d)(1) of section 563 of Public Law 103–306,

(v) by any country designated under subsection (d)(1) of section 563 of Public Law 103–306, if the Secretary of State has determined that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

(vi) by any country designated under subsection (d)(1) of section 563 of Public Law 103–306, if the Secretary of State has determined that the government of which the Secretary of State has determined is a terrorist government, as defined in section 212(a)(37) of the Immigration and Nationality Act.

SEC. 801. RESPONSIBILITY FOR IMPLEMENTATION.

(1) The President shall be responsible for implementing this Act.

(2) The President may make such a determination as the case may require any country designated under this Act.

(3) Whenever the President determines that the government of any country designated under this Act has failed to maintain, support, and defend the principles of the North Atlantic Treaty, and to contribute to the security and stability of the North Atlantic area, the President shall include such country as an important component of such assistance the provision of sufficient language training to enable military personnel to participate in programs for military training and in defense exchange programs.

(4) The amounts made available under this Act shall be expended for activities that will facilitate participation in and support for NATO military activities.

(5) The President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate in programs for military training and in defense exchange programs.

(6) The amounts made available under this Act shall be expended for activities that will facilitate participation in and support for NATO military activities.
other provisions of law in programs described in this Act.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

"(g) CONGRESSIONAL PRIORITY PROCEDURES—

"(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (d)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 203 of the Department of Defense Appropriations Act, 1996 (as contained in Public Law 98–473 (98 Stat. 1936)), except that—

"(A) references to the 'resolution described in paragraph (1) shall be deemed to be references to the joint resolution; and

"(B) references to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the Senate and the Committee on Appropriations of the House shall be deemed to be references to the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations of the Senate.

"(2) TEXT OF JOINT RESOLUTION.—A joint resolution described in paragraph (1) shall be deemed to meet those standards.

"(3) TRANSMIT REPORT.—The Committee on Foreign Relations shall transmit a report to the designated congressional committees, the Committee on Armed Services, and the Committee on National Security, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate for NATO membership set forth by the criteria for NATO membership set forth by the President on June 14, 1991, as of January 10, 1999, met criteria for NATO membership set forth by the President on June 14, 1991, as of January 10, 1999, met criteria for NATO membership set forth by the President on June 14, 1991, as of January 10, 1999, met

"(4) COMPLIANCE.—The President shall submit a report to the Committees on Appropriations six months after the date of enactment and every six months thereafter.

BYRD (AND OTHERS) AMENDMENT NO. 2750

Mr. McCONNELL (for Mr. Byrd for himself, Mr. Inouye, Mr. Leahy, Mr. Nunn, Mr. Hatfield, Mr. Stevens, Mr. Thomas, Mr. Robb, and Mr. Lugar) proposed an amendment to the bill H.R. 1688, supra, as follows:

Strike all after line 190 of page 108, line 18 through line 10 on page 109, and insert in lieu thereof the following:

"(a) in accordance with Section 1 of the Agreed Framework, KEDO has designated a Republic of Korea company, corporation or entity for the purpose of negotiating a prime contract to carry out construction of the heavy water reactors provided for in the Agreed Framework; and

"(b) the DPRK is maintaining the freeze on its nuclear facilities as required in the Agreed Framework; and

"(c) the United States is taking steps to assure that progress is made on (1) the North South dialogue, including efforts to reduce barriers to trade and investment, such as removing restrictions on travel, telecommunication services and financial transactions; and (2) implementation of the January 1, 1992 Joint Declaration on the Denuclearization of the Korean Peninsula.

"(d) A report on the specific efforts with regard to subsection (c) shall be submitted by the President on January 1, 1993. As soon as the President is satisfied that the DPRK is compliance with these efforts, the President is urged not to accept diplomatic representation from Burma.

McCONNELL AMENDMENT NO. 2753

Mr. McCONNELL proposed an amendment to the bill H.R. 1688, supra, as follows:

AT the appropriate place in the bill insert the following:

SEC. 2. SANCTIONS AGAINST BURMA.

Except as provided in section 4, the following sanctions shall apply to Burma, effective eighty days after the date of enactment of this Act or on such other date as is specified in this section:

"(1) INVESTMENTS.—No United States national may make any investment in Burma.

"(2) UNITED STATES ASSISTANCE.—United States assistance for Burma is prohibited.

"(3) TRADE PRIVILEGES.—The President shall continue the suspension of special trade privileges pursuant to the Generalized System of Preferences (GSP), and shall continue the suspension of nondiscriminatory trade treatment (most-favored-nation status), with respect to Burma.

"(4) IMPORTATION OF GOODS.—No article which is produced, manufactured, grown, or extracted in Burma may be imported into the United States.

"(5) TRADE AND INVESTMENT TREATIES.—The United States should continue to suspend certain treaties and other obligations under bilateral and multilateral trade and investment treaties with Burma.

"(6) TRAVEL RESTRICTIONS.—The Secretary of State shall prohibit the use of United States passports for travel to Burma except for travel by United States diplomatic personnel.

"(7) DIPLOMATIC REPRESENTATION.—The President is urged not to accept diplomatic representation from Burma at a level greater than the level of diplomatic representation accorded the United States in Burma.

"(8) FOREIGN ASSISTANCE FUND.—United States shall suspend assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to any foreign government which sells or otherwise transfers arms to the Government of Burma.

"(9) INTERNATIONAL ORGANIZATIONS CONTRIBUTIONS.—The United States shall withhold from each international organization that funds activities in Burma other than humanitarian activities an amount equal to the United States proportionate share of the activities.

"(10) MULTILATERAL ASSISTANCE.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to not vote for, or other utilization of the funds of the respective bank to or for Burma.
SEC. 3. AGREEMENTS TO IMPOSE SANCTIONS ON BURMA.

(a) Negotiations With Trading Partners.—

(1) In general.—Not later than 15 days after the date of the enactment of this Act, the President shall initiate negotiations with all foreign countries with which the United States trades for the purpose of entering into agreements with the countries—

(A) to support United States sanctions against Burma; and

(B) to cease trade with and investment in Burma.

(2) Certification of Negotiations and Agreements.—Not later than 90 days after the date of the enactment of this Act, the President shall certify to the Congress each country that—

(A) has failed to enter into an agreement described in paragraph (1), or

(B) has entered into such an agreement but is not enforcing it.

3. Action by the President.—Notwithstanding any other provision of law, if a certification is made with respect to any country under paragraph (2) the President shall withdraw—

(A) any designation of such country—

(i) as a nontrade developing country for purposes of title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.),

(ii) as a beneficiary country for purposes of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), or

(iii) as a beneficiary country for purposes of the African Trade Preference Act (19 U.S.C. 3201 et seq.), or

(B) from such countries the benefits of any other special tariff treatment program under which the special rates of duty apply under columns 2 or 3 of the Harmonized Tariff Schedule of the United States, and

(C) most-favored-nation trade treatment with respect to any such country.

(b) Applicability.—

(1) In general.—The provisions of this section apply to goods entered, or withdrawn from warehouse for consumption, originating in or imported from a country with respect to which an action described in subsection (a) has been taken, during the period beginning on the date that is 15 days after the date of the certification described in subsection (a)(2) and ending on the date that is 15 days after the earlier of—

(A) the date on which the President certifies to the Congress that such country has entered into an agreement described in subsection (a)(1) and is enforcing the agreement, or

(B) the date a certification described in section 4 is made.

(2) Rate of Duty During Period Designation is Withdrawn.—During the period described in paragraph (1), goods entered, or withdrawn from warehouse for consumption, originating in or imported from a country described in subsection (a)(3) shall be subject to duties at the rates of duty specified for such goods under column 2 of the Harmonized Tariff Schedule of the United States.

SEC. 4. CERTIFICATION.

The sanctions of section 2 shall not apply upon the determination and certification by the President to the appropriate congressional committees that the following conditions are met:

(1) The Government of Burma has unconditionally released all political prisoners, including Aung San Suu Kyi.

(2) The Government of Burma has fully implemented the results of the 1990 elections in which the National League for Democracy under the leadership of Aung San Suu Kyi was the clear winner.

(3) The Government of Burma has implemented an effective counternarcotics effort.


The President shall withhold all United States assistance to the Government of Thailand until the President determines and certifies to the appropriate congressional committees that the People’s Republic of China has terminated all arms sales and transfers to Burma.

SEC. 5. SANCTIONS AGAINST THE GOVERNMENT OF CHINA.

The Secretary of the Treasury shall instruct the United States executive director of each multilateral financial institution to vote against any loan or other utilization of the facilities of the respective institution to or for the People’s Republic of China until the President determines and certifies to the appropriate congressional committees that the People’s Republic of China has terminated all arms sales and transfers to Burma.

SEC. 6. SANCTIONS AGAINST THE GOVERNMENT OF THAILAND.

The President shall withhold all United States assistance to the Government of Thailand until the President determines and certifies to the appropriate congressional committees that the Government of Thailand is fully cooperating in providing support and relief for Burmese exiles and refugees.

SEC. 7. REPORT.

Not later than 45 days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees on—

(1) the chemical and biological weapons capability of Burma;

(2) a plan to provide United States assistance in support of the democracy movement active inside Burma;

(3) the treatment by the Government of Thailand of Burmese students, refugees, and exiles residing in Thailand; and

(4) the status of those individuals of the Royal Thai Armed Forces and the Khmer Rouge and the extent to which those individuals have provided assistance to the Government of Burma.

SEC. 8. DEFINITIONS.

As used in this Act:

(1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(2) Investment.—The term “investment” includes any contribution or commitment of funds, commodities, services, patents, processes, or techniques, in the form of—

(A) a loan or loans;

(B) the purchase of a share of ownership;

(C) participation in royalties, earnings, or profits; and

(D) the furnishing of commodities or services pursuant to a lease or other contract.

(3) Humanitarian Activities.—The term “humanitarian activities” means the provision of food, medicine, medical supplies, or clothing, and does not include cash transfers.

(4) Financial Institutions.—The term “financial institutions” includes the International Bank for Reconstruction and Development, the Asian Development Association, the Asian Development Bank, and the International Monetary Fund.

(5) United States Assistance.—The term “United States assistance” means assistance of any kind which is provided by grant, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government to any foreign country, including—

(A) assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of the Act);

(B) sales, credits, and guarantees under the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(C) sales under title I (7 U.S.C.A. 1701 et seq.) or title II (17 U.S.C.A. 1721 et seq.) of the Agricultural Trade Development and Assistance Act of 1954 of nonfood commodities;

(D) other financing programs of the Commodity Credit Corporation for export sales of nonfood commodities; and

(E) financing under the Export-Import Bank Act of 1945 (12 U.S.C. 641 et seq.).
LEAHY AMENDMENT NO. 2756
Mr. McCOLL (for Mr. LEAHY) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 45, line 4, after the word "funds" insert the following: "Provided further, that of the funds appropriated under this heading, not less than $1,000,000 shall be made available to UNIFEM."

LEAHY AMENDMENT NO. 2757
Mr. McCOLL (for Mr. LEAHY) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place, insert the following:

CONVENTIONAL WEAPONS REVIEW

(a) FINDINGS.—(The Congress makes the following findings:

(1) on September 26, 1994, the President declared that it is a goal of the United States to eventually eliminate antipersonnel landmines.

(2) On December 15, 1994, the United Nations General Assembly adopted a resolution sponsored by the United States which called for international efforts to eliminate antipersonnel landmines.

(3) According to the Department of State, there are an estimated 80,000,000 to 110,000,000 antipersonnel landmines in 62 countries.

(4) Antipersonnel landmines are routinely used against civilian populations and kill and maim an estimated 70 people each day, or 26,000 people each year.

(5) The Secretary of State has noted that landmines are "slow-motion weapons of mass destruction.

(b) CONVENTIONAL WEAPONS CONVENTION REVIEW.—(1) The term "antipersonnel landmine" means any explosive weapon, including any bomb, submunition, round, or other submunition, that is designed, constructed, or adapted to be detonated or exploded by the presence, proximity, or contact of a person.

(c) The term "antipersonnel landmine" does not include command detonated Claymore munitions.


LEAHY AMENDMENT NO. 2758
Mr. McCOLL (for Mr. LEAHY) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill, insert the following amendments:

SEC. EXTENSION OF AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 is amended in the last sentence by striking "fiscal year 1996" and inserting "fiscal year 1997."

MCCOLL AMENDMENT NO. 2759
Mr. McCOLL proposed an amendment to the bill H.R. 1868, supra, as follows:

Funds appropriated by this Act may be obligated and expended for the purposes of this section if he determines that such non-cooperation by the government of Haiti is not assassinating or abducting civilians, and are controlling effectively the members within its police and security forces from Haiti.

DOLE (AND OTHERS) AMENDMENT NO. 2760
Mr. McCOLL (for Mr. Dole for himself, Mr. McCAL, Mr. GREG, Mr. HEMS, and Mr. LIEBERMAN) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the end of the last committee amendment, insert the following:

SECOND LIMITATION—ASSISTANCE FOR HAITI

(a) Limitation of funds.--No other part of the funds appropriated or otherwise made available by this Act or any other Act may be furnished to the Government of Haiti until the President determines and reports in writing to the Congress that—

(1) the government of Haiti has conducted or is conducting a thorough and professional investigation into, and prosecution of those responsible for the murder of Mireille Durocher de Bertin on March 28, 1995, and other possible cases of political or extrajudicial killings, including the 20 cases of "commando-style executions" cited by the United Nations/Organization of American States Mission in Haiti on September 12, 1995; and

(b) the government of Haiti has cooperated fully and in a timely fashion with U.S. Federal Bureau of Investigation efforts to investigate the murder of Mireille Durocher de Bertin, including providing access to Haitian government employees in a manner which facilitates prosecution of those responsible for her murder; or

DOLE (AND OTHERS) AMENDMENT NO. 2761
Mr. McCOLL (for Mr. Dole for himself, Mr. HELMS, and Mr. LIEBERMAN) proposed an amendment to the bill H.R. 1868, supra, as follows:

(a) Limitation of funds.--No other part of the funds appropriated or otherwise made available by this Act or any other Act may be furnished to the Government of Haiti until the President determines and reports in writing to the Congress that—

(1) the government of Haiti has conducted or is conducting a thorough and professional investigation into, and prosecution of those responsible for the murder of Mireille Durocher de Bertin on March 28, 1995, and
DOLE (AND HATCH) AMENDMENT NO. 2762

Mr. McCONNELL (for Mr. DoLE for himself and Mr. Hatch) proposed an amendment to the bill H.R. 1868, supra, as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . CROATIAN-AMERICAN ENTERPRISE FUND. (a) DESIGNATION OF FUND.—The President shall designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to Croatia in accordance with the limitations as set forth in section 201 (d) of the Support for East European Democracy (SEED) Act of 1989. Such organization shall be known as the “Croatian-American Enterprise Fund”.

(b) APPLICATION OF SEED ACT.—Except as otherwise specifically provided in this section, the provisions contained in section 201 (d) of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (c) of that section) shall apply to the Croatian-American Enterprise Fund. The officers, members, or employees of the Croatian-American Enterprise Fund shall enjoy the same status under law that is applicable to officers, members, or employees of the Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $12,000,000 for fiscal year 1996 to fund the Croatian-American Enterprise Fund established under subsection (a). (2) Funds appropriated are authorized to remain available until expended.

(d) APPROPRIATIONS.—Of the funds appropriated or otherwise made available by this Act under the heading entitled “ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES”, $12,000,000 shall be available only to support the Croatian-American Fund established by subsection (a).

DOLE (AND D’AMATO) AMENDMENTS NO. 2763-2764

Mr. McCONNELL (for Mr. DoLE for himself and Mr. D’Amato) proposed two amendments to the bill H.R. 1868, supra, as follows:

Amendment No. 2763

Before the period at the end of the heading entitled “INTERNATIONAL DISASTER ASSISTANCE”, insert the following: “Provided, That of the amount appropriated under this heading, $40,000,000 shall be available only for emergency humanitarian assistance to the former Yugoslavia, of which amount not less than $20,000,000 shall be available only for humanitarian assistance to Kosovo.”

Amendment No. 2764

At the appropriate place in the bill, insert the following new section:

SEC. . SANCTIONS AGAINST COUNTRIES HARBOURING CRIMINALS. (a) BILATERAL ASSISTANCE.—Assistance may not be provided in any fiscal year under the Foreign Assistance Act of 1961 or the Arms Export Control Act for any country described in subsection (c).

(b) MULTILATERAL ASSISTANCE.—The Secretary of the Treasury shall instruct the United States Representative to the international financial institutions each fiscal year to work in opposition to, and vote against, any extension by such institutions of financing or financial or technical assistance to any country described in subsection (c).

(c) SANCTIONED COUNTRIES.—A country described in this subsection is a country the government of which permits entry into or presence in the territory of such country to any person:

(1) who has been indicted by the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, or any other international tribunal with similar standing under international law, or

(2) who has been indicted for war crimes or crimes against humanity committed during the period beginning March 23, 1993 and ending on May 8, 1945 under the direction of, or in association with—

(A) the Nazi government of Germany;

(B) any government in any area occupied by the military forces of the Nazi government of Germany;

(C) any government which was established with the assistance or cooperation of the Nazi government of Germany; or

(D) any government which was an ally of the Nazi government.

(d) DEFINITIONS.—As used in this section—

(1) the term “international financial institutions” includes the International Bank for Reconstruction and Development, the International Development Association, the International Monetary Fund, the European Bank for Reconstruction and Development, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the Inter-American Development Bank, the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, or any other international tribunal with similar standing under international law; and

(2) the term “war crimes” includes any offense which is—

(A) a grave breach of any of the four Geneva Conventions for the Protection of War Victims of August 12, 1949;

(B) a violation of the Hague Convention (IV) Respecting the Laws and Customs of War on Land of October 18, 1907, or the Regulations annexed thereto;

(C) a violation of the Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948; or

(D) a violation of the Charter of the International Military Tribunal of August 8, 1945.

DOLE (AND BIDEN) AMENDMENT NO. 2765

Mr. McCONNELL (for Mr. DoLE for himself and Mr. Biden) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 121, after line 24, insert the following new section:

LIMITATION ON FUNDS TO THE TERRITORY OF THE BOSNIA-CROAT FEDERATION.

SEC. 605. Funds appropriated by this Act for activities (including the internationally-recognized borders of Bosnia and Herzegovina (other than refugee and disaster assistance and assistance for restoration of infrastructure, to include power grids, water supplies and natural gas) may only be made available for activities in the territory of the Bosniac-Croat Federation.

COHEN AMENDMENT NO. 2766

Mr. McCONNELL (for Mr. Cohen) proposed an amendment to the bill H.R. 1868, supra, as follows:

At an appropriate place in the bill insert the following new section:

SEC. RUSIAN COMPLIANCE WITH THE CFE TREATY AND PRIORITIES FOR MODIFYING EXISTING ARMS CONTROL TREATIES. It is the sense of the Senate that—

(a) the failure by the Russian Federation to meet any obligation under the Treaty of the Conventional Armed Forces in Europe shall constitute non-compliance with the Treaty;

(b) the United States should insist on full compliance with the Russian Federation with all of the obligations of the Treaty on Conventional Armed Forces in Europe;

(c) the Treaty on Conventional Armed Forces in Europe provides adequate means by which the Russian Federation can meet its treaty obligations, and such treaty-limited equipment in the flank zone defined by Article V of the Treaty, including movement of equipment within the flank zone, the temporary removal of equipment from designated permanent storage sites located in the flank zone;

KASSEBAUM AMENDMENT NO. 2767

Mr. McCONNELL (for Mrs. Kassebaum) proposed an amendment to the bill H.R. 1868, supra, as follows:

On page 121, after line 24, add the following new section:

PLAN RECOMMENDING A STRATEGIC REORGANIZATION OF THE UNITED NATIONS

SEC. . (a) SENSE OF CONGRESS REGARDING UNITED NATIONS REFORM.—It is the sense of Congress that—

(1) the 50th anniversary of the United Nations provides an important opportunity for a comprehensive review of the strengths and weaknesses of the United Nations for the identification and implementation of changes in the United Nation that would improve its ability to discharge effectively the objectives established by the United Nations set forth in the United Nations Charter;

(2) the structure of the United Nations system, which has evolved over 50 years, should be subject to a comprehensive review in order to identify the changes to the system that will best serve the interests of the United States and of the international community;

(3) the United States, as the strongest member state of the United Nations, should lead this comprehensive review;

(4) reforms that produce a smaller, more focused, more efficient United Nations with clearly defined missions are in the interest of the United States and of the United Nations;

(5) the United States should develop a unified position in support of reforms at the United Nations that are broadly supported by both the legislative branch and the executive branch;

(6) the need for reform of the United Nations is urgent; and

(7) the failure to develop and implement promptly a strategic reorganization of the United Nations will result in a continued diminution of the relevance of the United Nations to United States foreign policy and to international politics generally.

(b) UNITED NATIONS REORGANIZATION PLAN.—

(1) REQUIREMENT FOR PLAN.—The President shall submit to Congress, together with the budget submitted pursuant to section 1105 of title 31, United States Code, for fiscal year 1997 a plan recommending a strategic reorganization of the United Nations.

(2) REQUIREMENT RELATING TO DEVELOPMENT.—The President shall develop the plan in consultation with Congress.

(3) PLAN ELEMENTS.—The plan should include the elements described in subsection...
(c) and such other recommendations as may be necessary to achieve the efficient, cost-effective conduct of the responsibilities of the United Nations.

(c) CONTENTS OF REORGANIZATION PLAN.—It is the sense of the Congress that the reorganization plan required by subsection (b)(1) should—

(1) constitute a comprehensive statement of United States policy toward reform of the United Nations;

(2) set forth an agenda to implement the reforms set forth in the plan in a timely manner;

(3) include specific proposals to achieve—

(A) a substantial reduction in the number of agencies and programs of the United Nations system, including proposals to consolidate, abolish, or restructure mechanisms for financing agencies of the United Nations that have a low priority;

(B) the identification and strengthening of the core agencies of the United Nations system that most directly serve the objectives of the United Nations set forth in the United Nations Charter;

(C) the increased cooperation, and the elimination of duplication, among United Nations agencies and programs.

(D) the consolidation of the United Nations technical cooperation activities between the United Nations agencies in Geneva, Switzerland, the United Nations Population Fund (UNFPA), the United Nations Environmental Program (UNEP), the United Nations Development Program (UNDP), the United Nations Development Fund (UNCDF), and the United Nations Industrial Development Organization (UNIDO), the International Fund for Agricultural Development (IFAD), the United Nations Capital Development Fund (UNCDF), and the United Nations Development Fund for Women (UNIFEM);

(E) the consolidation of the United Nations emergency response mechanism by merging the emergency functions of relevant United Nations agencies, including the United Nations Children’s Fund, the World Food Program, and the Office of the United Nations High Commissioner for Refugees;

(F) a substantial reduction in, or elimination of, the cost and number of international conferences sponsored by the United Nations;

(G) significant strengthening of the administrative and management capabilities of the Secretary General of the United Nations, including a cessation of the practice of reserving top Secretariat posts for citizens of particular countries;

(H) a significant increase in the openness to the public of the budget decision-making procedures of the United Nations; and

(I) the establishment of a truly independent inspector general at the United Nations; and

(2) include proposals to coordinate and implement proposals for reform of the United Nations such as those proposals set forth in the communiqué of the 21st annual summit of the Heads of State and Government of the seven major industrialized nations and the President of the European Commission at Halifax, Nova Scotia, dated June 15-17, 1995.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, September 21, 1995, at 9:30 a.m. in open session, to consider the nomination of Gen. John M. Shalikashvili for reappointment as Chairman of the Joint Chiefs of Staff. The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, September 21, 1995, for purposes of conducting a full committee business meeting which is scheduled to begin at 10 a.m. The purpose of this meeting is to consider pending calendar business.

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, September 21, 1995, at 10 a.m. in SD226.

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

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 21, 1995, at 2 p.m.

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

SUBCOMMITTEE ON INTERNATIONAL FINANCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on International Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, September 21, 1995, to conduct a hearing on the oversight of the Export Administration Act.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND GOVERNMENT INFORMATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology, and Government Information of the Senate Committee on the Judiciary, be authorized to meet during a session of the Senate on Thursday, September 21, 1995, at 2 p.m., in Senate Dirksen room G50, on Ruby Ridge incident.

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

ADDITIONAL STATEMENTS

ICC FUNDING AND RAILROAD MERGERS

Mr. BOND. Mr. President, I rise today to discuss some concerns I have about the flurry of recent proposed mergers by the rail industry.

The Commerce, State, Justice appropriations bill that we will consider later, terminates funding for the Interstate Commerce Commission at the end of the year. Downsizing the Federal Government and eliminating Federal agencies is a goal I certainly support and I have supported elimination of the ICC, but as of today, reorganization of the ICC’s statutory responsibilities has not been done. If the Commerce Committee is preparing to report out legislation to accomplish this reorganization and I support that effort as I believe we must not eliminate the Commission without reassigning their most important regulatory responsibilities.

In the meantime, the Commission continues its mission. One responsibility they have that I wish to comment on today is their review of proposed railroad mergers.

In the past several months we have seen two huge railroad combinations. The Burlington Northern/Sante Fe merger has been approved and appears to be moving toward completion. Now recently, the Union Pacific/Southern Pacific merger has been proposed. Little thought seems to have been given to the impact that both these mergers will have on the continued availability of effective and efficient railroad transportation. For example, what effect will these exceptionally large combinations have on consumers, shippers, and communities as well as on the surviving competing railroads? Consider the current critical rail transportation situation in the Midwest, as reported recently in the Journal of Commerce, where timely rail movement to market of grain, corn, and soybeans is seriously threatened. According to this article, which follows my remarks, because of a shortage of cars, freight rates are going up significantly.

What will be the impact of these megamergers on other railroads and their ability to provide a reliable and competitive service? Take for example, a regional railroad such as Kansas City Southern Railroad Co., and I am sure there are others; will KCS survive as a reliable competitive line offering a service to shippers and others like it do not survive as viable competitors, isn’t it likely that the serious freight car shortage and escalating rate problems we’re seeing, as reported by the Journal of Commerce, will become even more serious? And how about the consumers? Any such increased costs of necessity are passed on to them.

If all of this were not worrisome enough, the Union Pacific/Southern Pacific combination is being hurried through at a time when the only deliberative body charged with evaluating the ramifications of this sort of activity, the ICC, is threatened with legislative extinction. In the absence of the ICC, who is going to impartially assess the ramifications of these combinations being hurried through at a time when the only deliberative body charged with evaluating the ramifications of this sort of activity, the ICC, is threatened with legislative extinction. In the absence of the ICC, who is going to impartially assess the ramifications of these combinations?
merger of the Union Pacific and Southern Pacific Railroads is consummated. It is not my intention to prejudge the legitimacy of this merger, but only to be certain that the public interest is not adversely threatened.

Mr. President, these megamergers pose very serious questions which must be answered by the players themselves or the agencies charged with maintaining an essential competitive transportation system.

Mr. President, I ask that the Journal of Commerce article referred to in the body of my statement appear in the RECORD at this point:

The article follows:

[From the Journal of Commerce, Sept. 13, 1995]

RAILS STRAIN TO SERVICE MIDWEST GRAIN HARVEST
(By Rip Watson)

The U.S. Midwest's rail network, normally no stranger to the crunch of the fall harvest, is being tried to its limit this year under the weight of strong demand, tight car supply and skyrocketing prices.

Conditions are so tense in Iowa that farm trade associations are holding a Grain Transportation Summit on Thursday in Des Moines to vent their frustrations with some rail carriers, while seeking ways to ease the problems before soybean harvests begin in a few days.

"Grain is hot. Export demand is huge and will continue to be that way in the foreseeable future," said Jim Higgins, an analyst for Donaldson, Lufkin & Jenrette in New York.

As an industry, railroads boosted grain carloadings 23% in August from a year ago. Burlington Northern Railroad led the pack with a 28% increase, followed by Union Pacific Railroad at 19% to 20%.

That higher traffic volume is proving to be little comfort to Iowa shippers.

"We are sitting with most of our facilities full," said Dawn Carlson of the Iowa Institute for Cooperatives. "People are getting concerned. Every day that goes by is tacking on more and more charges and the farmer will not be able to absorb the costs for the grain delivered. If we don't get the grain moving, we'll have a lot of grain sitting on the ground."

Arthur Breenken, manager for the Farmers Co-Op at Atlantic, Iowa, said, "The Soo Line is shipping cars but they are not supplying them fast enough." He said the problem was that much Iowa grain is moving to the Gulf of Mexico instead of the Mississippi River, which lengths the round trip time to more than 30 days.

John Bronley, a spokesman for Union Pacific, said, "We have been flexible in allowing UP employees to work in Iowa, where the railroad is short staffed. UP is hiring and training new employees for all areas for the increased demand."

Without those industrywide increases, the Association of American Railroads would have been 1% lower than last year.

"Our export projections are strong," said Brad Clow, director of transportation for Sparks Commodities in Memphis, Tenn. "In some commodities, shipments could outdo USDA forecasts."

With export demand strong and the corn and soybean harvests expected during the next several weeks, industry observers see no chance that the supply situation will improve.

"We expect cars to remain tight until February," Mr. Clow said.

"It would surprise me if we didn't continue to have a serious problem for a while," said Steve Strege, who directs the North Dakota Grain Dealers Association in Fargo.

We're just getting into the peak time. I don't know if there is much precedent for us to have a problem at this time of year and have it relax at the time of corn and soybean harvest.

With shippers paying premiums of up to $500 a car to guarantee availability of covered hopper cars for grain shipments late in 1994, Mr. Strege said he believed rates will continue to climb.

"We have people willing to pay a hell of a premium for cars," one official said.

"These programs (for ordering cars in advance) give signals to the railroads that they should or can raise their rates," Mr. Strege said.

Other forces are influencing the 1995 grain shipping picture.

Operating under a strike threat last year, CP Rail System's Soo Line unit posted meager grain carloadings in August 1994 that were nearly quadrupled last month.

Barge freight markets are facing similar pressures, several industry observers said.

One factor affecting the barge markets is the continued strong northbound river movements of aluminum ore, steel and other products that have reduced availability of barges to haul grain. "Barges are in short supply," said transport economist Donald Bartlett of the University of Minnesota in Minneapolis.

"Even with the recent fall in rates in the past week, we think freight rates will continue to remain very strong as we move into harvest," Mr. Clow said.

The traffic picture is brightening for some other commodities but remains dim for manufactured goods.

Coal traffic could pick up this month, Mr. Higgins said, because of the hot summer and a resulting reduction in stockpile stockpiles that have to be replenished.

Export traffic is showing some cyclical strength driven by demand for some steam coals and met coal. August carloadings were 2% below last year.

"We're expecting a strong fourth quarter (for coal)," said Dave Hollard, director of planning for CSX Transportation.

FINAL PASSAGE OF WELFARE REFORM

Mr. BRADLEY. Mr. President, on Tuesday, I spoke in opposition to final passage of the welfare reform bill. Although I was not able to complete my statement in the time available, I obtained unanimous consent that my full statement be printed in the RECORD. However, my full statement did not appear in the RECORD of September 19, 1995. Therefore, what follows is my full statement from that day.

Mr. President, I will vote against this bill because it will wipe out every protection for poor families with children but would do nothing at all to repair what is really wrong with welfare. We have made some improvements to the bill, such as eliminating the job-training component. But these improvements would never improve in a welfare bill in the first place. And there are sections I strongly support such as the child support provisions which I wrote. But the fundamental structure is deeply flawed and can only lead to deeper poverty and more dependency.

All we are really changing with this bill is the one thing that is not wrong with welfare—the financial relationship between State and Federal bureaucracies. That is not the problem. In fact, block grants create a new problem because States that have increasing numbers of poor families, because of a bad economy or simple population growth, would not have enough funds for their people. Federal politicians should not simply transfer pots of money to State politicians without any standards about what the money would be used for. We do not need to transfer money from one bureau to another; we need a commitment to individual poor children.

While this bill would abandon that commitment, the real problems with welfare would remain. The rules that penalize marriage and work. The indifferent local and county bureaucrats, who treat people as numbers and do nothing to help people take care of themselves. The brutal job market. The deeper cultural forces driving increases in divorce, illegitimacy and teen pregnancy. All these problems would remain. Many would get worse.

All this bill does is require States to penalize the children who are the victims of these problems. It does nothing to help them avoid the bleak circumstances into which they have been born and live today.

With all the rhetoric about changing welfare, how did we wind up with a bill that does nothing to change what is wrong with welfare? The answer is politics. Neither party was as serious about really changing welfare as it was about capturing "the welfare issue" from the other party. Democrats promised to "end welfare as we know it" by tinkering with the levers of government, mostly in positive ways, but not in a way that deeply changes the lives of people on welfare.

Republicans promised to do even better: "abandon the welfare state." They would toss aside the Federal responsibilities for poor families and turn them over to the States altogether. But they did not know how to deal with the reality of poverty and welfare. So they came up with the solution of handing the whole problem over to States, for them to solve. Block grants create an appearance of change, not real change.

The debate of the last few days, during which we accepted every amendment that did not challenge the underlying political rhetoric and layered on billions of new spending, brought this cynical politics into the light of day. It is politics as usual, made worse by the fact that it is a transparent deceit. We have not improved the bill; all we are accomplishing is to move the bill forward to a conference at which I expect single one of these provisions, including this massive last-minute compromise, will be dropped without debate in the first 5 minutes. Even if they became law, these ornaments do nothing to repair the deep fundamental flaw at the heart of this bill.

For those who think these provisions improve this bill enough to vote for it,
I would like to remind you of what happened last week to my amendment that really would have addressed a central flaw in the bill. All I proposed to do was to require states to lay out the basic rules of their welfare system and assist all poor children who were eligible, unless their families were disenfranchised under the rules. The amendment made enough sense that the Majority Leader moved to adopt it by voice vote, but the majority staff was so determined to eliminate any hint of a reliable outcome for children that they had to come back the next day and strike the provision on virtually a party-line vote.

Unless the heart of this bill is changed, the United States will be the only industrialized nation in the world that will not guarantee basic protection for children from hunger and abject poverty.

We can do much better than this bill. We can repair most of what is wrong with welfare, and over time, much that has gone wrong in our society that perpetuates welfare dependency. Instead of starting with political slogans, we have to start by looking at what really went wrong with welfare, and fixing it. We already have a blueprint to protect families from poverty, but lift families into the economic mainstream, by building connections to private-sector employers.

We should not only protect families from poverty, but lift families into the economic mainstream, by building connections to private-sector employers. We should give States more responsibility, but also enlist the institutions of civil society—churches, neighborhood organizations, and YMCAs—to accomplish together what neither Government alone nor the market can accomplish on their own.

This legislation does not abandon the mythical “welfare state,” but it does abandon our society’s commitment to protect poor children from abject poverty, hunger, abuse, neglect and death. Meanwhile, it does nothing to fix the real problems. I would urge all of my colleagues to think twice before joining the rush to send this deeply flawed bill forward into a process where it will get even worse.●

READY, FIRE, AIM

Mr. D’AMATO. Mr. President, I rise today in support of the Affordable Housing Tax Credit [the Credit], which is the Federal Government’s principal and most successful rental housing program. The Credit Program, however, is under attack and is threatened with termination. As part of budget reconciliation, the Ways and Means Committee has sought to eliminate it at the end of 1997 pending a GAO review of the management of the program. Crafted this way and if accepted by the Senate, the proposal would greatly reduce private equity attracted to affordable housing through 1997, and if terminated after 1997, would halt the development or rehabilitation of affordable rental housing.

In 1986, the Ways and Means is adopting a “Ready, Fire, Aim Strategy.” The committee proposes to eliminate the program before determining there is a problem. No hearings have been held and no study has been conducted. Shoot first and legislate later.

Mr. President, I have written the chairman of the Finance committee, Senator Roth, urging that the Committee not consider the Ways and Means proposal to sunset the Credit. Oversight of any Federal program is always appropriate, and the Credit should not be exempt. But a mandated sunset before review is just a budget gimmick to pick up revenues in the out years. Congress can always change the program if mismanagement is found, but only termination without review will drastically slow the flow of private capital to projects currently being planned. Action before study is rash. Budgetary needs should not dictate housing policy.

The Credit enjoys widespread bi-partisan support. Indeed, the program was originally sponsored by former Senator Mitchell and my colleague from New York, Congressman Rangel, as part of the Tax Reform Act of 1986, signed into law by President Reagan. In the Bush administration, Secretary of HUD, Jack Kemp, was the chief advocate of the Credit on behalf of the administration.

Under current law, the Credit is limited to $1.25 per capita per State and administered by the States on behalf of the Federal Government. Eligible affordable housing units are provided a Federal tax credit each year for 10 years. The Weight of the Federal tax credit is increased as these companies compete for scarce credits awarded by States.

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the Credit is allocated promptly and is not dominated by Byzantine Federal regulations and paperwork. If anything, Congress should and will move beyond the Secretary’s blueprint. But we should not terminate a program and lose the potential derived from the Credit, until hearings have determined a need for change.

Mr. President, I urge rejection of the proposed Ways and Means Committee action to sunset the Credit. As a member of the Committee I will work assiduously to protect this important program.

Mr. President, I urge rejection of the proposed Ways and Means Committee action to sunset the Credit. As a member of the Committee I will work assiduously to protect this important program.

NATIONAL FUND FOR HEALTH RESEARCH ACT

Mrs. Boxer. Mr. President, I rise as an original cosponsor of the Hatfield-Harkin bill. I wish to express my strong support for this legislation which will invest in a national health research over and above those provided to the National Institutes of Health [NIH] in the annual appropriations process.

This legislation would create the National Fund for Health Research Act, financed by a tobacco tax, in the form of 25 cents per pack and an equivalent tax on other tobacco products. As a result of this act, annual revenue in excess of $4 billion would be raised to provide additional funds for medical research, which is an important, but often underfunded part of our health care system.

Investment in medical research yields benefits in countless ways: improvements in preventing disease, better methods of diagnosis and treatment, and breakthroughs that have led to cures and therapies for afflictions ranging from cancer to schizophrenia. Investment in medical research is an important part of public health. It depends on basic research to find answers to fundamental questions about disease processes. The most widely heralded medical triumphs—such as the discovery and cure of smallpox, the eradication of the polio, the identification of human immunodeficiency virus—reflect the vast body of fundamental knowledge accumulated through medical research.

In addition, medical research is the first line of prevention defense. Research has produced immunizations, a screening test to prevent the transmission of HIV through blood products and the finding that AZT can reduce by two-thirds the rate of HIV transmission from mother to infant. With rising health care costs, it is in our best interest to fund medical research to further both prevention and treatment of disease.

This legislation raises funds for research while protecting our children. Everyday more than 3,000 children become smokers and more than 1,000 of them will eventually die as a result of smoking. Raising tobacco taxes is a highly effective manner in which to reduce tobacco use by children. A 25 cent tax will discourage an estimated 1.3 million children and adults from smoking.

I urge my colleagues to recognize the importance of medical research to the American people and support the Hatfield-Harkin bill.

NAFTA

Mr. Levin. Mr. President, during the Senate debate over the North American Free-Trade Agreement I put together a brochure entitled “NAFTA MATH: It Doesn’t Add Up.” This brochure questioned the job creation claims of NAFTA proponents and showed those job claims to be a distortion of what would really happen under NAFTA.

In the brochure and during the NAFTA debate I pointed out that the job gain claims were based solely on expected increases in exports. These job creation claims totally ignored any potential and expected increase in imports from Mexico—which result in the loss of American jobs.

An op-ed published in Monday’s New York Times confirms the worst of my fears. I will ask to have printed in the Record a September 11 New York Times op-ed by Bob Herbert which confirms the fact that NAFTA has not resulted in the U.S. jobs promised by its supporters. In fact, it has resulted in the opposite.

Mr. Herbert writes about the findings of a Public Citizen study of U.S. jobs created under NAFTA. Public Citizen looked at the job creation promises of dozens of companies that supported NAFTA. Mr. Herbert writes, “Public Citizen noted that every one of those companies has already ‘laid off workers because of NAFTA.’” In addition, “of the companies surveyed, 89 percent had failed to take any significant step toward fulfilling their promises of job creation or export expansion.”

In addition, “There has been no meaningful job creation from NAFTA, which has been in effect for 20 months. But the U.S. Department of Labor, through its NAFTA Trade Adjustment Assistance Program, which was designed to help people thrown out of their jobs by NAFTA, has certified that 38,148 workers lost their jobs by mid-August. An additional 30,000 workers have filed for assistance under the program. It is expected that the true job loss under NAFTA will reach 1 million by the end of the year.

It is fashionable now for NAFTA supporters to blame the end-of-the-year peso crash for problems that were inherent in the trade agreement. During the first year of NAFTA, before the big devaluation in December, the value of the peso relative to the dollar had already declined by nearly 15 percent. That wiped out any advantage the U.S. would have realized from NAFTA’s lower tariffs. The average tariff decline was just 10 percent. In other words, the “market access advantage” that the U.S. was supposed to enjoy had vanished before the peso crash.

Proponents of NAFTA are quick to note that U.S. exports to Mexico increased during the first year of NAFTA. True. But what they fail to mention is that imports to the U.S. from Mexico increased even faster, with automobile and other high-technology items increasing twice as fast. We were well on our way to a trade deficit with Mexico (and the big job losses that would entail) before the crash of the peso.

Worse, much of the increase in imports to Mexico came from items that boomerang...
back to the U.S. in the form of imports—for example, component parts shipped to Mexico for assembly into finished goods and infrastructure equipment for use in the building of factories.

And then there’s the small matter of the wages of American workers. In NAFTA’s first year, before the collapse of the peso, America’s inflation adjustment broke a 3 percent drop in their real hourly wages—the steepest one-year decline ever recorded.

That, of course, was directly related to the overall expansion of the labor pool under NAFTA, and the fact that the number of companies choosing to relocate to Mexico has, as expected, accelerated. The chilling effect of these developments on wage demands should be obvious.

The peso devaluation has dried up the consumer market in Mexico. That simply means that as bad a deal as NAFTA was originally, Mexicans are now even less able to buy American goods.

But the fundamental ability of those who put us on this highway to nowhere in the first place. The collapse of the peso just increased the speed.

**SUPPORT OF THE LOW-INCOME HOUSING CREDIT**

- **Mr. MOYNIHAN.** Mr. President, I rise today to express my great dismay at a proposal passed this week by the House Ways and Means Committee to repeal the low-income housing tax credit.

The housing credit is the Federal Government’s principal and most successful affordable housing program. The Enterprise Foundation estimates that the housing credit is responsible for approximately 90,000 jobs, $2.8 billion in wages, and $1.3 billion in additional tax revenues.

I have visited many of the projects in New York that have been made possible by the housing credit, and I can assure you the credit is having a dramatic effect on the availability of good, affordable housing. Yet now some of our colleagues in the House would repeal it. I do not understand what their reasoning is.

The House Ways and Means Committee proposal would sunset the credit at the end of 1997. The Administration has opposed it outright without holding any hearings to review the housing credit. And while the committee calls on the Government Accounting Office to review the management and operation of the housing credit, it acts nonetheless.

The housing credit was devised by the Senate Finance Committee during consideration of the Tax Reform Act of 1986, and was signed into law by President Reagan. It has enjoyed solid bipartisan support for nearly a decade. I was pleased in 1989, as Chairman of the Senate Finance Committee, to bring legislation before the Senate which permanently extended the housing credit. That legislation was enacted as the Omnibus Budget Reconciliation Act of 1993. We were able to permanently extend the housing credit in a bill which produced the largest amount of deficit reduction in this country’s history. The Office of Management and Budget estimates that the direct and indirect effects of the bill were to reduce the baseline deficit by a cumulative amount of one trillion dollars. In sum, while making a very significant attack on the deficit, we were still able to fund programs for this important national priority. And yet just 2 years later we see an effort to repeal it. This is an old development, indeed, and I urge my colleagues to join me in opposing it.

**UNANIMOUS-CONSENT AGREEMENTS**

- **Mr. BENNETT.** Mr. President, I ask unanimous consent that at 9:30 a.m. on Friday the Senate proceed to the consideration of H.R. 1817, the military construction appropriations bill, and it be considered under the following time agreement: 20 minutes equally divided between Senators Bond and Bentsen; 10 minutes under the control of Senator Bingaman; and 20 minutes under the control of Senator McCain.

I further ask that, following the conclusion or yielding back of time, the Senate proceed to a vote on the adoption of the conference report.

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

- **Mr. BENNETT.** Mr. President, I ask unanimous consent that when the Senate considers the conference report to accompany H.R. 1854, the legislative appropriations bill, that it be considered under the following time agreement: 30 minutes to be equally divided between Senators Mack and Murray; and 10 minutes under the control of Senator Simon.

I further ask that, following the conclusion or yielding back of time, the Senate proceed to vote on the adoption of the conference report.

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

- **Mr. BENNETT.** Mr. President, I ask unanimous consent that, immediately following the disposition of the military construction appropriations conference report on Friday, the Senate proceed to Calendar No. 188, S. 1244, the District of Columbia appropriations bill.

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

**MERCURY-CONTAINING BATTERY MANAGEMENT**

- **Mr. BENNETT.** Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 1882, S. 619. The PRESIDING OFFICER. The clerk will report. The legislative clerk read as follows:

A bill (S. 619) to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

- The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 619

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ‘‘Mercury-Containing and Rechargeable Battery Management Act’’.

**SEC. 2. FINDINGS.**

The Congress finds that—

1. It is in the public interest to—

(A) phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and other regulated batteries; and

(B) educate the public concerning the collection, recycling, and proper disposal of such batteries;

2. Uniform national labeling requirements for regulated batteries, rechargeable consumer products, and product packaging will significantly benefit programs for regulated battery collection and recycling or proper disposal; and

3. It is in the public interest to encourage persons who use rechargeable batteries to participate in collection for recycling of used nickel-cadmium, small sealed lead-acid, and other regulated batteries.

**SEC. 3. DEFINITIONS.**

1. For purposes of this Act:

(1) **ADMINISTRATOR.**—The term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

(2) **BATTERY CELL.**—The term ‘‘battery cell’’ means a fully charged energy storage device that can be used to power a voltage source.

(3) **EASILY REMOVABLE.**—The term ‘‘easily removable’’, with respect to a battery, means detachable or removable at the end of the life of the battery.

(A) from a consumer product by a consumer with the use of common household tools; or

(B) by a retailer of replacements for a battery used as the principal electrical power source for a vehicle.

(4) **MERCURIC-OXIDE BATTERY.**—The term ‘‘mercuric-oxide battery’’ means a battery that uses a mercuric-oxide electrode.

(5) **RECHARGEABLE BATTERY.**—The term ‘‘rechargeable battery’’—

(A) means 1 or more voltaic or galvanic cells, electrically connected to produce electric energy, that is designed to be recharged for repeated use; and

(B) includes any type of enclosed device or sealed container consisting of 1 or more such cells, including what is commonly called a battery pack and in the case of a battery pack, for the purposes of the requirements of easy removability and labeling under section 1041, for the battery pack as a whole rather than each component individually; but

(C) does not include—
Title I—Rechargeable Battery Recycling Act

SEC. 101. SHORT TITLE.
This title may be cited as the "Rechargeable Battery Recycling Act".

SEC. 102. PURPOSE.
The purpose of this title is to facilitate the efficient recycling or proper disposal of used nickel-cadmium rechargeable batteries, used small sealed lead-acid rechargeable batteries, other regulated batteries, and such rechargeable batteries in used consumer products, by—
(1) providing for uniform labeling requirements and streamlined regulatory requirements for regulated battery collection programs; and
(2) encouraging voluntary industry programs by eliminating barriers to funding the collection and recycling or proper disposal of used rechargeable batteries.

SEC. 103. REQUIRED LABELING OF CONSUMER PRODUCTS AND LABELING.

(a) Prohibition.—
(1) In general.—No person shall sell for use in the United States a regulated battery that is ready for retail sale or a rechargeable consumer product that is ready for retail sale, after the date that is 12 months after the date of enactment of this Act, unless—
(A) in the case of a regulated battery, the regulated battery—
(i) is easily removable from the rechargeable consumer product; or
(ii) if sold separately, and
(B) in the case of a regulated battery or rechargeable consumer product, the labeling requirements of subsection (b) are met and, in the case of a regulated battery, the regulated battery—
(i) is easily removable from the rechargeable consumer product; or
(ii) is sold separately.

(2) Application.—Paragraph (1) does not apply to a sale of any of the following:
(A) The sale of a remanufactured product unit unless paragraph (1) applied to the sale of the unit when originally manufactured;
(B) The sale of a product unit intended for export purposes only.

(b) Labeling.—Each regulated battery or rechargeable consumer product without an easily removable battery manufactured on or after the date that is 1 year after the date of enactment of this Act, whether produced domestically or imported, shall be labeled with—
(i) the following labels:

1. (A) 3 chasing arrows or a comparable recycling symbol;
(B) on each nickel-cadmium battery, the chemical name or the abbreviation "Ni-Cd"; and
(i) on each lead-acid battery, "Pb" or the words "LEAD", "RETURN", and "RECYCLE";
(C) on each nickel-cadmium regulated battery, the phrase "BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY."; and
(D) on each sealed lead acid regulated battery, the phrase "BATTERY MUST BE RECYCLED.").

(c) Existing or alternative labeling.—(1) On each rechargeable consumer product containing a regulated battery that is not easily removable, the phrase "CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." or "CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY."; and
(2) on or on the packaging of each rechargeable consumer product containing a regulated battery that is not easily removable, the phrase "CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." or "CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED...", as applicable.

(d) Existing or alternative labeling.—(1) Initial period.—For a period of 2 years after the date of enactment of this Act, regulated batteries, rechargeable consumer products containing regulated batteries, and rechargeable consumer product packages that are labeled in substantial compliance with...
subsection (b) shall be deemed to comply with the labeling requirements of subsection (b).

(2) CERTIFICATION—On application by persons subject to the labeling requirements of subsection (b) or the labeling requirements promulgated by the Administrator under subsection (d) of this section, the Administrator shall certify that a different label meets the requirements of subsection (b) or (d), respectively, if the different label—

(i) conforms with the requirements specified in (ii) or (i), respectively; or

(ii) conforms with a recognized international standard that is consistent with the overall purposes of this title.

(b) CONSTRUCTIVE CERTIFICATION.—Failure of the Administrator to object to an application under subparagraph (A) on the ground that a different label does not meet either of the conditions described in subparagraph (A) (i) or (ii) within 120 days after the date on which the application is made shall constitute certification for the purposes of this Act.

(c) RULEMAKING AUTHORITY OF THE ADMINISTRATOR.—

(1) IN GENERAL.—If the Administrator determines that other rechargeable batteries having different electrode chemistries different from the batteries described in section 3(3)(C) or in title II, and used rechargeable consumer products containing rechargeable batteries that are not easily removable, moveable, or transportable, the Administrator may, with the advice and counsel of State regulatory authorities and manufacturers of rechargeable batteries and rechargeable consumer products, and after public comment—

(A) promulgate labeling requirements for the batteries with different electrode chemistries different from the batteries described in (d), no Federal agency, State, or political subdivision of a State may enforce any easy removability or environmental labeling requirement for a rechargeable battery or rechargeable consumer product that is not identical to the requirement or regulation.

(B) promulgate requirements for easy removability of regulated batteries from rechargeable consumer products designed to contain such batteries.

(2) SUBSTANTIAL SIMILARITY.—The regulations promulgated under paragraph (1) shall be substantially similar to the requirements set forth in subsection (a) and (b).

(c) EXEMPTION.—After the effective dates of a requirement set forth in subsection (a) or (b), or a rule promulgated by the Administrator under subsection (d), no Federal agency, State, or political subdivision of a State may enforce any easy removability or environmental labeling requirement for a rechargeable battery or rechargeable consumer product that is not identical to the requirement or regulation.

(d) EXEMPTION.—

(1) IN GENERAL.—With respect to any rechargeable consumer product, any person may submit an application to the Administrator for an exemption from the requirements of subsection (a) in accordance with the procedures under paragraph (2). The application shall include the following information—

(A) a statement of the specific basis for the request for the exemption;

(B) the name, business address, and telephone number of the applicant;

(2) GRANTING OF EXEMPTION.—Not later than 60 days after receipt of an application under paragraph (1), the Administrator shall grant an exemption for an exemption from the requirements of subsection (a) in accordance with the procedures under paragraph (2). The application shall include the following information—

A statement of the specific basis for the request for the exemption.

SEC. 205. LIMITATIONS ON THE SALE OF BUTTON CELL MERCURIC-OXIDE BATTERIES.

No person shall sell, offer for sale, or offer for promotional purposes any button cell mercuric-oxide battery for use in the United States or after January 1, 1996.

SEC. 206. LIMITATIONS ON THE SALE OF OTHER MERCURIC-OXIDE BATTERIES.

(a) PROHIBITION.—On or after January 1, 1996, no person shall sell, offer for sale, or offer for promotional purposes any mercuric-oxide battery for use in the United States unless the battery manufacturer—

(1) identifies a collection site that has all required Federal, State, and local government approvals, to which persons may send mercuric-oxide batteries for recycling or proper disposal;

(2) informs each of its purchasers of mercer phone number that the purchaser may call to get information about sending mercer oxide batteries for recycling or proper disposal;

(b) APPLICATION OF SECTION.—This section does not apply to a sale or offer of a mercer oxide button cell battery.

SEC. 207. NEW PRODUCT OR USE.

On petition of a person that proposes a new use for a battery technology described in this title or the use of a battery described in this title in a new application, the Administrator may exempt from this title the new use of the technology or the use of such a battery in the new product on the condition, if appropriate, that there exist reasonable safeguards to ensure that the resulting battery or product without an easily removable battery will not be disposed of in an incinerator, composting facility, or landfill other than a facility regulated under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

Mr. SMITH. Mr. President, today the Senate is considering S. 619, the Mercury-Containing and Rechargeable Battery Management Act. I introduced this measure on March 24, 1995, along with Senators Lautenberg, Fas G. McConnell, Lieberman, Simon, Mack, Bond, Graham, Warner, and Reid as original sponsors. In addition, Senate INhofe and Senator SNowe co-sponsored the bill following its introduction. This legislation is urgently needed to remove Federal barriers detri tally affecting recycling and local recycling programs for batteries commonly found in cordless products such as portable telephones, laptop computers, tools, and toys. In order to respond to this urgent need, the Senate Committee on Environment and Public Works reported S. 619 out of the committee, by voice vote, on August 2, 1995.

Since 1992, Federal battery legisla tion has been approved in various con gressional forums, including full Senate passage in 1994 which did not become law because the legislation that it was attached to did not move forward. S. 619 which is virtually identical
to the Senate passed provisions last year, would: First, facilitate the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium [Ni-Cd] and certain other batteries by: (a) Establishing a coherent system of labeling for batteries and products; (b) streamlining the regulatory requirements for battery collection programs for regulated batteries; and (c) encouraging voluntary industry programs by eliminating barriers to funding the collection and recycling or proper disposal of used rechargeable batteries; and second, phase out the use of mercury in batteries.

I am pleased to report that the U.S. Conference of Mayors, at its June meeting, passed a resolution in support of S. 619. As the resolution recognized, passage of this legislation will decrease the quantities of mercury and cadmium contributed to the environment by dry cell batteries. In addition, S. 619 will facilitate implementation of State battery laws in the 13 States that have enacted such provisions. These States are New Hampshire, Rhode Island, New Jersey, California, Connecticut, Florida, New York, Iowa, Oregon, Maine, Vermont, and Maryland. The bill also will assist all other States in moving forward with an industry financed and developed national battery collection program.

Mr. President, although industry has developed a national collection program to comply with these laws, without enactment of a Federal bill, EPA’s current regulatory requirements preclude industry from fully implementing this program and from complying with the State collection requirements. Regulatory changes currently under consideration, even if promulgated, will not provide the necessary solution. Additional lengthy rulemaking procedures would also be necessary to establish the regulatory structure on a national basis. Further, we would still lack a coherent national system of labeling, which is necessary to facilitate nationwide marketing of batteries and products while advancing a national battery collection program. Federal legislation is the only real solution to removing the barriers to complying with State battery recycling laws, and to achieving a comprehensive recycling program.

The passage of this bipartisan legislation will achieve a number of important goals. First, by establishing uniform national standards to promote the recycling and reuse of rechargeable batteries, this legislation provides a cost-effective means to promote the reuse of our Nation’s resources. Second, our bill will further strengthen efforts to remove these potentially toxic heavy metals from our Nation’s landfills and incinerators. Not only will this lower the threat of groundwater contamination and toxic air emissions, but it will also significantly reduce the threat that these materials pose to the environment.

Third, this legislation represents an environmentally friendly policy choice that was developed as the result of a strong cooperative effort between the States, environmental groups and the affected industries. Our bill is strongly supported by the Electronic Industries Alliance [EIA], the Portable Rechargeable Battery Association [PRBA], and the National Electrical Manufacturers Association [NEMA].

For all of the reasons cited above, I believe we have achieved a substantial win-win from both an environmental as well as an economic standpoint.

Mr. President, I believe this bill represents a significant and positive step in removing potentially toxic heavy metals from our Nation’s solid waste stream, and I urge its immediate adoption.

Mr. LAUTENBERG. Mr. President, I rise to join Senator CHAFEE and Senator SENSENBERG in supporting S. 619, the Mercury-Containing and Rechargeable Battery Management Act.

The bill is based on the bipartisan bill that I sponsored with Senators FAIRCLOTH and GRAHAM during the last Congress.

Mr. President, this legislation is an important step in our efforts to control the amount of toxic wastes entering the waste stream. Specifically it deals with mercury, cadmium and lead which are contained in some battery casing. These materials pose no risk while a battery is in use. But they can be a significant concern when discarded in our solid waste stream.

Cadmium, which is used in the electrodes of rechargeable nickel-cadmium batteries, can cause kidney and liver damage.

Mercury exposure can cause significant damage to the nervous system and kidneys. It has also been linked to decreased motor functions and muscle reflexes, mental loss, headaches and brain function disorders. When mercury enters the aquatic environment, it can form methyl mercury, which is extremely toxic to both humans and wildlife.

Although dry cell batteries account for less than one tenth of 1 percent of the 180 billion tons of garbage we generate each year, dry cell batteries have been significant sources of mercury, cadmium, and lead in our waste stream.

According to a New York State report, mercury batteries accounted for 85 percent of the mercury, and rechargeable batteries accounted for 68 percent of the cadmium, in New York’s solid waste.

In landfills, dry cell batteries can break down to release their toxic contents and contaminate our waters. In incinerators, the combustion of dry cell batteries containing toxic metals leads to elevated toxic air emissions, and has increased the concentrations of toxic metals in the resulting fly and bottom ash.

This bill, by limiting the amount of toxics used in primary batteries and creating a recycling program for rechargeable nickel cadmium, will remove a significant source of toxics from our landfills.

Besides widespread bipartisan support, this bill is supported by the Port- able Rechargeable Battery Association and the National Electrical Manufacturers Association. I urge speedy approval of this measure.

Mr. BENNETT. I ask unanimous consent that the committee amendments be adopted, the bill then be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

So the bill (S. 619) was deemed to have been read three times and passed.

Be it enacted by the Senate and House of Representa- tives of the United States of America in Congress assem- bled.

SEC. 1. SHORT TITLE.

This Act may be cited as the ‘‘Mercury-Containing and Rechargeable Battery Management Act’’. 

SEC. 2. FINDINGS.

The Congress finds that—

(1) it is in the public interest to—

(A) phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and other regulated batteries; and

(B) educate the public concerning the collection, recycling, and proper disposal of such batteries;

(2) uniform national labeling requirements for regulated batteries, rechargeable consumer products, and product packaging will significantly benefit programs for regulated battery collection and recycling or proper disposal; and

(3) it is in the public interest to encourage persons who use rechargeable batteries to participate in collection for recycling of used nickel-cadmium, small sealed lead-acid, and other regulated batteries.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

(2) BUTTON CELL.—The term ‘‘button cell’’ means a button- or coin-shaped battery.

(3) EASILY REMOVABLE.—The term ‘‘easily removable’’ with respect to a battery, means detachable or removable at the end of the life of the battery—

(A) from a consumer product by a consumer with the use of common household tools; or

(B) by a retailer of replacements for a battery used as the principal electrical power source for a vehicle:

(4) MERURIC-OXIDE BATTERY.—The term ‘‘mercuric-oxide battery’’ means a battery that uses a mercuric-oxide electrode.

(5) RECHARGEABLE BATTERY.—The term ‘‘rechargeable battery’’—

(A) means 1 or more voltaic or galvanic means detachable or removable at the end of the life of the battery—

(B) by a retailer of replacements for a battery used as the principal electrical power source for a vehicle:

(C) by a consumer with the use of common household tools; or

(D) includes any type of enclosed device or sealed container consisting of 1 or more such cells, including what is commonly called a battery pack (and in the case of a battery pack, for the purposes of the requirements of...
easy removability and labeling under section 103, means the battery pack as a whole rather than each component individually; but
(C) does not include—
(i) a lead-acid battery used to start an internal combustion engine or as the principal electrical power source for a vehicle, such as an automobile, a truck, construction equipment, a garden tractor, a golf cart, a wheelchair, or a boat;
(ii) a lead-acid battery used for load leveling or for storage of electricity generated by an energy source, such as a solar cell or wind-driven generator;
(iii) a battery used as a backup power source for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily; or
(iv) a rechargeable alkaline battery.
(6) RECHARGEABLE CONSUMER PRODUCT.—
The term ‘‘rechargeable consumer product’’—
(A) means a product that, when sold at retail, includes a regulated battery as a primary energy supply, and that is primarily intended for personal or household use; but
(B) does not include a product that only uses a battery solely as a source of backup power for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to function if the primary energy supply fails or fluctuates momentarily.
(7) REGULATED BATTERY.—The term ‘‘regulated battery’’—
(A) contains a cadmium or a lead electrode or any combination of cadmium and lead electrodes; or
(B) contains other electrode chemicals and is the subject of a determination by the Administrator under section 103(d).
(8) REMANUFACTURED PRODUCT.—The term ‘‘remanufactured product’’ means a rechargeable consumer product that has been altered by the replacement of parts, repackaged, or repaired after initial sale by the original manufacturer.

SEC. 4. INFORMATION DISSEMINATION.
The Administrator shall, in consultation with representatives of rechargeable battery manufacturers, rechargeable consumer product manufacturers, and retailers, establish a program to disseminate information concerning the proper handling and disposal of used regulated batteries and rechargeable consumer products containing nonremovable batteries.

SEC. 5. ENFORCEMENT.
(a) CIVIL PENALTY.—When on the basis of any information the Administrator determines that a person has violated or is in violation of any requirement of this Act, the Administrator—
(1) in the case of a willful violation, may issue an order assessing a civil penalty of not more than $10,000 for each violation and requiring compliance immediately or within a reasonable specified time period, or both; or
(2) in the case of any violation, may commence a civil action in the United States district court for the district in which the violation occurred for appropriate relief, including a temporary or permanent injunction.
(b) CONTENTS OF ORDER.—An order under subsection (a)(1) shall become final unless, not later than 30 days after the order is served, a person named in the order requests a hearing on the record.
(c) HEARING.—On receiving a request under subsection (a)(1), the Administrator shall promptly conduct a hearing on the record.
(d) SUMMARY OF VIOLATION.—In connection with any hearing held under this subsection, the Administrator may issue subpoenas for the appearance and testimony of witnesses and for the production of relevant papers, books, and documents.
(e) CONTINUED VIOLATION AFTER EXPIRATION OF PERIOD FOR COMPLIANCE.—If a violator fails to take action within the time specified in an order under subsection (a)(1), the Administrator may assess a civil penalty of not more than $10,000 for the continued noncompliance.

SEC. 6. INFORMATION GATHERING AND ACCESS.
(a) AUTHORITY.—A person who is required to carry out the objectives of this Act, including—
(1) purchased ready for final sale; and
(2) sold, offered for sale, or offered for promotional purposes without modification.

SEC. 7. STATE AUTHORITY.
Except as provided in sections 103(e) and 104, nothing in this Act shall be construed to prohibit a State from enacting and enforcing a standard or requirement that is more stringent than the requirements established or promulgated under this Act.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated such sums as are necessary to carry out this Act.

TITLE I—RECHARGEABLE BATTERY RECYCLING ACT

SEC. 101. SHORT TITLE.
This title may be cited as the ‘‘Rechargeable Battery Recycling Act’’.

SEC. 102. PURPOSE.
The purpose of this title is to facilitate the efficient recycling or proper disposal of used nickel-cadmium rechargeable batteries, used sealed lead-acid rechargeable batteries, other regulated batteries, and such rechargeable batteries in used consumer products, by—
(1) providing for uniform labeling requirements and streamlined regulatory requirements for regulated battery collection programs; and
(2) encouraging voluntary industry programs by eliminating barriers to funding the collection and proper disposal of used rechargeable batteries.

SEC. 103. RECHARGEABLE CONSUMER PRODUCTS PACKAGING LABELING.
(a) PROHIBITION.—
(1) IN GENERAL.—No person shall sell for use in the United States a regulated battery that is ready for retail sale or a rechargeable consumer product that is ready for retail sale, if the battery or product was manufactured or offered for sale to the public after the date of enactment of this Act, unless the labeling requirements of subsection (b) are met and, in the case of a regulated battery, the regulated battery—
(A) is easily removable from the rechargeable consumer product; or
(B) is sold separately.
(2) APPLICATION.—Paragraph (1) does not apply to any of the following:
(A) The sale of a remanufactured product unit unless paragraph (1) applied to the sale of the unit when originally manufactured.
(B) The sale of a product unit intended for export purposes only.
(b) LABELING.—Each regulated battery or rechargeable consumer product without an easily removable battery manufactured on or after the date that is 1 year after the date of enactment of this Act, whether produced domestically or imported, shall bear the following label:
(1) 3 chasing arrows or a comparable recycling symbol.

SEC. 104. BATTERY COLLECTION AND PROTECTION.
(a) INITIAL PERIOD.—For a period of 2 years after the date of enactment of this Act, regulated batteries, rechargeable consumer products containing regulated batteries, and rechargeable consumer product packages that are labeled in substantial compliance with subsection (b) shall be deemed to comply with the labeling requirements of subsection (b).
(b) CERTIFICATION.—
(A) IN GENERAL.—On application by persons subject to the labeling requirements of subsection (b) or the labeling requirements promulgated by the Administrator under subsection (d), the Administrator shall certify a different label meets the requirements of subsection (b) or (d), respectively, if the different label—
(i) conveys the same information as the label required under subsection (b) or (d), respectively; or
(ii) conforms with a recognized international standard that is consistent with the overall purposes of this title.

SEC. 105. ENFORCEMENT.
(a) PROHIBITION.—
(1) IN GENERAL.—No person shall sell for use in the United States a regulated battery that is ready for retail sale or a rechargeable consumer product that is ready for retail sale, if the battery or product was manufactured or offered for sale to the public after the date of enactment of this Act, unless the labeling requirements of subsection (b) are met and, in the case of a regulated battery, the regulated battery—
(A) is easily removable from the rechargeable consumer product; or
(B) is sold separately.
(2) APPLICATION.—Paragraph (1) does not apply to any of the following:
(A) The sale of a remanufactured product unit unless paragraph (1) applied to the sale of the unit when originally manufactured.
(B) The sale of a product unit intended for export purposes only.
(c) EXEMPTION.—Regulated batteries or rechargeable consumer products that are manufactured or offered for sale in the United States on or before the date that is 1 year after the date of enactment of this Act shall be deemed to comply with the labeling requirements of subsection (b) if they bear the following label:
(1) 3 chasing arrows or a comparable recycling symbol.

SEC. 106. IMPORTS.
(a) INITIAL PERIOD.—For a period of 2 years after the date of enactment of this Act, regulated batteries, rechargeable consumer products containing regulated batteries, and rechargeable consumer product packages that are labeled in substantial compliance with subsection (b) shall be deemed to comply with the labeling requirements of subsection (b).
(b) CERTIFICATION.—
(A) IN GENERAL.—On application by persons subject to the labeling requirements of subsection (b) or the labeling requirements promulgated by the Administrator under subsection (d), the Administrator shall certify a different label meets the requirements of subsection (b) or (d), respectively, if the different label—
(i) conveys the same information as the label required under subsection (b) or (d), respectively; or
(ii) conforms with a recognized international standard that is consistent with the overall purposes of this title.

SEC. 107. RECHARGEABLE BATTERY RECYCLING ACT.
(B) CONSTRUCTIVE CERTIFICATION.—Failure of the Administrator to object to an application under subparagraph (A) on the ground that a different label does not meet either of the conditions described in subparagraph (A) (i) or (ii) within 120 days after the date on which the application is made shall constitute certification for the purposes of this Act.

(d) RULEMAKING AUTHORITY OF THE ADMINISTRATOR.—

(1) IN GENERAL.—If the Administrator determines that other rechargeable batteries having electrode chemistries different from regulated batteries are toxic and may cause substantial harm to human health and the environment if discarded into the solid waste stream for land disposal or incineration, the Administrator may, with the advice and consent of the Senate Committee on Appropriations, issue a rule to prohibit the manufacture and sale in the United States of rechargeable batteries containing mercury, to require the use of batteries containing mercury be substantially similar to the requirements of the rule set forth in subsection (a) and (b).

(2) SUSTANTIAL SIMILARITY.—The regulations promulgated under paragraph (1) shall be substantially similar to the requirements of the rule set forth in subsection (a) and (b).

(3) UNIFORMITY.—After the effective dates of a requirement set forth in subsection (a), (b), or (c) a regulation promulgated by the Administrator under subsection (d), no Federal agency, State, or political subdivision of a State may enforce any easy removability or environmental labeling requirement for a rechargeable battery or rechargeable consumer product that is not identical to the requirement or regulation.

(f) EXEMPTIONS.—

(1) IN GENERAL.—With respect to any rechargeable consumer product, any person may submit an application to the Administrator for an exemption from the requirements of subsection (a) in accordance with the procedures under paragraph (2). The application shall include the following information:

(A) A statement of the specific basis for the requested exemption;

(B) The name, business address, and telephone number of the applicant;

(C) A description of the product and a new product or use for a battery technology described in section 207.

(2) GRANTING OF EXEMPTION.—Not later than 45 days after receipt of an application under paragraph (1), the Administrator shall approve or deny the application. On approval of the application the Administrator shall grant the applicant an exemption. The exemption shall be issued for a period of time that the Administrator determines to be appropriate, except that the period shall not exceed 2 years. The Administrator shall comply with the provisions of section 308 of title II, and grant an exemption on the basis of evidence supplied to the Administrator that the manufacturer has been unable to commence manufacturing the rechargeable consumer product in compliance with the requirements of this section and with an equivalent level of product performance without the product. The Administrator may grant a renewal of such an exemption for a period of not more than 2 years after the date of the granting of the renewal.

SEC. 104. REQUIREMENTS.

For the purposes of carrying out the collection, storage, transportation, and recycling or proper disposal of used rechargeable batteries described in section 309 of title II, and used rechargeable consumer products containing rechargeable batteries that are not easily removable rechargeable batteries, persons involved in collecting, storing, or transporting such batteries or products to a facility for recycling or proper disposal shall, notwithstanding any other law, be regulated in the same manner and with the same limitations as the Administrator determines to be appropriate, except that the period shall not exceed 2 years. The Administrator shall promulgate requirements for easy removability of regulated batteries from rechargeable consumer products designed to contain such batteries.

SEC. 105. COOPERATIVE EFFORTS.

Notwithstanding any other law, if 2 or more persons participate in projects or programs to collect and properly manage used rechargeable batteries or products powered by rechargeable batteries advise the Administrator of their intent, the persons may agree to develop jointly, or to share in the costs of participating in, such a project or program and to examine and rely on such cost information as is collected during the project or program.

TITLE V. BATTERY-MERCURY-CONTAINING BATTERY MANAGEMENT ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Battery-Mercury-Containing Battery Management Act”.

SEC. 202. PURPOSE.

The purpose of this title is to phase out the use of batteries containing mercury.

SEC. 203. LIMITATIONS ON THE SALE OF ALKALINE-MANGANESE BATTERIES CONTAINING MERCURY.

No person shall sell, offer for sale, or offer for promotional purposes any alkaline-manganese battery manufactured on or after January 1, 1996, with a mercury content that was intentionally introduced (as distinguished from mercury that may be incidentally present in other materials), except that the limitations on mercury content in alkaline-manganese button cells shall be 25 milligrams of mercury per button cell.

SEC. 204. LIMITATIONS ON THE SALE OF ZINC-CARBON BATTERIES CONTAINING MERCURY.

No person shall sell, offer for sale, or offer for promotional purposes any zinc-carbon battery manufactured on or after January 1, 1996, that contains mercury that was intentionally introduced (as distinguished from mercury that may be incidentally present in other materials), except that the limitations on mercury content in zinc-carbon button cells shall be 25 milligrams of mercury per button cell.

SEC. 205. LIMITATIONS ON THE SALE OF BUTTON CELL MERCURIC-OXIDE BATTERIES.

No person shall sell, offer for sale, or offer for promotional purposes any button cell mercuric-oxide battery for use in the United States on or after January 1, 1996.

SEC. 206. LIMITATIONS ON THE SALE OF OTHER MERCURIC-OXIDE BATTERIES.

(a) PROHIBITION.—On or after January 1, 1996, no person shall sell, offer for sale, or offer for promotional purposes a mercuric-oxide battery for use in the United States unless that battery—

(1) identifies a collection site that has all required Federal, State, and local government approvals, to which persons may send mercuric-oxide batteries for recycling or proper disposal; and

(2) informs each of its purchasers of mercuric-oxide batteries of the telephone number that the purchaser may call to get information about sending mercuric-oxide batteries for recycling or proper disposal.

(b) APPLICATION OF SECTION.—This section does not apply to batteries of a mercuric-oxide button cell battery.

SEC. 207. NEW PRODUCT OR USE.

On petition of a person that proposes a new use for a battery technology described in this title or the use of a battery that is in this title in a new product, the Administrator may exempt from this title the new use of the technology or the use of such a battery in the new product on the condition, if appropriate, that there exist reasonable safeguards to ensure that the resulting battery or product without an easily removable battery will not be disposed of in an incinerator, composting facility, or landfill (other than a facility regulated under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

ORDERS FOR FRIDAY, SEPTEMBER 22, 1995

Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Friday, September 22, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to the consideration of the military construction appropriations conference report under the previous order.

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

PROGRAM

Mr. BENNETT. Mr. President, for the information of all Senators, the Senate will consider and complete action on several items on Friday. At 9:30, the Senate will begin consideration of the military construction appropriations conference report under a short agreement. Senators can expect a rollcall vote on that conference report possibly before 10:30 tomarrow.

The Senate will also complete action on the legislative appropriations conference report on Friday. The Senate will also consider the D.C. appropriations bill. Senators can therefore expect rollcall votes throughout tomarrow’s session of the Senate.

ORDER FOR RECESS

Mr. BENNETT. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in recess under the previous order following the remarks of Senator Pell.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, the Senate has now adopted legislation making appropriations for foreign operations, export financing, and related programs—the so-called foreign ops appropriations bill.

This is the first major foreign-affairs-related legislation to pass the Senate this year. We have not yet passed authorizations for the State Department and other foreign affairs agencies, or for the foreign aid program. We also have yet to pass an appropriation for the State Department—which is usually done along with the Commerce and Justice Departments.

The reason why we have not yet passed these measures—and why we were able to pass the foreign ops bill—gets to the very heart of bipartisanship. The authorization bills and the Commerce, Justice, State appropriations bill represent, in my mind, bipartisan efforts to mandate drastic and poorly conceived cuts and reductions in foreign policy programs and agencies. In their present form, the bills are so controversial that it has proven difficult even to bring them up for consideration.

I am pleased to note though—with a few notable exceptions—the foreign ops bill has been crafted with a fair amount of bipartisanship, and by comparison to the other bills, represents a sound basis for discussing our foreign assistance and other programs.

I do not wish to suggest that I support every provision of this bill. I do not. I have deep concerns about the unnecessarily low spending levels and about some of the language dealing with the former Yugoslavia, North Korea, and Russia—countries and issues of critical importance to the U.S. foreign policy agenda. While most of the multilateral lending institutions have fared reasonably well in this bill, I also regret that there is such a low level for the International Development Association, which lends to the poorest of the poor. I hope that where possible compromise language can be worked out on all of these matters in conference.

I also want to note that the Appropriations Committee, in its report accompanying the foreign ops bill, expressed strong support for the American Schools and Hospitals Abroad Program, known as ASHA, a small but effective program of which I have been a longtime advocate. Among other things, this program has provided U.S. support to the American University of Beirut, the Lebanese American University, and other important institutions that have advanced U.S. foreign policy goals abroad.

Mr. President, I again want to emphasize and commend the bipartisan approach that has been apparent on this bill. I hope that spirit can be preserved as we move down the road.

I yield the floor.

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. There being no further business to come before the Senate, under the previous order the Senate will stand in recess until the hour of 9:30 a.m., Friday, September 22, 1995.

Thereupon, the Senate, at 8:16 p.m., recessed until Friday, September 22, 1995, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 21, 1995:

DEPARTMENT OF DEFENSE

JOHN WADE DOUGLASS, of Virginia, to be an Assistant Secretary of the Navy, Vice Nora Slatkin, resigned.
EXTENSIONS OF REMARKS

HOW MEDICAID CUTS WILL HURT CHILDREN

HON. NORMAN D. DICKS
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. DICKS. Mr. Speaker, last week, Congresswoman J O H N M C D E R M O T T, Democratic leader D I C K G E P H A R D T, and I had the opportunity to introduce remarks delivered by Dr. D R. Neff, medical director of Children’s Hospital and Medical Center in Seattle. In those remarks, Dr. Neff attempted to dispel many of the myths about Medicaid, and he issued a strong warning against the dangers of converting Medicaid funds into block-grant formulas. For the RECORD, Mr. Speaker, I would like to submit a copy of Dr. Neff’s brief remarks, in addition to a news story published the next day in the Seattle Post Intelligencer entitled “Medicaid cuts may threaten children.” I believe this perspective from the director of one of the nation’s most respected children’s hospitals is a valuable one, and one that can add greater depth to the debate here in Congress on these proposed changes.

COMMUNITY ASSESSMENT OF FEDERAL BUDGET CUTS TO OUR COMMUNITIES—SUPPORT FOR CHILDREN AND THE ELDERLY

HOW FEDERAL PROGRAM CUTS WILL HURT CHILDREN—BY DR. JOHN NEFF, MEDICAL DIRECTOR, CHILDREN’S HOSPITAL AND MEDICAL CENTER, SEATTLE

My name is John Neff and I am medical director at the Children’s Hospital & Medical Center. I have been taking care of children as a pediatrician now for over 35 years. The first six years of my career were before Medicaid was implemented, and the next 29 years were under the Medicaid legislation. I can tell you from personal experience that not only was the medical care system prior to Medicaid terrible but the institutions that cared for the poor and the elderly are either no longer in existence or have been significantly transformed. The old municipal-run hospitals and institutions are no longer part of our medical care system and they were grossly unprepared to meet the health care needs of children. I would consider it a great failure to have to return to those days even in part.

We need to retain national standards for the health care of children. We must not go back in time and place arbitrary limits on the services that children need especially those who are unfortunate to have special health care needs.

Now let me dispel a series of myths concerning Medicaid:

1. The currently proposed reductions in Medicaid are not cuts but are caps on Medicaid growth at a rate of 4% by 1998. It is cited that Medicaid’s annual growth rate now is approximately 10%. In order to dispel this myth let us look at what this 10% Medicaid annual growth rate means. This growth represents new enrollees and a growth in the services delivered. Medicaid eligibility services, and medical inflation. The actual real medical inflation of Medicaid is probably not more than 5%. Given the level of poverty and the aging of our population, the need for Medicaid services will continue to increase, thus to cap the annual rate of growth at 4% by 1998 will result in the following in certain actions: A decrease in the number of new enrollees or an expenditure cap on enrollees; elimination of current enrollees; actual cuts in benefits and services.

2. Medicaid is the same as Welfare: Medicaid should be guaranteed they will have medically necessary care regardless of the state in which they live. Children also need to be assured they will have access to pediatric trained providers to meet their specialized health care needs regardless of the state in which they live.

3. Medicaid Reductions can be Reached by Block grants: To cap Medicaid at a growth rate of only 4% per year will result in real elimination of services or cutting individuals out of the Medicaid program.

4. Medicaid is the same as Welfare: Currently, in the United States, 29% of all children receive health care through Medicaid but more important, 40% of all children in the United States are either covered by Medicaid or have no insurance at all. If anything, Medicaid coverage is based on need, not on share of the ‘‘dead weight’’ or poverty. The fact that 40% of the children in the United States have no health insurance or are covered by Medicaid reflects a failure of the private health care system to adequately cover children. This is one of the reasons that there is a real need for health care reform, not arbitrary reduction in services or coverage. In fact, coverage in Medicaid coverage will increase the number of uninsured, indirectly increase family poverty and, in the long run, will decrease family employment and individual employability. Medicaid is literally their insurer of last resort.

5. Children are a Burden on our Federally Sponsored Health Care System: While it is true that 53% of all Medicaid beneficiaries are children, it is also true that children consume less than 20% of Medicaid expenditures and in the state of Washington children consume only 13% of Medicaid funds. To put in proper context, one must consider all of the health care funds that are federal in origin. This includes the VA system, Medicare and 80% of the federal portion of Medicaid. In this context the total amount of public funds that are actually provided to the states for health care for children in this country is indeed very small.

6. Medicaid is different than Medicare and Private Insurance: Medicaid Recipients do not Contribute to their own Health Care as do individuals who receive Private Insurance Benefits. Medicaid is based only on income and does not consider medical need. This is true for both children and the elderly.

[From the Seattle Post Intelligencer, Sept. 14, 1995]

Medicaid cuts may threaten children

(By J oel Connelly)

Congress will set off “a terrible battle” that pits children against the elderly and the unemployed. It is not simply the battle of the federal Medicaid program, three House members were told yesterday.

Dr. John Neff, medical director at Children’s Hospital, warned that congressional...
Republicans' proposed 4 percent cap in growth will put extreme pressure on Medicare, which not only supports long-term nursing-home care for many elderly and disabled, but also medical care for about 25 percent of American children.

"We must not go back in time to a set of arbitrary limits on the services children need," said John M. McDermott, who has spent more than 35 years as a pediatrician.

He said public institutions that provided medicine to children were often a terrible before Medicaid was established 30 years ago.

House Democrat Leader Dick Gephardt of Missouri, in Seattle for a candidate recruiting trip yesterday, joined Reps. Jim McDermott and Norm Dicks, both D-Wash., for a meeting with hospital administrators.

Responding to Neff's point, Gephardt warned, "The poor will simply wait until they are given no chance to live.

He noted that there are four major teaching hospitals in the Seattle area, responsible for medical education over a four-state area. "The federal government is providing a research service that the private sector cannot afford," he added.

The issue gets personal for Gephardt. At age 18 months he was diagnosed at a St. Louis hospital with a cancerous tumor and given no chance to live.

"A young boy approached us the next morning," recalled. "He had been running the case through the computer, and noted that a program of triple-drug chemotherapy and radiation had been developed in Houston. He encouraged us to try it.

"Matt is now 24 years old. I left him off yesterday at Northwestern University in Chicago to continue his education. I rest my case.

TIME FOR COURAGE AND MOVE-ON OF NORTHERN IRELAND PEACE PROCESS

HON. BENJAMIN A. GILMAN OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. GILMAN. Mr. Speaker, Thomas L. Friedman of the New York Times on September 20, 1995 wrote a very provocative and important piece on the current stalemate in the peace process in Ireland. His work "No Guts, No Glory" is a challenge to all sides and interested governments, including our own, not to let the extraordinary opportunity, which the current peace process presents for lasting peace and justice in Northern Ireland, slip away.

Mr. Friedman constructively reviews the difficult arms decommissioning issue, and supports the proposal for an international commission to handle that difficult question which currently has stalled the peace process for months.

I ask that the piece by Mr. Friedman be reprinted at this point in the RECORD for the benefit of my colleagues, and all those interested, and charged with finding solutions in the long and difficult struggle to bring lasting peace and justice to Northern Ireland.

I also ask that a statement I issued just recently in support of the international arms de-commissioning dual track approach to help move the peace process along at this critical moment in Irish history, also be included in the RECORD at this point.

It is time for all sides to show guts, and plenty of glory will surely follow for all those concerned about lasting peace for the warm and generous Irish people.

[From the New York Times, Sept. 21, 1995]

NO GUTS, NO GLORY

BY THOMAS L. FRIEDMAN

WASHINGTON—The lion in "The Wizard of Oz" didn't have it, but at least he knew where to get it. Nelson Mandela had it, and so did F. W. de Klerk, and they used it to good effect. Yitzhak Rabin has it and so does Yasir Arafat, although occasionally they lose it and need help finding it again. It's called "courage," and unfortunately none of the key players in the Northern Ireland conflict have it right now.

Gerry Adams of Sinn Fein doesn't have it, the British Prime Minister John Major, certainly doesn't have it, and protestant leader David Trimble wouldn't know it if it was pinned to his chest. And that's why 13 months after the cease-fire took effect in Northern Ireland, the peace process has not begun peace talks to bring a permanent end to the fighting.

The sticking point has been the British-Protestant refusal to sit down for peace talks with Sinn Fein—the I.R.A.'s political wing—until the Catholic gunmen of the I.R.A. first surrender some weapons.

This is poppycock and nothing more than a pretext by Mr. Major to disguise his ambivalence about entering into negotiations with the I.R.A. at all. If the I.R.A. had tanks, missiles and MIG-29's, there might be some strategic merit to the British insistence that it turn in some weapons first. But the I.R.A. arsenal consists almost exclusively of handguns, knives, flaming bottles and some plastic explosives. They could turn them all in tomorrow and replenish most of them the next day from the gun parts of the ammo mailorder catalogue and a visit to the local hardware store. The I.R.A. invented the fertilizer bomb.

The issue is not how to deprive the I.R.A. of their military capabilities, which are endlessly replenishable. The issue is how to change their intentions to resort to violence. The only hope of doing that is through all-party peace talks. (If Israel could talk to the P.L.O. without insisting it disarm, the Brits can talk to the I.R.A.)

The perfectly reasonable compromise is on the table: an international commission would be formed, parallel with the start of peace talks, that would bring British, P.L.O. and I.R.A. representatives to the negotiating table: an international commission to help move the peace process along at this critical moment in Irish history, also be included in the RECORD at this point.

It is time for all sides to show guts, and plenty of glory will surely follow for all those concerned about lasting peace for the warm and generous Irish people.

[From the New York Times, Sept. 21, 1995]
some stage, ask it to make a symbolic ges-
ture in retiring some guns before negotia-
tions really get under way.

This too is cowardly. No international com-
munity (which the U.S. would like to run) is going to ask the I.R.A. to make any ges-
tures on arms until there is parallel pro-
gress at the peace table. If the I.R.A. had any 
voice in or leadership right now it would 
quietly tip off the British to a small pile of 
I.R.A. explosives somewhere. Such unilateral 
handover would ease British concerns, with-
out costing the I.R.A. a thing.

President Clinton, who helped engineer the 
cease-fire, seems to have lost interest and 
fallen asleep at the wheel. Fortunately, the 
Prime Minister of Britain and Ireland on 
meeting Friday in another attempt to break 
the deadlock. The fact that the cease-fire in 
Northern Ireland has lasted for more than a 
year should tell them something. It should 
tell them that the people want this new way 
of life to be permanent and they have given 
the politicians a silent mandate to make it 
so. But instead of listening to the silence, 
the politicians are listening only to them-

selves.

This isn't complicated. It's time for the 
British to start all-party talks with Sinn Fein, and for all three to ac-
tend an international commission that could 
defuse the weapons issue until there is progress 
at the peace table. But that simplicity takes some courage. Sad to say 
that among British, Protestant and I.R.A. 
leaders right now there is no one who an-
wers to that name.

[From the House International Relations 
Committee, Sept. 13, 1995]

GILMAN URGES IMMEDIATE ALL PARTY TALKS 
ON NORTHERN IRELAND: SUPPORTS SEPA-
RATE COMMISSION TO ADDRESS ARMS ISSUE

WASHINGTON.—Committee Chairman Ben-
jamin A Gilman (20th-NY) today called for 
"immediate all party talks" on peace in 
Northern Ireland, and suggested that the 
issue of arms decommissioning be addressed 
by an international commission on a sepa-
rate track.

Gilman spoke out following meeting with 
Sinn Fein President Gerry Adams in which 
the status of the peace process was dis-
cussed.

"Efforts by the British government to dic-
tate preconditions or outcomes prior to talks 
merely obstructs access to the only means of 
finding a consensus political solution in Ire-
land, namely the peace negotiating table," 
Gilman said.

Noting that arms decommissioning has 
long been a stumbling block to peace talks, 
Gilman said "a separate track is needed for 
this issue that could be in the form of an 
international commission whose findings 
would be binding, however, such a commis-
sion should not become yet another pre-
condition to talks ."

Gilman warned that "these past 13 months 
of peace have been a window of opportunity 
to achieve a just and lasting peace after a 
quarter century of violence and bloodshed. 
We must not allow this window to be shut 
against those who are earnestly seeking 
peace."

Long a champion of peace and justice in 
Northern Ireland, Gilman this year led the 
Committee's first hearings on the Macbride 
fair employment principles, and saw their 
inclusion in the House-passed foreign affair 
bill as part of the U.S. contribution to the 
International Fund for Ireland.

The Macbride principles are aimed at end-
ing systemic job discrimination, most often 
among at the Catholic community in North-
ern Ireland.

SUPPORTING THE FOURTH WORLD 
CONFERENCE ON WOMEN (BEIJING)

HON. LUCILLE ROYBAL-ALLARD 
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Ms. ROYBAL-ALLARD. Mr. Speaker, the 
United Nations Fourth World Conference on 
Women was an opportunity for delegates from 
over 180 countries to take a step toward 
granting women equal rights in all aspects of 
life.

One of the major points made at the con-
ference was the importance of promoting pro-
gress at the level of women's economic and 
political empowerment.

Our world today, is comprised of women 
who are breaking new ground in industry and 
the professions, and who are becoming inte-
grual members of labor forces everywhere.

The conference created an environment 
where new understandings of women's roles 
in the workplace and in government were ex-
amined along with the difficulties that women 
continue to encounter throughout the world, 
such as the inability to own land, the inac-
cessibility of business loans, and the lack of child 
care.

The diversity of the delegates experiences 
and backgrounds raised the world's level of 
consciousness about women's plight world-
wide and provided humanity with a greater un-
derstanding of the economic and political con-
ditions of women.

Through free discussion and open debate, 
the delegates came forward with rec-
ommendations promoting women's rights and 
equality for our world's governments to con-
sider.

The challenge for governments and policy-
makers throughout the world will now be to 
turn these recommendations into policies and 
laws that help insure that the women of today 
and our daughters and sisters of tomorrow will 
have the opportunity to realize their full poten-
tial, free from oppression and discrimination.

PERSONAL EXPLANATION

HON. JENNIFER DUNN 
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Ms. DUNN of Washington. Mr. Speaker, on 
September 7, I was present in the House 
Chamber during the vote on final passage of 
H.R. 2126, the fiscal year 1996 Department of 
Defense appropriations bill. I along with other 
Members, were not properly recorded as hav-
ing cast our vote on Rollcall No. 646. I re-
spectfully request that the official record indic-
ate I voted "aye" in support of passage of the 
bill.

A SPECIAL SALUTATION TO "GREAT 
BOOKS" ANNIVERSARY

HON. LOUIS STOKES 
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. STOKES. Mr. Speaker, I rise today to 
salute the Great Books group. Mr. Ray 
Habian, a member of the organization, re-
cently brought to my attention the fact that the 
Cleveland Great Books group is celebrating its 
50th anniversary. The organization boasts 
members throughout the Greater Cleveland 
area. I rise today to share with my colleagues 
and the Nation some information regarding the 
Great Books group.

It is believed that the formation of discus-
sion groups for the purpose of reviewing the 
Great Books was started after World War I by 
John Erskine. In 1927, Mortimer Adler 
launched an adult education courses in New 
York City to discuss the Great Books. A few 
years later, in 1930, Robert Hutchins joined 
Mr. Adler in introducing Great Books seminars 
into the undergraduate curriculum at the Uni-
versity of Chicago. Soon, across the United 
States, ordinary laymen with a love for liter-
ature began to form and lead Great Books 
seminars in their local communities.

The first meeting of the Cleveland Great 
Books group was held in 1946 at the East 
Cleveland Public Library. It is interesting to 
note that the first group gathered for a candid 
discussion of the Declaration of Independ-
ence. In the following years, the group contin-
ued to examine topics that were popular in 
American society, as well as in literature. In 
1973, the Great Books group moved its meet-
ing site to the Noble Road Library in Cleve-
land Heights. The group discussions have fo-
cused on the philosophy of Plato; the epics of 
Homer; and the drama of William Shake-
peare, just to name a few.

Mr. Speaker, I am proud to report that 
today, more than 400 Great Books groups 
meet in libraries across America. The discus-
sions provide insight into the personal, moral, 
social, political, and economic problems of 
mankind. I am also pleased to note that over 
the years, Great Books programs have helped to 
broaden a strong and lasting relationship be-
tween our libraries and communities. With 
the dawn of Great Books groups, citizens realize 
that their libraries can provide dynamic plat-
forms for public discussions of historical and 
political literary pieces.

Mr. Speaker, on September 19, 1995, the 
Cleveland Great Books group will begin its 
50th consecutive year. The candid discussions 
and seminars continue to arouse the interest 
of citizens throughout the community. I am 
praised to applaud Ray Habian and the entire 
membership of the Great Books group. As 
they celebrate this historic anniversary, I wish 
members of the Great Books group many 
more years of success.

PROVIDING FOR THE ADMINISTRA-
TION OF CERTAIN PRESIDIO 
PROPERTIES

SPEECH OF 
HON. ANNA G. ESHTO 
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES 

Tuesday, September 19, 1995

Ms. ESHTO. Mr. Speaker, H.R. 1296 is a 
good government approach to management of 
the Presidio within the National Park System. 
No other park possesses the unique com-
binations of resources and real estate as the 
Presidio. Because of this unusual combination, 
the Presidio lends itself to a management 
structure outside the realm of traditional oper-
ation of our national parks.
That is why I strongly support H.R. 1296, which would create a Presidio trust. This model would preserve park resources while allowing the Presidio’s properties to be used to generate revenues which could, in turn, be used to operate the Presidio. While this model might not work for other national parks, it is a practical approach for the vast and unique properties which comprise the Presidio.

Mr. Speaker, it makes sense for us to pursue this type of management—it’s cost-effective and addresses the monumental challenge of how to make the best public use of this unique and historically significant land.

We should give H.R. 1296 a chance and I urge my colleagues to vote for its passage.

SUPPORTING A DISPUTE RESOLUTION IN CYPRUS

SPEECH OF
HON. RICHARD BURR
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Mr. BURR. Mr. Speaker, I am proud to co-sponsor and support House Concurrent Resolution 42, a measure to end the longstanding dispute regarding Cyprus. Over 20 years ago, the Turkish army invaded the island of Cyprus, seizing over 30 percent of the island’s land and approximately 70 percent of the island’s wealth. This action caused more than 200,000 Cypriots to be driven from their homes and made them refugees in their own country.

Today, Turkey continues to maintain a force of over 35,000 troops on the island of Cyprus. Although this force was only supposed to stay to protect the Turkish-Cypriot minority for a short time, we are now beginning the third decade of Turkish occupation. This has led some observers to call this area one of the most highly militarized areas of the world.

Last year, in an effort to break this deadlock, Cypriot President Glafcos Clerides offered to totally demilitarize the island by dismantling his army with the understanding the Turkish army would withdraw and work toward an agreement to unify the island and bring about a peaceful resolution to this longstanding and difficult problem. President Clerides’ plan has received widespread support and international acclaim. The United Nations and the European Union have already stated their support for this plan and I am glad to see the House of Representatives join in this effort.

This resolution is a balanced, fair, and bipartisan effort to support a peaceful resolution to the problem in Cyprus and to bring peace and stability to the eastern Mediterranean. I am proud to rise in support of this measure. It is in the best interest of the people of Cyprus, the people of the eastern Mediterranean, and the people of the United States. I urge a “yes” vote on House Concurrent Resolution 42.
enrolled in an accelerated nursing program that prepared them to replace graduate nurses going overseas. The Jennie Edmunson Memorial Hospital Class of 1944 is part of this honorable tradition of nursing service. As we remember the end of World War II, please join me in recognizing June Heitman and all of the hardworking members of the U.S. Cadet Nurse Corps for their devotion, patriotism, and service to the United States.

MANUFACTURED HOUSING

HON. ELTON GALLEGY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. GALLEGY. Mr. Speaker, earlier this year, President Clinton and HUD Secretary Cisneros announced on new program to help thousands of families realize the American dream of homeownership. Calling on all national housing-related organizations to form a partnership for this national homeownership strategy, the President set a goal of creating 8 million additional American homeowners over the next 5 years. The accomplishments will have a direct impact on those young families setting out on the quest for the American dream, will stimulate the real estate and home building industries, and will strengthen the economy through the ripple effect on the secondary and tertiary industries which rely on homebuilding and resale.

One of the industries which can play a major role in the achievement of the President's goal is the manufactured housing industry. Last year, more than 300,000 homes sold in the United States were manufactured homes. As younger families come into the market for a home, and as the population in this nation ages, and shifts to retirement communities, manufactured housing will become the preferred housing for thousands of citizens looking for quality housing at an affordable price.

The ability of the manufactured housing industry to continue to provide quality, affordable housing will depend most directly on the industries ability to loosen the regulatory stranglehold currently imposed by the Department of HUD.

Over the last 20 years, the manufactured housing industry has evolved from one providing a temporary, mobile dwelling to a sophisticated, highly efficient producer of permanent, highly efficient producer of permanent feature of the home's substructure; and

Whereas, The federal Manufactured Home Construction and Safety Standards Act have been retained by developmental innovative land use and financing policies; and

Whereas, The State of California has designed manufactured homes with a removable chassis, so long as the home is intended to be permanently sited on a foundation and so long as the floor system is designed to accommodate appropriate design loads.

Whereas, Manufactured homes constructed pursuant to the National Manufactured Housing Construction and Safety Standards Act provided an important source of nonsubsidized affordable housing to Californians; and

Whereas, The State of California is a national leader in encouraging and expanding the use of manufactured housing by eliminating unnecessary regulatory barriers imposed by developmental innovative land use and financing policies; and

Whereas, The State of California has designed manufactured homes with a removable chassis, so long as the home is intended to be permanently sited on a foundation and so long as the floor system is designed to accommodate appropriate design loads.

Whereas, Manufactured homes constructed pursuant to the National Manufactured Housing Construction and Safety Standards Act provided an important source of nonsubsidized affordable housing to Californians; and

Whereas, The State of California is a national leader in encouraging and expanding the use of manufactured housing by eliminating unnecessary regulatory barriers imposed by developmental innovative land use and financing policies; and

Whereas, The State of California has designed manufactured homes with a removable chassis, so long as the home is intended to be permanently sited on a foundation and so long as the floor system is designed to accommodate appropriate design loads.

Whereas, This regulatory barrier prevents innovative uses of manufactured homes to meet the demand for affordable housing in California; and

Whereas, This regulatory barrier prevents innovative uses of manufactured homes to meet the demand for affordable housing in California; and

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the members of the House Committee on Banking, Housing, and Financial Services, the Senate Committee on Banking and Urban Affairs, and the House and Senate appropriations subcommittees on HUD/VA and independent agencies.

ARCHBISHOP IAKOVOS HONORED

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to one of the most outstanding religious leaders in the world, Archbishop Geron Iakovos. Head of the Greek Orthodox Church of the Western Hemisphere, Archbishop Iakovos is retiring after 36 years of distinguished service as a spiritual leader and fighter for worldwide justice.

Archbishop Iakovos, born Geron Iakovos in Istanbul, Turkey, was ordained a priest in Lowell, MA, in 1940. He is a graduate of the Harvard University Divinity School. In 1959 he ascended to the leadership of the Greek Orthodox Church in the Western Hemisphere. He has been at the forefront of the worldwide ecumenical as well as the civil rights movement.

In 1959 he met with Pope John XXIII, thus becoming the first Greek Orthodox Leader in almost 400 years to meet with a Roman Catholic Pope. He also served as president of the World Council of Churches for 10 years.

As an outspoken religious leader against segregation in the United States, he marched with the Reverend Martin Luther King, Jr. in...
Selma, AL. He has continually fought for the independence of Cyprus, preservation of Greece, and enhanced United States-Greek relations. He was awarded the Presidential Medal of Freedom in 1980 by President Jimmy Carter. He is a magnificant and stalwart friend of American Jewry, voiced support for Israel, and has been a strong advocate for Israel.

This extraordinary spiritual and religious leader has been a very sensitive pastor at every level. His warm pastoral dimension expresses itself to not only his own people, but to people of all religions, cultures, and nation- alities. Beyond fulfilling his duties to the Church, he has been a leader in the cause of justice in America and all over the world. I know all of my colleagues join with me in wishing this extraordinary individual the very best in his retirement.

THE MEDICARE PRESERVATION ACT OF 1995

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to discuss the Medicare crisis to share with my colleagues the suggestions I have re- ceived from my constituents about how best to preserve, protect, and strengthen Medicare.

In April, when the Medicare trustees issued their annual report which stated quite clearly that the Medicare Trust Fund would be bank- rupt in 7 years, I felt it was my duty to inform the people of the 11th Congressional District of the problem.

I mailed the facts of the trustees report to over 22,000 people in my district. I met with the presidents of nearly every senior citizens club in the area. I listened to thousands of Medicare beneficiaries at Morristown Memorial Hospital, the Morris Plains VFW, and at St. Clare's Riverside Medical Center in Denville. In addition to discussing the Medicare crisis, I also asked people for suggestions on how we could save and improve the program, while holding down costs.

Mr. Speaker, the response has been over- whelming. Who better to suggest ways to im- prove Medicare than the very people who have to deal with the system every day? As you might imagine, the meetings yielded a lit- any of suggestions. A man from Sparta sug- gested that Medicare should have a better verification system to weed out overcharges and duplication of services rendered. A couple from Livingston strongly suggested that mil- lions of dollars could be saved by reducing the mountains of paperwork involved in the Medi- care bureaucracy.

The responses touched on other subjects as well. At the Morris Plains VFW, several people indicated they would be interested in a program like a sliding scale fee charge, where the person could perform his own health check, buy a health book, and check his pulse; if he can save the cost of the monitor, he can save the cost of going to a doctor.

I have listed to all of these concerns and brought them back to Washington. In fact, I applaud the leadership for giving Members an opportunity to testify on behalf of our constitu- ents. I was pleased to have that opportunity, and testified on September 7, on what I have learned from the people of the 11th Congress- ional District. My message was that the people know there is a problem, and they want to be part of the solution. If we do not give them that opportunity, Mr. Speaker, then we have really solved nothing at all.

To be sure, I will continue this thoughtful and important discussion, and listen to these very knowledgeable people. Last week, when the preliminary Medicare preservation options were presented to us, I called for a series of town meetings so that my constituents could share the exact information given to me on possible solutions and plans to strengthen Medicare. I am sure they will take a hard look at these options, and will continue to provide guidance for me and this Congress as we ful- fill our responsibility to preserve Medicare for all Americans—beneficiaries as well as the next generation. The Medicare Preser- vation Act is just that, a comprehensive plan to ensure a better Medicare.

On September 16, hundreds of older Ameri- cans attended two town meetings in Fairfield and Parsippany, and listened to the broad out- line of the proposed Medicare Preservation Act. I expect that the turnout will be even heavier this weekend, September 23, when we continue the Medicare discussions at town meetings in Roxbury and Madison. I welcome this open exchange of ideas and encourage my colleagues to continue the dia- logue with the American people on how to save this important program. While it is very easy to be sidetracked in Washington by spe- cial interest groups, media hype, and partisan politics, listening to people on a face-to-face level permits a much clearer message to emerge.

Mr. Speaker, the message that I hear more and more is that we know there is a problem and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it. They have said that Medicare is indeed important for us but is also manageable, and we are willing to fix it.

I have confidence that we are moving to- ward fulfilling that responsibility, and I thank the thousands of people in the 11th Congress- ional District for their guidance on these very complex issues. Their willingness, contribu- tions, and suggestions will assure successful reforms of the Medicare program and its pres- ervation. I am fortunate to bear the burden of this task, and to bear the burden of this task, and to bear the burden of this task, and to bear the burden of this task, and to bear the burden of this task.

THE COMPENSATORY TIME FOR ALL WORKERS ACT OF 1995

HON. CASS BALLOWING
OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. BALLOWING, Mr. Speaker, today I am introducing “The Compensatory Time for All Workers Act of 1995” which would allow pri- vate sector employers to offer employees the choice of taking time-and-a-half compensatory time as payment for overtime. In 1938, the Fair Labor Standards Act (FLSA) was written for a predominantly male work force and a marketplace primarily comprised of manufac- turing firms. These demographics have dra- matically changed. Today, women make up a greater percentage of the female work force, private enterprise is dominated by service and high technology industries rather than heavy manufacturing, global competition has signifi- cantly increased, and the lines between white and blue-collar workers have been blurred.

The FLSA, however, has failed to keep pace with these changes and, as such, re- stricts the ability of employers to meet the needs of their work force. The Subcommittee on Workforce Protections, which I chair, has heard from employees and employers of large and small companies, and State and local governments on a variety of problems which they face because of the act.

Currently, the FLSA impedes an employer’s ability to accommodate employee requests for flexibility in scheduling employees who want to be family friendly find that flexible scheduling can be extremely difficult for those employees who are covered by the act and whose hours must be kept track of. Suppose an employee has a terminally ill parent who lives several States away. Daycare with pay can become precious when a 2-day weekend does not provide enough time to travel and spend time with that parent. Thus, when that employee works a few hours overtime each week, he or she may prefer to be paid with time rather than money. How- ever, the FLSA says the employee must re- ceive money instead and is therefore forced to use previous paid leave to spend time with the ill parent.

In 1985, Congress provided the public sec- tor with the flexibility to use compensatory time in lieu of overtime pay. Congress has gone even further in providing flexibility for Federal workers. In 1978, Congress passed the Federal Employees Flexible and Com- pressed Work Schedules Act, which enabled Federal workers to arrange alternative work schedules which meet the needs and their employers’ needs. This was so suc- cessful that Congress reauthorized the pro- gram in 1982 and 1985. President Clinton ac- Knowledged the benefit of flexible scheduling when he directed all executive departments and agencies to expand their use of flexible friendy work arrangements in a memo- randum on July 11, 1994. In issuing the memorandum, Mr. Clinton stated, “broad use of flexible work arrangements to enable Fed- eral employees to better balance their work and family responsibilities, improve em- ployee effectiveness and job satisfaction, while decreasing turnover rates and absenteesism.”

It is time that private sector employees be given greater flexibility similar to what the public sector has enjoyed for some time. This leg- islation would allow employers to offer employ- ees compensatory time off in lieu of overtime pay under an agreement with the employee. If an employer made compensatory time available, employees would be free to choose to have their overtime compensated with cash or with paid time off. As with overtime pay, this paid time off could be used as payment for overtime or as scheduled days off with pay. Employees who prefer to re- ceive overtime pay would be free to choose this. Similarly, employers would have the
The FLSA currently stands in the way of companies who attempt to utilize flexible human resource strategies in order to allow workers to balance the fulfillment of work, family life, and other interests. As the percentage of employees who must balance work and family issues grows rapidly, there is more and more pressure from employees for increased control over their work schedule. Flexibility in the workplace continues to rank high on the list of issues of major concern to most employees. This legislation would allow employers to provide employees with the choice of overtime pay or compensatory time to help ease the burdens of juggling work and personal responsibilities.

**HOLY TRINITY CHURCH**

**HON. PAUL E. KANJORSKI**

**OF PENNSYLVANIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Thursday, September 21, 1995**

Mr. KANJORSKI. Mr. Speaker, I rise today to commemorate the 100th anniversary of my hometown parish, Holy Trinity Church in Nanticoke, PA. This Sunday, September 24, Bishop James C. Timlin will celebrate the Pontifical Celebration Mass of Thanksgiving in honor of the church’s centennial.

According to historical documents, the church was founded when a group of Polish immigrants separated from another local parish to form the Holy Trinity Church. The cornerstone of the original church was laid on May 4, 1885. Rev. Francis Hodur, Holy Trinity’s first pastor, led the church for 2 years. Seven different pastors served the church in the 20 years following Father Hodur. In 1919 Father Roman Wieziolowski began 48 years of service at Holy Trinity Church. Under his leadership, Holistic a brick school with eight classrooms was built in 1923 and 3 years later, construction of the present church was begun. Five years later the church was completed at a cost of $25,000. By then, the parish had 1,000 families and the school was always filled to capacity.

In 1967 Father Walter Poplawski, who had served as an assistant under Father Wieziolowski, was appointed Pastor. Under his guidance repairs and modernization were undertaken to meet the liturgical renewal. Father Poplawski considered Catholic education a priority during his leadership at Holy Trinity and today, the School of America will mark 100 proud years of existence. Since its founding in 1895, the organization has been an integral part of the Cleveland community. The Alliance of Poles of America was founded for the purpose of uniting citizens of Polish descent and, by doing so, maintaining important traditions and ties. It is an organization which has proven to be extremely beneficial to both American Poles and Polish immigrants. Under the leadership of its national president, John Borkowski, the Alliance of Poles has fostered educational and social programs to serve its membership.

Mr. Speaker, the alliance offers low-cost home mortgage loans; its credit union provides auto and personal loans; and the organization provides assistance to its elderly members. The Alliance of Poles also sponsors a Polish school which teaches children the Polish language and culture. In addition, classes are held for adults, and college scholarships are offered to qualified members. On the cultural front, the alliance sustains a Polish library which is unequaled in the Greater Cleveland area, a Polish theater group, and an adult dance group. The organization also publishes a newsletter, the Alliance, in both the Polish and English language. I am proud to note that the Alliance of Poles of America has shown a special concern for those who are less fortunate. The alliance raises funds for blind children in Poland, and contributes to veterans organizations, community groups, churches, and other worthy causes.

Mr. Speaker, to mark its historic centennial celebration, the Alliance of Poles of America will host a centennial banquet, a grand parade, and a special mass. It is expected that a host of elected officials, community leaders, and other distinguished guests will join members of the alliance for these events.

As the Representative of Ohio’s 11th Congressional District, I take special pride in saluting the Alliance of Poles of America. Over the years, I have benefited from a close working relationship with members of this distinguished organization on issues of both national and international significance. I applaud the organization for its leadership, and I extend my best wishes for a memorable centennial celebration.

**TRIBUTE TO LAWRENCE L. MURRAY**

**HON. VERNON J. EHlers**

**OF MICHIGAN**

**IN THE HOUSE OF REPRESENTATIVES**

**Thursday, September 21, 1995**

Mr. EHLERS. Mr. Speaker, it is with great pleasure that I take this opportunity to recognize the achievements and contributions of Larry Murray, who is retiring after 21 years as the founder and director of the Area Agency on Aging of Western Michigan. His work and dedication have been superb over the years. He will be sorely missed by our community and the people he has come in contact with.

A native of Pittsburgh, PA, Larry attended elementary and high school there. He went on to receive a degree from Duquesne University in his hometown. In 1939, Larry began his professional career as a sales trainee for the United States Gypsum Co. After learning the ropes of the industry, he rose quickly through the ranks and eventually became the company’s national sales manager of insulin products.

Three years after he began his first job, Larry enlisted in the U.S. Army to serve his country during World War II. Four years after enlisting Larry was honorably discharged, and he returned to his job with the United States Gypsum Co.

Larry remained involved in the gypsum industry for another 14 years, working as a sales manager for the Grand Rapids Gypsum Co. Midway through his tenure with the company Larry was appointed as vice president of sales and marketing. As vice president, he oversaw all phases of the marketing program including prices, policies, and profits.

In 1970, he retired from the gypsum industry to pursue a personal business venture. From 1970 to 1974, Larry owned and operated a consulting service geared toward the construction industry.

In 1974, Larry was appointed as director of the newly developed Area Agency on Aging of Western Michigan. The agency is responsible for planning, coordinating, and serving as a funding agency for older adult programs in nine-county area. As director of the agency, Larry dedicated himself to providing the best possible services for area seniors.

Larry’s contributions to the care of seniors have been recognized not only by the citizens of west Michigan but also across the Nation. Throughout his 21 years with the Area Agency on Aging, Larry has been recognized by his peers and recognized with awards and leadership roles on various boards. He is one of the founders of the National Association of Area Agencies on Aging and served on the first board of directors for two terms. In 1986, he received the “Distinguished Area Agency Director Award for the United States” from the director of 675 Area Agencies on Aging in the United States. He also served as a representative to the 1981 White House Conference on Aging. This litany of activities demonstrates that he has been very active on State and national levels in promoting aging related issues.

Not only has Larry blessed many people with his commitment to helping, he has also been blessed with a wonderful, caring family. Providing support over the years for this dedicated man have been his wife Mary Lou of 52 years, and his children Dr. Lawrence Murray III, Patrick J. Murray, Mary Anne Timmer, and Jim Murray.

Mr. Speaker, I have only touched the surface of the many contributions Larry has made to our community. I want to personally thank him for all that he has done in making west Michigan a better place for the seniors of our community. It is with great pleasure that I take this time today to honor the many achievements and contributions of this outstanding and dedicated citizen.
THE 100TH ANNIVERSARY OF THE UNIVERSITY OF PITTSBURGH SCHOOL OF DENTAL MEDICINE

HON. WILLIAM J. COYNE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. COYNE. Mr. Speaker, I rise today to congratulate the administration, faculty, and students of the University of Pittsburgh School of Dental Medicine on the 100th anniversary of its opening, and to thank the school for 100 years of dedicated service to the people of the State, the region, and the Nation.

A great many things have changed since 1896, when the school, then known as the Pittsburgh Dental College, first opened its doors. Automobiles were rare and remarkable machines, large parts of our country were not served by electricity, telephones, or running water, and the skies above Pittsburgh were black with smoke at mid-day. Dentistry was not nearly as advanced as it is today. Nevertheless, even then, the school represented a strong commitment to providing proper dental care.

In the intervening years, this commitment has been sustained as the school has expanded and matured. In 1926, the school was cited as an example of teaching excellence in the Carnegie Foundation for the Advancement of Teaching’s groundbreaking Gies Report. The school established a continuing education extension program in 1962, a dental assistant-oral hygiene program in 1963, a dental clinic for children with disabilities in 1965, a cleft-palate-craniofacial treatment center in 1966, and programs for research, treatment, and graduate education programs in implantology in 1983.

In short, the school has been a leader in the training and education of dental professionals, in the conduct of biomedical research, and in the provision of clinical aid to patients. I commend the faculty and staff of the University of Pittsburgh School of Dental Medicine as the school begins its year-long commemoration of its 100th anniversary.

CONGRATULATIONS S.SGT. DEAN L. JONES

HON. JAMES A. BARCIA
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. BARCIA. Mr. Speaker, I rise today to congratulate, in your absence, and to announce to you and our colleagues that Marine Corps Staff Sergeant Dean L. Jones is this year’s winner of the Kenneth A. Innis Award for Aviation Command and Control Marine of the Year. This award, sponsored by Loral Defense Systems—Eagan, is given for the most outstanding contribution to Marine aviation by an enlisted Marine. This award is being presented this weekend, at the annual meeting of the Marine Corps Aviation Association, in Crystal City, VA.

Ssgt Jones is being recognized for multiple accomplishments between May 1994 and April 1995 which, according to his citation, “dramatically increased the mission effectiveness of Marine air command and control and enhanced unit level publications throughout the Marine Corps.”

Dean Jones had been a resident of his congressional district, having graduated from Elkton-Piney-Bay Port High School, before joining the Marines in 1982. Several members of his family, including his mother, Eunice Jones, and aunts and uncles Alice and John Kleinfeld and Theo and Bob Frent, still reside in the area, and are tremendously proud of his recognition.

Mr. Speaker, the strength of our military has always been in the men and women who believe in service to their country, and demonstrate their belief by volunteering their lives to protect the freedoms we all enjoy. Dean Jones represents the finest of these individuals, working to make sure that the tasks for which he is charged are completed as effectively and successfully as possible, knowing that these missions can make a critical difference should we find ourselves in an armed conflict. His years of service, including assignments in electronics maintenance, communications, and his most recent assignment with Marine Aircraft Combat Squadron 38, 3rd Marine Aircraft Wing, have earned him an award of the Kenneth A. Innis Award, and in appreciation of his job well done.

HELPING THOSE THAT LIVE AND WORK IN THE UMATILLA BASIN

HON. WES COOLEY
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. COOLEY. Mr. Speaker, today I am introducing legislation that will go a long way to correct unintended problems that face hard-working irrigators in my district. These irrigators and the communities they support have labored many hours and spend thousands of their own dollars in an attempt to address the changes through the Bureau of Reclamation. Unfortunately, the Bureau has been stubborn and reluctant to resolve the problems that the Bureau has promulgated. In light of this, corrective legislation is warranted—and imperative—for the continued viability of those that live and work in the Umatilla Basin.

This legislation would direct the Secretary of the Interior to change the boundaries of the four irrigation districts in the Umatilla Basin, Oregon (Hermiston, Stanfield, West Extension, and Westland). This boundary change would be made by the Secretary of the Interior to change the boundaries of the Umatilla Basin.

The irrigators were key to development of the act, based on the agreements struck by the multi-faceted interests involved in the act’s development. However, the Bureau has not followed through with its end of the deal and has stonewalled resolution of this predicament for baseless reasons.

My legislation clarifies the issues that are under attack by the Bureau and others that the irrigation districts, urban business community, agri-business community, and community leaders have negotiated, agreed to, and promoted in building support for the act. When the act was approved by Congress in 1988, there were a handful of water issues that had not been resolved. However, agreements were struck by the affected interests, the necessary studies were conducted, and these outstanding issues could have easily been remedied years ago by simply administrative action. Unfortunately, the Bureau has welched on its end of the agreement and the irrigators find their portion of water (guaranteed by law) in peril.

It is time that the Congress hold the Bureau accountable. In order to accomplish the intent of the language of the act, it is necessary to enact corrective legislation that will direct agency action and disallow discretionary abuses by the Bureau, as is currently the case. My bill will resolve some of the more obvious problems, and I look forward to my colleagues’ support in this endeavor.

TRIBUTE TO DOROTHY DAVIS, COMMUNITY LEADER

HON. CARRIE P. MEEK
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mrs. MEEK of Florida. Mr. Speaker, it is my honor to extend best wishes to Dorothy Davis, a truly remarkable public servant who has had a huge impact on Dade County. Her retirement from government service as executive director of the Dade County Community Action Agency will take place on September 29, 1995.

Dorothy graduated from Clark College in Atlanta, GA, in 1962 with a bachelor of arts in social science. She began her career in community service as a social investigator at the New York City Welfare Department.

In 1964, Dorothy joined the Miami office of the Florida Department of Public Welfare. She quickly advanced through the ranks, eventually becoming community organizing officer for Metropolitan Dade County’s Office of the Department of Housing and Urban Development Community Services Division.

In 1975, Dorothy joined the team at metropolitan Dade County’s Community Action
Agency. Here, she began her grass-roots efforts to develop programs desperately needed in the Dade County community.

During her tenure, Dorothy coordinated and implemented programs in 16 low-income areas related to community planning, citizen participation, and the delivery of social services. In 1982, Dorothy returned to school and earned a masters degree in Social Work from Barry University in Miami, FL.

In 1986, her hard work and dedication earned her the position of executive director of the Dade County Community Action Agency. Our community would not be what it is today without her hard work, personal integrity, and leadership.

Mr. Speaker, this remarkable woman has dedicated many years of her life to our community. I join with all our citizens in extending to her our thanks and congratulations for a job well done. I know that my colleagues join me in honoring Dorothy Davis on this special day and wishing her continued success in whatever she decides to do in the future.

TRIBUTE TO RALPH LEACH

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Mount Clemens businessman and civic leader, Ralph Leach. After many years in business, Ralph has sold his popular office supply and craft store, Art-O-Craft, and is retiring. He is being honored this evening during the city’s annual ArtParty.

Ralph Leach is known in Mount Clemens, MI, as a man of faith—faith in God, hard work, family and community service. At one time, Ralph operated three successful Art-O-Craft stores. However, many years ago, Ralph decided that family life and community service were the key to success, not being the wealthiest man in town.

Ralph Leach has worked hard to revitalize the community of Mount Clemens. As a retailer, business leader, and community activist, Ralph has worked with other members of the Mount Clemens Business Association to rejuvenate the city. He has helped foster a sense of cooperation between local businesses that has helped give the city a new look and attitude. Mount Clemens has again become a city where people are proud to work, shop, and live.

Ralph’s commitment to service and hard work are not limited to his entrepreneurial endeavors. The Mount Clemens Salvation Army and the YMCA represent only a few of the many organizations to which he has committed his time and talents. In fact, Ralph’s life will probably be as busy in retirement as it was when he operated Art-O-Craft. Ralph plans to become more active in his role as a minister. Currently, he serves as chaplain at St. Joseph’s Hospital where he ministers to the spiritual needs of patients and their families. He also is chairman of the deacon board at community Baptist Church in St. Clair Shores, MI. Sunday school classes for young-timers, senior citizens, and women’s groups have all benefited from the faith and insight Ralph is able to provide. Ralph even ministers to the needs of prisoners. The Macomb County sheriff asked him to join the jail ministries board where he has served for 7 years.

Taking an active role in one’s community is a responsibility we all share, but few fulfill. Ralph Leach has dedicated much of his life to this endeavor. I deeply admire his strong values and outstanding example of civic involvement. His hard-won efforts are appreciated by all of us. I thank Ralph Leach for his efforts and commend him for his good work.

I have known Ralph for many years and he richly deserves all the best in retirement. I ask that my colleagues join me in offering heartfelt congratulations to Ralph Leach on the event of his retirement.

TRIBUTE TO SARAH FABRY SMEJA, RON NOWACZYK, AND JOHN AND LORRAINE HEDRICH

HON. DAVE CAMP
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. CAMP. Mr. Speaker, I rise today to honor four Michigan residents as they are recognized for their contribution to polka and the State of Michigan. Sarah Fabry SMEJA, Ron Nowaczkyk, and John and Lorraine Hedrich, today be inducted into the State of Michigan Polka Music Hall of Fame Sunday, October 1, 1995.

America was built by the hard work and commitment of settlers who brought with them a rich and varied heritage. Polka flourish in Michigan largely due to the devotion of those who brought with them their families’ traditions and customs, as well as their love of polka. Sarah, Ron, John, and Lorraine were just a few of those special individuals who were proud to keep an honored tradition alive.

Sarah Fabry SMEJA, of Swartz Creek, MI especially enjoys Czechoslovakian melodies first introduced to her by her father at a very early age. Throughout her career she has played the piano, trumpet and baritone, as well as conducted a choir called the Friendship Club.

Ron Nowaczkyk, of Saginaw, MI has played the drums for over 40 years. Ron has had the opportunity to play with several bands, and will record two albums with the John Lipinski orchestra. He was awarded the European American Music Award from radio station WOAP in 1994, and currently volunteers, and serves as a radio personality on WNAX in Frankenmuth, MI.

John Hedrich, from Chesaning, MI has been playing the drums since the age of 5. His wife, Lorraine, has been playing the accordion since she was 11 years old. In 1973 they began playing together in a two-piece band still known today as The J & L Blue-tones. Currently, John and Lorraine are members of the Saginaw Musical Association Local 57.

Mr. Speaker, thanks to the efforts of Sarah, Ron, John, and Lorraine, we are all able to proud to keep an honored tradition alive. The J & L Blue-tones. Cur-
GOOD TRANSPORTATION CHOICES

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. FILNER. Mr. Speaker, Americans need good transportation choices. We in Congress need to help empower people to make transportation choices that work for commuters, for businesses, for senior citizens, and young people alike. Toward that end, I want my colleagues to see an article that appeared in the New York Times business section, Sunday, August 20, reflecting the broad base of support for transportation policies we passed in the recent ISTEA. This article was written by Gerald Bartels, the president of the Atlanta Chamber of Commerce, and Jeff Blum, transportation policy director of the consumer group Citizen Action Group.

MORE HIGHWAYS ALONE WON'T EASE TRAFFIC
(By Gerald L. Bartels and Jeff Blum)

Across America, we are building more highways to relieve traffic congestion in metropolitan areas, but it doesn't work. Our roads and highways are simply too crowded—and building more means intolerable costs and environmental problems, while the congestion reappears in a few short years. As we enter the 21st century, public transportation is the only cost-effective way that growing communities can ensure mobility for their citizens.

The most cost-effective transportation budget is, therefore, one that balances investments in roads, trains, and buses. Four years ago, Congress and President George Bush signed into law the Intermodal Surface Transportation Efficiency Act in an attempt to reduce traffic congestion and air pollution by investing in both public transportation and highway construction.

But the budget versions adopted now by the U.S. House of Representatives and Senate have unwisely abandoned that balanced approach.

For Fiscal Year 1996, Congress has proposed to slash funds for public transportation and Amtrak while substantially increasing highway subsidies. 89% of the proposed House cuts in transportation assistance would come out of public transit and Amtrak, though they constitute 10% of the Federal transportation budget.

Meanwhile, highway subsidies—a full 25% of the transportation budget—would rise by more than $2 billion. The Senate bill, while reducing highway funding by 3.7%, cuts mass transit funding by three times as much.

In the Atlanta area, events at the Georgia Dome and Atlanta-Fulton County Stadium, as well as next year's Olympics, depend on the transit system, MARTA. And the growth in the Perimeter Center commercial district on the edge of town will thrive only with the expansion of public transit, as well as carpool lanes and walkways.

America needs efficient buses, subways and intercity trains to keep traffic moving quickly, to keep our air clean and to get people to their jobs. Americans need efficient transit to encourage compact community development that preserves open space and uses infrastructure so that metropolitan areas can sustain growth for generations to come.

America needs convenient, affordable transit to allow people leaving welfare to get to jobs. America also needs a healthy balance between local needs and federal resources. Congress should, therefore, promote a balanced transportation policy that:

- Offers equal Federal matching dollars for public transportation and highways alike: Why skew our building project toward more highways, if what communities really need is more public transit? Local elected officials should set the priorities and make the allocations of transportation dollars.
- Continue to assist intercity transit systems through the transit operating assistance program: Many communities, especially smaller ones, depend on federal aid to keep buses and subways running. The Mobile, Ala., bus system has shut down in anticipation of unbridgeable cuts in Federal assistance. And as many as 60 other systems may follow suit.
- Maintains the strong Federal interest in transit capital and technological-innovation programs: With little room to expand our public transit systems, the Federal government must expand public transit. Federal help should be available to regions that cannot afford such a major investment—just as Congress's 1% of Federal capital helped build our world-renowned highway system.

At the same time, the Government must continue to support the development of innovation like high-speed intercity rail; low-weight, low-pollution buses; up-to-the-minute schedule information accessible from peoples' homes, and technology that allows buses to pass through traffic signals ahead of cars.

Preserves a strong national passenger rail: In many congested regions, intercity rail is by far the most cost-effective way to travel. Amtrak passenger miles rose 48% between 1982 and 1993. Ridership rose 87% on Northeast Corridor Metroliners, 49% between San Diego and Los Angeles, and 10% between St. Louis and Chicago.

Yes, Congress and the President must be hardheaded with respect to spending our dollars. But when we reduce the budget, let's give public transportation a fighting chance.

Sikh Militants Assassinate Chief Minister in Punjab

HON. SHERROD BROWN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. BROWN of Ohio. Mr. Speaker, I wish to call to the attention of our colleagues the latest tragic event of the series of attacks that have plagued the Punjab region of India for more than a decade. On August 31, 1995, Chief Minister Beant Singh, a leading advocate of peace in the Punjab region, was viciously assassinated by Sikh terrorists.

Mr. Speaker, the time has come for every Member of this House to condemn these violent acts perpetrated by Sikh militant factions. Unfortunately, some of our colleagues have chosen to deny the existence of this threat, instead of offering solutions to the political and social unrest in the region. The latest act of violence will serve only to strengthen the resolve of those who seek a peaceful resolution to the conflict.

Responsible Members of this House must condemn each and every terrorist act perpetrated by these militants. We must also challenge our colleagues who support the Council of Khalistan because it benefits their own domestic political needs to realize that their support for the council is furthering a terrorist agenda in India.

While fighting terrorist, Chief Minister Singh also worked simultaneously to bring the people of Punjab back into the mainstream political democracy upon which the nation of India prides itself. Mr. Singh was duly elected by the people of Punjab in 1992 and he dedicated his life to maintaining democracy.

Mr. Speaker, as the relationship between our country, the world's oldest democracy, and India, the world's democracy, continues to flourish and expand, let us support unequivocally the advocates of peace in Punjab. And, without fear or hesitation, I would hope that every Member, regardless of political persuasion or ideology, would join me in condemning those elements who use violence to achieve their ends.

HONORING COCOPAH TRIBE CHAIRMAN PETER SOTO

HON. ED PASTOR
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995

Mr. PASTOR. Mr. Speaker, it is with great remorse that I inform my colleagues on the passing of a friend and a great leader of our nation, the American Indian. Peter Soto, chairman of the Cocopah Nation, Pete, as a young man, received his education in Yuma, AZ. A firm believer that education was the key to success, Pete devoted himself to pursuing a degree, which he attained at Harvard University. After graduating, Pete returned to the Cocopah Nation and served as tribal vice chairman. During his tenure as the vice chairman, Pete worked with the Indian Education Program and the Yuma High School district.

Completing his term as vice chairman, Pete assumed a position with the Bureau of Indian Affairs Education Department. In that capacity, Pete was instrumental in developing and directing educational programs for the Bureau of Indian Affairs. Pete was a strong advocate of education and was dedicated to improving the educational opportunities for our native American youth. Through his endeavors many of our young native Americans have received, and continue to receive, an education.

In 1990, Pete returned to his nation to serve as the Cocopah Tribal Business Facilitator. Pete strove to enhance and implement economic development for the Cocopah Nation. During this time he also served his community as vice chairman of the board of commissioners for the housing authority.

On July 8, 1994, Pete was elected as chair of the Cocopah Nation. Under his leadership, the nation began an extensive program to make education available to all members of his nation. Pete continued his strong advocacy of tribal economic development, and strove to develop business enterprises and to attract business investment to his nation. I would also like to recognize Pete for his dedicated service in defense of our Nation.
Pete served with the U.S. Army and was honorably discharged.
I share with my friends of the Cocopah Nation a deep personal loss. The Cocopah Tribe has not only lost a great leader, but I have lost a dear friend. I request that my fellow colleagues join me in honoring and remembering this great man: Chairman Peter Soto of the Cocopah Nation.

STATEMENT REGARDING THE JOB CORPS
HON. PAT WILLIAMS
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995
Mr. WILLIAMS. Mr. Speaker, I wanted to take this opportunity to clarify the legislative intent of H.R. 1617 regarding the Job Corps Program.

The committee did not include Job Corps as part of the block grant consolidation proposed in H.R. 1617. After numerous hearings, site visits, and debate, the committee determined that Job Corps is one of the few Federal programs that is most cost-effectively administered at the national level. The committee strongly believes that Job Corps should remain a distinct, national program for the following reasons:

Job Corps is effective. Historically, the young people served by Job Corps are America’s poorest and most at-risk. Their needs have not been met by their schools, families, communities, or State governments. Job Corps, through its comprehensive residential education and training components, is extremely effective in dealing with this difficult population. In fact, in program year 1994—July 1994—June 1995—73 percent of all participants were placed into jobs or advanced to higher education.

Job Corps provides universal access. By virtue of being a national program, Job Corps allows equal, universal access to all young people eligible for the program, regardless of their residence. There are no constraints of State boundaries. In fact, a substantial amount—roughly 35 percent of all Job Corps students attend centers not located in their State.

Low administrative costs. As currently operated, Job Corps has minimal bureaucratic overhead. There are 179 Federal staffs that oversee services to almost 65,000 youth annually at 110 centers nationwide. It would oversee services to almost 65,000 youth annually at 110 centers nationwide. It would cost, Job Corps must be accountable to

bureaucracies to administer approximately 2 Job Corps centers per State.

Job Corps is accountable. Given its size and cost, Job Corps must be accountable to Congress. Today, Job Corps has the most extensive performance standards of any job training program. Job Corps measures student advancement in academics, vocational completion, and job placement rate as well as the starting salary once they leave the Job Corps. This is done for every one of Job Corps’ 65,000 students each year. In addition, Job Corps has now instituted student surveys to assess student perceptions of the program and campus safety.

Local input with a national focus. Job Corps is unique from other Federal training programs in its uniformity across the Nation. This has allowed the program to develop a cost-effective and efficient system to serve both the local and national needs of Job Corps students. Each Job Corps campus is required by law and regulation to develop community linkages, local support groups, and participation. Students are referred to and from other State programs and services.

Mr. Speaker, while the goal of H.R. 1617 is to consolidate the vast array of Job training and education programs into a more cohesive structure that makes sense to participants, to service providers, to the Congress, and most importantly to the American taxpayer, we did not want to eliminate programs that operate effectively. Job Corps is one program the committee felt was best kept at the national level. As the old adage goes “if it ain’t broke, don’t fix it.”

HONORING THE EPIPHANY BYZANTINE CATHOLIC CHURCH
HON. THOMAS M. DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995
Mr. DAVIS. Mr. Speaker, I rise today to honor the Epiphany Byzantine Catholic Church of Annandale, VA, which is celebrating its 25th anniversary September 24, 1995.

The parish was founded in 1970 by a few Slavic people with a vision and love for their Byzantine Rite. Many of the founders were first generation Americans who wanted a place to worship in the traditions of their Slavic ancestors. Since that time the parish has grown and become an integral part of the community and serves over 300 families of diverse ethnic and cultural backgrounds who live in the Washington metropolitan area.

In 1973, the construction of Epiphany Byzantine Catholic Church was completed and on April 29 was dedicated. Father John Danilak, who served as pastor at that time wrote the following to parishioners: “The erection of this beautiful edifice shall ever by a living testimonial of the generations of the unborn, and it will be a memorial to of your ardent faith and an inspiration for your children to manifest the God-given faith and the glorious heritage that you will entrust to them. May the doors of the Epiphany Church be always open to all who seek the soothing balm of Christ’s healing graces and that there be charity and love for the helpless, and that Epiphany serve as a reservoir of moral strength for the weak, a sanctuary for the oppressed and comfort and consolation for the aged and forgotten.”

Since those words were written in 1973, Epiphany Byzantine Catholic Church has thrived to fulfill its mission. The parish has grown and people of different cultures and backgrounds attend and participate in the religious services. Yet, the goals set in 1973 remain unchanged. Epiphany Byzantine Catholic Church continues to nurture its family in the gospel of Jesus Christ through the unique genius of the Byzantine Rite.

In 1987, the multipurpose parish center was dedicated and serves as a place for parishioners and the community to meet for educational and social events. The parish not only continues traditions of the Slavic people but also the ethnic and cultural traditions of their parents and grandparents. Epiphany Parish is truly committed to the Byzantine Catholic Rite and welcomes all who desire to worship with them.

Mr. Speaker, I know my colleagues join me in honoring the Epiphany Byzantine Catholic Church on the occasion of its 25th anniversary.

TRIBUTE TO DR. ABRAHAM M. PHILLIPS
HON. RICHARD A. GEPHARDT
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995
Mr. GEPHARDT. Mr. Speaker, I rise before my colleagues today to pay tribute to Dr. Abraham M. Phillips, a pediatric specialist in juvenile diabetes in the St. Louis community. Dr. Phillips is a colonel in the U.S. Army Reserve and a commander of the 21st General Hospital in St. Louis.

Dr. Phillips’ career is a remarkable story of dedication and service to his community and his country. After being commissioned to service in 1971, he moved quickly through military ranks and was appointed colonel in 1987. He has held various non-active duty hospital assignments in the St. Louis area and was assigned to active duty in Kuwait and Saudi Arabia during the Persian Gulf war. After more than 24 years of service in the military, Dr. Phillips has been decorated with more than 18 medals and awards in recognition of his outstanding military service.

In his role as a civilian physician, Dr. Phillips’ service and scope of work to the medical community are equally impressive. He serves as the medical advisor to a local high school football team, is the consulting physician to a diabetic camp for children in Missouri, and recently concluded work for the Nursery and Newborn Clinic Service at Deaconess Hospital in St. Louis. In addition, Dr. Phillips serves on the Pediatric Quality Assurance Committee at John’s Mercy Hospital and on the Pre-Natal and Pediatric Care Committee at Deaconess Hospital, both of which are located in St. Louis.

Dr. Phillips’ work illustrates the importance of military reservists in our country, and their invaluable contributions to our society. He has unfailingly given his time and talents to our community. His devotion to our community and to our country should be an inspiration to us all.

THE SURFACE MINING CONTROL AND RECLAMATION AMENDMENTS ACT OF 1995
HON. BARBARA CUBIN
OF WYOMING
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995
Mrs. CUBIN. Mr. Speaker, today I am pleased to introduce the Surface Mining Control and Reclamation Amendments Act of 1995. I am joined in this effort by Mr. CREEMANs and several other colleagues all of whom share my interest in reinforcing the
original intent of the 1977 statute: To place with the primary States the exclusive jurisdiction to regulate surface coal mining operations within their borders. The bill will clarify the respective roles of the Federal and State governments, avoid costly and inefficient duplication in inspection and enforcement and establish clearer lines as to the activities subject to the law.

When the Surface Mining Control and Reclamation Act [SMCRA] was enacted in 1977, it was hailed as a model of cooperative federalism. It established a set of pervasive environmental and reclamation performance standards for all surface and underground mines in the United States. It also included provisions to allow each coal producing State which was able to demonstrate that it had adequate laws and organizations in place to assume primary responsibility for regulating coal mining operations with its State. Since that time, 23 of the 26 coal producing States have assumed the role as the SMCRA regulatory authority.

Unfortunately, The Office of Surface Mining [OSM] has proven reluctant to live up to this statutory purpose and has undertaken a broader role of overseeing and regulating State programs. This has resulted in regulatory uncertainty and confusion, and bred disrespect for the States and the law itself.

As one Federal court observed, OSM’s practice has upset SMCRA’s fragile balance “between the federal and state roles with its trampling of the state’s right to enforce its laws.” Fincastle Mining Inc. v. Babbitt, 842 F.Supp. 204, 209 (W.D. Va. 1993).

A poignant example of this problem occurred in 1993 when OSM challenged one of Wyoming’s existing permit conditions at the Black Thunder mine as it related to its backfilling and grading plan. OSM wanted to issue an order requiring Black Thunder to mine and reclaim in a manner that practically speaking could not be achieved and which was actually based on an outdated rule.

After the mine submitted a modified mining and reclamation plan to the State agency, the State requested that it delay its backfilling and grading until it had an opportunity to review the plan revisions. In the meantime, OSM issued a 10-day notice to the Wyoming Department of Environmental Quality in an effort to pressure the State into bringing enforcement action against the mine. The State rigorously opposed OSM’s efforts. Yet only after extensive time and resources were expended on the issue did OSM finally agree that the issue was programmatic rather than regulatory and dropped its threat.

The amendments act will clarify that OSM does not have the authority to issue notice of violations in primary States unless and until it has followed the procedures set forth in the 1977 law to substitute Federal enforcement for the State program. The act’s legislative history confirms the original intent that notice-of-violation authority belonged only to the regulatory authority and that regulatory authority is at any particular time—OSM or the States. My legislation will further restore meaning to the concept of State primary by codifying the well-established principle that the approved State program is the law applicable in that State. Permits issued pursuant to those State programs would be the benchmark for compliance until modified in accordance with the permit revisions procedures of the State program.

This legislation is also intended to avoid regulatory duplication among various programs, require greater efficiency in enforcement actions and streamline the administrative appeal process for agency actions.

Since the passage of SMCRA, the number of producing mines has declined by more than 50 percent and States have assumed the primary role for implementing SMCRA for 97 percent of the Nation’s mines and production. However, the agency overseeing the States, OSM, has not changed significantly in terms of its size or duplicative role. The agency still has substantially more personnel than it had 12 years ago when the States assumed primacy.

As a result, the agency has sought to expand its reach to other activities such as regulating public roads, attempting to assume the role of separate agencies vested with authority to administer the Clean Water Act and raising state matters as possible violations of SMCRA. My amendments to the act will clarify that:

- public roads are not subject to regulation; the authority to administer the Clean Water Act at coal mines belongs to the regulatory authority under the Clean Water Act and not SMCRA; and, place a 3-year time limitation upon commencing actions for alleged violations. Finally, the legislation would remove an extra and inefficient layer of administrative review of agency decisions before they are subject to appeal in court.

The extra layer of administrative appeals is a creature of OSM’s regulations and not mandated by the existing statute.

In summation, the Surface Mining Control and Reclamation Act of 1977 would reinforce the federalist scheme of the original law and restore true meaning to the concept of State primacy.

THE KEY TO OBS

HON. TOBY ROTH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 21, 1995
Mr. ROTH. Mr. Speaker, I had a meeting this morning with the congressional travel and tourism caucus.

I’m pretty sure that the travel and tourism is hard at work in every district in the Nation: from restaurants to retailers, hotels to campgrounds, airlines to rental cars.

With 13 million employees nationwide and an economic impact of $416 billion, each and every one of you here needs to stand up and take notice.

Now, I know we’re all very busy, but listen to these facts: Tourism is No. 1 in service exports; tourism generates exports equal to 4 million cars, 11.5 million pairs of blue jeans or 5.5-billion bushels of wheat.

Tourism generates $54 billion in Federal, State and local taxes.

If this had to be replaced, the average American household would have to pay an additional $852 in income tax every year.

But note well for three straight years, U.S. market share of international travelers has deteriorated. And it’s going to fall again this year.

Clearly, we must take action. I offer you two solutions:

First, On October 30 to 31, join the 1,700 travel industry professionals for the first ever White House Conference.

Second, Join the tourism caucus—support your district. We already have more than 273 members.

The co-sponsor H.R. 1083—The Travel and Tourism Relief Act. It’s economically vital to your district and it’s vital to America.
the United States rejected opportunities to utilize most effectively a newly established international architecture for conflict resolution and economic development. An enormous financial and human price ensued during the five-decade cold war, with its nuclear and conventional arms races, numerous surrogate wars and potential for cataclysmic confrontation. Now, in a post-cold war era, Congressional leaders and the Clinton Administration are pursuing similar opportunities to avert future arms races and restrain potential conflicts.

By maintaining the current extraordinary levels of military spending in order to support a "go it alone" armed force capable of continuing worldwide intervention, U.S. policy-makers are once again seeking long-term security in short-term military superiority rather than in enduring international stability. Such a course significantly rekindles the threatening environment that existed during that now-fading era. And because other nations will undertake military modernization in part due to their reaction to any U.S. drive for improved capacity, long-range U.S. security interests will be better served by restraint in our own programs.

The Clinton Administration's military plan—known as the "bottom-up review"—maintains too much of the cold war force structure and fails to respond optimally to emerging security challenges. I reject the B.U.R.'s conclusion that the United States should maintain military forces sufficient to fight two major regional wars simultaneously without allied assistance, and with the type and size of military forces with which the allies fought Desert Storm. This implausible "worst case" assessment has provided the principal rationale for the still-in-military reductions that started after the fall of the Berlin Wall. The B.U.R. mandates the perpetuation of old habits—such as routine deployments of aircraft carriers in three oceans—that then rationalizes excessive peacetime acquisition programs and needlessly consume billions of dollars.

If the Administration is too cautious, members of the Republican Congressional majority will pursue a powerfully destabilizing and dangerous set of policies. They will rekindle a nuclear arms race by reconstituting Star Wars, abrogating the A.B.M. treaty and abandoning the START II agreement that is designed to secure substantial reductions in U.S. and Russian nuclear weapons arsenals. They are on a wild buying spree of major weapons systems. They needlessly pursue confrontational relationships with former adversaries and reject foreign policy initiatives that could lead to regional stability. They reject peacekeeping and engagement with the United Nations. Both the Administration and Republican policies unjustifiably divert scarce national resources from urgent domestic requirements, enhancing the potential for social instability and civil strife.

What alternative view—critical and constructive—do progressives in the Congress offer? An alternative must begin with the three elements of a truly progressive national security policy: a right-sized military, an engaged foreign policy and a determined effort to rebuild our nation's communities.

A right-sized military: The nation could further reduce our aircraft carrier groups from twelve to as low as eight, and still accommodate the war-fighting requirements of the bottom-up review. Despite 30 percent reductions in land forces, there are still 50,000 soldiers that the Army does not plan to employ under the scenarios emerging from the B.U.R. More of our air forces can be demobilized or placed into reserve status.

Those of us who reject the B.U.R. see that even greater reductions and smart reorganization can occur. We seek a force structure sufficient for defense of U.S. interests through participation in allied or multinational efforts to halt aggression, underwrite peacekeeping operations and meet humanitarian operations requirements. Such a realignment would present a very different picture of U.S. intentions to the world from what emerges either from the Administration or Republican plans.

One need not now declare a "steady state" number of divisions, aircraft or naval forces to know that we can safely make these substantial additional reductions without harm to national security, and that we will be able to make follow-on reductions in the future as other nations respond to our initiatives. My proposal to the House Budget Committee placed us back on the path of additional force reductions and canceled cold war-based weapons programs, resulting in $82.5 billion in savings in just five years.

Under my plan, the United States would also commit to prompt, significant reductions in our nuclear weapons arsenal in compliance with the Non-Proliferation Treaty (N.P.T.), coupled with a continuing commitment to the prompt elimination of other weapons of mass destruction. This would lead to a minimum sufficient deterrent force of only several hundred weapons, significantly below START II limits of 3,500 strategic warheads, and we would work to secure a Russian commitment to a similar reduction. (The Senate Armed Services Committee bill contains an absurd requirement to retain the nuclear arsenal at much higher START levels.) Such a reduction would ease the current pressure to find a production source for tritium, and would place us more squarely on a path to eventual nuclear disarmament as is called for in the N.P.T., and which is stated U.S. policy.

What we should seek to acquire for the military are the logistics capabilities, intelligence assets and personnel training that will allow U.S. forces to participate effectively and to lead, where appropriate, in peace operations and coalition efforts to stanch genocide or to meet humanitarian crises. Such a program would less likely be perceived as hostile by other nations, and would not as readily trigger reactive military builds or arms acquisition programs.

Preventive engagement: Active U.S. engagement with the U.N. and regional organizations to solve conflicts will help to avert serious crises before they arise, and will increase international confidence in U.S. intentions. Funding a fairer share of international development and peacekeeping efforts can help to defuse—or constrain when necessary—ethnic, religious, sectarian, racial or transnational conflict. Vigorous pursuit of further arms control agreements governing weapons of mass destruction and conventional armaments will effectively complement these commitments.

Social investment: The third element of a progressive national security policy is investment in education infrastructure, and the strengthening of other institutions essential to enhancing community and individual well-being.

Throughout the 1980s domestic programs were ravaged by a costly arms buildup. President Reagan transferred $50 billion from domestic security programs in his first budget, and continued such transfers throughout his tenure. Our communities have never recovered.

Republican Congress budget planners are now shifting additional tens of billions from domestic accounts to the military, and slashing billions more for deficit reduction.

The nation is at a critical crossroads; the income gap between rich and poor is growing. Many of our children do not enjoy access to, much less training in, the technology that will drive the economy of the future. Our infrastructure—civic and industrial—is in desperate need of serious investment. Our citizens see their quality of life eroding, yet the answers from Washington are more tax breaks for the rich, environmental degradation and global economic strategies that benefit those with capital at the expense of those who must work for their livelihood.

These distorted priorities are a recipe for disaster. During the Vietnam War, Dr. King observed that the bombs being dropped in Vietnam were exploding in the ghettos and barrios of America—the diversion of resources to fight an unjust war was killing our children and their future. His metaphor for that time is just as grimly appropriate for assessing the domestic impact of today's excessive and unwarranted military spending.
Thursday, September 21, 1995

Daily Digest

HIGHLIGHTS
Senate passed Foreign Operations Appropriations, 1996.
House passed Cuban liberty and solidarity bill.

Senate

Chamber Action
Routine Proceedings, pages S13993–S14106

Measures Introduced: One bill was introduced, as follows: S. 1265.

Measures Passed:
Foreign Operations Appropriations, 1996: By 91 yea

nays (Vote No. 458), Senate passed H.R. 1868, making appropriat
ons for foreign operations, export financing, and related programs for the fiscal
year ending September 30, 1996, after agreeing to
committee amendments, and after taking action on
amendments proposed thereto, as follows:

Adopted:

(1) By 55 yea
to 45 nays (Vote No. 454), Brown
Amendment No. 2708 (to committee amendment
beginning on page 15, line 17 through page 16, line
24), to clarify restrictions on assistance to Pakistan.

(2) Cohen Amendment No. 2724, to provide for
a report to Congress on Russian military operations.

(3) Dole Amendment No. 2726, to provide for
a limitation on assistance to countries that restrict the
transport or delivery of United States humanitarian
assistance.

(4) Helms Amendment No. 2727 (to committee
amendment on page 2, line 25), to prohibit the use
of funds for relocating the Agency for International
Development to the Federal Triangle Building,
Washington, D.C.

(5) Helms Amendment No. 2729 (to committee
amendment on page 113, lines 25–26, page 119,
line 15, and page 120, lines 3, 4, 15, 19, 20), to
amend the Middle East Peace Facilitation Act.

(6) McConnell (for Cochran) Amendment No.
2734, providing funds for the World Food Program.

(7) McConnell (for Shelby) Amendment No. 2735,
providing funds for the International Fertilizer Devel
opment Center.

(8) McConnell (for Inouye) Amendment No.
2736, to make funds available for the support of the
United States Telecommunications Training Institu
This content is extracted from a document. For full context, please refer to the original document.
18) McConnell (for Pell) Amendment No. 2746, to ensure that the current proportion of economic assistance continues to be channeled through private and voluntary organizations and cooperatives.

Pages S14060–61, S14074

19) McConnell (for Pell/Leahy) Amendment No. 2747, to provide that certain funds for Turkey be made available only through non-governmental organizations to be used only for projects in the ten southeastern provinces currently under a state of emergency, and shall be used only for projects designed to promote economic development, cultural and ethnic tolerance, and human rights activities, and to support the development and activities of non-governmental organizations.

Pages S14061–64, S14074

20) McConnell (for Leahy) Amendment No. 2748, to provide that the President should seek the agreement of the Prime Minister of Turkey to permit access throughout Turkey for international humanitarian organizations which operate confidentially, and report to the committee on Appropriations by June 1, 1996, on progress towards such agreement.

Pages S14061–64, S14074

21) McConnell (for Brown) Amendment No. 2749, to amend the NATO Participation Act of 1994 to expedite the transition to full membership in and cooperation with the North Atlantic Treaty Organization of European countries emerging from Communist domination.

Pages S14061–64, S14074

22) McConnell (for Byrd) Amendment No. 2750, to provide a substitute for the provision relating to the Korean Peninsula Energy Development Organization.

Pages S14064–65, S14074

23) McConnell Amendment No. 2751, to provide that funds for Armenia shall be in addition to funds justified for programs in the fiscal year 1996 congressional presentation documents.

Pages S14065–69, S14074

24) McConnell (for Pressler) Amendment No. 2752, to express the sense of the Congress regarding the recent elections in Hong Kong.

Pages S14065–69, S14074

25) McConnell Amendment No. 2753, to impose sanctions against Burma, and countries assisting Burma, unless Burma observes basic human rights and permits political freedoms.

Pages S14065–69, S14074

26) McConnell (for Cohen) Amendment No. 2754, to express the sense of the Senate on Thailand.

Pages S14069–70, S14074

27) McConnell Amendment No. 2755, to provide for an extension of the tied aid credit program and authority to conduct a demonstration project.

Pages S14070–72, S14074

28) McConnell (for Leahy) Amendment No. 2756, to make available certain funds to UNIFEM.

Pages S14070–72, S14074

29) McConnell (for Leahy) Amendment No. 2757, to provide for a conventional weapons review.

Pages S14070–72, S14074

30) McConnell (for Leahy) Amendment No. 2758, to extend the authority to administer au pair programs through fiscal year 1999.

Pages S14070–72, S14074

31) McConnell Amendment No. 2759, to provide that certain funds may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

Pages S14070–72, S14074

32) McConnell (for Dole) Amendment No. 2760, to limit the availability of funds for the Government of Haiti until certain human rights conditions are met.

Pages S14070–72, S14074

33) McConnell (for Dole) Amendment No. 2761, to increase the total value of defense articles and defense services which may be transferred to the Government of Bosnia and Herzegovina under the legislation.

Pages S14072–74

34) McConnell (for Dole) Amendment No. 2762, to establish the Croatian-American Enterprise Fund and make available funds to support the Fund.

Pages S14072–74

35) McConnell (for Dole) Amendment No. 2763, to earmark funds for humanitarian assistance to the former Yugoslavia.

Pages S14072–74

36) McConnell (for Dole) Amendment No. 2764, to impose sanctions against countries harboring war criminals.

Pages S14072–74

37) McConnell (for Dole/Biden) Amendment No. 2765, to limit the use of funds for Bosnia and Herzegovina (other than for refugee or disaster assistance) to activities in the territory of the Bosnian-Croat Federation.

Pages S14073–74

38) McConnell (for Cohen) Amendment No. 2766, expressing the sense of the Senate regarding Russian compliance with the Treaty of the Conventional Armed Forces in Europe and priorities for modifying existing arms control treaties.

Pages S14073–74

39) McConnell (for Kassebaum) Amendment No. 2767, to require the submission to Congress of a plan making recommendations for a strategic reorganization of the United Nations.

Pages S14074

Rejected:

1) Harkin Amendment No. 2725, to express the sense of the Senate on the conference on S. 4, the Line Item Veto Act. (By 76 yeas to 24 nays (Vote No. 455), Senate tabled the amendment.)

Pages S14015–19

2) By 43 yeas to 57 nays (Vote No. 456), Helms Amendment No. 2730 (to committee amendment on pages 44–45), to restrict the availability of funds for the United Nations Population Fund.

Pages S14036–45, S14049

Withdrawn:

1) Kerry Amendment No. 2732 (to committee amendment on page 23, line 10 through page 28,
line 5), to strike provisions which provide funds to establish FBI Legal Attache offices and related programs in certain foreign countries and for international law enforcement training and cooperation in Central Europe and the New Independent States.

Segments S14045–49

(2) Kerry Amendment No. 2733 (to committee amendment on page 29, lines 17–24), to strike provisions which provide funds to establish and maintain an FBI Legal Attache office in Cairo, Egypt.

Segments S14045–49

(3) Bingaman Amendment No. 2728, to allow residents of the United States to send to their immediate family members in Cuba small amounts of money to pay for basic necessities such as food, clothing, and medical care.

Segments S14034–36

(4) Bingaman Amendment No. 2731 (to Amendment No. 2728), to allow residents of the United States to send to their immediate family members in Cuba small amounts of money to pay for basic necessities such as food, clothing, and medical care.

Segments S14034–36

(5) Murkowski Amendment No. 2712, to set forth requirements for implementation of the Agreed Framework Between the United States and North Korea Act relating to the Korean Peninsula Energy Development Organization.

Segments S14037–38

(6) Helms (for Dole/Helms) Amendment No. 2707 (to committee amendment on page 2, line 25), to provide for the streamlining and consolidation of the foreign affairs agencies of the United States. (By 43 yeas to 57 nays (Vote No. 457), Senate earlier failed to table the amendment.)

Segments S14019–26, S14050

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators McCon nell, Specter, Mack, Gramm, Jeffords, Gregg, Shelby, Hatfield, Leahy, Inouye, Lautenberg, Harkin, Mikulski, Murray, and Byrd.

Segments S14081

Mercury-Containing Battery Management Act: Senate passed S. 619, to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, after agreeing to committee amendments.

Segments S14100–03

Military Construction Appropriations, 1996 Conference Report—Agreement: A unanimous-consent agreement was reached providing for the consideration of the conference report on H.R. 1817, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, on Friday, September 22, 1995, with a vote to occur thereon.

Segments S14100

Legislative Branch Appropriations, 1996 Conference Report—Agreement: A unanimous-consent agreement was reached providing for the consideration of the conference report on H.R. 1854, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, on Friday, September 22, 1996, with a vote to occur thereon.

Segments S14100

District of Columbia Appropriations, 1996—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 1244, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, on Friday, September 22, 1996.

Segments S14100

Messages From the President: Senate received the following messages from the President of the United States:


Segments S14083

Nominations Received: Senate received the following nominations:

John Wade Douglass, of Virginia, to be an Assistant Secretary of the Navy.

Segments S14106

Messages From the President:

Segments S14083

Messages From the House:

Segments S14083–84

Measures Referred:

Segments S14084

Communications:

Segments S14084–85

Petitions:

Segments S14085

Executive Reports of Committees:

Segments S14085–87

Statements on Introduced Bills:

Segments S14087

Additional Cosponsors:

Segments S14087

Amendments Submitted:

Segments S14087–96

Authority for Committees:

Segments S14096

Additional Statements:

Segments S14096–S14100

Record Votes: Five record votes were taken today. (Total—458)

Segments S14005, S14019, S14049, S14050, S14081, S14100

Recess: Senate convened at 9:15 a.m., and recessed at 8:16 p.m., until 9:30 a.m., on Friday, September 22, 1995. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s RECORD on page S14105.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of John T. Conway, of New York, to be a Member of the Defense Nuclear Facilities Safety Board, and 2,421 military nominations in the Army, Navy, Marine Corps, and Air Force.

 Also, committee concluded hearings on the nomination of Gen. John M. Shalikashvili, United States Army, for reappointment as Chairman of the Joint Chiefs of Staff, Department of Defense, after the
nominee testified and answered questions in his own
behalf.

DUAL USE EXPORT CONTROL PROGRAM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Finance concluded oversight hearings on the implementation of the dual use export control program, after receiving testimony from William A. Reinsch, Under Secretary of Commerce for Export Administration; Thomas E. McNamara, Assistant Secretary of State for Political-Military Affairs; and Peter M. Sullivan, Deputy Director, Defense Technology Security Administration, Department of Defense.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

H.R. 1266, to provide for the exchange of lands within Admiralty Island National Monument in Alaska; and

S. 755, to provide for the privatization of the United States Enrichment Corporation.


LIBERIA

Committee on Foreign Relations: Subcommittee on African Affairs concluded hearings to examine United States policy toward Liberia, after receiving testimony from George E. Moose, Assistant Secretary of State for African Affairs; John F. Hicks, Sr., Assistant Administrator for Africa, Agency for International Development; Vince Kern, Deputy Assistant Secretary of Defense for African Affairs; Jim Bishop, former U.S. Ambassador to Liberia, and Janet Fleishman, Human Rights Watch/Africa, both of Washington, D.C.; and Ellwood Dunn, University of the South, Sewanee, Tennessee.

BUDGET RECONCILIATION


RUBY RIDGE

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Government Information continued hearings to examine certain Federal law enforcement actions with regard to the 1992 incident at Ruby Ridge, Idaho, receiving testimony from Larry A. Potts, former Assistant Director, and Danny O. Coulson, former Deputy Assistant Director, both of the Criminal Investigative Division, W. Douglas Gow, former Associate Deputy Director, Investigations Division, and Robin L. Montgomery, former Special Agent in Charge (Portland, Oregon), all of the Federal Bureau of Investigation, Department of Justice.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 22 public bills, H.R. 2370–2387, 2389–2392; 1 private bill, H.R. 2388; and 1 resolution, H. Con. Res. 103 were introduced.

Reports Filed: Reports were filed as follows:

H.R. 2277, to abolish the Legal Services Corporation and provide the States with money to fund qualified legal services, amended (H. Rept. 104–255);

H. Res. 226, providing for the consideration of H.R. 1601, to authorize appropriations to the National Aeronautics and Space Administration to develop, assemble, and operate the International Space Station (H. Rept. 104–258);

Conference report on H.R. 1977, making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 1996 (H. Rept. 104–259); and


Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Hayworth to act as Speaker pro tempore for today.
Cuban Liberty and Solidarity Act: By a recorded vote of 294 ayes to 130 noes, Roll No. 683, the House passed H.R. 927, to seek international sanctions against the Castro government in Cuba, and to plan for support of a transition leading to a democratically elected government in Cuba.

Agreed to the amendment in the nature of a substitute made in order by the rule (text of H.R. 2547).

Agreed to the Wynn amendment that permits the Treasury Department to support Cuban membership in international financial institutions once a transitional government is in power in Cuba.

Rejected the McDermott amendment in the nature of a substitute that sought to add language to permit the export of staple foods and medical items to Cuba (rejected by a recorded vote of 138 ayes to 283 noes, Roll No. 682).

The Stearns amendment was offered but subsequently withdrawn that sought to prohibit funds from being used for meetings between U.S. Government officials and representatives of Cuba regarding the normalization of relations between the two countries unless Congress was notified 15 days in advance.

Defense Authorizations: House disagreed to the Senate amendment to H.R. 1530, to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces; and agreed to a conference. Appointed as conferees:

From the Committee on National Security, for consideration of the House bill (except for sections 801–803, 811–814, 826, 828–832, 834–838, 842–843, 850–896) and the Senate amendment (except for sections 801–803, 815–818, 2851–2857, and 4001–4801), and modifications committed to conference: Spence, Hefley, Jones, Ortiz, and Montgomery.

From the Committee on National Security, for consideration of sections 4001–4801 of the Senate amendment, and modifications committed to conference: Spence, Stump, Torkildsen, Watts of Oklahoma, Longley, Dellsums, Edwards, and Peterson of Florida.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII: Combest, Young of Florida, and Dicks.

As additional conferees from the Committee on Agriculture, for consideration of sections 2851–2857 of the Senate amendment, and modifications committed to conference: Roberts, Allard, LaHood, de la Garza, and Johnson of South Dakota.

As additional conferees from the Committee on Commerce, for consideration of sections 601 and 3402–3404 of the House bill and sections 323, 601, 705, 734, 2824, 2851–2857, 3106–3107, 3166, and 3301–3302 of the Senate amendment, and modifications committed to conference: Bliley, Schaefer, and Dingell: Provided, That Oxley is appointed in lieu of Schaefer for consideration of sections 323, 2824, and 3107 of the Senate amendment: Provided further, That Bilirakis is appointed in lieu of Schaefer for consideration of section 601 of the House bill and sections 601, 705, and 734 of the Senate amendment: Provided further, That Hastert is appointed in lieu of Schaefer for consideration of sections 2851–2857 of the Senate amendment.

As additional conferees from the Committee on Economic and Educational Opportunities, for consideration of section 394 of the House bill, and sections 387 and 2813 of the Senate amendment, and modifications committed to conference: Goodling, Riggs, and Clay.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 332–333, and 338 of the House bill, and sections 333 and 336–343 of the Senate amendment, and modifications committed to conference: Clinger, Mica, Bass, Collins of Illinois, and Maloney.


As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 850–896 of the House bill, and modifications committed to conference: Representatives Clinger, Davis, and Collins of Illinois.
As additional conferees from the Committee on Government Reform and Oversight, for consideration of sections 4001–4801 of the Senate amendment, and modifications committed to conference: Representatives Clinger, Schiff, Zeliff, Horn, Davis, Collins of Illinois, Maloney, and Spratt.

As additional conferees from the Committee on House Oversight, for consideration of section 1077 of the Senate amendment, and modifications committed to conference: Representatives Thomas, Roberts, and Hoyer.


As additional conferees from the Committee on the Judiciary, for consideration of sections 831 (only as it adds a new section 27(d) to the Office of Federal Procurement Policy Act), and 850–896 of the House bill and sections 525, 1075, and 1098 of the Senate amendment, and modifications committed to conference: Representatives Hyde, Gekas, and Conyers.

As additional conferees from the Committee on Rules, for consideration of section 3301 of the Senate amendment, and modifications committed to conference: Representatives Solomon, Dreier, and Beilenson.

As additional conferees from the Committee on Science, for consideration of sections 203, 211, and 214 of the House bill and sections 220–221, 3137, 4122(a)(3), 4161, 4605, and 4607 of the Senate amendment, and modifications committed to conference: Representatives Walker, Sensenbrenner, and Brown of California.

As additional conferees from the Committee on Transportation and Infrastructure, for consideration of sections 223, 322, 2824, and 2851–2857 of the Senate amendment, and modifications committed to conference: Representatives Shuster, Weller, and Oberstar.

As additional conferees from the Committee on Veterans’ Affairs, for consideration of section 2806 of the House bill and sections 644–645 and 4604 of the Senate amendment, and modifications committed to conference: Representatives Smith of New Jersey, Hutchinson, and Kennedy of Massachusetts.

As additional conferees from the Committee on Ways and Means, for consideration of sections 705, 734, and 1021 of the Senate amendment, and modifications committed to conference: Archer, Thomas, and Stark.

By a yea-and-nay vote of 415 yeas to 2 nays, Roll No. 684, the House agreed to the Dellums motion to instruct House conferees to insist that the total amount authorized for the Operations and Maintenance accounts be not less than the total amounts authorized in section 301 of H.R. 1530.

By a yea-and-nay vote of 414 years to 1 nay, Roll No. 685, the House agreed to the Spence motion that the conference committee meetings on H.R. 1530 be closed to the public at such times as classified national security information is under consideration, except that any Member of Congress has the right to attend any closed or open meeting.

Legislative Program: The Majority Leader announced the legislative program for the week of September 25. Agreed to adjourn from Thursday to Monday; and agreed to return from Monday September 25 until noon on Wednesday, September 27.

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of September 27.

Presidential Message—Read a message from the President wherein he transmits the 1994 reports prepared by the Department of Transportation on activities under the Highway Safety Act, the National Traffic and Motor Vehicle Safety Act of 1966, and the Motor Vehicle Safety Act of 1972, as amended—referred to the Committees on Transportation and Infrastructure and Commerce.

Referral: One Senate-passed measure was referred to the appropriate House committee.

Senate Messages: Messages received from the Senate today appear on page H9365.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H9393, H9398–99, H9401–02, and H9402–03.

Adjournment: Met at 10 a.m. and adjourned at 5:45 p.m.

Committee Meetings

THrift CHARTer CONVERgEnCE ACT

Committee on Banking and Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on the Thrift Charter Convergence Act of 1995. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System; Ricki Helfer, Chairman, FDIC; the following officials of the Department of the Treasury; John Hawke, Under Secretary, Domestic Finance; and Jonathan L. Fiechter, Director, Office of Thrift Supervision; and public witnesses.

TRANSFORMATION OF THE MEDICAID PROGRAM

Committee on Commerce: Continued markup of Transformation of the Medicaid Program.

Will continue tomorrow.
DEPARTMENT OF COMMERCE
DISMANTLING ACT; FEDERAL REPORTS ELIMINATION AND SUNSET ACT
Committee on Government Reform and Oversight: Ordered reported amended the following bills: H.R. 1756, Department of Commerce Dismantling Act (Title I); and S. 790, Federal Reports Elimination and Sunset Act of 1995.

RECOMMENDATIONS—DEPARTMENT OF COMMERCE DISMANTLING ACT; RECONCILIATION INSTRUCTIONS
Committee on International Relations: Approved recommendations to be forwarded to The Speaker with respect to H.R. 1756, Department of Commerce Dismantling Act.

Committee also began markup of the Committee’s Response to the House’s Reconciliation Instructions.

Will continue September 27.

CAMBODIA
Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Cambodia: Prospects for Prosperity and Peace. Testimony was heard from Winston Lord, Assistant Secretary, East Asian and Pacific Affairs, Department of State; and public witnesses.

IMMIGRATION IN THE NATIONAL INTEREST ACT

Will continue September 27.

MISCELLANEOUS MEASURES; OVERSIGHT—FISH HATCHERIES
Committee on Resources: Subcommittee on Fisheries, Wildlife and Oceans held a hearing on the following: H.R. 33, Stuttgart National Aquaculture Research Center Act of 1995; H.R. 1358, to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, MA; and an oversight hearing on Fish Hatcheries. Testimony was heard from Representatives Torkildsen, Lincoln, Deal of Georgia, Pomroy, Graham and Whitfield; Mollie Beattie, Director, U.S. Fish and Wildlife Service, Department of the Interior; Floyd Horn, Deputy Under Secretary, Research, Education, and Economics, USDA; Allen Peterson, Director, Northeast Fisheries Science Center, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

TEAMWORK FOR EMPLOYEES AND MANAGERS ACT
Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 743, Teamwork for Employees and Managers Act of 1995. The rule waives clause 2(l)(2)(B) of rule XI (requiring the publication of roll call votes in committee reports) against consideration of the bill. The rule makes in order the Committee on Economic and Educational Opportunities amendment in the nature of a substitute as an original bill for the purpose of amendment, with each section considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Goodling and Representatives Kildee and Moran.

THREE-JUDGE COURT REVIEW FOR STATE-WIDE REFERENDA ACT
Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 1170, to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a three-judge court. The rule makes in order the Judiciary Committee amendment in the nature of a substitute as the original bill for purpose of amendment, and each section shall be considered as read. The rule gives priority in recognition to Members who have pre-printed amendments in the CONGRESSIONAL RECORD prior to their consideration. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Moorhead, Bono and Schroeder.

INTERNATIONAL SPACE STATION AUTHORIZATION ACT
Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 1601, International Space Station Authorization Act of 1995. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Science as an original bill for purpose of amendment, and provides that each section be considered as read. The rule gives priority in recognition to Members who have pre-printed amendments in the CONGRESSIONAL RECORD prior to their consideration. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Walker and Representative Hall of Texas.

AMTRAK REFORM AND PRIVATIZATION ACT
Committee on Transportation and Infrastructure: Ordered reported amended H.R. 1788, Amtrak Reform and Privatization Act of 1995.

RESOLUTIONS; FCC LEASE CONSOLIDATION
Committee on Transportation and Infrastructure: Subcommittee on Public Buildings and Economic Development approved for full Committee action the following: 34 lease resolutions; 1 11(b) resolution; and 2 amended prospectus resolutions.

The Subcommittee also held a briefing on FCC lease consolidation in Washington, DC. The Subcommittee was briefed by William Larson, Assistant...
Regional Administrator, Public Buildings Service, National Capitol Region, GSA.

TRADE AGREEMENTS AUTHORITY ACT; BUDGET RECONCILIATION RECOMMENDATIONS; TRADE ADJUSTMENT ASSISTANCE


The Committee also approved Budget Reconciliation Recommendations: Trade Adjustment Assistance.

BOSNIA BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a classified briefing. The Committee was briefed by departmental witnesses.

Joint Meetings

APPROPRIATIONS—TRANSPORTATION

Conferees met to resolve the differences between the Senate- and House-passed versions of H.R. 2002, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, but did not complete action thereon, and recessed subject to call.

APPROPRIATIONS—DEFENSE

Conferees continued in closed evening session to resolve the differences between the Senate- and House-passed versions of H.R. 2126, making appropriations for the Department of Defense for the fiscal year ending September 30, 1996.

Committee on Governmental Affairs, business meeting, to consider recommendations which it will make to the Committee on the Budget with respect to spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 67, setting forth the congressional budget for the United States Government for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002, 10 a.m., SD–342.

Committee on the Judiciary, Subcommittee on Constitution, Federalism, and Property Rights, to hold joint hearings with the House Committee on Judiciary’s Subcommittee on Constitution to examine the status and future of affirmative action, focusing on minority contracting, 10 a.m., SD–226.

Subcommittee on Terrorism, Technology, and Government Information, to continue hearings to examine certain Federal law enforcement actions with regard to the 1992 incident at Ruby Ridge, Idaho, 10 a.m., SH–216.

Committee on Labor and Human Resources, business meeting, to consider recommendations which it will make to the Committee on the Budget with respect to spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 67, setting forth the Congressional Budget for the United States Government for fiscal years 1996 through 2002, and to consider pending nominations, 9:30 a.m., SD–430.

Joint Meetings

Committee on Commerce, to continue markup of Transformation of the Medicaid Program, 9 a.m., 2123 Rayburn.

Committee on Ways and Means, hearing on Saving Medicare, 10 a.m., 1100 Longworth.

Committee on Banking, Housing, and Urban Affairs, to hold hearings to review the Federal Reserve’s Semi-Annual Monetary Policy Report of 1995, 10 a.m., SD–106.

Joint Hearing: Senate Committee on the Judiciary, Subcommittee on Constitution, Federalism, and Property Rights, to hold joint hearings with the House Committee on Judiciary’s Subcommittee on Constitution to examine the status and future of affirmative action, focusing on minority contracting, 10 a.m., SD–226.
Next Meeting of the SENATE
9:30 a.m., Friday, September 22

Senate Chamber


Next Meeting of the HOUSE OF REPRESENTATIVES
12 noon, Monday, September 25

House Chamber

Program for Monday: No legislative business is scheduled.

Extensions of Remarks, as inserted in this issue

Cubin, Barbara, Wyo., E1826
Davis, Thomas M., Va., E1821
Dicks, Norman D., Wash., E1821
Dunn, Jennifer, Wash., E1823
Ether, Vernen J., Mich., E1827
Eshoo, Anna G., Calif., E1823
Filner, Bob, Calif., E1830
Frelinghuysen, Rodney P., N.J., E1826
Gallegly, Elton, Calif., E1825
Ganske, Greg, Iowa, E1824
Gephardt, Richard A., Mo., E1831
Gilman, Benjamin A., N.Y., E1822, E1824
Kanjorski, Paul E., Pa., E1827
Maloney, Carolyn B., N.Y., E1825
Meek, Carrie P., Fla., E1828
Morella, Constance A., Md., E1829
Packard, Ron, Calif., E1829
Pastor, Ed, Ariz., E1830
Roth, Toby, Wis., E1832
Roybal-Allard, Lucille, Calif., E1823
Stokes, Louis, Ohio, E1823, E1827
Williams, Pat, Mont., E1831

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